

ARTICLE 8 SPECIAL EXCEPTION PERMITS

§8.1 Special Exception Permit Procedures

§8.1.1 Purpose

- A. The purpose of requiring a Special Exception Permit is to review proposed new or amendment development plans of an applicant to assure that they meet the stated objectives and standards of the Monroe Plan of Conservation and Development, these Regulations, and provide for necessary public facilities or services, preserve community character, topographic and vegetative features, protect historical and archeological factors, and are compatible with adjacent properties and land uses not requiring a Special Exception Permit, through appropriate design considerations and siting of buildings, structures, uses, access, parking, landscaping and other site development features.
- B. In all cases where these Regulations require approval of a Special Exception Permit or an amendment thereto, no Zoning Permit, Certificate of Zoning Compliance or Building Permit shall be authorized or issued, until approval of the required Special Exception Permit has been obtained from the Commission authorizing such administrative permits and approvals. All such administrative permits and approvals shall be consistent with and in accordance with such Commission approval.
- C. Notwithstanding the above, a Special Exception Permit shall not be required for interior renovations or modifications of space within a structure previously approved by the Commission for use by a particular Special Exception Permit use under these Regulations, provided that there is no change in the approved special exception use; there are no exterior alterations to the structure or the site; and there are no additional requirements for off-street parking, loading, sanitary sewage disposal, water supply or other features involving physical alteration, upgrading or alteration of buildings, structures, the site and utility systems serving same. Such renovations or modifications shall require a Zoning Permit.

§8.1.2 Construal of Special Exception Uses

The special exception uses for which conformance to additional standards is required by these Regulations shall be deemed to be permitted uses in their respective districts, subject to the satisfaction of all requirements and standards prescribed by this Article and the granting of a Special Exception Permit by the Commission for such uses.

§8.1.3 Application Requirements

- A.** Applications for a Special Exception Permit shall be in a form prescribed by the Commission together with a fee in accordance with Article 9 of these Regulations and other application materials as required in these Regulations. The application shall be signed by the applicant, and if the project is proposed by an applicant other than the owner of the property, the application shall also be signed by the owner or accompanied by a notarized letter authorizing the applicant and application as proposed.
- B.** For a Special Exception Permit application involving an activity regulated pursuant to Connecticut General Statutes §22a-36 to §22a-45, inclusive, the applicant shall submit an application for a permit to the Inland Wetlands Commission no later than the day such application is filed with the Commission. The applicant shall provide documentation of said filing. The Commission shall not render a decision on the application until the Inland Wetlands Commission has submitted to it a report in accordance with the standards of the Connecticut General Statutes, as amended, which report shall be given due consideration by the Commission in making its decision.
- C.** For a Special Exception Permit application involving lands within a public watershed area, the applicant shall submit notice to the public water authority and State Commissioner of Public Health in accordance with the standards set forth in Connecticut General Statutes §8-3i, as amended, no later than seven (7) days from the date such application is filed with the Commission. The applicant shall provide documentation of said noticing.
- D.** An application for a Special Exception Permit shall be accompanied by the following additional supporting materials, in a quantity as determined by the Planning and Zoning Department:

 - (1) Special Exception Permit Site Plans. All plans shall be consistent with the requirements for Site Plan as set forth in Article 7 of these Regulations.
 - (2) Project narrative. A project narrative shall be provided describing the existing and proposed site conditions and uses, including details describing how each of the Special Exception Permit general standards and supplemental standards of these Regulations will be complied with by the proposed action. The project narrative shall also detail the proposed action's consistency with the Monroe Plan of Conservation and Development. The applicant shall bear the burden of demonstrating that any applicable Special Exception Permit standards in these Regulations are addressed. Project specific analyses and reports prepared by qualified professionals may be required, the scope of which shall be subject to prior Commission review and acceptance.
 - (3) Agency Approvals. The applicant shall provide a list of all local, regional, State and Federal agency or department permits and approvals required to implement the proposed action, as well as any applicable requirements thereof affecting the design, site layout, construction or other aspect of the proposed action. The securing of such agency approvals may be required as a prerequisite to Commission endorsement of any final plans for an approved Special Exception Permit application.
 - (4) The Commission may require the submission of additional information as deemed necessary to make a reasonable review of the application.

(5) The applicant shall also submit application documents in an electronic format in accordance with Planning and Zoning Department requirements and specifications.

E. An incomplete Special Exception Permit application may be deemed as reason for denial of said application.

§8.1.4 Public Hearing and Notification

A. A public hearing shall be required for a Special Exception Permit. Such hearing shall commence within sixty-five (65) days from receipt of a complete application and shall be completed within thirty-five (35) days after such hearing commences, except as otherwise may be required or permitted in accordance with the Connecticut General Statutes, as amended. An applicant may also agree to an extension of one or more of these time periods not to exceed a cumulative maximum of an additional sixty-five (65) days. All decisions shall be rendered not later than sixty-five (65) days after the close of the public hearing.

B. Notice of the public hearing shall be published in a newspaper having a general circulation in the Town of Monroe at least twice, at intervals of not less than two (2) days, the first not more than fifteen (15) days or less than ten (10) days and the last not less than two (2) days before the date set for the public hearing.

C. An applicant shall send a copy of the notice of public hearing, as provided by the Planning and Zoning Department, to all property owners within one-hundred (100) feet. Such notice shall be sent by certified mail, return receipt requested not later than ten (10) days before the public hearing to be held in relation thereto. A copy of the associated Certified Mail Receipts shall be provided to the Planning and Zoning Department prior to or at the commencement of the public hearing.

§8.1.5 Determination of Commission

A. Following the required public hearing, the Commission shall approve, disapprove, or approve with modifications the proposed Special Exception Permit application.

B. The Commission shall not approve any application for Special Exception Permit for any property on which there exists a zoning violation, unless such Special Exception Permit application will remedy such violation.

C. In approving a Special Exception Permit, the Commission shall determine:

(1) That the application, including all accompanying site plans and associated site development information, data and application documentation, is in conformance with the applicable provisions of these Regulations.

(2) That the proposed use will be in harmony with the purposes and intent of these Regulations, and will function and exist in harmony with the surrounding area and adjacent land uses.

(3) That the proposed use will not adversely affect the health, safety, convenience and property values of the public in general and of the residents of the neighborhood in particular.

- (4) That the general standards and supplemental standards for specific uses enumerated in §8.2 of these Regulations, as applicable, are satisfactorily met.
- D.** Approval of a Special Exception Permit shall be applicable only for the use so specified in the application. Any proposed change in use to a different use or a different Special Exception Permit use shall require submission for approval of a new application subject to all of the requirements and procedures specified herein. A Special Exception Permit may also be amended or modified in a like manner, except that an amendment or modification found to be of a minor nature or which does not materially alter the Special Exception Permit, as determined by the Commission, may be authorized with Commission review and approval only without the need for a public hearing.
- E.** Due to the variety and peculiarities of each Special Exception Permit use, the Commission may impose conditions and restrictions to any such use which in its judgment are required to protect adjacent uses and the neighborhood in general including a limitation on hours of operation. The Commission may stipulate such modifications and/or conditions as are reasonable and necessary to protect or promote: public health, safety or welfare; property values; the environment; sound planning and zoning principles; improved land use, site planning and land development; or to achieve a better overall neighborhood compatibility.
- F.** When the Commission approves a Special Exception Permit with modifications and/or conditions, each and all of said modifications and/or conditions shall be an integral part of the Commission's decision. Any modification, condition or safeguard attached to the approval of a Special Exception Permit shall remain with the property as long as the Special Exception Permit use is still in operation, and shall continue in force and effect regardless of any change in ownership of the property. Should any of the modifications and/or conditions on appeal from such decision be found to be void or of no legal effect, then the conditional approval is likewise void. An applicant may reapply with another application for review.
- G.** A notice of decision shall be completed in accordance with the requirements set forth in the Connecticut General Statutes, as amended.
- H.** As a condition of all Special Exception Permits, right of entry for inspection with reasonable notice shall be provided for to determine compliance with the conditions of said permit.

§8.1.6 Endorsement of Approved Final Plans

- A.** An approved Special Exception Permit shall become effective upon the endorsement of final plans and the filing of a copy thereof in the Monroe Land Records.
- B.** Following approval of an application for Special Exception Permit by the Commission, the applicant shall submit final plans in accordance with said approval for endorsement by the Commission Chair. The applicant shall also be required to record an original copy of Special

Exception Permit approval document in the Monroe Land Records, which copy shall be provided by the Planning and Zoning Department in accordance with the Commission's approval of the Special Exception Permit.

- C. Commission approval of an application shall expire unless any and all requirements and conditions of approval have been met and final plans have been submitted for signature by the Commission Chair within one-hundred-eighty (180) days of the date of adoption of the Commission's Resolution of approval.
- D. A request for an extension of time to obtain endorsement of final plans shall be made in writing to the Commission a minimum of forty-five (45) days prior to the expiration of said approval. The Commission may grant one (1) or more extensions not to exceed an additional ninety (90) days or less each, provided there are unusual or extenuating circumstances that warrant such extension.

§8.1.7 Expiration; Time to Complete Project Improvements

- A. Failure to strictly adhere to terms, conditions, modifications, safeguards, documents and final plans as approved by the Commission shall be a violation of these Regulations subject to the revoking of an approved Special Exception Permit.
- B. Construction and consideration of a Certificate of Zoning Compliance or Certificate of Occupancy/Completion associated with a Special Exception Permit shall follow the same procedures and standards as set forth in §7.4.2 of these Regulations.
- C. Failure to complete all work within the period of approval, including any extension as may be granted, if any, shall result in an automatic expiration of the approval of a Special Exception Permit. An expired Special Exception Permit for any reason shall be considered null and void.
- D. The approval of any Special Exception Permit shall expire unless all approved improvements associated with such Special Exception Permit have been completed within five (5) years of the date of such approval, as evidenced by the issuance of a permanent Certificate of Zoning Compliance and Certificate of Occupancy/Completion.

§8.1.8 Extension to Complete Project Improvements

- A. The Commission may grant one or more extensions of the time to complete all or part of the work in connection with an approved Special Exception Permit, provided the specific circumstances thereof warrant an extension and provided that the total time for completion shall not exceed ten (10) years from the original date of such approval.
- B. Any request for an extension shall be submitted to the Commission in writing in a timely manner prior to the date of expiration (recommended forty-five (45) days in advance of expiration) in order to provide the Commission sufficient time to review and act at a regularly scheduled

meeting. Such request shall state the reasons and circumstances for the requested extension. In considering any such request, the Commission may require a public hearing.

- C. The Commission may condition the approval of an extension on, among other things, a determination of the adequacy of the amount of the bond or other surety furnished in accordance with these Regulations.

§8.2 Standards for Special Exception Permit Uses

§8.2.1 Construal of Standards

All Special Exception Permit uses are declared to possess characteristics of such unique and distinct form that each specific use shall be considered an individual case which shall be required to meet, in addition to all other applicable requirements of these Regulations, the general standards specified in §8.2.2 of these Regulations and any supplemental standards for such specific use specified in §8.2.3 of these Regulations, which standards collectively shall be the minimum conditions for approval of such use.

§8.2.2 General Standards

Prior to approving a Special Exception Permit, the Planning Board shall determine the conformity of such Special Exception Permit use and the proposed development thereof with the applicable conditions and standards as set forth in these Regulations. The general standards for Special Exception Permit approval are as follows:

- A. That the location and size of the use, the nature and intensity of the operations and traffic involved in or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to the type, arrangement and capacity of streets giving access to it and the hours of operation are such that the proposed use will be in harmony with the appropriate and orderly development of the district in which it is located.
- B. The proposed use is consistent with the Plan of Conservation and Development.
- C. That the location, nature and height of buildings and the nature and extent of the landscaping and screening on the site, as existing or proposed, are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.
- D. That the operations of the proposed use will not be objectionable by reason of noise, fumes, smoke, dust, vibration, glare, intensity or flashing of lights.
- E. That safe, sanitary sewage disposal will be provided by means of a public sewer line, treatment plant or subsurface sewage disposal system subject to approval by state and/or local authorities.
- F. That the parking areas to be provided will be of adequate capacity for the particular use, properly located and suitably screened from adjoining residential uses and abutting properties; and that the entrance and exit drives shall be laid out so as to achieve maximum safety and acceptable level of service.

- G. That the comments and recommendations of town staff and consultants, as well as other involved commissions, boards, committees and agencies have been duly considered.
- H. That, where applicable, verification of all approvals of other governmental agencies, commissions or boards have been secured by the applicant, as evidenced by certification by such agencies, commissions or boards.
- I. That the proposed use will not require such additional public facilities or services or create such fiscal burdens upon the Town greater than those which characterize uses which do not require a Special Exception Permit.

§8.2.3 Supplemental Standards

A Special Exception Permit use shall conform to the individual supplemental standards and requirements below, where applicable, in addition to the general standards set forth above and all other regulations for the zoning district in which the Special Exception Permit use is located. In all cases, whichever regulations are more restrictive shall apply.

A. Group Residences for More than Six (6) Persons, pursuant to State of Connecticut General Statutes, Chapter 124, Section 8-3e, and Safe Homes Licensed by the State of Connecticut

- (1) No such community residence or child-care residential facility shall be established within one-thousand (1,000) feet of any other such community residence or child-care residential facility without Zoning Board of Appeals approval.
- (2) All off-street parking shall be to the rear of the principal residence building or in garages.
- (3) All refuse containment shall be screened with durable decorative fencing and landscaping.
- (4) No exterior storage dissimilar to that of a single-family residence shall be permitted.
- (5) The architectural style, bulk and roof design shall be compatible and consistent with single-family residential development and the single-family residences in the surrounding neighborhood.
- (6) Screening, buffers and site landscaping shall be provided as deemed appropriate and acceptable to the Commission.

B. Riding Academy, Barns and Stables for Boarding as a Business Use

- (1) Shall be located on a lot of at least five (5) acres in area.

- (2) Any barn, stable or other building or structure used for such riding academy or the boarding and stabling of horses shall be located not less than one-hundred (100) feet from any property or street line.
- (3) No more than two (2) horses shall be allowed for every one (1) acre of land.
- (4) An animal waste management area shall be provided. Such area shall be setback at least one-hundred (100) feet from any property line and one-hundred (100) feet from any wetland, stream or water body. Said area shall be designed to provide the following minimum measures: a permanent impervious and structurally sound foundation pad; screening and buffering from adjoining properties consisting of a combination of fencing and landscaping; odor abatement measures; and adequate control of stormwater runoff.
- (5) Appropriate measures and vector controls shall be provided and detailed.
- (6) Adequate site landscaping, as well as screening and buffering of adjacent properties shall be provided as determined appropriate and acceptable to the Commission.
- (7) Off-street parking shall be provided in quantity and location which adequately and safely accommodates the parking needs of the type and intensity of site operations, including parking and storage of horse trailers. Adequate vehicle turnaround and emergency access shall be provided. All parking and loading shall be onsite. The Commission may permit non-paved parking areas provided adequate provisions for maintenance and stormwater management are provided. For pervious parking areas, adequate provision of the demarcation of parking spaces shall be provided. Handicap accessible parking shall be paved and include required signage and adequate access.
- (8) Truck deliveries or pickups of supplies or products associated with the site use operations, as well as hours of operation for patron visitation, may be restricted by the Commission.
- (9) Exterior lighting shall be provided in accordance with the standards for lighting in these Regulations and shall be consistent in type, intensity and style with traditional farm and single-family development.

C. Home-based Businesses

- (1) There shall be no more than two nonresident persons or employees engaged in the conduct of the business on the premises.
- (2) No outside storage of goods, supplies or materials shall be allowed. No dumpsters shall be permitted.

- (3) The floor area for the conduct of the occupation shall not exceed thirty percent (30%) of the habitable floor area on the premises.
- (4) The occupation must clearly be secondary to the use of the dwelling for dwelling purposes, does not change the residential character of the dwelling in any visible manner, does not create objectionable noise, odor, vibrations, or unsightly conditions noticeable off the premises; does not create interference with radio, television and/or other telecommunications reception in the vicinity, and does not create a health or safety hazard.
- (5) Off-street parking shall be provided to accommodate the parking needs of the home business based on number of employees and anticipated customers. The off-street parking area should provide for vehicle turnaround, as necessary.
- (6) Landscaping and screening shall be provided along the boundaries of adjoining residential property and to buffer parking.
- (7) Customers may visit the premises only between the hours of 8:00 am and 6:00 pm.
- (8) Truck deliveries or pickups of supplies or products associated with the business activity are allowed only between 8:00 am and 5:00 pm. Vehicles used for delivery and pickup are limited to those normally serving residential neighborhoods.
- (9) A home business permit must be renewed yearly on or before the anniversary date of the issuance of the initial permit. The Zoning Enforcement Officer is authorized to renew the permit, provided that the requirements of this Regulation are being met.

D. Town of Monroe Owned Telecommunications Sites and Facilities

- (1) Use of the site is specifically limited to telecommunication purposes only, using the electromagnetic spectrum as regulated by the Federal Communications Commission or Federal government agency regulating telephone services of certain Federal agencies.
- (2) The minimum parcel size shall be ten (10) acres under contiguous ownership with a minimum frontage of fifty (50) feet along a public road.
- (3) The mean elevation of the parcel shall be five-hundred-fifty (550) feet above sea level based upon U.S. Geological Survey datum.
- (4) Transmission/reception towers, satellite dish antennas and other antennas in support of communications may be erected. Unattended accessory buildings for automated communications relay and similar activity may be constructed.
- (5) Notwithstanding any other provision of these Regulations, the following schedule shall pertain to structures regulated under Subsection E above.

Towers/Antennas

Buildings

Town of Monroe Zoning Regulations

Minimum Setback from parcel perimeter boundary	Equivalent to height of structure from grade at base (+) 10%	50 feet
Maximum Height	80 feet	20 feet
Maximum Stories (Structure)	N/A	1

- (6) No on-site disposal of sewage shall be permitted, except where located on a parcel with other public accessible uses and buildings.
- (7) All service utilities shall be under ground.
- (8) The parcel shall be minimally accessible by gravel/stone accessways throughout as may be required, except shall provide a paved apron at site intersections with an abutting street.
- (9) All related facilities shall be so designed to require no on-site use or occupancy by personnel other than periodic or occasional maintenance, construction, security.
- (10) The entire parcel shall be secured from access by all persons other than the municipality, actual users or their authorized personnel. The base of a tower and any ground equipment shall be secured to prevent non-authorized users access by enclosure in a building or fenced compound. Fencing shall be designed as non-climbing and landscape screening shall be provided.
- (11) Any trash or debris generated by activities on the site shall be removed once-weekly by those generating same.
- (12) Signage shall be limited to public safety instruction, along with emergency contact information. No sign shall exceed a size of three (3) square feet in area.
- (13) Exterior lighting shall be provided in accordance with the standards for lighting of these Regulations and shall be consistent in type, intensity and style with single-family development. Lighting shall be limited to low intensity incandescent security lighting at the base of the towers and on structures not exceeding twelve (12) feet from finished grade, also, such other lighting as may be required by state or federal agencies in the interest of public safety.
- (14) Suitable vegetative ground cover shall be maintained at all times to restrict and control soil erosion and sedimentation as prescribed in §6.5 of these Regulations.
- (15) A tower shall be designed to blend into its surroundings through measures such as a monopole tower with interior antenna mounting, earth tone coloring of support tower structure and attachments, and use of accessory ground structures resembling typical farm and residential outbuildings or sheds.

- (16) No outside storage of materials, equipment or vehicles shall be permitted except in direct relation to ongoing construction, repair or maintenance activities.
- (17) No interference in publicly received television, cable television or radio signals will be permitted from users of the site. Should interference be generated, it shall be remedied by the user(s) by whatever means as may be found necessary.

E. Safe Homes for Foster Children Licensed by the State of Connecticut

- (1) Each lot shall meet the minimum standards of its respective zone.
- (2) The maximum capacity shall not exceed twelve (12) resident children.
- (3) Parking shall be provided on-site in a ratio of one (1) space per four (4) children of rated capacity. A vehicle turnaround area shall be provided on the site. A minimum of fifty percent (50%) or portion thereof of the required spaces shall either be garaged or placed to the rear of the structure. Exterior parking shall not block access to the building or garage spaces. Adequate site landscaping, including screening and buffering of adjacent properties shall be provided as determined appropriate and acceptable to the Commission.
- (4) Play areas shall be located to the rear of the structure but no closer than thirty (30) feet to a property line and screened by decorative solid fencing and landscaping.
- (5) The services at a Safe Home shall at all times operate pursuant to a contract with the State of Connecticut subject to minimum standards conforming to State licensing guidelines.
- (6) The Safe Home shall not display any physical identification as such.

F. Automobile Service Shop, Automobile Body Shop and/or Gasoline Stations

- (1) Temporary storage of facility and customer repair vehicles:
 - (a) In a B-2 District, no vehicles shall be stored outside with the exception of one (1) facility service vehicle and no more than seven (7) customer vehicles scheduled for repair or service.
 - (b) In an I-2 District and SB2 District, facility service vehicles and customer vehicles scheduled for repair or service, on premises for more than seven (7) days, shall be stored in a designated area as set forth on the approved development plan, which area shall not be forward of the principal building closest to the street and shall be screened from abutting streets and properties. No more than twenty-four (24) such customer vehicles shall be permitted to be temporarily stored at any given time.
 - (c) Designated temporary storage of facility and customer repair vehicles shall be in addition to required minimum off-street parking spaces.
- (2) An automobile body shop is not permitted, except in an I-2 District.

- (3) No inoperable, non-registered or disassembled automobile, or portions thereof, shall be stored or parked outside for any period except in an area designated and approved by the Commission subject to appropriate screening and buffering. A maximum number of such vehicles shall be specified by the Commission.
- (4) Car washes shall be permitted as an accessory use only where all wash water effluent is collected and recycled within the car wash building. Retail car washes shall not be permitted except in a B-2 District.
- (5) Gasoline and motor fuels sold may be dispensed by self-service or a station attendant at a location designed and approved for such use.
 - (a) In a LOR District, fuel pumps, canopies over fuel pump dispensers, and storage tanks shall not be located within 350 feet from any residential district.
 - (b) In a LOR District, canopy structures over fuel pump dispensers shall not be located within the front yard setback.
- (6) There shall be no outdoor display or sale of products or merchandise.
- (7) The rental or sale of vehicles at a gasoline station shall be prohibited.
- (8) The rental or sale of vehicles at an automobile service shop or automobile body shop may be permitted, subject to the following limitations:
 - (a) The rental of vehicles, except as loaners to a customer while their vehicle is being serviced or repaired, shall be prohibited.
 - (b) The sale of new vehicles shall be prohibited.
 - (c) In a B-2 District, the sale of used vehicles as an accessory land use shall be permitted pursuant to an appropriate State of Connecticut license authorizing the selling of used automobiles. Said license shall be limited, which limitations shall be specified on the associated approved Certificate of Location pursuant to §9.1.3(F) of these Regulations for any new, amended or renewal State of Connecticut license application, as follows:
 - Authorized used vehicles shall be stored in a designated area as set forth on the approved development plan.
 - No more than three (3) used vehicles shall be permitted at any given time.
 - (d) In an I-2 District and SB2 District, the sale of used vehicles as an accessory land use shall be permitted pursuant to an appropriate State of Connecticut license authorizing the selling of used automobiles. Said license shall be limited, which limitations shall be specified on the associated approved Certificate of Location pursuant to §9.1.3(F) of these Regulations for any new, amended or renewal State of Connecticut license application, as follows:
 - Authorized used vehicles shall be stored in a designated area as set forth on the approved development plan, which area shall not be forward of the principal

building closest to the street and shall be screened from abutting streets and properties.

- The visible display of used vehicles shall be prohibited.
- No more than six (6) used vehicles shall be permitted at any given time.

(e) Designated storage of permitted loaner or used vehicles shall be in addition to required minimum off-street parking spaces.

- (9) Appropriate plans shall be detailed providing for the environmentally sound temporary storage and disposal or recycling of wastewater, oil and gasoline products, or discharges of same.
- (10) All service and repair activities, other than minor short duration servicing, such as the changing of tires, wiper blades, lights, adding of fluids (not changing of such), and other similar items shall be conducted in a fully enclosed building (shall not be construed to mean that the service or garage doors to any automobile or body shop must be kept closed at all times).
- (11) Canopy structures over fuel pump dispensers are permitted with gasoline stations, provided their design and construction are consistent with the design and construction of the principal building, both of which shall utilize pitched roof designs. All lighting, fire suppression equipment and roof drainage shall be concealed within the canopy structure.
- (12) Grooved concrete pavement shall be utilized at all gasoline station pump dispensers.
- (13) Outdoor audio and video advertisement or entertainment systems shall be prohibited (does not preclude a small integrated pump dispenser screen providing fueling and transaction instructions).
- (14) Separate from required minimum off-street parking spaces, an area measuring a minimum of ten (10) feet by eighteen (18) feet shall be provided for each air and vacuum facility.

G. Boat and Trailer Sales and Service, Automobile Salesrooms, Automobile Service and Repair Garages

- (1) All automobile, tractor, boat, trailer and accessory vehicular repair work, with the exception of emergency work, shall be conducted wholly within a building.
- (2) Automobiles, boats and/or trailers shall not be displayed outside a building.
- (3) No entrance or driveway to any building within which such a use is conducted shall have less than twenty-four (24) feet of clear width at any point.
- (4) No entrance or driveway to any premises on which any such use is conducted shall be situated within a radius of two-hundred (200) feet from a lot used or reserved to be used for a college or school, a hospital, public playground or park, a church or public library; however, no such use shall be deemed to be nonconforming by reason of the subsequent erection or development of any such college, school, hospital, playground, park, church or library.

H. Public Utility Service Center

- (1) This use permits a State of Connecticut Licensed Public Utility Operations Center for electrical transmission.
- (2) The following uses may be conducted as part of this use: general office use, customer service, maintenance of utility service operations, vehicle maintenance, and accessory uses as contained in these Regulations.
- (3) The use must be located on a property with a minimum acreage of thirty (30) acres under one (1) ownership.
- (4) Such use shall be maintained a minimum of one-hundred (100) feet from residentially-zoned property.
- (5) Outside storage of materials for utility service is permitted, only as approved by the Commission, and for active storage only within designated areas.
- (6) Equipment, vehicles, and materials related to an approved site use stored on site shall be screened from public roads and residential properties to the satisfaction of the Commission, and there shall be no refuse visible on site.
- (7) Outdoor parking of utility company service vehicles is allowed, providing they are registered and operable and located within mapped areas approved by the Commission.
- (8) There shall be no transformers or hazardous materials stored on site.

I. Mixed Use Landmark Property Developments

- (1) The purpose of this use is to allow mixed use development under carefully regulated conditions to facilitate reinvestment in and the renovation of older structures to ensure their continued existence where the uses permitted by right may no longer be the highest and best uses to achieve that purpose.
- (2) A property may be developed as a Mixed Use Landmark Property provided such property and development satisfy all of the following criteria:
 - The proposed landmark property has a minimum lot area of five (5) acres;
 - The proposed landmark property includes a principal building with a minimum gross floor area of 5,000 square feet;
 - The principal building is located within 1,500 feet of Route 25 or Route 111 as measured from the existing structure to the street line;
 - A minimum of fifty percent (50%) of the existing principal building gross floor area was constructed at least 50 years prior to the date of the Mixed Use Landmark Property Special Exception Permit Application;
 - The principal building was constructed to a size and of materials that together render it architecturally unique in the Town of Monroe; and

- The subject property and principal building thereon are determined by the Commission to be suitable for mixed use development and landmark status.
- (3) In addition to the underlying permitted and special exception uses of the underlying zoning district, the following additional uses, including a combination thereof, may also be permitted:
- (a) Offices (including general and professional offices, and medical and dental offices only) in an existing principal building with a gross floor area of less than 20,000 square feet.
 - (b) Multifamily dwelling units with a maximum development density not to exceed three (3) bedrooms per acre.
- (4) General Provisions

In addition to the foregoing, the following restrictions shall apply to any special exception permit for mixed use Landmark Property development:

- (a) An existing structure may be modified to add garages or other structural additions provided that the additions do not cumulatively exceed fifty percent (50%) of the gross floor area of the existing principal building on the property at the time of special exception permit approval. The total area that can be used for multi-family dwelling units cannot exceed the gross floor area of the existing principal building at the time of the initial special exception permit application. All applications to modify a structure shall be referred to the Architectural Review Board for review and recommendation in accordance with the provisions set forth in §9.6 of these Regulations.
- (b) For any structure located within 500 feet of Routes 25 or 111, measured from the existing structure to the street line, other than the addition of a porch, entrance vestibule or veranda, no additions or new structures shall be located between the front of an existing structure and Routes 25 or 111, thereby preserving the existing streetscape setback.
- (c) Any addition to or modification of an existing structure, or any new structure on the property, shall be compatible with and complement the existing structure with regard to design, scale, general appearance, architectural style and character, fenestration, finish, and the materials used.
- (d) Any addition to an existing structure, or any new structure, and any site improvement to the property, shall have a minimum setback of thirty (30) feet from all side and rear property lines and be buffered and screened to the satisfaction of the Commission.
- (e) Any new separate (detached) building or structure on the property will be treated as an accessory structure limited to accessory use only.

- (f) No advertising for the use of the structure shall be visible outside of the structure, except an announcement sign as may be provided for in Article 6 of these Regulations.
- (g) There shall be no objectionable noise, odor, vibrations, or unsightly conditions created by the development plan.
- (h) The renovation and use of an existing structure shall not create a health or safety hazard.
- (i) On-premise parking shall be provided in accordance with the provisions of Article 6 of these Regulations. Parking shall be designed in a manner to compliment the natural landscape features of the property. Landscape features, elevation changes, hedgerows and islands shall be incorporated into the design to separate and break up the mass of the parking area.
- (j) Mechanical units placed on the ground shall be placed on appropriate footing pads and adequately screened with hardscape, building features and/or landscaping.

J. Accessory Drive-Through and/or Exterior Window Services

The development standards in this section are intended to supplement the standards in the underlying zoning district for uses proposed to include drive-through and/or exterior window services. In the event of conflict between these standards and the underlying zoning district standards, the provisions of this section shall apply.

- (1) Drive-Through Lanes
 - (a) Drive-through lanes shall be separated from other internal site circulation lanes and shall include appropriately located and designed bypass lanes.
 - (b) Drive-through lanes and associated required bypass lanes shall be designed to prevent circulation congestion, both on site and on adjacent streets. The design of such lanes shall be integrated with the on-site circulation pattern, and shall not enter or exit directly into a public street.
 - (c) Drive-through lanes shall not encroach into required minimum yard and landscape buffer areas, and shall be designed in a manner that minimizes impacts on adjacent properties from noise, exhaust fumes and vehicle headlights from vehicles as they queue to wait for drive-through services.
 - (d) Drive-through lanes shall not encroach, impede or obstruct access into or out of parking spaces, pedestrian walkways or loading and service areas.
 - (e) Drive-through lanes shall be clearly delineated from internal circulation traffic aisles, other stacking lanes and parking areas with striping, curbing, landscaping and the use of alternative paving materials or raised landscaped medians. The beginning of the drive-through lanes shall be clearly marked with appropriate signage and/or line striping.

- (f) Drive-through lanes shall be designed and placed to minimize their crossing of pedestrian walkways or otherwise impeding pedestrian access. Where pedestrian walkways cannot be avoided crossing drive-through lanes, the walkways shall have clear visibility and shall be delineated by physical and visual separation between the two, such as textured and colored paving.
- (g) Drive-through lanes shall not interfere with or obstruct loading and refuse storage areas, and loading and refuse operations shall not impede or impair vehicular movement through drive-through lanes.
- (h) Drive-through lanes shall not be located adjacent to permitted and approved outdoor dining or seating areas.
- (i) Drive-through lanes shall be designed with the minimum standards:

Minimum Drive-Through and/or Exterior Window Service Aisles	
Standard	Unit (feet)
Minimum Interior Radius at Curves	10
Minimum Aisles Width	12
Minimum Distance of Lane Entrance to Street Access Intersection ⁽¹⁾	50
(1) Measured from the center point of the lane entrance to the center point of the street access intersection along the street right-of-way line.	

(2) Queuing or Stacking Spaces

- (a) Drive-through and exterior service window lanes shall be constructed with the necessary vehicle queuing or stacking capacity so that vehicles do not overflow into on-site parking aisles or into abutting street right-of-ways.
- (b) All queue spaces shall be provided only on the lot for the use to be served and shall not extend into any street right-of-way.
- (c) A minimum number of queuing or stacking spaces shall be provided for the specific related principal use in accordance with the standards set forth in §6.1.3 of these Regulations.
- (d) The provision of drive-through service facilities shall not justify a reduction in the number of required off-street parking spaces for the accompanying use.
- (e) Each queuing or stacking space shall be a minimum of twenty (20) feet in length and ten (10) feet in width.

(3) Exterior Service Windows and Menu Boards

- (a) Exterior service windows, pre-view menu boards and menu boards shall be located a minimum of 50 feet from any residential district (measured at the nearest residential property line).
 - (b) Any menu board speakers, intercom systems, or other audible means of communication shall not play continuous or prerecorded audio or video. Related speaker systems shall emit no more than 55 decibels and at no time shall any speaker system be audible above daytime ambient noise levels beyond the subject property. The system shall be designed to compensate for ambient noise levels in the immediate area.
 - (c) Menu boards and pre-view menu boards shall be fixed and not incorporate or include any video, animated, blinking, flashing, rotating or otherwise moving or changing lights, displays, images, effects or messages. Menu boards and pre-view menu boards shall list menu options only, no other advertisement permitted.
 - (d) Lighting of menu boards, pre-view menu boards and service windows shall not include neon or unshielded light sources.
 - (e) Pre-view menu boards shall be located along the drive-through lane, past the entrance of the drive-through lane and after a minimum of two (2) que spaces.
- (4) Hours of Operation. When located on a site within 100 feet of any residential property (measured from the nearest property lines), hours of operation for the drive-up/drive-through service shall be limited from 6:00 a.m. to 10:00 p.m. daily. If the use is located greater than 100 feet from a residential use, the hours of operation may also be limited or restricted by the Commission as deemed warranted based on the site location and neighboring land uses.

K. Commercial Vehicle or School Bus Parking Facility

- (1) A school bus parking facility may include a private or municipal (Town of Monroe) owned and/or operated facility for the parking of school buses, to provide transportation of children to and from school or in connection with school activities, when not in use or between times of active service deployment.
- (2) In an I-2 District, no parking facility shall be permitted abutting a residentially zoned parcel.
- (3) In an I-3 District, notwithstanding any other provision of these Regulations, a perimeter landscape buffer of a minimum width of 100 feet shall be provided and maintained between a parking facility and any residentially zoned parcel. Said 100-foot landscape buffer shall not be reduced or modified as otherwise might be permitted per §4.3.7B, §6.2.4D, or any other provision of these regulations
- (4) All vehicles parked on the premises shall be registered with the Connecticut State Department of Motor Vehicles.
- (5) Accessory uses may include facility dispatch offices, limited minor repair and service maintenance facilities, and onsite fueling provisions.

(6) Fueling Facilities

- (a) All fuel storage and dispensing facilities and devices shall be detailed on the application site plans.
- (b) Fueling facilities shall be located and designed to provide separate and safe access circulation for facility and fuel delivery vehicles. Access to such facilities shall not interfere with other site facilities, driveway aisles, parking areas or parking maneuvers.
- (c) Adequate fire protection measures and pollutant prevention controls for fuel storage and dispensing facilities shall be provided and detailed on the application site plans, subject to the satisfaction of the Commission and the Monroe Fire Marshal.

(7) Minor Repair and Maintenance Servicing

- (a) Minor vehicle repairs may include incidental body or fender work; minor painting; upholstery repair and replacement; and replacement of any part or repair of any part that does not require removal of the engine head or pan, engine transmission or differential.
- (b) All vehicle servicing and maintenance, including washing of vehicles, shall be conducted within an enclosed building or under cover, except non-engine related service maintenance work such as windshield wiper replacement, tire rotation and repair, window repair and replacement, and other activities not involving disturbance to or the removal/addition of fluids.
- (c) Any washing of vehicles shall be conducted with an appropriate collection system for all wastewater in accordance with CT DEEP requirements.
- (d) All vehicles parked on the premises shall be mechanically operable at all times, except during temporary periods of onsite servicing; no inoperable vehicle undergoing permitted onsite service maintenance shall be stored on the premises in excess of 72 hours.
- (e) Permitted service maintenance and repair work and vehicle washing shall be limited to stored fleet vehicles only, no service or vehicle washing shall be permitted upon non-facility vehicles.

L. Commercial Self-Storage Structures for Rental of Space

- (1) The use of the premises is restricted solely to the use of storage of goods or possessions, but specifically excluding any hazardous or flammable chemicals.
- (2) The use of the premises is restricted to interior use of the structures.
- (3) The site shall have direct access to a State Highway or Town commercial street meeting the minimum pavement width specified in Article 8 of these regulations.

- (4) No two similar uses/sites shall be located within one-thousand-five-hundred (1,500) feet on a direct line from each other.
- (5) The perimeter of the property shall be screened with berms or landscape buffers to minimize the visual impact from a public right of way, of security fencing or walls with multiple garage doors.
- (6) Exterior wall surfaces shall be finished in neutral or soft pastel colors to minimize negative visual impacts on the environment.
- (7) The owner of the premises shall maintain suitable security measures to protect the integrity of the site and reasonably assure that the use of the premises is being conducted within the limits of all applicable local, State and Federal laws.

M. “SEP (1)” Use in Industrial District 3

The following supplemental standards shall apply to the Special Exception Permit uses identified as “SEP (1)” in the Schedule of Permitted Land Uses by Zoning District as set forth in Article 10 of these Regulations:

- (1) One or more of the uses identified as “SEP (1)” in the Schedule of Permitted Land Uses by Zoning District may be developed on a single lot, subject to the standards and requirements set forth in this Subsection.
- (2) Lot area. The minimum lot size shall be twenty (20) acres and the maximum lot area shall not exceed eighty (80) acres. The lot shall be in existence as a single lot at the time of application to the Commission to ensure an integrated development.
- (3) Lot frontage. The lot shall have a minimum of seventy-five (75) feet of street frontage on Main Street (Route 25) or on an approved private commercial street servicing a Business or Industrial District, and said lot shall be located within six-thousand-five-hundred (6,500) feet of a limited access highway.
- (4) Lot buildings.
 - (a) The development may contain one (1) or more buildings.
 - (b) Building height shall not exceed thirty-five (35) feet excluding parapets and decorative facades.
 - (c) Buildings shall be set back a minimum of three-hundred (300) feet from Main Street (Route 25). All other setbacks, buffers, landscape requirements and other relevant provisions of these Regulations shall apply.
 - (d) A minimum gross floor area of one-hundred-thousand (100,000) square feet shall be provided consisting of retail and personal service businesses.

- (e) No single building shall exceed a gross floor area of fifty-thousand (50,000) square feet unless such building is set back at least one-thousand (1,000) feet from Main Street (Route 25).
- (5) Building coverage. Coverage of buildings and structures shall not exceed a maximum of twenty-five percent (25%) of the lot area.
- (6) A minimum of twenty percent (20%) of the site shall be landscaped and/or preserved as undeveloped open space.
- (7) Off-street parking. The proposal must demonstrate that the parking requirements set forth in Article 6 of these Regulations have been met, including any outdoor merchandise display areas which shall be calculated as retail use.
- (8) Outdoor storage shall be provided in accordance with the standards in Article 6 of these Regulations and the following supplemental standards:
 - (a) All outdoor storage areas shall be screened by a building or a solid wall of brick or split face block or similar, and/or decorative fencing, providing a minimum height of six (6) feet. Landscaping shall be provided to complement and soften the enclosure structure.
 - (b) 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.
- (9) An area for a maintenance facility shall be designated on the Site Plan and suitably screened from adjacent properties and entrance roads.
- (10) Any roof top mechanicals shall be visually screened and buffered to minimize noise pollution.
- (11) Drive-up windows shall be limited to banks and pharmacies.
- (12) Lighting shall be provided in accordance with the standards in Article 6 of these Regulations and the following supplemental standards:
 - (a) Flood lights are prohibited.
 - (b) Building mounted light fixtures shall not be mounted to a roof, parapet or above the wall façade it is attached to.
 - (c) All lights shall be turned off at the close of business with the exception of security lights.
 - (d) The up-lighting of buildings and signs shall not be permitted.

- (e) Any property adjacent to a residential district shall provide that no direct unshielded light source be visible at the property line.
- (13) The site design and building construction shall be encouraged to incorporate green building standards similar to those established by the United States Green Building Council, as appropriate for the site.

N. Firewood Processing Facility

- (1) The location, containment and screening of all outdoor operations, including but not limited to the intake, processing, waste disposal, packaging and finished material staging and storage areas shall be detailed on the application site plans to the satisfaction of the Commission.
- (2) Notwithstanding the limits of permitted outdoor storage as set forth in §4.3.8 of these Regulations, the total permitted percentage of lot coverage by outdoor operations of a firewood processing facility may be greater as approved by the Commission. However, no outdoor operations shall be permitted in any required setback yard area, landscape buffer, or within 25 feet of any property line, whichever is greater.
- (3) The design and layout of outdoor operations of the facility shall provide adequate separation between buildings, parking areas, processing facilities and stockpile areas to ensure safe vehicle and pedestrian access and circulation throughout the facility.
- (4) The method of containment, screening, and heights of processing and storage piles shall be detailed. Outdoor processing and storage piles shall not exceed a height of fifteen (15) feet.
- (5) All wood waste not otherwise burned in any kiln drying operation shall be removed from the site and disposed of at an approved facility. No wood wastes shall be buried or otherwise disposed of within the limits of the subject property.
- (6) The location, type and means of operation of any kiln or other wood drying facility shall be shown to be located and designed with adequate separation from other site facilities, and to include adequate fire protection and emission control measures, subject to the satisfaction of the Commission and the Monroe Fire Marshal. At minimum, details of proposed fire protection and emission control measures shall comply with all USDA requirements regulating this type of facility.

O. Landscaper or arborist.

- (1) Business administrative offices of the applicant must be located on the premises within a permanent fully enclosed building.
- (2) There shall be no outdoor display or sale of products or merchandise.
- (3) All motor vehicles parked on the premises shall be registered with the Connecticut State Department of Motor Vehicles. No inoperable or disassembled motor vehicle, or equipment, or portion thereof, shall be stored or parked on the premises.

- (4) All equipment and materials shall be stored inside a fully enclosed building or within a designated accessory outdoor storage area as may be permitted by these Regulations. Accessory outdoor storage shall not interfere with site access driveways, parking or other onsite circulation of vehicles and pedestrians.
- (5) No service, maintenance, repair (except minor maintenance such as replacing light bulbs, windshield wipers, or similar) or washing of motor vehicles or equipment, or processing of any materials, shall be permitted on the premises.
- (6) No fuel or oil dispensing facilities shall be permitted. Any chemical storage shall be within a fully enclosed building in a quantity and manner acceptable to the Fire Marshal.
- (7) Adequate off-street parking as approved by the Commission shall be provided onsite for all motor vehicles and trailers parked or stored in connection with the business operations. Such parking shall be in addition to that otherwise required by these Regulations.
- (8) Vegetation within a required landscape buffer area as required by these Regulations shall consist of permanent landscaping; not materials stored or containerized for either short or long-term storage.
- (9) Access driveways shall be laid out in such a manner that connection with abutting streets are located and designed so as to avoid unsafe conditions.

P. Residential apartments above commercial uses (mixed use developments).

- (1) Purpose and intent. The purpose of allowing residential apartments for rent above commercial uses (thereby providing a mixed-use development) is to encourage a diversity of compatible uses including business, commercial and restricted residential apartment uses in combination within the same building. The intent is to permit mixed use development under carefully regulated conditions to facilitate reinvestment in and the renovation of existing commercial buildings, as well as encourage the development of new mixed use facilities, resulting in positive economic impacts to those properties and the Town at large, while imposing minimal burden on Town services and municipal infrastructure.
- (2) Location. The property upon which a mixed-use development may be permitted shall have direct street frontage and access via Main Street (Route 25) and be within a B-1 District or B-2 District between the southerly Town Boundary shared with the Town of Trumbull and south of Knollwood Street.
- (3) Permitted uses. See Article 10 – Schedules for “Schedule of Permitted Land Uses by Zoning District.” Residential apartments shall be rental units with a lease period of no less than twelve (12) consecutive months.
- (4) Accessory uses.
 - (a) Signs, as provided and regulated in Article 6.

- (b) Accessory home occupation use as defined in Article 2 of these Regulations, except there shall be no non-resident employees permitted.
 - (c) Accessory and subordinate maintenance, utility, storage, recreational and social uses, buildings and structures customarily incidental to residential apartments, provided such accessory uses, buildings and structures are for the direct private benefit of the residents living in the residential apartment units.
 - (d) Landscaping, lighting, site utilities and similar site infrastructure improvements as regulated in Article 6 of these Regulations.
 - (e) Off-street parking as regulated in Article 6 of these Regulations. The minimum requirements for off-street parking for residential apartments shall be the same as that for residential multi-family units. Of these, a minimum of one (1) off-street parking space per residential apartment shall be reserved for the exclusive use of each individual residential apartment residents. Garages may be permitted on the ground floor, at grade or below the ground floor. Access to any garage shall be from the side or rear of the building and shall not be visible to any abutting street. The parking or storage of recreational vehicles, boats, campers, ATV, or other similar vehicles shall be prohibited.
 - (f) Accessory uses, buildings and structures shall be coordinated and shared with those of the commercial site uses, including refuse and recycling receptacles, which shall be regularly maintained in an orderly manner free of loose or accumulated materials. Receptacles shall be enclosed and screened, and shall be kept closed.
 - (g) Mail boxes shall be centralized and if outside shall be in a location and design as approved by the Commission.
- (5) Lot Area and Bulk Requirements. Mixed use developments shall comply with the respective lot area and bulk requirements of the underlying B-1 or B-2 District.
- (6) Density, Access, Bedrooms, Size and Construction.
- (a) Density of the residential apartments shall not exceed fifty (50%) percent of the combined total habitable floor area of the commercial space and residential apartment units (i.e., total building habitable floor area: 10,000 sf resulting no less than 5,000 sf for commercial space and 5,000 sf for residential apartment units). For purposes of calculating density under this subsection, habitable commercial and residential apartment floor areas shall be based on “net floor area” as defined in these Regulations, except net floor area shall also exclude common interior corridors dedicated to unit access. Other common areas associated exclusively with the residential apartments located on any level of the building shall be included in the area of the residential apartments.
 - (b) Access. Access to the residential apartment units shall be from a central interior shared access. Provisions shall be provided for adequate access for fire-fighting equipment and personnel. The floor area of the ground floor lobby shall be included in the area of the residential apartments, while the floor area of any common ground

floor lobby area shared with the commercial uses shall be split 50/50 between the residential apartments and the commercial uses.

- (c) Bedrooms. Residential apartments may include a studio, one-bedroom or two-bedroom units. No more than ten (10%) percent of the total apartment unit count shall consist of two-bedroom units. Libraries, dens, studies, offices, lofts and other similar spaces shall be counted as bedrooms for purposes of these Regulations.
 - (d) Size. Each residential apartment unit shall contain a minimum living floor area of five-hundred (500) square feet and a maximum living floor area of one-thousand-one-hundred (1,100) square feet of habitable living area in compliance with all applicable fire and building codes. "Living floor area" shall be that area within the perimeter walls of the residential apartment dwelling unit devoted to the exclusive use of the occupant and shall not include exterior balconies or other spaces outside the dwelling unit.
 - (e) Construction and certified occupancy of the residential apartments shall be simultaneous or subsequent to the construction and certified occupancy of the commercial space. Certified occupancy of the commercial space and residential apartment units shall generally be equal, but at no time shall more than fifty (50) percent of the residential apartments units be granted certified occupancy if less than fifty (50%) percent of the commercial floor area has been completed and granted certified occupancy. One-hundred (100%) percent of the residential units may be issued certified occupancy when one-hundred (100%) percent of the commercial floor area has also been completed and granted certified occupancy.
- (7) Affordable units.
- (a) Mixed use developments including ten (10) or more residential apartment units, a minimum of ten (10%) percent of the residential apartment units shall be restricted to a rent at an affordable rate to persons with an income not exceeding eighty (80%) percent median income for the Town of Monroe or statewide median income, whichever is least, based on data published by the U.S. Department of Housing and Urban Development as in effect on the first day of a signed lease.
 - (b) At time of application before the Commission, an Affordability Plan and identification of an acceptable qualified Plan Administrator shall be submitted for review and approval. The Affordability Plan shall include provisions for administration of and compliance with the provisions of these Regulations, identification of those units which are to be designated affordable, notice/advertisement procedures to the general public of the availability of affordable units, application procedures and requirements, procedures for verification and periodic confirmation of unit occupancy eligibility and income, and compliance with the affordability requirements. The Affordability Plan shall also include drafts of documents that will be used in the administration of the affordability restrictions and any explanations which will be provided to the unit occupants concerning such restrictions.
 - (c) The maximum monthly rent that an occupant of an affordable unit shall pay shall not be greater than the amount that will preserve such unit as a rental "affordable

housing” unit as that term is defined in Connecticut General Statutes §8-30g, as amended, except the affordability period shall be in perpetuity. The maximum monthly housing cost shall include the cost of rent; common charges, if the tenant is directly responsible; heat; and utility costs including hot water and electricity, but excluding telephone and cable television.

- (d) Affordable units shall be occupied only as a tenant’s principal residence. Subletting of affordable units shall be prohibited.
 - (e) Each rental lease for an affordable unit shall contain substantially the following provision: “This unit is rented as an “affordable housing unit” as defined in Connecticut General Statutes §8-30g, as amended, and is available only to persons or families whose income is at or below eighty percent (80%), as applicable, of the area median income for Monroe or the statewide median income, whichever is less, as determined by the U.S. Department of Housing or Urban Development. This development has been approved by agencies of the Town of Monroe based in part on the condition that said unit be preserved as an affordable rental housing unit. The restrictions related to affordability are required by law to be strictly enforced.
 - (f) Affordable units shall be constructed, sized, outfitted and with a bedroom count and configuration equal to a similar base market rate apartment unit. Affordable units shall be dispersed among the market rate units and shall be constructed on a pro rata basis as construction proceeds.
- (8) Design. In addition to the standards in §6.10 and §7.2 of these Regulations, as may be amended from time to time, new residential apartments shall be integrated to the overall building design, and façades shall be designed to avoid a barracks or dormitory appearance. Pitched roofs, including gable, mansard, hip, gambrel, dormers or combination of such shall be required. Due consideration shall also be given in planning facilities to the needs of physically challenged and aged persons.
- (9) Sidewalks and site amenities.
- (a) Sidewalks shall be provided as required by the Commission to assure safe pedestrian travel to and from buildings, off-street parking areas, site amenities and accessory uses/facilities, as well as to provide safe connection to abutting streets.
 - (b) Site amenities such as sitting areas, benches, gardens, walking paths and similar passive recreational/social features are encouraged.
- (10) Utilities.
- (a) Water supply. Water supply shall be provided by the public utility franchised to serve the area. Adequate water pressure shall be provided to address domestic and fire suppression demands of the mixed-use facilities.
 - (b) Sewage system. The subject property shall be capable of providing safe, sanitary sewage collection, treatment and disposal in conformance with all Federal, State and

Local standards and requirements, which system shall be certified by a Connecticut licensed professional engineer.

- (c) Stormwater management, collection and treatment shall be in accordance with the requirements of Articles 6, 7 and 8 of these Regulations.
- (d) All new or altered utilities, including but not limited to water supply, electric, natural gas, telephone, internet and cable television service, serving the mixed-use facilities shall be installed underground.
- (e) Refuse and recycling facilities shall be coordinated and shared with those of the commercial site uses.
- (f) Roof-top mechanical equipment, except solar panels, shall be hidden and screened from ground view on all sides.

Q. Indoor (Non-Farm) Cultivation Facility

- (1) A Chemical and Fertilizer Management Plan prepared by a qualified professional shall be provided detailing the receipt, use, storage, and disposal of any chemicals used in connection with the indoor (non-farm) cultivation facility.
- (2) A Water Management Plan prepared by a qualified professional shall be provided detailing the use, storage, recycling and disposal of process water used in connection with the indoor (non-farm) cultivation facility.

R. Multi-Family developments within the MDD

(1) General Requirements

- (a) The project shall be 15 acres or more in size.
- (b) The property shall be suitable for the long-term disposal of sanitary waste effluent without danger to public health by an environmentally suitable and legally acceptable method.
- (c) No habitable building in a MDD shall be occupied nor shall a permanent certificate of zoning compliance therefore be issued until such building is connected to an adequate public water supply and adequate hydrants are provided for fire protection as prescribed by the Fire Marshal.
- (d) Projects shall not have more than thirty (30) dwelling units contained within the enclosing walls of a building.
- (e) Projects shall be so designed to include community amenities, such as a clubhouse, pool, park, trails or sport courts.
- (f) The location of multi-family developments shall be identified as a recommended location in the Affordable Housing Plan (AHP).

(2) Density

Subject to the provisions above, the total number of dwelling units permitted within an SDD District shall not exceed fifteen (15) units per gross acre of the parcel, computed by multiplying the parcel gross acreage by fifteen (15).

(3) Height

No building shall exceed three (3) stories or forty-two (42) feet in height. A basement shall not be considered a story.

(4) Vertical Design

(a) Residential uses shall be permitted on the ground floor.

(b) Commercial and residential units shall be permitted in independent structures.

(5) Distribution of Unit Sizes

(a) Multi-family units shall be limited to studio, one (1) and two (2) bedrooms apartments.

(b) Not more than sixty percent 60% of the total number of multi-family units shall be limited to two (2) bedrooms.

(c) Three (3) bedroom units shall not be permitted.

(6) Affordable Units shall be provided in accordance with §8.2.3.P (7) herein.

(7) Proposed Improvements

(a) Sidewalks - Sidewalks shall be provided, as required by the Commission, to assure safe pedestrian travel between buildings and from buildings to off-street visitor parking, recreational or community facilities, mail delivery pickup facilities, and to bus stops.

(b) Trash Collection and Removal

i. Trash collection points and/or trash storage areas within enclosed individual garages, or similar areas, shall be provided throughout the site in locations and enclosures approved by the Commission and shall be shown on the Site Plan of development.

ii. Dumpsters shall be appropriately enclosed and screened.

iii. Collection points shall be regularly maintained and kept free of all loose and/ or accumulated material. Receptacles for deposit shall be kept tightly closed at all times to minimize the effect on public safety and health.

iv. Maintenance and removal of trash and garbage shall be the sole responsibility of the owners, or their designated representative, however, in no case shall removal by a refuse collector, duly licensed, take place on a frequency of less than once a week. Methods of collection and removal shall be subject to regular inspection by the Health Department of the Town of Monroe.

v. Provisions for recycled materials shall be included in trash collection points where applicable and shall comply with all of the other requirements of trash removal

