



**TOWN OF KILLINGLY, CT
PLANNING AND ZONING COMMISSION
AND
ECONOMIC DEVELOPMENT COMMISSION**

MONDAY – OCTOBER 17, 2022

**Workshop Meeting - In Person
6:00 PM**

**TOWN MEETING ROOM – 2ND FLOOR
Killingly Town Hall
172 Main Street
Killingly, CT**

WORKSHOP AGENDA

- I. **CALL TO ORDER/ROLL CALL**
 - * PLANNING ZONING COMMISSION
 - * ECONOMIC DEVELOPMENT COMMISSION
- II. **WORKSHOP DISCUSSION**
 - * Review / Discussion / Action
 - * Comparison of General Commercial Zone Regulations to Business Park Regulations
- III. **MOTION TO ADJOURN**
 - * PLANNING ZONING COMMISSION
 - * ECONOMIC DEVELOPMENT COMMISSION

NOTE: Must end meeting before 7:00 pm – so Planning Zoning Commission can start their regular meeting.

RECEIVED
TOWN CLERK, KILLINGLY, CT
2022 OCT 14 AM 8:52
Elizabeth M. Quinn

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)

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 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 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 these five (5) feet of an additional three (3) feet. Fire Underwriters' Code requirements shall also be complied with.
 - the arcade shall be 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.

I. Cluster Developments

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

1. No outdoor display of vehicles or equipment for sale 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.
2. Fuels, oils, lubricants, and other potentially contaminating materials must be stored within 110% secondary 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).
3. 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.
4. Approval of the proposed location is obtained in full compliance with the Connecticut General Statutes.
5. 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.
6. 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 suitable reinforced concrete impermeable surface and constructed with a closed drainage system with oil separators(s) to prevent storm water runoff and/or ground water contamination.
7. A spill prevention and response plan and emergency spill response equipment shall be always maintained on site.

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 materials 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 required 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

p. Distribution Center

1. Definition:

- A. **Distribution Center:** A building or group of buildings where finished goods are received and / or stored for delivery to the ultimate customer at remote locations. Manufacturing and assembly are not part of the distribution process.

2. Conditions:

- A. A distribution center shall have controlled gate access for distribution vehicular traffic, though employee vehicle traffic for parking purposes shall not require gated access.
- B. Outdoor storage of shipping trailers may be provided; however, this area must be landscape screened from abutting uses if they differ in zoning or a use not provided within the General Commercial Zoning Regulation.

- C. A copy of all State of Connecticut Licensing must be submitted to the Planning & Development Office. Copies of the originals of said licensing must be displayed in the office at the location of the distribution center.
- D. Accessory uses such as the field organization of trailers, ancillary trailer or truck repairs, trailer parking and others may be permitted only if they are otherwise permitted uses in the zone in which the distribution center is located and meet the zoning regulations of the zone.
- E. All goods and products stored or packaged in the distribution center shall be indoors except for those items that are stored within a trailer outside of the distribution center. No packaging of goods shall be allowed outside of the distribution center.
- F. Truck loading docks shall not be located on the street facing side of the building or be located on the building side that abuts a residentially zoned parcel without adequate landscape buffer and screening.
- G. All parts of the perimeter which are adjacent to a residential zone shall be screened by a fence or wall with a landscape buffer at least twenty-five (25) feet wide. Additional setback and the reorientation of the buildings may be required to ensure compatibility with surrounding properties.
- H. The maximum height of distribution center shall not exceed 50 feet. Other appurtenances usually required to be above the roof level that are incidental to the permitted use (vents, air handling units, elevator penthouses, or similar) are exempt from this restriction.
- I. All outdoor lighting shall be night sky compliant.

3. Prohibited Uses:

- A. Kenneling, storage, or sale of animals or pets.

Approved: Monday, July 19, 2021

Effective Date: 12:01 AM, Monday, August 16, 2021

q. Self-Service Storage Facilities

1. Definitions:

- A. **Self-Service Storage Facility:** A building or group of buildings divided into separate compartments used to meet the temporary storage needs of small businesses, apartment dwellers and other residential uses. Leased to individuals, organizations, or businesses; surrounded by security fencing with controlled access to both the area and individual units.
- B. **Recreational Vehicles:** For the purposes of this regulation only; a vehicle used primarily for recreational pleasure and all vehicles must have current registrations. Examples motor homes, travel trailers, camping trailers, truck trailers, boats, snow mobiles, motorcycles. Recreational Vehicle does not include manufactured homes.

2. Conditions:

- A. The facility itself must have security fencing and controlled access.
- B. A logbook of all renters shall be kept onsite and available for inspection.
- C. Outdoor storage of motorized and recreational vehicles may be provided; however, that area must be surrounded by its own security fence, have controlled access, and must be screened from abutting uses. Vehicles must be in good condition and free of leaking fluids.
- D. The facility owner or operator may conduct periodic auctions or sales to dispose of any unclaimed storage unit(s) contents, not to exceed six (6) times per year.
- E. A copy of all State of Connecticut Licensing must be submitted to Planning & Development Office. All originals of said licensing must be displayed in the office at the location of the facility.
- F. Accessory uses such as the rental office or the rental of trucks, trailers or moving equipment (hand trucks, jacks, and lifts, etc.), the installation of trailer hitches, or the sale of boxes or packing materials are permitted only if they are otherwise permitted in the zone in which the facility is located and meet all use and zoning regulations of the zone.
- G. Electrical service to storage units shall be for lighting and climate control only
- H. No plumbing facilities or floor drains shall be allowed inside the storage units.
- I. All goods and property stored in the self-storage facility shall be contained within the building interior except recreational vehicles, as defined above, may be parked in designated outdoor storage areas which are screened from view from adjacent streets and property by walls, fences, or landscaping. Outdoor storage areas shall not exceed fifteen percent (15%) of the total enclosed site area, shall be located to the rear or side of the buildings and shall not count toward meeting parking requirements. No outdoor storage of storage pods or shipping containers is permitted.
- J. Truck loading docks shall not be located on the street facing side of the building or be located on the building side that abuts residential property without adequate buffer and screening.
- K. All parts of the perimeter which are adjacent to a residential zone shall be screened by a fence or wall and with a landscaped buffer area at least twenty-five (25) feet wide. Additional setback and the reorientation of the buildings may be required to ensure compatibility with surrounding properties.
- L. All outdoor lighting shall be dark sky compliant.

3. Prohibited Uses (Individual Storage Units):

- A. Any use that is noxious or offensive because of odors, dust, noise, chemicals, gas, fumes, or vibrations.
- B. Kenneling, storage, or sale, of animals or pets.

- C. Individual storage units shall not be used for: residential, office, retail, workshops, studios, rehearsal areas, manufacturing, fabrication, industrial or the processing of goods or services, or the repair of vehicles, engines, appliances, sales or auctions by private parties or any other similar activities.

Approved: Monday, September 20, 2021

Effective Date: 12:01 AM, Monday, October 18, 2021

- r. **Cannabis Establishment**, see Section 567.

Approved: Monday, June 20, 2022

Effective Date: 12:01 AM, Monday, July 18, 2022

Section 436.

BUSINESS PARK DISTRICT

436.1 Intent.

The intent of the Business Park District is to provide facilities for business consistent with a master plan and restrictions, resulting in the creation of a physical environment that promotes consistency with community goals, efficient business operations, human scale and values, and compatibility with the natural environment. A Business Park District may be located adjacent to, or nearby, residential districts. Therefore, all uses located within this district shall be clean, quiet and free of hazardous or objectionable elements such as noise, odor, dust, smoke, and glare. In addition, such uses, including related storage, shall be operated entirely within enclosed structures (except for docking areas necessary for receipt of multiple deliveries).

436.2 General Requirements.

The following are the minimum requirements for land proposed to be designated as a BP District:

- a. All uses shall be served by public water and sewer.
- b. Principal access shall be from State roads or arterial or collector streets as identified in the Town's Plan of Development.
- c. Principal access to the development shall be within eighteen hundred (1,800) feet of an 1-395 interchange.
- d. The minimum district frontage on a public street shall be four hundred (400) feet.
- e. The minimum area of land in the BP District shall be seventy-five (75) acres.
- f. The district boundary line shall abut 1-395 for a minimum distance of eight hundred (800) feet.
- g. Any application to the commission for a proposed use within the business park district on land situated between any public road or street or a previously approved private access way and the remaining land in the business park district shall provide a defined right of way over the land area owned in whole or in part by the owner or owner's applicant to the remaining land in the business park district. Such right of way shall have a minimum width of sixty feet or such width specified by the commission. Said right of way shall permit the future installation of all utilities including, but not limited to, sanitary sewer lines, public water, electric, natural gas, communication cables and storm water drainage structures and lines. The location of such right of way shall be approved by the commission.

436.3 Special Permitted Uses.

All uses in the BP District require the securing of a Special Permit as specified in Article VII. The uses allowed by special permit are:

- a. Research and development facilities, provided the following standards and nuisance avoidance criteria are met: In all cases the more stringent of the appropriate state regulations, federal regulations, and/or accepted industry standards shall apply.

1. In the establishment, operation, and design of medical and biological research laboratories and facilities, the standards and procedures, as amended, of the National Institutes of Health, Bethesda, Maryland and Centers for Disease Control will apply. No facility may contain or conduct research involving Biological Safety Level-3 (or the equivalent term Risk Group-3) classification or higher.
2. No noise that due to level, frequency (pitch), duration, periodicity and predictability, total nature and/or impulsive nature will in any way have an objectionable effect upon adjacent or nearby property, shall be permitted. All Connecticut Department of Environmental Protection regulations promulgated in accordance with Chapter 442 of the Connecticut General Statutes shall apply.
3. Glare, whether direct or reflected, such as from floodlights or high temperature process, and as differentiated from general illumination, shall not be visible at any property line.
4. No activities involving bulk storage or manufacture of materials or products that could decompose by detonation shall be permitted. These materials include primary explosives such as lead azide, fulminates, lead styphnate, and tetracene; high explosives such as TNT, RDX, HMX, PETN and picric acid propellants and their components such as dry nitrocellulose, black powder, boron hydrides, and hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate, and potassium nitrate; blasting explosives such as dynamites and nitroglycerine; unstable organic compounds, such as acetylides, tetrazoles and ozonides; strong oxidizing agents such as liquid oxygen, perchloric acid, perchlorates, chlorates, and hydrogen peroxide in concentrations greater than 35 percent; and nuclear fuels, fissionable materials and products, and reactor elements, such as uranium-235 and plutonium-239. Utilization of the materials included in this section shall be limited to the minimum quantities necessary for specific research and only after the procurement of all local, state and federal permits. Material type, quantity, storage, handling procedures, and location in the facility shall also be registered with the respective fire district, ambulance corps, the Killingly Planning Department, and Fire Marshall.
5. No activities shall be permitted that emit dangerous radioactivity beyond enclosed areas as specified by the regulations of the United States Nuclear Regulatory Commission.
6. Any electrical radiation shall not adversely affect at any point any operations or any equipment, including not only professional research equipment but also equipment reserved for personal uses such as reception of public radio transmissions, use of cellular phones, etc., except equipment belonging to the creator of the electrical radiation.

7. Operations shall cause no inherent and recurring generated vibration perceptible without instruments at any point along the property line. Temporary construction is excluded from this restriction.
 8. No operation shall cause or allow emission of any odorous air contaminant, smoke, particulate matter or any emission into the air which is a nuisance, hazard or exceeds appropriate federal or state regulations.
 9. All applicable federal, state, and local statutes, rules, regulations and ordinances (including, without limitation, those promulgated and/or enforced by the US Environmental Protection Agency, the Connecticut Department of Environmental Protection, the State Fire Marshal's Office, the National Institutes of Health, Centers for Disease Control, the Northeast District Department of Health or the Food and Drug Administration) shall apply to the treatment, storage, transportation, and disposal of any hazardous materials, hazardous wastes, solid wastes or fire hazards (as such terms are defined by any of the applicable statutes, rules, regulations, or ordinances referenced).
 10. The commission may, at its discretion, hire a third-party consultant, also acceptable to the applicant, to aid the commission in its review of any proposed facility design and/or program of research and development. The fees charged by the third-party consultant shall be borne by the applicant.
- b. General office space.
 - c. Banking, financial establishments and ATM facilities, excluding drive-in banking facilities not combined with banking and financial establishments. ATM facilities on the same premises with a permitted use are considered accessory to the permitted use.
 - d. Photography, dance, art and music studios, performing arts facilities and other uses similar in nature to those listed herein.
 - e. Radio, television, motion picture and computer production and broadcast facilities, excluding manufacturing.
 - f. Data centers, internet server farms and other similar uses.
 - g. Conference centers, hotels, and motels, all of which may include restaurants and cafeterias excluding drive-through facilities.
 - h. Educational training facilities, excluding correctional training programs and facilities.
 - i. Wholesale warehouses and distribution centers, provided they are clearly secondary and supplemental to a research or development primary use, have a gross floor storage area of forty thousand (40,000) square feet or less, and are located at least seven hundred fifty (750) feet from the boundary line of any residential district or any residential use.

- j. Nursery schools and day care centers provided they meet the requirements of other sections of the Zoning regulations and safe and reasonable separating distances as determined by the Commission are maintained between the facility and other uses within the district.
- k. Recreational facilities and health clubs
- l. Automobile vehicle rental facilities.
- m. Municipal land uses.
- n. Cluster Developments
- o. Cannabis Establishment, see Section 567 (Approved: June 20, 2022; Effective: July 18, 2022)

436.4 Site Design Standards.

In addition to the dimensional requirements of Section 450 for the BP District, the following standards shall apply:

436.4.1 Buffers.

Where a BP District property abuts a residentially zoned property, a buffer strip one hundred (100) feet wide is required, to be planted with year-round vegetation adequate to buffer the view from the residential zone adjacent to the proposed development. Preservation of existing trees and vegetation is preferred where they provide desired screening.

436.4.2 Interior Circulation.

The BP District shall be served by an internal roadway system. Such roads shall, at a minimum, comply with the Town standards for "local street". The Commission may, in its discretion, designate such roads as "access" or "through" streets as defined in the Town's Subdivision regulations if such standards are warranted by the volume of traffic and type of use proposed. Interior circulation shall provide for the safe movement of vehicles, delivery trucks and pedestrians. Truck delivery routes shall be indicated by signage, pavement marking or other method. Access to commercial delivery points shall be segregated from general public traffic. Provisions for the safe movement of pedestrians between buildings and from buildings to parking areas shall be provided.

- a. Bicycle/pedestrian pathways a minimum of six (6) feet in width are to be provided along the interior roadway system. Said width may be expanded by the commission to ten (10) feet or to conform with standards of the National Park Service then in effect. The bicycle/pedestrian pathways need not be located adjacent to such roadways. Lots not served by sidewalks shall be served by bicycle/pedestrian pathways. Sidewalks and bicycle/pedestrian pathways shall be constructed simultaneously with the roadways and shall provide continuous circulation from one lot to another. Sidewalks and bicycle/pedestrian pathways shall be illuminated to provide safety and security for their users. Any lighting used shall be shielded or diffused so as to reflect light away from abutting traffic and to prevent skyward glare.

436.4.3 Landscaping and Screening.

- a. Landscaping may include, but not be limited to, pavement materials, fountains, ponds, street furniture, outdoor seating areas, lighting, and the planting of grass, ground cover, flower beds, shrubs, hedges, planted earthworks (mounding, grading, etc.), or trees. All planted areas shall be maintained in a healthy growing condition, neat and orderly in appearance, and free of refuse and debris. All planted areas shall be arranged and maintained so as not to obscure the vision of traffic. Unless so specified, there shall be no parking of vehicles in landscaped areas. All landscaping shall be subject to the approval of the Planning and Zoning Commission or its designated agents.
- b. All trucks in excess of a one-ton carrying capacity shall be parked in rear or side yards and screened from view from adjacent properties or any public roads or rights-of-way in accordance with Planning and Zoning Commission requirements. No trucks in excess of a one ton carrying capacity may be parked in any street yard regardless of screening. Truck parking associated with wholesale warehouses and distribution centers shall be a minimum of seven hundred fifty (750) feet from any residential district boundary or from any residential use.
- c. Street trees at a minimum rate of one tree for every one hundred (100) feet or part thereof of street frontage shall be provided in all front yard areas to provide shade and visual interest. Trees may be planted at intervals and/or in groups to assure the desired effect is achieved subject to the approval of the Commission. Street trees, whether deciduous shade trees, flowering trees or evergreen trees, shall be a minimum of three (3) inch caliper measured at twelve (12) inches above ground, and selected for hardiness and appropriateness of use and soil conditions.
- d. Landscaping shall provide transitions between buildings of different size, scale, architecture or use and to provide continuity of design. Landscaping shall provide shade and visual interest.
- e. All accessory uses shall be screened to minimize visual intrusion or landscaped to integrate these elements into the site development plan.
- f. All waste material, debris, refuse or garbage shall be kept in an enclosed building or properly contained in a closed container designed for such purpose and housed in a refuse enclosure or within a building. Refuse enclosures are to be constructed of material in such a way that they would be at least seventy-five (75) percent solid and shall have a concrete floor. Refuse enclosures shall be located in rear yards only and shall be properly screened to a height of seven (7) feet in accordance with Planning and Zoning Commission requirements.
- g. If chain link fencing is proposed, it shall be black PVC dipped material.

436.4.4 Utilities.

All utilities shall be constructed underground.

436.4.5 Parking Lot Layout.

- a. Parking lots shall provide well defined circulation routes for vehicles, delivery trucks and pedestrians.

- b. To the maximum extent feasible, landscaped islands with raised curbs shall be used to define parking lot entrances, the ends of parking isles, and the location and pattern of internal driveways, and to provide pedestrian walkways where appropriate.
- c. Where a mix of uses creates staggered peak periods of parking demand, shared parking calculations may be submitted to reduce total required parking. A reserve area for the future addition of undeveloped parking shall be provided on the Site Plan. The parking spaces in the reserve area shall be noted on the tabular summary of zoning compliance. Said reserve area shall be maintained in its natural state until developed.
- d. Where curbing is provided, it shall be concrete or stone.
- e. Any lighting used to illuminate parking areas shall be shielded or diffused so as to reflect light away from adjoining property, away from abutting traffic and to prevent skyward glare.

436.4.6 Unified Design Elements.

Through narrative notes on the Concept Plan or Site Plan and illustrative elevation drawings, the applicant shall explain how treatment of the following design elements contribute to a unified appearance that is harmonious internally in terms of scale, materials and color:

- a. Landscaping.
- b. Architecture.
- c. Signage.

436.5 Signs.

436.5.1 Conformity.

Signs shall conform with Section 540 of these regulations for each use on the site. "Lot" as used in Section 540.1.4 shall mean the area leased or otherwise dedicated to a use, which use shall be indicated on the master plan.

436.5.2 Freestanding Site Identity Signs

Each BP District shall be allowed a maximum of two single or double faced freestanding signs for the overall site which identify the project. Such signs shall contain no advertising of uses, products or services available within the site. Said signs shall conform to the requirements for signs contained in Section 540 of these regulations.

436.6 SPECIAL PERMIT Applications.

There are two application procedures for development in the BP District:

- a. A Concept Plan application for the entire BP District without a Special Permit application for specific land uses, and
- b. A Special Permit application for each proposed use within the BP District.

436.6.1 Concept Plan Application

436.6.1.a Purpose.

The Concept Plan is intended to illustrate the general development plan and expected land uses without requiring the detail and expense of the Site Plan required as a part of a Special Permit submittal.

436.6.1.b Exemptions.

The Concept Plan is not required when the Site plan submitted with a Special Permit application includes all proposed uses and development in the entire BP District.

436.6.1.c Procedure.

The following procedure shall apply when an applicant seeks approval only of a Concept Plan.

1. Application.

The applicant shall file an application with the Commission for Concept Plan approval on such form as provided by the Commission and such application shall be governed by the requirements of the Connecticut General statutes for a site plan.

2. Fee.

A fee established by the Killingly Town Council under the terms of The Killingly Code of Ordinances (Chapter 12, Article 5-Land Use Processing Fees) of five hundred (\$500) dollars is required unless the Concept Plan is submitted with a Special Permit application.

3. Minimum Area.

The minimum area covered by the Concept Plan shall be all of the area within the BP District.

4. Elements of Concept Plan.

The concept plan shall be prepared by an engineer, architect, or landscape architect and shall include:

- a. Drawings at a scale of 1" = 100'.
- b. Existing topography with contours of sufficient spacing to show the general gradient of the site, existing structures, existing roads and rights-of-way, major topographic features (including wooded and open areas, ledge or rock outcroppings), inland wetlands, water courses and flood plain.
- c. The land uses and zoning within three hundred (300) feet of the site.
- d. Boundary descriptions of the district and of the parcels within it.
- e. Names of all abutting property owners.
- f. The location of all proposed roadways, parking areas, setbacks, easements, land use areas, reserve areas, open space areas, and access locations from connecting roads and driveways within the site to the existing public road system.
- g. Drainage and storm water management studies.

- h. The site shall be divided into general land use areas. Each area shall be identified as the location for one or more of the specially permitted uses (e.g. Research and Development, General Office, etc.).
- i. Proposed building footprints and location of parking areas.
- j. Letters from the public water company and the Water Pollution Control Authority stating how service is to be provided to the proposed land uses.
- k. A preliminary traffic analysis prepared by a professional traffic engineer may be required by the commission. Said analysis, if required, which shall include estimates of the volumes and types of traffic to be generated by the proposed development and impact of traffic on receiving streets.
- l. Narrative and illustrative elevations of design elements that contribute to a unified development appearance, per section 436.4.6.
- m. A table indicating the following:
 - 1. the areas of the site proposed for each land use;
 - 2. the number of parking spaces and loading areas proposed for each land use;
 - 3. wetland areas, flood plain areas, areas of ledge or rock outcroppings;
 - 4. overall lot coverage; and,
 - 5. building heights.
- n. Limits of phases where development is proposed in more than one phase.
- o. Such other relevant information as the applicant may wish to submit or the Commission may request.

436.6.1.d Required Findings

In approving a Concept Plan, the Commission shall find:

- 1. the application and Concept Plan are complete and meet the requirements of Section 436.6.1.c; placement of incompatible uses adjacent to one another;
- 2. that the proposed location of the land uses on the site avoids placement of incompatible uses adjacent to one another;
- 3. that the transition between the different proposed uses is suitable and that adequate buffering is provided;
- 4. that the proposed land uses and development pattern satisfy the purpose and intent of the regulation as set forth in Section 436.1 and the standards and requirements of Sections 436.2 through 436.5.

436.6.1e Changes to Concept Plan

Changes to an approved Concept plan are required to be approved by the Commission unless the criteria 1-5 of Section 470.1 (Waiver of Site Plan review) are met. Changes meeting the waiver criteria shall be reviewed and approved by the Director of Planning and Development.

436.6.2 BP District Special Permit Application.

A Special Permit application in conformance with Article VII, which includes submission of a Site plan as outlined in Section 470.7, is required for each proposed use. The Special Permit application is also subject to the following requirements:

436.6.2.a Concept Plan.

If no concept plan has been approved for a BP District, and the Site plan does not include proposed development for the entire BP District, a Concept Plan must be submitted with the Special Permit application(s) for a proposed use or uses. The Commission shall act on the Concept plan prior to acting on the Special Permit application(s).

436.6.2.b Traffic Report.

When a Concept Plan has previously been approved and said approval included a Traffic Report, a statement by a professional traffic engineer shall be submitted stating that traffic conditions as described in said approved Concept Plan have not changed or, if they have, in what way.

436.6.2.c Statement of Zoning Conformance.

A tabular statement of zoning conformance with respect to each land use type contained on the Concept Plan.

436.6.2.d Section Requirements and Findings.

In addition to the criteria for Special Permit approval the requirements and findings of this section must be met.

436.6.2.e Changes to Special Permit Site Plan.

Changes to an approved Special Permit Site plan must be approved by the Commission unless criteria 1-5 of Section 470.1 (Waiver of Site Plan Review) are met. Changes meeting the waiver criteria shall be reviewed and approved by the Director of Planning and Development.

Section 450. Dimensional Requirements

Add the following dimensional requirements for the BP District:

Minimum lot size (in square feet) 50,000

Minimum road frontage None

Minimum building setback from any street line100 feet *

Minimum building setback from side and rear lot line.... 50feet**

Minimum building setback from district boundary line.100 feet**

Minimum parking setback from street..... 75 feet***

Minimum parking setback from side and rear lot line..... 25 feet***

* Yards facing an existing or dedicated public street shall not be less than one hundred (100) feet in depth. The first fifty (50) feet from the street line shall be fully landscaped.

* * Setback of one hundred fifty (150) feet including a one hundred (100) foot buffer strip is required where the BP District line abuts residentially zoned or residentially used land. Buildings within the BP District may have zero (0) feet setback from the side and rear lines of adjacent lots within the BP District with the approval of the Planning and Zoning Commission and provided the rear and/or sideline does not constitute a district line.

* * * Setback of one hundred (100) feet including a one hundred (100) foot buffer strip is required where a lot line abuts residentially zoned or residentially used land. Parking areas may have zero (0) feet setback from side and rear lines of adjacent lots within the BP District with the approval of the Planning and Zoning Commission and provided the rear and/or side line does not constitute a district line.

* * * * Office buildings and research and development buildings may have a maximum height of sixty (60) feet or a height sufficient to accommodate four (4) stories in accordance with industry standards, whichever is greater, with the approval of the Planning and Zoning Commission. When a structure exceeds fifty (50) feet in height, all required yards shall be increased by five (5) feet for each additional one (1) foot in building height above fifty (50) feet.

APPROVED: October 29, 2007

EFFECTIVE DATE: 12:01 AM, November 28, 2007