

CHAPTER 240. ZONING

ARTICLE I TITLE, PURPOSE, APPLICATION, INTERPRETATION

Section 240-01 Title

This Ordinance shall be known as the "Zoning Ordinance of the Town of Camden."

Section 240-02 Purpose

The zoning regulations and districts as herein established have been made in accordance with a comprehensive plan as required by the laws of the State of Delaware. This Ordinance is enacted for the following purposes: To promote in accordance with present and future needs, the health, safety, morals, convenience, order, prosperity, and general welfare of present and future inhabitants of the Town of Camden, Delaware, among other things, lessening congestion in streets, securing safety from fire and other dangers, providing adequate light and air, preventing on the one hand, concentration of population and on the other hand excessive and wasteful scattering of population, facilitating the adequate provision of transportation, water supply, drainage, sanitation, recreation, education, and other public requirements, conserving the value of buildings, and encouraging the most appropriate use of land to foster an attractive and harmonious community. These purposes may be achieved by regulating among other things height and bulk of buildings, size of yards, density of population, building lines and setbacks, off-street loading and parking facilities, signs, and location and use of land and buildings for trade, industry, residences, and other purposes.

Section 240-03 Application

This Ordinance shall apply to all of the incorporated area within the boundaries of the Town of Camden.

Section 240-04 Interpretation

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, morals, convenience, order, comfort, prosperity, or general welfare. It is not intended by this Ordinance to interfere with, or abrogate or annul any easements, covenants, or other agreements between parties, provided, however, that where this Ordinance imposes a greater restriction upon the use of buildings or premises or upon height of buildings, or requires larger open spaces than imposed or required by other resolutions, ordinances, rules, regulations, or by easements, covenants, or agreements, the provisions of the Ordinance shall govern. If, because of error or omission in the Zoning District Map, any property in the jurisdiction of this Ordinance is not shown as being in a zoning district, the classification of such property shall be classified by the zoning established for the area approved under future Zoning Use.

ARTICLE II GENERAL PROVISIONS

Section 240-5 Regulations Applicable to all Districts

The following are regulations generally applicable to all zoning districts:

- A. Conformance with Regulations Required. No building or land shall hereafter be used, and no

building or part thereof shall be erected, reconstructed, converted, enlarged, moved, or structurally altered unless in conformity with the regulations as set forth in the Ordinance.

- B. Location on a lot Required. Every building hereafter erected, reconstructed, converted, moved or structurally altered shall be located on a lot as herein defined and in no case shall there be more than one main building on one lot unless otherwise provided in this Ordinance.
- C. Street Frontage Required. No lot shall be in whole or in part unless such lot abuts on a street. In no case shall street frontage be less than 70% of lot width.
- D. Proposed streets shall conform to the current edition of the State Department of Transportation design standards.
- E. Encroachment; Reduction of Lot Area. The minimum yards, height limits, parking space, open spaces, including lot area per family, required by this Ordinance for each and every building existing at the time of the passage of these regulations or for any building hereafter erected, shall not be encroached upon or considered as required yard or open space for any other building, except as hereinafter provided, nor shall any lot area or lot dimensions be reduced below the requirements of these regulations.
- F. Accessory Building Use for Dwelling. No accessory building shall be used for dwelling except in accord with the specific provisions of this Ordinance.
- G. Public Water Supply and Sanitary Sewer Required. No private potable water wells are permitted. No individual on-site septic systems or large on-site wastewater treatment and disposal systems are permitted.
- H. Uses Not Permitted Are Prohibited. For the purpose of this Ordinance, permitted uses are listed for the various districts. Unless the contrary is clear from the context of the lists or other regulations of this Ordinance, uses not specifically listed are prohibited.
- I. Existing non-conformities and non-conformities for existing structures and/or uses resulting from amendments to the Zoning Ordinance shall not constitute grounds by which an applicant proposing an alteration or addition would be required to obtain variance(s) from the requirements to which the existing structures and/or uses do not conform. An application for demolition and/or new construction would require conformance or variance(s) from the applicable sections of the Zoning Ordinance.
- J. Performance Standards.
 - (1) No land or building in any zone shall be used or occupied in any manner so as to cause any one or more of the following conditions to exist and to be dangerous, injurious, noxious, or offensive beyond the boundaries of such premises in such a manner or in such amount as to adversely affect the reasonable use of the surrounding area or adjoining premises: fire, explosive or other hazard; noise, or vibration; smoke, dust, odor or other form of air pollution; heat, cold, dampness or electromagnetic disturbance; glare, liquid or solid refuse or wastes, or other substance, conditions or element (referred to hereinafter as "dangerous or objectionable elements"), provided that any use permitted or not expressly prohibited by this ordinance may be undertaken and maintained if it conforms to the

Table 240-2 Noise Corrections for Performance Standards Operation and location Character of Noise	Correction in Decibels
1. Daytime operation only	5
2. Noise source operates less than:*	
a. 20% of any 1-hour period	5
b. 05% of any 1-hour period	10
3. Noise of impulsive character, hammering et cetera	-5
4. Noise of periodic character, hum, screech, et cetera	-5
5. Corrections for specific district:	
a. C-2 Highway Commercial	5
6. Property is located within an Industrial Park, district I	10
* Apply only one correction.	

- (3) No vibration shall be permitted which is discernible without instruments at the property line.
- (4) Smoke: No emission shall be permitted at any point, from any chimney or otherwise, or visible gray smoke of a shade equal to or darker than No. 2 on the Power's Micro Ringlemann Chart published by McGraw-Hill Publication Company, Inc., and copyright 1954 (being a direct facsimile reduction of the standard Ringlemann Chart as issued by the United States Bureau of Mines), except that visible gray smoke shall also apply to visible smoke of a different color but with an apparently equivalent opacity.
- (5) Odors: No emission shall be permitted of odorous gases or other offensive odorous matter in such quantities as to be readily detectable when diluted in the ratio of one volume of odorous air emitted to four volumes of clean air. Any process which may involve the creation or emission of any offensive odors shall be provided with a secondary safeguard system so that control will be maintained if the primary safeguard system should fail. There is hereby established as a guide in determining such quantities of offensive odors Table III, "Odor Thresholds", in Chapter 5, "Air Pollution Abatement Manual" copyright 1951 by Manufacturing Chemists' Association, Inc., Washington D.C., and said manual and/or table as subsequently amended.
- (6) Fly Ash, Dust, Fumes, Vapors, Gases, and other forms of Air Pollution: No emission shall be permitted which can cause any damage to health, to animals, vegetation, or other forms of property, or which can cause any excessive soiling, at any point; and in no event any emission, from any chimney or otherwise, of any solid or liquid particles in concentrations exceeding 0.3 grains per cubic foot of the conveying gas at any point. For measurement of the amount of particles in gases resulting from combustion standard corrections shall be applied to a stack temperature of 500° Fahrenheit and 50% excess air.
- (7) No direct or sky-reflected glare whether from flood lights or from high temperature processes such as combustion welding or otherwise shall be permitted. This restriction shall not apply to signs otherwise permitted by the provisions of this ordinance.
- (8) Liquid or Solid Wastes: No discharge shall be permitted at any point into any public

regulations of this section limiting dangerous and objectionable elements at the point of the determination of their existence.

- (2) Uses Requiring Performance Standards Procedure: Only those in the C-2 Highway Commercial and I Industrial Districts and uses accessory thereto, are subject to the procedure specified herein obtaining a Zoning Permit. The Building Inspector may, after showing reasonable grounds to believe that another proposed use is likely to violate performance standards, require other uses or uses in other districts to comply with performance standards procedure.
- (3) Enforcement Provisions Applicable to Other Uses: Even though compliance with performance standards procedure in obtaining a zoning permit is not required for some particular uses, initial and continuing compliance with the performance standards themselves is required of every use, and provisions for enforcement of continued compliance with performance standards shall be invoked by the Building Inspector against any use if there are reasonable grounds to believe that performance standards are being violated by such use.

K. Fire and Explosion Hazards: All activities involving and all storage of inflammable and explosive materials shall be provided at any point with adequate safety devices against the hazards of fire and explosion and adequate fire fighting and fire suppression equipment and devices standard in the industry. Burning of waste materials in open fires is prohibited at any point. The relevant provisions of the State and local laws and regulations shall also apply.

- (1) Radioactivity or Electromagnetic Disturbance: No activities shall be permitted which emit dangerous radioactivity at any point, or electromagnetic disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.
- (2) Noise: The maximum sound pressure level radiated by any use of facility (other than transportation facilities) at the property line shall not exceed the values in the designated octave bands given in Table 240-1 after applying the corrections shown in Table 240-2. The sound pressure level shall be measured with a Sound Level Meter and associated Octave Bank Analyzer conforming to standards prescribed by the American Standards Association. (American Standard Sound Level Meters for Measurement of Noise and Other Sounds, Z24.3-1944, American Standards Association, Inc., New York, NY and American Standards Specification for an Octave Band Filter Set for the Analysis of Noise and Other Sounds, Z24.10-1953. American Standards Association, Inc., New York, NY shall be used)

Table 240-1 Maximum Sound Pressure Levels

Octave Band Range in Cycle per Second	Sound Pressure in Decibels Re 0.002 dyne/cm ²
30-300	60
300-2,400	40
Above 2,400	30

If the noise is not smooth and continuous and is not radiated between the hours of 10:00 p.m. and 7:00 a.m., one or more of the corrections in Table 240-14 shall be applied to the decibel levels given in Table 240-13.

sewer, private sewage disposal system or stream, or into the ground, except in accord with standards approved by the State Department of Health or standards equivalent to those approved by such department for similar uses, of any materials of such nature of temperature as can contaminate any water supply or otherwise cause the emission of dangerous or offensive elements.

L. Performance Standard Procedure.

- (1) Application: An application for a building permit or a certificate of occupancy for a use subject to Performance Standards procedure shall be submitted to the Land Use Department in duplicate on a form prescribed by the Planning Commission and shall be referred by the Land Use Administrator to the Planning Commission. The applicant shall also submit in duplicate, a plan of the proposed machinery, operations, products, and specifications for the mechanisms and techniques to be used in restricting the emission of Dangerous and Objectionable Elements referred to in Section F (1) in accordance with rules prescribed by the Commission specifying the type of information required in such plans and specifications, and an affidavit by the applicant acknowledging his understanding of the applicable performance standards and agreement to conform with same at all times. No applicant will be required to reveal any secret processes, and any information submitted will be treated as confidential, if requested. The fee for such application shall include the cost of the special reports required to process it, described below.
- (2) Report by Expert Consultants: The Planning Commission, if there is any reasonable doubt as to the likelihood of conformance, shall refer the application for investigation and report to one or more expert consultants, qualified to advise as to whether a proposed use will conform to the applicable Performance Standard specified herein. Such consultant or consultants shall make such report within 20 days after his or their receipt of such application. A copy of such report shall be promptly furnished to the applicant.
- (3) Decision of the Planning Commission: At the next regular meeting of the Planning commission, but in no event more than 30 days after the Commission has received the aforesaid report, or within such further period as agreed to by the applicant, the Commission shall decide whether the proposed use will conform to the applicable performance standards and on such basis shall authorize or refuse to authorize the issuance of a building permit or certificate of occupancy, or require a modification of the proposed plan of construction. Such decision of the Commission shall be in the form of a written report. Any building permit or certificate of occupancy so authorized and issued shall be conditioned on among other things:
 - (a) The applicant's completed buildings and installations in operation conforming to the applicable performance standards; and
 - (b) the applicant's paying the fees for services expert consultant or consultants deemed reasonable and necessary by the Planning Commission for advice as to whether or not the applicant's completed building and installations will in operation conform to the applicable performance standards.

- M. Performance standards regulations. Where regulations included herein or specifically referenced in District regulations or any other section of this ordinance, overlap regulations of the State Fire Marshals Office, Delaware Department of Natural Resources and Environmental Control, Delaware Department of Transportation, or other state or local agencies, the more restrictive regulations shall apply in case of a conflict.
- N. The Town of Camden shall not be responsible for enforcement of Homeowner Association deed restrictions and/or bylaws.

Section 240-06 Unzoned Land

Any land hereafter within the town limits of Camden, whether by annexation or otherwise, shall automatically be zoned in accordance with the Comprehensive Plan's Future Land Use Map, at the time such land is officially recognized as within Camden Town limits by the Town Council.

Section 240-07 Severability

If any section, paragraph, subdivision, clause, phrase, or provision of this Ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as whole or any part or provision thereof other than the part so decided to be invalid or unconstitutional.

Section 240-08 Effective Date

By action taken at its regularly scheduled meeting of February 7, 2011, the Town Council adopted this Zoning Ordinance and accompanying Town of Camden Zoning District Map, and established the effective date as February 7, 2011.

First Reading: January 10, 2011
Second Reading: February 7, 2011
Adopted: February 7, 2011

ARTICLE III ZONING DISTRICT REGULATIONS

Section 240-09 Establishment of Zoning Districts

In order to regulate the location and use of land and buildings for trade, industry, residence and other purposes, the Town of Camden is hereby divided into the following zoning districts:

Table 240-3 Official Zoning Districts, Abbreviations and Map Symbols		
District Abbreviation	Town of Camden Zoning Districts	Map Symbol
R-1	Town Residential (Closed)	Tan
R-2	Single-Family Residential	Yellow
R-3	Multi-Family Residential	Olive Green

R-4	Manufactured Housing	Brown
C-1	Community Commercial	Light Brown
C-2	Highway Commercial	Orange
I	Industrial	Purple
P	Preservation	Turquoise
AG	Agricultural	Medium Green
HO	Historic Overlay Zone	Dot Hatch
HZ	Heritage Overlay Zone	Three Dot Hatch

Section 240-10 Zoning District Map

- A. The location and boundaries of the districts hereby established are set forth and indicated on a map or maps entitled Town of Camden Zoning District Map. The Zoning District map, and all notations, dimensions, references, and symbols shown thereon pertaining to such districts shall be as much a part of this Zoning Ordinance as if fully described herein. This map, together with subsequent applicable amendments shall be conclusive as to the current zoning status of the land.
- B. In interpreting said map, the following rules shall apply:
- (1) A district name, abbreviation or color shown on the district map indicates that the regulations pertaining to the district designated by that name or abbreviation extend throughout the whole area in the Town bounded by the district boundary lines within which such name or letter is shown or indicated, except as otherwise provided by this section.
 - (2) Where uncertainty exists with respect to the boundaries of the various districts as shown on the map accompanying and made a part of these regulations, the following rules apply:
 - (a) In cases where a boundary line is given a position within a street or alley, right-of-way easement, navigable or non-navigable stream, it shall be deemed to be in the center of the right-of-way of the street, alley, right-of-way easement, or stream and if the actual location of such street, alley, easement or stream varies slightly from the location as shown on the district map, then the actual location shall control.
 - (b) In cases where a boundary line is shown as being located a specific distance from a street line or other feature, this distance shall control.
 - (c) Where the district boundaries as shown on the Zoning District Map approximately coincide with lot lines, or municipal boundaries, the lot lines, or municipal boundaries shall be construed to be the district boundary line unless otherwise

indicated.

- (d) In cases where district boundaries as shown on the Zoning District Map do not coincide or approximately coincide with street lines, alley lines or lot lines, and no dimensions are shown, the location of such district boundary lines shall be determined by the use of the scale appearing on the map.

Section 240-11 Residential Districts

Table 240-4 Residential Districts and Purposes

Table 240-2 Residential Districts and Purposes Comp Plan Land Uses	Zoning District	Purpose(s)	Typical Kinds of Uses in Zone
Residential	R-1 Town Residential	To accommodate existing residential lots in Town. To maintain the community's small-town character.	Single-family homes
Residential	R-2 Single Family Residential	To provide sufficient space for new residential development and customary accessory uses. To enhance the community character, allow institutional and other mixed uses consistent with residential neighborhoods.	Single-family homes, Two-family duplexes
Residential	R-3 Multi- Family Residential	To provide multi family housing opportunities in appropriate locations throughout the town. To provide alternatives to single family detached homes.	Single-family homes, detached or attached, and multi-family buildings and townhouses
Residential	R-4 Manufactured Home Park and Trailer Park	To accommodate manufactured housing units meeting the HUD standard and well-designed mobile home communities in appropriate locations throughout the Town.	Manufactured homes (i.e. "mobile homes" or "trailers")
Various	HZ Heritage Homes/ Properties	To create a residential/commercial corridor that includes a mix of housing choices and that also includes uses to fill shopping, employment and recreational needs.	Combination of single and multi-family homes, retail business sites and integrated open space
Various	HO Historic Homes / Properties	Additional protections for notable historic or cultural structures or locals regardless of the location within the Town of Camden.	Typically residential or local commercial and businesses in Camden.

A. General Requirements.

- (1) A Site Plan and Community Impact Study must be submitted to the Planning Commission for its consideration.
- (2) Evidence of proposed covenants, restrictions and details of maintenance responsibility of common area open space, to show the liability for maintenance of such areas shall be the property owners within the development, and that the same may be enforced by liens against the property owners in favor of the Town of Camden or its assignee.
- (3) Building features shall be in accordance with the architectural standards set forth in Article

IV, Section 240-37 of the Zoning Ordinance.

- (4) Variation in side yard setbacks must be at least two feet.
- (5) All dwelling units must have direct access to the outside from each unit.
- (6) No interior connection between units.
- (7) Each unit must have its own kitchen and bathroom facilities.
- (8) Eligibility Requirements: No land area shall be zoned Residential unless the following conditions are met:
 - (a) The land area shall have access to an existing or planned arterial or collector road;
 - (b) The land area shall be served by adequate existing or planned infrastructure;
 - (c) The land area may contain a single or multiple parcels;
 - (d) The rezoning application for the land area shall be filed jointly by all owners of the involved land area; and,
 - (e) The Land Use Administrator shall perform an administrative review of subsequent Site Development Plans or Subdivision Plans for compliance with the approved Implementation Plan in accordance with the following:
 - [1] Site Development Plan: The application for townhomes, villas, condominium complexes, and apartment buildings shall adhere to the site development plan submission materials identified in Article V, Section 240-43 of the Zoning Ordinance.
 - [2] Subdivision Plat: The application for subdivision of residential parcels shall adhere to the Town of Camden Land Subdivision Regulations submission requirements and the approved Implementation Plan shall be considered as the approved Preliminary Plan required in the Land Subdivision Regulations.

B. Plan Amendments: The Land Use Administrator will review amended plans, and render a determination as to whether the amendment is a minor or major amendment of the design plans. In general, adjustments to existing plan details without a change in project scope will be considered minor amendments. Any additions, removals or significant relocations of design features shall be considered major amendments. Design features shall be defined as proposed structural improvements including, but not limited to: buildings, streets, driveways, sidewalks, trails, curbs, stormwater management facilities, proposed constructed open space, etc. Significant relocation shall be defined as relocation of a design feature of more than ten (10) feet, or any relocation that results in encroachment of open space (developed or undeveloped) or other area outside the limit of disturbance shown on the current design plan. Any major amendments, as determined by the Land Use Administrator, will be required to be reviewed by the Town Engineer and approved by the Planning Commission.

- C. Fee: Each application for Site Development Plan or Subdivision Plat to be approved under this section shall be accompanied by a fee of five hundred dollars (\$500.00).
- D. The Land Use Administrator shall determine whether an application submitted for Residential Zones meets the minimum requirements of this Section, including but not limited to the site design, subdivision design and the elements of the Comprehensive Development Standards Manual, prior to submitting the application to the Planning Commission for review.
- E. Townhouse developments shall have a mixture of attached townhouse dwellings and single family dwellings. The ratio of townhouse dwellings to single family dwellings shall be a maximum of 8 to 1.
- F. Permitted Uses: In a Residential zone no buildings or premises shall be used and no building or part of a building shall be erected or altered which is arranged, intended or designed to be used, in whole or in part, for any uses except the following:
 - E. Uses allowed in Residential Zones:
 - (a) All residential uses, accessory uses, and conditional uses currently permitted in the residential zones of the Town identified in Table 240-5.
 - (b) Proposed conditional uses shall be identified in the application to the Planning Commission and shall follow requirements in Section 240-34.
 - (c) Accessory dwelling units in conjunction with detached-single family houses.
 - [1] A maximum of one accessory dwelling unit shall be permitted in conjunction with a detached single-family house.
 - (d) Open Space.
 - (e) Civic uses including, but not necessarily limited to:
 - [1] Government Buildings;
 - [2] Education Buildings;
 - [3] Libraries;
 - [4] Meeting Halls;
 - [5] Museums; Recreational Facilities;
 - [6] Places of Worship;
 - [7] Other Cultural, Civic or Social use as designated on the approved implementation plan.
- J. Performance Standards: All uses are subject to the performance standards in Section 240-05.

- K. Emergency access requirements. All applicable regulations, requirements and approvals from the Delaware State Fire Marshal's Office, Department of Natural Resources and Environmental Control, and Delaware Department of Transportation shall apply.
- L. The Preliminary Lot Layout Plan and Final Plat Plan applications shall include the following components:
- (1) A brief written and graphic description of the owner/developer's proposed approach.
 - (2) The architectural, lighting, signage and landscape examples may be vignettes of styles with graphic and narrative descriptions for this submission.
 - (3) The extensive use of photographs, drawings and other graphic methods is strongly encouraged.
 - (4) The results of this work may be organized in a manner that best represents the owner/developer's intent as long as all the items are substantively addressed.
 - (5) Circulation:
 - (a) Classification and illustration of a system of streets, alleys, and pedestrian and bicycle routes that creates an integrated network serving the Residential Development and links it to adjacent areas.
 - (b) Streets within the Development shall be in accordance with DeIDOT Standards and Regulations for Subdivision Streets and State Highway Access, latest revision.
 - (c) Detailed design standards and illustrations for each component of the system are required.
 - (c) A plan of the circulation systems shall be included.
 - (6) Building Lots:
 - (a) Classification and illustration of a full range of proposed lot types, sizes and setbacks, locations of potential accessory buildings, and access by auto and foot.
 - (b) A plan of their location throughout the development shall be included.
 - (7) Buildings:
 - (a) Classification of the full range of buildings, residential, i.e. townhome, villa, condominium and/or apartment complex to be constructed.
 - (b) Detailed guidelines addressing their architectural character and essential required elements, such as size, composition and massing, windows, doors, porches, roof design, fenestration, and all materials.
 - (c) A plan of their location by use type throughout the development shall be included.

- (d) Accessory Structures: Detailed design guidelines for accessory structures including, but not limited to, fences, sheds (<144 square feet), pools, garages, and gazebos shall be included and compatible with the Architectural design principles.
- (8) Open Spaces: Classification of a system of landscaped open spaces (in addition to private yards) with a plan of the network created by the open spaces and pedestrian and bicycle circulation systems.
- (9) Landscape Design:
 - (a) A palette of hard (paving) and plant materials along with street furniture, major focal elements and ornamentation shall be provided.
 - (b) These elements shall be located on a plan of the development.
 - (c) Details of plant species and hard materials shall be included.
- (10) Lighting Design: Placement of public and private lighting throughout the development and design of the lighting fixtures, globes, illumination patterns and intensities.
- (11) Signage:
 - (a) Provide the design, size, height and placement of all signs for public and private uses in the neighborhood.
 - (b) Include standards for street signs, parking signs, fire lanes, and signs for civic uses in the districts.

Section 240-12 R-1 Town Residential District

- A. Permitted Uses. For permitted uses see Table 240-5.
- B. Accessory Uses. For accessory uses see Table 240-6.
- C. General Requirements. See Tables 240-7, 240-8, 240-9, 240-10, 240-11 and 240-12.

Section 240-13 R-2 Single-Family Residential

- A. Permitted Uses. For permitted uses see Table 240-5.
- B. Accessory Uses. For accessory uses see Table 240-6.
- C. General Requirements. See Tables 240-7, 240-8, 240-9, 240-10, 240-11 and 240-12.

Section 240-14 R-3 Multi-Family Residential

- A. Permitted Uses. For permitted uses see Table 240-5.

- B. Accessory Uses. For accessory uses see Table 240-6.
- B. General Requirements. See Tables 240-7, 240-8, 240-9, 240-10, 240-11 and 240-12.

Section 240-15 R-4 Manufactured Housing

- A. Permitted Uses. For permitted uses see Table 240-3.
- B. Accessory Uses. For accessory uses see Table 240-4.
- C. General Requirements. See Tables 240-7, 240-8, 240-9, 240-10, 240-11 and 240-12.
- D. Other Requirements.
 - (1) The installation of manufactured homes shall occur only on fee simple lots fulfilling all requirements of this ordinance.
 - (2) No more than one manufactured home may be installed on any lot subject to the regulations of this ordinance.
 - (3) Each manufactured home shall have a minimum body width as set by the Department of Defense (DOD) and/or Delaware State Manufactured Home Inspection and Installation Code (DSMHII).
 - (4) Site Plan and Community Impact Statement must be submitted to the Planning Commission for its consideration.
 - (5) Access to the manufactured home development shall be from a collector street.
 - (6) No lot shall be designated for direct access to a street outside the boundaries of the park.
 - (7) All of proposed home sites must be shown on the proposed site plan.
 - (8) All utility lines shall be underground, including electrical wiring and telephone lines.
 - (9) The development must be surrounded by a landscaped or wooded buffer of at least one hundred (100) feet wide. This buffer is to be continuous along the street frontage with an arterial street or major highway and at least thirty (30) feet wide along all other lot lines or street frontage.
 - (10) Each manufactured home development shall be provided with electrical outlets installed in accordance with applicable codes and regulations.
 - (11) Management headquarters, recreational facilities, open storage areas for boats and campers, community building, toilets, showers, coin operated laundry and dry cleaning may be included within the boundaries of the development, provided:
 - (a) Such establishments and parking areas primarily related to their operation shall not

occupy more than 1.0% of the area of the development.

- (b) Such establishments shall be intended for the use of occupants of the development.
- (c) Such establishments shall present no visible evidence of their commercial character which would attract customers other than occupants of the development.

(12) Homes placed at property line borders, existing use must be shown on individual site plans.

E. Placement. Every manufactured home shall be installed on a permanent foundation prior to its occupation or use, such that the following the DSMHII requirements are fulfilled.

- (1) The manufactured home is supported on a properly designed and constructed foundation system that is adequate to support all loads.
- (2) The manufactured home is anchored adequately to resist all loads.
- (3) The towing hitch and all running gear have been removed.
- (4) There is a properly enclosed crawl space or basement with permanent foundation type construction.

E. Anchoring: Each manufactured home shall be anchored by the DSMHII standards to resist flotation, collapse or lateral movement.

- (1) Anchoring Methods: Each manufactured home shall be anchored according to the home manufacturer's instructions for a permanent foundation installation.
- (2) Wind Resistance: In addition to applicable state and local anchoring requirements for resisting wind forces, all components of a manufactured home anchoring system shall be capable of carrying a force of four-thousand (4,000) pounds.

Section 240-16 Access and Height Standards for Residential Districts

A. Structures to Have Access.

- (1) Lots on which new structures are built or to which a structure is relocated, must be adjacent to, or have access to, a public street.
- (2) Structures shall be placed on lots in a manner that provides safe and convenient access for utility servicing, fire protection, and required off street parking.

B. Building Heights. See Table 240-7.

C. Fences, Walls, Hedges & Shrubbery.

- (1) Setbacks. Fences, walls, hedges, and shrubbery may be placed anywhere on a residential lot with height limitations show in Table 240-13.

- (2) Height Limitations for hedges and shrubbery.
 - (a) Hedges and/or shrubbery shall not exceed three (3) feet in height and comply with the following criteria: There is no height limitation for hedges and shrubbery if:
 - [1] The hedges and shrubbery are well maintained.
 - [2] The hedges and shrubbery do not encroach on another property.
 - [3] The hedges and shrubbery fulfill the requirements set forth in this section regarding comer visibility within the "sight triangle" as shown in Figure 240-2.
- (3) Non-Residential Uses: The Administrator may allow or require fences, walls, hedges, shrubberies that are higher than the limitations stated in this subsection. In making such a determination, the Administrator must find that exceeding the height limitations is necessary due to the type of use, security concerns, or the protection of adjacent properties.

D. Visibility at Intersections.

- (1) At street intersections, nothing shall be built, placed, planted, or allowed to grow higher than three (3) feet within the "sight triangle."
- (2) Subdivision intersection sight triangles shall be measured along the curb line of the intersecting streets for a distance of 30 feet from the intersection and formed by connecting the respective 30-foot distances as shown in Figure 240-2.
- (3) Sight distance regulations for intersections with State maintained streets shall be governed by the DelDOT Standards for Regulations for Subdivision Streets and State Highway Access, Section 5.4.

E. Height Limits Exemptions.

- (1) The height limitations of this Ordinance do not apply to appurtenances usually required to be placed above the roof level and not intended for human occupancy. Such appurtenances include, but are not limited to, the following:

Belfries	Public monuments
Chimneys	Radio and television antennas or satellite dishes for residential use
Cupolas	Smoke Stacks
Flag poles	Spires
Ornamental Towers	Water Towers

Section 240-17 Home-Based Businesses

- A. Definition: Any business, occupation, or activity undertaken for gain within a residential structure that is incidental and secondary to the use of that structure as a dwelling unit.
- B. Permitted Home-Based Businesses.
- (1) Offices for Professionals including architects, brokers, counselors, clergy, dentists, doctors, draftspersons and cartographers, engineers, insurance agents, lawyers, real estate agents, accountants, editors, publishers, journalists, psychologists, contract management, graphic *design*, construction contractors, landscape design, lawn care business (materials not be stored externally), consultants, surveyors, cleaning services, salespersons and manufactures' representatives, travel agents.
 - (2) Personal Services including barbershops, beauty parlors, manicure and pedicure shops, pet grooming, catering and chauffeuring services.
 - (3) Instructional Services including music, dance, art and craft classes, tutoring.
 - (4) Babysitting Services defined as the occasional care of children.
 - (5) Studios for artists, sculptors, musicians, photographers, and authors.
 - (6) Workrooms for tailors, dressmakers, milliners, and craft persons including weaving, lapidary, jewelry a along, cabinetry, and woodworking.
 - (7) Repair services including watches and clocks, small appliances, computers, electronic devices, lawnmowers, and small engines.
 - (8) Garage and yard sales, "Tupperware", "Party Lite", "Pampered Chef" and companies of the like offering parties.
 - (9) No greater than two (2) home based business shall be based in a single residential home provided that the businesses are run by a single owner or owner's of immediate relation (spouses and their children).
- C. Prohibited Home-Based Businesses.
- (1) Kennels, Veterinary clinics and hospitals.
 - (2) Medical clinics, dental clinics, hospitals.
 - (3) Restaurants, bars, and night clubs.
 - (4) Funeral homes and undertaking establishments.
 - (5) Adult uses.
- D. Operational Standards.

- (1) Operating Hours.
 - (a) General Standard. Customer and client visits to the home-based business are limited to the hours from 8:00 A.M. to 8:00 P.M.
- (2) Additional Provisions.
 - (a) These operational standards recognize that some home-based businesses occasionally rely on client/customer visits that last beyond 8:00 P.M. Examples of such home based businesses include babysitting services, instructional services, and "Tupperware parties."
 - (b) Businesses such as those listed in the previous subsection shall be considered as operating within the home-based business standards as long as they do not cause undue traffic congestion, and comply with the standards governing equipment used or operated by home-based businesses.
- (3) Employees.
 - (a) On-Premises Employees: A home-based business shall have not more than 2 nonresident employees on the premises at any one time.
 - (b) Off-Premises Employees: The number of non-resident employees, working at locations other than at the home-based business, is not limited.
- (4) Equipment.
 - (a) Equipment used in the operation of a home-based business, shall not:
 - [1] Create any vibrations, heat, glare, dust, odors, or smoke discernible at the property lines.
 - [2] Generate noise that violates any Municipal ordinance or regulation pertaining to noise.
 - [3] Create any electrical, magnetic or other interference off the premises.
 - [4] Consume utility quantities that negatively impact the delivery of those utilities to surrounding properties.
 - [5] Use and/or store hazardous materials *in excess* of quantities permitted in residential structures.
- (5) Minimum Required Parking: Minimum required: Three (3) spaces, not in the front yard and not closer than five (5) feet to an adjoining property line.
- (6) Signs: See Section 240-18, Signs in Residential Zoning Districts.

- (7) No external storage of equipment shall be permitted without exception.

Section 240-18 Signs in Residential Zoning Districts

- A. Administration. *See Article IV, Section 240-32.*
- B. Permit Fees shall be collected for the processing and issuing of sign permits in accordance with the Town's Fee Schedule.
- C. Sign Measurement Requirements for Residential Districts. See Table 240-10.
- D. Sign Setback and Height Requirements for Residential Districts. See Table 240-11.

Section 240-19 Off-Street Parking in Residential, Zoning Districts

- A. General Requirements.
- (1) Off-street parking facilities shall be provided as accessory uses under the following conditions:
- (a) When any use is established or changed.
- (b) When any building or structure is erected, altered, renovated, or expanded.
- (2) The parking requirements in this part of the Ordinance do not limit requirements or conditions that may be imposed on development plan approvals or other approvals.
- (3) Parking layout shall be reviewed and approved by the Town Fire Chief and the State Fire Marshal.
- (4) Parking facilities may not be used for the sale, repair, servicing, or dismantling of any type of vehicle, equipment, material, or supplies.
- B. Definition: An off-street parking space is a permanently-reserved, temporary storage area for one motor vehicle that is not located on, but is directly accessible to, a dedicated street right-of-way by a paved driveway which affords ingress and egress for a motor vehicle without requiring another motor vehicle to be moved.
- C. Required Number of Spaces for Residential Use. See Table 240-12.
- (1) Fractional Spaces: Where the computation of spaces results in a fractional space, the fractional space shall be counted as 1 (one) additional required space.
- (2) Home based Businesses: One additional space for each non-resident employee shall be required.
- (3) Conditional. Uses: Off-street parking requirement shall be based on specific use, per Article IV, Section 240-30.

- (4) Joint Use: Where more than one use occupies a single structure the parking requirements shall be computed by adding together the number of required parking spaces for each use.
- (5) Shared Facilities: Houses of worship, auditoriums or educational institutions may make arrangements with business establishments, which normally have different days or hours of operation for sharing up to 100% percent of their required parking facilities.
- (6) Uses Not Specifically Listed: The required number of parking spaces for uses not specifically listed in Article N, Section 240-30 shall be the same as for a similar listed use as determined by the Town.

D. Location.

- (1) Parking facilities shall be located on the same lot with the building or use served.
- (2) Parking facilities may be located within required side yard or rear yard building setback areas.
- (3) Parking spaces or zones for use by persons with disabilities shall be provided in accordance with the Americans with Disabilities Act.

E. Design Standards.

- (1) Parking Space Dimensions.
 - (a) Vertical and Diagonal Parking: See Table 240-12.
 - (b) Parallel Parking: 8 feet by 22 feet.
- (2) Backing onto Public Road Prohibited: Off-street parking areas that make it necessary for vehicles to back out directly into a public road are prohibited, except for dwelling units each having an individual driveway.
- (3) Drainage: Off-street parking facilities shall be drained to eliminate standing water and prevent damage to abutting property and/or public streets and alleys.
- (4) Surface Material: Off-street parking facilities shall be surfaced with erosion-resistant material in accordance with applicable municipal specifications.
- (5) Separation from Walkways and Streets: Off-street parking spaces shall be separated from walkways, sidewalks, streets or alleys by a wall, fence or curbing or other approved protective device or by distance so that vehicles cannot protrude over publicly used areas.
- (6) Maintenance: Off-street parking areas shall be maintained in a clean and orderly condition at the expense of the owner or lessee.

Section 240-20 Major Recreational Equipment & Unlicensed Vehicles

A. Major Recreational Equipment.

- B. Definition: Includes boats, personal watercraft (PWC), boat trailers, travel trailers, all terrain vehicles (ATV's), utility trailers, pick-up campers or coaches designed to be mounted on motor vehicles, motorized dwellings, tent trailers, and similar equipment as well as cases or boxes used for transporting major recreational equipment regardless of whether the equipment is inside of the boxes.
- C. Regulation. On a lot in a residential zone, major recreational equipment:
 - (1) May not be parked within the front yard setback.
 - (2) May not be used for living, sleeping or other housekeeping purposes.
 - (3) May be parked anywhere for a maximum of 24 hours while loading and unloading.
- D. Unlicensed Vehicles and Trailers. On any residentially zoned property, a vehicle or a trailer that is not used in support of customary farming operations and does not have current license plates may be parked or stored only in a completely enclosed building.

Section 240-21 Landscaping & Tree Preservation for Residential Districts

- A. Landscaping & Tree Preservation.
 - (1) The developer shall plant at least two (2) trees on each new single-family lot.
 - (a) These trees shall be in place before the time that a certificate of occupancy is issued for the structure on that lot.
- B. Trees along Dedicated Streets.
 - (1) Street trees shall be in accordance with Article IV, Section 240-39.
- C. Protection & Retention of Large Trees.
 - (1) Every development shall retain all existing trees 12 inches in diameter or more unless the retention of such trees would, according to Camden Town Council's determination, unreasonably burden the development.
 - (2) No excavation or subsurface disturbance may be undertaken with the drip line of any tree 12 inches in diameter or more.
 - (3) No impervious surface may be located within 12.5 feet, measured from the center of the trunk, of any tree 18 inches in diameter or more, unless compliance with this subsection would according to the municipal governing body's determination, unreasonably burden the development.
 - (4) For purposes of this subsection, a drip line is defined as a perimeter formed by the points farthest away from the trunk of tree where precipitation falling from the branches of that tree lands on the ground.

Section 240-22 Historic Overlay Zone District

- A. The Camden Historic Overlay Zone District shall consist of properties that are designated on the official map adopted by the Town Council.

- B. Purpose: The purpose of this overlay is to establish a Historic overlay district within the incorporated limits of the Town of Camden that will protect, perpetuate and preserve the character of the buildings that make up Camden cultural, social, religious and architectural history, to maintain and improve property values within the Historic District and to protect and enhance the Town's attraction to residents and visitors.

- C. Use Regulations.
 - (1) An application for variance will be necessary for any uses that require review before the Architectural Review Commission in accordance with the standards set forth in this article and the standards and procedures set forth in Article V, Section 240-37.
 - (2) The Board of Adjustment will not make a decision without a recommendation from the Architectural Design Commission.

- E. Permitted Uses.
 - (1) Any use, accessory use, or sign permitted in the zoning district in which the premises are situated and upon which the Historic Overlay Zone is superimposed.
 - (2) Any condition or use permitted in the zoning district in which the premises are located in accordance with the purpose stated above, and the standards of the Historic Overlay hereinafter described.

- F. Application of the District.
 - (1) To enable the District to operate in harmony with the plan for land use and density embodied in this ordinance the Historic Overlay is created as a special overlay to be superimposed on the other districts contained in this ordinance or amendments thereto and is to be so designated by a symbol for its boundaries on the Zoning District Map.

- G. Historic Overlay Standards.
 - (1) The following standards shall be used by the Town of Camden in dealing with any application or request concerning property within the Historic Overlay:
 - (a) New construction shall be in accordance with Article IV, Section 240-37(C) – Architectural Standards for the Heritage Overlay Zone District. The architectural standards for the Heritage Overlay Zone shall apply to the Historic Overlay Zone in the event of approved redevelopment.
 - (b) Alterations and repairs proposed for structures within the Historic Overlay District shall follow the guidelines set forth in the Secretary of the Interior's Standards for Rehabilitation.

- (2) The standards shall be strictly or narrowly construed with respect to structures deemed to have historic or architectural value, but shall be broadly or loosely construed for those structures deemed to have little historic value, or for plans involving new construction, unless such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area new construction, alterations or repairs are not required to be limited to the architectural style clone period.
- (3) Every reasonable effort shall be made to provide a compatible use for a property within the historic overlay, which would require minimal alteration to the exterior front structure.
- (4) The distinguishing original qualities or characteristics of a building shall not be destroyed.
 - (a) The removal or alteration of any historic material or distinctive architectural feature should be avoided.
 - (b) Photos or drawings with measurements shall be submitted to the Town prior to the destruction of any historical feature.
- (5) All buildings shall be recognized as a product of their own time and no alterations shall be made to the facade that do not have historical basis or seek to create an earlier appearance.
 - (a) Changes that may have taken place over time are part of the history of development of a building and such changes should be recognized for their significance.
- (6) The view of the structure or area from a public street shall be considered and taken into account.
- (7) The probable effect of proposed construction on trees, wooded areas, or historic site shall be considered and taken into account.

H. Building Permits.

- (1) No building permit shall be issued without a hearing before the Board of Adjustment for:
 - (a) New construction in the Historic Overlay without a review of plans by the Architectural Design Commission to ensure the facade of the new construction will lend itself in style to the surrounding building. In reviewing such application, the Architectural Design Commission shall consider:
 - [1] Exterior architectural features.
 - [2] General design, scale and arrangements.
 - [3] Relationship to the sizing of neighboring structure.
 - [4] Relationship to the size, design and landscape of the district.

- (b) The demolition of a building located in the Historic Overlay that is more than fifty (50) years old.
 - (c) An addition to a building located in the Historic Overlay that attaches to the front of the building.
- (2) A building permit may be issued without a hearing for:
- (a) Repairs for a portion of the structure, such as the roof shingles, windows, porches or portico which does not alter the facade. NOTE: All renovations and/or repairs must fit with the Historic character of the dwelling.
 - (b) Temporary alterations, such as those required to serve persons with disabilities (i.e., wheelchair ramps).
 - (c) Demolition of a building that has been condemned.
 - (d) Building permits for additions or alterations to the rear of a building shall be treated in to same manner as those in any other district.
- [1] No hearing shall be required as long as there is no variance or conditional use application required under the Zoning Ordinance.
- (3) Permits for signs shall be issued in accordance with. Article IV Section 240-32, Table 240-10 and Table 240-11, depending on the underlying zoning district and use.

I. Demolition Permits.

- (1) No building within the Historic Overlay shall be destroyed without first being photographed, measured and recorded for historical purposes.
- (2) No building within the Historic Overlay shall be demolished unless the owner has first made a bona fide offer to sell such building for a reasonable price for a reasonable period of time for the sale of a structure of similar nature.
 - (a) For purposes of this section a reasonable price and reasonable period of time shall be determined by the opinions of three independent realtors, whose opinions shall be obtained by the Town Manager.

G. Hardship.

- (1) A property owner may be exempted from strict application of the provisions of this Section if the property owner demonstrates that such strict application causes the property owner to suffer substantial hardship, financial or otherwise.
- (2) Any property owner seeking to be exempt from this section shall apply for relief to the Architectural Review Commission, which shall issue a recommendation to the Board of Adjustment. No fee shall be charged with the exception of those incurred for Public notification.

Section 240-23

Heritage Overlay Zone District

- A. The Camden Heritage Overlay Zone District shall consist of properties that are designated on the official map adopted by the Town Council.
- B. Purpose: The purpose of this overlay is to establish a Heritage overlay district within the incorporated limits of the Town of Camden that will protect, perpetuate and preserve the character of the buildings that make up developments within proximity of Route 13 and Alternate Route 13 within the Town in order to set forth the character of the community and provide continuity along the most heavily traveled corridors in the Town.
- C. Developments within 500 feet of Route 13 or Alternate Route 13, and within 1,000 feet of highway interchanges shall be considered part of the Heritage Overlay Zone District.
- D. The portion of the Town which is contained within the Heritage Overlay Zone District is shown on the official Zoning District Map.
- E. Use Regulations.
 - (1) An application for variance will be necessary for any uses that require review before the Architectural Review Commission in accordance with the standards set forth in this article and the standards and procedures set forth in Article V, Section 240-37.
 - (2) The Board of Adjustment will not make a decision without a recommendation from the Architectural Review Commission.
- E. Permitted Uses.
 - (1) Any use, accessory use, or sign permitted in the zoning district in which the premises are situated and upon which the Heritage Overlay is superimposed.
 - (2) Any condition or use permitted in the zoning district in which the premises are located in accordance with the purpose stated above, and the standards of the Heritage Overlay hereinafter described.
- F. Application of the District.
 - (1) To enable the District to operate in harmony with the plan for land use and density embodied in this ordinance the Heritage Overlay is created as a special overlay to be superimposed on the other districts contained in this ordinance or amendments thereto and is to be so designated by a symbol for its boundaries on the Zoning District Map.
- G. Heritage Overlay Zone Standards.
 - (1) The following standards shall be used by the Architectural Design Commission and Town of Camden in dealing with any application or request concerning property within the Heritage Overlay:
 - (2) The architectural standards shall be in accordance with Article IV, Section 240-37 of the Zoning Ordinance.

H. Building Permits.

- (1) No building permit shall be issued without a hearing before the Board of Adjustment for:
 - (a) New construction in the Heritage Overlay without a review of plans by the Architectural Design Commission to ensure the facade of the new construction will lend itself in style to the surrounding buildings. In reviewing such application, the Architectural Design Commission shall consider:
 - [1] Exterior architectural features.
 - [2] General design, scale and arrangements.
 - [3] Relationship to the sizing of neighboring structure.
 - [4] Relationship to the size, design and landscape of the district.
 - (b) The demolition of a building located in the Heritage Overlay that is more than fifty (50) years old.
 - (c) An addition to a building located in the Heritage Overlay that attaches to the front of the building.
- (2) A building permit may be issued without a hearing for:
 - (a) Repairs for a portion of the structure, such as the roof shingles, windows, porches or portico which does not alter the facade.
 - (b) Temporary alterations, such as those required to serve persons with disabilities (i.e., wheelchair ramps).
 - (c) Demolition of a building that has been condemned.
 - (d) Building permits for additions or alterations to the rear of a building shall be treated in to same manner as those in any other district.
 - [1] No hearing shall be required as long as there is no variance or conditional use application required under the Zoning Ordinance.
- (3) Permits for signs shall be issued in accordance with. Article IV Section 240-32, Table 240-10 and Table 240-11, depending on the underlying zoning district and use.

I. Hardship.

- (1) A property owner may be exempted from strict application of the provisions of this Section if the property owner demonstrates that such strict application causes the property owner to suffer substantial hardship, financial or otherwise.
- (2) Any property owner seeking to be exempt from this section shall apply for relief to the

Architectural Design Commission, which shall review and make recommendation to the Board of Adjustment. No fee shall be charged with the exception of those incurred for Public notification.

Table 240-5 Permitted Uses and Structures in Residential Districts

TABLE KEY: Blank Not Permitted P Permitted Use Site Plan review required for all subdivisions, projects proposed for R3, R-4, and Conditional- Uses. CU Conditional Use- See Section 240-34 See definitions in Art. VI Section 240-47	Zone R-1	Zone R-2	Zone R-3	Zone R-4
Agriculture-Related Uses				
Farms, Customary and conventional farming operations including the raising of vegetables, flowers, and horticultural materials not to be construed to include		P		
<i>Greenhouse, Commercial</i>				
Lawn Care Services, Equipment or Other	CU	CU	CU	CU
Residential Uses				
Apartment above commercial or office uses				
Accessory apartment in conjunction with SF detached home				
Bed & breakfast		CU		
Dwelling, Two Family		P	P	
Dwelling, Manufactured Home				P
Dwelling, Multi-family			P	
Dwelling, Single Family including modular homes	P	P	P	P
Dwelling, Townhouse			P	
Home Based Businesses - See Section 240-17	CU	CU	CU	CU
Sales & Rental of Goods, Merchandise, and Equipment				
Convenience Store				
Retail Food Establishments				
Retail Sales Establishments				
Retail Sales Establishments with drive-through				
Supermarket				
Restaurant				
Restaurant with drive though				
Wholesale trade establishments				

Shopping Center				
Office, Clerical, Research, Personal Service and Similar Enterprises Not Primarily Related to Goods				
Business Service Establishments				
Offices				
Office complex of multiple buildings				
Lodging and Miscellaneous Service Establishments				
Personal Service Establishments including self serve 500 SF or less				
Retail Service Establishments incl. self serve more than 500 SF				
Social Service Establishments				
Research, Design and Testing Laboratories				
Banks				
Banks with drive through				

<u>TABLE KEY:</u> Blank Not Permitted P Permitted Use Site Plan review required for all subdivisions, projects proposed for R3, R-4 and R-5, and Conditional Uses. CU Conditional Use - see Section 240-34 See definitions in Art. W Section 240-47	Zone R-1	Zone R-2	Zone R-3	Zone R-4
Adult-Entertainment, Bookstores, Cabarets				
Manufacturing, Assembling, Processing-see also				
Manufacturing, Light				
Manufacturing, Heavy				
Asphalt, Aggregate, Hot Mix				
Concrete, Cement, stone and gravel bulk storage				
Commercial composting, materials recycling				
Sanitary transfer station				
Educational, Cultural, Religious, Philanthropic, Social, Fraternal				
Club, private such as golf swimming, and tennis clubs, lodges, and other annual membership clubs		P	CU	
Educational institutions, public		CU	CU	
Places of worship	CU	CU		CU
Community Center, Private		CU	CU	P
Institutional, Residence, Care, Confinement &				
Day Care Center		CU	CU	CU
Day Care, Family (1-6 children)		CU	CU	CU

Day Care, Large Family (7-12 children)		CU		
Hospital				
Medical				
Nursing and care facilities			P	
Surgical Center				
Transportation-Related Sales & Service				
Motor vehicle filling stations				
Motor vehicle <i>sales</i> , repair, service and storage				
Storage & Parking				
Distribution center				
Garage, public or commercial parking				
Self-storage facility				
Warehouse				
Public, Semi Public, Emergency				
Government facilities and services, local	CU	CU	CU	CU
Government facilities and services, non local	CU	CU	CU	CU
Parks & open space	P	P	P	P
Public <i>safety</i> facilities including, ambulance, &e, <i>police</i> , rescue, and	CU	CU	CU	CU
Public utility service facilities. See Performance Standards, Sections	CU	CU	CU	CU
Recreation facility	CU		CU	CU
Not Grouped Elsewhere				
<i>Accessory</i> Uses, generally. See Table 240-6	CU	CU	CU	CU
TABLE KEY:				
Blank Not Permitted				
P Permitted Use				
Site Plan review required for all subdivisions, projects proposed for R-3, R-4, and Conditional Uses.	Zone R 1	Zone R-2	Zone R-3*	Zone R-4
CU Conditional Use-see Section 240-34				
See definitions in Art. VI Section 240-47				
Cemeteries	CU	CU	CU	CU
Funeral Home				
Mixed-use and mixed density developments		CU	CU	
Veterinary clinics animal hospitals, or commercial kennels, provided that no open pens, runs, kennels or cages are located within 200 feet of land that is used or zoned residential				

Table 240-6 Accessory Uses and Structures in Residential Zoning Districts

TABLE KEY:		Zone R 1	Zone R 2	Zone R-3*	Zone R-4
Blank	Not Permitted				
P	Permitted Use				
SP	Site Plan Review Required				
CU	Conditional Use - see Section 240-34				
See definitions in Art. VI Section 240-47					
Accessory Uses					
Boat, not exceeding 25 feet in length		P	P	P	
Detached home workshop / Pole Building		P	P	P	
Garden House		P	P	P	
Greenhouse		P	P		
Home-based business - see Section 240-17		P	P	P	P
Junk Vehicles					
Playhouse		P	P	P	
Private courts for non-commercial swimming pools and/or games			P		
Private Garage		P	P	P	
Radio or TV receiving tower not more than 50 feet in height					
Recreational Vehicle or Motorhome		P	P		
Shed (<144 Square Feet)		P	P	P	P
Trailer for storage or towing boats, camping or other vehicles not exceeding 25 feet in length		SP	SP	SP	

* For Single Family Units in R-3, Accessory Uses are the Same as R-2 Single Family.

Table 240-7 Basic Dimensional & Density Standards in Residential Zones

ZONING DISTRICTS	R-1 Single Family	R-2 Single Family	R-3 Single Family	R-2/R-3 Duplex	R-3 Townhouse	R-3 Multi-Family Converted	R-3 Multi- family	R-3 Multi- Family Mid-Rise	R-4 Manufactured
Minimum living space per DU(SF)	900	1,000	1,000	1,000	1,000	1,000	750	750	900
Tract Standards									
Tract Area	5,000 SF	12,000 SF	12,000 SF	8,000 SF	6 AC	6 AC		12,500 SF	30 AC max
Required minimum open space	20%	20%	20%	20%	20%	20%	20%	20%	20%
Max. Dwelling Units per gross Acre	N/A	3	3	6	6	N/A	8	N/A	3
Minimum Lot Standards									
Lot Area per Dwelling Unit (SF)	5,000	11,000	11,000	3,600	Int-2,000 End-3,000	3,000	3,000	N/A	5,000
Street Frontage (Feet)	50	100	100	36	Int.-20 End-30	30	125	125	125
Lot width at front building line (Feet)	50	100	100	36	Int.-20 End-30	30	N/A	N/A	50
Minimum lot depth	100	110	110	100	100	100	100	100	100
Setbacks (Feet)									
Front yard	15	25	25	25	25	25	25	25	25
Side Yard									
One	8	15	15	5	10	5	10	20	8
Sum of Both	20	40	40	16	N/A	10	25	45	20
Rear yard	30	40	40	30	30	25	25	35	25
Building Standards									
Stories	2 ½	2 ½	2 ½	2 ½	2 ½	3	3	6	2 ½
Feet	35	35	35	35	35	35	35	70	35
Maximum Impervious coverage Bldg/Total (% of lot)	33/60	25/50	25/50	25/50	45/65	33/65	60/80	25/75	30/50
Maximum units with common walls	1	1	1	2	4	1	6	12	1

1. Tract Area is the minimum acreage or square footage needed to subdivide and/or develop land for each District and dwelling unit type.
2. Lot Area is the minimum lot size for each dwelling unit type.
3. DU means dwelling units.
4. SF means square footage.
5. Int. means interior.

NOTE: Permissible use in Townhome developments in which on street parking is not permitted however rear alley and parking facility including garage are in the design.

Table 240-8 Dimensional & Density Standards for Residential Accessory Building and Structures Standards for Residential Accessories:

	Detached Garage (Rear Yard)	Other Detached (Rear Yard)
Side Yard Setback (interior)	10 feet	5 feet
Side Yard Setback (Corner)	Same as principle building	Same as Principle building
Rear Yard Setback	10 feet	5 feet
Distance from Principle Building	10 feet	10 feet
Distance from Adjacent Lot Dwelling	20 feet	20 feet
Maximum Height	20 feet	20 feet
Maximum Lot Coverage	Per Zoning District, must be calculated including principle building and all accessories	Per Zoning District, must be calculated including principle building and all accessories

Table 240-9 Permitted Projections into Required Residential Yards

Type of Projection:	Into Front Yard	Into Interior Side Yard	Into Corner Side Yard	Into Rear Yard
Balconies, bay windows, canopies, entrances, oriels and vestibules less than 10 feet wide	3 feet	3 feet	3 feet	3 feet
Chimneys	2 feet	2 feet	2 feet	2 feet
Cornices and eaves	2 feet	2 feet	2 feet	2 feet
Decks, platforms, or similar raised structure	Not Permitted	Not Permitted	Not Permitted	6 feet
Outside Stairways	Not Permitted	Not Permitted	Not Permitted	6 feet
Porches, steps, stoops, terraces and similar features:				
Open to sky	9 feet	6 feet	6 feet	9 feet
Roof covering porches, steps, stoops, terraces, decks or platforms	4 feet	Not Permitted	Not Permitted	6 feet
Enclose, including screened-in porches	Not Permitted	Not Permitted	Not Permitted	Not Permitted
Fences	10 feet	To Property Line	To Property Line	To Property Line

Table 240-10 Sign Measurement Requirements for Residential Districts

Location / Use in Residential Zones R 1, R-2, R-3 and RZ 4	Total Signs Allowed	Maximum Sign Area (per sign)	Permit Required (Yes/No)
Home Based Business:	1 Freestanding, 1 Wall-Mounted	16 SF	Yes
Institutional Use	1 Free-standing, 1 Wall-Mounted	32 SF	Yes
Subdivision Entrance:	Free Standing	32 SF	Yes
Real Estate/Temporary:	Free Standing	16 SF	Yes

Table 240-11 Sign Setback and Height Requirements for Residential Districts

	Free-Standing	Wall-Mounted
Setbacks (feet)		
Front Yard	10	10
Side Yard	Same as Principle Use	Same as Principle Use
Maximum Sign Height		
Feet	5	Below Eave

Table 240-12 Required Minimum Off-Street Parking Spaces for Residential Units

ZONING DISTRICTS	R-1	R-2,R-3	R-3					R-4
	Single Family	Single Family	Duplex	Townhouse	Multi-Family Converted	Multi-Family	Multi-Family Mid-rise	Manufactured
Required Area per Parking Space (ft)	10x20	10x20	10x20	10x20	10x20	10x20	10x20	10x20
Minimum Off-street Spaces per DU	2	2	2	2	1.5	2	2	2
Minimum Visitor Spaces per DU	N/A	N/A	0.25	0.5	0.25	0.5	0.5	0.1

Notes:

1. R-1 is a closed zone, that is no new lands shall be zoned R-1.
2. Accessible Parking may be required for multi-family units more that 24 required parking spaces. Parking must comply with the Americans with Disability Act.
3. Minimum number of off-street spaces for R-1, R-2 and R-3 single family dwellings does not include garage parking.
4. Visitor parking in residential zones may be provided by way of parking space clusters along the developments' streets, a series of larger parking areas, a large centralized parking lot, or a combination thereof subject to review by the Land Use Administrator and the Town Engineer.
5. Parking space length may be shortened to seventeen (17) feet when adequate vehicle overhang is provided over a landscaped area, and the space is curbed or includes a concrete wheel stop. Parking spaces with curb that has pedestrian sidewalk abutting the curb shall be twenty (20) feet in length as the vehicle overhang may encroach in the pedestrian access route.

Table 240-13 Height Limitations for Residential Fences and Walls

Location	Maximum Height	Maximum Height on Corner Lot
Front Yard	Not Permitted	Not Permitted
Corner Side Yard	3 feet	Not Permitted
Interior Side Yard	6 feet	Not Permitted
Rear Yard	6 feet	6 feet

Figure 240-1 Setbacks, Building Coverage, Building Lines

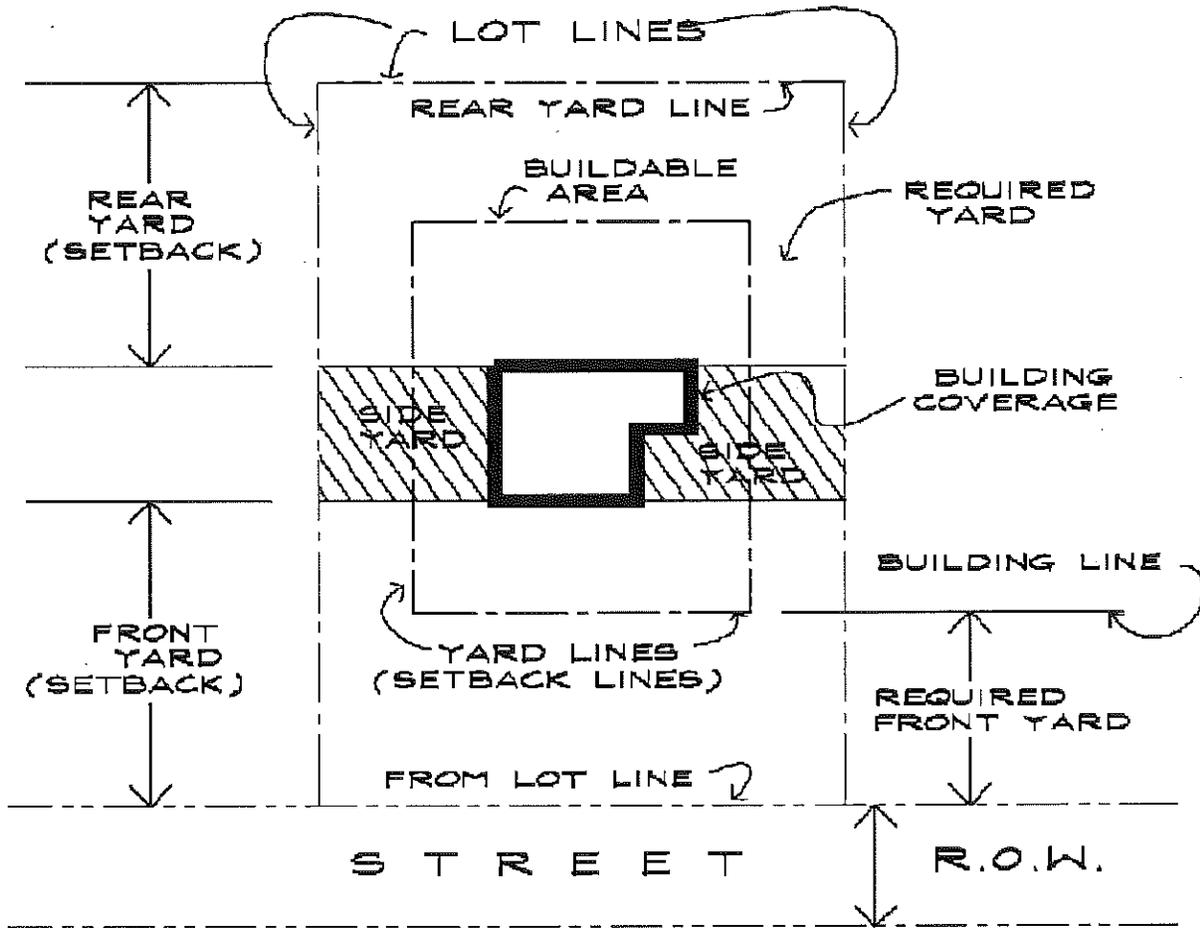
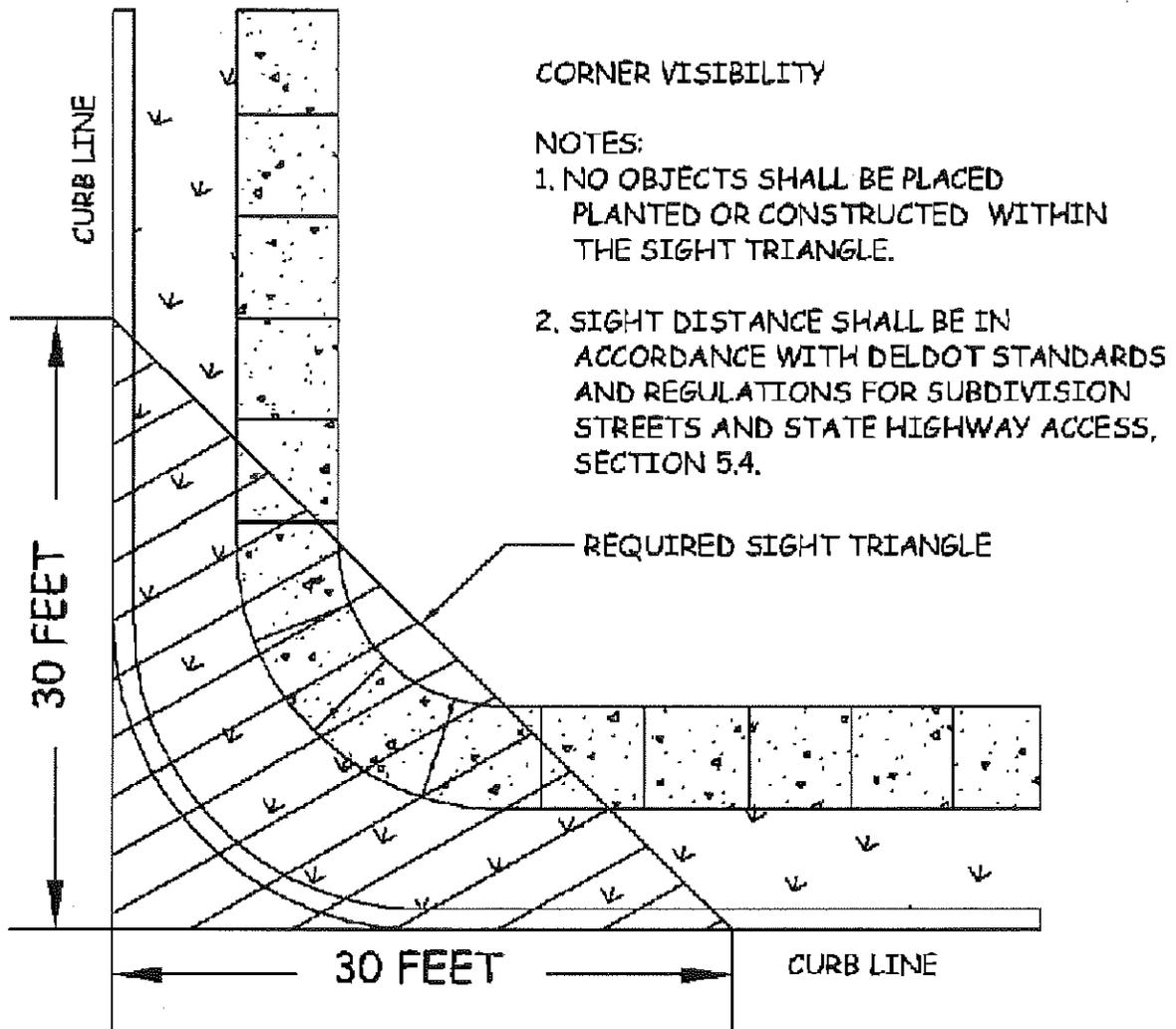


Figure 240-2 Corner Visibility



Section 240-24 Non-Residential Zoning Districts

Table 240-14 Non-residential Districts and Purposes

Definition	Zoning District	Purpose(s)	Typical Kinds of Uses in Zone
Commercial	C-1 Community Commercial	To accommodate commercial business and service uses in appropriate locations adjacent to residential areas throughout the town, and R-1 Residential Uses.	R-1 Residential Uses, Retail Stores, offices, service establishments
Commercial	C-2 Highway Commercial	To accommodate large or combined commercial uses that benefit from shared parking, service roads, drives and entrances.	Retail and wholesale establishments with drive-through services.
Industrial	I Industrial	To accommodate light industrial businesses that will provide employment.	Small repair or fabrication operations, warehousing or distribution
Agriculture	AG Agricultural	To preserve undeveloped areas such as open space, or agricultural lands.	Agricultural
Preservation	P Preservation	To preserve undeveloped areas such as open space, or areas of special environmental quality.	Parks; dedicated environmental easements

Section 240-25 C -1 Community Commercial District

- A. Purpose and Intent: The regulations for the Community Commercial Use District provide opportunities for residential, office, personal, and business development and services subject to standards that will ensure land use compatibility with adjacent residential areas. (Residential Uses within this zone shall follow the standards and/or regulations of the R-1 Town Residential Zone)
- B. Permitted Uses. For permitted uses see Table 240-15.
- C. Accessory Uses. For accessory uses see Table 240-16.
- D. General Requirements.
 - (1) Dimensional and Density Standards. See Table 240-17. A Site Plan review is required for all uses in the C-1 district.
 - (2) Conditional Use Permit Requirements: If a Conditional Use Permit is required, it is indicated in Table 240-15.
 - (a) A Site Plan review is required for all Conditional Uses in C-1 district.
 - (b) A Community Impact Statement is required for all Conditional Uses as part of the Site Plan submission.