

Notes:

1. One two-family dwelling per 120,000 square foot lot, provided the two-family structure is located a minimum of 75 feet from the front property line or, where applicable, the highway clearance setback (§ 190-19), provided the two-family structure and all parking areas are located 50 feet from side property lines, provided the subject lot has frontage on a street as defined in these regulations, and provided:
 - a. A record owner of the subject dwelling shall reside in one of the subject dwelling units at least six months per calendar year. "Owner" is defined as that individual owning at least a 50% fee simple interest in said property in his or her personal individual capacity only.
 - b. This owner-occupancy requirement shall be recorded on the land records if the subject two-family dwelling receives a zoning permit and the record owner shall submit adequate proof of occupancy to the zoning agent every two years on the 1st of January of each even-numbered year.
 2. (Reserved)
 3. ~~Churches, other places of worship and identified accessory uses, provided the requirements of § 190-61 are met, and provided special permit approval is obtained in accordance with § 190-74. Buildings and uses that may be authorized under this section are limited to the following:~~
 - ~~Churches, synagogues, temples and buildings used for religious services;~~
 - ~~Accessory rectory, parish house or residence for religious leader(s) or caretakers;~~
 - ~~Garages and accessory buildings used for the storage of maintenance equipment;~~
 - ~~Accessory community center utilized for meetings and religious instruction; day care and nursery school programs; and social and recreational activities clearly accessory to the religious use of the property;~~
 - ~~Children's playground and outdoor recreation facilities clearly accessory to the religious use of the property;~~
 - ~~Schools associated with the religious use of the property and conducted for the instruction of adults or children primarily five to 18 years of age and giving instruction at least three days a week for eight or more months of the year.~~
 4. ~~Multifamily dwellings, in accordance with § 190-32, Planned Housing Design District.~~
 5. Seasonal Farmers' markets shall be permitted by right, provided they are located on the site of a government facility or use; otherwise, special permit approval must be obtained in accordance with § 190-74.
 6. ~~Uses permitted in the SER HO zone are allowed, provided the site is developed and retained under single or common interest ownership.~~
 - a. ~~One family, two family, provided site plan approval is obtained in accordance with the provisions of § 190-73 and provided the provisions of § 190-30 are met; and provided on-site management shall be required for any multifamily residential development of 50 or more dwelling units.~~
 6. b. ~~Multifamily residence in accordance with § 190-32~~
- A. General.
- (1) Uses of land, buildings or structures that are not permitted in Mansfield's various zoning districts are prohibited (see § 190-7 for examples of prohibited uses). All uses permitted in this article are subject to dimensional requirements (see §190-18), performance standards (see § 190-75) and all other applicable requirements contained in these regulations. ~~*All land~~

~~uses, including grading and land disturbing activities are subject to provisions of § 190-75 (Site Development Principles) & (Erosion and Sediment Control Plans) may also apply.~~

- (2) Dependent on each particular use and the specific zone in which the subject site is located, subsections of this Article may require site plan or special permit approval of the Planning and Zoning Commission for any of the following activities:
 - (a) The establishment of new or additional permitted uses on a subject lot;
 - (b) The construction or expansion of primary (as compared with accessory) structures associated with a permitted use;
 - (c) A change in the use of an existing structure or lot from one category of use to another, a change in use within any particular subsection or any change in use in the Pleasant Valley Commercial/Agriculture Zone or Research and Development/ Limited Industrial Zones;
 - (d) Modifications in the overall layout, design or nature of existing or proposed building or site improvements associated with a permitted use including 1) changes in entrance drive design or location, traffic patterns, storm drainage or waste disposal systems or 2) substantive changes in exterior building design, signs or building materials, or 3) interior alterations or renovations that alter or intensify a land use (see § 190-86).

~~(3) Where a building, structure or use is listed as permitted and site plan or special permit approval is not required the use may be authorized by the Zoning Agent through the issuance of a Zoning Permit and/or Certificate of Compliance (see Article 12).~~

~~(4) With the exception of all uses in the Pleasant Valley Commercial/Agriculture Zone or Research and Development/Limited Industrial Zone (see provisions below), changes in the use of an existing structure or lot may be authorized by the Zoning Agent through the issuance of a Certificate of Compliance provided the new use is included in the same permitted use category as the previous use and provided all other applicable provisions of these regulations are met. In the Pleasant Valley Commercial/Agriculture Zone and Research and Development/Limited Industrial Zones, all changes in use from that described and approved in previous permit submissions, or from that established prior to zoning approval provisions, require the submission of a revised statement of use for review and approval by the Director of Planning and Development. The Director of Planning and Development shall have the right to refer the request to the Commission for their review and approval where the proposed change in use is considered to be a significant alteration of the previous use with potential impacts that have not been reviewed. The Commission shall have the authority to require the submission and processing of a new application as per the requirements for establishing a new use on a site.~~

Where questions arise regarding changes in use and permit requirements, the Planning and Zoning Commission shall determine whether a proposal constitutes a change in use and the appropriate permit requirements.

~~(5)~~(3) Minor modifications of existing or previously approved site improvements may be authorized by the Chairman of the Planning and Zoning Commission and the Zoning Agent as per the provisions of § 190-86, provided all Planning and Zoning Commission conditions of approval are met. Within an SC-SDD zone district, requirements relating to site and building modifications are set forth in § 190-48.

(new) §190-9(23) Similar Use(s) Not Otherwise Listed.

The Commission recognizes that in some cases, while a use may not be specifically defined within the Regulations, such use may be similar to those uses which are permitted, making the establishment of a new category of uses through the Text Amendment process unnecessary. Therefore, for any use which is not defined within these regulations as being permissible or prohibited, the Commission may issue a Special Permit in accordance with §190-74 for such use in accordance with the following:

- (1) As provided for by CGS §7-159b, prior to the submission of a Special Use Permit application pursuant to this Section the Commission shall issue an interpretation regarding the appropriateness of the proposed use. In issuing this interpretation, The Commission shall find that the conduct of such proposed use would be in harmony with the POCD and the intent/purpose of the zone which it is proposed to be located in.
- (2) The applicant requesting an interpretation pursuant to this section shall provide the Commission with sufficient information to describe the use as proposed and how such use is reasonably similar to the allowable uses in the zone for which it is to be located.
- (3) Such request shall be accompanied by a report from the Zoning Agent or Director of Planning and Development regarding the suitability of such request.

Definitions to be added to §190-13

(new)Commercial Recreation: Any enterprise which provides or allows for some form of recreational activity to members or the public, including but not limited to; golf courses, driving ranges, tennis or racquetball clubs, paintball or mountain-biking, **regardless of whether a fee is charged for such activity.**

(new)Duplex: A building designed and/or capable of providing separate accommodation for two families living independently of each other.

(new)Earthwork: Filling, grading, excavation, removal or processing of soil, stone, sand, gravel, peat moss or other similar materials.

(new)Healthcare Facility: A public or private facility principally engaged in providing medical services, treatment or care to individuals.

(new)Philanthropic: A use of land or buildings devoted to the use of or supported by charitable or community organizations including youth development groups or historical societies.

(new)Places of Assembly: A public or private facility that hosts planned services, meetings, or programs to benefit, educate, or foster discussion amongst residents of the community

Section Headings to be Amended

§190-57: ~~Hospitals, sanitariums, rest homes, convalescent or nursing homes.~~ Healthcare Facilities

§190-58: ~~Filling/grading/excavation/removal/processing of soil, stone, sand and gravel, peat moss and other similar materials.~~ Earthwork.

§190-61: ~~Churches and other places of worship.~~ Places of Assembly