

At SECTION 3—add new B-3E zone column to “SCHEDULE A __ "PERMITTED USES” and revise use descriptions at lines C-2, C-2.1 and C-14 to cross reference to Section,1, Paragraph 1.7 *Definitions*” as follows:

B-3E

SCHEDULE A—PERMITTED USES—	
ART A: RESIDENTIAL AND FARMING USES	
A-1. A single detached dwelling for one (1) family and not more than one (1) such dwelling per lot.	P
A-1.1 Accessory Dwelling Unit (ADU) subject to the standards as outlined in Section 3.3.2.	P
A-2. Dwellings containing two (2) dwelling units, including conversion of an existing dwelling to contain two (2) dwelling units, provided that the dwelling shall be located on a lot containing an area 1.75 times the minimum lot area specified on Line 1 of Schedule B, or 1.75 times the minimum lot area specified on Line 2 of Schedule B if the lot is an interior lot, and the dwelling has a minimum floor area of 1,800 square feet.	X
A-3. Dwellings containing two (2) or more dwelling units, subject to the following conditions:	X
a. The dwelling shall be located on a lot of not less than five (5) acres, and there shall be not less than 15,000 square feet of lot area for each dwelling unit; and	
b. The dwelling shall be served by a sanitary sewer system* and a public or community water supply system, each approved by the Director of Health of the Town of Southbury and the Connecticut State Health Department.	
*See Par. 1.7.16	
A-3a. Dwellings containing two (2) or more dwelling units, owned by a Town agency or nonprofit corporation, and occupied by elderly and/or physically handicapped persons.	X
A-3b. Dwellings containing two (2) or more dwelling units located on the second floor of buildings used for purposes designated on Lines C-1.3, C-2.1, C-3, C-8.1 and C-14.	X
A-4. A professional or business office in a dwelling unit, or a building accessory thereto, subject to the additional standards of Par. 3.3.	P
A-5. Customary home enterprises in a dwelling unit, or a building accessory thereto, subject to the additional standards of Par. 3.3.	P
A-6. The letting of rooms and/or the furnishing of board in a dwelling unit to a total of not more than four (4) persons, subject to the following conditions:	P
a. The person or persons letting the rooms and/or furnishing board shall reside in the dwelling unit;	
b. When rooms are let, the dwelling unit shall contain a total minimum floor area of 200 square feet times the number of persons to whom rooms are let;	

c. The letting of rooms shall not include the provision of cooking facilities for such rooms but may include sharing of the cooking facilities of the dwelling unit; and	
d. No accessory building shall be used for letting of rooms or furnishing of board;	
e. No such letting of a room or rooms is permitted on a lot which contains a Bed-and-Breakfast use as provided in Schedule A—Permitted Uses, line A-11.	
A-7. Farms, truck gardens, forestry and the keeping of livestock and poultry, except commercial piggeries and mink farms, provided that no livestock or poultry shall be kept on a lot of less than 40,000 square feet and any building or shelter in which livestock or poultry are kept is located not less than 50 feet from any property or street line, except that an aggregate of not more than 20 chickens or similar poultry may be kept on a smaller lot if kept in a building or enclosure located not less than 30 feet from any property or street line.	P
A-7.1. Wildlife rehabilitation.	P
A-8. Stands for the display and sale of farm and truck garden and forestry produce grown on the premises, provided that such stand does not exceed 300 square feet in area.	P
A-8.1 Seasonal outdoor farmer's market may be permitted on town owned property, subject to a zoning permit, on a temporary basis as a common marketplace for the sale of locally grown fresh produce and farm products provided no permanent structure is constructed.	X
A-9. Commercial nurseries and greenhouses.	ES
A-9.1. Commercial nurseries, including greenhouses incidental thereto, provided that any building in connection therewith is located not less than 50 feet from any property or street line and that there is no sale of products on the premises other than those grown on the premises.	ES
A-10. Kennels; livery and boarding stables and riding academies.	X
A-11. Bed-and-breakfast transient lodging.	X
A-12. Farm Brewery/Farm Winery/Farm Distillery. Said facility shall be located on a parcel of land containing a minimum of 10 acres. Any newly constructed buildings and structures associated with the facility, including parking areas, shall be located a minimum distance of 100' to all property lines. The conversion of existing buildings or structures shall be permitted provided the original building or structure was constructed prior to (the effective date of this regulation) and said building or structure is located a minimum distance of 50' from an abutting residentially zoned property containing a single family dwelling. Permitted by Special Exception in all districts.	X
PART B: COMMUNITY FACILITIES AND SERVICE USES	
B-1. Buildings, uses and facilities of the Town of Southbury.	P
B-2. Buildings, uses and facilities of the State of Connecticut and Federal Government.	P

B-3. Churches and places of worship; parish halls; schools; colleges; universities; educational, religious, philanthropic, scientific, literary, historical and charitable institutions; and agricultural and horticultural societies.	ES
B-3.1. The following uses when conducted by a nonprofit corporation and not as a business or for profit: churches and places of worship; parish halls; schools; colleges; universities; general hospitals; cemeteries; educational, religious, philanthropic, scientific, literary, historical and charitable institutions; and agricultural and horticultural societies.	ES
B-4. Membership clubs; lodges; and community houses.	ES
B-5. A golf, tennis, swimming or similar club, whether conducted as a business or for profit or not.	X
B-6. Outdoor recreation facilities when not conducted as or in connection with a business or for profit.	X
B-6.1. Outdoor athletic lighting with an illuminated play surface greater than three thousand (3,000) square feet or light fixture(s) mounted to a pole at a height greater than twelve (12) feet with a designation of "ES" in all zones.	X
B-7. Private hospitals, convalescent homes and sanitarium licensed by the State of Connecticut.	X
B-8. Public utility substations, telephone equipment buildings and maintenance and service facilities.	X
B-8.1. Public utility substations and telephone equipment buildings provided that there is no outside service yard or outside storage of supplies.	ES
B-9. Public utility and community water supply reservoirs, wells, towers, treatment facilities and pump stations and sewage treatment facilities.	ES
B-10. Public utility plants and facilities for the generation of electric power.	X
B-11. Child day care facility, licensed by the State of Connecticut.	ES
B-11.1. Adult day care facility, which have all appropriate state licenses if any.	ES
B-12. Boat houses, docks and launching ramps and facilities when owned and operated (a) by a bona fide membership club or neighborhood association, or (b) by a person, firm or corporation and not eligible otherwise to be established as a use accessory to a dwelling, and in either case when not conducted as a business nor open to the public generally. [See also Line C-21 of Schedule A in Item B and Line D-1d. in Item C]	X
B-13. Wireless communication facilities	E
PART C: COMMERCIAL AND INDUSTRIAL USES	
C-1. Stores and other buildings and structures where goods are sold or service is rendered primarily at retail.	P
C-1.1. Stores and other buildings and structures where goods are sold or service is rendered at retail when accessory and subordinate to a permitted use on the same premises.	P

NA means not applicable	
C-1.2. Stores and other buildings and structures where goods are sold or service is rendered primarily at retail when the total floor area occupied by a single proprietorship does not exceed 15,000 square feet.	P
C-1.3. Stores and other buildings and structures where goods are sold or service is rendered primarily at retail when the total floor area occupied by a single proprietorship does not exceed 5,000 square feet.	P
C-2. Business and professional offices, (See Par. 1.7)	P
C-2.1. Business and professional offices when the total floor area occupied by a single proprietorship does not exceed 2,500 square feet. (See Par. 1.7)	P
C-2.2. Buildings containing offices for the administration and operation of corporations, firms and organizations.	P
C-3. Banks and other financial institutions.	P
C-4. Undertakers' establishments, human and pet crematories.	X
C-4.1. Undertakers' establishments.	X
C-4.2. Human crematories and pet crematories	X
C-5. Indoor commercial theater for live performances and/or up to two (2) cinema screens, and only one (1) such theater per lot and located not less than one (1) mile radius from any other building containing such a theater.	X
C-6. Laundry, cleaning and dyeing plants.	X
C-6.1. Self-service cleaning establishments or cleaning agency, including clothes pressing and cleaning with noninflammable liquids; laundry agency or self-service laundry not using steam.	P
C-7. Hotels and motels.	ES
C-8. Restaurants and other food and beverage service establishments. (See Par. 1.7)	ES
C-8.1. Table service restaurants.	ES
C-8.2. General service restaurants.	ES
C-8.3. Take-out food service restaurants.	ES
C-8.4. Accessory service restaurants.	X
C-8.5. Restaurant-Brewery.	ES

C-8.6. Microwinery, Microbrewery, Microdistillery.	X
C-9. Printing and publishing establishments.	X
C-9.1. Printing and publishing establishments occupying not more than 5,000 square feet of floor area.	X
C-10. Motor vehicle and farm equipment service, sales and leasing facilities as follows.	
C-10.1. Retail dealer's station for the sale of motor fuels, provided that no pump for the dispensing of such fuel on any lot shall be located within less than 1,000 feet of a pump for the dispensing of such fuel on any other lot.	X
C-10.2. Motor vehicle service facility or repairer's garage when either has a limited repairer's license issued by the State of Connecticut.	ES
C-10.3. Motor vehicle service facility or repairer's garage, including automobile, truck, trailer, bus and farm equipment repairing, painting and upholstering, when either has a general repairer's license issued by the State of Connecticut.	X
C-10.4. Motor vehicle service facility or repairer's garage when clearly accessory and subordinate to a permitted use on the same premises.	X
C-10.5. New or used motor vehicle dealer's establishment for the sale of automobiles, excluding trucks, trailers, buses and farm equipment.	X
C-10.6. Establishment for the rental or leasing of automobiles, excluding trucks, trailers, buses and farm equipment, and having facilities on the premises only for storage of automobiles without maintenance of such automobiles.	ES
C-11. Depot or stop for public service company passenger transportation by bus, limousine or other public service motor vehicle, including ticket counter and waiting room facilities for passengers, provided that such use does not include facilities on the lot for storage, repair or maintenance of such vehicles.	ES
C-11.1 Motor vehicle on livery service, as defined in the Connecticut General Statutes and licensed by the State of Connecticut, and expressly excluding vehicles classified as a taxicab or hacker service or classified as a motor bus, which use may include facilities on the lot for storage and cleaning of livery service motor vehicles but no facilities on the lot for repair or maintenance of such motor vehicles.	ES
C-12. Bowling alleys and billiard or pool halls.	X
C-13. Veterinary hospitals.	ES
C-14. Medical and dental clinics (See Par. 1.7).	ES
C-14.1. Medical Facility including a mobile motor vehicle on the premises providing diagnostic imaging services and/or therapeutic radiology services, provided such accessory use is subordinate	X

to the business of conducting a medical facility on the premises. Subject to the additional standards set forth in Paragraph 3.3.3.	
C-15. Research laboratories.	X
C-15.1. Research laboratories, provided there is no manufacture, processing or assembling of goods except as incidental to research.	X
C-16. The manufacture, processing or assembling of goods.	X
C-16.1. The manufacture, processing or assembling of goods when accessory and subordinate to a permitted use being conducted on the same premises and when located within an enclosed building.	X
C-16.2. Breweries and Distilleries. (See Par. 1.7)	X
C-17. Warehousing and wholesale businesses.	X
C-17.1. Warehousing and wholesale businesses when the total floor area occupied by a single proprietorship does not exceed 5,000 square feet.	X
C-18. Building contractors' businesses and storage yards.	X
C-19. Lumber and building materials businesses.	X
C-20. Freight and materials and trucking businesses and terminals.	X
C-20.1. Freight and materials trucking businesses when accessory and subordinate to a permitted use on the same premises.	X
C-21. Boat houses, docks, launching ramps and facilities and marinas.	X
C-22. Plants for the processing and distribution of milk and edible dairy products and the packaging and distribution of beverages.	X
C-23. Commercial storage, sale and distribution of fuel and bottled gas, excluding tanks for petroleum products having a capacity in excess of 10,000 gallons.	X
C-24. Painting, woodworking, sheet metal, blacksmith, welding, tire recapping and machine shops.	X
C-24.1. Painting, woodworking, sheet metal, blacksmith, welding, tire recapping and machine shops when occupying not more than 5,000 square feet of floor area.	X
C-25. Bulk storage of cement and petroleum products; concrete mixing plants.	X
C-26. Signs as provided in Section 10.	S
C-27. Excavation, grading, deposit or removal of earth, loam, topsoil, sand, gravel, clay or quarry stone, including Soil Extraction operations, subject to the provisions of Section 8.	X

C-28. Commercial antennae and support buildings and facilities for outer space satellite telecommunications.	X
PART D: ACCESSORY USES	
D-1. Accessory uses customary with and incidental to any aforesaid permitted use, subject to the securing of a special exception or administrative approval of a site plan if required for such permitted use and subject to the following additional standards and conditions applicable in Residential Districts:	P
a. The accessory use shall be located on the same lot with the permitted use to which it is accessory;	
b. Accessory uses may include off-street parking spaces and private garages, except that no unregistered motor vehicle or parts of motor vehicles shall be maintained on any lot unless located in an enclosed building;	
c. An accessory off-street parking space outdoors or in a garage may be provided on any lot for only one (1) commercial vehicle, and such vehicle shall not exceed 10,000 pounds gross vehicle weight (weight empty plus rated load capacity), or for one (1) tractor for a highway tractor-trailer combination (excluding the trailer), provided however that off-street parking spaces for more than one (1) such commercial vehicle, and of greater gross vehicle weight, may be provided on any lot containing one or more of the following:	
i. A permitted farm, truck garden, commercial nursery or forestry operation;	
ii. A Permitted Operation listed in Section 8, or a Soil Extraction Operation authorized under Section 8;	
iii. A use or facility operated by the Town of Southbury, Regional School District No. 15, State of Connecticut or Federal Government;	
iv. A maintenance facility in support of dwellings containing two (2) or more dwelling units on the lot, or in support of a Special Exception use, if authorized under such Special Exception.	
d. A use accessory to a dwelling may include a boat house, dock and/or launching ramp or facility for use by the occupants of the dwelling; and [See also Line B-12 in Item A and Line C-21 in Item B].	
e. No land shall be used for access to a use permitted only in a Business or Industrial District.	
f. In residential zones, Falconers who hold a valid Connecticut falconry permit issued pursuant to Section 26-67e of the Connecticut General Statutes and a federal falconry permit pursuant to 50 CFR 21.28 and 21.29, may keep no more than three Raptors at any time on their premises as an accessory use provided that such birds are housed and maintained strictly according to state and federal laws and regulations for the enjoyment of the occupants of the lot and providing the Raptors are not kept primarily for the purpose of sale or commercial endeavor.	

Amend SECTION 4—AREA, LOCATION AND BULK STANDARDS: SCHEDULE B: by Adding new column for B-3E as follows:

SCHEDULE B-STANDARDS		B-3E
1.	Minimum lot area (in sq. ft. or acres.)	40,000
2.	Minimum lot area for interior lot (in sq. ft. or acres.)	40,000

3.	Minimum dimension of square on the lot	150
4.	Minimum lot frontage, except interior lots	135'
5.	Maximum number of stories for a building	3
6.	Maximum height of a building or structure	40'
7.	Minimum setback from street line of—	50'
	7.1 Main Street South or any State Highway	
	7.2 Any other street	50'
8.	Minimum setback from property line	25'
9.	Minimum setback from Residential District boundary line	50''
10.	Maximum lot coverage by buildings and structures as percent of lot area	15%
11.	Maximum floor area as percent of lot area	20%
12.	Minimum floor area on ground floor for one-story dwelling (in sq. ft.)	900
13.	Minimum floor area on upper two floors for split-level dwelling (in sq. ft.)	1200
14.	Minimum floor area for two or more story dwelling (in sq. ft.)	800
	<u>Ground Floor</u>	
	Total Floor Area	1200
15.	Minimum floor area for each dwelling unit (in sq. ft.)	500

Add new row for "B-3E" at SECTION 9—OFF-STREET PARKING AND LOADING, for chart shown after subsection 9.3.5 "Location—Parking" as follows:

	Street Line	Property Line	Residential Boundary
B-3E	25'	10'	50'

Adopted at the regular meeting of the Southbury Zoning Commission on July 13, 2023.

Effective Date: August 3, 2023



Gary Giroux, Chairman

Southbury Zoning Commission

