

420.2 General Commercial district. Commercial establishments which generate large amounts of traffic and/or require large sites and frontage on major highways are not suited to location in residential areas. Therefore, an additional commercial zoning district is to be established to house these uses. Where any General Commercial district adjoins a residential district, a buffer strip at least 25 feet wide and containing planted screening shall be required as stated in Village Commercial above.

Permissible lot coverage in the General Commercial zones is 65% by right.

Lot coverage in the General commercial zones may be increased from 65% to 75% with a Special Permit by the Planning and Zoning Commission provided:

The applicant proposes to pay to the Town a fee;

- In the amount equal to the fair market value of the lot multiplied by the percentage of the excess lot coverage; and
- To be placed in a fund to be used by the Town for the purpose of preserving or acquiring land for open space, conservation, recreation, aesthetic, historical, environmental, agricultural, or other purposes.

420.2.1 Permitted uses (GC). The following uses of buildings and land are permitted only after the securing of Site Plan approval from the Commission. Site Plan review shall be required before any zoning permit is issued for any building or use or enlargement in size or other alteration of any building or change in use or actual use of any building including accessory structures (see site plan review Section 470). Site Plan review is not required for repairs or alterations to existing buildings or structures, provided that such work does not increase the floor area of any building or structure and does not change the actual use thereof.

In addition, 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, or when the Commission determines that special site conditions warrant such a plan (i.e., excessive steep slopes, unstable soils). (Amend. of 2-11-85)

- a. All permitted uses of the Village Commercial zone. The 5,000 square feet maximum floor area shall not apply in the General Commercial zone.
- b. Manufacturing of food products or handcrafted items for sale exclusively on the premises at retail.
- c. Laundry and dry cleaning plants.
- d. Commercial recreation, including bowling, billiards and similar recreational facilities.
- e. Tavern or cafe.
- f. Hotel, motel, tourist court or the like on a lot of 120,000 square feet or more and having a sewage disposal system that conforms to state and local code requirements, where public sewage is not feasible.

- g. Theater.
- h. Funeral homes and undertakers' establishments.
- i. Those municipal and fire district land uses existing upon the date of adoption of this amendment may be expanded by alteration of an 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.
- j. 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 11/14/83 § C)
- k. No more than three (3) amusement game machines as an accessory use to those actual uses that are customarily associated with such machines. Such actual uses may include stores, automatic coin laundries, restaurants, taverns and cafes (as examples). Said machine shall be located within a building in such a way that a management attendant can easily see and supervise their use. (Amend. of 11-14-83, § C)
- l. Auctions (indoor).

420.2.2 Special permit uses. In addition to the above, the following may be permitted after the securing of a Special Permit as specified in Article VII:

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. (Amend of 2-11-85)

- a. Retail stores having articles for sale displayed outside of the building such as auto dealers, farm machinery dealers, nurseries and so on, provided:
 - no such display shall be within 20 feet of any side or rear property line or any street right-of-way.
 - fuel storage shall conform to the requirements for gasoline stations. (See below).
- b. **Newspaper and printing shops.**
- c. **Drive-in bank**, provided:
 - Off-street stacking space shall be provided at the rate of at least 10 car spaces for the first drive-in window and 5 additional spaces for each additional drive-in window.
 - Such stacking space shall be in addition to required parking spaces.
- d. **Drive-in restaurant, fast food restaurant.**

- e. **Gasoline stations** with or without repair licenses, automobile and other repair shops, automobile washing establishments, provided:
 - Approval of the proposed location is obtained from the Zoning Board of Appeals in full compliance with the Connecticut General Statutes.
 - No curb cut shall be greater than 30 feet in width and no part of any curb cut shall be within 25 feet of any side or rear lot line or street intersection.
 - All gasoline pump stands shall be located at least 25 feet from all lot lines.
 - All accessory equipment or merchandise displayed outside shall be no more than 10 feet from the building, except that such merchandise may be displayed on pump islands.
 - Any petroleum or other flammable products stored above ground shall be contained in drums or other containers of not more than 55 gallons, except that fuel oil to be consumed on the premises may be stored in a 275 gallon tank.
 - No gasoline station shall be constructed within 1500 feet of any existing gasoline station.
 - All vehicles stored out-of-doors shall be located at the rear of the building, properly screened from any adjacent residential property.

- f. **Clinics and general hospitals** licensed by the State of Connecticut.

- g. **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 areas shall also be fenced and/or screened. (See Article III, Definitions "planted screening").

- h. **Kiddie Parks** licensed or approved by the State of Connecticut, provided:
 - Minimum lot area shall be three (3) acre or 130,680 square feet, but more land may be required at the discretion of the Commission.
 - Minimum lot frontage shall be 250' on a State or Town accepted read.
 - Maximum height of any mechanical device (ride) shall be forty (40) feet.
 - Other general commercial district dimensional requirements shall apply as per Section 450 - Dimensional Requirements, Table A.
 - Sale of food and drink shall be permitted (concession stands) provided it is incidental to the principal use of the land except that no alcoholic beverages shall be allowed.
 - Hours of operation shall be limited from 9:00 a.m. to 9:00 p.m., except on Sunday when no mechanical device (ride) may open before 12:00 noon although the park may open sooner.
 - Parking standards shall consist of the following, in addition to Section 530, Off-Street Parking and Loading.
 - One space per picnic table.
 - One space for each one hundred (100) square feet of floor or ground area (concession stands and restrooms).

- Three (3) spaces for each mechanical device (ride) or attraction.
 - Commission shall require additional parking facilities for employees and loading spaces as necessary as per Section 740.6.
 - Each special permit shall be renewed every three (3) year.
- i. **Nursery Schools and day care centers** located in the main building or building accessory thereto, or on a lot by themselves, provided:
- The facility shall comply with all applicable requirement of the Health Code of the State of Connecticut.
 - That there shall be a minimum lot area of forty thousand (40,000) square feet or five hundred (500) square feet per child based on enrollment capacity, whichever is greater. This lot area must be dedicated exclusively for the day care center or nursery school use.
 - That buffer strips are planted adjacent to abutting property owners as required in Section 420.2.
 - That off-street parking shall be provided and an area for loading and unloading of children from a vehicle shall be provided on the property.
 - That stipulations may be set by the Planning and Zoning Commission when considering the application to ensure the safety and welfare of the children. (Amend. of 6-22-81; Amend of 7-16-05)
- j. **Amusement game arcade**, provided:
- Adequate space shall be provided for each machine so as to allow its use without overcrowding. A minimum width of three (3) feet shall be provided per machine, and a minimum of one (1) foot shall be provided between each machine. The depth of space in front of each machine shall be a minimum of five (5) feet, and there shall be a minimum aisle width beyond this five (5) feet of an additional three (3) feet. Fire Underwriters' Code requirements shall also be complied with.
 - the arcade shall be located in a separate room, separate from other uses on the premises and from pedestrian circulation to and from such other uses. The room shall be arranged so that there is a management attendant within the room, or such that management attendants outside the room can easily see and supervise the interior of the room.
 - readily visible signs shall be installed, and their location, size and text shown in the plans submitted to the Commission, indicating that the use of machines by persons under 16 years of age shall not be permitted during normal school hours and, where the premises are used primarily for the serving or consumption of liquor, that the use of amusement game machines by persons under the minimum legal drinking age is prohibited at all times.
 - Off-street parking, in addition to that otherwise required for the uses on the premises, shall be provided in the amount of one (1) space for every two (2) amusement game machines. Additional parking spaces may be required where it is deemed necessary by the Commission, following consideration of such factors as the location of the proposed arcade, proposed number of amusement game machines, number of employees, and accompanying uses. In no case shall the number of required parking spaces be less than one (1) space for every two (2) amusement game machines. (Amend. Of 11-14-83, § D)

- k. **Adult-oriented establishments, provided:**
- A. Such establishments shall be a minimum of seven hundred fifty (750) feet from schools, churches, public and private parks and recreation lands, locations where minors congregate, municipal boundary lines, residentially zoned property and other adult-oriented establishments. Measurements of distances shall be from the property lines of the uses, except in the separation from other adult uses, in which case the distance shall be measured from structure to structure.
 - B. Such establishments must be in stand alone buildings and not part of any commercial plaza or complex.
 - C. Such establishments shall be subject to special permit and site plan review by the Planning and Zoning Commission. The following specific site plan criteria shall apply to any adult-oriented establishment:
 - (1) No exterior sign shall contain any photographic or artistic representation of specified anatomical areas.
 - (2) All building openings, entries, windows, doors, etc., shall be located, covered or screened in such a manner as to prevent view into the interior of the building from any public right-of-way or adjacent property.
 - (3) No adult use shall be established in any building of which any part is used for residential purposes.
 - (4) No residential use shall be established in any building of which any part is used as an adult use establishment.
 - (5) Stairways, sloping or rising paths and building entrances and exits shall be illuminated. Spotlight type fixtures attached to the building should be avoided.
 - (6) Adequate lighting shall be provided on-site to ensure the safe movement of persons and vehicles and for security purposes.
 - (7) All parking must be provided solely on site and must be provided at a rate most consistent and comparable to the underlying activity (retail, restaurant, etc.) as stated in Section 530 - Off-Street Parking and Loading.

l. **Cluster Developments.**

m. **Heavy Equipment and Heavy Specialized Vehicle Sale, Rental and/or Service/Repair Establishments provided:**

No outdoor display of vehicles or equipment for sale shall be within 20 feet of any side or rear property line or any street right-of-way and shall be screened, using vegetation and/or fencing, from any adjacent residential property.

Fuel, oils, lubricants, and other potentially contaminating materials must be stored within 110% secondary protection containment areas. Such materials stored outside must also be within 110% secondary protection containment areas and located on suitable impermeable surfaces with a closed drainage system and oil separator(s).

All vehicles stored out-of-doors waiting for service and/or pick-up shall be located at the rear of the building and screened, using vegetation and/or fencing, from any adjacent residential property.

Approval of the proposed location is obtained in full compliance with the Connecticut General Statutes.

No vehicle or equipment salvage or bone yard shall be maintained on site. A part yard not to exceed 10,000 square feet in area and screened, using vegetation and/or fencing, from any adjacent residential property, may be allowed.

Repairs shall take place within enclosed buildings or structures whenever possible or take place to the rear of the building and shall be screened, using vegetation and /or fencing, from any adjacent residential property. Outdoor repairs shall be conducted on a suitable reinforced concrete impermeable surface, and constructed with a closed drainage system with oil separator(s) to prevent storm water runoff and/or ground water contamination.

A spill prevention and response plan and emergency spill response equipment shall be maintained on site at all times.

n. Contractor's Business, provided:

- A. The property shall, as a minimum, conform to lot requirements for the underlying zone
- B. The use is adequately screened with vegetation, fencing and /or earth berms at the discretion of the Planning and Zoning Commission. See Section 310, "Planted Screenings".
- C. Exterior Lighting shall be compatible with the intent of "Dark Sky Lighting" standards as promulgated by the International Dark Sky Association.
- D. The outdoor storage of material shall be allowed provided that said materials are inert i.e. pipe, aggregates, earth material, pre-cast concrete products as examples, the storage area is limited to 10,000 square feet and properly screened, and further provided that adequate erosion and sedimentation controls are implemented
- E. Outdoor above-ground storage of flammable materials shall be limited to 1,500 gallons and must meet all applicable codes, including 110% spill containment
- F. No vehicle or equipment salvage or 'boneyard' shall be maintained onsite. A part yard not to exceed 10,000 square feet in area and screened, using vegetation and/or fencing from any adjacent residential property, may be allowed.
- G. There shall be no outdoor storage of salt
- H. Parking shall be provided at the minimum rate of 1.25 spaces per employee
- I. When required by the State of Connecticut DEEP, a "Stormwater Pollution Prevention Plan" and a "Spill Prevention, Countermeasure and Containment Plan"

for Industrial Activities” shall be prepared and shall be kept on file with the Planning and Zoning Department

Effective Date: 12:01 AM, Wednesday, December 12, 2012

o. Dog and cat kennels and veterinary hospitals, 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 durable 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 pre-existing residence.
- All animals shall be housed so as to avoid the creation of a nuisance due to noise, odors, or other objectionable effect.”

Effective Date: 12:01 AM, Monday, July 18, 2016