

## ARTICLE II ZONING USES

### Section 7 PLANNED RESIDENTIAL DEVELOPMENT ZONE

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#### 7.01 Purpose<sup>1</sup>

7.01.01 A Planned Residence Development zone is a medium density residential district which allows a mixture of various types of housing including single-family, duplex and multi-family dwellings as well as certain accessory uses and special exception uses. Development of the planned site is to be made to encourage the most appropriate use of the site, preserve significant natural features of the site (including trees, steep slopes, wetlands), and provide for housing of moderate cost.

7.01.02 A Planned Residence Development zone shall be established with a view toward conserving the value of buildings and land, encouraging the most appropriate use of land, and with reasonable consideration as to the character of the neighborhood. A Planned Residence Development zone shall allow a mixture of housing types and a development density which is suitable for the particular site. The design elements of the proposed development shall be attractive and suitable in relation to the site characteristics and style of other buildings in the immediate area, and the proposed use will not adversely affect property values in the neighborhood.<sup>2</sup>

7.01.03 All uses are subject to the requirements which are set forth in this section and no buildings shall be used or erected nor land used except as provided in this section.

#### 7.02 Permitted Uses

7.02.01 Single-family houses subject to the following requirements, unless otherwise described in Article II, Section 7.04.06 (b) 3<sup>3</sup>:

Maximum building density	4.0 houses per acre
Minimum lot area	9000 square feet
Minimum lot frontage	75 feet
Minimum front yard	25 feet
Minimum rear yard	30 feet
Minimum side yard	10 feet
Minimum total habitable floor area	850 square feet
Maximum buildable area	35% of the lot area
Maximum building height	35 feet

- (a) Each single-family house shall be on a separate subdivided lot and be intended for private ownership of house and lot except for elderly deed restricted independent living housing which may also be approved as a common interest

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<sup>1</sup> Rev. 01/26/81

<sup>2</sup> Rev. 07/06/05, effective 07/29/05

<sup>3</sup> Rev. 07/06/05, effective 07/29/05

community.<sup>4</sup>

- (b) The minimum lot area and minimum lot frontage may be modified by the Commission at the time of subdivision plan approval in accordance with paragraphs (1) and (2) below.
  - 1. Where adverse geographical conditions or difficult site configuration exist, the Commission may reduce the minimum area and/or lot frontage by an amount not to exceed 15% provided the maximum permitted building density in the subdivision is not exceeded.
  - 2. In the event the Commission requires a plan of subdivision to include provisions for additional future roads to lands not included in the subdivision or for tracts for municipal public utility uses, such provision shall not cause a reduction of the maximum permitted building density and lot areas and lot frontages may be reduced by the Commission provided the maximum permitted building density is not exceeded.

7.02.02 Duplex houses subject to the following requirements, unless otherwise described in Article II, Section 7.04.06 (b) 3<sup>5</sup>:

Maximum building density	4 houses per acre
Minimum lot area for each dwelling	4500 square feet
Minimum lot frontage for each dwelling	40 feet (80 feet for each duplex house)
Minimum front yard	25 feet
Minimum rear yard	30 feet
Minimum side yard	10 feet on one side, 0 feet on interior lot line (being common dividing wall with the other residence)
Minimum habitable floor area for each dwelling	850 square feet (there shall be no mutual floor areas)

- (a) A duplex house shall mean two side-by-side dwellings with a common dividing wall. Each dwelling shall be on a separate subdivided lot intended for private ownership except for elderly deed restricted independent living housing which may also be approved as a common interest community.<sup>6</sup>
- (b) The minimum lot area and minimum lot frontage may be modified by the Commission at the time of the subdivision plan approval in accordance with paragraphs 7.02.01(b)(1) and (b)(2) above.

<sup>4</sup> Rev. 04/20/98, effective 05/12/98

<sup>5</sup> Rev. 07/06/05, effective 07/29/05

<sup>6</sup> Rev. 04/20/98, effective 05/12/98

7.02.03 Multi-family dwellings subject to the following requirements:

- (a) The minimum living area for units in a multi-family dwelling shall be as follows:
 

Efficiency (no separate bedroom)	400 square feet
One bedroom unit	650 square feet

And for each bedroom in excess of one, add an additional 150 square feet.
- (b) The total aggregate of gross floor area contained in a multi-family dwelling shall not exceed 30% of the multi-family dwelling site area for buildings two stories or more in height nor 15% of the multi-family dwelling site area for buildings less than two stories in height.
- (c) The total number of multi-family dwelling units shall not exceed ten (10) per acre of the multi-family dwelling site excluding wetlands and slopes greater than 15%.<sup>7</sup>, except for multi-family elderly units which shall be developed in accordance with Article II, Section 20.04.01 (b).<sup>8</sup>
- (d) The minimum site area for multi-family dwellings shall be 20,000 square feet and the site shall have not less than a 50 foot frontage on an improved and town accepted street.
- (e) No multi-family dwelling shall have more than three habitable stories or exceed forty (40) feet in height. Further, the uppermost story shall have access from an interior stair arrangement which will not require occupants of the uppermost story to traverse more than two stories to gain access at grade level.<sup>9</sup>
- (f) The following requirements are for the purpose of subdivision of three or more attached individual dwelling units in a multi-family site. Each dwelling unit shall be on a separate subdivided lot intended for private ownership.<sup>10</sup>

Maximum building density	Same as 7.02.03(c)
Minimum lot area for each unit	2,000 square feet
Minimum lot frontage for each unit	Width of the unit
Minimum front yard	30 feet
Minimum front yard	Except that an attached garage may be located within this minimum front yard provided the garage maintains a minimum front yard of 20 feet. <sup>11</sup>

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<sup>7</sup> Rev. 04/20/98, effective 05/12/98  
<sup>8</sup> Amended 06/19/06, effective 07/08/06  
<sup>9</sup> Rev. 04/16/12, effective 05/07/12  
<sup>10</sup> Rev. 09/28/81  
<sup>11</sup> Rev. 05/28/82

Minimum rear yard	30 feet
Minimum side yard (interior)	0 feet
Minimum side yard (end unit)	10 feet

- 7.02.04 Public libraries.<sup>12</sup>
- 7.02.05 Day care facility conducted in a church, place of worship or municipal building. <sup>13</sup>
- 7.02.06 Reserved<sup>14</sup>
- 7.02.07 Municipal parks, playgrounds and recreation areas (including accessory buildings and equipment).
- 7.02.08 Municipal public safety structures.
- 7.02.09 Public utility structures.
- 7.02.10 Accessory uses.
- 7.02.11 Family day care homes conducted in a dwelling unit.<sup>15</sup>
- 7.02.12<sup>16</sup>
- (a) Wireless telecommunication antennas located on nonresidential buildings and camouflaged from view from all surrounding streets and driveways used by the general public together with associated equipment located within or on the roof of the principal or accessory buildings.
  - (b) Wireless telecommunications sites where the antenna is mounted to existing towers, utility poles, water towers, light standards, bridges or other structures not classified as buildings.
  - (c) All facilities described in (a) and (b) above shall be in accordance with the requirements of Article IV, Section 19.<sup>17</sup>
- 7.02.13<sup>18</sup> Elderly deed restricted independent living housing which is housing in any of the types in Section 7.02.01, 7.02.02 or 7.02.03 above but whose occupancy is limited to at least one person at least 55 years of age or older, or the surviving spouse of an occupant who is 55 years of age or older. Residency requirements and restrictions for occupancy shall be filed on the land records and run with the land.

<sup>12</sup> Rev. 9/15/08, effective 10/05/08

<sup>13</sup> Rev. 12/04/89

<sup>14</sup> Adopted 01/17/01, effective 02/06/01

<sup>15</sup> Rev. 12/04/89

<sup>16</sup> Rev. 10/20/97, effective 11/11/97

<sup>17</sup> New 11/03/03, effective 11/28/03

<sup>18</sup> Rev. 04/20/98, effective 01/11/98

7.03 Special Exception Uses

All special exceptions are subject to the requirements of Article IV Section 20, Special Exception Criteria and Application Requirements and the requirements of Article II, Section 1.00.02.<sup>19</sup>

7.03.01 Child day care center and group day care home (new construction) may be developed and operated at the discretion of the Zoning Board of Appeals after a public hearing and subject to the provisions of Article IV, Section 10. The area of the site shall not be less than 12,000 square feet and the lot frontage shall not be less than 100 feet.<sup>20</sup>

7.03.02 Child Day care center and group day care home (conducted in a residence) may be conducted at the discretion of the Zoning Board of Appeals after a public hearing and subject to the provisions of Article IV, Section 10.<sup>21</sup>

7.03.03 Schools and<sup>22</sup> places of worship<sup>23</sup> in accordance with the requirements of Article II Section 1.00.02.

7.03.04 Adult day care center<sup>24</sup>

May be developed at the discretion of the Zoning Board of Appeals in accordance with the requirements of Article IV, Section 18. The area of the site shall not be less than 12,000 square feet and the lot frontage shall not be less than 100 feet.

7.03.05 Wireless telecommunication facilities<sup>25</sup>

May be developed at the discretion of the Planning and Zoning Commission in accordance with the provisions of Article IV, Section 19.

7.04 Site Development

7.04.01 Subdivision and public improvements:

- (a) Except for parcels which contain only multi-family dwellings, all development shall be subject to subdivision requirements and shall be on lots which are designated on an approved and recorded plan of subdivision and which meet the minimum requirements of paragraphs 7.02.01, 7.02.02, and 7.02.03 (d) herein. A plan of subdivision shall clearly indicate the area or lots which are to be developed for single-family houses, duplex houses, and multi-

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<sup>19</sup> Adopted 01/17/01, effective 02/06/01

<sup>20</sup> Rev. 12/04/89

<sup>21</sup> Rev. 12/04/89

<sup>22</sup> Rev. 9/15/08, effective 10/05/08

<sup>23</sup> Adopted 01/17/01, effective 02/06/01

<sup>24</sup> Rev. 12/04/89

<sup>25</sup> Rev. 10/20/97, effective 11/11/97

family dwellings. No building permit shall be issued unless the proposed building or buildings are located on a lot or area so specified on the recorded plan of subdivision.

- (b) All roads which are proposed to become town-owned streets and all improvements which are constructed within public rights-of-way, or which are to be dedicated to the Town, shall be constructed in accordance with the Town of Manchester “Public Improvement Standards”<sup>26</sup> whether or not subdivision approval is required.

7.04.02 Utilities:

- (a) Except as provided in sub-paragraph (b) below, all uses shall have public sanitary sewer and public water. There shall be no privately-owned community water systems in any development constructed in accordance with this section.
- (b) Where public sanitary sewer is not available to the site and the site is not located within a public water supply watershed as determined in writing by the superintendent, Manchester Water Department, a site may have private septic systems subject to the following requirements:
  - 1. The density of multi-family dwelling units shall be such that there are no more than 15 bedrooms per acre.
  - 2. The site shall not exceed one (1) acre in area.
  - 3. The director of health shall determine that the characteristics of the soil on the site are such that the site can adequately support the private septic system. The director of health may require that the applicant provide adequate percolation tests to assist in this determination.
  - 4. Any lot containing a single-family house or a duplex house shall have a minimum lot area of 30,000 square feet.

7.04.03 Site preservation and landscaping:

- (a) The development of a site shall be designed and developed in such a manner as to preserve its natural state insofar as is practicable by:
  - 1. Minimizing soil and tree removal.
  - 2. Designing grade changes which will blend harmoniously with the natural and undisturbed landscape.

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<sup>26</sup> Rev. 03/17/97, effective 04/01/97

3. Not creating steep slopes by regrading.
  4. Treating disturbed surfaces to encourage plant growth and soil stabilization by providing top soil and the planting of appropriate trees, shrubs and grass.
  5. Preserving natural features such as steep slopes, rock outcrops, wetlands, vistas, etc.
  6. Implementing measures to minimize soil erosion and to prevent the pollution of watercourses.
- (b) A multi-family dwelling site or sites developed as age restricted housing<sup>27</sup> shall be landscaped, graded and developed to preserve and establish natural vegetation for recreation, screening, shade, aesthetics, and soil stabilization.

- 1.<sup>28</sup> There shall be provided a landscaped border of not less than 15 feet in width adjacent to and parallel to all sides of the site except points of entry. The landscaped border shall be appropriately planted with a mixture of evergreen and deciduous trees and shrubs in such a manner as to develop a natural screen. The Commission may waive this requirement if it finds that existing foliage or natural conditions are sufficient to provide the landscaping intent of this requirement or for borders that abut public streets.

All landscaping elements included on the approved landscaping plan shall be maintained in a manner sufficient to ensure its continuing performance and the survival of all plantings.

- 2.<sup>29</sup> Usable recreation area(s) developed for either active or passive recreation purposes shall be provided at a rate of not less than 500 square feet per dwelling unit. Except for age-restricted housing development, for every bedroom in excess of two per dwelling unit, there shall be provided an additional usable recreation area at a rate of 250 square feet per each said room.

Usable recreation area(s) may be centrally located or distributed throughout the development so as to be readily accessible to the largest number of residents.

At minimum, recreation areas shall be improved with grass, either through seeding or sodding, or may be left in a natural state if pathways

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<sup>27</sup> Rev. 07/06/05, effective 07/29/05

<sup>28</sup> Amended 06/19/06, effective 07/08/06

<sup>29</sup> Amended 05/05/2014, effective 05/23/14

and/or sitting and observation areas are developed to provide access to the natural area. Recreation areas may be improved for active recreation suitable to residents' needs and may include playscapes, courts, swimming pools and similar uses or areas used for picnic tables, lawn furniture or barbecue stands and the like are suitable uses for passive recreation areas.

3. All plants causing skin irritation or allergic reaction shall be eliminated.

- (c) Development of all sites shall be designed in such a manner as to minimize erosion from the site both during construction and after development and to prevent sedimentation of watercourses and storm drainage systems both on and off the site. Disturbed areas shall be kept to a minimum and seeded as soon as is practicable. All disturbed areas which will not receive final grading and seeding shall be temporarily seeded during the fall to prevent erosion during the winter and early spring. Reasonable erosion/sedimentation controls shall be used including, but not limited to, staked hay bales, drainage diversion, temporary seeding, sedimentation basins or chambers, watering, and application of chemical agents.

7.04.04 Site drainage:

- (a) The site shall be adequately drained to carry off stormwater. The stormwater drainage system shall be approved by the town engineer.
- (b) Roof drainage pipes shall not discharge onto or across sidewalks, driveways, roadways or parking areas.

7.04.05 Roadways, driveways and off-street vehicle parking:

- (a) All roadways, driveways and parking areas shall be:
1. Designed to facilitate traffic circulation and emergency vehicle movement, including the provision of cul-de-sacs at all dead-end drives and roads constructed in accordance with the "Public Improvement Standards"<sup>30</sup>;
  2. Approved by the cognizant fire chief and the traffic authority;
  3. Interconnected where possible on sites with only one vehicular point of entry.
- (b) All roadways which are proposed to become town-owned streets shall be constructed in accordance with the "Public Improvement Standards"<sup>31</sup>.

<sup>30</sup> Rev. 03/17/97, effective 04/01/97

<sup>31</sup> Rev. 03/17/97, effective 04/01/97

Roadways shown in the town's Plan of Development which are on the site shall be shown and constructed to the appropriate town standards based upon the classification for said roadways in the Plan of Development.<sup>32</sup>

(c) All private driveways designed for vehicular traffic shall have the following minimum requirements:

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| 1. Two-way traffic   | 24 foot width |
| 2. One-way traffic   | 16 foot width |
| 3. One-way traffic with 45 degree parking on one side                                  | 16 foot width |
| 4. One-way traffic with 60 degree parking on one side                                  | 18 foot width |
| 5. One-way traffic with 90 degree parking on one side<br>or with parking on both sides | 24 foot width |
| 6. Inside turning radius   | 30 feet       |
| 7. No parking within these minimum widths or radii shall be permitted                  |               |

(d) Off-street vehicle parking:

1. Parking spaces shall be provided on site at the rate of two spaces per dwelling unit as outdoor parking, indoor parking, garages or carports. Visitor parking spaces shall be provided on site at the rate of one visitor space per four dwelling units. The applicant may request to decrease the visitor parking requirement if the applicant can show that such requirement would not be needed for the proposed development.<sup>33</sup>
2. All parking areas and driveways shall be constructed of bituminous or masonry concrete and shall be adequately drained by a storm drainage system approved by the town engineer.
3. Lighting which is intended to illuminate the parking areas, driveways or yards shall be arranged so that they will not shine into the eyes of any persons external to the site or cause a nuisance from excessive glare.
4. All parking areas shall be located and designed to ensure a 15-foot unobstructed distance between parked vehicles and principal buildings. The Commission may modify this requirement provided separation is provided through other means (planting, etc.) and approved by the Commission.

(e) Sidewalks and pedestrian paths:<sup>34</sup>

1. Sidewalks shall be provided on at least one side of all roadways and private driveways to provide a continuous pedestrian network. Sidewalks

<sup>32</sup> Rev. 10/02/89

<sup>33</sup> Rev. 07/06/05, effective 07/29/05

<sup>34</sup> Rev. 10/04/06, effective 10/25/06

must be 5' wide and constructed of cement concrete unless an alternative surface is approved by the Commission. The Commission may require sidewalks on both sides of roadways and driveways if it is deemed necessary for public safety.

2. Pedestrian paths are encouraged as an amenity to residents in conjunction with passive recreation areas, or to connect recreation or open space areas, or to provide additional recreational opportunities for residents. The provision of pedestrian paths to provide supplemental circulation options internal to the site does not replace the requirement for provision of sidewalks.
3. The Commission may waive the requirement for sidewalks if the configuration of the site is such that public safety concerns and pedestrian circulation needs are better met in a clearly proposed alternative manner.

7.04.06 Yards and building spacing:

- (a) The distance between any building (except single-family houses, and duplex houses, and attached multi-family units on separate subdivided lots) and a lot line shall not be less than 30 feet. No building of more than 2 stories shall be erected within 100 feet of the boundary of a multi-family dwelling site.<sup>35</sup>
- (b)<sup>36</sup> Minimum space between building faces (except for single family houses and duplex houses on subdivided lots) shall be as follows:
  1. For attached individual dwelling units in a rowhouse or townhouse building, or attached single-family homes on the same lot, the minimum side yard between end building faces shall be 20 feet.
  2. For other multi-family buildings the minimum space shall be:
    - a. Where both facing walls contain a window 50 feet
    - b. Where only one facing wall contains a window 30 feet
    - c. Where neither facing wall contains a window 15 feet
  3. For single family and duplex homes not on a subdivided lot the minimum spacing shall be:
    - a. Minimum building setback from any property line 30 feet
    - b. Minimum building setback from any access drive 25 feet

<sup>35</sup> Rev. 04/16/12, effective 05/07/12

<sup>36</sup> Rev. 04/20/98, effective 05/12/98

or private street

- c. Minimum separation between buildings
  - 20 feet (side)
  - 60 feet (rear)

- (c) Attached single-family homes on their own subdivided lot, which front on a public road (defined in Article II, Section 7.02.03 (f)) shall have a minimum side yard space between end building faces of 20 feet, where both facing walls contain a window(s).<sup>37</sup>

7.04.07 Fire protection:

- (a) Fire hydrants shall be installed so that no portion of a building is more than 250 feet from a hydrant or installed in accordance with requirements of the cognizant fire chief.
- (b) Fire lanes shall be provided as required by the fire marshal. The applicant shall indicate on the plan the location of such lanes and shall provide all fire lane signs as required.

7.04.08 Acoustic control:

- (a) Dwelling units shall be designed to provide an acoustically controlled environment in relation to exterior noise and noise from adjacent dwelling units and public spaces.
- (b) Sound Transmission Class (STC) shall be determined in accordance with ASTM E90 and ASTM E413. Impact Insulation Class (IIC) shall be determined in accordance with ASTM E492-73T.
- (c) Dwelling units shall be provided with acoustic separation in accordance with the following:

	<u>STC</u>	<u>IIC</u>
1. Partitions between units, between dwelling unit and corridor (carpeted), and between dwelling unit and public space of average noise (lobbies, storage rooms, stairways, etc.)	45	
2. Partition between dwelling unit and corridor (uncarpeted) and between dwelling unit and public space or service area of high noise (boiler room, mechanical equipment room, elevator shaft, laundry, incinerator shaft,		

<sup>37</sup> Rev. 05/07/84

	<u>STC</u>	<u>IIC</u>
garage, etc.)	50	
3. Floor/ceiling between dwelling units and between dwelling unit and public space of average noise	45	45
4. Floor/ceiling between dwelling units and public space or service area of high noise (including corridor floors over dwelling unit)	50	50
(d) The architect shall certify compliance with these requirements on the building plan submitted with the Detailed Plans.		

7.04.09 Laundry facilities:

On multi-family dwelling sites outdoor laundry facilities, including clotheslines, are prohibited.

7.05 Application Procedure

7.05.01<sup>38</sup> The applicant shall file with the application for a change of zone, a Preliminary Site Development Plan (Preliminary Plan) for all of the property located within the proposed Planned Residence Development zone. The Commission shall hold a public hearing on the Preliminary Plan together with the zone change application as provided by the Connecticut General Statutes. Applicant can choose to combine the Preliminary and Detailed Plan into a single submission. The Commission may approve, deny, or modify and approve the Preliminary Plan together with the zone change application. Approval of the application shall establish a Planned Residence Development zone and shall permit the applicant and/or his assigns to proceed with completion of the development as set forth in the Preliminary Plan subject to the provisions of these Regulations, the Subdivision Regulations and the “Public Improvement Standards”.

7.05.02<sup>39</sup> The Preliminary Plan shall be in accordance with the Article I Section 4.02 and Section 4.03.01 of these regulations.

7.05.03<sup>40</sup> A Detailed Site Development Plan (Detailed Plan) shall be approved by the Commission prior to the issuance of a building permit. Such plans shall be in conformance with the approved Preliminary Plan, these regulations, the Subdivision Regulations, and the “Public Improvement Standards”<sup>41</sup>. A Detailed Plan shall be acted on in the manner prescribed for a site plan approval and there

<sup>38</sup> Rev. 05/16/11, effective 06/13/11

<sup>39</sup> Rev. 05/16/11, effective 06/13/11

<sup>40</sup> Rev. 05/16/11, effective 06/13/11

<sup>41</sup> Rev. 03/17/97, effective 04/01/97

shall be no requirement for a public hearing upon submission of the Detailed Plan, unless the Detailed Plan is submitted in conjunction with the Preliminary Plan. In either case, the Detailed Plan shall be submitted in accordance with Article I Section 4.04 and Section 4.05.01 of these regulations.

7.05.03 (a) In instances of a combined Preliminary and Detailed Plan submission the applicant can request a waiver from the Director of Planning to eliminate duplicative application requirements. If the two plans are submitted together, then there shall be a public hearing on the plans in accordance with the requirements of Article I Section 4.02 and Section 4.03.01.

7.05.03 (b) Minor changes in an approved Detailed Plan may be made with the concurrence of the chairman of the Planning and Zoning Commission and the Director of Planning, provided such changes shall in no way affect the overall layout, design or density, of the site development plan. Such minor changes may include, but are not limited to, the relocation of sidewalks, driveways, and other such physical improvements due to unforeseen topographical or surface or subsurface geological features; siting and screening of trash disposal and mechanical facilities; slight alterations of finished contours; minor rearrangement of lighting fixtures, benches, and other incidental street furniture, minor landscaping changes, location or relocation of accessory structures when not visible from the street, and minor exterior building elevation changes.<sup>42</sup> A letter or narrative describing and justifying the need for the minor changes and plans calling out the minor changes must be provided for consideration by the chairman and director. Following approval of a minor revision, the applicant shall submit within ten days one Mylar copy and four paper copies, signed and sealed by the design professional, of the amended plan. Any changes in an approved site development plan which is not considered to be a minor change by the chairman or director shall be processed as a formal amendment to the approved site development plan and shall require the preparation of amended plans and the approval of the Commission.<sup>43</sup>

7.05.03(c) Major changes to the detailed plan, including, but not limited to, overall site layout, design, density and building design, shall constitute an amended application which shall require new preliminary and detailed plans which are to be approved by the Commission after a public hearing is held and in the same manner as any new PRD application as outlined in Section 7.05.01.

7.05.04<sup>44</sup> Financial Guarantee Requirement

(a) A financial guarantee to ensure the timely and adequate completion of any site improvements that will be conveyed to or controlled by the municipality shall be required in accordance with Article IV Section 22 of these regulations.

<sup>42</sup> Rev. 10/03/12, effective 10/19/12

<sup>43</sup> Rev. 05/16/11, effective 06/13/11

<sup>44</sup> Rev. 06/03/13, effective 06/21/13

7.05.05 Control of issue of Certificates of Occupancy:

The issue of Certificates of Occupancy shall be limited to 80% of the dwelling units contained in the project until:

- (a) All public improvements covered by the financial guarantee have been completed to the satisfaction of the Director of Public Works.<sup>45</sup>
- (b) As built plans of utilities and public improvements within the development, certified by a registered professional engineer, have been received and accepted by the director of public works.
- (c) All recreational facilities shown on the approved Detailed Plan are installed.<sup>46</sup>

7.05.06 Where a conflict between paragraphs 7.05.03, 7.05.04 and 7.05.05 above and the Subdivision Regulations occur for development of a site or a portion thereof for single-family houses or duplex houses, the provisions of the Subdivision Regulations shall apply.

7.05.07 Development of all sites zoned Residence M between January 25, 1972, and January 26, 1981, shall be developed in accordance with the Residence M zone regulations in effect on January 26, 1981. All Residence M zone developments approved prior to January 26, 1981, or which are approved in accordance with the Residence M zone regulations pursuant to this paragraph shall be legal and conforming.

7.06 Revocation

The PRD zone will be effective for the duration of its associated Preliminary Plan. If the Preliminary Plan expires and construction of buildings and facilities has not begun the parcel or parcels of land designated as PRD zone shall revert back to the previous zoning district and shall be so regulated.

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<sup>45</sup> Rev. 06/03/13, effective 06/21/13

<sup>46</sup> Rev. 05/16/11, effective 06/13/11