ARTICLE XI.

Amendments

Section 1100 Amendments

The districts established by this regulation or the boundaries thereof may be changed, altered, or any provision thereof may be changed, altered, or amended and any property within the city may be rezoned, reclassified or established whenever the public necessity, convenience or general welfare requires the same by the procedure set forth in this section.

Section 1110 Initiation

Any such change, amendment, alteration, rezoning or establishment (singly or collectively referred to herein as an "amendment") may be initiated by:

A. The filing of a verified petition of one or more persons having legal or equitable interest in the property affected by the proposed amendment, which petition shall be filed in triplicate with the ZO and shall contain reasons why the change of zone is being sought, and by a fee in accordance with the schedule of fees of the City of New London, to cover the cost of administration.

B. Where the interests of the City are concerned, a petition by a proper official shall be filed in duplicate with the ZO.

Section 1120 Hearings

A. Public Hearing and Notice.

The Planning and Zoning Commission shall hold a public hearing on all proposed amendments to the Zoning Regulations or Zoning Map and the ZO shall publish a notice of said hearing in a newspaper having a substantial circulation in the municipality at least twice at intervals of not less than two days, the first not more than 15 days nor less than 10 days, and the last not less than two days before such hearing.

B. The date of receipt of an application is the day of the Commission or Zoning Board of Appeal's next regularly scheduled meeting or 35 days after the application is submitted, whichever is sooner.

Commencement of the public hearing must be within 65 days of the date of receipt; the public hearing must be completed within 35 days of commencement; and, the Commission or Board must render a decision to reject, modify and approve or approve the application within 65 days of the completion of the public hearing.

An applicant can consent to extend the time frames for any of the above steps, but the total of all extensions together cannot exceed 65 days. *(Amended 12/04/03)*

C. Further, the petitioner shall erect, or cause to have erected, a sign on the premises affected by the proposed amendment at least 15 days prior to the public hearing on such amendment. Said sign shall be approved by the ZO upon request of the petitioner. Said sign shall be installed by the petitioner, securely fastened or staked, be clearly visible from the street closest to the affected property, and be maintained as such until 15 days following the public notice of the Commission Action.

A report from the ZO attesting to whether the above described sign was erected and maintained as required shall be made part of the record at the public hearing. Failure of a petitioner to comply with this requirement may be grounds for automatic denial of the amendment with consideration being given to cases where weather conditions or acts of vandalism have destroyed a properly posted sign.

D. Notification of Adjoining Property Owners. When the request is for a change in zoning district boundaries, the applicant shall prepare and submit with his application a list of the names and addresses of the owners of all properties within the area which is the subject of the application and of all properties 150 feet or less distance therefrom, all as shown on the records of the City of New London's Tax Assessor's Office (or the actual owners of record if otherwise known to the applicant). The applicant shall mail notification of said pending application to at least one owner of each property not more than 30 days or less than 10 days before the date set for the public notice. Evidence of such mailing shall be submitted in the form of United States Post Office Certificates of Mailing to the Zoning Enforcement Officer at least five days prior to the hearing date.

The provisions of this section shall not apply in the case of Zoning Regulation changes or zone map changes initiated by the New London Planning and Zoning Commission. *(Amended 12/26/86)*

Section 1130 <u>Notice to Regional Planning Agency</u>

Where a proposed change occurs within 500 feet of a municipal boundary the Planning and Zoning Commission shall give written notice to the Regional Planning Agency at least 30 days prior to the public hearing. The Regional Planning Agency shall report its findings at or before the hearing. The report of the Regional Planning Agency is advisory. *(Amended 08/01/10)*

Section 1140 <u>Notice to Coastal Area Management Program of DEP</u>

Any proposed amendment to these Regulations or the Zoning Map which affects the area within the coastal boundary shall be referred to the Coastal Area Management Program of the Connecticut Department of Environment Protection (DEP) for review and comment at least thirty-five (35) days prior to the commencement of the hearing thereon. Such comment shall be read into the record of the public hearing and shall be considered by the Commission before

taking action on the proposal. Failure to comment by the DEP shall not be construed to be approval or disapproval. *(Amended 07/11/88)*

Section 1150 <u>Action by Planning and Zoning Commission</u>

Within 65 days following the close of the public hearing, the Planning and Zoning Commission shall act to approve or disapprove the proposed amendment by a majority vote of all the members of said Commission. If a protest against a proposed change is filed at or before the hearing, signed by the owners of 20 percent or more of the area of the lots included in such proposed change or of the lots within 500 feet in all directions of the property included in the proposed change, such change shall not be adopted except by a vote of two-thirds of the members of the Commission.