

## Chapter 6 – Commercial and Industrial Zoning Districts

### **600**     **COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS**

#### **600.1**     **PURPOSE**

- C     Commercial Zoning District** – The intent of the Commercial district is to encourage and provide community scale commercial uses to serve the daily needs of Town residents; /for goods and services convenient to the motoring public, while encouraging high quality site design that enhances the Route 2 corridor through North Stonington.
- HC   Highway Commercial Zoning District** – The intent of the Highway Commercial district is to encourage and provide more intensive commercial uses, facilities, and services catering to the needs of the traveling public and residents of North Stonington.
- ED   Economic Development Zoning District** - The intent of the Economic Development district is to encourage commercial and mixed use development that respects the New England character of North Stonington. The Economic Development district is designed to provide flexibility in uses and site design, maximizing development potential while ensuring aesthetically pleasing commercial and mixed use development. This district focuses on Route 2, between I-95 and just north of the rotary and Route 184 between Route 49 and the rotary.
- RC   Resort Commercial Zoning District** – The resort commercial district is a gateway, welcoming people to the historic countryside of North Stonington, that also serves as a transition to and from Foxwoods. The RC district will be a coordinated area of luxury accommodations and amenities that promotes the enjoyment of the area's natural features and harmonizes with the existing residential uses.
- I     Industrial Zoning District** – The intent of the Industrial district is to encourage and provide for industrial development, including research and design.

#### **601**     **DIMENSIONAL REQUIREMENTS (See Chapter 4 for full details)**

**601.1**     **General Application.** The dimensional requirements for lots in the Commercial and Industrial Zoning Districts are summarized in the table below. Further explanations of these requirements are set forth in Chapter 4 of these Regulations.

Zoning District	Minimum						Maximum	
	Lot Area (sf)	Road Frontage (ft)	Buildable Area (sf)	Front Yard Setback (ft)	Side Yard Setback (ft)	Rear Yard Setback (ft)	Impervious coverage (%)	Building Height (ft)
C	40,000	150	N/A	35	20	20	60	35
HC	60,000	200	N/A	35	20	20	60	35
ED	200,000	200	N/A	35	20	20	70	50
RC	200,000	250	N/A	50	25	25	70	50
I	80,000	250	N/A	50	25	35	70	50

## Chapter 6 – Commercial and Industrial Zoning Districts

### **602 PERMITTED AND SPECIAL PERMITTED USES**

The following are permitted and specially permitted uses by zoning district.

<b>602.1 RESIDENTIAL</b>	<b>C</b>	<b>HC</b>	<b>ED</b>	<b>RC</b>	<b>I</b>
Home Occupation* (accessory to existing SFR) (§ 1002.2)	ZP	ZP	ZP	ZP	-
Bed and Breakfast* (§ 1002.6)	-	-	-	SPL	-
Condominiums and Time Share Units	-	-	-	SPL	-
Micro Assisted Living Facility (§ 1013) * <i>(permitted in legally existing single-family or duplex residences only)</i>			SPP	SPP	

<b>602.2 AGRICULTURAL</b>	<b>C</b>	<b>HC</b>	<b>ED</b>	<b>RC</b>	<b>I</b>
Agricultural* (§ 1001)	-	-	SPL	SPP	ZP/SPL
Farm Winery* (§ 1007)	-	-	SPL	SPL	SPL
Farm Winery Restaurant* (§ 1008)	-	-	SPL	SPL	SPL
Commercial Kennel* (§ 1002.3)	-	-	-	SPP	SPP
Specialized Agricultural Building* (§ 1001.6)	-	-	-	-	SPP
Veterinary Hospital* (§ 1020)	SPL	SPL	SPL	-	SPL

<b>602.3 COMMERCIAL</b>	<b>C</b>	<b>HC</b>	<b>ED</b>	<b>RC</b>	<b>I</b>
Commercial and Retail, General	SPL	SPL	SPL	-	-
Commercial Services * (§ 1003)	SPL	SPL	SPL	SPL	SPL
Community/Culture (e.g., bike path, park, botanical garden, gallery)	SPL	SPL	SPL	SPL	SPL
Country Inn* (§ 1004)	SPL	SPL	SPL	SPL	-
Day Care/Nursery School* (§ 1005)	SPL	SPL	SPL	SPL	-
Financial Institution	SPL	SPL	SPL	SPL	SPL
Funeral Home	SPL	SPL	SPL	-	SPL
Hospitality (Restaurants, Hotel, Spa, etc.)	SPL	SPL	SPL	SPL	SPP
Institutional	-	-	SPL	-	-
Medical Facilities	SPL	SPL	SPL	-	SPL
Mixed Use (Residential & Commercial)* (§ 604)	SPL	SPL	SPL	SPL	-
Mixed Use (Commercial and Industrial)* (§ 605)	-	-	SPL	SPL	SPL
Motor Vehicle Dealership	-	SPL	-	-	SPL
Office Facility, General	SPL	SPL	SPL	SPL	SPL
Personal Services	SPL	SPL	SPL	-	-
Planned Business Development* (§ 606)	SPL	SPL	SPL	SPL	SPL
Professional Services	SPL	SPL	SPL	SPL	SPL
Recreational Campground*(§ 1016)	-	-	-	-	SPL
Recreation Facility, Indoor* (§ 1017)	-	SPP	SPP	SPP	SPP
Recreation Facility, Outdoor * (§ 1017)	-	-	-	SPP	-
Recreational Vehicle Park, Luxury * (§ 1018)	-	-	-	SPP	-
Repair Shop (Vehicle/Non-Vehicular)	SPL	SPL	SPL	-	SPL
Self-Storage	-	SPL	-	-	SPL
Transportation Services (e.g., rest stop, gas station, truck terminal)	-	SPP	SPP	-	SPP

## Chapter 6 – Commercial and Industrial Zoning Districts

<b>602.4 INDUSTRIAL</b>	<b>C</b>	<b>HC</b>	<b>ED</b>	<b>RC</b>	<b>I</b>
Excavation (Removal & Filling of Earth Materials)* (§1006)	-	-	-	-	EXP
Film & Television Studios for Production	-	SPP	SPP	SPP	SPL
Warehousing/Distribution	-	SPL	SPL	SPP	SPL
Light Manufacturing and R & D	SPL	SPL	SPL	-	SPL
Heavy Manufacturing	-	-	SPP	-	SPP
Solar Energy System (Utility)* (§ 1021.1)	-	-	-	-	SPL
Special Agriculture (Greenhouses)	-	SPL	SPL	SPL	SPL
Wireless Communications Tower* (§ 1022)	-	-	-	-	SPP
Wind Energy System, Small-scale* (§ 1021.2)	SPL	SPL	SPL	SPL	SPL

<b>602.5 ACCESSORY USES</b> (Unless otherwise specified the following uses are permitted as accessory to Commercial and Industrial Uses listed in §602.3 & §602.4 Only)	<b>C</b>	<b>HC</b>	<b>ED</b>	<b>RC</b>	<b>I</b>
Accessory structures (Permitted for all uses listed in §602)	ZP	ZP	ZP	ZP	ZP
Aircraft Landing Area* (§ 302)	SPP	SPP	SPP	SPP	SPP
Commercial and Retail, General				SPL	
Drive-through Window* (§ 603.2)	SPL	SPL	SPL	SPL	SPL
Heliport* (§ 603.3)	-	-	SPL	SPL	SPL
Personal Services, Accessory* (§ 603.4)	-	-	-	SPP	-
Structured Parking Facility* (§ 603.5)	-	-	SPL	SPL	-
Commercial Caretaker Apartment * (§ 603.1)	ZP	ZP	ZP	ZP	-

<b>602.6 MISC. FACILITIES</b>	<b>C</b>	<b>HC</b>	<b>ED</b>	<b>RC</b>	<b>I</b>
Emergency Services	-	SPL	-	-	SPL
Membership Club (firearms) * (§ 1012)	-	-	-	-	SPP
Membership Club (no firearms)* (§ 1012)	SPL	SPL	SPL	SPL	SPL
Post Office	SPL	SPL	SPL	-	SPL
Municipal Building/Facilities	SPL	SPL	SPL	-	SPL
Public Utility Distribution/Substation* (§ 1015)	-	SPL	SPL	SPL	SPL

<b>ZP = Zoning Permit    SPL = Site Plan    SPP = Special Permit    MPL = Master Plan</b>
<b>EXP = Excavation Permit</b>

\* = Specific use regulations exist in sections indicated.

### **603      COMMERCIAL ACCESSORY USES/STRUCTURES/ACTIVITIES**

**603.1    ACCESSORY APARTMENT, COMMERCIAL CARETAKER.** In C, HC, ED and RC Zoning Districts, one dwelling unit may be permitted as an accessory use, either attached to or detached from the permitted, non-residential principal use.

#### **A. General provisions**

1. Only one accessory Commercial Caretaker apartment shall be allowed on property.
2. The occupant must be employed as an overseer or caretaker (i.e., manager, groundskeeper, or security guard) by the permitted non-residential principal use.

## Chapter 6 – Commercial and Industrial Zoning Districts

3. Accessory structures (e.g., sheds, carports, etc.) to the Commercial Caretaker accessory apartment are prohibited.

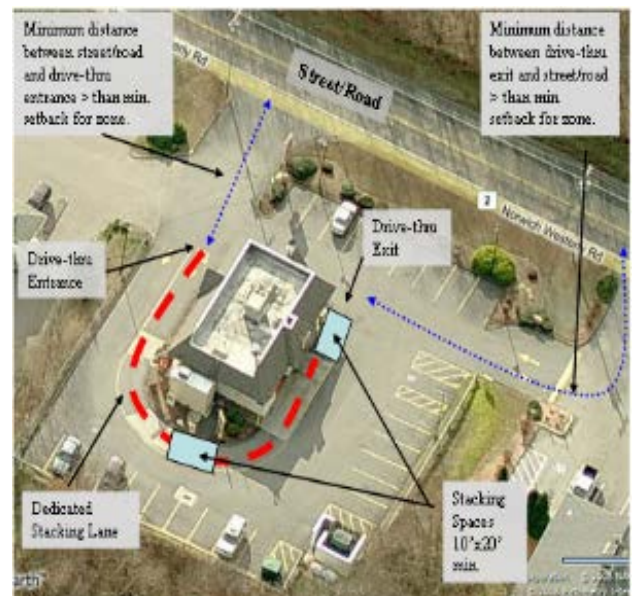
### **B. Design of Commercial Caretaker Accessory Apartment**

1. The minimum principal dwelling section floor area of the Commercial Caretaker accessory apartment shall be no less than 400 square feet and no greater than 900 square feet
2. The external architecture of the accessory apartment shall be consistent with that of the permitted non-residential principal use with which it is associated.
3. Two parking spaces shall be provided for a Commercial Caretaker accessory apartment in addition to those required for the principal non-residential use.

### **603.2 DRIVE-THROUGH WINDOW**

The purpose of this §603.2 is to promote good access management and to protect the rural character of the Town by regulating the location and design of drive-through windows. The requirements for drive-through windows are as follows.

- A. Off-street stacking for waiting automobiles between the drive-through entrance and drive-through windows (“dedicated stacking lane”) shall be provided based on the following ratios:
  1. fast food/drive-through restaurant w/drive-through service window: ten stacking spaces;
  2. drive-through financial institutions/drive-through ATM: eight stacking spaces; four stacking spaces per service window if more than one service window is provided;
  3. pharmacies: four stacking spaces; and
  4. all other drive-through service windows shall have ten stacking spaces.
- B. Stacking provision shall also be made for at least one exiting automobile between the service window and the drive-through exit. Such stacking space shall be no less than 20 feet long and no less than ten feet wide (12 feet



## Chapter 6 – Commercial and Industrial Zoning Districts

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wide if adjacent to building), and shall be designed not to interrupt the smooth flow of traffic within the subject site.

- C. Dedicated stacking lanes shall be provided separately from any other drive aisle.
- D. All stacking lanes shall minimize conflict with pedestrian traffic through the use of pavement markings and signage, and may include internal walkways and speed bumps in stacking lanes.
- E. The minimum distance between the street and the drive-through entrance, and the distance between the drive-through exit and the street line, shall be greater than the minimum setback required for the zone.
- F. No exit or entrance for such facilities shall be within 100 feet of an intersection.

### **603.3 HELIPORT**

- A. Any heliport allowed under § 602 must be (1) a private heliport for non-scheduled periodic landing and takeoff of rotor-craft, (2) accessory and incidental to another permitted use on the lot, and (3) in compliance with all applicable regulations of State and Federal agencies having jurisdiction over aircraft landing and takeoff facilities and use of airspace.
- B. The number of inbound and outbound flights shall be limited to five each per day.

### **603.4 PERSONAL SERVICES, ACCESSORY**

- A. In the RC Zoning District, Personal Services, as defined in these regulations, may only be permitted as accessory to another principal use.

### **603.5 STRUCTURED PARKING FACILITY**

- A. Structured Parking Facilities are not considered to be principal structures or primary uses for any parcel, and must be accessory to permitted commercial uses in the RC and ED Zoning Districts. A structure that is accessory to a single-family or duplex residence is a garage and is not included as structured parking.

## **604 MIXED USE (RESIDENTIAL & COMMERCIAL/INDUSTRIAL USES)**

**604.1 Definition.** A single building containing more than one type of land use, or a single development of more than one mixed-use structure, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas.

**604.2** The mixture of uses shall include residential uses, and any non-residential uses currently allowed in the Zone.

**604.3** No individual building associated with a mixed residential and commercial use shall have residential uses allowed on or beneath the first floor, except that residential storage shall be permitted in a basement.

- A. Commercially Zoned properties with an existing single-family residence as of November 17, 2017 and proposed new commercial construction may maintain the residential use of the entire structure where the commercial activity takes place in a separate building. Note: With the exception of properties within the VPOA, residential

## Chapter 6 – Commercial and Industrial Zoning Districts

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properties that have converted to Mixed-use and may not convert back to Single-family or Duplex residential status.

**604.4** Each residential dwelling unit shall contain its own designated kitchen and bath facilities.

**604.5** The square footage in residential use shall not exceed the square footage of commercial use. The square footage of any basement, cellar, attic, accessory use or accessory building shall not be included in the computation.

**604.6** There is no minimum number of dwelling units.

**604.7** For all new Mixed Use developments, the applicant is encouraged to meet with the Building Official and Fire Marshal to discuss the proposed mixed-occupancy and the required separation of uses and means of fire suppression prior to Commission Approval.

### **605** **MIXED USE (COMMERCIAL AND INDUSTRIAL USES)**

**605.1** **Definition.** A single building containing more than one type of commercial and/or industrial land use, or a single development of more than one mixed-use structure, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas.

**605.2** The mixture of uses may include any commercial and industrial uses currently permitted in the zone. **There shall be no residential use allowed.**

**605.3** For all new Mixed Use developments, the applicant is encouraged to discuss the proposed mixed-occupancy and the required separation of uses and means of fire suppression prior to Commission Approval.

### **606** **PLANNED BUSINESS DEVELOPMENT**

A site that is commonly owned or leased or that has been consolidated according to §1113 and consists of at least five contiguous acres may be developed for more than one use in a project consisting of one or more buildings. The intent is to group compatible activities in a development that is conceived of as a single project for purposes of architectural design, parking, and site access, loading, landscaping, and buffers.

#### **606.1** **Use**

- A. The Site Plan for a Planned Business Development shall show the use of the site and building or buildings. Any change in use shall comply with the provisions of §1203.
- B. Allowable uses in a Planned Business Development shall include only those uses allowed in the underlying zone.

#### **606.2** **Timing and Phasing Projects**

- A. Because of the potential size and complexity of projects developed under this section, additional time may be needed to complete construction. The applicant shall submit a development schedule indicating:
  - 1. approximate date that site preparation will begin;

## Chapter 6 – Commercial and Industrial Zoning Districts

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2. approximate date that construction of the first building will begin; and
  3. approximate date that site work and building construction will be completed.
- B.** If the project is to be constructed in phases, the first phase shall be at least 50 percent of the maximum square footage of the buildings allowable in the total project. A definitive description of the extent of each phase and expected dates of completion shall accompany an application for phased construction.
- C.** Initial construction shall begin within one year of approval. The Commission may extend this period if requested by the applicant, but not for longer than five years after the date of approval.

## **Chapter 6 – Commercial and Industrial Zoning Districts**

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