

## ARTICLE 4 RESIDENTIAL ZONES

### Section 4.1 Permitted Uses

Permitted uses in Residential Zones are listed in the table below, and all other uses are prohibited except as stated herein.

<b>Table 4.1 Permitted Uses Residential Zones</b>				
<b>P = permitted by right in the zone</b>		<b>SP = permitted only by special permit</b>		
<b>S = permitted subject to approval of a Site Plan</b>		<b>N = not permitted in the zone</b>		
<b>Special Permit approval is required for any site or structure identified on the Historic Resources Plan located within the Town of Portland Plan of Conservation and Development. See Regulation Section 10.6</b>				
<b>Permitted Use</b>	<b>R-10</b>	<b>R-15</b>	<b>R-25</b>	<b>RR</b>
Accessory Buildings and Uses	P	P	P	P
Bed and Breakfast <sup>1</sup>	P	P	S	SP
Buildings, Uses, and Facilities of the Town of Portland	SP	SP	SP	SP
Buildings, Uses, and Facilities of the State of Connecticut and Federal Government	SP	SP	SP	SP
Cemeteries	SP	SP	SP	SP
Churches, Places of Worship	SP	SP	SP	SP
Convalescent Homes, Hospitals, and Health Care Institutions	SP	SP	SP	SP
Day Care Home, Family	P	P	P	P
Day Care Group	S	S	S	S
Day Care Center	SP	SP	SP	SP
Dwelling, Single Family: Not more than 1 such dwelling per lot	P	P	P	P
Dwelling: Accessory Apartments	P	P	P	P
Dwelling: Accessory Apartments, Detached	S	S	S	S
Dwelling: Two-Family (see Section 4.2.4 Two-Family Dwellings)	S	S	S	S
Dwellings, up to 4 families: Conversion of existing buildings from single to four-family dwelling (See Section 9.3 Conversions), not more than 1 such dwelling per lot	SP	N	N	N
Earth Material Operations (See Section 9.5 Earth Material Operations)	SP	SP	SP	SP
Facilities and Uses of Fraternal, Social, Civic, Philanthropic, Charitable, Agricultural, Historical, and Cultural Organizations or Societies not conducted as a business or for profit	SP	SP	SP	SP
Farms and Roadside stands for sale of farm produce and products accessory to the farm on which the stand is located; maximum floor area of stand shall be 400 sq. ft.	P	P	P	P
Farm Winery <sup>7</sup>	N	N	SP	SP
Farm Brewery <sup>6,7</sup>	N	N	SP	SP
Golf Courses, 18 holes or larger with a restaurant and cocktail lounge (See Section 9.13: Seasonal Outdoor Dining Areas)	N	N	SP	SP
Home Occupations & Home Offices <sup>2</sup>	P	P	P	P
Kennels/Veterinary Hospitals/Grooming Facilities <sup>3</sup>	SP	SP	SP	SP

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<b>Permitted Use</b>	<b>R-10</b>	<b>R-15</b>	<b>R-25</b>	<b>RR</b>
Marinas and Boat Yards <sup>4</sup>	SP	SP	N	N
Outdoor Recreation Facilities and uses other than facilities and uses of the Town of Portland	SP	SP	SP	SP
Pet Grooming <sup>8</sup>				
Post Offices	SP	SP	SP	SP
Public Utility Buildings: No service yard or outside storage of supplies	SP	SP	SP	SP
Telecommunication Towers: Minimum Setback distance from any property line shall be greater than the height of tower.	SP	SP	SP	SP
Schools, , Colleges, and Universities <sup>5</sup>	SP	SP	SP	SP
Stable, Commercial (See Section 9.9)	N	N	SP	SP
Stable, Non-Commercial (See Section 9.8)	N	N	P	P
Wind Energy Generating System	N	N	N	SP

### Notes to Table 4.1 Permitted Uses Residential Zones

<sup>1</sup> In 6 or fewer rooms, where stays are limited to a maximum of 30 consecutive days

<sup>2</sup> Certain types of Home Occupations require a special permit. See Section 9.6 Home Occupations and Home Offices

<sup>3</sup> Minimum lot area is 3 acres; no animals to be kept in any building or enclosure within 150 feet of any property line; no use shall create offensive odors, noise, or unsightly appearance off the lot.

<sup>4</sup> Including accessory uses such as marine offices, gasoline pumps for boating uses, boat and engine repair, marine store serving those people using and visiting the marina area.

<sup>5</sup> Including schools for instruction in music, art, dance, drama, physical education, vocational training, and instruction related to the handicapped

<sup>6</sup> Farm Brewery sales to the public are allowed pursuant to the Daytime hours as set forth in the Town of Portland Noise Ordinance Chapter 12, Article III.

<sup>7</sup> Farm Brewery and Farm Winery business access must be from State Route 17, 17A or 66 or within 500 ft. of an intersection of these roads and another public road.

<sup>8</sup> Includes retail sale of ancillary products such as grooming supplies, pet foods and pet leashes and harness, etc.



**Section 4.2 Residential Area, Density & Dimensional Requirements**

**4.2.1 Area, Height, Coverage, Setback and Density Requirements**

Table 4.2.1 Area, Height, Coverage, Setback and Density Requirements										
Zone	Min Area	Min Width	Min Depth	Max Stories	Max Height	Max % Lot Coverage	Min Front Yard	Min Side Yard	Min Rear Yard	Density
RR	1 Acre	150'	200'	2 ½	35'	12%	50'	25'	50'	.73
R-25	25,000 sq. ft.	125'	150'	2 ½	35'	15%	40'	15'	40'	1.20*
R-15	15,000 sq. ft.	100'	125'	2 ½	35'	20%	30'	10'	30'	N/A
R-10	10,000 sq. ft.	75'	110'	2 ½	35'	30%	25'	10'	25'	N/A

\* Density shall be 0.73 when not served by public water or sewer.

**4.2.2 Application of Density Factor**

- A. Parcels proposed for residential use shall observe the density factors in Table 4.2.1. These factors shall be applied to parcels of land proposed for residential use to determine the maximum number of permitted lots. The calculation shall be applied as follows:
  - 1. Controlling density factor times net buildable area equals maximum lots permitted.

Illustration of Density Factor Computation – Parcel Zoned RR	
Total Parcel	100 Acres
Area of Wetlands	5 Acres
Area of Steep Slopes	1 Acre
Area of Flood Plain	4 Acres
Total Excludable Area	10 Acres
Net Buildable Area	90 Acres
Density Factor	0.73
Total Lot Yield	66 Lots *
* Yields that are fractional shall be rounded up or down to the nearest whole number	

- B. The density factor shall not apply to subdivisions or re-subdivisions of 4 or less total lots with frontage on an existing public street.
- C. The Commission may, through granting of a special permit, allow an increase of up to 15% of the applicable density requirement under the following conditions.
  - 1. The configuration of the property is such that the additional density can readily be accommodated on the site without the necessity of introducing either rear lots or lots of unusual configuration, i.e., lots that are not generally rectangular in configuration, and/or

## ARTICLE 4: RESIDENTIAL ZONES

existing public road frontage is such that the additional density can readily be accommodated on the site without the necessity of introducing either rear lots or lots of unusual configuration, i.e., lots that are not generally rectangular in configuration.

2. Wetlands, water bodies, flood plains, and slopes in excess of 25% are situated on the site such that the additional density can readily be accommodated on the site without encroaching upon these resources.
- D. As part of the application for a special permit, the applicant shall submit a plan which complies with the applicable density standard and an alternate plan that shows the desired increase in density. Submitted plans shall comply with the requirements of Section 03.05.02 of the Subdivision Regulations.

### 4.2.3 Requirements Based on Availability of Utilities

The availability of public water and/or public sewer shall be a factor when computing minimum lots sizes within the Town of Portland. Minimum lot sizes as dictated by the availability of public utilities shall comply with Table 4.2.3. However, should the minimum zoning requirements of Table 4.2.1 exceed the lot size requirements based upon the availability of public utilities, the minimum requirements of Table 4.2.1 shall be complied with.

<b>Table 4.2.3 Minimum Lot Size Based on Availability of Utilities</b>				
<b>Zone</b>	<b>Sewer &amp; Water</b>	<b>Sewer Only</b>	<b>Water Only</b>	<b>No Utilities</b>
RR	1 acre	1 acre	1 acre	1 acre
R-25	25,000 sq. ft.	25,000 sq. ft.	25,000 sq. ft.	1 acre
R-15	15,000 sq. ft.	20,000 sq. ft.	25,000 sq. ft.	1 acre
R-10	10,000 sq. ft.	20,000 sq. ft.	25,000 sq. ft.	1 acre

### 4.2.4 Two-Family Dwellings

- A. Schedule of Area and Dimensional Requirements

<b>Table 4.2.4 Area, Height, Coverage and Setback Requirements</b>								
<b>Zone</b>	<b>Min Area</b>	<b>Min Width</b>	<b>Min Depth</b>	<b>Max Height</b>	<b>Max % Lot Coverage</b>	<b>Min Front Yard</b>	<b>Min Side Yard</b>	<b>Min Rear Yard</b>
R-25	1 acre	150'	200'	35'	10%	50'	25'	75'
R-15	22,500 sq. ft.	125'	150'	35'	15%	40'	20'	50'
R-10	15,000 sq. ft.	100'	125'	35'	20%	30'	20'	40'

- B. In areas where no public water or sewer exist, it is recognized that occupancy of a two-family dwelling may at some time place additional demands on the subsurface sewage disposal system through increases in water usage. Prior to granting an approval for a two-family dwelling, the Portland Sanitarian must verify to the Commission that the building lot can satisfy all the current requirements of the Connecticut Public Health Code for subsurface sewage disposal.
- C. In addition to the Site Plan review requirements specified in Article 10, the applicant shall submit architectural renderings and/or elevations, an exterior facade materials list, landscaped yard area and any other information the Commission may feel essential to accompany the application.

**Section 4.3 Residential Multiple Dwelling Zone**

**4.3.1 Applicability**

The provisions of this section apply only to those properties approved under this section prior to November 9, 2007.

Effective November 9, 2007, the Residential Multiple Dwelling Zone (RMD) was eliminated in the Town of Portland. Any subsequent applications for Multiple Dwelling units or amendments to a previously approved RMD development shall be submitted under and governed by Section 9.16, Multiple-Dwelling Development.

## ARTICLE 4: RESIDENTIAL ZONES