

Section 420.

COMMERCIAL DISTRICTS

420.1 Village Commercial District: Village Commercial Districts are intended to provide residential areas with a variety of retail, service, financial and other commercial establishments within walking or short driving distance of their home. No barriers to pedestrian traffic such as fences, retaining walls, drainage ditches or other devices shall exist between adjacent buildings unless adequate provision for safe and convenient pedestrian crossings of such barriers is made. Where a proposed Village Commercial use adjoins a residential zone, a buffer strip of at least 20 feet in width containing a planted screening shall be provided. (See Article III. Definitions, "planted screening").

Maximum floor area devoted to each use (i.e., each store, each office) shall not exceed 5,000 square feet. The total square footage for building(s) in a Village Commercial district shall not exceed 20,000 square feet per lot. (Effective 08/25/87).

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 or its designee determines that special site conditions warrant such a plan (i.e. excessive steep slopes, unstable soils). (Amend. of 2-11-85).

420.1.1 Permitted Uses (VC) The following uses of buildings and land are permitted only after the securing of site plan approval from the Commission or its designee, the Director of Planning and Development. 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.

- a. Stores exclusively for the conduct of retail trade and expressly excluding the sale of alcoholic liquor and drive-thru windows, provided all items for sale and related storage shall be within the confines of the building. Small, seasonal or periodic outdoor displays of goods for sale are permissible near the main entry, provided no hazard to pedestrians is created. The applicant will clearly state on the application and inform the Commission or its designee of any retail use which will require a permit from the Liquor Control Division of the CT Department of Consumer Protection.
- b. Personal service establishments including but not limited to hair, nail, barber services, tanning, massage therapy, fitness centers, day spas, and other uses of a similar nature as determined by the Commission
- c. Laundering (Self-service or pick-up) and Dry Cleaning (Pick-up only. On-premises dry cleaning is prohibited)
- d. Medical, business and professional offices
Medical includes doctors, dentists, physical therapists, chiropractors, optometrists, psychologists, nurse practitioners, physician assistants, registered nurses, LPNs and other licensed medical professionals of a similar nature as determined by the Commission. Medical offices shall consist of three or fewer licensed staff, with

three or fewer patient/treatment rooms and a total occupancy, including both patients and staff, of not more than twelve.

Business includes advertising, insurance, investment, real estate, business and management consultants, secretarial and stenographic, telephone answering services, detective and private security, or other services similar in nature to those listed herein, with similarity to be determined by the Commission.

Professional includes attorneys, engineers, architects, surveyors, planners, accountants or other similarly licensed or certified practitioners as determined by the Commission.

- e. Financial institutions without drive-thru windows
- f. Restaurants, except drive-in and fast food restaurants, and with no outdoor dining or drinking (Amend. of 4-14-80)
- g. Repair shop for electronics, office equipment, shoe and leather goods, upholstering, tailoring, dressmaking and apparel, gunsmithing, appliances and household goods, small engines and garden equipment, and goods of a similar nature as determined by the Commission, provided all work and storage is contained within the building itself.
- h. One (1) single family detached dwelling unit and not more than one such dwelling unit per lot, occupied by a person, together with his family, who is the owner, corporate officer, manager, caretaker or janitor of a permitted Village Commercial use on the same lot. Dwelling units of no less than eight hundred (800) square feet of livable space are permitted above the first floor of commercial structures provided that all building and fire code requirements are met and off-street parking is provided at the rate of two (2) spaces for each dwelling unit. Residential density is limited to the density of the abutting residential zoning district. When two or more districts abut the VC District, the highest allowable density shall prevail.
- 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 9-9-80)
- k. Amusement game machines as an accessory use to those actual uses that are customarily associated with such machines. Such actual uses may include stores, laundries, and restaurants (as examples). Said machines 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, § B)
- l. Group day care home as in CGS Section 19a-77, without night care endorsement
- m. Art centers/galleries, private libraries and museums
- n. Catering
- o. Cafes and taverns, with no outdoor dining or drinking
- p. Duplicating and mailing services

- q. Photographic services
- r. Existing single family dwellings

420.1.2 Special permits. In addition to the above, the following shall be permitted after the securing of a Special Permit as provided in Article VII.

- a. 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").
- b. Cluster Developments
- c. Child Day Care Center as in CGS Section 19a-77, with or without night care endorsement
- d. Veterinary office/animal 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.
- e. Funeral homes
- f. Restaurants, cafes and taverns with outdoor dining and/or drinking areas
- g. Group day care home as in CGS Section 19a-77, with night care endorsement
- h. Indoor commercial recreation including but not limited to instructional studios for art, dance, music, yoga, martial arts, computer, cooking, and other instruction of a similar nature, with similarity to be determined by the Commission or its designee.
- i. Stores exclusively for the conduct of retail trade which includes the sale of alcoholic liquor, provided all items for sale and related storage shall be within the confines of the building. Small, seasonal or periodic outdoor displays of goods for sale are permissible near the main entry, provided no hazard to pedestrians is created. The applicant will clearly state on the application and inform the Commission or its designee of any retail use which will require a permit from the Liquor Control Division of the CT Department of Consumer Protection.
- j. Motor vehicle general repair and service garage in accordance with CGS Section 14-52, provided
 - Outdoor activity (overnight parking, display, etc.) is confined to the side and rear yards only and is well screened from abutting incompatible land uses
 - Repair and service is limited to automobiles, motorcycles, pick-ups and light trucks, with repair and service to tractor-trailers, farm equipment and construction equipment prohibited.
 - Body work and painting is not allowed
 - All repair work is to be performed indoors

- Towing is considered accessory to the repair and service use
 - As an extension of general and limited repair garages, the Commission may allow, by Special Permit, the sale of no more than six used cars at any one time
- k. 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.
 - 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, including septic system approval, with written verification and permits from the appropriate officials.
 - A screened parking area with one 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, unless the applicant also applies for a restaurant permit.
 - 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.
- l. Pet grooming services
- m. Performance/legitimate theater
- n. Adult Day Care
- o. Fraternal/social clubs
- p. Religious facilities

420.1.3 Landscaping, screening & aesthetics

In order to provide an aesthetically pleasing development which complements the character of the Town of Killingly and the "Village Commercial" intent, the development, including the architecture of buildings, shall be designed in such manner to harmonize with the abutting residential district. In addition to the requirements of Section 470 or Section 700, the following items must also be addressed with the submission of the application:

1. A detailed landscaped plan shall be provided.
2. Parking shall not be provided to the front of any new building. Parking should be located to the side and/or rear of the proposed structure. The Commission may waive this requirement if physical conditions exist at the site which prohibits this, in which event additional landscaping and buffering may be required by the Commission.
3. Architectural drawings shall be provided of the proposed structure which will provide the exterior design of the building, including materials to be used on the facade of the building(s). (Effective 08/25/87)

Approved on January 22, 2013

Effective on Friday, February 15, 2013, at 12:01 AM.