

No. 19-19

Fee: N/A

**TOWN OF PORTLAND  
PLANNING & ZONING COMMISSION  
General Application Form**

**SECTION I: (check one)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Site Plan Review            | 7) <input type="checkbox"/> Earth Excavation and/or Removal                 |
| 2) <input type="checkbox"/> Site Plan Modification      | 8) <input type="checkbox"/> 8-24 Referral                                   |
| 3) <input type="checkbox"/> Special Permit              | 9) <input checked="" type="checkbox"/> Zoning Regulation Text/Map Amendment |
| 4) <input type="checkbox"/> Special Permit Modification | 10) <input type="checkbox"/> Zone Change                                    |
| 5) <input type="checkbox"/> Subdivision/Re-Subdivision  | 11) <input type="checkbox"/> POCD Text Revision                             |
| 6) <input type="checkbox"/> Subdivision Text Revision   | 12) <input type="checkbox"/> Subdivision/Re-Sub. Modification               |

**SECTION II:**

- Property Location: N/A  
Assessor's Map #: N/A Lot #: N/A Zone(s): N/A
- Applicant's Name: Town of Portland Planning & Zoning Commission Home/Business Phone: \_\_\_\_\_  
Email: landuse@portlandct.org Fax: \_\_\_\_\_ Cell: \_\_\_\_\_  
Mailing Address: P.O. Box 71, Portland, CT 06480
- Engineer/Agent: \_\_\_\_\_ Business Phone: \_\_\_\_\_  
E-mail: \_\_\_\_\_ Fax: \_\_\_\_\_ Cell Phone: \_\_\_\_\_
- Record Owner: \_\_\_\_\_
- Deed Reference: Volume: \_\_\_\_\_ Page: \_\_\_\_\_
- Description or survey map: (attach additional page if necessary) \_\_\_\_\_
- The property is serviced by: \_\_\_\_\_ Septic \_\_\_\_\_ Sewer \_\_\_\_\_ Well \_\_\_\_\_ Municipal Water

**SECTION III**

A. ☐ Site Plans - Submit six (6) 24" x 36" and twelve (12) 11" x 17" copies, unless otherwise determined by Planning Department

B. ☐ Description of existing or proposed uses and structures:

Proposed Text Amendment changes to T.O.P. Zoning Regulations Section 8.4.4 Exceptions; Section 9.6.1: Home Occupations and Home Offices  
Section 9.6.3: Home Occupations and Home Offices, Standards; Section 9.15.3 Walls and Fences, Industrial Zones; Section 9.15.1 Walls and Fences, Residential Zones;  
Sections 4.1: Residential Zones, Permitted Uses, 5.1: Business Zones, Permitted Uses, and 6.1: Industrial Zone, Permitted Uses

C. ☐ Narrative for Special Permit Applications

D. ☐ Submit a copy of Schedule A & Deed Restrictions Section under which application is made

E. ☐ Any disturbance within 100' of wetlands or watercourse? N/A. Please submit letter from Soil Scientist.

F. ☐ Fee: See information sheet for fees (plus \$60 State fee & \$20 per Public Hearing Sign for each 200 linear feet of frontage)

G. ☐ Is property within 500 feet of Municipal Boundary? Yes \_\_\_\_\_ No N/A

The owners and the applicant hereby grant the Portland Planning & Zoning Commission and/or its agents permission to enter upon the property for which a Special Permit is requested for the purpose of inspection and enforcement of the Zoning Regulations of the Town of Portland.

Date: 2-20-2020

Robert D. Ellsworth  
Applicant's Signature(s)

Date: \_\_\_\_\_

Owner's Signature(s)

## ARTICLE 4 RESIDENTIAL ZONES

### Section 4.1 Permitted Uses

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

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



## ARTICLE 4: RESIDENTIAL ZONES

**Table 4.1 Permitted Uses Residential Zones**

**P** = permitted by right in the zone

**SP** = permitted only by special permit

**S** = permitted subject to approval of a Site Plan

**N** = not permitted in the zone

Special Permit approval is required for any site or structure identified on the Historic Resources Plan located within the Town of Portland Plan of Conservation and Development. See Regulation Section 10.6

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

### Notes to Table 4.1 Permitted Uses Residential Zones

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

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

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

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

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

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

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

## ARTICLE 5 BUSINESS ZONES

### Section 5.1 Permitted Uses

In addition to Section 9.17, Mixed Use Development, and Section 7.3, Town Center Village District, permitted uses in Business Zones are listed in the table below, and all other uses are prohibited except as stated herein.

Table 5.1 Permitted Uses Business Zones			
P = permitted by right in the zone		SP = permitted only by special permit	
S = permitted subject to approval of a Site Plan		N = not permitted in the zone	
Special Permit approval is required for any site or structure identified on the Historic Resources Plan located within the Town of Portland Plan of Conservation and Development. See Regulation Section 10.6			
Permitted Use	B-1	B-2	B-3
Accessory Buildings & Uses other than Special Events	S	S	S
Aircraft landing areas, heliports and hangars	SP	SP	N
Bed and Breakfast <sup>1</sup>	N	P	P
Bowling Alleys	N	S	N
Buildings, uses, and facilities of the State of Connecticut and Federal Government	SP	SP	SP
Buildings, uses, and facilities of the Town of Portland	SP	SP	SP
Cemeteries	N	SP	N
Churches, Places of Worship	SP	SP	SP
Clinics: Medical and Dental	SP <sup>2</sup>	SP <sup>2</sup>	SP <sup>2</sup>
Commercial Self-Storage <sup>3</sup>	SP	SP	N
Communications Towers: minimum setback distance from any property line shall be equal to the height of tower	SP	SP	N
Convalescent homes, hospitals, and health care institutions	S	S	SP
Day Care Center	SP	SP	SP
Dog Grooming	SP <sup>2</sup>	SP <sup>2</sup>	S
Drive-thru window service for other than restaurants and other food service establishments	S	S	SP
Dwellings, containing up to 4 dwelling units in one building and not more than 1 such building per lot (See Section 5.4)	N	N	SP
Dwelling, one unit apartment occupied by the owner, manager, caretaker or janitor of the permitted business use <sup>7</sup>	SP	N	N
Earth Material Operations (See Section 9.5)	SP	SP	SP
Facilities and uses of philanthropic, charitable, agricultural, historical, and cultural organizations or societies not conducted as a business or for profit	N	S	S
Farms	P	P	N
Farm Winery <sup>9</sup>	SP	SP	N
Farm Brewery <sup>9</sup>	SP	SP	N



**Table 5.1 Permitted Uses Business Zones**

P = permitted by right in the zone

SP = permitted only by special permit

S = permitted subject to approval of a Site Plan

N = not permitted in the zone

**Special Permit approval is required for any site or structure identified on the Historic Resources Plan located within the Town of Portland Plan of Conservation and Development. See Regulation Section 10.6**

Permitted Use	B-1	B-2	B-3
Retail stores other than package stores or liquor stores (Note Section 5.2.B)	S	S	S
Roadside stands for the sale of farm produce and products accessory to the farm on which the stand is located with a maximum floor area for the stand of 400 square feet	P	P	N
Schools, Colleges and Universities	SP	SP	SP
Shops for custom work: including the fabrication, assembly, repair, treatment and or finishing of articles incidental to such work to be sold at retail on the premises	S	S	N
Special Events (See Section 3.13.B)	SP	SP	SP
Tattoo Parlors	N	S	N
Taverns, pubs, brewpubs, and cafes (See Section 9.13 Seasonal Outdoor Dining Areas)	S	S	S
Undertaker Establishments and Funeral Homes	N	S	S
Veterinary Clinics or Hospitals	SP	SP	SP

**Notes to Table 5.1 Permitted Uses Business Zones**

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

<sup>2</sup> Use is permitted by special permit when the site is not serviced with Town sanitary sewers; use is permitted subject to a Site Plan approval when the site is serviced by Town sanitary sewers

<sup>3</sup> Excluding the storage of any live animals, any explosive, toxic, radioactive, or hazardous substance; or any material which would require insurance at higher than standard commercial rates. All storage in a Commercial Self-Storage building shall be fully enclosed within the building.

<sup>4</sup> Not allowed on first floor in B-3 Zone

<sup>5</sup> Minimum lot area is 3 acres; no animals to be kept in any building or enclosure within 100 feet any property line; no use shall create offensive odors, noise or unsightly appearance off of the lot

<sup>6</sup> Including accessory uses such as marine offices gasoline pumps for boating uses, boat and engine repair, marine store serving those people using and visiting the marina area

<sup>7</sup> Provided that the dwelling unit is located within the same building as the permitted business use. The dwelling unit must have a minimum living space of 500 square feet and a maximum living space of 800 square feet and may contain no more than 2 bedrooms.

<sup>8</sup> Storage of heating fuel products in tanks is specifically prohibited.

<sup>9</sup> **Farm Brewery and Farm Winery business access must be from State Route 17, 17A or 66 or within 500 ft. of an intersection of these roads and another public road.**

## ARTICLE 6 INDUSTRIAL ZONES

### Section 6.1 Permitted Uses

In addition to Section 9.17, Mixed Use Development and Section 7.2, Riverfront Overlay Zone, permitted uses in Industrial Zones are listed in the table below, and all other uses are prohibited except as stated herein.

<b>Table 6.1 Permitted Uses Industrial Zones</b> <b>P = permitted by right in the zone</b> <b>SP = permitted only by special permit</b> <b>S = permitted subject to approval of a Site Plan</b> <b>N = not permitted in the zone</b> <b>Special Permit approval is required for any site or structure identified on the Historic Resources Plan located within the Town of Portland Plan of Conservation and Development. See Regulation Section 10.6</b>			
<b>Permitted Use</b>	<b>I</b>	<b>IP</b>	<b>RI</b>
Accessory Buildings and Uses other than Special Events	S	S	SP
Aircraft landing areas, heliports and hangars	SP	SP	N
Assembly, packing, warehousing	S	S	SP
Brewpubs (See Section 9.13 Seasonal Outdoor Dining Areas)	SP	SP	SP
Buildings, uses, and facilities of the State of Connecticut and Federal Government	SP	SP	SP
Buildings, uses, and facilities of the Town of Portland	SP	SP	SP
Business and/or financial offices and/or corporate headquarters	S	S	SP
Commercial or not-for-profit indoor recreational facilities including accessory uses such as retail and food service establishments	SP	SP	SP
Commercial or not-for-profit outdoor recreational facilities including accessory uses such as retail and food service establishments	N	N	SP
Commercial Self Storage	S	SP	N
Communications Towers: minimum setback distance from any property line shall be equal to the height of tower	SP	SP	N
Contractor, Construction	S	SP	N
Contractor, Trade	S	S	S
Dwelling, one unit apartment occupied by the owner, manager, caretaker or janitor; on the same lot as the permitted industrial use <sup>3</sup>	SP	SP	SP
Earth Material Operations (Section 9.5 Earth Material Operations)	SP	SP	N
Farms and roadside stands for the sale of farm produce and products accessory to the farm on which the stand is located with a maximum floor area for the stand of 400 square feet	N	P	P
<b>Farm Winery</b> <sup>6</sup>	N	SP	SP
Garages, auto body shops and related uses (Section 9.10 Motor Vehicle Sales, Repair and Related Uses)	SP	SP	N
Hospitals, clinics and medical offices	SP	SP	SP
Hotels and Motels	SP	N	N



**Table 6.1 Permitted Uses Industrial Zones**

**P** = permitted by right in the zone    

## Section 6.2 Restricted Industrial Zone

### 6.2.1 Purpose

This zone is designed to permit commercial industrial development of a nature that is less intense than heavier industrial uses and which will have less impact on the environment, natural resources and surrounding neighborhoods.

### 6.2.2 Demonstration of Best Management Practices

The applicant shall be required to submit a plan to identify and implement methods used to prevent, minimize, or control spills, leaks, or other releases that pose a threat to groundwater. Activities to be addressed in such a plan shall include: stormwater management; wastewater discharges; floor drains; storage, use and handling of hazardous materials; bulk material and solid waste storage; security and emergency spill contingency plan for hazardous materials; pesticide and fertilizer use; and monitoring.

### 6.2.3 Separation Distance Requirements

Any subsurface sewage disposal system shall have no less than a minimum horizontal separation distance of 300 feet from any public water supply well drawing a daily average of more than 50 gallons per minute.

### 6.2.4 Prohibited Uses

## ARTICLE 8: SITE DEVELOPMENT REGULATIONS

### 8.4.4 Exceptions

#### A. Public Signs

Signs of a non-commercial nature and in the public interest erected by, or on the order of, a public officer in the performance of public duty, such as safety signs, danger signs, trespassing signs, memorial plaques, signs of historical interest and the like.

#### B. Integral Signs

Names of buildings, dates of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete or similar material or made of bronze, aluminum or other permanent type construction and made an integral part of the structure.

#### C. Regulatory Signs

No trespassing, no hunting or similar signs indicating the private nature of a premise. Such signs shall be no larger than 2 square feet in area. No limitation is placed on the number of such signs on a premise and such signs shall be exempted from the calculation of maximum sign area.

#### D. Private Direction Signs

Signs directing traffic movement onto a premise or within a premises, not exceeding 3 square feet in area for each sign. Horizontal directional signs on and flush with paved areas are exempt from these standards.

#### E. Opaque Construction Screening

**Opaque Construction Screening – Signage, imagery, logos and other static representations may be allowed on this type of fence screening during construction of commercial or industrial permitted structures. This screening must be taken down prior to the Certificate of Occupancy being issued for the approved site. This screening must also comply with section 9.15.2 Business zones, 9.15.3 industrial zones and 9.15.4 Walls and Fences in all zones.**



## ARTICLE 9: SPECIAL REGULATIONS

shall be posted. The revised bond shall be submitted within 60 days of the date of the renewed permit. Failure to post the revised bond will render the permit void.

- b. The performance bond shall be released when the site is in conformance with the approved plans and is stabilized and planted to the satisfaction of the Commission, the Town Engineer and Zoning Enforcement Officer. The Commission may authorize bond releases or bond reductions at one of its meetings based on the recommendation of the Town Engineer and in accordance with Section 11.2.2.E. If the applicant fails to construct or restore the site in accordance with the approved Site Plan, the Commission may consider the calling of the bond upon recommendation of the Town Engineer
  - c. The performance bond for site reclamation shall include, among other items deemed integral to the plan and/or stabilization of the site, the costs for stripping and stockpiling of topsoil, grading of slopes, seeding and mulching of all disturbed areas, screen planting and other landscaping shown on the Reclamation Plan.
3. **Maintenance Bonds for Quarry/Mining Operations:** Prior to the final release of the site reclamation performance bond, the applicant shall post a maintenance bond for all improvements. This bond shall be submitted in the form allowed pursuant to Section 11.2.2.B in the amount of 20% of the total cost of the such improvements and shall be held for one year from the date upon such improvements have been completed to the reasonable satisfaction of the commission or its agents. If the applicant fails to maintain the improvements to the satisfaction of the Town Engineer during such time, the Commission may consider the calling of the bond upon recommendation of the Town Engineer.
  4. **Site Restoration Bond for any earthwork Special Permit associated with a Site Plan/Subdivision:** Prior to commencement of activity under an initial permit, the applicant shall post a bond for site restoration with the Planning Department in the form allowed pursuant to Section 11.2.2.B or the Subdivision Regulations, as appropriate, and in the amount determined by the Town Engineer as is sufficient to guarantee conformity with the provisions of the approved permit and Section 11.2.

### Section 9.6 Home Occupations and Home Offices

#### 9.6.1 Definitions

- A. For the purposes of this Section, Home Occupations shall include, but are not limited to the following:
  1. The preparation and sale of the products of arts and crafts actually prepared on the subject premises, such as sewing, painting, wood carving, cabinet making, ceramics, writing, sculpture, ornamental glass and metal working;
  2. The workshops of craftsmen such as plumbers, electricians, carpenters, house painters, paperhangers, and electronics, computer, and radio and television repairmen;

## ARTICLE 9: SPECIAL REGULATIONS

3. The offices of doctors, dentists, architects, accountants, engineers, psychotherapists, real estate and insurance agents, and other recognized professionals; and
4. A home based office for businesses and services rendered electronically or at locations other than the premise.
5. **The preparation and sale of artisanal craft foods prepared on the premises such as baking, cooking, brewing, distilling and vinification.**

### 9.6.2 Applications

- A. Home Occupations with not more than 1 non-resident employee and generating less than 5 visits from the public per week are permitted through issuance of a zoning permit
- B. Home Occupations employing 2 non-resident employees and/or generating more than 5 visits from the public per week are permitted through issuance of a Special Permit.

### 9.6.3 Standards

- A. A Home Occupation may be operated in a dwelling providing it conforms to all of the following standards:
  1. The dwelling must maintain the residential character of the area and there shall be no external evidence of the home occupation.
  2. Any proposed Home Occupation generating more than 20 visits **per week** shall require a Special Permit, in addition to that required in paragraph 9.6.3.2.A. In acting upon this Special Permit, the Commission shall determine that the additional traffic will not present a safety hazard or be detrimental to the neighborhood.
  3. On site commercial vehicles shall be limited to 1 truck and 1 trailer.
  4. A Home Occupation is restricted to not more than 30% of the floor area of the dwelling in which it is located. The principal use of the dwelling must remain residential.
  5. Inventory for the Home Occupation must be located within a building.
  6. The Home Occupation shall comply with the Performance Standards contained in Section 3.8 Environmental and Performance Standards of these Regulations.
  7. Automobile repair, retail sales, and storage/warehousing are specifically prohibited as a Home Occupation use.

## Section 9.7 Home Animal Agriculture

### 9.7.1 Definitions

- A. For the purposes of this section, animals shall be classified and defined as follows:
  1. Small Animal: A chicken, excluding roosters, a duck, goose, turkey, or a rabbit, as well as similar animals as determined by the Zoning Enforcement Officer.
  2. Medium Animal: A goat, swine and pigs, sheep, llama, or emus, as well as similar animals as determined by the Zoning Enforcement Officer.
  3. Large Animal: A cow, (dairy or beef), mule, or donkey, as well as similar animals as determined by the Zoning Enforcement Officer.



## ARTICLE 9: SPECIAL REGULATIONS

- B. The Commission shall receive a report from the following prior to taking action upon the plan:
1. Sanitarian
  2. Planning Director/Planning Staff
  3. Police Department
  4. Fire Department
  5. An independent traffic report from a professional traffic consultant provided by the applicant
  6. Town Engineer
  7. Public Works Department
  8. Zoning Enforcement Officer
  9. State and Federal Agencies as applicable.
- C. All applications for Special Permit for a campground facility shall maximize the preservation of existing vegetation. A minimum setback from any residential property line of 100 feet to the nearest campsite shall be provided. A minimum setback of 50 feet from any property line on a parcel used for commercial business to the nearest campsite shall also be provided. The Commission may require a landscape buffer and wood fencing be utilized to visually screen a temporary campground facility from abutting property and from any public way.

### Section 9.15 Walls and Fences

Any fence or wall more than 4 feet above ground level may be permitted only after approval of a zoning permit and in accordance with the following provisions:

#### 9.15.1 Residential Zones

- A. Fences or walls when installed within front yards shall not exceed 4.5 feet in height above ground level and shall comply with Section 3.6.B.
- B. Fences or walls when installed within side or rear yards may be solid if less than 6.5 feet above ground level when installed providing there shall be access between the front yard and the rear yard by a gate not less than 4 feet wide.
- C. Fences or walls when installed within side and rear yards shall not exceed 6.5 feet in height above ground level.
- D. Fences or walls that are used on a farm or used to enclose horses or livestock are not subject to the above, unless the fences or walls are within the required front yard area and shall not exceed 6.5 feet in height unless approved by the Commission as a Special Permit.
- E. **Fences or walls when installed may have posts that are 6" greater than the maximum given height above ground level.**

#### 9.15.2 Business Zones

- A. Within front yards, fences up to 8 feet in height above ground level may be approved by the Commission subject to the following conditions:

## ARTICLE 9: SPECIAL REGULATIONS

1. Fences exceeding 6 feet may be approved where the applicant demonstrates a need based on security due to the nature of the business, such as the outdoor storage of goods to be sold or of equipment used in the business.
  2. Fences shall not obstruct the visibility of motorists entering or leaving the site.
- B. Solid walls within front yards shall not exceed 4 feet in height.
- C. Fences or walls within side and rear yards shall not exceed 8 feet in height above ground level.

### 9.15.3 Industrial Zones

- A. Within front yards, fences up to 8 feet in height above ground level may be approved by the Commission subject to the following conditions:
1. Fences shall not obstruct the visibility of motorists entering or leaving the site.
- B. Solid walls within front yards shall not exceed 4 feet in height and shall comply with Section 3.76 Corner Lots and Visibility.
- C. Fences or walls within side and rear yards shall not exceed 8 feet in height above ground level.

### 9.15.4 Walls and Fences in All Zones

Walls and fences in all zones shall conform to Section 3.6 Corner Lots and Visibility with respect to corner visibility. Retaining walls may exceed maximum height in any zone when approved by the Building Official and Town Engineer.

## Section 9.16 Multiple-Dwelling Development

### 9.16.1 Purpose

Notwithstanding Section 3.12.2.B.2, it is the purpose of this section to permit variations in height, bulk, density, and residential use types which would not otherwise be possible; and permit flexible site design so that the development may be constructed in harmony with and preserve natural site features.

### 9.16.2 Procedure

- A. Multiple Dwelling Developments may only be permitted by the Commission as a Special Permit in the following zones: R-10, R-15, R-25.
- B. The Commission shall determine that all the specific conditions of Section 10.4 Special Permit Standards and Procedures are met.