

ARTICLE 11 ADMINISTRATION & ENFORCEMENT PROCEDURES

Section 11.1 Administrative Permits

11.1.1 Zoning Permits

A. Applicability

1. Prior to the construction, reconstruction, change of use, enlargement, extension, moving or structural alteration of any building, and prior to any occupancy or use or change in use of any land, building or other structure or part thereof, an application for a Zoning Permit shall be submitted to the Zoning Enforcement Officer.
2. If the Zoning Enforcement Officer determines that the proposed building or other structure or use is in compliance with these Regulations, he/she shall issue a Zoning Permit.
3. However, no such permit shall be issued for the construction, reconstruction, change of use, enlargement, extension, moving or structural alteration to any building requiring approval of the Planning and Zoning Commission, Zoning Board of Appeals, and/or the Inland Wetlands Commission until such approvals have been granted by said Commissions and Boards.
4. Application for a Zoning Permit shall be applied for and submitted to the Zoning Enforcement Officer prior to submittal of a building permit application.

B. Change of Use

The change of use of an existing use of land, buildings, or structures, or part thereof, to another proposed use which is allowable in the applicable zoning district shall be subject to the provisions of this Section for the issuance of a Zoning Permit in the same manner as a new building, structure, or use.

1. Where a change of use does not constitute a substantial change to the use of the property, a Zoning Permit may be issued by the Zoning Enforcement Officer. It shall be the responsibility of the Zoning Enforcement Officer to determine whether or not a change of use will result in substantial site changes.
2. When it is determined that a change of use will require some substantial site changes, the Zoning Enforcement Officer shall refer said applicant to the Commission for their formal review of the application.

See Section 3.12.4 for Change of Nonconforming Use.

C. Application Requirements

An application for a Zoning Permit shall be accompanied by the following as applicable to the particular proposal:

1. A plot plan submitted in duplicate, drawn to a scale not to exceed 1"=20', based on the Town of Portland Assessor's Maps and showing all of the following information:
 - a. Name of applicant and property owner;
 - b. The area of the lot, and the dimensions of all lot lines and proposed and existing grades;

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- c. Street address and assessor's map and lot numbers;
 - d. North arrow and graphic scale;
 - e. The height, dimension, use, floor area, ground coverage and location of all buildings and other structures;
 - f. The locations, area and dimension of off-street parking and loading spaces, driveways, easements, and rights-of-way;
 - g. Dimensions of all setback lines observed by buildings and structures;
 - h. The location of any on-site sewage disposal system and water supply well;
 - i. Signs and other facilities and improvements that are subject to the provisions of these regulations;
 - j. Any wetlands, watercourses and special flood hazard areas;
 - k. When located in a Special Flood Hazard area, include existing and proposed site grades, contours and elevations, base flood elevation data, top of foundation elevation, finished floor elevation and any proposed watercourse relocation;
 - l. Soil erosion and sedimentation control plan; and
 - m. Such additional information as may be necessary to determine compliance with the provisions of these regulations.
2. A certified A-2 plot plan, prepared by a licensed land surveyor and/or professional engineer, containing all information required in Section 1, above, submitted with an application for a Zoning Permit for any new dwelling or commercial building, for any new detached structure 850 square feet in area or larger, and for any addition to an existing detached structure which will result in an area of 850 square feet or larger if the proposed location of the structure is within 5 feet of required front, side and/or rear yard setbacks. The Zoning Enforcement Officer may waive the A-2 plot plan requirements to allow a partial A-2 survey for critical property lines only in cases where an A-2 survey of the entire property is deemed not practical and/or is not needed to determine conformity with these regulations.
 3. A Site Plan as specified in Section 10.5 Site Plan Standards and Procedures;
 4. Building and floor plans as specified in Section 10.5 Site Plan Standards and Procedures;
 5. A copy of the recorded variance, Special Permit Certificate and/or Wetland Permit;
 6. Verification of local health authority approval; and
 7. Such additional information that the Zoning Enforcement Officer deems necessary to determine compliance with the provisions of these Regulations. Additional information required may include certification from a licensed land surveyor verifying installation of property boundary pins, staked limits of tree clearing, and the installation of conservation easement markers.

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11.1.2 Foundation Verification

The applicant shall submit a certified A-2 "as-built" plot plan to the Zoning Enforcement Officer within 14 days after completion of foundation footings, columns, piers or walls for verification of setback lines for any new dwelling, for any new detached structures 850 square feet in area or larger, and for any addition to an existing detached structure which will result in an area of 850 square feet or larger, if the proposed location of the structure is within 5 feet of required front, side and/or rear yard setbacks.

11.1.3 Certificate of Zoning Compliance

- A. Prior to the issuance of any certificate of occupancy by the Building Official, an application for a Certificate of Zoning Compliance shall be submitted to the Zoning Enforcement Officer. If the Zoning Enforcement Officer determines the building or other structure, use and/or site work is in compliance with an approved Zoning Permit, Site Plan or special permit and with these Regulations, he/she shall issue a Certificate of Zoning Compliance. Failure to comply with all conditions of an approved plan or with these Regulations will cause a delay in the issuance of a Certificate of Zoning Compliance.
- B. Performance bonds may be accepted by the Zoning Enforcement Officer for site improvements, such as landscaping, which cannot be completed because of seasonal weather conditions. The Town Engineer shall establish the amount of the bond.

Section 11.2 Bonds and Inspection Fee

11.2.1 Erosion and Sedimentation Control

When required, the applicant shall post an E&S Performance bond in form acceptable to the Commission, in accordance with the policies set forth herein, and in an amount determined by the Town Engineer based upon the approved site plan. Such bond shall be posted prior to any soil disturbance on the site and prior to the issuance of Zoning and Building Permits. The E&S bond will not be released until the entire site or entire phase is stabilized to the satisfaction of Town staff. The Town Engineer may authorize release or reduction of the E&S bond.

11.2.2 Performance Bonds

- A. Industrial, Business, and Multi Dwelling Development: All site improvements must be completed according to the approved plan prior to receiving a Zoning Certificate of Compliance and a Certificate of Occupancy. Site improvements, which shall be designed in accordance with established standards, rules and regulations applicable in the Town of Portland, include: street grading; roadway and parking lot paving, street planting; the installation of curbs, gutters, storm drainage facilities, landscaping, sidewalks, monuments, bridges, culverts, landscaped buffers, fencing, walls, lighting, railings, directional signage, and other improvements deemed necessary by the Commission. However, in the event that certain specific improvement items, including the final course of paving (binder course must be installed), landscaping (excluding required buffers), and turf establishment cannot be completed due to the winter months (closure of asphalt plants and non-planting season), a bond for such specific improvement items shall be posted prior to the issuance of the Zoning Certificate of Compliance and Certificate of Occupancy. The bonded improvements shall be installed prior to June 30.

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1. Town Center Village District Overlay Zone: All exterior improvements to buildings or structures must be completed in accordance with the approved design prior to the issuance of a Certificate of Zoning Compliance for issuance of a Certificate of Occupancy. In certain instances and at the discretion of the Zoning Enforcement Officer, the Town may allow a bond to be posted for specific improvements not yet installed. Any bonded improvements must be installed and completed within 30 days of the issuance of a Certificate of Occupancy.
- B. A performance bond shall be posted in one or more of the following methods and in a form that is acceptable to the Town Attorney:
1. A cash bond; or
 2. An irrevocable letter of credit
 3. A passbook or statement savings account with the Town as the signatory
- The financial institution or other entity issuing such bond must be acceptable to the Commission and in conformance with its current bonding policies.
- C. The amount of the performance bond shall be established by the Town Engineer. The bond shall cover the full cost of the improvements as if let-to-bid by the Town without advantages of on-site building materials or the sale of removed earth material and including the costs of bidding, bid evaluation, town oversight and inspections the cost for which will be projected to the end of the bond term. In addition, the bond shall include a contingency of up to ten percent (10%) of the amount determined by the Town Engineer.
- D. Upon completion of the required improvements the applicant may be required to submit to the Commission the following, as may be applicable:
1. Record Drawings of the improvements (supplied by licensed engineer or land surveyor);
 2. Certification of accurate monument location (supplied by land surveyor);
 3. Easements in a form satisfactory to the Town Attorney including a written geometric description of all such easements; and
 4. Proof of fulfillment of any other requirements or conditions.
- E. Upon written request of the person posting such performance bond, the bond or any portion thereof, will be released within sixty-five days of the next regularly scheduled meeting of the Commission, provided that all required bonded improvements, or portion thereof, have been completed to the satisfaction of the Commission or its agents, including the Town Engineer, and the Zoning Enforcement Officer. If reasonably satisfied that the bonded improvements have been completed, the Commission shall authorize bond releases or bond reductions upon the vote of its members at a regularly scheduled meeting within the sixty-five days. If a bond release or reduction is not recommended or approved, the Commission shall, within sixty-five days, provide a written explanation as to the additional modifications that must be completed before such bond or surety, or portion thereof, maybe released.
- F. If the improvements are not installed as required, the Commission is under no obligation to accept the work. The Commission may consider the calling of any bond for failure to complete any improvement as specified.

11.2.3 Completion of Work

Failure to complete work as specified on the approved site plan and application within 5 years from the date of the Commission's approval of the site plan shall result in automatic expiration of the approval, provided that the Commission shall file on the Land Records of the Town of Portland notice of such expiration.

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11.2.4 Other Bonds

Bonds in conjunction with Earth Material Removal, Filling, and Excavation permits shall be posted as required in Section 9.5 Earth Material Removal, Filling and Excavation.

11.2.5 Guarantee of Maintenance of Improvements and Landscaping

To assure proper maintenance of all site improvements, the applicant shall maintain all site improvements and approved landscaping in good condition and repair for a minimum of one (1) year from the date of completion of all proposed improvements or landscaping. During such period, the applicant shall, when notified by the Town, promptly at his/her own expense, repair all failures and defects of said improvements or landscaping.

11.2.6 Inspection Fee

As per Town Ordinance, as may be amended, a sum, to be computed by the Town Engineer, equal to 3% of the estimated cost of site improvements specified in Section 11.2.2.A, shall be paid at the same time that a bond for Erosion and Sedimentation controls is submitted.”

Section 11.3 Enforcement and Penalties

11.3.1 Zoning Enforcement Officer

The Planning and Zoning Commission shall appoint a Zoning Enforcement Officer and may appoint one or more Deputy Enforcement Officers. The Planning and Zoning Commission also shall have the responsibility and authority to enforce the provisions of these Regulations. Said Zoning Enforcement Officer(s) may also be appointed Special Constables pursuant to CGS Section 7-92. The First Selectman may appoint additional Special Constables at any time for terms of not more than 2 years

11.3.2 Enforcement and Penalties

- A. These regulations shall be enforced by the Zoning Enforcement Officer and/or designee or the Commission or Special Constables as specified in Section 11.3.1 of these Regulations, who shall be empowered to cause any building, structure, place or premises to be inspected and examined in accordance with law and to order, in writing, the remedying of any conditions found to exist therein or thereat in violation of any provision of these Regulations, or any permit or approval issued hereunder.
- B. Any person violating any of the provisions of these Regulations shall be subject to the fines, injunctive procedures, and any other penalties prescribed by CGS Chapter 124, as amended, including, when warranted, a separate violation for each day that a violation exists.

11.3.3 Appeals

- A. Powers and Duties of the Zoning Board of Appeals

The Zoning Board of Appeals shall have all of the powers and duties prescribed by these Regulations and the *Connecticut General Statutes* which includes the following:

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1. To hear and decide appeals where it is alleged that there is an error in any order, requirement, or decision made by the Zoning Enforcement Officer;
2. To hear and decide all matters upon which it is required to pass by the Zoning Regulations;
3. To determine and vary the application of the Zoning Regulations in harmony with their general purposes and intent, and with due consideration for conserving the public health, safety, convenience, welfare, and property values solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the zone in which it is situated, a literal enforcement of the Regulations would result in exceptional difficulty or unusual hardship so that substantial justice will be done and the public safety and welfare secured.

B. Use Variances

1. Use variances shall not be allowed for those uses not permitted or specifically stated in Section 4.1 Permitted Uses Residential Zones, Section 5.1 Permitted Uses Business Zones, Section 6.1 Permitted Uses Industrial Zones, Section 7.4.4 Permitted Uses Flood Plain Zone/Special Flood Hazard Areas, and Section 7.3.3 Permitted Uses Town Center Village District Overlay Zone, of these Regulations.
2. In Residential Zones, use variances shall not be granted for those uses listed specifically to only be allowed in the B-1, B-2, B-3, I, IP, and RI Zones and indicated in the permitted use tables in Section 5.1 Permitted Uses Business Zones and Section 6.1 Permitted Uses Industrial Zones of these Regulations.
3. Also, use variances for those residential uses not permitted in specific residential zones as per Section 4.1, shall not be granted.
4. In Business Zones, use variances shall not be granted for those uses listed specifically to only be allowed in the RMD, R-10, R-15, R-25, RR, I, IP and RI Zones and indicated in the permitted use tables in Section 4.1 Permitted Uses Residential Zones and Section 6.1 Permitted Uses Industrial Zones of these Regulations.
5. Also, use variances of those business uses not permitted in specific business zones as per Section 5.1 Permitted Uses Business Zones shall not be granted.
6. In Industrial Zones, use variances shall not be granted for those uses listed specifically to only be allowed in the RMD, R-10, R-15, R-25, RR, B-1, B-2 and B-3 Zones and indicated in the permitted use tables in Section 4.1 Permitted Uses Residential Zones and Section 5.1 Permitted Uses Business Zones of these Regulations.
7. Also, use variances of those industrial uses not permitted in specific industrial zones as per Section 6.1 Permitted Uses Industrial Zones shall not be granted.

C. Other Appeals

Any person or persons, aggrieved by any action of the Planning and Zoning Commission may appeal such actions in the manner provided in the *Connecticut General Statutes*.

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Section 11.4 Amendments

11.4.1 Validity

If any section, paragraph, clause, or provision of this Regulation shall 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.

11.4.2 Amendments

The Planning and Zoning Commission may, from time to time, amend, change, modify or repeal these Regulations, including the zoning map, which is part hereof, on its own initiative or when initiated by a written petition. Any amendment may be adopted only after due notice and a public hearing as prescribed by CGS Section 8-3, as amended. Any petition for amendment shall be submitted in writing and comply with Section 10.3.

11.4.3 Effective Date

Zoning Regulations for the Town of Portland were first adopted February 7, 1934, and substantially amended with an effective date of May 24, 1948. The Regulations were again substantially revised effective on November 9, 2007. Subsequent revisions are listed in Table 11.4.3 which follows.

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Table 11.4.3 Revisions to Text of Zoning Regulations			
Revision	Sections(s)	Application #	Effective
Add Hotels & Motels to I Zone Use Table	6.1	07-18	02/01/2008
Amendments to Clarify, Correct and Reinstate Maintenance Bond Requirement	4.2.1, 9.2.6.b, 9.16.4, Table 9.14.4, 4.2.4.A, 4.2.4, 5.5, 6.3, 6.1, 6.3, 9.5.3.G.3, 9.14.4, 11.2.4, 11.2.4B, 11.2.4.A,	07-19	02/01/2008
Building Height – Mixed Use Dev.	9.17.5.E	07-21	02/19/08
Design Guidelines	7.5.7A	07-25	03/17/08
Retail Sales Products Manufactured Off-site	6.1	07-26	04/14/08
Sale and Distribution of Petroleum Products	6.1	07-34	05/27/08
Flood Plain Zone/Special Flood Hazard Area Regulations	7.2, 7.6	07-39	08/28/08
Off-premise Signs – increase to 6 sq. ft.	8.4.2.I	08-02	10/01/08
Address typographical errors, formatting, elimination of obsolete Residential Multiple Dwelling regulations, and the following : definition of farm; erection of barns for agricultural purposes; definition and associated permitting process for Special Events in the B-1, B-2, B-3, I and RI Zones; permitting process for improvements to existing dwellings located within non-conforming multiple-dwelling developments in the R-25 and RR Zones; addition of Dog Grooming and Drive-thru Window Service for other than Restaurant and Other Food Service Establishments as Permitted Uses in the B-1, B-2 and B-3 Zones and associated permitting processes; addition of Dwellings as a Permitted Use within Special Flood Hazard Areas and associated permitting	Table of Contents, 2.4, 3.1.1, 3.1.2.D, 3.1.2.E, 3.9.B.1.b, 3.10.3.C, 3.12.2.B, 3.12.2.D, Table 3.12.3, 3.13, 3.13.A, 3.13.B, 3.13.C, 3.13.D, 4.3.1., 4.3.2 thru 4.3.13, 5.1, 5.5, 6.1, 7.5.3.A.1.c, 7.5.7.A, 7.6.4., 7.6.7.A thru 7.6.7.F, 8.2.1.B thru 8.2.1.G, 8.2.3.D, 8.4.2.I, 8.4.2.K.3, 8.4.2.M.1, 8.4.3.B.3.b, 8.4.5B, 9.5.3.G.2.a, 9.6.3.A.3, 9.8.A, 9.15.1.A, 9.16.1, 9.17.2.B.6 thru 9.17.2.B.24, 9.17.3.C, 11.2, 11.2.4.A, 11.2.4.C, and 11.2.5	08-19	02/10/09

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process; subdivisions in Special Flood Hazard Areas; counting public parking facilities to meet minimum parking space requirements; location and permitting process for off-premise signs; location for portable sign within the Town Center Village District; dimensional requirements for free-standing signs within the B-3 Zone; neon window signs in the B-3 Zone, declaration for properties not merged as part of a Mixed Use Development; bonding requirements for Multiple-Dwelling Developments; and inspection fees.			
Alcoholic Liquors - Locational Requirements	3.2.1	09-08	11/03/09
Adaptive Reuse for Historic and Cultural Preservation	Table of Contents, Table 4.1, Table 5.1, Table 6.1, 10.6	09-11	12/07/09
Garages, auto body shops and related uses in IP Zone	Table 6.1	09-22	04/15/10
Grooming Facilities	Table 4.1	10-03	10/20/10
Residential Use on 1 st floor in B-3 Zone	5.4.5	10-20	05/02/11
Farm Winery	2.4 & Table 5.1	10-25	08/02/11
Dwelling, one unit apartment for caretaker in B-1	Table 5.1	11-02	09/14/11
Offices: Sale, Service & Delivery of Heating Fuel Products	Table 5.1	11-05	10/19/11
Revise definition of interior lot; Allow reduction in landscape buffer requirements along the access strip; Clarify access vs. driveways for interior lots; Clarify minimum separation distances between interior lot access strips with driveways; Clarify that a non-conforming use may be changed to a	2.4 , 3.10.2.B, 3.10.2.H.3, 3.10.4.A (delete), 3.10.4.B through 3.10.4.H (renumber 3.10.4.A through 3.10.4.G), 3.10.5.1, 3.12.2.E.1 (delete), 3.12.2.E.2 through 3.12.2.E.4 (renumber 3.12.2.1 through 3.12.2.3), 3.12.4.A, 3.12.7.D, 3.17.C, 3.19 (Table), 4.1 (Table), 5.1 (Table), 5.5 (Table - delete and replace with	11-06	12/05/11

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<p>conforming use as per the approval process identified in the zone use table; Require approval by the Health District in lieu of the Director of Health for alterations and additions on non-conforming lots, Revised Table 3.19 to be 3.17 and changed minimum distance to read from pool or deck to street, Add “Farm Winery” use in the R-25 and RR (residential) Zones as permitted by Special Permit approval; Add Aircraft landing Areas, heliports and hangers in the B-1 (Designed Business) Zone as permitted by Special Permit approval; Revise name of permitted use “Laundering and clothes cleaning establishments, self-cleaning” to “Laundering and clothes cleaning establishments, self-service”; delete the Business Area & Dimensional Requirements - Area, Height, Coverage and Setback Requirements (Table 5.5) and Add a revised table that calculates maximum building height based on width of public right-of-way along the frontage of a property, elimination of maximum stories, reduced front, rear and side yard setbacks, and an allowance for increased lot coverage based on public water and sewer availability and utilization; Add “Farm Winery” use in the IP (Planned Industrial) Zone as permitted by Special Permit approval, Add “Laundering, Commercial” use in the I (Industrial) and IP (Planned Industrial) Zones as permitted by Special Permit approval and add definition for Laundering, Commercial in Section 2.4; Add “Special Events” use in the IP (Planned Industrial) Zone as</p>	<p>new table), 6.1 (Table), 7.5.3.A.1.a, 7.5.3.A.2.a (delete), 7.5.3.A.2.b through 7.5.3.A.2.d (Re-number as 7.5.3.A.2.a through 7.5.3.A.2.c; 8.1.2.A, 8.1.2.D (New Section), 8.4.2.P (New Section), 9.5.3.C.8, 9.5.3.C.9, 9.5.3.C.10, 9.15.4, 10.5.2.D.1, 10.5.2.D.2 through 10.5.2.D.4 (Re-number as 10.5.2.E through 10.5.2.G), 10.5.2.E through 10.5.2.G (Re-number as 10.5.2.H through 10.5.2.J), 11.1.1.B, 11.2.2.A.1 (New Section),</p>		
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<p>permitted by Special Permit approval; Add “Health Care Institutions” as a use not allowed in the Town Center Village District Overlay Zone; Clarify and require that additional permitted uses in the Town Center Village District require Site Plan Approval; Clarify that a buffer is required in cases where a multi-family use, a commercial use, an industrial use or a special permit use abuts a single-family dwelling; Add allowance for the Commission to waive required buffer for a change of use when utilizing an existing building; Add section for non-conforming signs in Section 8.4.2 and refer to Section 3.12.6.D (Non-conforming Buildings and Structures); Add allowance for retaining walls to exceed maximum wall height in a zone when approved by the Building Official and Town Engineer; Add reference to Section 3.12.4 (Change of Non-Conforming Use) in Section 11.1.1.B (Change of Use); Add Section 11.2.2.A.1 to require performance bond and specify a 30 day timetable for completion of bonded items relative to approved exterior improvements for buildings and structures located within the Town Center Village District Overlay Zone</p>			
<p>Earth material processing</p>	<p>9.5.3.C.4</p>	<p>12-11</p>	<p>12/11/12</p>
<p>Hospitals, Clinics and Medical Offices Use – Remove requirement for public sanitary sewers</p>	<p>Table 6.1</p>	<p>12-16</p>	<p>01/24/13</p>
<p>Conversions on west side of Main Street between Middlesex Ave & Russell Ave.</p>	<p>9.3.B</p>	<p>13-02</p>	<p>10/04/13</p>
<p>Comprehensive amendments to add,</p>	<p>Table of Contents, 2.4, 3.5.3, 3.10.1,</p>	<p>13-19</p>	<p>05/23/14</p>

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delete and renumber sections within the Table of Contents and ZR Articles 2 through 11	3.10.2, 3.10.2.F, 3.10.2.H, 3.10.2.I, 3.10.3.D, 3.10.6, 3.11, 3.12.2.A, 3.12.2.B, 3.12.2.C, 3.12.5, 4.1, 4.2.2, 5.1, 5.4, 6.1, 6.2.2, 6.2.3, 6.2.4, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 8.1.2, 8.1.2.B, 8.1.2.A, 8.1.2.D, 8.2.6.H, 8.2.8, 8.4.2.J, 9.2.6.C, 9.5.2, 9.5.3.G, 9.6.3, 9.11.1.E, 9.12.2., 9.15.1.D, 10.2.B, 10.3.E.2, 10.4.C, 10.4.D, 10.4.E, 10.5.2.B, 10.5.2.H, 10.5.2.I, 10.5.3., 10.5.4, 10.6.2, 10.6.4, 10.6.5, 11.1.1.C.2, 11.2.1, 11.2.2.B, 11.2.2.C, 11.2.2.E, 11.2.2.F, 11.2.4, 11.2.5, 11.2.6, 11.3.2, 11.3.3.B, 11.4.3		
Non-conforming uses	3.12.2C & 3.12.2.F	13-23	05/23/14
Riverfront seasonal outdoor dining establishments	2.4, 9.13.1, 9.13.2.B, 9.13.3.3, 9.13.3.7, 9.13.3.11	15-05	11/16/15
Mixed Use Development (MUD) amended to limit residential unit types, establish maximum number of residential units, and increase the ratio of residential units per commercial development for preservation of significant historic resources as identified in the POCD.	9.17.1	15-20	08/01/2016
Remove Mid-State Planning and add Lower CT River Valley Council of Governments, Section 1.4.2- CRAC no longer exists. Remove this special zone, and Section 9.17.5.Q- Section referenced is incorrect- old regulations. Remove 4.3.12.c of the Zoning Regulations.	1.2.12, 1.4.2, 9.17.5.Q	16-04	11/01/2016

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Add "Medical Marijuana Dispensary Facility" to the use table for the B2 Zone by Special Permit	5.1	17-18	5/01/2018
Add to Section 2.4 Defined Terms: Barrel, Beer, Brewer, Brewery, Brewing, Brewpub, and Farm Brewery; Add "Farm Brewery" to the use table for the R25 and RR Zones via Special Permit with a footnote that "Operations are allowed pursuant to the daytime hours as stated in the Town of Portland Noise Ordinance Article III"; add "Farm Brewery" to the B-1 and B-2 Zones via Special Permit; add "Brewpub" to the B-1, B-2, and B-3, I, IP, and RI Zones via Special Permit; add "Restaurants and other food service establishments (See Section 9.13 Seasonal Outdoor Dining Areas)" in the I and IP Zones via Special Permit.	2.4, 4.1, 5.1, 6.1	19-04	10/14/2019
Add to Section 2.4 Defined Terms: Earth Materials, Earthwork, Earth Processing, Excavate,(Cut), Deposit (Fill), Earthwork Associated with Site Development Plan/Subdivision, Quarry/Mining Operation, Inactive Quarry/Mining Operation; Section 9.5 add Earthwork Activities Permit Table; Changes to 9.5.2 Exemptions; Changes to 9.5.3 Application and Procedure Requirements; Additions to Section 10.5.2.B Standards for Site Plans; Section 6.1: Permitted Uses Table: Replace Earth Material Operations with Earth Material Removal, Filling and Excavation (Section 9.5)	2.4, 9.5, 9.5.2, 9.5.3, 10.5.2.B, 6.1	19-03	10/14/2019
Add to Section 2.4 Defined Terms: Family and Supervised Group Quarters; Section 9.3 (Conversions) Replace Table 9.3 Minimum Floor Area Requirements-	2.4, 9.3, 8.2.3.A	19-11	12/16/2019

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<p>Residential Conversions with a table containing Number of Bedrooms and Minimum Sq Ft/Unit and another containing Number of Units and Minimum Cumulative Square Footage; Section 8.2.3.A Location of Parking to say: "In all zones, no off-street parking for properties with a residential dwelling shall be designed and/or located and/or permitted in any required front yard except for the paved/compacted portion of an approved driveway which gives access to said property."</p>			
<p>Add to Section 9.7.2: Home agriculture for small animals is permitted as an accessory use in any residential zone of the following lots and are subject to their applicable acreage (see applicable standards for small animals table): a. On a lot containing .50 acre, a maximum of 15 caged or cooped small animals or 5 free-range small animals may be kept; b. On a lot containing .40 acre, a maximum of 12 caged or cooped small animals or 4 free-range small animals may be kept.; c. On a lot containing .30 acre, a maximum of 10 caged or cooped small animals may be kept.; d. On a lot containing .25 acre, a maximum of 8 caged of cooped small animals may be kept.; e. For each additional ½ acre, 15 caged or cooped small animals or 5 free-range animals may be kept.; f. No more than 50 small animals may be kept on any lot.; g. Suitable enclosures shall be provided to restrict the animals to the property. Cages and coops must be a placed no closer than 10 feet from rear and side property lines.</p>	<p>9.7.2</p>	<p>19-22</p>	<p>5/21/2020</p>

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<p>Add to Table 6.1 Permitted Uses Industrial Zones: “road salt” added to the Table under “Yards and buildings for the sale and/or storage of a) cement, road salt, bulk storage” by Special Permit in the IP Zone.</p>	<p>6.1</p>	<p>19-26</p>	<p>08/14/20</p>
<p>Add to 9.17.5.E, “Further, where the final development plan indicates the ground floor commercial use that is lower than 30%, but where the green space requirement is satisfied, a proportionate increase in building height is allowed. For example, approving 15% of commercial use on the ground floor would allow 50% of the 35foot increase, for a maximum building height of 52.5 feet”</p>	<p>9.17.5.E</p>	<p>20-01</p>	<p>9/1/20</p>
<p>Add 9.18 Cannabis Moratorium to expire 2/19/23.</p>	<p>9.18</p>	<p>21-18</p>	<p>8/19/22</p>
<p>2.4 Edit Defined terms Barrel; Lot Line, Side; Yard, Front; Pet Grooming.3.1.2A Shed setbacks table updates. 3.6.A to change both front to front and side. 3.7.A to change both fronts to front and side. 3.10.A alters requirements for abutting streets. 4.1 to permit roadside stands in all zones, include 2 family dwellings in RR and add pet grooming use. 4.2 to remove RMD from table. 5.1 to add pet grooming as use. 5.3.2 to change “front landscaping” to “landscaping”. 9.1.2 to edit definition of accessory apartment. 9.6.2.C added. 9.6.3.A.2 edited to add seasonal average for visits per week. 9.15.1.C 9.15.2.A edit to yards along public streets. 9.15.2.B edit to add yards along public streets. 9.15.1.C edited for corner lots. 9.15.1.C.1 added.10.5.3.2.A to change “plot plans” to “plans”.</p>	<p>2.4, 3.1.2.A, 3.1.2.C, 3.6.A, 3.7.A, 3.10.A, 4.1, 4.2, 5.1, 5.3.2, 9.1.2, 9.6.2.C, 9.6.3.A.2, 9.15.2, 10.5.3.3.A</p>	<p>21-18</p>	<p>9/5/22</p>

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