

ARTICLE 3 RESIDENTIAL DISTRICTS

§3.1 Residential and Farming District 1 (RF-1)

§3.1.1 Application of Provisions

The standards, regulations and requirements as set forth in §3.1 shall apply to the use of land, buildings and other structures, and the location and bulk of buildings and other structures in any lands classified as Residential and Farming District 1 (“RF-1 District”).

§3.1.2 Permitted Uses

See Article 10 – Schedules for “Schedule of Permitted Land Uses by Zoning District.”

§3.1.3 Accessory Uses

Accessory uses, buildings or structures customarily incidental to the principal use may be allowed subject to the following additional standards and conditions.

- A. The accessory use, building or structure shall be located on the same lot as the principal permitted use to which it is accessory.
- B. Accessory uses shall not include any commercial activity except as specifically permitted in these Regulations.
- C. Accessory uses, buildings or structures may include:
 - (1) Accessory apartments, subject to the specific standards contained in Article 6 of these Regulations.
 - (2) Signs, as provided in Article 6 of these Regulations.
 - (3) Private garages and sheds for the storage of personal property for use in connection with a residence.
 - (4) The keeping of no more than four (4) dogs. Any run, fenced enclosure or shelter for the use of said dogs shall be setback at least one-hundred (100) feet from any property line.

- (5) The keeping of horses and livestock on lots that are two (2) acres or more. The number of animals permitted shall be two (2) animals over five-hundred (500) pounds for the first two (2) acres and one (1) animal over five-hundred (500) pounds for each one (1) additional acre or four (4) animals under five-hundred (500) pounds for the first two (2) acres and two (2) additional animals for each one (1) additional acre, or combination thereof. All animals shall be kept in a manner so as not to create a public health hazard or have an adverse effect on the environmental quality of the surrounding area and community in general. Manure piles shall be located and maintained so as to prevent runoff of polluting materials onto adjacent properties, roads, wells or watercourses. Fencing and structures shall be installed so as to confine all animals within the property.
- (6) The keeping of poultry. All poultry shall be kept in a manner so as not to create a public health hazard or have an adverse effect on the environmental quality of the surrounding area and community in general. Manure piles shall be located and maintained so as to prevent runoff of polluting materials onto adjacent properties, roads, wells or watercourses. Fencing and structures shall be installed so as to confine all fowl within the property.
- (7) Regular outdoor parking not to exceed more than three (3) registered noncommercial vehicles or more than one (1) registered noncommercial vehicle per licensed driver at the corresponding address, whichever is greater. The outside parking or storing of any unregistered or unused vehicle is specifically prohibited.
- (8) No unregistered vehicles may be parked or stored on the premises. There shall be no more than one (1) commercial registered vehicle bearing commercial advertising parked or stored on the premises. Any commercial registered vehicle showing commercial advertising shall be garaged or suitably screened. Screening shall consist of dense foliage completely obscuring sight of the vehicle from the road and adjoining properties, or a solid fence or similar enclosure equal to the height of the vehicle, acceptable to the Commission. No commercial registered vehicle shall exceed one ton capacity. Parking of all vehicles must be neat and in driveway areas. Vehicles may not be parked on lawns. The parking or storage of truck-tractors, commercial semi-trailers and/or commercial trailers is prohibited.
- (9) Recreational vehicles or boats may be parked or stored on the premises, provided they are suitably screened and kept at least one-hundred (100) feet from the property line. Screening shall consist of dense foliage completely obscuring sight of the vehicle or boat from the road and adjoining properties, or a solid fence or similar enclosure equal to the height of the vehicle or boat.

§3.1.4 Lot Area and Bulk Standards

- A.** Each lot shall have a minimum area of one (1) acre (or 43,560 square feet), shall be of such shape that a square with one-hundred-thirty-five (135) feet on each side will fit on the lot and shall have a frontage of one-hundred-fifty (150) feet or more on a public street, measured along the front property line. No more than twenty percent (20%) of the minimum required lot area may include lands under water and no more than fifty percent (50%) of the minimum required lot area may include wetland soils and shall be considered as part of the lot area requirements. Land area necessary to comply with minimum lot area requirements must be contiguous and not separated by environmentally constrained lands.
- B.** In the case of subdivision or resubdivision of land in accordance with a subdivision plan and all applicable requirements of the Subdivision Regulations of the Town of Monroe, the minimum area, lot frontage and/or width of any lot in said subdivision may be reduced by the Commission in accordance with the provisions for cluster subdivision provided for in the Town of Monroe's Subdivision Regulations.

§3.1.5 Setbacks

- A.** No building or other structure shall extend within less than fifty (50) feet of any front lot line, nor within twenty-five (25) feet of any side or rear lot line.
- B.** Any structure housing horses and livestock shall be located not less than fifty (50) feet from any property line.
- C.** Any structure housing male poultry or more than twelve (12) female poultry shall be located not less than one-hundred (100) feet from any property line and may not be erected between the principal structure and the street.
- D.** Any structure housing twelve (12) or fewer female poultry shall be located not less than fifty (50) feet from any property line and may not be erected between the principal structure and the street.
- E.** Horses, livestock and/or poultry manure piles and/or associated containers shall be located not less than fifty (50) feet from any property line.
- F.** Any instrument used as a satellite ground receiving station for the purpose of reception of transmitted radio, television or microwave signals shall only be mounted on a structure or the ground, and in the case of said mounting being on the ground, shall not be installed within twenty-five (25) feet of any property line, but in any case shall be installed no closer to the streetline than the closest point of setback of the dwelling to which it is accessory. All such stations when mounted on the ground shall be affixed to a permanent foundation.

§3.1.6 Height

- A. No building or other structure shall exceed a height of two-and-one-half (2½) stories or thirty-five (35) feet.
- B. No radio or television antennae, flagpoles, farm silos, solar panels, weathervanes, cupolas, power poles and lines, weather station, recording equipment, or survey/recording equipment shall exceed a height of forty-five (45) feet as defined in these Regulations, inclusive of any building or structure upon which they may be erected.
- C. Property, structures, and services owned and maintained by the Town of Monroe shall be exempt from the provisions of Subsections A and B above where a height in excess of these provisions shall be necessary to perform the intended function in support of public works, administration, safety, emergency, civil services, civil defense, and education. Such structures shall be located a minimum distance from any property line, should be at least one-and-one-quarter (1.25) times the height of such structures and shall be subject to a Special Exception Permit as set forth in Article 8 of these Regulations.

§3.1.7 Coverage

The aggregate coverage of all buildings and other structures as well as driveways and other impervious areas on any lot shall not exceed fifteen percent (15%) of the area of the lot.

§3.2 Residential and Farming District 2 (RF-2)

§3.2.1 Application of Provisions

The standards, regulations and requirements as set forth in §3.2 shall apply to the use of land, buildings and other structures, and the location and bulk of buildings and other structures in any lands classified as Residential and Farming District 2 (“RF-2 District”).

§3.2.2 Permitted Uses

See Article 10 – Schedules for “Schedule of Permitted Land Uses by Zoning District.”

§3.2.3 Accessory Uses

Accessory uses permitted in an RF-2 District shall be the same as those permitted in an RF-1 District, subject to the same restrictions described in §3.1 and other provisions of these Regulations as applicable.

§3.2.4 Lot Area and Bulk Standards

- A. Each lot shall have a minimum area of two (2) acres (or 87,120 square feet), shall be of such shape that a square with one-hundred-seventy-five (175) feet on each side will fit on the lot and shall have a frontage of two-hundred (200) feet or more on a public street. In computing area of land necessary to meet zoning requirements, no more than twenty-five percent (25%) of the minimum required lot area may include lands under water and no more than fifty percent (50%) of the minimum required lot area may include wetland soils and shall be considered as part of the lot area requirements. Land area necessary to comply with minimum lot area requirements must be contiguous and not separated by environmentally constrained lands.
- B. In the case of subdivision of land in accordance with a subdivision plan and all applicable requirements of the Subdivision Regulations of the Town of Monroe, the minimum area, lot frontage and/or width of any lot in said subdivision may be reduced by the Commission in accordance with the provisions for cluster subdivision provided for in the Town of Monroe's Subdivision Regulations.

§3.2.5 Setbacks

- A. No building or other structure shall extend within less than fifty (50) feet of any front lot line, nor within thirty (30) feet of any side or rear lot line.
- B. Any structure housing horses and livestock shall be located not less than fifty (50) feet from any property line.
- C. Any structure housing male poultry or more than twelve (12) female poultry shall be located not less than one-hundred (100) feet from any property line and may not be erected between the principal structure and the street.
- D. Any structure housing twelve (12) or fewer female poultry shall not be located less than fifty (50) feet from any property line and may not be erected between the principal structure and the street.
- E. Horses, livestock and/or poultry manure piles and/or associated containers shall be located not less than fifty (50) feet from any property line.
- F. Any instrument used as a satellite ground receiving station for the purpose of reception of transmitted radio, television or microwave signals shall only be mounted on a structure or the ground, and in the case of said mounting on the ground, shall not be installed within thirty (30) feet of any property line, but in any case shall be installed no closer to the streetline than the closest point of setback of the dwelling to which it is accessory. All such stations when mounted on the ground shall be affixed to a permanent foundation.

§3.2.6 Height

- A. No building or other structure shall exceed a height of two-and-one-half (2½) stories or thirty-five (35) feet.
- B. No radio television antennae, flagpoles, farm silos, solar panels, weathervanes, cupolas, power poles and lines, weather station recording equipment, or survey/recording equipment shall exceed a height of forty-five (45) feet as defined in these Regulations, inclusive of any building or structure upon which they may be erected.
- C. Property, structures, and services owned and maintained by the Town of Monroe shall be exempt from the provisions of §3.2.6A and B above where a height in excess of these provisions shall be necessary to perform the intended function in support of public works, administration, safety, emergency, civil services, civil defense, and education. Such structures shall be located a minimum distance from any property line and should be at least one-and-one-quarter (1.25) times the height of such structures and shall be subject to a Special Exception Permit under the provisions of Article 8 of these Regulations.

§3.2.7 Coverage

The aggregate coverage of all buildings and other structures on any lot shall not exceed ten percent (10%) of the area of the lot.

§ 3.3 Residential and Farming District 3 (RF-3)

§3.3.1 Application of Provisions

The standards, regulations and requirements as set forth in §3.3 shall apply to the use of land, buildings and other structures, and the location and bulk of buildings and other structures in any lands classified as Residential and Farming District 3 (“RF-3 District”).

§3.3.2 Permitted Uses

See Article 10 – Schedules for “Schedule of Permitted Land Uses by Zoning District.”

§3.3.3 Accessory Uses

Accessory uses permitted in an RF-3 District shall be the same as those permitted in RF-1 District, subject to the same restrictions described in §3.1 and other provisions of these Regulations as applicable.

§3.3.4 Lot Area and Bulk Standards

- A. Each lot shall have a minimum area of three (3) acres (130,680 square feet), shall be of such shape that a square with two-hundred (200) feet on each side will fit on the lot and shall have a frontage of two-hundred-fifty (250) feet or more on a public street. In computing area of land necessary to meet zoning requirements, no more than thirty percent (30%) of the minimum required lot area may include lands under water and no more than fifty percent (50%) of the minimum required lot area may include wetland soils and shall be considered as part of the lot area requirements. Land area necessary to comply with minimum lot area requirements must be contiguous and not separated by environmentally constrained lands.
- B. In the case of subdivision or resubdivision of land in accordance with a subdivision plan and all applicable requirements of the Subdivision Regulations of the Town of Monroe, the minimum area, lot frontage and/or width of any lot in said subdivision may be reduced by the Commission in accordance with the provisions for Cluster Subdivision provided for in the Town of Monroe's Subdivision Regulations.

§3.3.5 Setback

- A. No building or other structure shall extend within less than fifty (50) feet of any front lot line, nor within thirty (30) feet of any side or rear lot line.
- B. Any structure housing horses and livestock shall be located not less than fifty (50) feet from any property line.
- C. Any structure housing male poultry or more than twelve (12) female poultry shall be located not less than one-hundred (100) feet from any property line.
- D. Any structure housing twelve (12) or fewer female poultry shall be located not less than fifty (50) feet from any property line and may not be erected between the principal structure and the street.
- E. Horses, livestock and/or poultry manure piles and/or associated containers shall be located not less than fifty (50) feet from any property line.
- F. Any instrument used as a satellite ground receiving station for the purpose of reception of transmitted radio, television or microwave signals, shall only be mounted on a structure or the ground and in the case of said mounting being on the ground, shall not be installed within thirty (30) feet of any property line, but in any case shall be installed no closer to the streetline than the closest point of setback of the dwelling to which it is accessory. All such stations when mounted on the ground shall be affixed to a permanent foundation.

§3.3.6 Height

- A. No building or other structure shall exceed a height of two-and-one-half (2½) stories or thirty-five (35) feet.

- B.** No radio or television antennae, flagpoles, farm silos, solar panels, weathervanes, cupolas, power poles and lines, weather station/recording equipment, or survey/recording equipment shall exceed a height of forty-five (45) feet as defined in these Regulations, inclusive of any building or structure upon which they may be erected.

- C.** Property, structures, and services owned and maintained by the Town of Monroe shall be exempt from the provisions of §3.3.6A and B above where a height in excess of these provisions shall be necessary to perform the intended function in support of public works, administration, safety, emergency, civil services, civil defense, and education. Such structures shall be located a minimum distance from any property line and should be at least equal to one-and-one-quarter (1.25) times the height of such structures and shall be subject to a Special Exception Permit as set forth in Article 8 of these Regulations.

§3.3.7 Coverage

The aggregate coverage of all buildings and other structures on any lot shall not exceed ten percent (10%) of the area of the lot.

§3.4 Multifamily Residence District (MFR)

§3.4.1 Application of Provisions

The standards, regulations and requirements as set forth in §3.4 shall apply to the use of land, buildings and other structures, and the location and bulk of buildings and other structures in any lands classified as Multifamily Residence District (“MFR District”).

An MFR District shall be established only in an area where such District will:

- A.** Have no significant detrimental impact on the environment.

- B.** Have a water supply provided by the utility franchised to serve the area.

- C.** Be capable of providing safe, sanitary sewage disposal by means of a treatment plant or subsurface sewage disposal system or systems, either of which methods shall be approved by State and Local Authorities.

- D.** Be so located that they can be served by present or projected community facilities without undue cost to the town.

§3.4.2 General Requirements

- A. For the purpose of providing a balance in the distribution of housing types, the number of dwelling units contained in buildings in an MFR District designed for more than one family shall not at any point in time exceed ten percent (10%) of the number of single-family dwellings as listed on the current Grand List of the Town of Monroe as effective on October 1 of the current list year in the office of the Assessor of the Town of Monroe, but this shall in no way limit the number of single-family dwellings approved by the Commission in an MFR District, provided all other requirements of the zoning, subdivision and other applicable regulations are met.
- B. In an MFR District, the property shall be suitable for the long-term disposal of sanitary waste effluent without danger to public health by an environmentally suitable and legally acceptable method.
- C. No habitable building in a MFR District shall be occupied nor shall a permanent certificate of zoning compliance therefore be issued until such building is connected to an adequate public water supply and adequate hydrants are provided for fire protection as prescribed by the Fire Marshal.
- D. Where community facilities are not available or are difficult to provide for an MFR District, the Commission may reject an application unless and until there is assurance that such community facilities will be provided.
- E. At the time of application for an approval, the applicant should designate whether or not any dwelling unit will be held in condominium ownership under the State Unit Ownership Act.

§3.4.3 Permitted Uses

See Article 10 – Schedules for “Schedule of Permitted Land Uses by Zoning District.”

§3.4.4 Accessory Uses

Accessory uses, buildings and structures customarily incidental to the principal permitted use are allowed in an MFR District, provided that such accessory uses are for the benefit of the tenants, residents or guests living within such MFR District, including maintenance, storage and utility buildings and garages as accessory to a permitted use.

- A. Accessory and subordinate recreational and social facilities directly serving and to the benefit of the multifamily development community residents and their invited guests; such facilities shall be private and not open to the general public:
- B. Signs, as provided in Article 6 of these Regulations, which shall be limited by the sign requirements applicable to the Residential and Farming Districts.
- C. Conservation and open spaces.

- D. Off-street parking, landscaping, lighting, site utilities and similar site infrastructure improvements as regulated in Article 6 of these Regulations.

§3.4.5 Density and Dimensional Requirements

A. Density

Subject to the provisions of §3.4.2 above, the total number of dwelling units permitted within an MFR District shall not exceed:

- (1) Attached single-family units: two-and-half (2.5) units per gross acre of the parcel, computed by multiplying the parcel gross acreage by two-and-half (2.5); or
- (2) Detached single-family units: One (1) unit per gross acre of the parcel, computed by multiplying the parcel gross acreage by one (1).

B. Minimum Parcel Size

Minimum parcel size shall be seventy (70) acres under same ownership in a single continuous area, except that when divided by a public street the Commission may approve such MFR District, provided that not less than thirty percent (30%) of the land on one side of the street is dedicated to open space and seventy percent (70%) of the land opposite is open space.

C. Frontage

Such parcel shall have not less than two-hundred (200) feet of frontage on a public highway.

D. Setbacks

No building shall be constructed within one-hundred (100) feet of any adjoining property lines or within fifty (50) feet of any streetline. The land area of such yards shall have landscaped area treatment as provided in Article 7 of these Regulations. No structures, no driveways and no roadways, except where crossing a front yard for street access, and no parking areas shall be permitted in a required yard. Walkways are permitted in a required yard.

E. Height

No building shall exceed two-and-one-half (2½) stories or thirty-five (35) feet in height. A basement shall not be considered a story.

F. Coverage

The aggregate land area covered by all buildings and other structures shall not exceed twelve percent (12%) of the total area of the parcel.

G. Vertical Unit Design

In a structure containing two (2) or more dwelling units, there shall be no more than one (1) dwelling unit or portion thereof located above another dwelling unit.

§3.4.6 Distribution of Unit Sizes

A. In buildings containing more than one dwelling unit:

- (1) At least sixty percent (60%) of the total number of multi-family units shall be limited to one bedroom, with:
 - (a) A maximum of four (4) rooms containing a minimum of nine-hundred-fifty (950) square feet of living area; and
 - (b) A maximum of three (3) rooms containing a minimum of seven-hundred-fifty (750) square feet of living area shall be constructed for a minimum ten percent (10%) of the total number of units.
- (2) Not more than forty percent (40%) of the total number of multi-family units shall be limited to two (2) bedrooms with a maximum of five (5) rooms containing a minimum of one-thousand-two-hundred (1,200) square feet of living area.

B. "Living floor area" shall be that area within the perimeter walls of the dwelling unit devoted to the exclusive use of the occupant and shall not include balconies, porches or other spaces outside the dwelling unit.

§3.4.7 Separation of Units

- A.** Not more than six (6) dwelling units shall be contained within the enclosing walls of a building, but this shall not prevent the use of a garage or carport structure from connecting two (2) buildings provided that the opposing wall has no windows. Walls with windows in a building shall not be less than twenty (20) feet from an opposing wall without windows and not less than fifty (50) feet from an opposing wall with windows.
- B.** A garage or carport may be attached to a building wall without windows on the first floor. Where such garage or carport projects beyond the building wall or is detached, the floor area shall not be less than ten (10) feet from any building wall and shall be screened with a fifty percent (50%) solid wall or screening with the top six (6) feet above grade and the bottom not more than two (2) feet above the garage floor level.
- C.** The scale of buildings shall be compatible with the scale of residential buildings in the town. No building facade shall have a continuous surface exceeding fifty (50) feet in length without a horizontal offset from grade to eaves of at least two (2) feet, and the plane of rooflines shall be similarly broken.

§3.4.8 Open Space Requirements

- A. Not less than fifty percent (50%) of the gross area of the parcel shall be designated as and shall remain as open space in perpetuity, and such area may be developed only for open space and recreational uses. No less than fourteen percent (14%) of such open space land shall be used for passive recreation, park or playground areas. This open space shall be located where approved by the Commission in accordance with its policy and criteria for the location of open space, shall be dedicated to recreation and open space. Maintenance of said open space shall be the responsibility of the owner of the property if held in single ownership, or of a homeowners' association, if the lots and/or units are sold to individual owners.

- B. Open space may be retained in private ownership for the public good by an organization, such as a land trust, provided there is proper assurance that the land will remain as open space.
 - (1) Open space may be retained in private ownership, provided an organization is formed prior to the sale or leasing of any land in an MFR District, consisting of all the landowners therein, each having an undivided interest in and responsibility for the costs of maintenance of all such private open space land.
 - (2) In the case of private open space land developed with recreation facilities, including a golf, swimming or tennis club, the corporation owning such land shall make available to all residents of an MFR District such recreational facilities, subject, as applicable, to payment of normal fees or charges by persons using such facilities.
 - (3) No privately owned open space in an MFR District shall be sold or the ownership thereof transferred until after the Town of Monroe has been given the right to purchase such land and any facilities thereon.
 - (4) No special exception approval shall be granted until private open space disposition has been documented in a form satisfactory to the Town Attorney and has been approved by the Commission and filed in the land records of the Town of Monroe.
 - (5) Any recreational open space or passive open space shall be permanently dedicated to such use by appropriate covenants and restrictions so as to prohibit the use thereof for any other purpose whatsoever in perpetuity. Land to be used as public or private open space shall be left in condition for the purpose intended. Wooded and brook areas shall be left natural, where appropriate. All debris and solid waste shall be removed.
 - (6) A site improvement plan shall be prepared for all public and private open space. Except as otherwise permitted in writing by the Commission, there shall be no depositing, dumping or storage of waste or other natural or man-made materials, supplies or equipment on any land designated as open space. No work, farming, gardening, clearing, landscaping, removal or filling shall be done, nor shall the existing natural characteristics of open space land be altered from its original condition, until a site improvement plan, prepared by a competent professional person, has been approved by the Commission.

§3.4.9 Off-Street Parking

- A. Notwithstanding the provisions of Article 6 of these Regulations, parking spaces for not less than two cars per dwelling unit shall be provided off the public streets; at least fifty percent (50%) of such spaces shall be in a garage or in a garage within a residential building.
- B. Parking of motor vehicles outdoors shall be limited to operable registered passenger vehicles only, but this shall not limit the parking of other vehicles of residents in a roofed building or structure having solid walls and a garage door. No parking spaces shall be located in a required front yard facing a public street, and all parking spaces visible from a public street shall be screened with landscaping. Parking areas and access driveways or roadways shall be not less than twenty (20) feet from a principal building, except as provided in §3.4.9A of these Regulations. Parking areas containing more than 40 car spaces shall have two access driveways. Parking areas shall have a permanent all-weather surface, be properly drained, provide for stormwater quality control, include line striping and comply with the requirements set forth in Article 6 of these Regulations.
- C. Not more than twenty (20) dwelling units or more than forty (40) off-street parking spaces will be permitted off a permanent public dead-end street or on a private dead-end street or driveway on the lot.

§3.4.10 Utilities and Improvements

A. Water Supply

- (1) Water from a public utility source shall be installed, including all pump station or valve pressure reduction equipment, hydrant and supply system appurtenances, without cost to the Town, to serve all buildings requiring same in an MFR District, in conformance with the rules and regulations of the utilities having jurisdiction.
- (2) Adequate water pressure shall be provided to address all local, State and Federal requirements for domestic pressure and fire suppression.

B. Sewerage System

- (1) All buildings shall be served by an environmentally suitable sanitary waste treatment and disposal system that conforms to all applicable requirements of local, State and Federal law and shall be certified by a Connecticut licensed professional engineer. The sanitary waste treatment and disposal system must be approved for construction by all relevant Federal, State and local authorities prior to the issuance of the written zoning certification needed for a building permit. All necessary permits for the discharge of wastewater shall be obtained and presented to the Commission or its authorized agent prior to the issuance of a final Zoning Certificate of Compliance or Certificate of Occupancy.

- (2) Statement of ownership. A statement of ownership of the sewerage system and treatment plant shall be filed in Monroe Land Records, the office of the Town Planning and Zoning Department, and the Town of Monroe Water Pollution Control Authority. At any time said ownership changes, a revised statement of ownership noting said changes shall be filed with the above offices.
- (3) The system shall be operated and maintained at the expense of the owner(s) of said system. This includes all costs of material, engineering, consultants, labor (full salaries, including all fringe benefits) and any other associated costs. All costs are the sole expense of the owner and none shall be the obligation of the town.
- (4) In the case where there is a community septic system serving more than one building, the community septic system must meet all the requirements of State of Connecticut General Statutes, §7-245 through §7-273u, as amended, and the regulations and requirements of the Monroe Water Pollution Control Authority. An agreement for use of the community septic system shall be executed and recorded in the Monroe Land Records prior to the issuance of a Certificate of Zoning Compliance for Building Permits.

C. Sidewalks

Sidewalks shall be provided, as required by the Commission, to assure safe pedestrian travel between buildings and from buildings to off-street visitor parking, recreational or community facilities, mail delivery pickup facilities, and to bus stops.

D. Trash Collection and Removal

- (1) Trash collection points and/or trash storage areas within enclosed individual garages, or similar areas, shall be provided throughout the site in locations and enclosures approved by the Commission and shall be shown on the Site Plan of development.
- (2) Dumpsters shall be appropriately enclosed and screened.
- (3) Collection points shall be regularly maintained and kept free of all loose and/ or accumulated material. Receptacles for deposit shall be kept tightly closed at all times to minimize the effect on public safety and health.
- (4) Maintenance and removal of trash and garbage shall be the sole responsibility of the owners, or their designated representative, however, in no case shall removal by a refuse collector, duly licensed, take place on a frequency of less than once a week. Methods of collection and removal shall be subject to regular inspection by the Health Department of the Town of Monroe.
- (5) Provisions for recycled materials shall be included in trash collection points where applicable and shall comply with all of the other requirements of trash removal.

E. Mailboxes

Mailbox delivery structures/facilities and adequate access for mail pick-up shall be provided in a location(s) approved by the Commission and shall be shown on the Site Plan.

§3.4.11 Statement of Satisfactory Completion

Upon completion of all construction including sanitary sewer systems, storm drainage, roads, parking buildings, structures and recreational facilities, the owner/developer shall provide the Commission, the Town Engineer and the Water Pollution Control Authority, when applicable, with the following:

- A. Reproducible "As-Built" plans of all improvements in a form satisfactory to the Town Planner and Town Engineer.
- B. Copies of all permits and/or documentation issued by or submitted to any and all governmental agencies and officials in connection with the review or approval of the sanitary waste treatment and disposal system, including but not limited to "As-Built" plans, including certifications of State of Connecticut licensed professional engineer(s), licensed land surveyors, licensed architects, licensed landscape architects and/or other licensed professional where applicable.

§3.4.12 Approval and Execution

- A. In order to ensure the orderly development by staging construction of an MFR District over a period not to exceed five years, the Commission may limit the number of building permits issued in one year to not over one-third (1/3) of the total number of units approved in the overall Site Plan.
- B. The Commission's approval of a proposed MFR District shall be treated solely as an approval of the concept shown on the Site Plan submitted with the application. The approval shall not be deemed to authorize the construction of any improvements shown on the Site Plan. Neither the Commission nor its authorized agent shall issue the written certification necessary for the issuance of a building permit until the applicant has submitted adequate documentation that the proposed sanitary waste treatment and disposal system, water supply and other utilities have been approved by all governmental agencies or authorities having jurisdiction thereof.

§3.5 Age Restricted Residence (ARR) District

§3.5.1 Application of Provisions

The standards, regulations and requirements as set forth in §3.5 shall apply to the use of land, buildings and other structures, and the location and bulk of buildings and other structures in any lands classified Age Restricted Residence District (ARR) District.

- A. An ARR District shall be established only in an area where the uses meet the following conditions:

- (1) Will have no significant detrimental impact on the environment.
- (2) Will have a water supply provided by the utility franchised to serve the area.
- (3) Will be established only from lands presently zoned Residential and Farming (RF-1, RF-2 and RF-3 District), which lands shall upon rezoning be required to be a single contiguous lot owned in fee simple with frontage as required herein on a Major Arterial, Minor Arterial or Collector Road as identified in the 2010 Monroe Plan of Conservation and Development, as may be amended from time to time.

B. Relation to Connecticut General Statutes. The Unit Ownership Act, Chapter 825 of the Connecticut General Statutes shall continue to govern residential condominiums in the Town of Monroe created prior to 1984, except to the extent Chapter 828 of the Connecticut General Statutes prevail as set forth therein or as may be amended from time to time.

C. For the purpose of this regulation, “age restricted” shall be a deed restricted dwelling unit where one or more of the occupants is fifty-five (55) years of age or older. There shall be no permanent residents eighteen (18) years of age or younger for more than three (3) months in any consecutive twelve (12) month period. Such dwellings shall comply with all State and Federal regulations pertaining to housing for persons fifty-five (55) years and older. All dwelling units shall be restricted in use in accordance with the requirements of these Zoning Regulations by restrictive covenant, the required residential condominium declaration and condominium bylaws. The residential condominium association shall provide evidence to the Town of Monroe Planning and Zoning Department on an annual basis, no later than January 31st of each year, compliance with the provisions of this section.

D. Ownership. The ownership of all dwelling units in an ARR District shall be by residential condominium. No permanent Certificate of Zoning Compliance shall be issued until the Commission is in receipt of a copy of the condominium documents for the project, including the Public Offering Statement, Declaration and By-Laws, as approved and recorded in the Monroe Land Records, which documents shall provide provisions limiting occupancy of units to occupancy where one or more occupants is fifty-five (55) years of age or older, provisions establishing a budget to insure maintenance of all private access driveways, parking areas and all buildings, utilities and site improvements on the project and other applicable provisions insuring that all requirements of the ARR District as set forth in these Regulations are adhered to by the dwelling unit owners and condominium association.

E. Organization. Organization of condominium association or unit owners’ association shall be pursuant to CGS §47-243A. Such association shall be organized no later than the date the first condominium unit in the residential condominium is conveyed. The membership of the association at all times shall consist exclusively of all condominium unit owners. The association shall have an executive board. The association shall be organized as a business or nonstock corporation, trust, partnership or unincorporated association.

F. No individual condominium unit may be subdivided into two or more units.

G. Bylaws. Bylaws of the condominium association shall:

- (1) Provide the number of members of the executive board and the titles of the officers of the association.
- (2) Unless otherwise specified in the residential condominium declaration, provide for election by either the executive board or the unit owners of a president, treasurer, secretary and any other officers of the association the bylaws specify.
- (3) Specify the qualifications, powers and duties, terms of office and manner of electing and removing executive board members and officers and filling vacancies.
- (4) Specify the powers the executive board or officers may delegate to other persons or to a managing agent.
- (5) Specify the officers who may prepare, execute, certify and record amendments to the residential condominium declaration on behalf of the condominium association.
- (6) Specify a method for amending the bylaws.
- (7) Contain any provision necessary to satisfy requirements in this chapter or the residential condominium declaration concerning meetings, voting, quorums and other activities of the condominium association.
- (8) Provide for any matter required by the law of the State of Connecticut and Town of Monroe, which is not inconsistent thereto, to appear in the bylaws of organizations of the same type as the association.
- (9) Provide for the establishment, publishing and adherence to policies and procedures that demonstrate clear intent and implementation of providing for housing for persons fifty-five (55) years or older. Proposed residents must be required to sign a notarized affidavit and present verification of their age.
- (10) Contain procedures and policies for the verification of the age restricted occupancy of individual condominium units.
- (11) Subject to the residential condominium declaration, the bylaws may provide for any other necessary or appropriate matters including matters that could be adopted as a rule or regulation of the residential condominium.

§3.5.2 General Requirements

- A. For the purpose of providing a balance in the distribution of housing types throughout the Town, the total number of permitted age restricted dwelling units within all areas in the Town zoned ARR District shall not at any point in time exceed six percent (6%) of the total number of single-family dwellings within the combined RF-1, RF-2 and RF-3 Districts, as listed on the current Grand List of the Town of Monroe as effective on October 1 of the current list year in the office of the Assessor of the Town of Monroe at the time an application is filed with the Commission.

- B. No habitable building in an ARR District shall be occupied nor shall a permanent certificate of zoning compliance be issued until such building is connected to an approved and operational adequate water supply, sewage disposal system, central utilities, and adequate fire protection measures are installed and operational as prescribed by the Fire Marshal.

§3.5.3 Permitted Uses

See Article 10 – Schedules for “Schedule of Permitted Land Uses by Zoning District.”

§3.5.4 Accessory Uses

- A. Accessory maintenance and utility uses, buildings and structures customarily incidental to the principal use provided such accessory uses are for the benefit of the residents living within the related ARR District development property.

- B. Signs, as provided in Article 6, which shall be limited by the sign requirements applicable to residential and farming districts.

- C. A caretaker residence, which residence shall count as one of the total dwellings permitted but is not subject to the age restrictions. Said dwelling shall contain a maximum of three (3) bedrooms and shall be designed and located to be integral with the age restricted dwellings.

- D. Indoor and outdoor passive and active recreation facilities solely for the residents of the particular ARR District development and their guests, including such facilities as a swimming pool, racquet sport court, clubhouse or meeting room, pavilion, gazebo or other similar condominium association community center facility.

- E. Off-street parking, landscaping, lighting, site utilities and similar site infrastructure improvements as regulated in Article 6 of these Regulations.

§3.5.5 Density and Dimensional Requirements

A. Density

- (1) Attached age restricted dwellings. Subject to the provisions of §3.5.2A above, the total number of attached age restricted dwelling units permitted within an ARR District development shall not exceed five (5) units per gross acre of the parcel, computed by multiplying the parcel gross acreage by five (5).
- (2) Detached age restricted dwellings. Subject to the to the provisions of §3.5.2A above, the total number of detached age restricted dwelling units permitted within an ARR District development shall not exceed two (2) units per gross acre of the lot, computed by multiplying the parcel gross acreage by two (2).

B. Minimum Lot Area

Minimum lot area shall be not less than ten (10) acres contained within a single contiguous fee-simple lot.

C. Minimum Lot Frontage

Such lot shall have not less than one-hundred twenty-five (125) feet-of street frontage on a public highway as set forth in §3.5.1(A)(3) above.

D. Setbacks

- (1) **Minimum setbacks.** No building or structure shall be constructed except in conformance with the following minimum standards:

Age Restricted Residence District Minimum Setbacks

Minimum Standard	Attached Dwellings	Detached Dwellings
Front Yard	50 feet	50 feet
Side Yard	100 feet	50 feet
Rear Yard	100 feet	50 feet
From Internal Access Driveway	25 feet	25 feet
From Sidewalk Dwelling Side	20 feet	20 feet

- (2) The lands within the minimum required setback yard areas shall have a landscape treatment as required in §6.2 of these Regulations, including an adequately maintained landscape buffer from adjoining properties.
- (3) No access driveway or walkway, except crossing to provide access to the abutting public street, and no building, structure or parking area shall be permitted in a required minimum front yard.
- (4) In no case shall parking be permitted within twenty-five (25) feet of a side or rear property line or a required minimum landscape buffer area, whichever is greater.

- (5) Subsurface sewage disposal systems may be located in a required setback area, subject to the following:
 - (a) All applicable landscape buffer requirements shall be provided, except the Commission may permit an encroachment into a required landscape buffer provided it can be shown that such encroachment is the minimum necessary and an alternative landscape buffer plan is provided to offset any such encroachment.
 - (b) Notwithstanding Subsection (a) above, a minimum setback of 10 feet from any property line shall be provided.

E. Height

No building or structure shall exceed two-and-one-half (2½) stories or thirty-five (35) feet in height.

F. Coverage

- (1) Building coverage. The aggregate land area covered by all buildings and other structures shall not exceed fifteen percent (15%) of the total area of the lot.
- (2) Site Coverage. The aggregate land area covered by all buildings, structures and other impervious surfaces shall not exceed thirty-five percent (35%) of the total area of the lot.

§3.5.6 Floor Area

- A. Age restricted attached dwelling units.** A minimum net floor area (living space) per age restricted attached dwelling unit shall not be less than the following:
 - (1) Studio/Efficiency Unit: Five-hundred (500) square feet.
 - (2) One-Bedroom Unit: Seven-hundred-fifty (750) square feet.
 - (3) Two-Bedroom Unit: One-thousand (1,000) square feet.
- B. Age restricted detached dwelling units.** A minimum gross floor area (living space) per age restricted detached dwelling unit shall not be less than one-thousand (1,000) square feet, nor contain more than three (3) bedrooms each.
- C.** "Floor area (living space)" shall not include unfinished interior spaces or garages or exterior balconies, porches, decks or other spaces outside the individual dwelling unit.

§3.5.7 Separation of Units

A. Age restricted attached dwelling units.

- (1) Not more than six dwelling units shall be contained within the enclosing walls of a single building.
- (2) The minimum separation distance between buildings shall be thirty-five (35) feet.
- (3) Each individual dwelling unit shall have its own separate entrance/exit leading directly to the outside. No more than two such entrances/exits shall be within thirty (30) feet of each other.

B. Age restricted detached dwelling units. The minimum separation distance between principal buildings shall be thirty-five (35) feet as measured from the closet point of each building, except certain architectural features as set forth in §1.9.9(B)(1), (2) and (3) of these Regulations may project a maximum of two (2) feet into said separation area.

C. The architectural design, scale and mass of buildings and structures, including materials, colors, rooflines and elevations shall be compatible with the design, character and scale of residential buildings in the town. No building facade shall have a continuous surface exceeding fifty (50) feet in length without a horizontal offset from grade to eaves of at least two feet.

D. All buildings and structures shall be designed and grouped in such a manner as to provide adequate light, air, ventilation and privacy for all habitable rooms and exterior extensions of the interior living area such as balconies, porches, decks and patios.

E. Buildings shall be designed to be compatible with the functions that they will perform, in relationship to existing topography and to minimize adverse visual effects on the surrounding area.

F. All mechanical equipment and refuse/recycling containers shall be screened from view. Individual refuse/recycling facilities shall be stored within a structure except on day of pickup. Centralized refuse/recycling collection areas shall be maintained and conveniently located for all groups of units. The collection areas shall be properly enclosed, screened and supplied with all covered receptacles.

G. A centralized mailbox location and structure shall be provided with sufficient parking or automobile standing area separated from the internal access driveway by a landscaped island traffic control islands or other similar buffer.

§3.5.8 Off-Street Parking

A. Off-street parking for age restricted attached and detached dwellings units shall be provided in accordance with the standards contained in Article 6 of these Regulations.

- B.** The location of visitor spaces shall be distributed evenly throughout the development to ensure proximity to each dwelling unit.
- C.** Accessory facilities: the Commission shall require an appropriate number of additional off-street parking spaces for accessory uses, buildings, structures and recreation facilities. Such additional spaces shall be located in direct proximity to said accessory facilities.
- D.** A minimum of fifty percent (50%) of all minimum required dwelling unit parking spaces shall be in individual or common garages. Garages shall not be converted to living habitable space and no garage shall be configured as a work room, storage area or similar to preclude its use for parking of passenger vehicles. Off-street parking spaces in front of individual dwelling unit garages may be counted as an exterior space. Parking of motor vehicles outdoors shall be limited to operable registered passenger vehicles only.
- E.** No parking spaces shall be located in a required front yard facing a public street, and all parking spaces visible from a public street shall be screened with fencing and landscaping. There shall be no parking permitted on internal access driveways, curbs, sidewalks or lawn areas. All parking shall be in designated parking spaces as approved by the Commission.
- F.** Parking areas containing more than forty (40) parking spaces shall have two (2) access driveways. Parking areas shall have a permanent all-weather surface and shall be properly drained with a maximum grade of five percent (5%).
- G.** On-site parking shall also be in conformance with the requirements set forth in §6.1.13 through §6.1.17 of these Regulations.
- H.** The parking and storage of recreational vehicles, boats, campers, ATV and other similar vehicles shall comply with the standards of §1.9.2D of these Regulations. The location of any such parking and storage shall be designated on the development plans and approved by the Commission, including the required screening thereof.
- I.** Maintenance equipment and vehicles if maintained by the ARR development shall be stored and parked in an enclosed building.

§3.5.9 Utilities and Improvements

A. Water Supply

- (1) Water for all facilities in an ARR development shall be served by a public utility source.
- (2) Adequate water pressure shall be provided to address all local and federal requirements for domestic pressure and fire suppression.
- (3) All water supply facilities and extension of water mains to the site shall be constructed, maintained and operated at no cost to the Town of Monroe.

B. Sewerage System

- (1) The ARR development shall be served by a Subsurface Sewage Disposal System (SSDS) or an On-site Wastewater Renovation System (OWRS) in conformance with all Federal, State and Local laws, standards and regulations.
- (2) All sewage system facilities shall be constructed, maintained and operated at no cost to the Town of Monroe.
- (3) The SSDS or OWRS shall be owned by the residential condominium association, and as such, the residential condominium association shall be responsible for its operation and maintenance in conformance with all Federal, State and Local laws, standards and regulations. The ownership and responsibility shall be incorporated in the residential condominium declaration.

C. Pedestrian Walkways

- (1) Walkways shall be provided at the Commission's discretion.
- (2) Walkways shall be provided at locations as required and accepted by the Commission, to assure safe pedestrian travel between buildings and from buildings to off-street visitor parking, recreational or community facilities, mail delivery pick-up facilities, bus stops, and other site areas as determined appropriate by the Commission.
- (3) Walkways shall not be pitched at a slope greater than five (5) percent. The use of steps on a sidewalk is prohibited unless an ADA compliant alternate access is also provided.
- (4) Walkways shall have a minimum of five feet clear and unobstructed width.
- (5) Walkways shall be constructed of concrete, pavers set in concrete, or other similar materials (asphalt shall not be permitted), and shall be ADA compliant.
- (6) Cross walks shall be provided at appropriate driveway access intersections and other appropriate locations.

D. Access Driveways

- (1) There shall be provided a safe and convenient system of internal access driveways, individual unit driveways, parking areas and pedestrian walks, with due consideration given in planning such facilities to the needs of the physically handicapped and aged.
- (2) The access driveways and other related development facilities shall remain private and shall be constructed, maintained and operated at no cost to the Town of Monroe.

- (3) Internal access driveways shall comply with the “commercial” standards set forth in Chapter 260, Driveway Construction of the Code of the Town of Monroe, as amended from time to time. Where an internal driveway intersects with a public highway, there shall be a minimum pavement width of twenty four (24) feet of a wearing surface course consisting of bituminous concrete or equivalent surface treatment in accordance with Town standards for a distance of fifty (50) feet from the intersection.
- (4) Internal access driveway(s) shall be designed for safe and easy circulation of traffic within the development. Driveways shall be laid out with attention to the natural contours of the land and provide easy access for all emergency vehicles.
- (5) No internal access driveway segment shall be greater in length than fifteen hundred (1,500) feet without two (2) internal through access (not a “dead end”) driveway connections/alternatives or an emergency accessway. The emergency accessway shall be suitable for use by emergency vehicles. The emergency accessway shall be not less than twenty (20) feet wide throughout its length. The emergency accessway need not be paved with an impervious surface. However, it shall be hard surfaced and accessible by apparatus. The emergency accessway shall be clear and maintained at all times so that there are no impediments to emergency vehicle use. Emergency accessways shall be specifically approved by the Police and Fire Departments.
- (6) In addition to the standards set forth in Chapter 260, Driveway Construction of the Code of the Town of Monroe, as amended from time to time, the design criteria for internal access driveways shall be in compliance with the Connecticut Department of Transportation 2003 Highway Design Manual, as amended from time to time; the 2004 AASHTO Geometric Design of Highways and Streets, as amended from time to time; and the following design criteria:

ITEM	CRITERIA
Speed Limit	15 mph (posted with proper signs)
Design Speed	20 miles per hour
Minimum Horizontal Curve Radius	80 feet
Minimum Length of Vertical Curve	Length: 8.6(A) (A = algebraic difference in grades)
Minimum Stopping Sight Distance Internal to the Site	115 feet
Minimum Sight Distance at Intersections Internal to the Site	All approach stop controlled: 70 feet Stop control for minor approach: <ul style="list-style-type: none"> ▪ Left Turn: 225 feet ▪ Right Turn: 135 feet
Cross Slope	Three-eighths (3/8) inches per foot.
Subbase	Eight (8) inches of gravel.
Base Course	Four (4) inches of processed aggregate.
Surface Course	Three (3) inches of asphalt in two (2) courses.
Guide Rail	Per guidelines set forth in the State Traffic Manual, as updated; per Best Management Practices; and per Town of Monroe Standard No. 1 “Typical Roadway Sections.”
Shoulder	Three (3) foot stabilized area adjacent to pavement with a half (1/2) inch per foot slope.

- (7) As per evaluation of proposed conditions, the location, type, and amount of curbing required within an ARR development shall be at the discretion of the Commission.
- (8) Appropriate directional and traffic signage shall be provided throughout the ARR development, including stop signs and stop bars at internal access driveway intersections and intersections with public roads.
- (9) **Individual unit driveways**
 - (a) Each individual unit driveway serving a dwelling unit shall have a width of no less than ten (10) feet. Individual unit driveways serving more than one dwelling unit shall be no less than sixteen (16) feet and no greater than twenty (20) feet wide. Common driveway courts, landscaping, fencing, walls and other such measures shall be incorporated to minimize the visual appearance of such shared individual driveways from the internal access driveway, abutting dwelling units and adjacent yard areas. All individual unit driveways shall not contain grades no less than one percent (1%) or greater than five percent (5%).
 - (b) All individual unit driveways shall intersect only with an internal access driveway. No individual unit driveway shall intersect directly with a public highway unless the unit and driveway were constructed prior to 1960 and the unit is and remains a detached single-family residence.

E. Stormwater Management

There shall be provided a coordinated and comprehensive system of stormwater collection and treatment addressing water quality and quantity issues prepared by a Civil Engineer, licensed in the State of Connecticut.

- (1) The proposed development shall be planned so that there will be no increase in the post development peak rate of flow from the site for each 2-year, 5-year, 10-year, 25-year, noting that a 50-year and/or 100-year design storm may be required where warranted by downstream site conditions, the size of the development, and/or the size of the drainage basin.
- (2) All data shall be analyzed using Natural Resource Conservation Service (formerly SCS) TR-55 and TR 20 methodology. Design storms shall be Type III, 24-hour duration. The Rational methodology may be used for evaluation of conveyance systems in some situations as approved by the Town Engineer.
- (3) The analysis shall include existing and proposed conditions watershed runoff maps; narrative of activity; summary of changes to impervious areas; tabulation of design input values including land use, curve number and time of concentration; graphical hydrograph and routing diagrams for each watershed subarea and detention facility; and tabular summary of existing and proposed condition peak rates of runoff. Evaluation of upstream and downstream conditions shall also be included.

- (4) Percolation tests and test pits must be conducted in the location of detention facilities. The test shall be conducted prior to design and the location shall be shown on the plans. The percolation tests shall be conducted as defined by the Connecticut Health Code and must be in the soil layer below the detention facilities. The tests shall be certified by a Civil Engineer, licensed in the State of Connecticut.
- (5) Maximum infiltration is encouraged. A minimum separation distance of 18 inches must be achieved between the bottom of the detention facilities and any restrictive layer (ie; Redoximorphic features, ledge or other restrictive layer) as determined by the soils tests unless an underdrain system is proposed. No exfiltration shall be included in the computations of the detention facilities.
- (6) All detention or retention facilities shall have an emergency spillway sized to safely pass a 100-year design storm in a controlled manner without eroding the outlet works.

F. Other Site Utilities

- (1) Underground utilities. All utilities, including but not limited to water supply, electric, natural gas, telephone, internet and cable television service, shall be placed underground.
- (2) Fire protection. Provisions shall be provided for proper access for fire-fighting equipment and personnel and include facilities and water supply for fire-fighting purposes as may be determined adequate and approved by the Commission based upon the recommendations and requirements of the Fire Marshal.
- (3) Installation and extension of all site utilities shall be constructed, maintained and operated at no cost to the Town of Monroe.

G. Landscaping and Lighting

Landscaping and lighting shall comply with 6.2 of these regulations.

§3.6 Recreational Residence District (RR)

§3.6.1 Application of Provisions

The standards, regulations and requirements as set forth in §3.6 shall apply to the use of land, buildings and other structures, and the location and bulk of buildings and other structures in any lands classified as Recreational Residence District (“RR District”).

A. An RR District shall be established only in an area where such district will:

- (1) Have no significant detrimental impact on the environment.
- (2) Have a water supply provided by the utility franchised to serve the area.

- (3) Be so located that it can be served by present or projected community facilities without undue cost to the town.

§3.6.2 General Requirements

- A. For the purpose of providing a balance in the distribution of housing types, the number of building lots in an RR District shall not at any point in time exceed ten percent (10%) of the number of single-family dwellings as listed on the current Grand List of the Town of Monroe as effective on October 1 of the current list year in the office of the Assessor of the Town of Monroe.
- B. No habitable building in an RR District shall be occupied nor shall a permanent certificate of zoning compliance therefore be issued until such building is connected to an adequate public water supply and adequate hydrants are provided for fire protection as prescribed by the Fire Marshal.

§3.6.3 Permitted Uses

See Article 10 – Schedules for “Schedule of Permitted Land Uses by Zoning District.”

§3.6.4 Accessory Uses

- A. Accessory uses, buildings and structures customarily incidental to the principal use are allowed in an RR District, provided such accessory uses are for the benefit of the tenants, residents or guests living within such RR District.
- B. A country club, golf club or a clubhouse facility.
- C. Maintenance, storage and utility buildings and garages as accessory to or required by a permitted use.
- D. Signs, as provided in Article 6, which shall be limited by the sign requirements applicable to Residential and Farming Districts.
- E. Off-street parking, landscaping, lighting, site utilities and similar site infrastructure improvements as regulated in Article 6 of these Regulations.

§3.6.5 Density and Dimensional Requirements

A. Density

Subject to the provisions of §3.6.2A of these Regulations, the total number of single-family building lots and/or dwelling units permitted within an RR District shall not exceed one (1) unit per net acre of the parcel if the parcel was conventionally subdivided.

B. Minimum Parcel Size

Minimum parcel size shall be twenty-five (25) acres under same ownership in one (1) contiguous area.

C. Frontage

Such parcel shall have not less than two-hundred (200) feet of frontage on a public highway. No lot shall have less than ninety (90) feet of frontage on a public highway.

D. Lot Size

The minimum area of each individual building lot shall be three-quarters-of-one-acre (3/4 acres or 32,670 square feet) for each RR District to be established. No more than twenty percent (20%) of the total area of the lot area may be under water, and no more than fifty percent (50%) of the total lot may consist of wetlands as defined by the governing wetland authority.

E. Height

No building shall exceed two-and-one-half (2½) stories or thirty-five (35) feet in height. A basement shall not be considered a story.

§3.6.6 Minimum Floor Area

Each single-family detached building shall have a floor area of not less than one-thousand-one-hundred (1,100) square feet.

§3.6.7 Setback of Units

No building or other structure shall extend within less than thirty (30) feet of any front lot line; within less than twenty-five (25) feet of an RF-1 District; within less than thirty (30) feet of an RF-2 District or RF-3 District; nor within fifteen (15) feet of any side or rear lot line.

§3.6.8 Open Space Requirements

A. Amount Required

- (1) Not less than thirty percent (30%) of the gross area of the parcel shall be designated as and shall remain in open space, and such space may be developed only for recreational uses. Such land shall be located where approved by the Commission and shall be dedicated to recreation and open space by such covenants or restrictions as may be required by the Commission.
- (2) Not less than ten percent (10%) of the gross area of the parcel shall be conveyed to the Town of Monroe as open space.

B. Ownership

Recreational open space or passive open space may be retained in private ownership for the public good provided there is proper assurance that the land will remain as open space.

- (1) Open space may be retained in private ownership, provided an organization is formed prior to the sale or leasing of any land in the RR District, consisting of all the landowners therein, each having an undivided interest in and responsibility for the costs of maintenance of all such private open space land.
- (2) In the case of private open space land developed with recreation facilities, including a golf, swimming or tennis club, the corporation owning such land shall make available to all residents of the Town of Monroe such recreational facilities, subject, as applicable, to payment of normal fees or charges by persons using such facilities.
- (3) No privately owned open space in an RR District shall be sold or the ownership thereof transferred until after the Town of Monroe has been given the right to purchase such land and any facilities thereon.
- (4) No special exception approval shall be granted until private open space disposition has been documented in a form satisfactory to the Commission.
- (5) Any recreational open space or passive open space shall be permanently dedicated to such use by appropriate covenants and restrictions so as to prohibit the use thereof for any other purpose whatsoever in perpetuity.

C. Open Space Plan

A site improvement plan shall be prepared for all public and private open space. Except as otherwise permitted in writing by the Commission, there shall be no depositing, dumping or storage of waste or other natural or man-made materials, supplies or equipment on any land designated as open space. No work, removal or filling shall be done, nor shall the existing natural characteristics of open space land be altered from its original condition, until a site improvement plan, prepared by a competent professional person, shall have been approved by the Commission.

- (1) Land to be used as public or private open space shall be left in condition for the purpose intended. Undesirable growth and debris shall be removed from all such areas. Wooded and brook areas shall be left natural, where appropriate. Open spaces shall be graded to properly dispose of surface water and shall be seeded in a manner directed by the Commission.

§3.6.9 Utilities and Improvements

A. Water Supply

Water from a public utility source shall be installed, without cost to the town, to serve all buildings requiring same in an RR District, in conformance with the rules and regulations of the utilities having jurisdiction. A certified affidavit shall be supplied by the utility company that contractual agreement has been made to provide water.

B. Sewerage System

- (1) All buildings shall be served by an environmentally suitable sanitary waste treatment and disposal system that conforms to all applicable requirements of local, state and federal law and shall be certified by a Connecticut licensed professional engineer. The sanitary waste treatment and disposal system must be approved for construction by all relevant Federal, State and local authorities prior to the issuance of the written zoning certification needed for a building permit. All necessary permits for the discharge of wastewater must be obtained and presented to the Commission or its authorized agent before the final zoning certification will be issued for a certificate of occupancy
- (2) A statement of ownership of the sewerage system and treatment plant shall be filed in the Monroe Land Records, the office of the Planning and Zoning Department and the Town of Monroe Water Pollution Control Authority. At any time said ownership changes, a revised statement of ownership noting said changes shall be filed with the above offices.
- (3) The system shall be operated and maintained at the expense of the owner(s) of said system. This includes all costs of material, engineering, consultants, labor (full salaries, including all fringe benefits) and any other associated costs. All costs are the sole expense of the owner and none shall be the obligation of the town.
- (4) In the case where there is a community septic system serving more than one building, the community septic system must meet all the requirements of State of Connecticut General Statutes, §7-245 through 7-273u, as amended, and the regulations and requirements of the Monroe Water Pollution Control Authority. An agreement for use of the community septic system shall be executed and recorded in the Monroe Land Records prior to the issuance of a Certificate of Zoning Compliance for Building Permits.

§3.6.10 Statement of Satisfactory Completion

Upon completion of all drainage installations and associated work requiring engineering plans and specifications, the developer's engineer shall submit a statement of satisfactory completion asserting that all engineering requirements have been met according to the plans and/or amendments submitted. This statement shall be signed by and bear the seal of the developer's engineer, who shall be a professional engineer licensed to practice in the State of Connecticut.

§3.6.11 Approval and Execution

- A. In order to ensure the orderly development by staging construction of an RR District over a period not to exceed five (5) years, the Commission may limit the number of building permits issued in one (1) year to not over one-fourth (1/4) of the total number of units approved in the overall Site Plan.
- B. The applicant shall file with the Commission its request for approval of a Site Plan of development, including the following information in addition to the provisions of Article 7 of these Regulations:
 - (1) Boundary survey, Class A-2, related to the intersection of at least two (2) existing Town streets or State Highways, with accurate dimensions.
 - (2) Topography of the parcel at two (2) foot contours, based on the National Geodetic Survey.
 - (3) Layout of the recreational facilities and open space to be developed on the land.
 - (4) Layout of the approximate boundaries of each section of the overall development, showing in schematic form the approximate number of building lots to be developed in each section.
 - (5) Such other information or data as the Commission may deem necessary.
- C. Where deemed appropriate in the judgment of the Commission, the construction and development of an RR District site may be phased in sections. The applicant shall file with the Commission its request for each section accompanied by a Site Plan of development, including the information specified in §3.6.11B of these Regulations.
- D. After approval of a Site Plan by the Commission, the applicant shall thereafter submit detailed maps and plans for the subdivision of each section into individual building lots. Such maps and plans shall conform to the requirements of Subdivision Regulations of the Town of Monroe. All roads and subdivision improvements shall comply with said regulations. Each such section map shall conform to the approximate boundaries of the overall Site Plan, and the number of building lots in said section shall not vary more than five percent (5%) from the number shown on the overall Site Plan; provided, however, that the total number of lots as finally approved shall not exceed the total number shown on the overall Site Plan. A public hearing may be required with respect to the approval of individual sections.
- E. Upon approval of the subdivision of a section into individual building lots, the applicant shall file with the Commission a bond to guarantee the completion of all roads and subdivision improvements in said section. Said bond shall comply with the requirements of Article 7 of these Regulations.

§3.7 Housing Opportunity District (HOD)

§3.7.1 Purpose

The purpose of the Housing Opportunity District HOD is:

- A. To comply with those portions of the Town's Plan of Conservation and Development that encourage on a long-term basis diverse housing patterns, including “starter” homes and other affordable housing.
- B. To encourage the construction of housing that is both affordable as defined by state statutes and is consistent with design and construction standards present in the community.
- C. To assist the Town in complying with the State Zoning Enabling Act, Connecticut General Statute §8-2, as amended, by adopting zoning regulations that promote housing choice and economic diversity, including housing for low and moderate income households.
- D. To efficiently utilize existing infrastructure and promote neighborhood planning by providing, where infrastructure support is available, a mix of housing densities, sizes, and prices.

§3.7.2 Application of Provisions

- A. The standards, regulations and requirements as set forth in §3.7 shall apply to the use of land, buildings and other structures, and the location and bulk of buildings and other structures in any lands classified as Housing Opportunity District (“HOD”).
- B. An HOD shall be established only in an area that has a water supply provided by the utility franchised to serve the area; and is capable of providing safe, sanitary sewage disposal by means of a treatment plant or subsurface sewage disposal system or systems, either of which methods shall be approved by State, regional and local authorities.

§3.7.3 General Requirements

No habitable building in an HOD shall be occupied nor shall a permanent certificate of zoning compliance therefore be issued until such building is connected to an adequate public water supply and adequate hydrants are provided for fire protection as prescribed by the Fire Marshal.

§3.7.4 Permitted Uses

See Article 10 – Schedules for “Schedule of Permitted Land Uses by Zoning District.”

§3.7.5 Accessory Uses

- A. Accessory uses, buildings and structures customarily incidental the principal uses are allowed in an HOD, provided that such accessory uses are for the benefit of the tenants, residents or guests living within such HOD.
- B. Signs, as provided in Article 6 of these Regulations, which shall be limited by the sign requirements applicable to the Residential and Farming Districts.
- C. Off-street parking, landscaping, lighting, site utilities and similar site infrastructure improvements as regulated in Article 6 of these Regulations.

§3.7.6 Density and Dimensional Requirements

A. Density

The total number of dwelling units permitted in an HOD shall not exceed 1.5 units per gross acre of the parcel.

B. Minimum Parcel Size

The minimum size of a parcel to be rezoned and developed as an HOD shall be not less than twenty (20) nor more than twenty-five (25) contiguous acres, under one ownership in one (1) contiguous parcel; be within two-hundred-fifty (250) feet of a street classified as a minor artery; be adjacent to existing open space; and have not less than seventy-five (750) feet frontage on a public street.

C. Setbacks

No building or other structure shall be constructed within fifty (50) feet of any front lot line; within twenty-five (25) feet of any side lot line; nor within fifty (50) feet of any rear lot line. The land area of such yards shall have a landscaping treatment as required by Article 6 of these Regulations. No roadways, except where crossing a front or side yard for street access, and no parking or loading areas shall be permitted in a required yard.

D. Height

No building shall exceed two-and-one-half (2½) stories or thirty-five (35) feet in height. A basement shall not be considered a story.

E. Coverage

The aggregate land area covered by all buildings and other structures shall not exceed thirty-five percent (35%) of the total area of the parcel.

§3.7.7 Separation of Units

- A. The distance between the exterior walls of the dwelling units in an HOD shall not be less than twenty (20) feet.
- B. The scale of buildings shall be compatible with the scale of residential buildings on adjacent properties. No building facade shall have a continuous surface exceeding fifty (50) feet in length without a horizontal offset from grade to eaves of at least two (2) feet, and the plane of rooflines shall be similarly broken.

§3.7.8 Open Space Requirements

Not less than thirty percent (30%) of the gross area of a lot developed pursuant to the standards of an HOD shall be designated as and shall remain open space. Such area may be developed only for open space or active or passive recreational uses. Any open space subjected to a conservation easement shall preserve it for such uses in perpetuity.

§3.7.9 Off-Street Parking

Parking spaces for not less than two (2) cars per dwelling unit shall be provided off public streets. Visitor parking shall be interspersed throughout the development area.

§3.7.10 Utilities and Improvements

A. Water Supply

Water from a public utility source shall be installed, without cost to the Town, to serve all buildings requiring same in an HOD development, in conformance with the rules and regulations of the utilities having jurisdiction.

B. Sewerage System

- (1) A sanitary sewerage system shall be installed to serve all buildings requiring same in an HOD development, and if connected to a septic system, shall be as approved by state, regional and Town authorities as applicable and built to state and local specifications. All sanitary sewers and storm sewers shall be both constructed and operated separately and independently of each other. The Town reserves the right to take corrective actions that are deemed necessary for public health, safety and welfare in case of malfunction of the system, the cost of such corrective action to be borne by the owners of the system.
- (2) Statement of ownership. A statement of ownership of the sewage system and treatment plant shall be filed in the Monroe Land Records and the office of the Planning and Zoning Department. At any time said ownership changes, a revised statement of ownership noting said changes shall be filed with the above offices.

- (3) Should subsurface sewage disposal be employed in lieu of a treatment plant, such proposal shall demonstrate that suitable soils exist on the property for primary and reserve leaching areas in conformance with local and state health codes and criteria. Final design documents for all such subsurface sewage disposal systems shall receive the approval of the Connecticut Department of Environmental Protection, the Trumbull Monroe Health District and/or the Monroe Health Department. All of the provisions of §3.6.10B(1) through (3) of these Regulations shall apply to subsurface sewage disposal systems if this option is selected by the applicant.

C. Open Space

- (1) Except as otherwise permitted in writing by the Commission, there shall be no depositing, clearing, farming, gardening, dumping or storage of waste or other natural or man-made materials, supplies or equipment on any land designated as open space. No work, removal or filling shall be done nor shall the existing natural characteristics of open space land be altered from its original condition, until a site improvement plan, prepared by a competent professional person, shall have been approved by the Commission.
- (2) Land to be used as public or private open space shall be left in condition for the purpose intended. Wooded and brook areas shall be left in their natural state.

D. Trash Collection and Removal

- (1) Trash collection points shall be provided throughout the site in locations and in enclosures approved by the Commission and shall be shown on the Site Plan of development. Collection points shall be regularly maintained and kept free of all loose and/or accumulated material. Receptacles for deposit shall be kept tightly closed at all times to minimize the effect on public safety and health.
- (2) Maintenance and removal of trash and garbage shall be the sole responsibility of the owners or their designated representative.
- (3) Provisions for recycled materials shall be included in trash collection points and shall comply with all of the other requirements of trash removal.

E. Cul-de-sacs and Turnarounds

A turnaround provided at the closed end of a cul-de-sac shall not exceed a minimum radius of fifty (50) feet. The maximum access length for roadways/driveways with no outlet shall be one-thousand (1,000) feet.

F. Excavation

An HOD Development must comply with regulations regarding excavation as set forth in Article 6 of these Regulations.

§3.7.11 Statement of Satisfactory Completion

Upon completion of all sewerage installations, drainage installations and associated work requiring engineering plans and specifications, the developer's engineer shall submit to the Commission a statement of satisfactory completion asserting that all engineering requirements have been met according to the plans and/or amendments submitted. This statement shall be signed and bear the seal of the developer's engineer, who shall be a professional engineer licensed to practice in the State of Connecticut.

§3.7.12 Additional Requirements

The following requirements shall apply to an HOD:

- A. HOD Units shall be of a construction quality that is comparable to market-rate units within the development. The final Site Plan and plan for administration of affordability rules shall identify the locations within an HOD Development of the HOD Units.
- B. The HOD Units shall be built on a *pro rata* basis as construction proceeds.
- C. In an HOD Development, no HOD Unit shall have less than two bedrooms, and at least thirty percent (30%) of such Units shall have three bedrooms.
- D. Calculation of the maximum monthly payment for an HOD Unit, so as to satisfy Connecticut General Statute §8-30g, as amended, shall utilize the area median income data as published by the U.S. Department of Housing and Urban Development:
 - (1) For a rental unit, as in effect on the day the lease is signed; or
 - (2) For an ownership unit, as in effect on the day a bond for deed or similar contract of conveyance is accepted by the seller.
- E. The maximum payment that the occupant for an HOD Unit shall pay shall not be greater than the amount that will preserve such unit as "affordable housing" as that term is defined in Connecticut General Statute §8-30g, as amended, and shall include the following:
 - (1) For rental housing, the maximum monthly housing payment shall include the cost of rent; common charges in the case of a rental in a common interest community, if the tenant is directly responsible; heat; and utility costs, including hot water and electricity, but excluding telephone and cable television.
 - (2) For ownership housing, the maximum monthly housing payment shall include periodic mortgage payments, based on a commercially reasonable down payment for affordable housing buyers and prevailing interest rates at the time of sale; taxes; insurance; common charges in the case of ownership of a unit in a common interest community; heat; and utility costs, including hot water and electricity, but excluding telephone and cable television.

- F.** HOD Units shall be occupied only as a tenant's or purchasers' principal residence. Subletting of HOD Units shall be prohibited.
- G.** At the same time that the market-rate units in an HOD Development are first advertised to the general public, notice of availability of the HOD Units shall be provided by advertising such availability in the real estate section of a newspaper of general circulation in the Town of Monroe, and by providing notice to the Monroe Board of Selectmen, the Monroe Town Clerk, and the Commission.
- H.** For one of every four HOD Units which become available for initial sale or rental, preference shall be given to applicants who are otherwise qualified and are Town of Monroe employees or Monroe Board of Education employees.
- I.** Each deed or lease for an HOD Unit will contain substantially the following provision: This unit is sold or rented as an "affordable housing unit" as defined in Connecticut General Statute §8-30g, as amended, and is available only to persons or families whose income is at or below eighty percent (80%) or sixty percent (60%), as applicable, of the area median income for Monroe or the statewide median income, whichever is less, as determined by the U.S. Department of Housing and Urban Development. This development has been approved by agencies of the Town of Monroe based in part on the condition that a defined percentage of units will be preserved as affordable housing units. The restrictions related to affordability are required by law to be strictly enforced.
- J.** The thirty (30) year affordability period shall be calculated separately for each HOD Unit in a HOD Development, and the period shall begin on the date, as defined at closing, of occupancy of the Unit.
- K.** In conjunction with an application for approval of a Site Plan for an HOD Development, the applicant shall submit an "Affordability Plan," which shall describe how the regulations regarding affordability will be administered. The Plan shall include provisions for administration of and compliance with the provisions of this Section, notice procedures to the general public of the availability of affordable units, identification of those units which are to be designated affordable, procedures for verification and periodic confirmation of unit occupancy income, and compliance with affordability requirements. Such Plan shall also include drafts of documents that will be used in the administration of the affordability restrictions and any explanations which will be provided to the unit occupants concerning such restrictions.
- L.** A violation of the regulations contained in this Section shall not result in a forfeiture or reversion of title, but the Commission shall otherwise retain all enforcement powers granted by the Connecticut General Statutes, including the authority under §8-12, as amended, to issue notices of violation, to impose fines, and to seek injunctive relief.