

State of Connecticut Office of Policy and Management

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Public Act 23-142 Zoning Compliance – AAC Certain Protections for Group and Family Child Care Homes

[Municipal Compliance Inventory](#)

Public Act 23-142 made changes to laws related to family and group child care homes located in residences and how municipalities' zoning regulations may treat them, requiring that:

- No zoning regulation shall treat any family child care home or group child care home, located in a residence, and licensed by the Office of Early Childhood, pursuant to **Chapter 368a**, (https://www.cga.ct.gov/current/pub/chap_368a.htm) in a manner different from single or multifamily dwellings.
- Zoning regulations shall not prohibit the operation in a residential zone of any family child care home or group child care home located in a residence or require any special zoning permit or special zoning exception for such operation. Pursuant to Subsection (b) of Section 1 of PA 23-142, each municipality must submit to the Office of Policy and Management, not later than December 1, 2023, and annually thereafter, a sworn statement from the municipality's chief executive officer, stating either:
 - The municipality's zoning ordinances are in compliance with PA 23-142;
 - Or the specific time frame within which the municipality will bring its zoning ordinances into compliance with PA 23-142.

Sample Notices of Compliance and Noncompliance are provided below and should be sent electronically to justine.phillips-gallucci@ct.gov (<mailto:justine.phillips-gallucci@ct.gov>) by December 1, 2023.

- [Compliance Statement](#)
- [Noncompliance Statement](#)

For further information, contact:

Justine Phillips-Gallucci
Intergovernmental Policy and Planning Division
Phone: 860-418-6292
Email: Justine.Phillips-Gallucci@ct.gov

Put on Municipal Letterhead

Date

Martin L. Heft, Undersecretary
Intergovernmental Policy and Planning Division
Office of Policy and Management
450 Capitol Avenue MS# 54ORG
Hartford CT 06106-1379

RE: **Public Act 23-142 2023 Compliance**

Undersecretary Heft:

I hereby certify that **(name of municipality)**'s zoning ordinances and regulations are in compliance with Public Act No. 23-142 for calendar year 2023.

IN WITNESS WHEREOF, _____, Chief Executive Officer of **(name of municipality)**, has hereunto set his/her name and seal this **date** day of **month**, in the year 2023.

Signed, sealed, and delivered
In the presence of:

By:

(Name of Chief Executive Officer)
Town of _____
Duly authorized

Personally appeared, _____, Chief Executive Officer of **(name of municipality)**, signer and sealer of the foregoing instrument, who acknowledged that the same is his/her free act and deed, and the free act and deed of the town of _____, before me.

Notary Public

SECTION 3.3: RESIDENTIAL-AGRICULTURAL 2 ZONE (RA-2)

3.3.1 PERMITTED PRINCIPAL USES:

The following principal permitted uses and accessory uses are permitted in the RA-2 Zone subject to issuance of a Zoning Permit:

- 3.3.1.1: Single Family dwelling together with accessory structures and uses, including:
 - 3.3.1.1a: Accessory Apartment subject to the requirements in Section 3.7.
 - 3.3.1.1b: Home Office: A business or office activity conducted in the principal dwelling unit by the owner and occupant of a single family dwelling which meets the requirements in Section 3.7.
 - 3.3.1.1c: Storage Use in an Accessory Building: A storage use associated with a building or mechanical contractor use which meets the requirements in Section 3.7.
 - 3.3.1.1d: Traditional Home Enterprise: A use involving the teaching of music and/or voice lessons or the production and sale of home made arts or crafts and home grown produce by the owner and occupant of the property and by family members who reside on the property which meets the requirements of Section 3.7.
 - 3.3.1.1e: Family and Group Day Care homes as defined in PA 87-232.
- 3.3.1.2: Farming
 - 3.3.1.2a: Farm Stand Major or Farm Store under five hundred (500) square feet in Gross Floor Area, excluding outdoor display areas.
 - 3.3.1.2b: Farmers Market
- 3.3.1.3: Public School
- 3.3.1.4: Private School and educational buildings, structures, and uses.
- 3.3.1.5: Uses, buildings, and structures of the Town of Goshen including, but not limited to, recreational areas, parks, playgrounds, library, offices, fire, police, and other emergency medical services and public safety facilities.

3.3.2 SPECIAL PERMIT USES:

The following uses and accessory uses are permitted in the RA-2 Zone subject to issuance of a Special Permit by the Commission in accordance with the requirements of Articles 4 and 5:

- 3.3.2.1: A Bed and Breakfast use as an accessory use in a single family dwelling subject to use requirements of Section 5.6.2.
- 3.3.2.2: Church or Synagogue and related buildings, structures, and uses provided the lot meets the minimum road frontage requirement on a State highway.
- 3.3.2.3: Museums provided the lot meets the minimum road frontage requirement on a State highway. A museum located in an historic building provided the lot has road frontage on a Town or State highway.
- 3.3.2.4: Hospital and Health Care related facilities which are subject to approval of Certificate of Need by the State Commission on Hospitals and Health Care and licensing by the State of Connecticut, Department of Public Health and Addiction Services.
- 3.3.2.5: Home Based Business subject to the requirements in Section 5.6.1.
- 3.3.2.6: Accessory uses, buildings, and structures relating to any of the above Special Permit Uses.
- 3.3.2.7: Buildings for a Public Utility Use not to exceed 4,000 square feet in total area. NOTE: Buildings and structures for antennas, towers, and wireless facilities are regulated in accordance with Article 2, Section 2.5 of these Regulations.
- 3.3.2.8: Country Club and accessory uses, buildings, and structures.
- 3.3.2.9: Major Farm Stand and Farm Store in excess of five hundred (500) square feet in Gross Floor Area provided:
 - a. A minimum of 5 contiguous acres of land, single ownership and/or leasehold, is under active cultivation, or is a dairy producer in active operation.
 - b. The maximum size of the farm stand or farm store is based on the number of