

**AMENDMENT TO SECTION 120-413  
RE: INDUSTRIAL DISTRICT USES, DIMENSIONAL AND DISTRICT STANDARDS**

§ 120-413 **Industrial District (I).**

- A. Intent. The intent of this district is to provide districts within the Town of Windham for manufacturing, processing, treatment, research, warehousing, storage and distribution.
- B. Permitted uses. The following uses, as they are defined in Article 3, shall be permitted in the Industrial District as a matter of right. Refer to Article 5, Performance Standards, or Subsection F, District standards, for additional use information. **[Amended 5-26-2020 by Order 20-048]**

Agriculture

Agriculture, piggery

Agriculture, poultry facility

Automobile repair services

Building, accessory

Business and professional office

Contractor services

Contractor services, landscaping

Contractor storage yard

Construction services, heavy, major

Construction services, heavy, minor

Distribution center

Dwelling, existing single-family

Dwelling, existing two-family

Dwelling, existing multifamily

Home occupation 1

Home occupation 2

Industry, heavy

Industry, light

Marijuana cultivation facility

Marijuana manufacturing facility

Marijuana testing facility

Medical marijuana registered caregiver

Medical marijuana registered caregiver  
(home occupation)

Mineral extraction

Research laboratory

Retail sales

Small engine repair

Truck terminal

Use, accessory

Warehousing, private

Warehousing, public

Wireless telecommunications tower and  
facility

C. Conditional uses. The following uses, as defined in Article 3, shall be allowed as a conditional use in accordance with § 120-516. Refer to Article 5, Performance Standards, or Subsection F, District standards, for additional use information.

(1) Automobile storage lot. [Added 7-8-2014 by Order 14-164]

(2) Correctional facility, public.

(3) Public building.

(4) Public utility facility.

(5) Shipping container.

D. Prohibited uses. Uses that are not expressly enumerated herein as either permitted uses or conditional uses are prohibited.

E. Dimensional standards. The following dimensional standards shall apply in the Industrial District:

(1) Minimum lot size: 20,000 square feet.

(2) Minimum frontage: 100 feet.

(3) Minimum front setback: ~~100-40~~ feet.

(a) ~~Dwelling, existing: 40 feet. Minimum landscaped buffer strip: 40 feet~~ Buffers along streets. See § 120-

**Commented [AL1]:** Changed from draft presented to Council to reflect more recently adopted buffer yard standards. Referenced section shown below.  
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511, Buffer Yard, in Article 5, Performance Standards, for requirements.

- (4) Minimum side setback: greater of 25 feet or 50% of building height.
  - (a) Dwelling, existing (all associated structures): 15 feet. Either side setback for an existing dwelling may be reduced one foot for every foot that the lot's other side setback is increased. However, no side setback shall be less than 10 feet.
- (5) Minimum rear setback: greater of 25 feet or 50% of building height.
  - (a) Dwelling, existing (all associated structures): 10 feet.
- (6) Maximum building height: none.
  - (a) Dwelling, existing (all associated structures): 35 feet.
- (7) Maximum building coverage: ~~none~~, 50%

~~(a) Nonresidential buildings: See Subsection F(3) below.~~

(8) Maximum impervious area: 75%.

F. District standards. In addition to Article 5, Performance Standards, these standards shall apply to the following uses in the Industrial District:

- (1) Curb cuts. See § 120-522, Curb cuts and driveway openings, in Article 5, Performance Standards, for standards applicable to the I District.
- (2) Industry, heavy. In accordance with the conditional use standards in Article 5, the appropriate review authority may approve the manufacturing or use of hazardous material, as defined in Article 3 (see Article 3 for definition of "manufacturing, hazardous").
- (3) ~~Open space requirement. All nonresidential uses, except for agriculture, must provide two square feet of open space, as defined, for every one square foot of floor area. (See Article 3, Definitions.) Storage. Outdoor storage must be screened from view of public ways.~~
- (4) Zoning district boundary buffer. See § 120-511, Buffer Yard, in Article 5, Performance Standards, for requirements.
- (5) Marijuana cultivation facility. Cultivation facilities may be of the following types: Tier 1, Tier 2, and Tier 3. (See Article 3, Definitions.) **[Added 5-26-2020 by Order 20-048]**

**Commented [ALL2]:** Replace with maximum building coverage and impervious area.

**FOR REFERENCE**

**§ 120-511 Buffer Yard**

- 1. Buffers along streets
  - a. The buffer yard shall be adjacent to, and parallel with, the front property line of a lot or parcel.
  - b. Commercial Districts (C-1, C-2, C-3, VC and WC Districts): use Buffer Yard G.
  - c. Industrial District: use Buffer Yard A.
  - d. Enterprise Development District:
    - i. Frontage on improved public rights-of-way that was in existence prior to the creation of the Enterprise Development District: use Buffer Yard J
      - a. One sign that identifies the establishments within the Enterprise Development District shall be permitted within the landscaped buffer strip. See Article 7, Signs.
    - ii. Other streets: use Buffer Yard A.
  - e. Nonresidential uses in certain Residential Zoning Districts (RL, RM, VR): use Buffer Yard G.
  - f. Farm and Farm Residential Districts: Agriculture and Forestry Uses and lots created as part of a residential subdivision approved after July 9, 2020 are not subject to this standard. The property owner may choose among the following buffer yard widths and plantings to satisfy the requirement:
    - i. Farm District:
      - 1. Public Street Frontage: use Buffer Yard A, B, or C.
      - 2. Private Way or Private Road Frontage: use Buffer Yard D, E, or F.
    - ii. Farm Residential District:
      - 1. Public Street Frontage: use Buffer Yard D, E, or F.
      - 2. Private Way or Private Road Frontage: use Buffer Yard G or H.
    - iii. or Front setback increased to 100 feet, one street tree planted for every 50ft of lot frontage, and a minimum 2 foot tall, piled stone wall exists or is constructed at the front lot line. Street trees must be evenly spaced and placed within the right-of-way as close to the property as possible. In the event the lot owner does not have the right to plant within the right-of-way, the street trees will be placed on the lot as close to the right-of-way as possible.

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**4.8 CANOPY  
2.4 UNDERSTORY  
19 SHRUBS**

