

ARTICLE V. AMENDMENTS, VALIDITY AND EFFECTIVE DATE

SECTION 11. AMENDMENTS

11.01. Amendments:

These regulations and boundaries of zoning districts may, after public notice and hearing, be amended in accordance with the procedures established in Chapter 124 of the General Statutes of the State of Connecticut, 1958 revision, as amended.

11.01.01.

All petitions for amendment or change in the Zoning Regulations or zoning boundaries shall be submitted in writing on a form prescribed by the Commission.

The petition shall be accompanied by a fee established by the Commission.

AMENDMENTS

AMENDMENT NUMBER	SUBJECT	SECTION	EFFECTIVE DATE
1	Interior lots	04.04.02., 04.04.03. 04.04.04.	10/13/78
2	Site plan review – waiver to A-2 survey	10.02.02.	10/21/79
	Clarify municipal uses	02.16.03., 04.01.01.i 04.01.01.j, 05.01.01.i 05.01.01.j, 06.02.02. 06.02.03.	3/21/79
	Delete towers as a principal use	04.01.01.p 05.01.01.aa	3/21/79
3	Revision of floor area requirements based on number of bedrooms	08.10.	5/1/79
4	Excavation and/or removal of earth products	04.01.01.q 04.01.01.r 05.01.01.bb 05.01.01.cc 06.02.04., 09.01.	8/26/79
5	General Environmental Standards, Flood Hazard Area Regulations, Stormwater Runoff Control and miscellaneous other changes	02.13.01., 02.20.01. 03.03., 04.01.01.m. 08.06.02., 08.16., 09.04., 10.02.02.15. 10.05., 10.10.	1/15/80

AMENDMENT NUMBER	SUBJECT	SECTION	EFFECTIVE DATE
6	Definitions for: Child Day Care Center Family Day Care Home Group Day Care Home	02.03.01. 02.06.02. 02.07.03.	4/15/80
	Add the above uses as permitted uses as a special permit in AG-1, AG-2, MD and HD Zones	04.01.01.	
	Allow farm and outbuildings with livestock or poultry within 100 feet of a property line	08.13.03.	
	Allow farm outbuildings within 60 feet of a property line	08.13.04.	
	Manure piles shall be maintained so as to prevent runoff to adjacent lots or watercourses	08.13.06.	
7	Revised method of calculating density in PRD regulations	04.03.08.	12/1/81
	Elimination of lot frontage requirement in residential districts	04.02.01.	
	Interior lots 04.04. replaced by new section 09.05.	09.05.	
	Technical revision to site development plan requirements	10.02.02.	
8	Non-conforming uses	08.02.01.	8/6/82
9	Non-conforming uses	08.02.04.	8/6/82
10	Residential housing in outside recreation areas	08.07.04.	5/10/84
11	Automobile sales in GC Zones	05.01.01.	11/30/84
12	Elder housing	02.05.01., 04.03.05. 04.03.06., 04.03.08. 10.02.07., 04.01.01.	4/8/85
13	Cluster requirements	04.02.01.	11/8/85
14	Interior lots access strip	09.05.02.	4/15/86
15	Planned Office (PO) District	05.B	5/7/86

AMENDMENT NUMBER	SUBJECT	SECTION	EFFECTIVE DATE
16	Veterinary clinics by special permit in the AG-1 and AG-2 Zones	10.02.08.	8/11/86
17	Home Occupation	02.08.02., 04.01.01.09.06.	5/4/87
18	Commercial District Permitted Uses	05.01.01.	10/9/87
19	Accessory Apartments	02.01.a., 04.01.01.10.02.09.	11/14/87
20	Ambulance Facilities	04.01.01., 10.02.10	11/14/87
21	Amend Residential District Permitted Uses	04.01.01.	8/1/88
22	New Section – Ammonium Nitrate blasting agents and explosives	08.13.09.	8/1/88
23	Modify Section – Permitted uses	10.02.02.(9)	8/1/88
24	Amend Section	10.02.02.(c)	8/1/88
25	Amend Section (y.)	05.01.01.	12/15/88
26	Amendments or modifications to Special Permit	10.02.06.01.	12/15/88
27	Amend Section	04.03.05.	1/1/89
28	New Section (Site Development Plan Requirements)	10.02.02.(3)(a)	2/15/89
29	Kennels	02.11.01., 09.07.	3/1/89
30	Industrial Building Height	07.04.01.(5) 07.04.02.(4)	11/15/89
31	Commercial Districts (entire section)	05.	1/1/90
32	Definitions	02.19.	4/16/90
33	Signs	09.03.	4/16/90
34	Planned Residential Developments	04.03.05.	6/1/90
35	Open Space	04.03.09.	6/1/90
36	Density Formula	04.03.08.	6/1/90
37	Endorsement of Plans, filing with Town Clerk	10.02.06.	6/15/91
38	Notice of Public Hearing by Applicant	03.04. 10.02.04.01.	5/1/92
39	Add to ECRD Section	03.01.	10/15/92

AMENDMENT NUMBER	SUBJECT	SECTION	EFFECTIVE DATE
40	Delete existing section and replace (ECRD)	04.03.	10/15/92
41	Cluster Subdivisions	04.04.	10/15/92
42	Replace Flood Hazard Area Regulations	09.04.	12/9/92
43	General Industrial District	06.01.	6/15/94
44	Delete sign requirements and renumber section	05.06.01.05.(2)	7/1/96
45	Clarification of Permitted Uses in Planned Commercial and Planned Office Districts	05.01.	4/3/97
46	Wireless Communication Towers, Antenna, and Facilities	09.08.	7/30/97
47	Commercial Districts, Permitted Uses	05.01. 05.01.01.	10/1/97
48	Ridgelines and Insertion of Definitions into Section 02.	09.09.	11/15/97
49	Zone Change		1/1/98
50	Zone Change		3/1/99
51	Zone Change		5/15/99
52	Sign Regulations Amendments	09.03.01.13. 09.03.02.	3/1/00
53	Zone Change		6/15/00
54	Text Amendment Changes	03.01. 04.02.01.	10/1/00
	Zone Changes HD to HD1 (Lake Beseck Residential) HD to HD2 (Rockfall Residential)		10/1/00
55	Text Amendment Changes Home Occupation	04.01.01., 09.06.01. 09.06.04.01. 09.06.04.02.	11/1/00
56	Zone Change (Ag-1 to AG-2)		4/1/01
57	Delete "Special Permit, Special Standards – Elder Housing 55 Years and Older" and renumber remaining section	10.02.07.	4/15/01

AMENDMENT NUMBER	SUBJECT	SECTION	EFFECTIVE DATE
58	New Section - Commercial Vehicles	04.01.03.	4/15/01
59	New Subsection - Fences	08.15.03.	6/1/01
60	New Section - Billboard Prohibition	08.17.	6/1/01
61	Zone Change - MD (Residential) to PC (Planned Commercial)		10/1/01
62	Net Residential Density - adding "or detached multi-family developments of three units or more"; delete "dwelling units (more than two units per multi-family structures"	04.03.09.02.	10/1/01
63	Zone Change - AG2 (Agricultural) to PC (Planned Commercial)		3/15/02
64	Banquet, Conference and Meeting Facilities	02.02.01., 05.01.	4/23/02
65	Handicapped Ramps	03.05.	11/1/02
66	Zone Change	AG-1 and AG-2 to ECRD-1	2/1/03
67	Zoning Text Amendments - Grooming Facilities	02.07.05., 04.01.01. 05.01., 07.03.05. 10.02.09.	8/1/03
68	Signs and Outdoor Advertising Structures	09.03.02.03.	9/1/03
69	Zone Change - IN (Industrial) to MD (Residential)	Zoning Map	10/1/03
70	Zone Change MD (Residential) to AG-2 (Agricultural)	Zoning Map	1/1/04
71	Zone Change AG-1 (Agricultural) to AG-2 (Agricultural)	Zoning Map	1/1/04
72	Zone Change IPD-1 (Industrial Park District I) to AG-2 (Agricultural)	Zoning Map	1/1/04

AMENDMENT NUMBER	SUBJECT	SECTION	EFFECTIVE DATE
73	Zoning Text Amendments – Non-Commercial and Commercial Kennels	02.11., 04.01.01. 09.07., 09.07.02.01. 09.07.02.02. 09.07.02.03. 09.07.02.04. 09.07.02.05. 09.07.02.06. 09.07.02.07.	1/1/05
74	Zone Change MD (Residential) to ECRD-2 (Environmental Conservation Rural District)	Zoning Map	6/1/05
75	Eliminate the AG-1 Zone	Zoning Map 03.01., 03.03., 04.03.05., 04.03.09.02., 04.04.01. 09.07.02.01. 09.07.02.02. 09.07.02.03. 04.04.04., 04.04.08. 09.05.02.(6) 09.07.01.01.	8/1/05
76	Accessory Apartments	02.01.01., 10.02.08.	7/1/06
77	Residence District Permitted Uses	04.01.01.	1/5/07
78	Drive-In and Drive-Through Restaurants	02.04.	12/10/07
79	Restaurant, Fast Food, Restaurant, Full Service, Restaurant, Take-Out	02.18	12/10/07
80	Restaurants	09.10.	12/10/07
81	Delete 05.06. through 05.09 and 10.01.01. through 10.02.06. and replace with 10.02.A. Site Plan Review And 10.02.B. Special Permits	10.02.A., 10.02.B.	12/10/07
82	Expansion of Non-Conforming Use – Change the word “Commission” to “Zoning Board of Appeals”	08.02.04.	7/21/08

AMENDMENT NUMBER	SUBJECT	SECTION	EFFECTIVE DATE
83	Definitions for Impervious Surface and Lot Coverage	02.09.01. and 02.12.03	8/1/08
84	New section "Route 66 Design District"	05.06.	8/1/08
85	Comprehensive Revisions to the Special Flood Hazard Area Regulations	09.04.	8/28/08
86	Revision to Reconstruction of Non-Conforming Buildings	08.02.03.	2/15/09
87	Excavation and Removal of Earth Products	04.01.1.p., 05.01.j., 04.01.01.q., 05.01.k., 06.02.03., 09.01., 09.01.01., 9.01.01.03., 09.01.03., 09.01.-09.01.05., 09.01.01.04., 09.01.03.015., 09.01.03.16., 09.01.03.15., 09.01.03.17., 10.09.	3/17/09
88	Day Care Facilities in the Planned Commercial Zone by Site Plan Review	05.01.	7/1/09
89	Zone Change AG-2 to ECRD1, 29 & 31 Powder Hill Road	Map	8/1/09
90	New Section – Demolition and Reconstruction of Non-Conforming Residential Buildings, and renumbering of remaining section	08.04.	2/24/10

SECTION 12. VALIDITY:

If any section, paragraph, clause or provision of these Regulations shall be declared by a court of competent jurisdiction to be invalid, such decision shall apply only to the section, clause, or provisions, so adjudged and the remainder of these Regulations shall be deemed valid and effective.

SECTION 13. EFFECTIVE DATE:

These Regulations shall take effect on: September 18, 1961.

TOWN OF MIDDLEFIELD
NOTICE OF
SPECIAL TOWN MEETING DECISION

At a legally called Special Town Meeting of the electors and citizens of the Town of Middlefield held on Monday, September 22, 2003 the following Ordinance was adopted:

AN ORDINANCE CONCERNING LAND USE APPLICATION PROCESSING FEES

BE IT ORDAINED by the electors of the Town of Middlefield at a duly warned special town meeting:

The prior ordinance entitled An Ordinance Concerning the Adoption of a Schedule of Fees for the Processing of Land Use Applications and any other ordinance regarding land use fees are hereby repealed and in its place the following is adopted (Any fees not specifically enumerated by this ordinance shall remain the same and in effect unless amended by future Town Meetings):

A. Fees Established.

Pursuant to Section 8-1c of the Connecticut General Statutes, there is established a schedule of fees for the processing of land use applications.

B. Definitions.

For the purpose of this ordinance, the following definitions shall apply:

“Public Improvements” include, but are not limited to, the construction of new roads to be constructed to standards approved by the Planning and Zoning Commission, whether such roads are to be privately owned or conveyed to the Town, improvements to existing roads, storm drainage facilities, water and sewer lines, the planting of trees or other landscaping, and the installation of retaining walls or other structures, common driveways, or any other facilities that are required to meet town specifications or conditions of a Town board and which need to be inspected during construction.

C. Fee Schedule.

Fees. Commissions shall charge Fixed Application Fees for the processing of land use applications in accordance with the following schedule:

Planning Commission

Subdivision plans	\$200.00/lot
	+ \$1.50/lineal ft. of road
	+ \$1.00/lineal ft. of common driveway
	+ 5% of costs of Public

Improvements (this 5% to be collected after approval but prior to the issuance of the endorsement of mylars)

First Divide Lot	\$100.00
Subdivision regulations amendment <u>Zoning Commission</u>	\$250.00
Zone Map change	\$250.00
Zone regulation change	\$250.00
Special permit	\$200.00
	+ \$.35/sq.ft. of gross building floor area & improved land area up to 4,000 square feet thereafter at &.10/square ft.
Site plan	Same as Special Permit

Certificate of Zoning compliance, per CGS 8-3f, as amended:

a.	Single family residential	\$100.00
b.	Multi-family	\$200.00/dwelling unit (DU)
		+ 5% of Public Improvements
		+ \$1.50 lineal foot of road
		+ \$1.00 lineal foot of common driveway

Miscellaneous permits

a.	Home occupations (non-special permit)	\$ 75.00
b.	Excavation/filling	\$100.00 minimum
		or
		\$40.00/1,000 yards of material whichever is greater
c.	Renewal of an approved application	\$150.00
d.	Additional charge for any application issued after construction has begun	\$150.00 first offense
		+ \$150.00 for each additional

offense
thereafter

e.	Driveway Permit	\$ 50.00
f.	Zoning Status Opinion	\$ 75.00
g.	Revisions to Septic Plan	\$ 25.00

Zoning Board of Appeals

Variances/Zoning Enforcement Officer Appeals/Other Applications \$200.00

D. Exemptions.

All boards and agencies of the Town of Middlefield, including the use of fire company properties for fire protection purposes, shall be exempt from the payment of fees established pursuant to this chapter at the discretion of the Commission where the application will be pending.

E. Payment of Fees.

All fees shall be paid by cash, check, or money order made payable to the Town of Middlefield. Fees shall be paid at the time of application submission. Failure to comply with this subsection shall be grounds for denial of any application without prejudice, or revocation of any permit previously issued. The payment of fees is in addition to any type of bonding required to ensure the successful completion of all work required.

The Ordinance shall be effective fifteen (15) days after legal notice is published in the newspaper.

Respectfully submitted,

Donna M. Golub
Town Clerk

Dated in Middlefield, CT, this 23rd day of September, 2003