

Section 3-80

RESIDENCE C-1- GARDEN APARTMENT DISTRICTS

3-80.1 – Intent.

Each “development area” as hereinafter defined in a Residence C-1 District shall be used exclusively for the erection and maintenance of garden apartment projects to the end that pleasant, open, safe, healthy, and presentable residential projects of moderate height and attractive landscaping may be available for residential use in the suburban areas of the City. “Development Area” shall mean any lot of land of at least five (5) acres in size under one ownership in a Residence C-1 District.

3-80.2 - Permitted Uses.

1. Garden apartment developments
2. Single and two family structures, which may alternatively apply the requirements of the Residence C District for such exclusive lot uses. (4/8/25)
3. Residential Condominiums. (12/15/88)
4. All necessary utility lines that meet the requirements of 3-130.2.21. (12/3/09)

3-80.3 - Permitted Accessory Uses.

1. Accessory buildings, garages, and maintenance buildings, swimming pools, community buildings, tennis courts.
2. Home Occupation (See Sections 5-100.1) (7/1/10)

3-80.4 - Special Permit Uses.

1. Nursery schools and day care centers (Planning Board)
2. Rest homes, convalescent and nursing homes (Planning Board)
3. Any proposed use that will discharge a cumulative total of more than 25,000 gallons per day of waste into the city's sanitary sewer system, or any use categorized as a Significant Industrial User (SIU). This shall apply to both new uses and to any alteration, extension or expansion of an existing use which would result in a cumulative total of more than 25,000 gallons per day of waste being discharged into the city's sanitary sewer system, or any use categorized as a Significant Industrial User (SIU). (Planning Board) (1/19/06)
4. Home Based Business (See Section 5-100.2) (7/1/10)

3-80.5 - Area and Density Regulations.

1. Lot coverage. The total area enclosed by the outside perimeters of the foundation walls of all buildings erected or attached on a lot shall not cover more than thirty (30) percent of the total development area in which they are located excluding from such total area, the total area of all streets and drives furnishing access to any building and the total area of all parking area located in each development area.
2. Lot Area. The gross lot size of the project area shall be related to the number of dwelling units and the number of bedrooms per unit and shall not be less than:
 - a. Four thousand two hundred (4,200) square feet of land per dwelling unit for each unit with three or more bedrooms.
 - b. Three thousand three hundred (3,300) square feet of land per dwelling unit for each one or two bedroom unit.

- c. Two thousand five hundred (2,500) square feet of land per dwelling unit for each efficiency or “no bedroom” unit.
- d. In no case shall a development area in this district be less than five (5) acres.
- e. There shall be at least one large centrally located area of open space which will constitute a usable recreation area for the inhabitants of the complex. The main recreation area shall have at least twenty thousand (20,000) square feet for each fifty units in the development and shall be designed to accommodate recreation activities appropriate for the predicted potential residents of the project.

3-80.6 – Height.

1. Heights – No buildings or structures shall exceed two and one half (2 ½) stories or thirty-five (35) feet in height. Except that a school, college, library, municipal facility, or barn may be erected to a height not to exceed three (3) stories or sixty (60) feet. Buildings or structures located within the designated Airport Landing Zone, height will be whichever is the most restrictively regulated.

The Planning Board may issue a Special Permit permitting heights in excess of the maximum permitted. (2/24/03)

2. Accessory Buildings - One story or fifteen (15) feet in height. Under no circumstances may temporary storage containers or like facilities be included in plans, so as to constitute accessory buildings.

3-80.7 - Setback and Distance Between Buildings.

1. Buildings to Lot and Street Lines:

- a. Buildings within a Res C-1 district shall be located at least fifty (50) feet from any perimeter lot line and twenty (20) feet from any interior driveway or parking lot.
- b. Buildings shall be located at least forty (40) feet from an exterior street line or from a Planning Board approved interior street line of a street designed to serve the development.
- c. No real wall of any building shall be more than three hundred fifty (350) feet from any street or driveway shown on a plan approved by the Planning Board.

2. Buildings to Buildings. All residential buildings shall be at least forty (40) feet from each other except that in no case shall two windowed walls facing one another be closer than sixty (60) feet.

3. Screening and Landscaping:

- a. Perimeter. When a building is one hundred (100) feet or less from any lot line natural screening consisting of coniferous trees of a height no less than seven (7) feet shall be used where no comparable screening exists originally.
- b. Common Areas. All common areas are not containing parking areas, walkways, recreational uses or accessory structures shall be planted and maintained with grass and shrubs. In addition to the perimeter planting requirements at least one shade tree per 5 dwelling units shall be maintained if existing or planted and maintained strategically within the complex of buildings such that their natural benefits can be shared by the occupants.

4. Courts. A court of at least forty (40) feet shall be maintained between buildings and shall contain at least five hundred (500) square feet per family at ground level to be served by such court. Inner courts of at least one thousand six hundred (1,600) square feet shall be provided with at least one direct accessory located at ground level to a yard or street and shall be open in part to the sky. The area of such accessory shall be in addition to that required for the court itself and shall be no less than forty (40) feet in width.

3-80.8 – Parking.

1. *Amount.* Off street parking shall be provided at the rate of at least two half (2.5) parking space for each dwelling unit.
2. *Location:*
 - a. Not less than forty (40) feet from any external street
 - b. Not less than twenty (20) feet from any building unless in conjunction with a garage or carport.
 - c. No parking is permitted on any internal streets or drives.
 - d. See Article VII for additional controls.

3-80.9 – Access.

1. All streets or drives furnishing access to any dwelling unit in this District shall be provided in accordance with the applicable Subdivision regulations of the city.
2. The Planning Board shall determine what is adequate access to each building. This includes the construction characteristics of the ways. In no case shall a drive be less than twenty (20) feet in paved width. Principal criteria to be considered in this site plan review are:
 - a. The distance from each building to the nearest way providing access.
 - b. Number of dwelling units or parking spaces to be served by the way.
 - c. Accessibility to fire and other emergency or service vehicles.

3-80.10 – Signs.

See Article VIII

3-80.11 - Special Regulations.

1. The applicant shall submit a detailed site plan drawn to scale with his/her rezoning petition which shows all proposed structures, streets, drives, parking areas and bays, sidewalks, buffer area, recreational amenities and wooded areas to remain. In addition, he shall submit architects rendering which clearly illustrates the style and materials of the façade of the dwelling units planned.
2. Upon approval of the Residence C-1 zone change, the petitioner shall file a Site Plan Approval Application with the Westfield Planning Board which includes the above-mentioned site plan, with any amendments, as well as plans drawn according to the City of Westfield Rules and Regulations Governing the subdivision of Land, Section IV.B.2 to include all contents (where applicable) of a formal Definitive Plan. The petitioner shall deliver twelve (12) copies of all plans to the Department of Community Development, for distribution to all City Departments. The fee for said Site Plan Approval Application shall be equal to that of a Special Permit Application for a residential project; \$50.00 per unit.
3. All Site Plan Approval Applications shall be subject to a public hearing as well as the City Council legislative right of review.
4. Following approval, any alterations to the approved plan must be presented to the Planning Board for determination as to their significance. If it is deemed by the Board that such changes represent a significant change to the approved plans, an additional public hearing shall be required.