

PROPOSED ZONING REGULATION AMENDMENTS FOR PUBLIC HEARING:

LOT

A parcel of land on which a principal building (or buildings) and its accessories are placed or may be placed, together with the required open spaces.

LOT COVERAGE AREA; LOT COVERAGE

The part or percentage of the total lot area occupied by buildings, parking lots, and all other surface structures on the lot inclusive of Building Coverage.

LOT OF RECORD

A lot for which a deed has been recorded in the Office of the Town Clerk of the Town of Bolton, which lot met the requirements of these regulations and of the Bolton Subdivision Regulations, as the same were in force at the time of such recording. See § 450-3.3 of these regulations.

§ 450-3.22 **Minor modifications.**
[Amended 10-13-2010]

~~A. A. —~~ The Zoning Enforcement Officer in consultation with the Director of Community Development may issue a zoning permit ~~for a in connection with the~~ minor modification of an approved site plan or special permit pursuant to Article XVI, ~~provided that all changes meet the criteria and requirements of this section. The Zoning Enforcement Officer may require the submission of a site plan meeting the requirements of Article XVI, Part 1, and this section in conducting his or her review.~~ Upon approval of a minor modification of a special permit, the Zoning Enforcement Officer shall cause to be recorded in the Office of the Town Clerk a certificate of approval bearing the signature of the Zoning Enforcement Officer. The Zoning Enforcement Officer shall provide notice of such ~~zoning permit~~ approval to the Planning and Zoning Commission. ~~Any modifications that do not meet the criteria and requirements of this section shall require the approval of the Planning and Zoning Commission. The Commission may process such modifications as a site plan review without special permit approval or public hearing should it determine that such changes will have no significant impact on traffic, drainage or other considerations affecting public health and safety.~~ The Zoning Enforcement Officer may, in ~~their~~ discretion, refer any minor modification request to the Commission for approval ~~notwithstanding that such minor modification otherwise complies with the criteria and requirements of this section. For the purposes of this section, minor modifications may include, but not be limited to:~~

(1) Minor grading changes due to field conditions, that do not significantly impact drainage patterns.

(2) Minor changes in pavement, site circulation, or pavement markings provided such changes do not increase the amount of parking by more than 10%.

Formatted: Font: (Default) Liberation Serif, Font color: Black, Ligatures: None

Formatted: List Paragraph, Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.58"

Formatted: Font: (Default) Liberation Serif, Font color: Black, Ligatures: None

Commented [MD1]: This is redundant. Staff or the Commission cannot approve something that doesn't comply with the regulations so this doesn't need to be stated.

Commented [MD2]: This is also redundant.

Commented [MD3]: Redundant

Formatted: Font: (Default) Liberation Serif, Font color: Black, Ligatures: None

Formatted: Font: (Default) Liberation Serif, Font color: Red, Strikethrough, Ligatures: None

Formatted: Font: (Default) Liberation Serif, Font color: Black, Ligatures: None

- (3) (Re)location of underground utilities.
- (4) Minor changes to building area provided such change does not exceed 10% of the approved building area.
- (5) Location and screening of utility equipment.
- (6) Location of directional signage.
- (7) Substitution of plant species or sizing.
- (8) Any other minor technical change that does not materially detract from the original concept of the approval granted by the Commission.

~~B. B. Any minor modification which is submitted to the Commission for review may be processed as a site plan review without a special permit approval or public hearing should it be determined that such changes will have no significant impact on traffic, drainage, or other considerations affecting the public health and safety. A "minor modification" is a modification which meets the following criteria:~~

~~C. The Zoning Enforcement Officer may submit any proposed minor modification for review and comment by the Town Engineer, Town Sanitarian, Wetlands Agent, Fire Marshal or other relevant municipal official or department.~~

- ~~(1) Any increase in building area does not exceed 5% of the area of buildings as shown on the site plan approved by the Commission.~~
- ~~(2) Any increase in parking area does not exceed 5% of the number of parking spaces (or an increase of one space, whichever is greater) as shown on the site plan approved by the Commission.~~
- ~~(3) Any adjustment in landscaping location and configuration does not reduce the overall green space, numbers of trees and shrubs or any buffering of abutting parcels or uses, as shown on the site plan approved by the Commission.~~
- ~~(4) Any adjustment or relocation of parking areas or driveways does not substantially alter the traffic flow or general driveway locations as shown on the site plan approved by the Commission.~~
- ~~(5) Any adjustments in the location of drainage structures or utilities are substantially compliant with the site plan approved by the Commission.~~
- ~~(6) No change to the location or design of any public improvement is proposed.~~
- ~~(7) The Town Engineer has issued a report confirming that the existing drainage structures are in good condition and functioning as designed and that such drainage systems are adequate to accommodate any additional runoff resulting from the proposed changes. In connection therewith, the Zoning Enforcement Officer may require the submission of a modified drainage report for review by the Town Engineer.~~
- ~~(8) The Director of Community Development has issued a favorable report on the proposed changes, which shall include reports by the Health District, Wetlands Agent, Fire Marshal and/or any other applicable municipal official or department which the Director determines~~

Formatted: Font: (Default) Liberation Serif, Font color: Black, Ligatures: None

Formatted: List Paragraph, Indent: Left: 1", First line: 0"

Formatted: Font: (Default) Liberation Serif, Font color: Black, Ligatures: None

Formatted: List Paragraph, Indent: Left: 0.58", First line: 0"

Formatted: List Paragraph, Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.58"

Formatted: Font: (Default) Liberation Serif, Font color: Black, Ligatures: None

~~should be consulted.~~

§ 450-3.3 Nonconforming uses.

It is the specific intention of these regulations that all uses, lots, buildings or structures of any kind which are nonconforming to these regulations shall be diminished and permanently discontinued over time. In addition, the following are noted:

- A. Any use existing in any building or structure or on any land or part thereof at the time of the adoption of these regulations, or an amendment thereto, which renders such use not permitted may be continued. If any nonconforming building or structure is destroyed by fire or other cause, it may be rebuilt with no greater nonconformity than at the time of destruction, and such reconstruction or alteration shall be completed within one year of the date of such damage or destruction. **[Amended 2-14-2024]**
- B. Any existing nonconforming use shall be considered terminated in accordance with C.G.S. § 8-2, as amended. **[Amended 2-14-2024]**
- C. No nonconformity of any kind shall be expanded or intensified, except as follows:
[Amended 10-13-2010]
 - (1) A single-family dwelling within a business or industrial zone, such dwelling existing as of the effective date of these regulations, may be expanded so long as it retains its status as solely a single-family dwelling. However, no trailer or mobile home dwelling shall be expanded or intensified.
 - (2) The Zoning Enforcement Officer may issue a zoning permit in connection with the change in use from one permitted commercial or industrial use to another such permitted use on a site which has a preexisting nonconformity as to the parking requirements of Article **XV**, provided that the increase in parking demand as a result of the change in use is no more than a 5% increase (or an increase of one space, whichever is greater) over the number of parking spaces as shown on the site plan approved by the Commission. The Zoning Enforcement Officer shall provide notice of such zoning permit approval to the Planning and Zoning Commission.
 - (3) A legally existing building or structure nonconforming as to the front, side and/or rear setback requirements or minimum lot size requirements of these Regulations may be expanded, extended, or enlarged, provided that a Zoning Permit has been issued and that any such expansion, extension or enlargement:
 - (a) is no closer to the property line than the existing building or structure on the non-conforming side;

(b) does not create a public safety problem or health hazard, including but not limited to sight lines for the motoring public.

(c) is in conformity with all other requirements of these Regulations.

§ 450-8.3 **Rural Mixed Use Zone (RMUZ).**

B.(2)(v) ~~Multifamily residences on the upper floors above first floor commercial uses and including at least 20% affordable dwellings.~~

§ 450-9.2 **Gateway Mixed Use Industrial Zone (GMUIZ).**

B.(2)(g) ~~Multifamily residences on the upper floors above first floor commercial uses and including at least 20% affordable dwellings. (intentionally left blank)~~