

- D. Flagpoles.
- E. Lighting.
- F. Irrigation.
- G. Directional signage and pavement marking.

### **§4.3 Industrial Districts**

#### **§4.3.1 Application of Provisions**

The standards, regulations and requirements as set forth in §4.3 shall apply to the use of land, buildings and other structures, and the location and bulk of buildings and other structures in any lands classified as Industrial District 1 (“I-1 District”), Industrial District 2 (“I-2 District”), and Industrial District 3 (“I-3 District”).

An Industrial District shall be established only in an area where such district will:

- A. Have no significant detrimental impact on the environment.
- B. Have the capacity to provide for the onsite handling, disposal and/or storage in a safe, sanitary and harmless manner as prescribed by all applicable State, Federal or local laws, rules or regulations, of sewage, solid or liquid waste, toxic or hazardous substances, or any chemicals or by-products produced, kept, made, generated or used or to be used on the premises. In the event such sewage, solid or liquid waste, toxic or hazardous substances and materials or such chemicals and by-products as aforesaid are not to be handled, stored or disposed of on site, the manner of such handling, disposal and/or storage shall be reported including proof of compliance with all applicable State, Federal and local laws, rules and regulations.
- C. Must meet and continue to meet the performance standards of these Regulations.
- D. Be adequately protected from casualty by fire as may be determined by the Town Fire Marshal, subject to review by the Commission.

#### **§4.3.2 Performance Standards**

The following standards shall be considered minimal and shall apply to all uses of land, buildings and accessory uses on any premises within an I-1 District, I-2 District and I-3 District, and shall apply continuously, and failure to conform to any standard herein listed shall be construed to be a violation of these Regulations and subject to the penalties provided by law:

**A. Noise**

- (1) The control of noise pollution is to protect residential areas surrounding Industrial Districts, as well as to protect adjoining industrial users within an industrial zone, and shall be so construed. During the hours between 7:00 am and 10:00 pm, at no point on a zone boundary between a Residential District and any Industrial District shall the radiating sound level, measured in decibels, from any operation exceed the decibel level in Column A below. During the hours between 7:00 am and 10:00 pm, at no point less than two-hundred-fifty (250) feet from any other zoning district boundary or less than two-hundred-fifty (250) feet from any property line within an Industrial District shall the radiating sound level from any operation exceed the decibel level in Column B below:

Octave Band (cycles per second)	Maximum Permitted Sound Level (decibels)	
	Column A	Column B
<b>0 – 75</b>	68	74
<b>75 – 150</b>	55	62
<b>150 – 300</b>	48	56
<b>300 – 600</b>	44	51
<b>600 - 1,200</b>	40	45
<b>1,200 - 2,400</b>	36	40
<b>2,400 - 4,800</b>	32	36
<b>Over 4,800</b>	30	33

- (2) In the event of any conflict during tests for noise level between Columns A and B, Column A shall have precedence.
- (3) The above sound levels in both columns shall be reduced by five decibels for night operation between the hours of 10:00 pm and 7:00 am and for noise of impulsive character, such as hammering, or periodic in character, such as hum, screech or continuous tones. Sound levels shall be measured with a sound-level or decibel meter and associated octave band analyzer than conforms to current American Standards Association specifications.

**B. Vibration**

At no point on the boundary of any bordering residential zone shall any vibration exceed two-ten-thousandths (0.0002) inches to a frequency of fifteen (15) cycles per second or less when measured by a seismograph of accepted standard manufacture.

**C. Air Pollution**

No dust, smoke or fumes shall be emitted from any operation so as to be noticeable or evident or be in violation of Federal, State and local pollution regulations.

**D. Glare and Heat**

Glare and heat from lighting or any process or operation shall not be seen or felt at the boundary of a bordering residential zone.

**E. Hazardous Wastes / Materials**

No hazardous wastes/materials shall be stored, used or generated except in accordance with all applicable State, Federal and local laws, rules and regulations. All applications for uses hereunder shall include a written statement detailing and identifying all hazardous wastes/materials to be used, stored or generated on the premises including the manner of onsite and/or offsite disposal, handling and/or storage and including proof of compliance with all applicable State, Federal and local laws, rules and regulations. Said statement shall additionally include an estimate of the quantity of each toxic or hazardous material/waste, and approximately where on the applicant's or operator's property the material/waste will be located. A copy of said statement shall be transmitted by the Commission to the Monroe Police Department, the Fire Marshal, and the Fire Department Chiefs. Such materials/wastes to be identified shall be those defined in the Environmental Protection Agency Hazardous Waste Regulations published in the May 19, 1980, Federal Register (Part 261) as amended from time to time. All storage containers for any toxic or hazardous materials/wastes shall conform to specifications of the Federal Department of Transportation and Environmental Protection Agency, and shall each contain a warning label naming the contents and those that are hazardous/ toxic.

**F. Explosion, Fire or Radiation Hazards**

At any point in the zone, any exposure to explosion, fire or radiation hazards shall be safeguarded by all means available, and such safeguards shall be subject to the approval of the State and local Fire Marshals or appropriate authority. No operation in this zone shall be the cause of radio or television interference.

**§4.3.3 Principal Permitted Uses**

The following uses are permitted as principal uses in all Industrial Districts (I-1, I-2 and I-3) subject to Site Plan review and approval by the Commission:

- A.** General and professional offices.
- B.** Manufacturing plants for processing and distribution of food products, bottling or packaging of beverages, pharmaceuticals, personal care items and similar products.
- C.** Research and development laboratories.
- D.** Commercial bulk storage completely contained within a building; and warehousing, storage and wholesale distribution of raw materials, work in process, finished products, building materials and supplies, subject to the following provisions:
  - (1) Materials must be stored within a building or structure.

- (2) In Industrial Districts an area equal up to twenty percent (20%) of the first floor square footage is permitted for outside storage in an area approved by the Commission.
- (3) In the case of outside storage, all material shall be covered and screened from the street and adjoining properties subject to the landscaping provisions provided in Article 7 of these Regulations. Outside storage areas shall be designated on the Site Plan.
- (4) In no case shall this section be construed to permit the use of structures or premises for the purpose of rental or sale of area for storage of goods, possessions or similar not associated with a principal permitted or Special Exception Permit use in any Industrial District.

**§4.3.4 Special Exception Uses Allowed in All Industrial Districts**

The following uses are permitted by a Special Exception Permit in all Industrial Districts according to the procedures and standards as set forth in Article 8 of these Regulations.

- A. Assembly of electrical appliances, instruments, products and devices, including the manufacture of parts.
- B. Manufacture and storage of chemical products or plastics but specifically excluding the production or processing of explosives or the manufacture of sulfuric, sulfurous, nitric, or hydrochloric acids, pesticides and herbicides, or the bulk manufacture of chemicals
- C. Manufacture, compounding, assembling and treatment of articles made principally from previously prepared materials.
- D. Indoor and outdoor recreation facilities.
- E. Medical and dental offices.
- F. Wholesale and outside storage or growing of nursery products, such as trees, shrubs, and accessory products on parcels of ten (10) acres or larger in size, in accordance with all applicable local, State and Federal laws. The parcel shall be suitably screened from the street and adjacent properties consistent with landscaping and screening requirements provided in Article 6 of these Regulations.
- G. Outside storage of raw materials, work in process, finished products, machinery, waste materials or other equipment or materials, including trucks used on the premises. Such storage is subject to the specific standards contained in Article 8 of these Regulations and must be in an area completely screened from the road and adjacent lots or zones (except for access driveways) by shrubs and/or trees so that within five (5) years there will exist a twelve (12) foot high foliage screen.

**§4.3.5 Special Exception Uses Allowed Only in an Industrial 1 District**

The following uses are permitted by a Special Exception Permit only in an Industrial 1 District according to the procedures and standards as set forth in Article 8 of these Regulations.

- A. Storage of building materials or construction equipment

**§4.3.6 Special Exception Uses Allowed Only in an Industrial 2 District**

The following uses are permitted by a Special Exception Permit only in an Industrial 2 District according to the procedures and standards as set forth in Article 8 of these Regulations.

- A. Commercial vehicle or school bus parking facility.
- B. Commercial self-storage structures for rental of space.
- C. Firewood processing facility.

**§4.3.7 Special Exception Uses Allowed Only in an Industrial 3 District**

The following uses are permitted by a Special Exception Permit only in an I-3 District according to the procedures and standards as set forth in Article 8 of these Regulations.

- A. The following Special Exception Permit uses are allowed in the I-3 District subject to the supplemental standards specified in §4.3.7(B):
  - (1) Retail.
  - (2) Theaters.
  - (3) Automotive installation services.
  - (4) Health clubs.
  - (5) Restaurants.
- B. All of the above uses are subject to the following specific conditions:
  - (1) Any development proposal pursuant shall provide a minimum of one-hundred-thousand (100,000) gross square feet of retail store and services use and no single building will exceed fifty-thousand (50,000) gross square feet unless such building is set back at least one-thousand (1,000) feet from Route 25, in which case such fifty-thousand (50,000) gross square feet size limitation shall not apply.
  - (2) The minimum lot size shall be twenty (20) acres; however, no lot shall exceed eighty (80) acres. The lot shall be in existence as a single lot at the time of application for approval of a permitted use. The purpose of this requirement is to ensure an integrated development.

- (3) The lot shall have at minimum seventy-five (75) feet of frontage on Connecticut State Highway Route 25 or on a private commercial street servicing a Business or Industrial District, and be located within six-thousand-five-hundred (6,500) feet of a limited access highway.
- (4) The development may contain one or more buildings.
- (5) Building height shall not exceed thirty-five (35) feet excluding parapets and decorative facades.
- (6) The buildings shall be set back a minimum of three-hundred (300) feet from a State Highway. All other setbacks, buffers, landscape requirements and other relevant provisions of these Regulations shall apply. The proposal must demonstrate that parking requirements have been met for the outdoor merchandise display areas.
- (7) There shall be a maximum of twenty-five percent (25%) of building coverage.
- (8) At least twenty percent (20%) of the site shall be landscaped and/or preserved as open space.
- (9) There shall be no unscreened outside storage areas. Screening shall include a minimum of a six foot high solid wall of brick, split face block or decorative fencing. The forgoing shall not apply to the outdoor display of garden or nursery merchandise for retail sale. However, all outdoor display of garden or nursery merchandise for retail sale must be contained within specific areas to be approved by the Commission and must be marked and controlled via permanent signage, bollards, fencing segments, landscaping, or other means to achieve obvious, safe, and aesthetically pleasing sectioned off areas.
- (10) An area for a maintenance facility shall be designated on the Site Plan and suitably screened from adjacent properties and entrance roads.
- (11) Any roof top or cooling units shall be suitably screened and buffered from adjacent properties for purposes of noise reduction.
- (12) Drive-up windows shall be limited to banks and pharmacies.
- (13) Lighting shall be provided in the parking area, access driveways and roads and on the buildings of the development subject to the following:
  - (a) Lighting shall minimize upward and outward illumination, reduce glare and illumination of adjacent properties.
  - (b) All lighting fixtures including, but not limited to, parking areas, access driveways and roads, shall be "cut-off type" that does not allow any light dispersion or direct glare to shine above a ninety (90) degree horizontal plane from the base.
  - (c) Flood lights are prohibited.

- (d) Maximum height of parking lot lighting and security fixtures shall not exceed 24 feet. Other lighting fixtures shall not exceed the top of the parapet or the facade.
  - (e) All lights shall be turned off at the close of business with the exception of security lights.
  - (f) All lighting shall be projected downward, uplighting of buildings and signs shall not be permitted.
  - (g) Any property adjacent to a residential zone shall provide that no direct unshielded light source be visible at the property line.
  - (h) Exemptions: Traditional seasonal lighting and temporary lighting used by police, fire department or emergency services are exempt from the above lighting provisions.
- (14) It is recommended that site design incorporate green site development and building construction standards similar to those established by the United States Green Building Council, as appropriate for the site.

**C. The following uses are specifically prohibited in an I-3 District:**

- (1) Gasoline service stations, service and repair garages, and automotive, boat, recreational vehicle, truck, and similar sales. Public display of any vehicle for sale is prohibited. "Boat" shall not include non-motorized boats up to sixteen (16) feet in length (e.g., canoes and kayaks).
- (2) Arcades (amusement centers with coin or token-operated games or any type of electronic payment for operation of games) as a principal use.
- (3) Adult-oriented businesses (including, but not limited to, adult bookstores, adult theaters, and massage parlors).
- (4) Mini-warehouses or self-storage facilities.
- (5) Nightclubs, taverns, social clubs, and similar uses where the primary purpose of the business is the serving of alcoholic beverages.
- (6) "Fast food" restaurants, where the majority of meals are not served by waitpersons to patrons at tables. Fast food restaurants are allowed only as part of a larger complex such as a food court in a shopping center.
- (7) Stand-alone "convenience" stores: quick-stop, high-turnover mini-markets.
- (8) Tattoo establishments.
- (9) Firearms sales, except as a minor accessory use, not to exceed five percent (5%) of the gross floor area.
- (10) On-site dry cleaning.

**§4.3.8 Accessory Uses**

Accessory uses, buildings or structures customarily incidental to a principal use are allowed in all Industrial Districts, including:

- A.** The following as accessory to a primary recreational use:
  - (1) A country club or clubhouse facility.
  - (2) Maintenance, storage and/or utility buildings and garages.
  - (3) A restaurant located within a clubhouse.
- B.** Recreational facilities for employees, which may not be located in front yards or any yard abutting a residential zone.
- C.** Child Day Care Center in conjunction with a general or professional office use.
- D.** Retail.
- E.** Restaurants.
- F.** Outdoor storage of materials related to industrial uses.
  - (1) All materials to be stored outdoors shall be directly related to the principal use on the site.
  - (2) Outdoor storage must comply with the bulk requirements of the underlying zoning.
  - (3) The outdoor storage area shall not exceed twenty percent (20%) of the gross floor area of the principal building, except as may otherwise be permitted by these Regulations.
  - (4) Outdoor storage shall not interfere with site access or on-site circulation of vehicles.
  - (5) Materials must be stored in an orderly fashion and properly secured.
  - (6) Outdoor storage areas must be screened from adjoining properties and must conform to landscaping and screening requirements of these Regulations.
  - (7) The limit or area of approved outdoor storage shall be physically delineated, controlled and contained by buildings, structures, fencing, landscaping or a combination thereof.

**§4.3.9 Site Appearance Requirements**

- A.** General Requirements
  - (1) All business, servicing, or processing, shall be conducted within completely enclosed buildings, with the following exceptions:



- (a) Off-street parking/loading.
  - (b) Seasonal outdoor dining.
  - (c) Display of garden or nursery merchandise for retail sale.
- (2) Areas reserved for open space or set aside to meet impervious coverage requirements shall be distributed throughout the site in such manner that the land is visible (from public streets) and/or useable (e.g., for pedestrian circulation, outdoor entertainment and cultural events, seasonal ice skating rink, bandshell, gazebo, or arts/crafts shows).
  - (3) All loading docks and receiving areas shall be designed as an integral part of the building, and shall be suitably screened from public street or residential zones.
  - (4) All dumpsters shall be placed on a concrete pad, contained within a gated enclosure and suitably screened with trees, shrubs, fencing, or by other appropriate means.
  - (5) Satellite dishes shall be screened so they are not visible from public streets or adjacent residential zoned properties.
  - (6) Outdoor audio and visual displays are prohibited.

**B. Facades and Exterior Walls**

- (1) Building facades must include a repeating pattern of at least two (2) of the elements listed below or of other architectural features. At least one (1) of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty (30) feet.
  - (a) Color change.
  - (b) Texture change.
  - (c) Material module change.
  - (d) Expression of architectural or structural bay through a change in plane no less than twelve (12) inches in width, such as an offset or reveal.
- (2) Materials and Colors:
  - (a) Predominant exterior building materials shall be high quality materials. These include, without limitation:
    - (i) Brick.
    - (ii) Wood.
    - (iii) Sandstone.
    - (iv) Other native stone.

(v) Textured concrete masonry units or clapboard type boards.

(vi) Glass.

(b) Façade colors shall be low reflectance, subtle, neutral or earth tone colors. The use of high intensity colors or fluorescent colors is prohibited.

(c) Neon tubing or similar lighting shall not be allowed.

(3) Shopping Cart Management

Any retail business that uses shopping carts outside of the building shall have a cart management plan. The management plan must specify the retail operation's cart management program, which may include cart corrals, to prevent accumulation of carts in the parking lot. Shopping carts shall not be stored outside overnight.

(4) Outdoor Storage, Trash Collection, and Loading Areas:

(a) Areas for truck parking, trash collection or compaction, loading docks/doors, or other such uses shall not be visible from abutting streets or adjacent residential zoned properties.

(b) No part of a loading dock zone or space shall be located within one-hundred (100) feet of a residential zone boundary.

(c) Loading docks, truck parking, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent residential zoned properties, public streets, pedestrian ways and public sidewalks.

(5) Signage

Additional signs for identification of individual buildings, and for warning and traffic control measures, may be allowed or required, but must not conflict with required sight lines. All signs shall be located on the site development plan, and shall be described as to area, dimensions, height, materials and purpose. Such signage shall not be computed for maximum signage requirements established in these Regulations.

(6) Streets, Driveways and Off-Street Parking

(a) Parking spaces shall meet the minimum design standards of these Regulations.

(b) Aisles or driveways shall be a minimum of twenty-four (24) feet wide, except that lesser widths may be approved where parking spaces are angled and driveways are one-way.

- (c) All parking lot areas, driveways, and roadways shall be paved with bituminous concrete, concrete, or other suitable surface material as determined by the Commission.
- (d) Final pavement for parking spaces and driveways that are to serve a particular building shall be in place prior to issuance of the first Certificate of Occupancy for that building.

**§4.3.10 Lot Area and Bulk Requirements for All Industrial Districts**

- A. No lot shall be used and no building shall be constructed or altered for use except in conformance with the minimum standards set forth below in the Schedule of Area and Bulk Requirements. Side yard setback requirements may be reduced at the discretion of the Commission in order to encourage clustering of industrial buildings where shared parking can be achieved for complimentary uses in accordance with provisions for shared parking provided in Article 6 of these Regulations. Site landscaping and screening shall be provided in accordance with the landscaping and screening provisions of Article 6 of these Regulations.

**Schedule of Area and Bulk Requirements**

Lot Requirements	I-1	I-2	I-3
Minimum lot area	1 acre	3 acres	10 acres
Minimum lot frontage			
public road - undeveloped site	100 feet	100 feet	100 feet
individual lots - public road	120 feet	200 feet	200 feet
private commercial street	120 feet	200 feet	200 feet
Minimum square*	110 feet	150 feet	350 feet
Minimum front yard	50 feet	50 feet	150 feet
Minimum front yard			
private commercial street	25 feet	50 feet	50 feet
Minimum yard			
For buildings at residential zone boundary	50 feet	100 feet	100 feet
Driveway access easement / right-of-way	25 feet	25 feet	25 feet
Rear and side	25 feet	25 feet	50 feet
Maximum height	3 stories/40 feet	3 stories/40 feet	3 stories/40 feet
Building coverage	25%	25%	25%

\*Note: Each lot shall be of such shape that the applicable square can be placed entirely within the lot lines, with one (1) side parallel to the street lot line.

- B. Frontages for individual lots along an internal road in an industrial park development in an I-2 District and an I-3 District may be reduced by the Planning and Zoning Commission, upon written request with documented justification by an applicant, by an amount not to exceed twenty percent (20%) when deemed to be in the interest of the town and overall design. When considering such a request, the Commission shall take into account limitations imposed by topographic or geologic conditions, size and shape of property, effect upon integrity of overall design and impact upon future maintenance requirements of the town.

**§4.3.11 Parking and Loading**

Parking and loading areas shall be provided off the public streets for all vehicles using the premises and shall contain not less than the minimum space requirements set forth in Article 6 of these Regulations.

- A.** No parking areas or internal driveways shall be located no less than fifty (50) feet from a public street, no less than twenty-five (25) feet from a property line, and no less than fifty (50) feet from any Residential District boundary in an I-1 District, nor less than one-hundred (100) feet from a Residential District boundary in an I-2 District and an I-3 District, except for the purpose of providing a driveway(s) or access aisle(s) to an adjacent property to allow for vehicular access and circulation between adjacent parcels. Internal driveways giving access to the street may cross required buffers only in the case where residential zone lines follow the centerline of the street or parallel the centerline of the street at the streetline.
- B.** Upon written request with documented justification by an applicant, including submission of an alternate landscape buffer plan, the Commission may allow surface parking areas or internal driveways to extend up to, but not more than fifty (50) feet into the required I-3 District buffer area. If the Commission determines that the alternate landscape buffer plan, above, exceeds the landscape buffer requirements provided in Article 6 of these Regulations and provides adequate protection to an adjoining residential zone, the requirements provided in Article 6 may be waived.
- C.** Adequate loading docks and loading space shall be provided to serve the uses of a building and shall be so separated from parking areas to the extent that maneuvering trucks will not cause hazards or inhibit the free and safe movement of passenger vehicles. In no case shall a loading area or access to a dumpster enclosure obstruct access to and from designated parking spaces.

**§4.3.12 Utilities and Improvements**

All site and public improvements, including water supply, sewage disposal, roads and drainage, shall conform to local and State regulations as applicable.

- A.** Complete plans, profiles, engineering drawings and data on improvements, including parking areas on private property, shall conform to recognized standards and the best modern practice and shall be subject to the acceptance by the Town Planner and Town Engineer.
- B.** Foundation and roof drains shall be connected to retention and/or detention facilities and/or appropriate storm water quality facilities, where appropriate.

**§4.3.13 Signs**

Signs in all Industrial Districts shall conform to and be limited by the provisions of Article 6 of these Regulations.