

55-23. ML-1 RESIDENTIAL ZONE. [Added 2-2-98 by Ord. No. 1998-1 § 2]

The following regulations apply in the ML-1 Zone.

*A. Permitted Uses.*

- (1) Detached single-family dwelling for residential purposes and townhouse units at a maximum of six (6) units per building, together with accessory structures in accordance with the affordable housing requirements of this section. [Amended 66-05 by Ord. No. 2005-37]
- (2) Municipal offices and fire and rescue stations.
- (3) Parks and preserves.
- (4) Libraries and museums.
- (5) Places of worship, including parish and educational buildings.
- (6) The erection, construction, alteration or maintenance by a public utility or municipal agency of underground distribution or collection systems necessary for the furnishing of adequate service by such utility or agency to the use on the same lot and/or surrounding neighborhood or for the public health, safety or general welfare.
- (7) Garden apartments, together with accessory structures in accordance with the provisions of this chapter. [Added 6-6-05 by Ord. No. 2005-37]

*B. Accessory and Temporary Uses.*

- (1) Same as those permitted in the PW Zone.

*C. Conditional Uses.* The following uses shall be permitted in the ML-1 Zone, subject to issuance of a conditional use permit in conformance with the provisions of this chapter:

- (1) Same as those permitted in the R-20 Zone.

*D. Affordable Housing Requirements.*

- (1) All residential development within the ML-1 Zone requiring major subdivision or major site plan approval shall meet these affordable housing requirements.
- (2) The mix of detached single-family dwellings, townhouse units and garden apartments shall not exceed a density of 3.05 units per acre. [Amended 6-6-05 by Ord. No. 2005-37]
- (3) The units shall be developed in accordance with the Regulations for Inclusionary Developments included in this chapter.
- (4) A minimum of twenty percent (20%) of the units within the development shall be set aside for low and moderate income households. [Amended 6-6-05 by Ord. No. 2005-37]
- (5) [Added 6-6-05 by Ord. No. 2005-37] The minimum number of new units after the effective date of this paragraph in the ML-1 Zone shall be two hundred fifty-eight (258) units. The unit mix permitted in this zone shall be as follows:
  - (a) Ninety-nine (99) single-family dwellings.
  - (b) One hundred seven (107) townhouses.
  - (c) Fifty-two (52) garden apartments.

*E. Area, Yard, and Building Requirements.* [Amended 6-5-05 by Ord. No. 2005-371]

- (1) The minimum area, yard, and building requirements, for the permitted uses identified in Section 55-23A(1--6), are shown on the Schedule of Area, Yard and Building Requirements included in this chapter.

**(2) Area and yard requirements—Garden apartments.**

- (a) The minimum tract size shall be five (5) acres, including the areas of existing street and water areas within the tract boundary lines, provided that they total no more than two percent (2%) of tract area. All plans shall delineate the boundaries of portion(s) of the tract devoted to each use.**
- (b) The minimum building setback from the tract perimeter shall be fifty (50) feet. The setback shall be increased to seventy-five (75) feet along all property lines abutting lands zoned for single-family detached uses.**
- (c) Landscape buffers shall be provided in accordance with requirements for buffers included in this chapter. Buffers shall be included as part of the perimeter setback in this zone.**
- (d) Minimum building yard areas shall be measured horizontally in feet, and shall be measured away from the front, side and rear of each building. The total minimum distance between buildings shall be the sum of the two (2) abutting yard areas. The minimum yards shall be forty (40) feet for front yards, twenty-five (25) feet for side yards and fifty (50) feet for rear yards. No building, as measured radially from any corner shall be closer to any distances of the side yard requirements for each building. The combined distance of two (2) side yards shall exclude any driveway or vehicular access, such driveway or vehicular access width being in addition to the combined side yard width.**

- (e) No structure shall be more than four (4) dwelling units in any unbroken building line. A setback of not less than four (4) feet shall be deemed a satisfactory break in the building line.
- (f) All residential buildings shall be designed and constructed with a soundproofing barrier between adjoining units with a sound transmission Class 50 as tested by the American Society for Testing and Materials, E-90. Floor plans of a typical unit shall be required. Any room other than kitchen, bathroom, closet or combined living-dining room shall be counted as a bedroom for purposes hereof.
- (g) Land area equal to at least two hundred fifty (250) square feet for each dwelling unit shall be specified on the site plan and improved by the developer as active recreation areas for use by the residents of the development. Such areas shall be an integral part of the development, and each shall be at least ten thousand (10,000) square feet in size, at least seventy-five (75) feet wide and have a grade less than five percent (5%).
- (h) All portions of the tract not utilized by buildings or paved surfaces shall be landscaped, utilizing combinations such as landscaped fencing, shrubbery, lawn area, ground cover, rock formations, contours existing foliage and the planting of conifers and/or deciduous trees native to the area in order to either maintain or reestablish the tone of the vegetation and lessen the visual impact of the structures and paved areas. The established grades on any site shall be

