

## **ARTICLE 1 INTRODUCTION/ZONES**

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### **Section 1.1 Authority**

These Regulations are adopted under the authority of Connecticut General Statutes (CGS) Chapter 124, as amended.

### **Section 1.2 Purpose**

These Regulations are adopted for the following purposes:

1. To guide the future growth and development of Portland in accordance with the Plan of Conservation and Development;
2. To lessen congestion in the streets;
3. To secure safety from fire, panic, flood and other dangers;
4. To promote health and the general welfare;
5. To provide for adequate light and air;
6. To prevent overcrowding of land and avoid undue concentration of population;
7. To facilitate the adequate provision for transportation, water, sewerage, schools, parks and other public requirements;
8. To give consideration to the character of each area and its peculiar suitability for particular uses;
9. To conserve the value of buildings and encourage the most appropriate use of land throughout Portland;
10. To protect historic factors and resources;
11. To protect existing and potential public surface and ground drinking water supplies;
12. To provide for the development of housing opportunities, including opportunities for multi-family dwellings, consistent with soil types, terrain and infrastructure capacity, for all residents of Portland and the Mid-State Planning Region; and
13. To provide housing choice and economic diversity in housing, including housing which will meet identified housing needs.

### **Section 1.3 Jurisdiction**

#### **A. General**

These Regulations apply to all areas within the Town of Portland and to the use to which any area and any and all buildings and structures may be devoted.

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## B. Exemptions

Currently, a Town Ordinance exempts all land owned by the Town of Portland from the provisions of these regulations.

## Section 1.4 Zoning Map and Districts

### 1.4.1 Principal Zones

<u>Zone Designation</u>	<u>Zone Name</u>
Residential Zones	
RR	Rural Residential (1 acre minimum lot area)
R-25	Residential (25,000 sq.ft. minimum lot area)
R-15	Residential (15,000 sq.ft. minimum lot area)
R-10	Residential (10,000 sq.ft. minimum lot area)
RMD	Residential, Multi-Family (Inactive Section)
Business Zones	
B1	Designed Business
B2	General Business
B3	Central Business District
Industrial Zones	
I	Industrial
IP	Planned Industrial
RI	Restricted Industrial

**1.4.2 Special Zones**

<u>Zone Designation</u>	<u>Zone Name</u>
CRAC	Connecticut River Assembly Conservation Zone
FP	Flood Plain District
FH	Special Flood Hazard Areas
FO	Forest Neighborhood Overlay Zone
RO	Riverfront Overlay Zone
TC	Town Center Village District Zone

**1.4.3 Zoning Map**

- A. For the purpose of these Regulations, the Town of Portland is hereby divided into zones regulating the use of land and buildings; the height; and bulk of buildings; and the areas of lots, yards, courts and open spaces.
- B. The boundaries of all zones as established herein and amended from time to time are those shown on the Town of Portland Zoning Map that is filed in the office of the Town Clerk, and is part of these Regulations. Any facsimile maps are not official and are for convenience only.

**1.4.4 Zone Boundary Uncertainties**

Where uncertainty exists as to the boundaries of zones as shown on the Zoning Map, the following rules shall apply.

1. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines.
2. Boundaries indicated as approximately following lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following town lines shall be construed as following town lines.
4. Boundaries indicated as following railroad right-of-ways shall be construed to be midway between the right-of-way lines.
5. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the above line shall be construed as moving with the actual shoreline.
6. Boundaries indicated as approximately following the centerlines of watercourses shall be construed to follow such centerlines.
7. Boundaries indicated as parallel to or extensions of features indicated in subsections 1) through 6) above shall be so construed. Distances not specifically indicated on the Zoning Map shall be determined by the scale of the map.
8. If after applying the above stated rules, uncertainty still exists, the Commission shall determine the location of the boundary.

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## Section 1.5 Interpretation of Regulations

### 1.5.1 Permitted Uses or Activities

- A. Any principal use of land, buildings or structures not expressly permitted by these Regulations in the various zoning districts is prohibited.
- B. Any activity not expressly permitted in the Regulations is prohibited.
- C. For a principal use permitted by these Regulations, accessory uses which are customarily incidental and are actually subordinate thereto are permitted.
- D. No accessory use shall be established on a property until a principal use has first been established.

### 1.5.2 Minimum Requirements

In the interpretation and application of these Regulations, the provisions of these Regulations shall be held to be the minimum requirements adopted for the promotion of the public health, safety, and welfare, unless clearly identified as a maximum condition.

### 1.5.3 Interpretation of Multiple Standards

- A. Except those specifically repealed by these Regulations, it is not intended by these Regulations to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws or ordinances, or in any way impair or interfere with private restrictions placed upon property by covenant, deed, or other private agreement; or with restrictive covenants running with the land to which the Town is a party.
- B. Where these Regulations impose a greater restriction upon land, buildings, or structures than is imposed or required by such existing provisions of law, ordinance, contract, or deed; the provisions of these Regulations shall control.

## Section 1.6 Conformity Required

Within the Town of Portland, no land, building or other structure shall be used or designed for use, and no building or other structure shall be constructed, reconstructed, enlarged, extended, moved or structurally altered except in conformity with these Regulations.

## Section 1.7 Severability and Validity

Should any section, paragraph, clause, or provision of this Regulation be adjudged invalid or unconstitutional for any reason, such adjudication shall apply only to the section, paragraph, clause, or provision upon which such adjudication is based; and the remainder of this Regulation shall continue to be valid and in full force and effect.