

# **§21 RESTRICTED PROFESSIONAL OFFICE DISTRICT (RPOD) *Revised 09-15-17***

## **21-1 Purpose**

The purpose of the RPOD is to allow for the limited use of land as professional offices and related activities. These provisions are designed to create a zone classification which would afford a reasonable and desirable transition between established commercial and residential areas. Large homes in older residential areas in the proximity of commercial areas tend to become economically depressed as the demand for other types and locations of single-family homes increases. The character of such areas is more residential than commercial, and from other standpoints, this situation cannot lead to the wholesale conversion of these areas to commercial zones. Consequently, a transitional type of zone is required to conserve the value of such property while preserving the character of such areas and the existing buildings therein from the standpoint of intensity of use and physical appearance. The Restricted Professional Office District provides for such a transition.

## **21-2 Permitted Uses**

In a Restricted Professional Office District, no land, building, or structure shall be used and no building shall be hereafter erected, altered, or added to, unless otherwise provided in these regulations, except for one (1) or more of the following uses:

### **21-2.1 Principal Uses**

Any use permitted in the Residence AAA District, subject to the same approvals and conditions as specified in §11-2, herein.

### **21-2.2 Special Permit Uses**

The following uses are permitted only in a principal building existing on the premises at the time the RPOD boundary is established and subject to Special Permit and Site Plan approval in accordance with § 43, herein. This provision shall not be deemed to prevent new construction and use of a principal building on a lot vacant at the time that each RPOD boundary is established, provided that such new construction or reconstruction shall strictly adhere to the purposes of this district.

- 21-2.2.1 Inclusionary two-family and multi-family dwelling units, subject to the provisions of §32-12, herein.
- 21-2.2.2 Professional offices where professional services are rendered rather than goods offered for sale on the premises, including, but not limited to: doctors, dentists, other medical professionals, healthcare professionals, lawyers, real estate agents, insurance agents, mortgage brokers, engineers, architects, designers, writers and artists.
- 21-2.2.3 Commercial Wireless telecommunication service facilities, in conformance with §32-16.

**21-2.3 Accessory Uses**

- 21-2.3.1 Uses customarily accessory to a permitted principal use, subject to the provisions of §32-7, herein.
- 21-2.3.2 One attached dwelling unit provided the density does not exceed 20 bedrooms per acre.
- 21-2.3.3 Outdoor storage and display is permitted in accordance with §32-6, herein.

**21-3 Lot Area (See Definitions)**

The minimum lot area shall be the minimum required lot area of the Zoning District in existence at the time such RPOD is established for the area. The lot shall have at least 50 feet of frontage on at least one street.

**21-4 Setbacks (See §31-4 through §31-8, also.)**

No principal building, structure or use shall extend closer than thirty (30) feet from any front lot line or Residential District Boundary Line, fifteen (15) feet from any side lot line or twenty-five (25) feet from any rear lot line. No accessory building or structure shall extend closer than thirty (30) feet from any front lot line or Residential District Boundary Line, and fifteen (15) feet from the side and rear lot lines.

**21-4.1 Setback from the Front Lot Line within the Village District Overlay**

- 21-4.1.1 **Maintenance and Minor Repairs** - Existing buildings that are within the Village District Boundary and do not conform with the requirement to be set back thirty (30) feet from the front lot line are considered conforming for the purposes of maintenance or minor repairs (as defined in §5-2 Specific Terms) to existing façade elements. No Site Plan review is required.

**21-4.2 Building Spacing**

Groups of buildings on a single lot shall be so arranged that the minimum horizontal distance between the nearest walls or corners of any principal and/or accessory detached buildings shall not be less than one half the sum of the heights of such adjacent buildings.

**21-5 Height**

No building or structure shall exceed two and one-half (2-1/2) stories and a height of thirty (30) feet, except for an addition that matches the existing pitched, gable, or gambrel roof line of an existing building on that lot.

**21-6 Coverage (See Definitions)**

The building coverage shall not exceed twenty percent (20%) of the area of the lot which lies within the RPOD.

**21-7 Building Area (See Definitions)**

No building shall have more than 2,500 square feet of building area.

## **21-8 Floor Area**

### **21-8.1 Minimum**

No mandatory requirement.

### **21-8.2 Maximum**

An existing principal building may be expanded provided that such additions are made an integral part of the interior and exterior of the existing structure and provided that the maximum area of expansion on the ground shall not exceed twenty-five percent (25%) of the ground floor area of the principal structure existing as of the date of the zoning change to a RPOD area, and in no case shall any expansion exceed fifty percent (50%) of the gross floor of the principal structure existing as of the date of zoning change to a RPOD area.

### **21-8.3 Total Maximum**

No one floor shall exceed an area of 2,500 square feet

### **21-8.4 FAR (See Definitions)**

No buildings or structures in any Single or Multiple Use Development, as defined herein, shall exceed a Floor Area Ratio (FAR) of 0.25 on the area of the lot that lies within the RPOD zone; except for two-family or multi-family dwellings. No buildings or structures in any Single or Multiple Use Development, which contains two-family or multi-family dwellings, shall exceed an FAR as described in §32-12. In any Multiple Use Development containing two-family or multi-family dwellings, any incremental increase in floor area above the maximum allowable FAR for the non-residential uses shall be used for dwelling(s) units, only. No dwelling unit approved under these bonus provisions shall thereafter be changed to any non-residential use. Floor area used for parking and loading shall be excluded from the FAR.

## **21-9 Architectural Design**

The architectural design, scale and mass of buildings and other structures, including, among other elements, the exterior building material, color, roof-line, and building elevations shall be of such character as to harmonize and be compatible with the neighborhood, so as to protect property values in the neighborhood, and to preserve and improve the appearance and beauty of the community. New construction shall adhere to the purposes of this district in whole or in part.

**21-9.1** Buildings shall be designed to achieve a small scale and residential appearance.

**21-9.2** Pitched roofed buildings shall be required.

**21-9.3** Roof-top mechanical equipment shall be prohibited; except for energy conservation systems such as solar energy panels.

**21-9.4** Buildings shall be designed and located on the site so as to retain the existing topography and natural features of the land to the greatest extent possible.

## **21-9A Village District Overlay Site Plan Review**

The following actions require Site Plan Review for properties within a Village District Boundary (see §36 Village District Overlay):

**21-9A.1 Exterior Alterations**

Site Plan Review under §36 Village District Overlay is required for exterior reconstruction, alteration, or addition to any existing structure or new construction that alters the exterior appearance from a building visible from public streets, public spaces, walkways, bikeways or from the Saugatuck River. The basis for Site Plan Review will be §36-2 Design Principles and Design Standards.

**21-9A.2 New Construction or Substantial Reconstruction and Rehabilitation of Existing Facades within Public View**

Site Plan Review under §36 Village District Overlay is required for new construction or for substantial repairs or reconstruction to existing facades within view either from public streets, public spaces, walkways, bikeways or from the Saugatuck River. The basis for Site Plan Review will be §36-2 Design Principles and Design Standards.

**21-9A.3 Documentation of Existing Conditions**

Existing façade elements and setback from the front lot line must be documented to the satisfaction of the Planning and Zoning Commission with photographs, a survey or other relevant methods.

**21-10 Signs**

Signs shall be permitted in accordance with §33 of the Supplementary Regulations.

**21-11 Parking and Loading**

Off-street parking and loading shall be provided in accordance with §34 of the Supplementary Regulations; however, such parking and loading shall be located on the lot and to the rear of the front leading edge of the principal building.

**21-12 Landscaping, Screening and Buffer Areas**

Landscaping, screening and buffer areas shall be provided in accordance with §35 of the Supplementary Regulations.