

SECTION 410. RESIDENTIAL DISTRICTS
RURAL DEVELOPMENT DISTRICT

Section 410.1 Rural Development district (RD). Areas designated as rural development districts present physical obstacles to development such as slopes, wetlands, and soils with only limited capability for accepting on-site sewage disposal, and are distant from existing or planned public sewers and water lines.

These physical restrictions make it necessary to limit permitted uses to low density residential development, agriculture, and other specified non-intensive uses.

410.1.1 Permitted Uses: The following uses of buildings and land are permitted by right, requiring only the securing of a zoning permit as specified in Article VI. However, any building, structure, on-site sewage disposal system, grading, excavation, or dumping of fill or materials on slopes of or greater than fifteen (15) per cent shall be subject to a site plan review. In addition, the applicant may, at the discretion of the Commission, be required to file an erosion and sediment control plan if it is determined that special site conditions or constraints (i.e., excessive steep slopes, unstable soils) warrant such a plan. (Amend., Effective 9/8/04)

Finally, the applicant shall be required to submit an Erosion and Sediment Control Plan, under the provisions of Section 590 of these regulations, when the proposed development will result in a disturbed area that is cumulatively more than one-half acre in size (with the exception of a single-family dwelling that is being built on a lot that is not, and never was, part of a subdivision of land).

a. Single-family dwelling or two-family dwelling and accessory uses on lots of 80,000 square feet or more, except single-family dwelling or two-family dwelling and accessory uses shall be permitted by right on the interior lots if said interior lot contains 160,000 square feet or more only, provided:

No building, structure, on-site sewage disposal system, grading, excavating or dumping of fill or other material shall be allowed within 200 feet of any wetlands shown on the Official Wetlands Map of the Town unless a permit for such activity has been issued by the Killingly Inland Wetlands Commission. The Zoning Enforcement Officer may require that an erosion and sedimentation control plan be submitted and carried out where necessary to protect water quality.

Accessory structures in the Rural Development District may include one private amateur radio antenna not exceeding 65 feet in height above ground level, no portion of which shall be located in any required setback. (Effective 11/08/88).

b. Agriculture, with customary accessory buildings, as provided for in Section 585 – Agriculture

c. Churches and other places of worship.

d. Cemeteries, provided there is a 10-foot buffer with planted screening on all sides. (See Article III, Definitions, "planted screening").

- e. **Home occupations**, provided all requirements of Section 595. are satisfied. (Amend. of 2-10-86, § 7)
- f. **Those municipal and fire district land uses** existing upon the date of adoption of this amendment may be expanded by alteration of in existing building or structure or construction of a new building or structure on the same lot, provided:
 - Such expansion does not substantially alter the nature of the present land use so that increased traffic, noise, odors, or other detrimental impact will affect the value of surrounding properties;
 - Such expansion is in conformity with the dimensional requirements of Table A. Article IV of the Zoning Regulations for the zone in which it is located, or has been granted a Variance by the Zoning Board of Appeals.
- g. **Outdoor events** as defined by Council Ordinance Regulating Outdoor Events, Town of Killingly, provided that all conditions as set by such Ordinance are met. (Amend. of 7-14-80; Amend. of 9-9-80; Amend. of 2-11-85)

410.1.2 Special permit use: In addition to the above, the following uses may be allowed in the Rural Development District after the securing of a Special Permit as provided in Article VII. All stated conditions must be met to the satisfaction of the Commission prior to the issuance of such permits.

When the development of one of the following uses will result in a disturbed area that is cumulatively more than one-half acre in size, the Commission shall require the applicant to submit an erosion and sediment control plan under the provisions of Section 590 of these regulations.

- a. **Agriculture Special Permitted uses**, with customary accessory buildings, as provided for in Section 585 – Agriculture..
- b. **Dog kennels and veterinary hospital**, provided:
 - no animals shall be permanently housed in outside runs or pens.
 - buildings in which animals are housed shall be of solid construction of masonry or framed with insulation and shall have finished interior walls.
 - in veterinary hospitals, exercise runs shall have finished masonry floors with covered drains and shall be separated by solid partitions at least four feet in height.
 - no such facility shall be located within 150 feet of any property line.
 - all animals shall be housed so as to avoid the creation of a nuisance due to noise, odor, or other objectionable effect.
- c. **Public or private golf courses and country clubs, tennis clubs, or swimming clubs**, provided:
 - golf courses shall be located on a lot of not less than 50 acres or, if in combination with tennis, swimming, or similar facilities, not less than 55 acres.
 - tennis, swimming or similar facilities alone shall be located on a lot of not less than 5 acres.

- all facilities, including club house, pro shop, restaurant, bar, locker rooms, or recreation hall shall be located not less than 100 feet from any property line.
 - the furnishing of meals, refreshments, beverages and entertainment shall be clearly incidental to the conduct of the facility. There shall be no living accommodations except for employees of the club.
 - golf courses shall be so designed as to avoid hazards to persons or property off the premises.
- d. **Nursery schools and day care centers** located in a dwelling unit or building accessory thereto or on a lot by itself, provided:
- the facility shall comply with all applicable requirements of the health code of the State of Connecticut.
 - if located in a dwelling unit, not more than 30 children shall be accommodated at any one time.
- e. **Retail shops for the sale of antiques or handicrafts**, provided:
- such shops shall be secondary to the use of the property for residential purposes.
 - no outdoor storage is allowed.
 - no such shop shall be located in any dwelling having a gross floor area of less than 1500 square feet.
- f. **Parks and playgrounds**, historic landmarks operated by a private or governmental unit or a community association. provided:
- the purpose of such facility shall be solely educational or recreational and not for private gain.
- g. **Camps, day or boarding**, provided:
- a minimum lot size of 10 acres is provided.
 - all sanitary and boarding facilities comply fully with State health and fire codes for such camps.
- h. The following uses when conducted by a **nonprofit organization** and not as a business or for profit:
- parish halls, museums, educational, religious, philanthropic, scientific, literary, historical, fraternal and charitable institutions, agricultural and horticultural societies.
- i. **Public Service Corporation or municipal land use**, provided:
- the location of such use in this zone shall be necessary for the health, safety, or general welfare of residents of the Town of Killingly.
 - Any such use which in the opinion of the Commission is hazardous in nature shall be fenced and/or screened so as to avoid creation of a nuisance attractive to children. When required by the Commission, outdoor storage shall also be fenced and/or screened.
- j. **Seasonal tent and camping facilities**, provided:
- minimum lot size shall be 40 acres.
 - all applicable provisions of the State health code are complied with fully.
 - a buffer of at least 100 feet in width containing trees and vegetation fully screening the facility and containing no camp sites be maintained on all property lines including the street line.

- roads and drives within 100 feet of a property line shall be treated to reduce dust.

k. Collection centers for recycling operations, provided:

- such center is accessory to a church or community building and is operated by a nonprofit group or organization such as a church, youth group, or other civic association.
- such center is screened from neighboring land uses and public streets or roads and does not create objectionable odors, noise, or a health hazard. (See Article 111, Definitions, "planted screening").

l. Home occupations involving the use of buildings in addition to the dwelling unit, provided all requirements of Section 595 are satisfied. (Amend. of 9-9-80; Amend. of 2-11-85; Amend. of 2-10-86. § 7)

m. One amateur radio antenna greater than 65 feet in height above ground level may be permitted by special exception as an accessory to a residential use upon the granting of a special permit by the commission, and the applicant demonstrating that the proposed tower is the minimum height necessary to accommodate amateur radio transmission and reception, provided:

- the tower/antenna structural design shall be certified by a Connecticut licensed professional engineer.
- the tower/antenna design and siting incorporate mitigative measures for ice and other hazards, including additional setbacks and de-icing equipment where necessary to minimize off-site impacts
- there are no aboveground electric, cable TV or telephone lines within a fall zone radius equal to the total length of the structure.
- evidence of communication with the FCC relative to the proposed tower/antenna is submitted with the special permit application
- no portion of any tower/antenna structure or support system shall be located within any required setback. (Amend of 10/17/88, Effective date 11/8/88)

n. Bed and Breakfast Establishments, provided:

- the property contains the minimum acreage required for the zone.
- the use is maintained within an owner occupied single family detached residential dwelling or premises.
- a maximum of three guest rooms are allowed.
- the use is created by interior alterations only (if necessary) of existing space. Additions and garage conversions shall be prohibited. Existing accessory outbuildings other than garages may be used upon the determination of the commission.
- guest rooms shall not contain kitchen or cooking facilities.
- The Bed and Breakfast establishment shall meet all applicable Building, Fire, and Public Health Code requirements, with written verification and permits from the appropriate officials.
- one screened parking space per guest room shall be provided. Screening can consist of solid fencing, a coniferous planted buffer, or combination of both, suitable to the commission. Parking areas are not to be generally visible from streets or adjoining residences.

- the provision of meals shall be for facility guests only and not open to the general public.
- guest rooms shall be inspected by the Zoning Enforcement Officer, Fire Marshal, or other Department of Planning and Development personnel on an annual basis to ensure continued compliance with these regulations. (Amend. Effective 11/06/98,12:01 AM)

o. Cluster Developments – Section 583

p. Construction of a Second Dwelling Unit, provided:

- the subject property contains a foundation of record which both is pre-existing to the establishment of zoning and conforming to current zoning setbacks and dimensional requirements as set forth in section 450 and Table A
- The pre-existing foundation must be structurally evaluated and approved by an independent, licensed structural engineer prior to applying for a special permit application. A letter signed, sealed and certified is required by the town.
- The structure being used to house the second dwelling unit may already exist on the above mentioned pre-existing foundation, or one (1) new structure can be built on the pre-existing foundation, not exceeding the footprint of the pre-existing foundation
- One (1) single family dwelling unit is permitted on the pre-existing foundation and any future additions to the structure may not increase living area
- The lot in its totality shall not contain more than two (2) dwelling units
- All State of Connecticut Health Code and Northeast District Department of Health regulations must be met.