

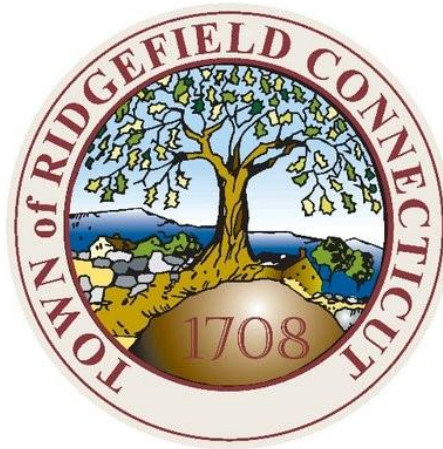
**Town of Ridgefield,
Connecticut**

Zoning Regulations

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**Town of Ridgefield
Planning & Zoning Commission
Planning & Zoning Department Staff**

TABLE OF CONTENTS

1. INTRODUCTION..... 1-1

1.1.	AUTHORITY		1-1
1.2.	PURPOSES		1-1
1.3.	ZONING DISTRICTS		1-2
	A. DISTRICTS AND BOUNDARIES	1-2	
	B. BOUNDARY INTERPRETATION	1-2	
1.4.	INTERPRETATION OF REGULATIONS		1-3
	A. PROHIBITED IF NOT PERMITTED	1-3	
	B. MINIMUM STANDARDS	1-3	
	C. MULTIPLE STANDARDS	1-3	
1.5.	APPLICATION OF REGULATIONS		1-4
	A. JURISDICTION	1-4	
	B. WHEN APPLICABLE	1-4	
	C. EXCEPTIONS	1-4	
1.6.	ADMINISTRATIVE PROVISIONS		1-4
	A. SEVERABILITY	1-4	
	B. WHEN EFFECTIVE	1-4	

2. DEFINITIONS.....2-1

2.1.	USE OF TERMS		2-1
	A. DEFINITIONS TO BE APPLIED	2-1	
	B. GENERAL TERMS	2-1	
	C. TEXT TO CONTROL	2-1	
	D. TERMS NOT DEFINED	2-1	
2.2.	DEFINED TERMS		2-2

3. RESIDENTIAL (R) ZONES.....3-1

3.1.	PURPOSES		3-1
3.2.	PRINCIPAL USES AND STRUCTURES		3-1
	A. PERMITTED WITHOUT ZONING PERMIT	3-1	
	B. PERMITTED WITH ZONING PERMIT (ZEO)	3-1	
	C. PERMITTED BY SPECIAL PERMIT (Commission)	3-1	
3.3.	ACCESSORY USES		3-5
	A. PERMITTED WITHOUT ZONING PERMIT	3-5	
	B. PERMITTED WITH ZONING PERMIT (ZEO)	3-6	
	C. PERMITTED WITH APPROVAL OF SITE PLAN	3-6	
	D. PERMITTED BY SPECIAL PERMIT (Commission)	3-7	
3.4.	ACCESSORY STRUCTURES		3-9
	A. PERMITTED WITHOUT ZONING PERMIT	3-9	
	B. PERMITTED WITH ZONING PERMIT (ZEO)	3-9	
	C. PERMITTED BY SPECIAL PERMIT (Commission)	3-9	
3.5.	AREA AND DIMENSIONAL STANDARDS		3-10
	A. MINIMUM LOT AREA	3-10	
	B. MINIMUM NON-WETLAND AREA	3-10	
	C. MAXIMUM DENSITY	3-10	
	D. MINIMUM FRONTAGE AND LOT WIDTH	3-11	
	E. LOT SHAPE REQUIREMENT	3-11	
	F. MAXIMUM LOT COVERAGE	3-12	
	G. MAXIMUM FLOOR AREA RATIO	3-13	
	H. MINIMUM YARD SETBACKS	3-14	
	I. BUILDING HEIGHT (FEET)	3-15	
	J. MAXIMUM NUMBER OF STORIES	3-15	
3.6.	DIMENSIONAL EXCEPTIONS		3-16
	A. HEIGHT EXCEPTIONS	3-16	
	B. YARD SETBACK EXCEPTIONS	3-16	
	C. LOT COVERAGE EXCEPTIONS	3-17	
	D. FLOOR AREA RATIO EXCEPTIONS	3-17	

4. OTHER HOUSING ZONES & USES

4.1.	PLANNED RESIDENTIAL DEVELOPMENT		4-1
	A. PURPOSE	4-1	
	B. ELIGIBILITY	4-1	
	C. PROCEDURES	4-1	
	D. DEVELOPMENT STANDARDS	4-1	
	E. OPEN SPACE STANDARDS	4-3	
4.2.	MULTI-FAMILY DEV. DISTRICT (MFDD)		4-4
	A. PURPOSE	4-4	
	B. PERMITTED BY SPECIAL PERMIT (Commission)	4-4	
	C. DIMENSIONAL STANDARDS	4-4	
	D. OTHER STANDARDS	4-5	
4.3.	AGE-RESTRICTED HOUSING DISTRICT (ARHD)		4-6
	A. PURPOSE	4-6	
	B. PERMITTED WITH A ZONING PERMIT	4-6	
	C. PERMITTED BY SPECIAL PERMIT (COMMISSION)	4-6	
	D. OVERALL STANDARDS	4-7	
	E. DIMENSIONAL STANDARDS	4-7	
	F. OTHER STANDARDS	4-9	
4.4.	HOUSING OPPORTUNITY DEVELOPMENT (HOD)		4-10
	A. INTENT AND PURPOSE	4-10	
	B. ELIGIBLE PARCELS	4-10	
	C. PERMITTED USES	4-10	
	D. DEFINITIONS	4-11	
	E. LOT DENSITY	4-11	
	F. BEDROOMS	4-11	
	G. LOT COVERAGE AND OPEN SPACE	4-11	
	H. IMPERVIOUS COVERAGE	4-12	
	I. SETBACKS	4-12	
	J. BUILDING HEIGHT; SEPARATION; HALLWAYS; UTILITY CONNECTIONS	4-12	
	K. OFF-STREET PARKING	4-12	
	L. SCREENING AND LANDSCAPING	4-13	
	M. UTILITIES	4-13	
	N. AGE RESTRICTION	4-13	
	O. GARBAGE CONTAINERS	4-13	
	P. APPLICATION REQUIREMENTS FOR DESIGNATION AS ELIGIBLE FOR DEVELOPMENT UNDER THE HOD REGULATIONS	4-14	
	Q. APPLICATION FOR HOD SITE PLAN APPROVAL	4-15	
	R. REQUIREMENTS FOR HOUSING OPPORTUNITY UNITS	4-16	

(OTHER HOUSING ZONES & USES – cont'd)

4.5.	MAIN STREET DESIGN DISTRICT (MSDD)		4-17
	A. INTENT AND PURPOSE	4-17	
	B. PERMITTED USES AND STRUCTURES	4-17	
	C. SPECIAL PERMIT USES	4-17	
	D. RESIDENTIAL DESIGN DEVELOPMENTS	4-17	
	E. PROCEDURES	4-19	
4.6	Inclusionary Housing Zone		4-20

5. BUSINESS ZONES & USES.....5-1

5.1.	CENTRAL BUSINESS DISTRICT (CBD)		5-1
	A. PURPOSE	5-1	
	B. ARCHITECTURAL REVIEW REQUIRED	5-1	
	C. PERMITTED USES	5-1	
	D. USES REQUIRING SPECIAL PERMIT	5-2	
	E. DIMENSIONAL STANDARDS	5-3	
	F. ADDITIONAL STANDARDS	5-3	
5.2.	BUSINESS B-1 ZONE		5-4
	A. PURPOSE	5-4	
	B. ARCHITECTURAL REVIEW REQUIRED	5-4	
	C. PERMITTED USES	5-4	
	D. USES REQUIRING SPECIAL PERMIT	5-5	
	E. DIMENSIONAL STANDARDS	5-7	
	F. ADDITIONAL STANDARDS	5-7	
5.3.	BUSINESS B-2 ZONE		5-8
	A. PURPOSE	5-8	
	B. ARCHITECTURAL REVIEW REQUIRED	5-8	
	C. PERMITTED USES	5-8	
	D. USES REQUIRING SPECIAL PERMIT	5-9	
	E. DIMENSIONAL STANDARDS	5-11	
	F. ADDITIONAL STANDARDS	5-12	
5.4.	BUSINESS B-3 ZONE		5-13
	A. PURPOSE	5-13	
	B. ARCHITECTURAL REVIEW REQUIRED	5-13	
	C. PERMITTED USES	5-13	
	D. USES REQUIRING SPECIAL PERMIT	5-14	
	E. DIMENSIONAL STANDARDS	5-15	
	F. ADDITIONAL STANDARDS	5-15	
5.5.	CORPORATE DEVELOPMENT DISTRICT (CDD)		5-16
	A. PURPOSE	5-16	
	B. ARCHITECTURAL REVIEW REQUIRED	5-16	
	C. PERMITTED USES	5-16	
	D. USES REQUIRING SPECIAL PERMIT	5-16	
	E. DIMENSIONAL STANDARDS	5-17	
	F. ADDITIONAL STANDARDS	5-18	
5.6	NEIGHBORHOOD BUSINESS ZONE (NBZ)		5-19
	A. PURPOSE	5-19	
	B. DESIGN STANDARDS COMPLIANCE & ARCHTECURAL REVIEW REQUIRED	5-19	
	C. PERMITTED USES	5-19	
	D. PERMITTED BY SPECIAL PERMIT (COMMISSION)	5-20	
	E. DIMENSIONAL STANDARDS	5-21	
	F. ADDITIONAL STANDARDS	5-22	

5.7	MIXED-USE OVERLAY ZONE		5-23
	A. PURPOSE	5-23	
	B. ARCHITECTURAL REVIEW REQUIRED	5-23	
	C. ELIGIBILITY	5-23	
	D. PERMITTED BYGRKTCBCNUBGKFVJVVRNEJ SPECIAL PERMIT	5-23	
	E. DENSITY STANDARDS	5-23	
	F. DEVELOPMENTAL STANDARDS	5-24	

6. SPECIAL ZONES.....6-1

6.1.	FLOODPLAIN OVERLAY ZONE		6-1
	A. PURPOSE	6-1	
	B. APPLICABILITY	6-1	
	C. FLOODPLAIN DEVELOPMENT PERMIT	6-1	
	<i>See also Section 11 – Floodplain Management Regulations</i>		
6.2.	PUBLIC WATER SUPPLY PROTECTION ZONE		6-2
	A. PURPOSE	6-2	
	B. PUBLIC WATER SUPPLY PROTECTION ZONE DEFINED	6-2	
	C. ZONING PARAMETERS	6-2	
	D. PERMITTED ACTIVITIES	6-2	
	E. SPECIAL PERMIT ACTIVITIES	6-2	
	F. PROHIBITED ACTIVITIES	6-4	
	G. STANDARDS	6-4	
	H. PROCEDURES	6-5	
	I. DETERMINATION OF REGULATED AND NON- REGULATED ACTIVITIES	6-5	

7. BASIC STANDARDS.....7-1

7.1.	LANDSCAPING		7-1
	A. PURPOSE	7-1	
	B. APPLICABILITY	7-1	
	C. LANDSCAPE ARCHITECT REQUIRED	7-1	
	D. PARKING AREA LANDSCAPED AREA REQUIREMENT	7-1	
	E. LANDSCAPED BUFFER REQUIREMENT	7-2	
	F. EXISTING VEGETATION	7-3	
	G. OTHER LANDSCAPING PROVISIONS	7-3	
7.2.	SIGNAGE		7-4
	A. PURPOSE	7-4	
	B. PERMIT REQUIRED	7-4	
	C. SIGNS PERMITTED IN ANY DISTRICT	7-4	
	D. SIGNS PERMITTED IN RESIDENTIAL DISTRICTS	7-6	
	E. SIGNS PERMITTED IN NON-RESIDENTIAL DISTRICTS	7-7	
	F. SIGN LOCATION AND CONSTRUCTION	7-9	
	G. SIGN ILLUMINATION	7-9	
	H. SIGN DESIGN AND REVIEW PROCEDURE	7-10	
7.3.	PARKING		7-11
	A. PURPOSE	7-11	
	B. NUMBER OF PARKING SPACES	7-11	
	C. MODIFICATION OF NUMBER OF PARKING SPACES	7-13	
	D. DESIGN OF PARKING AREAS	7-14	
	E. PARKING SPACES FOR HANDICAPPED PERSONS	7-15	
	F. FEE IN LIEU OF PARKING	7-16	
7.4.	LOADING AND UNLOADING		7-17
	A. PURPOSE	7-17	
	B. NUMBER OF LOADING SPACES	7-17	
	C. DESIGN OF LOADING AREAS	7-17	
7.5.	EXCAVATION, FILLING AND GRADING		7-18
	A. PURPOSE	7-18	
	B. APPLICABILITY	7-18	
	C. OTHER APPROVALS MAY BE REQUIRED	7-18	
	D. PERMITTED ACTIVITIES	7-18	
	E. CONSIDERATIONS	7-20	
	F. STANDARDS	7-21	

(BASIC STANDARDS – cont'd)

7.6.	EROSION AND SEDIMENT CONTROL		7-22
	A. PURPOSE	7-22	
	B. OVERALL REQUIREMENTS	7-22	
	C. PLAN REQUIREMENTS	7-22	
	D. MINIMUM ACCEPTABLE STANDARDS	7-23	
	E. PLAN REVIEW AND APPROVAL	7-23	
	F. IMPLEMENTATION	7-23	
7.7.	ACCESS MANAGEMENT		7-24
	A. PURPOSE	7-24	
	B. APPLICABILITY	7-24	
	C. REVIEW CONSIDERATIONS	7-24	
	D. GENERAL PROVISIONS	7-24	
	E. SPECIFIC PROVISIONS	7-24	
7.8.	EXTERIOR LIGHTING		7-25
	A. PURPOSE	7-25	
	B. APPLICABILITY	7-25	
	C. STANDARDS	7-25	
	D. EXEMPTIONS AND MODIFICATIONS	7-26	
	E. ADDITIONAL PROVISIONS	7-26	
7.9.	DRIVEWAYS		7-27
	A. PURPOSE	7-27	
	B. STANDARDS	7-27	
7.10.	PEDESTRIAN IMPROVEMENT		7-27
	A. PURPOSE	7-27	
	B. STANDARDS	7-27	
7.11.	UTILITY INFRASTRUCTURE		7-28
	A. PURPOSE	7-28	
	B. STANDARDS	7-28	
7.12.	OUTDOOR WOODBURNING FURNACES		7-28
	A. INTENT AND PURPOSE	7-28	
	B. STANDARDS	7-28	
7.13.	CANNABIS ESTABLISHMENTS		7-29
	A. INTENT AND PURPOSE	7-29	
	B. STANDARDS	7-29	
7.14	INCIDENTAL IMPROVEMENTS		7-29
	A. PURPOSE	7-29	
	B. APPLICABILITY	7-29	
	C. STANDARDS	7-29	

7.15	Stormwater Management and Drainage Requirements		7-30
	A. PURPOSE AND INTENT	7-30	
	B. APPLICABILITY	7-30	
	C. GOALS FOR STORMWATER DRAINAGE DESIGN AND FACILITIES	7-31	
	D. STORMWATER TREATMENT GENERAL PROCEDURES AND GUIDELINES	7-31	
	E. STORMWATER MANAGEMENT REQUIREMENTS	7-32	
	F. OTHER APPROVALS MAY BE REQUIRED	7-34	
	G. REFERENCES FOR DESIGN	7-34	
7.16	Renewable Energy Systems		7-35
	A. PURPOSE AND CONTENT	7-35	
	B. APPLICABILITY	7-35	
	C. ALLOWED RENEWABLE ENERGY SYSTEM TYPES	7-35	
	D. PERMITS REQUIRED	7-36	
	E. REQUIREMENTS FOR ALL RENEWABLE ENERGY SYSTEMS	7-36	
	F. REQUIREMENTS FOR SOLAR ENERGY SYSTEMS	7-37	
	G. REQUIREMENTS FOR WIND ENERGY	7-38	
	H. REQUIREMENTS FOR GEOTHERMAL ENERGY SYSTEMS	7-39	
	I. OTHER APPROVALS MAY BE REQUIRED	7-39	

8. SPECIAL PROVISIONS.....8-1

8.1.	NONCONFORMING CONDITIONS		8-1
	A. NONCONFORMING USES	8-1	
	B. NONCONFORMING STRUCTURES	8-1	
	C. NONCONFORMING LOTS	8-2	
8.2.	ANTENNA FACILITIES		8-3
	A. INTENT AND PURPOSE	8-3	
	B. ANTENNAE ALLOWED WITH NO PERMIT REQUIRED	8-3	
	C. ANTENNAE ALLOWED BY ZONING PERMIT	8-3	
	D. ANTENNAE ALLOWED BY SITE PLAN APPROVAL	8-3	
	E. RESIDENTIAL ANTENNAE ALLOWED BY SPECIAL PERMIT	8-4	
	F. OTHER ANTENNAE ALLOWED BY SPECIAL PERMIT	8-4	
	G. REQUIREMENTS FOR SPECIAL PERMIT APPLICATIONS	8-5	
8.3.	ARCHITECTURAL REVIEW / VILLAGE DISTRICTS		8-7
	A. PURPOSE	8-7	
	B. APPLICABILITY	8-7	
	C. PROCEDURE	8-7	
	D. DESIGN GUIDELINES	8-8	
	E. ADDITIONAL VILLAGE DISTRICT CONSIDERATIONS	8-9	
8.4.	TEMPORARY TRAILERS		8-10
	A. LIMITATIONS	8-10	
8.5.	CHARACTER RESOURCE PRESERVATION		8-11
	A. PURPOSE	8-11	
	B. DESIGNATION CRITERIA	8-11	
	C. APPLICATION REQUIREMENTS	8-12	
	D. CONSIDERATIONS	8-12	
	E. LIMITATIONS	8-13	
8.6.	USES SUBJECT TO MORATORIUM		8-14
	A. INTENT AND PURPOSE	8-14	
8.7	Long Island Sound-Riparian Zoning		8-15
	A. PURPOSE	8-15	
	B. STANDARDS	8-15	
8.8	Inclusionary Zoning		8-16
	A. PURPOSE	8-16	
	B. APPLICABILITY	8-16	
	C. REQUIREMENTS	8-16	
	D. INCENTIVES	8-16	
	E. FEE-IN-LIEU	8-17	
	F. ADMINISTRATION	8-17	
8.9	Outdoor Eating Areas		8-19
	A. REQUIRED	8-19	

	B. LOCATION	8-19	
	C. SIZE	8-20	
	D. PARKING REQUIREMENTS	8-20	
	E. SETBACKS/COVERAFE	8-20	
	F. LIGHTING	8-20	
	G. COVERS	8-20	
	H. HOURS OF OPERATION	8-21	
	I. SIGNAGE	8-21	

9. ADMINISTRATION.....9-1

9.1.	SUBMISSIONS TO STAFF		9-1
	A. ZONING PERMIT APPLICATION (ZEO)	9-1	
	B. CERTIFICATE OF ZONING COMPLIANCE (ZEO)	9-2	
	C. SITE PLAN APPLICATION (Planning Director)	9-3	
9.2.	SUBMISSIONS TO COMMISSION		9-6
	A. SPECIAL PERMIT APPLICATION (PZC)	9-6	
	B. REGULATIONS AMENDMENT APPLICATION (PZC)	9-11	
	C. ZONE CHANGE APPLICATION (PZC)	9-13	
	D. CERTIFICATE OF LOCATION APPROVAL (PZC)	9-16	
	E. PRE-SUBMISSION CONCEPT (PZC)	9-18	
9.3.	APPLICATION PROCESSING		9-19
	A. APPLICATION SUBMITTAL	9-19	
	B. DATE OF RECEIPT	9-19	
	C. POSSIBLE SUPPLEMENTAL MATERIALS	9-19	
	D. REFERRAL OF APPLICATION (To Abutting Municipalities)	9-21	
	E. REFERRAL OF APPLICATION (To Water Company)	9-21	
	F. REFERRAL OF APPLICATION (To Regional Agency)	9-22	
	G. REFERRAL OF APPLICATION (to Architectural Advisory Committee)	9-22	
	H. REFERRAL OF APPLICATION (To Village District Cons.)	9-23	
	I. REFERRAL OF APPLICATION (In a Village District)	9-23	
	J. NOTICE OF HEARING (Newspaper)	9-24	
	K. NOTICE OF HEARING (Sign)	9-24	
	L. NOTICE OF HEARING (Mailing to Nearby Owners)	9-25	
	M. SEQUENCE OF APPLICATIONS	9-25	
	N. BONDS	9-26	
9.4.	ENFORCEMENT PROCEDURES		9-27
	A. ENFORCEMENT AUTHORITY	9-27	
	B. INSPECTIONS AUTHORIZED	9-27	
	C. NOTICE OF VIOLATION	9-27	
	D. FURTHER ACTION	9-27	

9.5.	ZONING BOARD OF APPEALS (ZBA)		9-28
	A. GENERAL PROVISIONS	9-28	
	B. APPEAL OF ORDER	9-28	
	C. VARIANCE	9-29	

10. APPENDIX.....10-1

10.1.	APPLICATION FEES		10-1
	A. GENERAL	10-1	
	B. APPLICATIONS TO THE ZEO	10-1	
	C. APPLICATIONS TO THE PLANNING DIRECTOR	10-1	
	D. APPLICATIONS TO THE PLANNING & ZONING COMMISSION	10-2	
	E. ADDITIONAL APPLICATION FEES	10-2	
10.2.	APPLICATION CHECKLISTS		10-3
	A. ZONING PERMIT APPLICATION (ZEO)	10-3	
	B. SUPPLEMENTAL REQUIREMENTS FOR EARTH REMOVAL	10-5	
	C. SITE PLAN APPLICATION (Planning Director)	10-6	
	D. REQUIREMENTS FOR EROSION & SEDIMENT CONTROL	10-8	
	E. SPECIAL PERMIT APPLICATION	10-10	
	F. ADDITIONAL REQUIREMENTS IN FLOOD-PRONE AREAS	10-14	
	G. ADDITIONAL REQUIREMENTS FOR EARTH EXCAVATION	10-16	
	H. REGULATION CHANGE APPLICATION	10-17	
	I. ZONE CHANGE APPLICATION (PZ Commission)	10-18	

11. FLOODPLAIN MANAGEMENT REGULATIONS

11.1.	STATUTORY AUTHORIZATION AND PURPOSE		11-1
	A. STATUTORY AUTHORIZATION	11-1	
	B. FINDINGS OF FACT	11-1	
	C. STATEMENT OF PURPOSE	11-1	
	D. OBJECTIVES	11-2	
11.2.	DEFINITIONS		11-2
11.3.	GENERAL PROVISIONS		11-6
	A. AREAS TO WHICH THIS REGULATIONS APPLIES	11-6	
	B. BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS (SFHAs)	11-6	
	C. STRUCTURES ALREADY IN COMPLIANCE	11-7	
	D. ABROGATION AND GREATER RESTRICTIONS	11-7	
	E. INTERPRETATION	11-7	
	F. WARNING AND DISCLAIMER OF LIABILITY	11-7	
	G. SEVERABILITY	11-7	
11.4.	ADMINISTRATION		11-7
	A. DESIGNATION OF THE LOCAL ADMINISTRATOR	11-7	
	B. CERTIFICATION	11-7	
	C. ESTABLISHMENT OF PERMITS FOR FLOODPLAIN MANAGEMENT	11-8	
	D. PERMIT APPLICATION PROCEDURES	11-8	
	E. DUTIES AND RESPONSIBILITIES FOR ADMINISTRATION	11-9	
11.5.	PROVISIONS FOR FLOOD HAZARD REDUCTION		11-11
	A. GENERAL STANDARDS	11-11	
	B. STANDARDS FOR WATERCOURSES WITHOUT ESTABLISHED BASED FLOOD ELEVATIONS (UN-NUMBERED A ZONE), ADOPTED FLOODWAYS AND/OR FLOOD MAPPING	11-12	
	C. SPECIFIC STANDARDS	11-13	
11.6.	DESIGN STANDARDS FOR SUBDIVISION PROPOSALS		11-16
11.7.	VARIANCE PROCEDURES		11-16
	A. ESTABLISHMENT OF VARIANCE PROCESS	11-16	
	B. VARIANCES PROHIBITED	11-16	
	C. VARIANCES FOR SPECIAL SITUATIONS	11-17	
	D. CONSIDERATIONS FOR GRANTING OF VARIANCES	11-17	
	E. NOTIFICATION OF EFFECT OF VARIANCE ON INSURANCE RATES	11-18	
11.8.	ENFORCEMENT		11-18

1. INTRODUCTION

1.1. Authority

These Regulations are adopted under the authority of Chapter 124 of the Connecticut General Statutes, as amended (CGS 8-1 et seq.).

1.2. Purposes

1. These Regulations are adopted for the purposes of:
 - a. guiding the future growth and development of Ridgefield in accordance with the Plan of Conservation and Development;
 - b. lessening congestion in the streets;
 - c. securing safety from fire, panic, flood and other dangers;
 - d. promoting health and the general welfare;
 - e. providing for adequate light and air;
 - f. preventing the overcrowding of land and avoiding the undue concentration of population; and
 - g. facilitating the adequate provision for transportation, water, sewerage, schools, parks and other public requirements.
2. These Regulations are adopted to:
 - a. give consideration to the character of each area and its peculiar suitability for particular uses;
 - b. conserve the value of buildings and encourage the most appropriate use of land throughout Ridgefield;
 - c. protect historic factors and resources;
 - d. protect existing and potential public surface and ground drinking water supplies;
 - e. 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 Ridgefield and the planning region; and
 - f. provide for housing choice and economic diversity in housing, including housing which will meet identified housing needs.

1.3. Zoning Districts

A. DISTRICTS AND BOUNDARIES

1. To accomplish the purposes of these Regulations, the Town of Ridgefield shall be and is divided into different classes of districts or zones as enumerated in these Regulations.
2. The location and boundaries of zoning districts shall be as shown on the official Zoning Map, as may be amended, which is on file in the Planning and Zoning Office.
3. The official Zoning Map, as may be amended, is hereby declared to be a part of these Zoning Regulations.

B. BOUNDARY INTERPRETATION

1. If not clearly delineated on the Zoning Map, zone district boundaries shall be construed in the following sequence:
 - a. following the center line of a street, railroad, right-of-way, or easement;
 - b. following lot lines, such being lines of record at the time of adoption of these Regulations or relevant amendments hereto;
 - c. where zone boundaries are set back from street lines, they shall be considered as running parallel thereto, at distances shown or measured; and
 - d. following the lines of a particular physical feature including brooks, streams, floodplains, or steep slopes.
2. In case of uncertainty regarding a zone boundary on the Zoning Map, the location of the zone boundary shall be determined by the Commission.

1.4. Interpretation of Regulations

A. PROHIBITED IF NOT PERMITTED

1. Any principal use of land, buildings or structures not expressly permitted by these Regulations in a particular zoning district is prohibited in that district. For a principal use permitted by these Regulations, accessory uses which are clearly and customarily incidental and are actually subordinate to the permitted principal use may be permitted by the Zoning Enforcement Officer.
2. Any activity not expressly permitted by these Regulations in a particular zoning district is prohibited in that district.
3. In the event of uncertainty as to whether a use or activity is permitted, the Commission shall be responsible for interpreting these Regulations.

B. MINIMUM STANDARDS

In their interpretation and application, the provisions of these Regulations shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare, unless the context clearly indicates that such provision is intended to be a maximum limitation.

C. MULTIPLE STANDARDS

1. In the event that there are found to be conflicting requirements within these Regulations, the most restrictive provision shall be applied.
2. The provisions of these Regulations may be superseded by other local, state, or federal laws or regulations.
3. These Regulations do not release a person from having to comply with a more restrictive law, ordinance, easement, covenant, rule, regulation, or permit.

1.5. *Application of Regulations*

A. JURISDICTION

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

B. WHEN APPLICABLE

Except as may be provided in Subsection 1.5.C following:

1. No building, structure land, or premises shall be used or occupied except in conformity with these Regulations.
2. No building or other structure or part thereof shall be erected, constructed, moved, replaced, reconstructed, extended, enlarged, or altered except in conformity with these Regulations.
3. No land shall be divided or altered in a manner which results in a dimensional standard or any other standard that does not conform to the requirements of these Regulations.

C. EXCEPTIONS

Certain uses or activities may not be required to comply with Subsection 1.5.B based upon the provisions of Chapter 124 of the Connecticut General Statutes including, but not necessarily limited to, CGS 8-2h and CGS 8-3(h), as amended.

1.6. *Administrative Provisions*

A. SEVERABILITY

If a court of competent jurisdiction shall declare any provision or part of these regulations to be invalid, unconstitutional, or beyond the powers granted to the Commission by law, such action shall not affect the validity of any other provision or part hereof.

B. WHEN EFFECTIVE

These Regulations, and any amendments hereto, shall be effective from and after the effective date established by the Commission.

2. DEFINITIONS

2.1. Use of Terms

A. DEFINITIONS TO BE APPLIED

The terms, phrases and words set forth in these Regulations shall be construed as defined herein, unless otherwise clearly qualified by their context.

B. GENERAL TERMS

For the purpose of these Regulations, certain terms shall be interpreted as follows:

1. The word "shall" is mandatory.
2. The word "may" is permissive or discretionary.
3. When not inconsistent with the context,
 - a. words in the present tense include the future and vice versa,
 - b. words in the singular include the plural and vice versa;
 - c. words in the masculine include the feminine and neuter and vice versa.
4. The words "used for" include "arranged for," "designed for," "intended for," "maintained for," or "occupied for" and vice versa.
5. The word "person" includes an individual, a partnership, a corporation, an association, or any other type of entity.
6. The words "zone", "zoning district", and "district" have the same meaning.
7. The words "these regulations," "the regulations," "said regulations," "the zoning regulations," and "said zoning regulations," shall be deemed to refer to the Zoning Regulations of the Town of Ridgefield as may be amended.

C. TEXT TO CONTROL

In the case of any difference of meaning between the text of a regulation and any caption, illustration, or table, the text shall control.

D. TERMS NOT DEFINED

For the purpose of these Regulations, words not defined herein shall be interpreted by the Commission:

1. So as to give them the meaning they have in common usage and to give the Section its most reasonable application, or
2. After consulting one or more of the following:
 - a. the State Building Code, as amended;
 - b. the Connecticut General Statutes, as amended;
 - c. a reference book for development definitions; and/or
 - d. A comprehensive general dictionary.

2.2. Defined Terms

Accelerated erosion - See *"Erosion, accelerated"*.

CONCEPT OF "ACCESSORY" AND "PRINCIPAL"

Accessory - Subordinate and customarily incidental to a principal building, structure, use or activity on the same lot.

Accessory building - A building which is not attached to the principal building located on the same lot and which is subordinate and customarily incidental to the principal building located on the same lot.

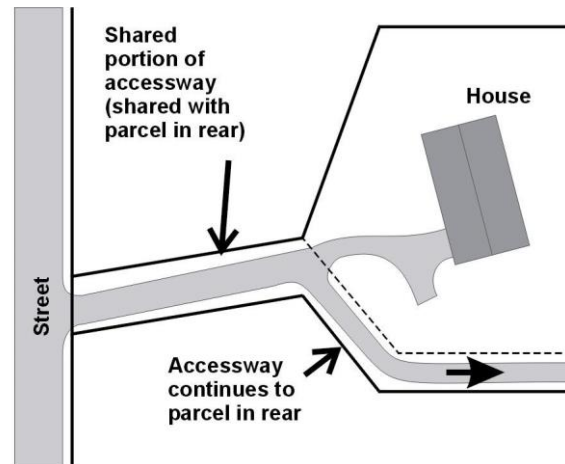
Accessory dwelling unit - *Located with "Housing"*.

Accessory use - A use which is subordinate and customarily incidental to the principal building or use of land located on the same lot.

Attached - Connected by or having in common any portion of one or more of the following: walls, floors, ceilings or roofs.

Principal - The primary or predominant building, structure, use, or activity on a lot or parcel.

Accessway - A private way for vehicular traffic providing access to a street for up to five (5) lots. Also see *definition of "Lot area"*.



“AFFORDABLE HOUSING” RELATED TERMS

Affordable housing - As defined in CGS 8-39a, as may be amended.

(Housing for which persons and families pay thirty per cent (30%) or less of their annual income, where such income is less than or equal to the ... median income for the ... [Danbury HMFA] ..., as determined by the United States Department of Housing and Urban Development [Danbury HMFA income data from www.huduser.org/datasets/il.html]). [2006]

Affordable housing development - As defined in CGS 8-30g as may be amended. *(A proposed housing development which is “assisted housing” or a “set-aside development”). [2006]*

Assisted housing - As defined in CGS 8-30g, as may be amended.

(Housing which is receiving, or will receive, financial assistance under any governmental program for the construction or substantial rehabilitation of low and moderate income housing, and any housing occupied by persons receiving rental assistance under chapter 319uu or Section 1437f of Title 42 of the United States Code). [2006]

Median income - As defined in CGS 8-30g, as may be amended.

(After adjustments for family size, the lesser of the state median income or the ... median income for the ... [Danbury HMFA] ..., as determined by the United States Department of Housing and Urban Development [Connecticut income data and Danbury HMFA income data from www.huduser.org/datasets/il.html]). [2006]

Set-aside development - As defined in CGS 8-30g, as may be amended.

(A development in which not less than thirty per cent of the dwelling units will be conveyed by deeds containing covenants or restrictions which shall require that, for at least forty years after the initial occupation of the proposed development, such dwelling units shall be sold or rented at, or below, prices which will preserve the units as housing for which persons and families pay thirty per cent or less of their annual income, where such income is less than or equal to eighty per cent of the median income. In a set-aside development, of the dwelling units conveyed by deeds containing covenants or restrictions, a number of dwelling units equal to not less than fifteen per cent of all dwelling units in the development shall be sold or rented to persons and families whose income is less than or equal to sixty per cent of the median income and the remainder of the dwelling units conveyed by deeds containing covenants or restrictions shall be sold or rented to persons and families whose income is less than or equal to eighty per cent of the median income). [2006]

Agriculture - The cultivation of the soil, and the raising and harvesting of crops, including but not limited to nursery gardening, horticulture, forestry, and the raising and/or caring for livestock or poultry.

Alteration - As applied to a building or structure, a change or rearrangement of the interior and/or exterior structural or nonstructural parts; or in the exit facilities; or an enlargement, whether by extending on a side or by increasing in height; or the moving from one location or position to another.

Antenna - A device used to collect, transmit, and/or receive telecommunications or radio signals.

“AQUIFER” RELATED TERMS

Aquifer - A geologic unit capable of yielding usable amounts of water.

Aquifer protection zone - An area designated on the map entitled “Aquifer Protection Districts” as a primary recharge area or as a secondary recharge area for an aquifer yielding usable amounts of water for existing or potential water supplies.

Direct recharge - The process by which precipitation replenishes a stratified-drift aquifer by natural infiltration through the unsaturated zone to the water table.

Groundwater - Water in the subsurface area beneath the water table in which all open spaces are filled with water.

Groundwater recharge area - That area from which water is added to the saturated zone by natural processes, such as infiltration of precipitation, or artificial processes, such as induced infiltration.

Primary recharge area - That area immediately overlying a stratified-drift aquifer and adjacent area of stratified drift that may not have a sufficient saturated thickness to be part of the aquifer. The boundary of the primary recharge area is the contact between the stratified drift and adjacent till or bedrock.

Secondary recharge area - Areas of till and bedrock which recharge the primary areas by direct groundwater inflow.

Stratified-drift - Unconsolidated sediment composed of layers of sand, gravel, silt or clay, or similar deposits, that are capable of yielding usable amounts of water.

Area of special flood hazard – See “*Flood*” *Related Terms*, *Floodplain overlay zone*. (Also known as a Special Flood Hazard Area – SFHA).

Arts - See “*Facility for Education in the Arts*”.

Artist Studio - Work space for artists or artisans, including the teaching of artistic disciplines.

Assisted living - See “*Housing, assisted living*”.

Attached - Located with “*Accessory*”.

Attic - Located with “*Story*”

“AUTOMOTIVE” RELATED TERMS

Automotive, limited repairer - As defined in CGS 14-51, as may be amended
(Any ... person ... engaged in the business of minor repairs, including repairs and replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, relining and repairs, wheel alignment and balancing, and repair and replacement of shock absorbers ...). [2006]

Automotive, new car dealer - As defined in CGS 14-51, as may be amended
(Any person, firm or corporation engaged in the business of merchandising new motor vehicles under a manufacturer's or importer's contract for each such make of vehicle who may, incidental to such business, sell used motor vehicles and repair motor vehicles ...). [2006]

Automotive, repairer - As defined in CGS 14-51, as may be amended
(Any person, firm or corporation ... engaged in repairing, overhauling, adjusting, assembling or disassembling any motor vehicle ...). [2006]

Automotive, used car dealer - As defined in CGS 14-51, as may be amended
(Any person, firm or corporation engaged in the business of merchandising motor vehicles other than new who may, incidental to such business, repair motor vehicles). [2006]

Gasoline filling station - Any area of land, including structures thereon, or any building or part thereof, that is used for the sale of gasoline or other motor vehicle fuel, and which may or may not include the sale of accessories or facilities for lubricating, washing or otherwise servicing motor vehicles, but which shall not include painting or body and fender repairs.

Average Grade - Located with “Building Height”.

Base flood - See “Flood, base”.

Basement - Located with “Story”.

Bed and breakfast accommodations - A single-family dwelling in which bedrooms are used to provide or offer overnight accommodations for transient guests for compensation, and which accommodations may include the provision of breakfast.

Billboard - See “Sign, billboard”.

Boarding stables - Facilities for the feeding, housing, and exercising of horses not owned by the owner of the premises, and for which the owner or lessee of the premises receives compensation.¹

Brew Pub - A restaurant that operates a brewery together with or accessory to the operation of a restaurant.²

¹ 2011-011-A Amended effective 4/8/11

² 2016-109-A Amendment effective 1/27/2017

Brewery - A facility where beer and related products are manufactured, stored, bottled, canned and sold at wholesale and retail mainly for consumption off site. The sale and consumption of beer and related products on the premises may be permitted together with the sale of food and dry goods, including apparel, drinkware and other similar products accessory to the brewery operation, subject to compliance with Section 5.3.C.10.

Building - Any structure which has one or more floors and a roof and is intended for the shelter, housing or enclosure of persons, animals or material.

Building area - *Located with "Floor area".*

Building coverage - *Located with "Coverage".*

“BUILDING HEIGHT” RELATED TERMS

Average grade - the average grade for a building or other structure shall be an elevation determined by averaging the lowest ground elevations within 10 feet of points situated every 20 feet along an imaginary line located ten (10) feet outside of the building or other structure provided that such ground elevations are on the same property.

Building height, average - The vertical distance from the average grade for a building or other structure, or for a wing or distinct portion of a building or other structure, to the highest of the elevations indicated in the table on the facing page for that building or other structure or for a wing or distinct portion of the building or other structure.

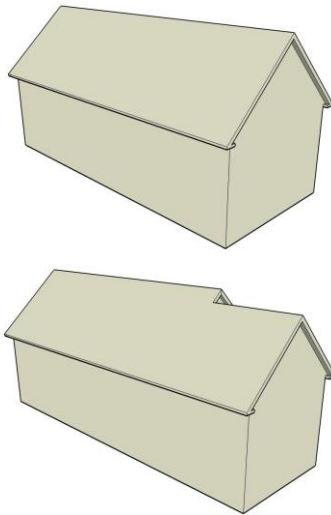
Building height, total - The vertical distance from the average grade for a building or other structure, or for a wing or distinct portion of a building or other structure, to the highest point of the roof for that wing or distinct portion of the building or structure. Chimneys, spires, cupolas, and similar minor projections not intended for human occupancy shall not be included in the total building height.

Building wing (or distinct portion) - A portion of a building, defined by the footprint, which does not share a roof plane with another portion of the same building and where the roof ridge is offset from another roof ridge by three (3) feet or more.

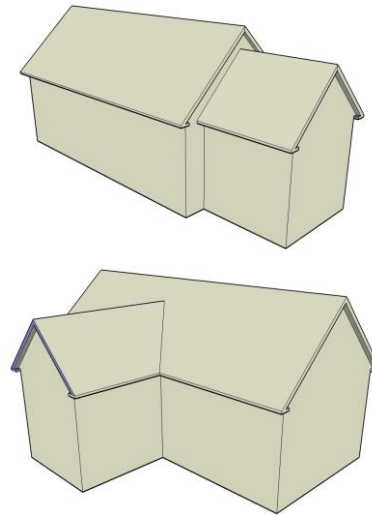
Pitchbreak - The intersection of two slopes of a gambrel roof, other than at the ridge.

Building - Wing or Distinct Portion

Buildings Without a Wing or Distinct Portion



Buildings With A Wing or Distinct Portion



“BUILDING HEIGHT” RELATED TERMS (continued)

Roof Type

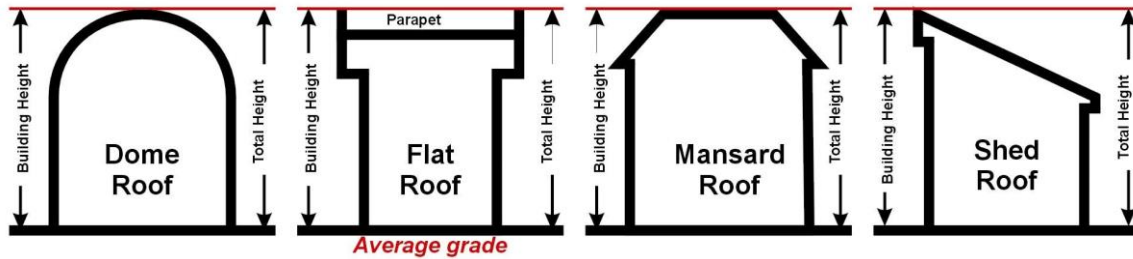
Average Building Height

Total Building Height

**Dome / Flat
Mansard / Shed**

The elevation of the highest point of the highest dome, flat, shed, or mansard roof, including the top of any parapet.

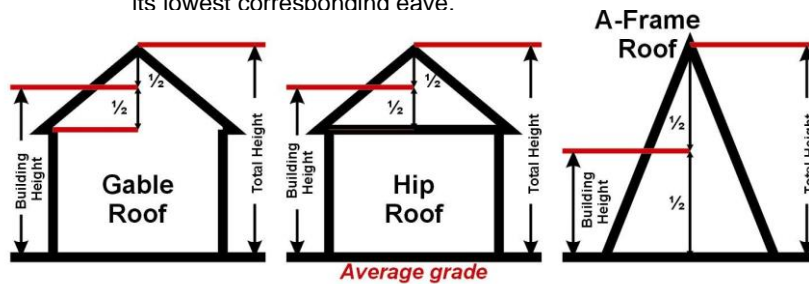
The elevation of the highest point of the roof, including the top of any parapet.



**Gable / Hip
A-frame**

The mean elevation of the roof (other than a dormer) with the highest mean elevation between its highest ridge and its lowest corresponding eave.

The elevation of the highest point of the roof, including the top of any parapet.



Salt box

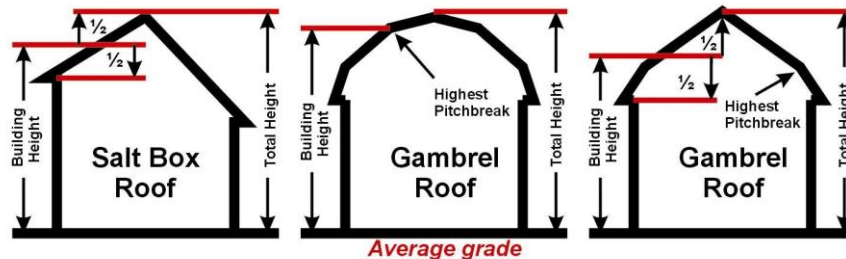
The mean elevation of the side of the salt box roof (other than a dormer) with the highest mean elevation between its highest ridge and its lowest corresponding eave.

The elevation of the highest point of the roof, including the top of any parapet.

Gambrel

The mean elevation of the roof (other than a dormer) with the highest mean elevation between its highest ridge and its lowest corresponding eave or the elevation of the highest pitchbreak, whichever is greater.

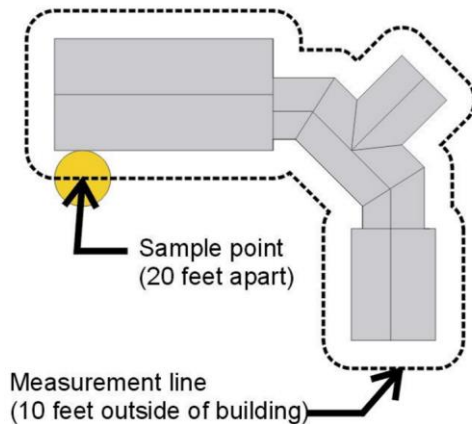
The elevation of the highest point of the roof, including the top of any parapet.



"BUILDING HEIGHT" RELATED TERMS (continued)

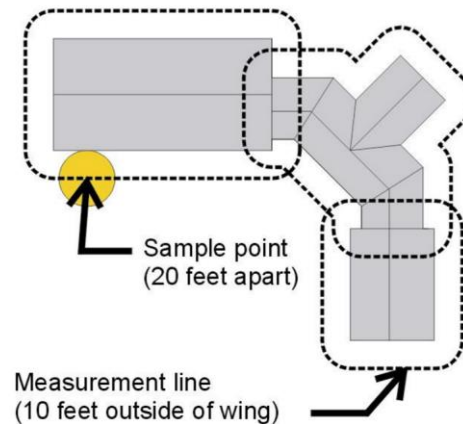
Average Grade (Entire Building)

Take the lowest spot elevation within ten (10) feet of sample points located every twenty (20) feet along the measurement line for the entire building and average all of the elevations.

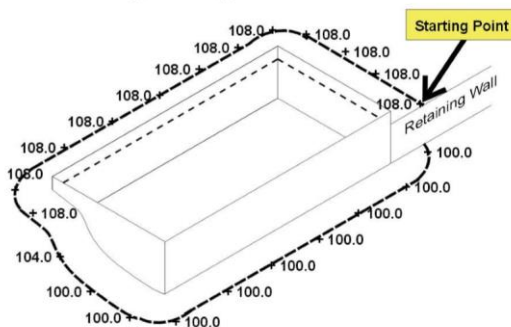


Average Grade (Building Wings)

Take the lowest spot elevation within ten (10) feet of sample points located every twenty (20) feet along the measurement line of each wing and average the elevations for each wing separately.



Calculating Average Grade

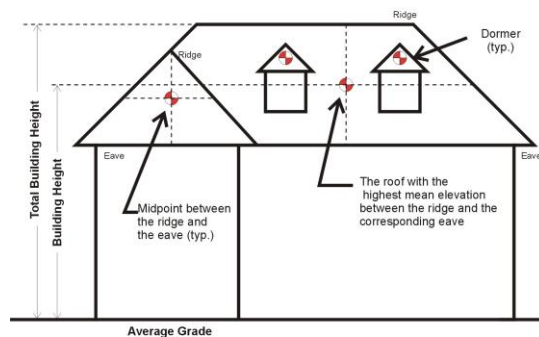


$$\text{Ave. Grade} = \frac{\text{sum of elevations}}{\text{number of points}}$$

$$= \frac{2,300.0}{22 \text{ points}}$$

$$= 104.5$$

Comparing Mean Elevation of Roofs



“BUSINESS” RELATED TERMS

Non-direct-retail-sales showroom – an area within an enclosed building used solely for the display of goods such as but not limited to: flooring, granite counters, kitchen cabinets, furniture, etc. Except for the ancillary sales permitted by sec. 5.3.c.10., direct retail sales are prohibited.

Office - A room or group of rooms used for conducting the affairs of a business, profession, service, industry, or government.

Office, business - An office used for executive, administrative, research, or similar functions involving limited interaction with the public.

Office, professional - An office used by one or more members of a recognized profession such as architects, engineers, lawyers, and accountants.

Office, medical - An office used for the prevention and/or treatment of medical conditions and other physical or mental ailments by persons certified or licensed by the State of Connecticut to perform such services provided that no such office or facility shall offer services requiring overnight stays.

Office, medical paraprofessional – An office or facility operated by persons trained to assist the medical profession by providing services related to the promotion of good health and the prevention and/or treatment of medical conditions and other physical or mental ailments.

Office, real estate - An office used as a base for agents or brokers engaged in the sale or rental of real estate.

Personal service establishment - An establishment primarily engaged in providing individual services generally related to personal needs including, but not limited to, hair salon, barber shop, nail salon, shoe repair, tailor, dry cleaning, and similar services.

Research and development laboratories - A facility where research and experimentation is performed under the supervision of the staff of such facility. Any animals shall be kept only in the enclosed interior of any building or structure located on the premises.

Restaurant - An establishment where the principal use is the preparation and sale of food and beverages for immediate consumption.

Restaurant, Sit-Down - A restaurant where:

- customers are served primarily when seated at tables or counters,
- any food takeout is clearly incidental to the primary sit-down restaurant use, and
- no customers are served in motor vehicles.

“BUSINESS” RELATED TERMS (continued)

Retail Sales - An establishment engaged in selling or renting goods or merchandise directly to the consumer and rendering services incidental to the sale of such goods.

Retail Display, Outdoor – Display of goods or merchandise occurring outside of an enclosed building.

Service establishment - An establishment primarily engaged in the provision of assistance as opposed to products to individuals, businesses, governments, and other enterprises.

Shopping center - A group of three or more retail and other commercial establishments planned, constructed, and managed as a single entity, typically on one property, with common parking.

Cabana - A facility used as a dressing area in connection with a swimming pool or a recreation facility (such as a tennis court) but not used as a living unit as defined in these Regulations.

Cannabis³ - "Cannabis" means marijuana, as defined in section 21a-240 of the general statutes.

CANNABIS-RELATED TERMS

Cannabis establishment - a producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager, delivery service or transporter;

Producer - a person that is licensed as a producer pursuant to section 21a-408i of the general statutes and any regulations adopted thereunder;

Dispensary facility - a place of business where cannabis may be dispensed, sold or distributed in accordance with chapter 420f of the general statutes and any regulations adopted thereunder, to qualifying patients and caregivers, and to which the department has issued a dispensary facility license under chapter 420f of the general statutes and any regulations adopted thereunder;

Cultivator - a person that is licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment with not less than fifteen thousand square feet of grow space;

Micro-cultivator - a person licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment containing not less than two thousand square feet and not more than ten thousand square feet of grow space, prior to any expansion authorized by the commissioner;

Retailer - a person, excluding a dispensary facility and hybrid retailer, that is licensed to B purchase cannabis from producers, cultivators, micro-cultivators, product manufacturers and food and beverage manufacturers and to sell cannabis to consumers and research programs;

³ A-21-5: Adopted effective 9/24/21 adding cannabis-related definitions

Hybrid retailer - a person that is licensed to purchase cannabis and sell cannabis and medical marijuana products;

Food and beverage manufacturer - a person that is licensed to own and operate a place of business that acquires cannabis and creates food and beverages;

Product manufacturer - a person that is licensed to obtain cannabis, extract and manufacture products exclusive to such license type;

Product packager - a person that is licensed to package and label cannabis;

Delivery service - a person that is licensed to deliver cannabis from (A) micro-cultivators, retailers and hybrid retailers to consumers and research program subjects, and (B) hybrid retailers and dispensary facilities to qualifying patients, caregivers and research program subjects, as defined in section 21a-408 of the general statutes, or to hospices or other inpatient care facilities licensed by the Department of Public Health pursuant to chapter 368v of the general statutes that have a protocol for the handling and distribution of cannabis that has been approved by the department, or a combination thereof;

Transporter - a person licensed to transport cannabis between cannabis establishments, laboratories and research programs;

Cemetery - Land used for the burial of the dead, and dedicated for cemetery purposes, including columbariums, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

CGS - Connecticut General Statutes.

Character - Special physical characteristics of a structure or area that set it apart from its surroundings and contribute to its individuality.

Commercial vehicle – Any motor vehicle designed or used to carry freight, passengers for a fee, or merchandise, or used in conjunction with a business.

Commission - the Ridgefield Planning and Zoning Commission.

Community Residence – As defined in CGS 8-3c, as may be amended, a licensed residential facility which offers housing for six or fewer persons and staff for (1) mentally retarded persons, (2) children with mental or physical disabilities, (3) persons receiving mental health or addiction services.

Congregate housing - See *"Housing, congregate"*.

Conservation restriction - as provided in CGS 47-42, a limitation in any deed or other instrument whose purpose is to retain land or water areas predominantly in their natural, scenic or open condition or in agricultural, farming, forest or open space use.

Contractor's yard⁴ – A lot or portion of a lot used to store and maintain construction equipment, vehicles, and other materials customarily required in the building, tree service, landscaping or similar trades.

⁴ 2012-091-A: "Contractor's facility" Effective 5/24/13 REPEALED March 2015 by Court. Reverts to previous definition.

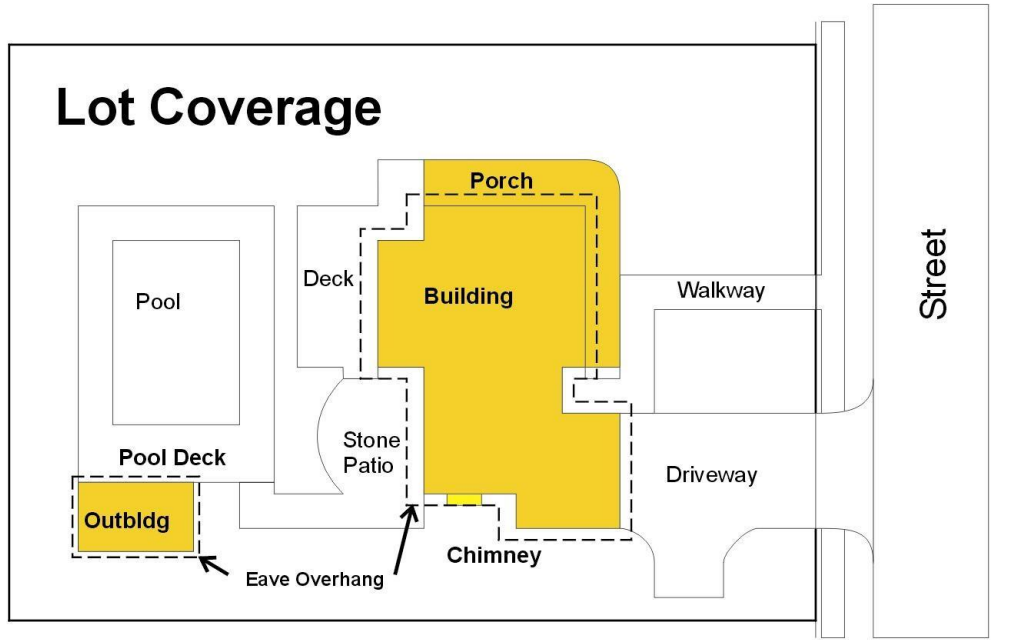
"COVERAGE" RELATED TERMS

Coverage - See "Coverage, lot".

Coverage, building - See "Coverage, lot".

Coverage, lot - The percentage which the aggregate building area of all buildings on the lot bears to the area of the lot. (*"Building Area" definition located with "Floor Area"*).

(In general, any portion of a building or structure with a roof counts as lot coverage).



Area Counting As Building Coverage

Up to 18" of eave overhang is excluded from building area and lot coverage
(See definition of "Building Area" located in "Floor Area Related Terms")

"DAY CARE" RELATED TERMS

Day Care - A program of supplementary care provided to one or more persons on a regularly recurring, but part-time basis, in a place other than the recipient's own dwelling.

Day Care Center - As defined in CGS 19a-77, as may be amended:

(A facility ... which offers or provides a program of supplementary care to more than twelve related or unrelated children outside their own homes on a regular basis.) [2006]

Family Day Care Home - As defined in CGS 19a-77, as may be amended:

(A facility ... which consists of a private family home caring for not more than six children, including the provider's own children not in school full time ...). [2006]

Group Day Care Home - As defined in CGS 19a-77, as may be amended:

(A facility ... which offers or provides a program of supplementary care to not less than seven nor more than twelve related or unrelated children on a regular basis.) [2006]

Development - Any construction activity, grading activity, or other man-made change to improved or unimproved real estate including, but not limited to, buildings or other structures, mining, dredging, filling, grading, clearing and grubbing, paving, excavation or drilling operations.

Dimensional variance - *Located with "Variance".*

Direct recharge - *Located with "Aquifer".*

Disturbed area - *Located with "Erosion".*

Dormer - A projection from a sloping roof, usually containing a window or a ventilating louver, which is clearly subordinate in area and volume to the sloping roof.

Dwelling / dwelling unit - *Located with "Housing".*

Earth disturbing activities - *Located with "Erosion".*

Educational use - Any land and/or building used for the purpose of providing part-time or fulltime education and/or training to people. For the purpose of these regulations, a "group day care home" and a "child day care center", as defined under Section 19a-77 of the CGS, is an educational use.

Equestrian facilities - Farms used for the raising, breeding, boarding, and training of horses, and including riding schools, horse exhibition facilities, barns, stables, corrals, riding arenas, Derby fields, paddocks and similar uses and structures.⁵

⁵ 2011-011-A Amended effective 4/8/11

“EROSION” RELATED TERMS

Disturbed area - An area where the ground cover is altered, destroyed or removed leaving the land subject to accelerated erosion.

Earth disturbing activities - Any activity or use of the land that results in a change in the natural cover or topography, and that may cause or contribute to erosion and sedimentation.

Erosion - The wearing away of land surface by the action of wind, water, gravity, ice, or any combination thereof.

Erosion, accelerated - Any increase over the rate of natural erosion as a result of earth disturbing activities.

Sediment - Solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.

Sedimentation - The process of transporting sediment from its site of origin and/or forming of silt or other sediment due to earth-disturbing activities.

Soil - Any unconsolidated material or organic material of any origin.

Façade – The exterior elevation of a structure or building as viewed from a single vantage point.

Facility for education in the arts - A studio or facility where members of the public are instructed in the arts including, but not limited to, music, dance, painting, sculpture, or martial arts.

Family - A family shall be:

One or more persons living together as a single housekeeping unit, who are all related by blood, marriage, or adoption; or

A group consisting of not more than five (5) persons, living together as a single housekeeping unit, who are unrelated by blood, marriage or adoption; or

A combination of (a) or (b) above, provided that such persons shall live together as a single housekeeping unit and the number of unrelated individuals shall not exceed three (3).

Family Day Care Home - *Located with “Day Care”.*

FAR - *Located with “Floor Area”.*

Farm – A parcel or parcels of land, which need not be contiguous, under common ownership or leasehold located within the Town of Ridgefield, used for and in connection with agriculture and/or farming activities as defined in these regulations, and including associated buildings, structures and equipment.⁶

Farmers’ Market – An enterprise or association that consistently occupies a given site on a seasonal basis, operating principally as a common marketplace for the sale of locally grown fresh produce and farm products (as defined in Sec. 22-6r of the Connecticut General Statutes) from the Connecticut and New York region, where the farm products sold are produced by the participating farmers.⁷

⁶ 2010-112-A: Amended effective 2/17/11

⁷ 2007-138-A Amended effective 1/11/08

Farming - Land and associated buildings used in connection with the raising and/or caring for agricultural, livestock, poultry or dairy products, but excluding the raising of fur bearing animals and excluding dog kennels.

Fitness Center - An establishment that houses exercise equipment and facilities for the purpose of physical exercise.⁸

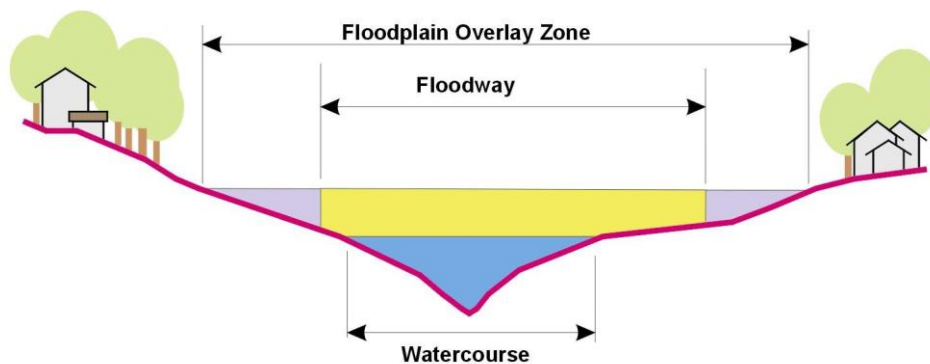
⁸ 2010-085-A: Amended effective 10/15/10

“FLOOD” RELATED TERMS

Flood - A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters and/or the unusual and rapid accumulation or runoff of surface waters from any source.

Floodplain overlay zone - Any area designated by the Federal Emergency Management Agency in the Flood Insurance Study (as amended) as having a one percent (1%) chance of a theoretical flood event being equaled or exceeded in any given year (a “one-hundred-year flood”). Also known as a “Special Flood Hazard Area” (SFHA).

Floodplain / Floodway



Floodway - Any area designated by the Federal Emergency Management Agency in the Flood Insurance Study (as amended) as the area which must be reserved in order to discharge a theoretical flood event having a one percent (1%) chance of being equaled or exceeded in any given year (a “one-hundred-year flood”) without cumulatively increasing the water surface elevation more than one foot.

Lowest floor - The lowest floor of the lowest enclosed area (including basement) except that an unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area is not considered a building’s lowest floor.

Substantial improvement - Any combination of repairs, reconstruction, alteration, or improvements to any wall, ceiling, floor, and/or other structural parts of a building or structure in which the cumulative cost equals or exceeds fifty (50) percent of:

- the appraised market value of the structure prior to the start of the initial repair or improvement, or
- in the case of damage, the market value of the structure prior to the damage occurring. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

Floor - Located with *"Story"*.

"FLOOR AREA" RELATED TERMS

Floor area - The horizontal area of a floor in a building, measured to the outside of the exterior walls.

Floor area, gross – The horizontal area of all the floors in a building, measured to the outside of the exterior walls.

Floor area, FAR calculation - The floor area of all floors of the buildings on a lot:

- including garages and accessory buildings,
- excluding attics, basements, and open porches, and
- in a business zone, excluding a parking structure approved by the Commission and supporting a business use.

Any horizontal area of a residential building with an interior height from floor to ceiling exceeding sixteen (16) feet shall be considered to have one floor per multiple of eight (8) feet of interior height and the gross floor area shall be calculated as such.

Floor area ratio (FAR) - A numeric value expressing the ratio of the gross floor area of all buildings on the parcel or lot to the total area of the parcel or lot.

Building area - The maximum horizontal cross section area of a building on a lot, measured to the outside of the exterior walls, except that up to eighteen (18) inches of projections for cornices, eaves, gutters, chimneys, or similar appurtenances projecting shall be excluded. (see illustration under "Coverage," related terms in Sec. 2 of the zoning regulations.)

Foot-candle - Located with *"Lighting"*.

Frontage - Located with *"Lot"*.

Full cut-off type fixture - Located with *"Lighting"*.

Gasoline filling station - Located with *"Automotive"*.

Grade, average - Located with *"Building Height"*.

Grading - Any excavating, grubbing, filling or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition.

Gross Floor Area - Located with *"Floor area"*.

Groundwater - Located with *"Aquifer"*.

Groundwater recharge area - Located with *"Aquifer"*.

Group Day Care Home - See *"Day Care"*.

Group home - Located with *"Housing"*.

Hazardous material - Material which may pose a present or potential hazard to human health or the environment when improperly stored, transported or disposed of, or otherwise managed, including, without limitation, hazardous waste identified and listed in accordance with Section 3001 of the Resource Conservation and Recovery Act of 1976.

Health care facility - Located with "Housing".

Heavy equipment⁹ -

"HOME-BASED BUSINESS" RELATED TERMS

Home-based business - The use of a portion of a dwelling or out-building for business purposes by the resident occupants when clearly incidental and secondary to the residential use of the dwelling (such as a home office or a home occupation).

(This definition includes, but is not limited to, the office, studio or workshop of an architect, artist, computer or Internet-based business, dentist, dressmaker, economist, engineer, insurance agent, lawyer, , musician, photographer, physician, psychologist, real estate broker, serviceman or a dwelling used for preserving or cooking for compensation. Such uses as restaurants, tearooms, funeral homes, barbershops, beauty parlors, dancing schools, and animal hospital are not considered incidental and accessory to a residential use and shall not be deemed a home-based business).

Home office - The use of a dwelling for occasional business use (as part of employment typically occurring elsewhere) or a home-based business involving no non-residents employees and no regular visitors to the business.

Home occupation, minor - A home-based business involving one (1) non-resident employee or occasional visitors to the business.

Home occupation, major - A home-based business involving two (2) or more non-resident employees or involving regular visitors to the business.

Horizontal illuminance - Located with "Lighting".

Hotel - A building used for the purpose of furnishing, for compensation, temporary lodging to the public, with or without meals, and having lodging accommodations.

Housing authority - The duly established housing authority of the Town of Ridgefield as per Town Meeting Resolution of October 9, 1974.

⁹ 2012-091-A: Effective 5/24/13 Definition REPEALED March 2015

“HOUSING UNIT” RELATED TERMS

Accessory dwelling unit - One or more rooms which are within or attached to or on the same property as a single-family detached dwelling and used for independent residential purposes. In general, an accessory dwelling unit shall be inferred when there is a sleeping area, a separate kitchen or kitchen area and a separate bathroom with a toilet and a bathtub/shower.

Dwelling / dwelling unit - One or more rooms which are arranged, designed, or used for independent residential purposes. In general, each dwelling unit shall be limited to one kitchen or kitchen area and shall contain at least one bathroom with a toilet and a bathtub/shower, and a sleeping area.

Living unit - One or more rooms which are arranged, designed, or used for residential purposes for one family within a facility which provides adequate communal services to meet the daily needs of the residents. In general, each living unit shall contain a sleeping area, a bathroom with a toilet and shall not be required to contain a kitchen or kitchen area provided adequate communal services are provided.

Living unit, independent - One or more rooms which are arranged, designed, or used for residential purposes for one family within a facility which provides communal services to supplement the daily needs of the residents of the independent living units. In general, each independent living unit shall contain a sleeping area, kitchen or kitchen area and a bathroom and a lavatory.

Group home - A community residence as defined in CGS 17a-220 which is licensed under the provisions of CGS 17a-227, or a child-care residential facility and which is licensed under CGS 17a-145 to 17a-151, inclusive.

“HOUSING TYPE” RELATED TERMS

Housing, single-family detached - A building designed for and occupied exclusively as a residence for one family and having no party wall in common with an adjacent dwelling. Where a private garage or accessory structure is attached to such building, it shall be considered as a part thereof.

Housing, single-family semi-detached - A portion of a building designed for and occupied exclusively as a residence for one family and having a party wall in common with one adjacent dwelling.

Two-family dwelling - A building designed for and occupied exclusively as a residence for two (2) families.

Multifamily dwelling - A building designed and occupied exclusively as a residence for three (3) or more families. This definition includes condominiums, cooperatives, townhouses and garden apartments.

OTHER 'HOUSING' RELATED TERMS

Assisted living - A facility that provides living units together with areas for communal dining, kitchen, meeting room, laundry and similar support areas for persons desiring assistance with basic "daily living" functions (e.g., dressing, dining, bathing).

Congregate housing - As defined in CGS 8-119e, as may be amended.
(Independent living (units) assisted by congregate meals, housekeeping and personal services who have temporary or periodic difficulties with one or more essential activities of daily living such as feeding, bathing, grooming, dressing or transferring). [2006]

Nursing home/convalescent home - A facility licensed by the State of Connecticut to provide services which meet a need beyond the basic provisions for food, shelter, laundry, including, but not limited to, recreation, physical therapy, health services, and licensed nursing services.

Impervious Surfaces –Typically artificial surfaces that do not allow the penetration or infiltration of precipitation, such as concrete, asphalt (bituminous concrete), brick, stone, or lattice pavers, etc., including, but not limited to, pools, roof tops, paved and gravel driveways, paved and gravel parking areas, tennis courts, sport courts, basketball courts, decks (with less than a 1/8" gap between planks or located over an impervious surface), ground- or pole-mounted solar energy systems¹⁰ and all other surfacing that is considered impenetrable to precipitation (see also definition for Pervious Surfaces, including permeable, pervious, or porous).¹¹

Inclusionary Zoning: To promote the development of additional housing zones that require a given share of new construction be affordable by people with low to moderate incomes.¹²

Inn - An establishment where public lodging and meals are provided for compensation on a day-to-day basis.

Kennel - An establishment in which dogs or domesticated animals are housed, groomed, bred, boarded, trained, or sold for a fee or for other compensation.

¹⁰ A-21-3 – Amended effective 8/6/2021.

¹¹ 2020-007-A Amended effective 09.04.2020

¹² A-23-5 Amended effective 05.26.2023

“LANDSCAPING” RELATED TERMS

Canopy Tree - A deciduous tree whose mature height and branch structure provide foliage primarily on the upper half of the tree and provides shade to adjacent ground areas.

Evergreen Tree - A coniferous tree with foliage that persists and remains green year round.

Shrub - A deciduous or coniferous plant with a bushy appearance that usually remains low in height and produces shoots or trunks from the base.

Understory Tree - Deciduous trees of smaller size than canopy trees, generally growing under the taller trees and capable of surviving in their shade.

Leasehold (for land) - A form of property tenure where one party buys the right to occupy and use land owned by another party, for a given period of time.¹³

¹³ 2010-112-A: Amended effective 2/17/11

"LIGHTING" RELATED TERMS

Foot-candle - A unit of measure for illuminance on a surface (equal to one lumen per square foot).

Full cut-off type fixture- A luminaire or light fixture that, by design of the housing and actual installation, allows:

- zero percent (0%) of lumen output at an angle of 90 degrees (horizontal plane) or greater above nadir (the lowest point of the fixture), and
- ten percent (10%) of lumen output at an angle of 80 degrees or greater above nadir (the lowest point of the fixture).

Horizontal illuminance- The measurement of brightness from a light source usually measured in foot-candles or lumens, which is taken through a light meter's sensor at a horizontal position.

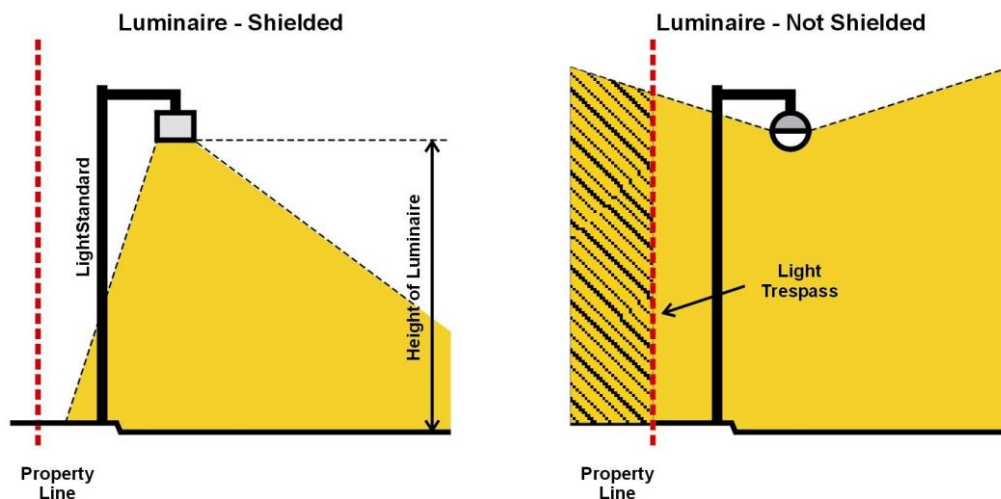
IESNA - Illuminating Engineering Society of North America (IESNA).

IESNA cut-off - A luminaire or light fixture that, by design of the housing and actual installation, allows:

- two-and-a-half percent (2.5%) of lumen output at an angle of 90 degrees (horizontal plane) or greater above nadir (the lowest point of the fixture), and
- ten percent (10%) of lumen output at an angle of 80 degrees or greater above nadir (the lowest point of the fixture).

Light trespass- Light from an artificial light source that is intruding into an area where it is not wanted or does not belong.

Uplighting - Any light source that distributes illumination above a horizontal plane.



Landscaped area - An open space, unoccupied except by pedestrian walks, with the ground surface maintained in lawn, evergreen ground cover, or combinations of the former, with or without shrubs and trees.

Landscaped buffer - A landscaped area with a mixture of evergreen and deciduous trees and other plant materials which will, in the opinion of the Commission, produce a visual barrier between different land uses.

Livable floor area - *Located with "Floor Area".*

Living Unit - *Located with "Housing".*

Loading space - A space, accessible from a street or way, in a building or on a lot, for the temporary use of vehicles, while loading or unloading merchandise or materials.

"LOT" RELATED TERMS

Lot - A parcel of land capable of being lawfully built on in conformity with these Regulations.

Lot area (for minimum lot area requirement) - The total horizontal area of the lot lying within the lot lines excluding:

- any area of land lying within any street line, and
- any area dedicated or used as an accessway to land of others.

Lot area (for lot coverage or floor area ratio limitation) - The total horizontal area of the lot lying within the lot lines.

Lot frontage - The length of the lot line which separates a lot or parcel from a street or road.

Lot width - The horizontal distance between the side lot lines measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required building setback line.

Lot area per family - The quotient obtained by dividing the lot area by the total number of families housed or to be housed thereon.

Lot coverage - *Located with "Coverage".*

"LOT TYPE" RELATED TERMS

Lot, corner - A lot that abuts two intersecting streets at their intersection

Lot, front - A lot fronting on a public street and having direct driveway access to the public street, and where the building site is located on or near the front yard setback as measured from the street.

Lot, rear - A lot not having the required frontage on a public street and having access to the street via an accessway or a strip of land that may be part of the rear lot, and where the building site is located to the rear of front lots on the same street

"LOT LINE" RELATED TERMS

Lot line - The outside dimension of a lot as defined in these Regulations, except that in the case of any lot abutting a street, the lot line for such portion of the lot as abuts such street shall be deemed to be the same as the street line, and shall not be the centerline of the street, or any other line within the street line even though such may be the property boundary line.

Lot line, front - The lot line abutting a street and coinciding with the street line. A corner lot shall contain two front lot lines. In the case of a rear lot, the lot line opposite the front door of the building.

Lot line, rear - A lot line opposite and most distant from the front lot line; if the rear lot line is less than ten (10) feet in length, or if the lot forms a point at the rear, the rear lot line shall be deemed to be a line ten (10) feet in length within the lot, parallel to and at the maximum distance from the front lot line.

Lot line, side - Any lot line which is not a front or rear lot line.

Street line - The street line is the dividing line between the street and the lot.

Lowest floor - *Located with "Flood" Related Terms.*

Medical Office - *Located with "Business" Related Terms.*

Medical marijuana dispensary¹⁴ - A place of business where marijuana may be dispensed or sold at retail to qualifying patients and primary caregivers, and for which the CT Department of Consumer Protection has issued a dispensary facility permit to an applicant in accordance with Section 21a-408-14 of the Regulations of Connecticut State Agencies.

Medical marijuana production facility - A secure, indoor facility where the production of marijuana occurs, and that is operated by a person to whom the CT Department of

Consumer Protection has issued a producer license in accordance with Section 21a-408-20 of the Regulations of Connecticut State Agencies.

Memory care facility¹⁵ - a facility that provides long-term care to residents with memory impairment, including those caused by aging, dementia and Alzheimer's disease, that provides supervised housing and basic medical care in private and semi-private rooms as well as dining facilities, common areas and similar amenities within a single building or group of buildings.

Motel - A building providing lodging for persons, with or without meals for compensation, and intended primarily for the accommodation of transients and so designed that access to the rooms is direct from the out-of-doors or common corridors. Motel shall include, also, "motor hotel" and "automobile court."

Multifamily dwelling - *Located with "Housing".*

Natural buffer - A suitable vegetated open space unoccupied except by a natural growth, cleaned of all rubbish and waste materials, and left in a natural state with the land surface protected with a suitable ground cover.

"NON-CONFORMING" RELATED TERMS

Nonconforming - The situation where a use, activity, building, structure, or lot does not conform to the requirements of these Regulations.

Nonconforming building - *See "Nonconforming structure".*

Nonconforming, legal - The situation where a nonconforming use, activity, building, structure, or lot existed or was lawful prior to the time:

- these Regulations became effective, or
- an amendment hereto which created the nonconformity became effective.

Nonconforming lot - A parcel of land which fails to meet the area, shape, or frontage or any other applicable requirement of these regulations pertaining to lots.

Nonconforming structure - A structure that does not conform to these Regulations with respect to size, area, height, setback or other requirement for the zone in which it is situated.

Nonconforming use - A use of land or of a building that does not conform to these Regulations for the zone in which it is situated.

¹⁴ 2013-087-A: Added definitions for medical marijuana dispensaries and growing facilities, effective 10/18/13

¹⁵ 2016-057-A: Amendment Effective 07/08/2016

Nursing home/convalescent home - Located with *“Housing”*.

Office - Located with *“Business”*.

Office, business - Located with *“Business”*.

Office, professional - Located with *“Business”*.

Office, medical - Located with *“Business”*.

Office, real estate - Located with *“Business”*.

Outdoor Eating Area - An outdoor area serving as an Accessory Use to a Restaurant, Café, Tavern or Retail Food Establishment for the service of food and beverages, including alcoholic liquor that allows for tables and chairs for outdoor table service or self-service dining.¹⁶

Open porch - See *“Porch”*.

Open space ratio (OSR) - A ratio comparing the area of a parcel or lot unencumbered by buildings or appurtenances such as parking areas, driveways, roadways, walkpaths, or similar surfaces to the total area of the parcel or lot.

Outdoor Woodburning Furnaces (OWFs) – As defined in Connecticut State Statutes §22a-174k (pursuant to Public Act 05-227), and as regulated by the CTDEP, an accessory structure or appliance designed to be located outside living space ordinarily used for human habitation and designed to transfer or provide heat, via liquid or other means, through the burning of wood or solid waste, for heating spaces other than where such structure is located, any other structure or appliance on the premises, or for heating domestic, swimming pool, hot tub or Jacuzzi water. “Outdoor wood-burning furnace” does not include a fire pot, wood-fired barbecue or chiminea.¹⁷

Parking area - See *“Vehicular area”*.

Parking space - A reasonably level and suitably surfaced area, available for the parking of one (1) motor vehicle, in compliance with the provisions of these Regulations.

Pervious Surfaces, including permeable, semi-pervious, or porous –Typically artificial surfaces that allow penetration or infiltration of precipitation either around the paving material or through the material itself, such as brick, stone, or lattice pavers, and porous concrete and asphalt (bituminous concrete), decks (wood or composite and provided the separation between the planks is greater than 1/8” and the ground below is not impervious). In addition, vegetated green roofs (having a minimum of 3” of soil medium), lawns, forests, gardens, and any other more natural surfaces considered pervious to precipitation.¹⁸

Personal service establishment - Located with *“Business”*.

Porch - A portion of a structure which has a roof and a floor and is not enclosed by full walls.

Porch, Closed - A porch with screened-in or glassed-in openings.

Porch, Open - A porch that is open to the air without screened-in or glassed-in openings.

¹⁶ A-23-3 Amended 8/1/23 Effective 8/11/23

¹⁷ 2008-060 Amended effective 7/17/08

¹⁸ 2020-007-A Amended effective 09/04/2020

Philanthropic - Organized and operated for the purpose of providing a public service or activity without profit.

Premises - The word “premises” shall include a parcel or plot of land, whether occupied or unoccupied by buildings.

Preservation restriction - as provided in CGS 47-42, a limitation in any deed or other instrument whose purpose is to preserve historically significant structures or sites.

Primary recharge area - *Located with “Aquifer”.*

Principal - *Located with “Accessory”.*

Projecting Sign - *Located with “Sign” Related Terms.*

Research and development laboratories - *Located with “Business”.*

Renewable Energy – Energy that is collected from natural sources that are not depleted when used including but not limited to sunlight, wind, rain, waves and geothermal heat. ^{19 20}

RENEWABLE ENERGY RELATED TERMS:

Geothermal Energy System: An energy system that utilizes the production of energy from underneath the Earth's surface to generate heating and cooling for buildings through the use of ground source heat pumps and underground closed loop piping systems.

Solar Energy System: Any solar collector, module, or other solar energy device, or any structural design feature, mounted on a building or on the ground, and whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating or cooling, water heating, or electricity.

Solar Energy System, Roof-Mounted: A solar energy system that is installed upon, or is part of, the roof of a building or structure. This shall include systems that are integrated as awnings or attached to the roofs of porches or sheds.

Solar Energy System, carport bus shelter, ev charging station or similar covered parking structure: Which consist of solar panels, shingles or tiles.

Solar Energy System, Ground-Mounted: A solar energy system that is mounted on the ground to hold solar panels up at affixed angle as well as systems that enable tracking of the sun via manual or automatic methods.

Solar Energy System, Pole-Mounted: A solar energy system that elevates solar panels higher off of the ground than traditional ground-mounted solar energy systems. Pole- mounted systems may include tracking systems to manually or automatically tilt the solar panels to capture optimal amounts of sunshine.

Wind Energy System: A system of blades, slats, vanes, etc. and associated mechanical and electrical conversion components whose purpose is to convert kinetic energy of the wind into rotational energy used to generate electricity.

Wind Energy System, Ground-Mounted: A wind energy system mounted on a pole, tower or other device that is connected to the ground.

Wind Energy System, Roof-Mounted: A wind energy system mounted to the roof

Restaurant - Located with "Business".

Restaurant, Sit-Down - Located with "Business".

Retail Sales - Located with "Business".

Retail Sales, Outdoor - Located with "Business".

¹⁹1919 A-21-3 Amended effective 8/6/2021

²⁰ A-23-4 Amended, effective 9/15/2023

Ridgeline - A line connecting the highest points along a ridge and separating drainage basins or small-scale drainage systems from one another.

Riding and Training Academies and Schools - Equestrian facilities where horse and/or rider training are open to the general public (and which may include non-resident instructors)²¹

School - See *“Educational Use”*.

Screen - An evergreen hedge of suitable appearance not less than five (5) feet above level.

Secondary recharge area - Located with *“Aquifer”*.

Sediment - Located with *“Erosion”*.

Sedimentation - Located with *“Erosion”*.

Septage - Sludge produced by domestic wastes that is pumped from septic tanks, cesspools or other retention area for domestic wastes.

Service establishment - Located with *“Business”*.

Setback - Located with *“Yard Setback”*.

Shopping Center - Located with *“Business”*.

“SIDEWALK” RELATED TERMS

Sidewalk - A paved, surfaced, or otherwise improved linear area designed, constructed, and used as a pedestrian walkway, typically located parallel to streets and within the road right-of-way.

Walkpath- A paved, surfaced, or otherwise improved linear area designed, constructed, and used as a pedestrian walkway, typically located between or away from road rights-of-way.

Trail - A linear area, typically unpaved, that is designed, constructed, and used as a pedestrian walkway, often located between or away from road rights-of-way.

²¹ 2011-011-A Amended effective 4/8/11

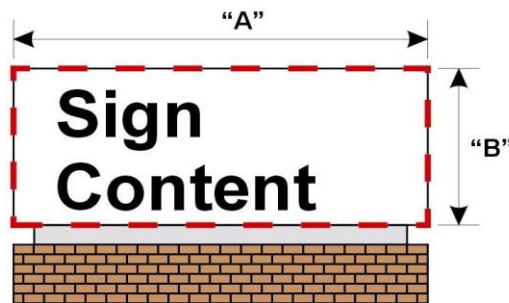
¹⁹ 2019-013-A Amended effective 03/22/2019

"SIGN" RELATED TERMS

Sign - A structure, building wall or other surface, or any device used for visual communication which is designed for the purpose of bringing the subject thereof to the attention of the public, or for displaying, identifying and publicizing the name of any person or product, but excluding the flag or insignia of any nation, state, town, or any other governmental or recognized religious organization.

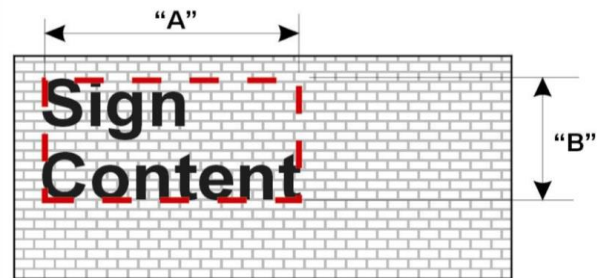
Sign area - Where there is a defined sign background or panel, the area of all exposed faces of the sign background or panel. Where there is no defined sign background or panel (such as individual detached letters or symbols which are mounted, placed or painted on a building or wall) the smallest rectangular area enclosing all such letters or symbols.

Sign With Background or Panel



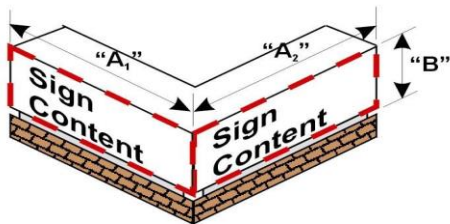
Sign Area = "A" x "B"

**Sign With No Background or Panel
(letters on building wall)**



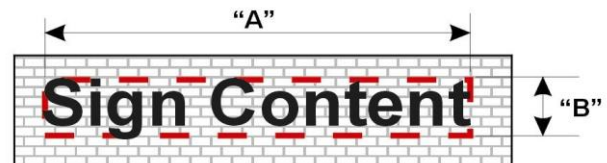
Sign Area = "A" x "B"

Sign With Multiple Faces



Sign Area = ("A₁" x "B") + ("A₂" x "B")

**Sign With No Background or Panel
(letters on stone wall)**



Sign Area = "A" x "B"

Sign, billboard - An outdoor sign advertising products or services which are not made, produced, assembled, stored or sold from the premises upon which the sign is displayed.

Sign, digital - Digital signage is a segment of electronic signage. Digital displays use technologies such as LCD, LED, projection and e-paper to display digital images.

Sign, height of - The measurement from the average grade directly beneath a sign to the highest point thereof.

Sign, projecting - A sign which is attached and perpendicular to a building or structure.

Sign, temporary - A Temporary sign is any sign not permanently affixed or attached to a window, building, stanchion, etc. and can be easily removed without special handling or tools.¹

¹2018-046 Amended effective 11/09/2018

SIGN RELATED TERMS (Continued)

Sign, window – A sign affixed to a surface of a window or erected within two (2) feet thereof for the purpose of advertising the sale goods or services sold or provided from the premises.

Significant tree -

- a. trees larger than eighteen inches (18") in diameter as measured at breast height (4.5 feet) above the ground, and/or
- b. trees categorized as rare or of an endangered species, and/or
- c. trees that, given their location, size and appearance, in the Commission's judgment are considered to be significant natural features.

Single-family detached - *Located with "Housing".*

Single-family semi-detached - *Located with "Housing".*

Soil - *Located with "Erosion"*

Solid waste - Unwanted or discarded materials, including solid, liquid or contained gaseous materials.

Special flood hazard area (SFHA) - See "Flood" Related Terms, Floodplain overlay zone.

"STORY" RELATED TERMS

Attic - The space between the roof rafters and the ceiling beams or floor joists below.

Basement - A portion of a building located partially underground.

Floor - The top surface of an enclosed area in a building (including basement) i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction.

(Continued on next page)

"STORY" RELATED TERMS (continued)

Story - That part of a building or structure between any floor and the floor or roof next above.

Story, Full - Any story which has a height of seven feet six inches (7'-6") or greater between the top of the floor or the joists and the bottom of the joists or rafters above except that the following shall not be considered a full story:

- a half-story, or
- a basement, with fifty percent (50%) or more of its total height below the average grade and with the **Finished** first floor elevation no more than (5) feet above grade along front wall.

Story, Half - Any story that is an attic and where the area with a height of seven feet six inches (7'-6") or greater between the top of the floor or the joists and the bottom of the rafters:

- of the roof is fifty percent (50%) or less of the attic floor area, and
- of the roof and any dormers is sixty percent (60%) or less of the attic floor area.

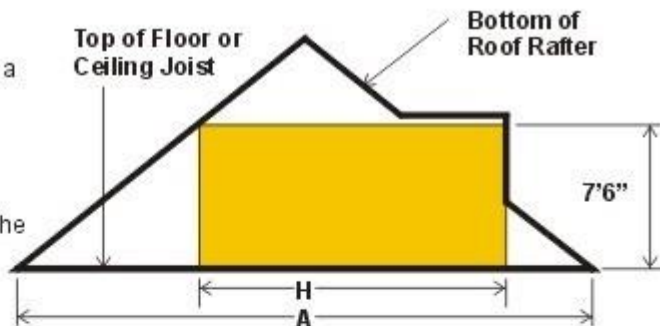
Attic

An attic is considered a full story when:

- the floor area (H) under the rafters and the dormers is more than 60% of the attic floor area (A)

OR

- the floor area (H) under the rafters (without any dormers) is more than 50% of the attic floor area (A)



H = The area (shaded) which has a height of 7.5 feet or more between the top of the joists and the bottom of the rafters

A = The floor area of the attic

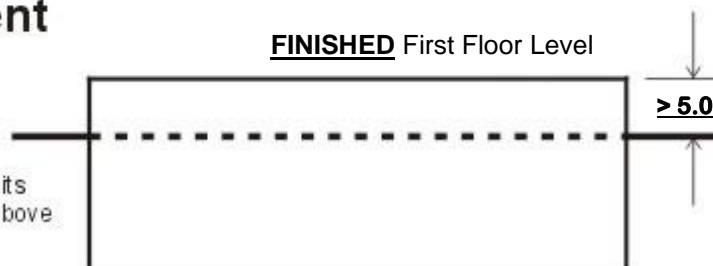
Basement

A basement is considered a full story when:

- half or more of its total height is above average grade

AND

- the **Finished** first floor is **more than 5.0** feet above the grade along the front wall



²² 2010-103-A Amended effective 11/16/10 (Superseded by 2017-029-A)

²³ 2017-029-A Amended effective 07/14/2017

Stratified-drift - Located with *“Aquifer”*.

Street - A public or privately owned right-of-way, serving as a means of vehicular and pedestrian travel, furnishing access to abutting properties.

Street level - The floor of a structure located closest in elevation to the average grade of the sidewalk or street to which it faces.

Street line - Located with *“Lot line”*.

Streetscape – A design term referring to all elements that constitute the physical makeup of a street that, as a group, define its character, including, but not limited to: building frontage; street paving; street furniture; landscaping (including trees and other plantings); awnings; marquees; signs; and lighting.²⁴

Structure - Any form or arrangement of building materials requiring proper support, bracing, tying, anchoring or other protection against the forces of the elements. For the purpose of these regulations, a swimming pool, a tennis court, a paddle tennis court, sport court, or similar appurtenance shall be considered a structure.

Structural alteration - Any change in or addition to the supporting or structural members of a building or other structure, such as the bearing walls, partitions, columns, beams or girders, or any change which could convert an existing building or other structure into a different structure or adapt it to a different use, or which in the case of a non-conforming building or other structure would prolong the life of such building or other structure.

Substantial improvement - Located with *“Flood”*.

Tower or antenna tower - A structure, whether freestanding or attached to a building or another structure, that is used to support equipment used to collect transmit and/or receive telecommunications or radio signals. Examples include monopolies and lattice construction steel structures.

Trailer - Any vehicle either having or not having motor power of its own, which has been or may be propelled, carried or drawn, whether resting on wheels, jacks, or other foundation and which is arranged, intended, designed or used for human habitation, for recreational purposes, or as a place in which a person may eat, sleep or congregate. A trailer shall include that type of vehicle known as a mobile home, boat trailer, utility trailer, camping trailer or recreational vehicle.

Two-family dwelling - Located with *“Housing”*.

Uplighting - Located with *“Lighting”*.

Use - (a) Any purpose for which a building or other structure, or a tract of land may be designed, arranged intended, maintained, or occupied; or (b) Any activity, occupation, business, or operation carried on, in a building or other structure or on a tract of land.

Use variance - Located with *“Variance”*.

²⁴ 2009-076 Amended effective 11/25/09

Used car lot - Any land used or occupied for the purpose of buying and selling secondhand motor vehicles and storing said motor vehicles prior to sale.

Uses permitted as of right - A use of land, building or structure permissible within the corresponding zoning district or underlying zone, providing that it meets all applicable requirements of the particular zoning district or underlying zone within which the premises are located.

“VARIANCE” RELATED TERMS

Variance - A grant of relief from the requirements of these Regulations due to exceptional difficulty or unusual hardship.

Dimensional variance - A variance to a dimensional standard (such as lot area, lot coverage, setback, yard, floor area, frontage, height or similar restrictions).

Use variance - A variance which permits a use other than that prescribed by the Regulations for the particular district.

Vehicular area - A site or a portion of a site devoted to the off-street parking of vehicles including parking spaces, aisles, access drives, and landscaped areas, and providing vehicular access to a public street.

Walkpath - *Located with “Sidewalk”.*

Watercourses - As defined in CGS 22a-38 as may be amended.

(Rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs and all other bodies of water, natural or artificial, vernal or intermittent, public or private, which are contained within, flow through or border upon ... (the Town of Ridgefield).

Wellness Center – An establishment that offers health services for the body and mind, including, but not limited to, physical fitness, personal training, nutritional consulting, chiropractic, yoga, meditation, acupuncture or holistic medicine.²⁵

Wetlands - As defined in CGS 22a-38 as may be amended.

(Land, including submerged land, ... which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial, and floodplain by the National Cooperative Soils Survey, as may be amended from time to time, of the Natural Resources Conservation Service of the United States Department of Agriculture).

Window sign - *Located with “Sign”.*

²⁵ 2010-085-A: Amended effective 10/15/10

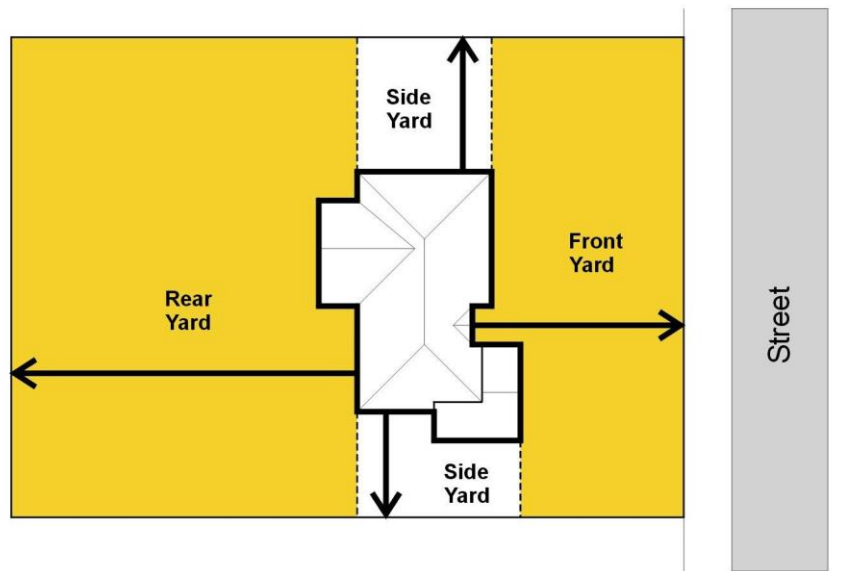
“YARD” RELATED TERMS

Yard - An area on the same lot with a principal building which lies between the principal building and a lot line.

Yard, front - A yard extending across the full width of the lot and situated between the principal building and the front lot line.

Yard, rear - A yard extending across the full width of the lot and situated between the principal building and the rear lot line.

Yard, side - A yard extending from the front yard to the rear yard between the principal building and the side lot line.



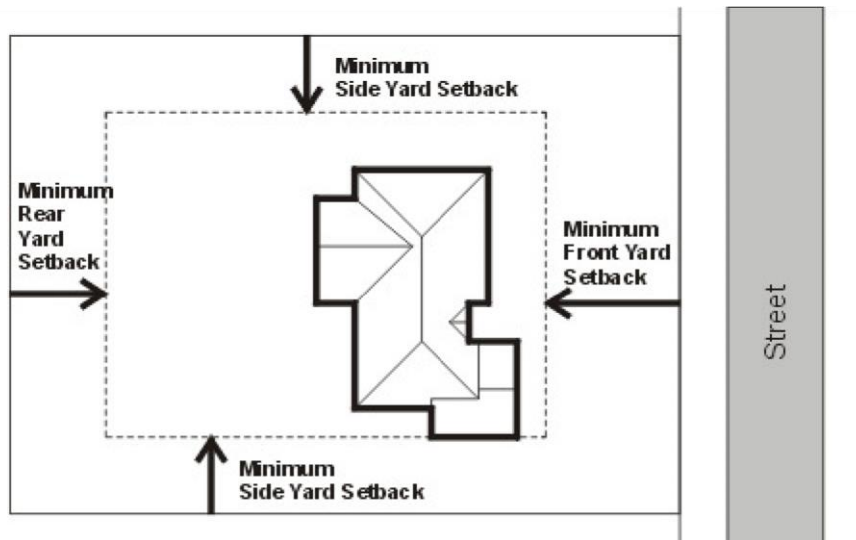
“YARD SETBACK” RELATED TERMS

Setback - The shortest distance between any part of a building or structure and the nearest lot line or recorded right-of-way.

Setback, minimum front yard - The minimum required distance from the front lot line to a building, structure, or use.

Setback, minimum rear yard - The minimum required distance from the rear lot line to a building, structure, or use.

Setback, minimum side yard - The minimum required distance from the side lot line to a building, structure, or use.



3. RESIDENTIAL (R) ZONES

3.1. *Purposes*

The various residential districts are intended to provide suitable areas for residential use and development appropriate to the environmental characteristics of the land and the character of the neighborhood.

The differentiation among the residential districts is intended to provide for variety in the size and density of residential neighborhoods and a diversity of housing opportunities after consideration of soil types, terrain, and infrastructure capacity.

The residential districts may allow for certain non-residential uses when it can be demonstrated that they are compatible with nearby residential uses and preserve neighborhood character and property values.

The Special District R-20 Zone is established to promote the goals and objectives of the “North Main Street Plan” adopted by the Commission in April 2002, especially by preserving; to the extent possible, existing buildings and features while allowing for appropriate development.

3.2. *Principal Uses and Structures*

A. PERMITTED WITHOUT ZONING PERMIT

1. **Conservation Uses** - Open space or conservation uses.
2. **Agricultural Uses** - Farming, forestry, truck gardening, and nursery gardening, including a farm stand for the display and sale of seasonal produce and other agricultural products provided they are grown on the premises.
3. **Structures to provide for wheelchair or similar access to a residence**, in conjunction with reasonable documentation to ensure that the structure is located within the premises stated in the Development Permit Application.¹
4. **Equestrian Facilities**, except as limited in Sec. 3.2.C.14²

B. PERMITTED WITH ZONING PERMIT (ZEO)

1. **Residential Uses** - A single-family detached dwelling.
2. **Group Home** - A group home as defined in these Regulations.

C. PERMITTED BY SPECIAL PERMIT (COMMISSION)

1. **Governmental Uses** - Municipal or other governmental educational uses, offices, fire stations, police facilities, sewage or refuse disposal facilities, vehicle or material storage or storage buildings, public parking or recreational facilities, with the following permitted maximum lot coverage: ³

¹ 2011-007-A: Amended effective 4/1/11

² 2011-011-A: Amended effective 4/8/11

³ 2014-088-A: Amended effective 11/21/14

Zone	Lot Coverage (Buildings)
RAAA Zone	5.0 percent
RAA Zone	7.0 percent
RA Zone	10.0 percent
R-20 Zone	12.0 percent
SD R-20 Zone	12.0 percent
R-10 Zone	18.0 percent
R-7.5 Zone	20.0 percent

2. **Institutional Uses** – Museums, educational, philanthropic, and religious uses, including residential or other uses customarily accessory to the above as determined by the Commission, and other public uses on land owned or leased by the Town of Ridgefield.⁴
3. **Recreational Uses** - Recreational uses, golf clubs, private clubs; including residential or other uses customarily accessory to the above as determined by the Commission.
4. **Public Utility Uses** - Public utility substations.
5. **Interior Lot or Accessway** - After May 1, 2007, establishment of an interior lot or establishment of a new accessway for up to five (5) lots provided that:
 - a. such accessway shall be not less than 25 feet wide; and
 - b. the traveled way shall be not less than twelve (12) feet wide for one lot and sixteen (16) feet wide for more than one lot; and
 - c. each lot owner depending upon an accessway for access to a highway must either own in fee simple a proportionate part of the accessway or permanent easement over it, and
 - d. accessways shall not be contiguous, and
 - e. the accessway shall be constructed with a twelve (12) inch thick gravel base or an eight (8) inch thick traprock base, and
 - f. the grade of the accessway shall not exceed twelve (12) percent, and
 - g. the accessway shall have provision for proper drainage, and
 - h. the area of the accessway shall not, for any lot, be included in the calculation of area for compliance with the minimum lot area requirement in Subsection 3.5.A or the minimum non-wetland area requirement in Subsection 3.5.B; and
 - i. The lots to be served by an accessway shall be subject to a recorded declaration of easements and restrictions that provides for the use and maintenance of the accessway at the sole cost and expense of, and shared proportionally by, the lot owners.
6. **Adaptive Reuse of Historic or Architecturally Significant Buildings**⁵ - To encourage the preservation, restoration and maintenance of existing residential buildings, streetscapes, accessory structures, and properties of historical or architectural significance, or those otherwise deemed by the Commission to be worthy of preservation, the Commission may grant Special Permit approval for the adaptive reuse of said structures for business, professional or business enterprise purposes, including accessory dwelling units on upper floors, where the Commission finds, based on evidence submitted and its own deliberations, that:
 - a. the structure has historic or architectural significance or is otherwise worthy of preservation;
 - b. the property on which the structure is located shall have frontage on the following roads only:
 - i. U.S. Route 7 (Ethan Allen Highway and portions Danbury Road north of the intersection of State Route 35); or
 - ii. the west side of Main Street between North Salem Road (at the northerly boundary of Assessor's Lot E14-0104) and Pound Street.

⁴ 2009-083: Amended effective 11/12/09

⁵ 2009-076 Amended effective 11/25/09

- c. the applicant demonstrates that the nature and conduct of such use and any proposed improvements will enhance and preserve:
 - i. the exterior integrity and appearance of the structures;
 - ii. the aesthetic appearance of the property; and,
 - iii. the general character of the neighborhood;
 - d. the nature of the proposed adaptive reuse will be compatible with the character of the area, including the type of use and occupancy, hours of operation and traffic generated thereby, and;
 - e. the adaptive reuse will maintain a substantially residential appearance and will not generate significantly higher traffic levels on a regular basis or conflict with the character of the area;
7. **Day Care (Children)** - A day care center provided that:
- a. off-street parking and loading requirements shall comply with the applicable provisions of these regulations; and
 - b. there shall be safe and adequate provision for boarding and off boarding children from vehicles without hazard to pedestrians and traffic. Such provision shall be made on the lot where the facilities are located and without use of any part of the public street right-of-way for turning; and
 - c. lot size, building size, setbacks and lot coverage conform to those applicable to the zoning district; and
 - d. the use shall be located in a building on a lot having such size, shape, landscaping, screening, outdoor play yard space and parking so as to provide for the health and safety of the children using the facility; and
 - e. no area for active recreation may be located in a front yard or within ten (10) feet of a property line. A sight-obscurer and impermeable wall or fence of at least five (5) feet in height shall be installed along the entire perimeter of all recreation areas. In addition to such walls or fences, an exterior landscape buffer of at least five (5) feet in width shall be planted and maintained along the entire perimeter of any recreation areas. Buffering shall also meet the applicable requirements of these regulations; and
 - f. if the center is not located in a single use, freestanding building, the center must be adequately sound insulated so as to guard against noise interference with neighboring uses; and
 - g. the Commission shall specify the limit of the maximum number of people to be cared for and, in determining the maximum number of people permitted at the center, the Commission may consider the number of sessions per day and the impact of the overlap of two (2) or more sessions on the neighborhood; and
 - h. all exterior lighting shall comply with the requirements of Section 7.8 of these Regulations.
8. **Day Care (Adult)** - A facility providing day-time care for adults provided that it shall comply with the applicable standards of Subsection 3.2.C.7 of these Regulations, unless exempted under the Connecticut General Statutes.

9. **Multi-Family Conversion** - Conversion of an existing single family detached dwelling in the R-20 Zone, R-10 Zone, or R-7.5 Zone into a multifamily dwelling structure provided that:
 - a. said single-family dwelling structure appeared on the Assessor's list of October 1, 1972; and
 - b. said single-family dwelling structure is served by public water and sewer; and
 - c. the additional off-street parking which may be required shall be provided within the premises on which the structure is located; and
 - d. there shall be no external alterations of the structure except as may be necessary to meet the requirements of this Subsection or as may necessary or essential for proper access and egress from the structure; and
 - e. fire escapes and outside stairways shall, where practicable, be located to the rear of the structure; and
 - f. approval of any external alteration shall be based on reasons of health and safety, and on considerations relating to the compatibility of the proposed alterations with the surrounding neighborhood, the preservations of the natural topographical features and the historical values and character of the area; and
 - g. all proposed interior alterations or modifications shall meet all applicable controls of this Subsection, and have the approval of the Health Department, the Building Department, and the Fire Department of the Town of Ridgefield or any other agency having jurisdiction; and
 - h. in no event shall the total number of dwelling units on a property exceed the maximum density permitted within the district in which the property is located.
10. **Special District R-20 Zone.**
 - a. All subdivisions and any development plans within any parcel located in Special District R-20 (SD R-20) Zone shall be the subject of Special Permit approval pursuant to Subsection 9.2.A of the Regulations.
 - b. Architectural Advisory Committee Review. Architectural and landscaping designs for development within parcels in the SD R-20 zone shall be submitted for review and comments by the Architectural Advisory Committee.
 - c. Access drives. Access and drives shall be located and designed to reduce traffic conflicts along the street.
 - d. Two-and three-family structures. To maintain significant features and/or front and side setbacks that contribute to the overall character of the district, the Commission may authorize the construction of two- or three-family structures providing that the lot density remains unaltered.
11. **Instructional Uses** - Facilities for education in the arts.
12. **Bed and Breakfast** - Bed and breakfast accommodations as defined in these Regulations provided that the operation is conducted by the resident owner of the property and further provided that there shall be adequate provision for off -street parking for permanent residents and guest.
13. **Cemeteries** - Cemeteries on a minimum of five (5) acres.
14. **Equestrian facilities**⁶ where the following exists or occurs:
 - a. Boarding stables;
 - b. Riding and training academies and schools;
 - c. Equestrian competitions, exhibitions and similar events where non-residents and members of the public are invited to participate and/or attend.

⁶ 2011-011-A: Amended effective 4/8/11

3.3. Accessory Uses

A. PERMITTED WITHOUT ZONING PERMIT

1. **Customary Uses** - Accessory uses subordinate and customarily incidental to a permitted principal use on the same property.
2. **Parking⁷** - Parking provided that any garage does not result in garage space on the property for more than the following number of motor vehicles unless a Special Permit has been granted by the Commission:

Lot Size	Maximum Number of Garage Spaces
4.0 Acres or More	8
2.0 Acres or More	7
1.0 to 1.99 Acres	5
Less than 1.0 Acres	4

The limitations contained herein shall not apply to motor vehicles used for agricultural purposes when such vehicles are owned or leased by the owner or tenant of the premises and used by him or her for such purpose.

3. **Home-Based Business** - A home office within the same dwelling used by such person as his or her primary residence provided that:
 - a. the area devoted to such accessory use shall not exceed twenty percent (20%) of the total square footage of the dwelling, exclusive of garage, attic, and basement area; and
 - b. the accessory use shall:
 - i. not change the exterior residential appearance or character of the building or be noticeable from the exterior of the building; and
 - ii. not materially change the traffic characteristics of the neighborhood; and
 - iii. not have any outside storage ; and
 - iv. not involve the display of signs or products in, on, or about the premises except as permitted by these Regulations, and
 - v. not involve retail sales at the premises.
 - vi. no commercial vehicle storage except as permitted in 3.3.A.5.
4. **Day Care (Children)** - Family day care home accessory to a single-family dwelling.
5. **Commercial motor vehicle** - One commercial vehicle per lot or premises, with or without logos, subject to all of the following:
 - a. the operator of the commercial vehicle must reside on the premises;
 - b. the vehicle must have a current Connecticut DMV registration;
 - c. the vehicle shall have no more than two axles;
 - d. the maximum Gross Vehicle Weight (GVW) shall not exceed 18,000 pounds;
 - e. the vehicle shall not exceed ten (10) feet in height, measured from the bottom of the tire to the top of the vehicle, including any load or equipment;
 - f. the cargo box, open or closed, shall not exceed ten (10) feet in length.

⁷ 2013-090-A: Increased number of garage bays allowed as-of-right, effective 10/25/13

B. PERMITTED WITH ZONING PERMIT (ZEO)

1. **Home-Based Business** - A minor home occupation where such business is located within the same dwelling used by such person as his or her primary residence provided that:
 - a. the area devoted to such accessory use (including storage of any supplies or materials) shall not exceed twenty-five percent (25%) of the total square footage of the dwelling (exclusive of garage, attic and basement); and
 - b. not more than one (1) nonresident person shall be employed on the premises; and
 - c. The accessory use shall:
 - i. be conducted entirely within the principal dwelling by the resident occupant; and
 - ii. clearly be incidental and secondary to the use of the dwelling for living purposes; and
 - iii. not change the exterior residential appearance or character of the building or be noticeable from the exterior of the building; and
 - iv. not materially change the traffic characteristics of the neighborhood; and
 - v. not have any outside storage or display of merchandise, equipment, or machinery relative to the use; and
 - vi. not have any outside storage or parking of commercial vehicles, except in conformance with Section 3.3.A.5; and
 - vii. not include the keeping of stock in trade nor the sale or rental of any goods not produced within the premises; and
 - viii. not involve the display of signs or products in, on, or about the premises except for a sign as permitted by these Regulations; and
 - ix. not involve retail sales at the premises; and
 - d. parking areas for residents, employees or the general public shall not be located in an inappropriate location and any parking areas shall be screened, if necessary.
2. **Accessory Dwelling Unit^{8, 9}** - An accessory dwelling unit or guest house provided that:
 - a. only one accessory dwelling unit shall be permitted for each lot; and
 - b. no accessory dwelling unit shall be approved if accessory to a two-family dwelling or any multi-family use or a common interest community; and
 - c. the lot shall conform to the minimum lot area requirement for the zone in which the property is located or be legally nonconforming; and
 - i. the principal dwelling and the proposed accessory dwelling shall be served by public water or private well(s), municipal sewers or private septic system(s) in compliance with the Public Health Code;
 - ii. on lots of less than one-half (0.5) acre, unless served by municipal sewer, the accessory dwelling shall be attached to or located within the principal dwelling structure;^{10, 11} and
 - d. the owner of the property must reside on the premises and must be a natural person in whom no less than one-third (1/3) of the fee title to the subject premises is vested; and
 - e. the accessory dwelling unit shall:
 - i. not exceed 900 square feet in total habitable floor area for properties with a main dwelling 2,999 square feet and under. For properties with a main dwelling that is 3,000 square feet or more, the accessory dwelling unit shall not exceed 1,200 square feet in total habitable area. The square footage of the main dwelling unit shall be determined by the recorded figure on the Assessor's field card.
 - ii. contain no more two (2) bedrooms¹²; and
 - iii. have at least one (1) side of the accessory dwelling unit be at or above grade; and

⁸ 2016-039-A: Amendment effective 07/01/16. Provides site plan approval authority to the Director of Planning for accessory dwelling units and eliminates the senior housing incentive.

⁹ 2019-041-A: Amendment effective 06/07/19. Allows accessory dwelling units (and affordable ADUs) to be permitted via Zoning Permit instead of, and by deleting, Site Plan (Section 3.3.C).

¹⁰ 2010-045-A: Amended effective 07/02/10. Eliminates requirement for one-acre of land when served by septic systems.

¹¹ 2017-082-A Amend effective 01/12/18. Acreage requirement eliminated for detached ADUs served by municipal sewer.

¹² A-21-1: Amendment effective 03/12/21. Changes to square footage requirements and increase to two bedrooms.

- f. the building shall, upon establishment of the accessory dwelling unit:
 - i. for accessory dwelling units located within the principle residence, maintain the exterior appearance and style (roof line, roof pitch, building materials, window style and spacing, etc.) of the principal residence;^{13 14} and
 - g. no additional curb cuts shall be created to serve an accessory dwelling unit and access from the public right-of-way shall serve both the principal and accessory units; and
 - h. at least three (3) off-street parking spaces¹⁵ (which may include garage spaces) shall be provided to serve both the principal dwelling and the accessory dwelling unit and such parking shall not be located in the required front yard setback.
 - i. prior to the issuance of a Development Application permit for construction and prior to occupancy of the accessory dwelling unit, a copy of the Accessory Dwelling Unit Zoning Permit shall be filed in the office of the Town Clerk.
3. **Accessory Dwelling Unit (Affordable)** - An accessory dwelling unit for affordable housing in accordance with the provisions of Subsection 3.3.B.2 of this regulation and Section 8-30g(k) of the Connecticut General Statutes, as amended, provided that:
- a. The accessory dwelling unit is to be rented pursuant to the affordable housing provisions of CGS 8-30g to a tenant whose income is less than or equal to eighty percent of the State Median Income (SMI);
 - b. The application shall be accompanied by a proposed deed, which complies with CGS 8-30g, including a ten- (10) year affordable housing use deed restriction.
 - c. Before an accessory dwelling unit is occupied, the applicant shall submit satisfactory proof to the Planning Director that the aforesaid deed has been recorded in the Town Clerk's office.
 - d. Prior to occupancy by the initial "affordable housing" tenant(s) and thereafter, by January 31 each year and upon each change of tenant, the owner shall certify that:
 - i. The subject apartment is rented at or below the maximum rate prescribed in CGS 8-30g; and
 - ii. The tenant has certified to the owner, under penalty of false statement, that the tenant's income does not exceed eighty (80) percent of the area median income, as defined in CGS 8-30g.
 - e. An affordable accessory dwelling unit, approved under this regulation, shall be exempt from any zoning permit fees pertaining to the construction.

C. PERMITTED BY SPECIAL PERMIT (COMMISSION)

- 1. **Major Home Occupation** - A home-based business where such business use does not comply with the requirements of Subsection 3.3.A.3 (home office) or Subsection 3.3.B.1 (minor home occupation).
- 2. **Day Care (Children)** - A group day care home operated in a residential single family dwelling by the resident of the dwelling provided that:
 - a. lot size, building setbacks, and lot coverage conform to those applicable to the zoning district; and
 - b. signage, if any, will conform to the requirements of Section 7.2; and
 - c. there shall be safe and adequate provision for boarding and offboarding people from vehicles; and
 - d. a safe on-site vehicular turnaround or separate entrance and exit points must be provided; and
 - e. no area for active play or play structures may be located in a front yard or within ten (10) feet of a property line. A sight-obscuring and childproof wall or fence of at least five (5)

¹³ 2017-082-A Amendment effective 01/12/18. Limits external aesthetic requirements to attached ADUs.

¹⁴ A-21-6 Amendment effective 11/05/2021 to eliminate architectural standards per PA 21-29

¹⁵ A-21-6 Amendment effective 11/05/2021 reduce ADU parking requirement to 3 spaces per PA 21-29

- feet in height shall be installed along the entire perimeter of all play areas. In addition to such walls or fences, an exterior landscape buffer of at least five (5) feet in height shall be planted and maintained along the entire perimeter of any play areas; and
- f. the site must be landscaped in a manner compatible with adjacent residences. The Commission retains the right to require additional screening and landscaping; and
 - g. no alterations that will alter the residential character of an existing residential structure used for a group day care home is permitted. Any new or remodeled structure must be designed to be compatible with the residential character of the surrounding neighborhood; and
 - h. if the proposed group day care home is within one-thousand (1,000) feet of another currently operating group day care home, the Commission may approve the application only if it determined that the cumulative effects will not have an adverse impact on the neighborhood due to traffic, noise and safety; and
 - i. no group day care home shall be located on a shared or common driveway or accessway used by two or more residences or premises including that of the applicant; and
 - j. the applicant must show that the traffic congestion resulting from the operation of the group day care home will not impair the public health, safety and welfare; and
 - k. all exterior lighting shall comply with the requirements of Section 7.8 of these Regulations.
- 3. **Day Care (Children)** - A day care center accessory to a permitted use provided that it complies with the requirements of Subsection 3.2.C.7 of these Regulations.
 - 4. **Day Care (Adult)** - Day care for adults when accessory to a single-family dwelling.
 - 5. **Day Care (Adult)** - A facility, accessory to a permitted use, providing day-time care for adults provided that it shall comply with the applicable standards of Subsection 3.2.C.7 of these Regulations.
 - 6. **Other Accessory Uses** - Other accessory uses not listed in these Regulations where the Commission determines, in its sole discretion, that such use would be subordinate to and reasonably incidental to a permitted use.

3.4 Accessory Structures

A. PERMITTED WITHOUT ZONING PERMIT

1. **Minor Accessory Structures** - Minor accessory structures on residentially zoned properties with one- or two-family dwellings outside of the SD R-20 zone and where no special permit has been issued for increased lot coverage, such as: one (1) one-story detached tool or storage shed not exceeding 200 s.f. per premises; walls and fences; dog houses; birdbaths; gazebos, playhouses, arbors, pergolas and similar structures of less than 200 square feet; prefabricated swimming pools that are equal or less than 24 inches deep; swings, non-habitable tree houses and other playground equipment; decks not exceeding 200 square feet in area that are not more than 30 inches above grade at any point and are not attached to a dwelling and do not serve the exit door; similar structures which are subordinate and customarily incidental to a permitted principal use on the same property and anything that does not require a building permit.^{16, 17}

B. PERMITTED WITH ZONING PERMIT (ZEO)

1. **Outbuilding** - Shed, detached garage¹⁸, farm outbuilding, cabana, studio, or similar outbuilding not intended, designed, or used for residential occupancy provided it shall not be located in the front yard.
2. **Outdoor Recreation Facility** - Pool, tennis court, paddle tennis court, basketball court, sport court, or similar non-illuminated outdoor recreation facility provided it:
 - a. is not illuminated, and
 - b. shall not be located in the front yard.
3. **Accessory Structures** – On the same lot as a permitted principal building, structure or use; structures such as, but not limited to: detached decks exceeding 200 square feet, gazebos, pergolas exceeding 200 square feet, outdoor kitchens, renewable energy systems, spas/hot tubs, etc., provided that it shall not be located in the front yard.²⁶

C. PERMITTED BY SPECIAL PERMIT (COMMISSION)^{19, 20, 21}

1. **Outdoor Recreation Facility** - A tennis court, paddle tennis court, basketball court, sport court, or other outdoor recreation facility located in the front yard of the lot, or any illuminated outdoor recreation facility located anywhere on the property.
2. **Outbuilding and other Accessory Building or Structure in Front Yard** – Shed, detached garage, farm outbuilding, cabana, studio, or any other detached/standalone accessory building or structure located in the front yard of the property.

¹⁶ 2014-017 Amendment effective 04/22/14

¹⁷ 2014-087 Amendment effective 11/21/14

¹⁸ 2008-072 Amendment effective 05/02/08

¹⁹ 2010-105 Amendment effective 12/07/10

²⁰ 2019-041-A Amendment effective 06/07/19. Deleted Section 3.4.C (Site Plan) and moved outdoor recreation facilities in the front yard, and outbuildings and other accessory buildings or structures in the front yard from Site Plan to Special Permit.

²¹ 2010-106 Amendment effective 12/07/10

²⁶ 2019-013-A Amendment effective 03/22/19

3.5. Area and Dimensional Standards

A. MINIMUM LOT AREA

In each residential zoning district, no lot shall be created which contains less than the following area, excluding the area of any accessway:

Zone	Area (acres)	Area (square feet)
RAAA Zone	3.0 acres	130,680 sq. ft.
RAA Zone	2.0 acres	87,120 sq. ft.
RA Zone	1.0 acres	43,560 sq. ft.
R-20 Zone	0.46 acres	20,000 sq. ft.
SD R-20 Zone	0.46 acres	20,000 sq. ft.
R-10 Zone	0.23 acres	10,000 sq. ft.
R-7.5 Zone	0.17 acres	7,500 sq. ft.

B. MINIMUM NON-WETLAND AREA

In addition to the minimum lot area requirement above for each residential zoning district, no lot which includes wetlands within its boundaries shall contain less than the following amount of contiguous non-wetland area:

Zone	Area (acres)	Area (square feet)
RAAA Zone	1.8 acres	78,408 sq. ft.
RAA Zone	1.4 acres	60,984 sq. ft.
RA Zone	0.8 acres	34,848 sq. ft.
R-20 Zone	n/a	n/a
SD R-20 Zone	n/a	n/a
R-10 Zone	n/a	n/a
R-7.5 Zone	n/a	n/a

C. MAXIMUM DENSITY

Except for an accessory dwelling unit as may be permitted by these Regulations, the maximum density for each lot shall not be greater than that specified below in each residential zoning district:

Zone	Density (units per area)
RAAA Zone	1.0 unit per 130,680 sq. ft.
RAA Zone	1.0 unit per 87,120 sq. ft.
RA Zone	1.0 unit per 43,560 sq. ft.
R-20 Zone	1.0 unit per 20,000 sq. ft.
SD R-20 Zone	1.0 unit per 20,000 sq. ft.
R-10 Zone	1.0 unit per 10,000 sq. ft.
R-7.5 Zone	1.0 unit per 7,500 sq. ft.

D. MINIMUM FRONTAGE AND LOT WIDTH

In each residential zoning district, each lot shall have:

1. a frontage not less than that specified below upon either a public or private road or be served by an accessway, except that when such lot has frontage partly or totally on a cul-de-sac, such frontage shall be not less than fifty (50) feet, and
2. a lot width at the front yard setback not less than that specified below

Zone	Minimum Frontage (feet)	Minimum Lot Width (feet)
RAAA Zone	200 feet	n/a
RAA Zone	200 feet	n/a
RA Zone	100 feet	n/a
R-20 Zone	100 feet	100 feet
SD R-20 Zone	100 feet	100 feet
R-10 Zone	75 feet	75 feet
R-7.5 Zone	50 feet	50 feet

E. LOT SHAPE REQUIREMENT

Each lot created as of the enactment of this Subsection shall have a regularity factor of not less than fifty-five one hundredths (0.55) as determined by the following formula:

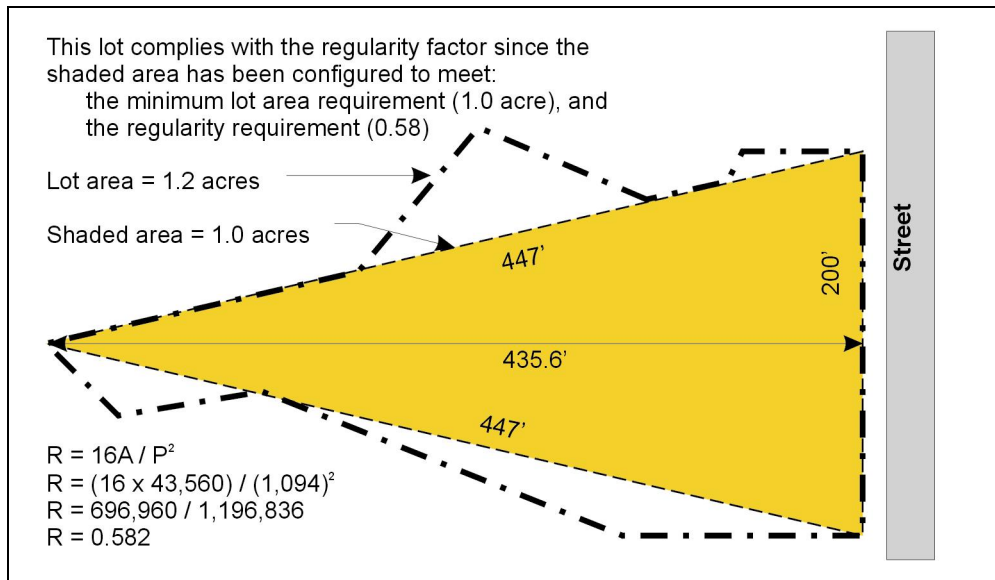
$$R = \frac{16A}{P^2}$$

R = Regularity factor

A = Area of lot in sq. ft.

P = Lot perimeter in feet

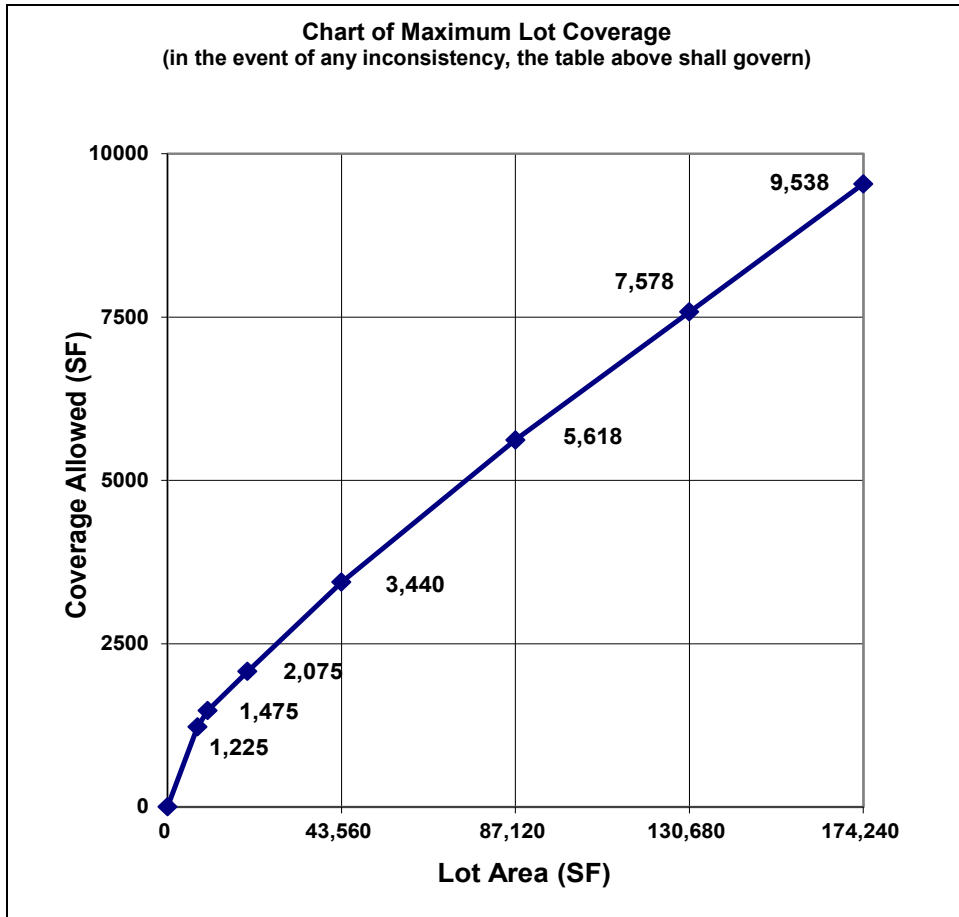
In calculating the regularity factor, the perimeter of the lot may be configured to exclude any portion of the lot area in excess of the minimum required lot size.



F. MAXIMUM LOT COVERAGE

After May 1, 2007 (and last amended effective 10/14/11)²², unless otherwise provided in these Regulations, the lot coverage (buildings) as defined in Sec. 2.2 (“Coverage” Related Terms) in any residential zoning district shall not exceed the following area:

Lot Area	Allowed Lot Coverage ²³
Less than 7,500 SF	16% of the lot area
7,500 to 9,999 SF	1,225 SF plus 10.0% of the lot area in excess of 7,500 SF
10,000 to 19,999 SF	1,475 SF plus 6.0% of the lot area in excess of 10,000 SF
20,000 to 43,559 SF	2,075 SF plus 5.8% of the lot area in excess of 20,000 SF
43,560 to 87,119 SF	3,440 SF plus 5.0% of the lot area in excess of 43,560 SF
87,120 to 130,679 SF	5,618 SF plus 4.5% of the lot area in excess of 87,120 SF
130,680 or more SF	7,578 SF plus 4.5% of the lot area in excess of 130,680 SF



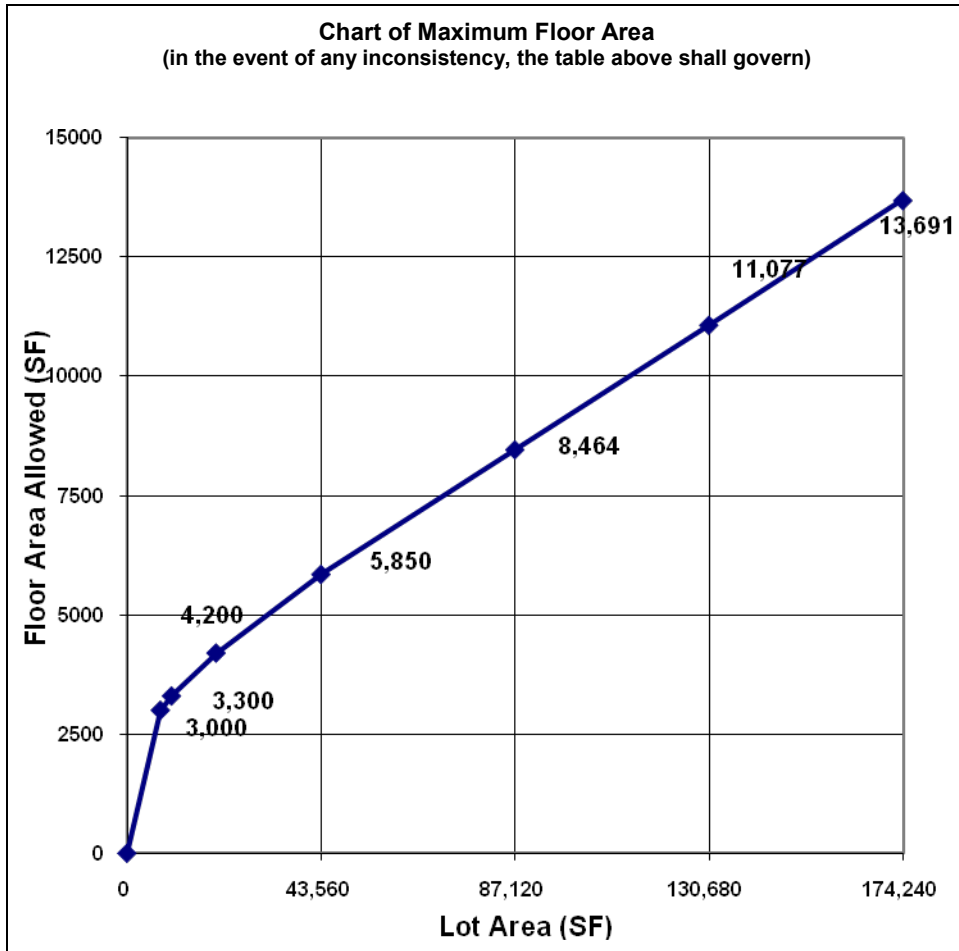
²² 2009-071 Amended effective 11/25/09 (changes for lots one acre and larger in size)

²³ 2011-091 Amended effective 10/14/11 (changes for lots less than one acre in size)

G. MAXIMUM FLOOR AREA RATIO

After May 1, 2007 (and last amended 11/25/09)²⁴, unless otherwise provided in these Regulations, the floor area as defined in Section 2.2 ("Floor Area" Related Terms) of all buildings in any residential zoning district shall not exceed the following area:

Lot Area	Allowed Floor Area
Less than 7,500 SF	40% of the lot area
7,500 to 9,999 SF	3,000 SF plus 12.0% of the lot area in excess of 7,500 SF
10,000 to 19,999 SF	3,300 SF plus 9.0% of the lot area in excess of 10,000 SF
20,000 to 43,559 SF	4,200 SF plus 7.0% of the lot area in excess of 20,000 SF
43,560 to 87,119 SF	5,850 SF plus 6.0% of the lot area in excess of 43,560 SF
87,120 to 130,679 SF	8,464 SF plus 6.0% of the lot area in excess of 87,120 SF
130,680 or more SF	11,077SF plus 6.0% of the lot area in excess of 130,680 SF



²⁴ 2009-071 Amended effective 11/25/09

H. MINIMUM YARD SETBACKS

Unless otherwise provided for in Section 8.5.D in these regulations, in each residential zoning district, no part of any building or structure shall be located less than the following distance from any front lot line or recorded right-of-way, or from any side or rear lot line.

Zone	Front Yard	Side Yard	Rear Yard
RAAA Zone	50 feet	50 feet	50 feet
RAA Zone	35 feet	35 feet	35 feet
RA Zone	25 feet	25 feet	25 feet
R-20 Zone	25 feet	20 feet *	20 feet *
SD R-20 Zone	25 feet **	20 feet *	20 feet *
R-10 Zone	25 feet	12 feet *	12 feet *
R-7.5 Zone	25 feet	8 feet *	8 feet *

* Setback shall be 25 feet for any non-residential type use permitted by Special Permit in a Residential (R) Zone.

** In the Special District R-20 Zone, the minimum front yard setback shall be forty (40) feet from the recorded right-of-way of Main Street and twenty-five (25) feet from any other front lot line or recorded right-of-way.

I. BUILDING HEIGHT (FEET)

1. In each residential zoning district, no building or other structure shall exceed the following building height above finished average grade.

Zone	Average Building Height Above Finished Average Grade	Total Building Height Above Finished Average Grade
RAAA Zone	35 feet	45 feet
RAA Zone	35 feet	45 feet
RA Zone	35 feet	45 feet
R-20 Zone	35 feet	40 feet
SD R-20 Zone	35 feet	40 feet
R-10 Zone	35 feet	40 feet
R-7.5 Zone	35 feet	40 feet

2. In each residential zoning district, no building or other structure shall exceed the following building height above pre-existing average grade.

Zone	Average Building Height Above Pre-Existing Average Grade	Total Building Height Above Pre-Existing Average Grade
RAAA Zone	40 feet	50 feet
RAA Zone	40 feet	50 feet
RA Zone	40 feet	45 feet
R-20 Zone	40 feet	45 feet
SD R-20 Zone	40 feet	45 feet
R-10 Zone	40 feet	45 feet
R-7.5 Zone	40 feet	45 feet

J. MAXIMUM NUMBER OF STORIES

In each residential zoning district, no building or structure or part thereof shall exceed the following number of stories above grade facing the street.

Zone	Maximum Building Height Above Grade (Stories) Facing The Street
RAAA Zone	2.5 stories
RAA Zone	2.5 stories
RA Zone	2.5 stories
R-20 Zone	2.5 stories
SD R-20 Zone	2.5 stories
R-10 Zone	2.5 stories
R-7.5 Zone	2.5 stories

3.6. *Dimensional Exceptions*

A. HEIGHT EXCEPTIONS

In residence zones, the height limitations of these Regulations may be exceeded in the following situations, provided that such features shall only be erected to such heights as are necessary to accomplish the purpose they are intended to serve:

1. A spire or belfry on a religious institution or public building may exceed the height limitation provided that:
 - a. the height of the spire or belfry shall not exceed fifty (50) feet unless a Special Permit has been approved by the Commission; and
 - b. the total area covered by such features shall not exceed ten percent (10%) of the roof area unless a Special Permit has been approved by the Commission.
2. Cupolas or chimneys may exceed the total building height limitation provided that:
 - a. the height of the cupola or chimney shall not be more than twenty percent (20%) higher than the total building height allowed unless a Special Permit has been approved by the Commission; and
 - b. the total area of such features which exceed the total building height limitation shall not exceed five percent (5%) of the roof area unless a Special Permit has been approved by the Commission.
3. Water tanks may exceed the height limitation where the Commission has granted a Special Permit for an increase in height.
4. Roof-top equipment for non-residential buildings (such as HVAC equipment, ventilators, skylights, bulkheads, or similar features) may exceed the total building height limitation provided that:
 - a. adequate appropriate visual screening as determined by the Planning Director shall be provided; and
 - b. such equipment which exceeds the total building height limitation shall not have a horizontal area greater than fifteen percent (15%) of the roof area of the building on which it is located unless a Special Permit has been approved by the Commission.

B. YARD SETBACK EXCEPTIONS

1. A basement hatchway may project into a required side yard or rear yard setback not more than six (6) feet.
2. A one-story open porch may project into the required front yard setback not more than twenty percent (20%) of the minimum front yard setback requirement.
3. Uncovered entry stairs and stoops and covered fire escapes may extend into any required yard setback not more than six (6) feet.
4. To accomplish the intended purpose for the time period required, access ramps for the handicapped may, with approval of the ZEO, extend into any required yard setback.

C. LOT COVERAGE EXCEPTIONS

1. **Open Porches** – In a residential zone, up to two hundred (200) square feet of the area of an open porch is excluded from lot coverage requirements.^{25 26}
2. Minor accessory structures not requiring a zoning permit, as described in Sec. 3.4.A.1, are excluded from lot coverage requirements.²⁷

D. FLOOR AREA RATIO EXCEPTIONS

1. In a residential zone, municipal and government facilities are excluded from floor area ratio requirements.
2. Minor accessory structures not requiring a zoning permit, as described in Sec. 3.4.A.1, are excluded from floor area ratio exceptions.²⁸

²⁵ 2011-091 Amended effective 10/14/11

²⁶ 2014-088 Amended effective 11/21/14

²⁷ 2014-017 Amended effective 4/22/14

²⁸ 2014-017 Amended effective 4/22/14

4. OTHER HOUSING ZONES & USES

4.1. *Planned Residential Development*

A. PURPOSE

The Planned Residential Development provisions are intended to allow for a more flexible residential development pattern as compared with a conventional residential subdivision. The Planned Residential Development provisions provide a mechanism to establish meaningful areas of open space and encourage the development of single-family dwellings on smaller lots while limiting the total number of lots that may be established.

B. ELIGIBILITY

A Planned Residential Development may only be proposed for a tract of land of six (6) or more contiguous acres located in the RAAA zone or the RAA zone.

C. PROCEDURES

1. An application for a Planned Residential Development shall be processed as a Special Permit application in accordance with Subsection 9.2.A.
2. Prior to granting approval for a Planned Residential Development, the Commission shall find that:
 - a. adequate sanitary facilities will be provided since:
 - i. the public sewerage system is available or will be extended; or
 - ii. the soils of the tract are specifically suitable to permit the reduction in lot sizes proposed; and
 - b. the topography of the tract is specifically suitable to permit the reduction in lot sizes proposed; and
 - c. the proposal is in harmony with the Plan of Conservation and Development and recognized principles of civic design and land use planning; and
 - d. the development will not adversely affect existing or potential development of neighboring properties; and
 - e. the physiographic features of the property are suitable for such a planned development; and
 - f. the natural and scenic qualities of the tract would be preserved.
3. If the subdivision application is not filed concurrently, the applicant shall, within six (6) months of the date the Special Permit approval is granted, submit an application for a subdivision of the property in accordance with the Subdivision Regulations and the provisions of this Section.

D. DEVELOPMENT STANDARDS

1. **Overall Site Planning.** The overall plan for a Planned Residential Development shall consider the character of the site, topography, stonewalls, conserving land for open space and consideration to maximize solar heat gain during the heating season and natural ventilation during summer months. Unless otherwise authorized by the Commission, the preparation of such plan shall involve a Connecticut licensed landscape architect.

2. **Maximum Number of Units.**

In calculating the number of dwelling units, fractions shall be changed to the nearest whole number, dropping fractions of less than 0.5 and rounding up for fractions of 0.5 or more.

- a. Conventional Cluster - The maximum number of dwelling units in a Planned Residential Development shall be determined by multiplying the total area of the parcel by the following density factor as appropriate provided that the number of dwelling units so authorized shall not exceed the number which could be permitted, in the Commission's judgment, if the land were subdivided into lots conforming to the minimum lot size and density requirements of the Zoning Regulations applicable to the district or districts in which such land is situated:

Zone	Maximum Density With New Subdivision Roads	Maximum Density Without New Subdivision Roads
RAAA Zone	0.30 units/acre	0.33 units/acre
RAA Zone	0.45 units/acre	0.50 units/acre

- b. Conservation Cluster - The Commission may, in its sole discretion, allow the number of dwellings to exceed the number of units as provided in Subsection 4.1.D.2.a preceding provided that:
- the greater number of dwellings will not impair the public health, safety, or welfare;
 - the parcel of land contains seventy-five (75) or more contiguous acres;
 - the parcel of land is served by public sewer and public water;
 - the number of units shall not exceed the following:

Zone	Maximum Density
RAAA Zone	0.67 units/acre
RAA Zone	0.80 units/acre

- no more than ten percent (10%) of the units may be located in areas that exceed twenty percent (20%) slopes.

3. **Minimum Lot Area**

- All lots in a Conventional Cluster shall have a minimum area of one (1.0) acre unless modified by the Commission.
- There is no minimum area requirement for lots in a Conservation Cluster except that any perimeter lot abutting a non-PRD development shall not be less than one (1.0) acre in area.

4. **Maximum Lot Coverage**

- For lots in a Conventional Cluster, the maximum lot coverage limitation shall be as provided in Section 3.5.F.
- In a Conservation Cluster, the maximum lot coverage shall not exceed eighteen percent (18%).

5. **Floor Area Ratio (FAR)**

- For lots in a Conventional Cluster, the maximum floor area ratio limitation shall be as provided in Section 3.5.G.
- In a Conservation Cluster, the maximum floor area ratio shall be thirty percent (30%) or a total of 4,000 square feet, whichever is less.

6. Setbacks.

- a. Conventional Cluster - Lots within in a Conventional Cluster shall have a minimum front, side and rear setback of twenty-five (25) feet.
- b. Conservation Cluster - Lots within a Conservation Cluster shall have:
 - i. a minimum front yard setback of twenty (20) feet from any front lot line or recorded right-of-way,
 - ii. a minimum side yard setback of eight (8) feet , and
 - iii. a minimum rear yard setback of eight (8) feet.
- c. Perimeter Lots - Notwithstanding the foregoing, all lots within the planned residential development having contiguous front, side or rear lot lines to the perimeter boundaries shall have a minimum setback from the perimeter boundary of at least fifty (50) feet.

7. Maximum Building Height.

Unless a greater height is authorized by the Commission for good cause shown, no building or structure shall exceed:

- a. Thirty-five (35) feet in average building height.
- b. Two-and-a-half (2.5) stories.

E. OPEN SPACE STANDARDS

1. Areas not encompassed within approved building lots or highway rights of- way shall be dedicated to open space, recreational uses, or other public purposes.
2. The amount of land dedicated for said purposes shall not be less than:
 - a. one-third of the total area of the parcel in a Conventional Cluster, and
 - b. sixty-five (65) percent of the total area of the parcel in a Conservation Cluster.
3. The area(s) to be dedicated to open space shall provide a meaningful addition to the open space of the town after considerations including, but not limited to the following: the location in town; the topography; the flora; the fauna; the relative amounts of wetlands and non-wetlands; the significant natural features and resources; the size, location and shape of the open space parcel; the availability of safe pedestrian access; and whether there exists contiguous open space land(s).
4. The applicant may propose appropriate uses and ownership of such areas, but the Commission shall have the final determinations.
5. Land may be dedicated as follows -
 - a. to the town (under the auspices of the appropriate agency) for active or passive recreational purposes or for conservation purposes.
 - b. to a private association (such as the Nature Conservancy or the Land Conservancy of Ridgefield, Inc.) legally constituted for conservation purposes; or
 - c. to a private association consisting of the owners of the lots within the planned residential development for specified recreational purposes.
6. Open space deeded to the town shall be deeded in perpetuity; open space deeded to a private association shall provide in such deed that ownership shall revert to the town for recreational or conservation purposes if such association or organization shall cease to exist or shall relinquish ownership.

4.2. Multi-Family Dev. District (MFDD)

A. PURPOSE

The Multi-Family Development District is established to provide for multi-family housing so as to help meet the housing needs of the town's present and projected populations; provide housing choice and opportunities consistent with soil types, terrain and infrastructure capacity; and to provide controls and standards for the establishment and/or development of said uses and structures in keeping with the purpose set forth in these Regulations.

B. PERMITTED BY SPECIAL PERMIT (COMMISSION)

1. Detached dwelling units.
2. Attached dwelling units with individual exterior entrances.
3. Multiple dwelling units in one building.¹
4. Accessory uses providing said uses are clearly incidental to the principal use including recreation uses when designed for the exclusive use of those residing within the development.

C. DIMENSIONAL STANDARDS

1. Maximum Density.

In calculating the number of dwelling units, fractions shall be changed to the nearest whole number, dropping fractions of less than 0.5 and rounding up for fractions of 0.5 or more.

- a. Six (6) dwelling units per acre.
- b. Eight (8) dwelling units per acre provided:
 - i. at least fifteen (15) percent of the total number of dwelling units are preserved in perpetuity as affordable housing;
 - ii. such affordable housing units shall be forever sold at prices or leased at rents which comply with CGS 8-39a; and
 - iii. these affordability requirements shall be covered by covenants and restrictions which shall apply to specific units within the development under the terms prescribed herein and which covenants and restrictions shall meet the approval of the Commission and shall be filed in the office of the Town Clerk.
- c. For projects existing or approved as of May 1, 2007, the density of the development as existing or approved on that date.

2. Maximum Lot Coverage.

No more than twenty-five (25) percent of the land area shall be covered by buildings except that the Commission may allow greater coverage for a development proposed in accordance with Subsection 4.2.C.1.b.

¹ 2013-055 Deleted restriction on number of units per floor/building, adopted effective 7/19/13

3. **Minimum Yard Setbacks.**

- a. In a MFDD, no part of any building or structure shall be located less than the following distance from any front, side, or rear lot line.

Setback	Minimum Distance
Front yard	50 feet
Side yard	50 feet
Rear yard	50 feet

4. **Maximum Building Height.²**

- a. Unless a greater height is authorized by the Commission for good cause shown, no building or structure shall exceed thirty-five (35) feet in average building height or two-and-a-half (2.5) stories.
- b. When at least fifty (50) percent of the area of the property will be preserved in its natural state, the Commission may authorize an increase in building height up to forty-five (45) feet and three-and-a-half (3.5) stories, including any parking under the building, provided that any building built in excess of thirty-five (35) feet in average building height shall have any such increase in building height mitigated through setbacks, topography, architectural design, preservation of existing vegetation, and/or landscaping.

5. **Building Separation.³**

- a. Except as provided below, a distance of not less than thirty (30) feet shall be maintained between buildings containing dwelling units.
- b. The Commission may allow a building separation of less than 30 feet with a finding that the approved separation distance will not be incompatible with adjoining property developments and will be in compliance with all applicable building and fire safety codes.

D. OTHER STANDARDS

1. **Utilities.**

- a. All buildings shall be served by public water and public sewer as set forth in Chapter 13 of the Ridgefield Plan of Conservation and Development.
- b. Unless otherwise authorized by the Commission, all utilities, lines and connections serving the development shall be placed underground.

2. **Vehicular and Pedestrian Facilities.**

- a. Off-street parking as required by Section 7.3, shall be provided in attached or detached garages, basement areas, or outdoors.
- b. Carports may be permitted upon Commission approval of location, size and construction.
- c. Sidewalks and walk paths shall comply with Section 7.10 of these regulations.

3. **Screening; landscaping.**

- a. Plantings of trees, shrubbery, lawns and other landscape screening will be determined by the Commission for each premises at time of application, it being the intention hereby to require all buildings and structures to be reasonably screened by trees and shrubbery from adjoining properties.
- b. The Commission shall have continuing authority to enforce compliance with the requirements determined.

² 2013-055 Amend building height, adopted effective 7/19/13

³ 2014-032 Amended effective 5/23/14

4.3. Age-Restricted Housing District (ARHD)⁴

A. PURPOSE

The Age-Restricted Housing Districts are established to help address the housing and other needs of an aging population by allowing for a diversity of housing types, which may include accessory services, on one or more sites; and to provide controls and standards for the establishment and/or development of said uses and structures in keeping with the purpose set forth in these Regulations.

The ARHD-1 district, located on Prospect Ridge in proximity to the downtown area and town services, also permits certain non-residential institutional uses when it can be demonstrated that these facilities are compatible with nearby residential uses, and neighborhood character is preserved.

In the ARHD-1 zone, the boundaries of the “lease area” of any use on town-owned land shall be treated in the same manner as a property boundary, for the purpose of establishing setbacks and lot coverage.

B. PERMITTED WITH A ZONING PERMIT

1. Single-family home in the ARHD-1 zone.

C. PERMITTED BY SPECIAL PERMIT (COMMISSION)

One or more of the following uses provided that all such uses shall be located on common interest land:

1. Independent living units, restricted to occupancy by persons aged fifty-five (55) and older or persons aged sixty-two (62) and older in accordance with the Federal Fair Housing Act.
2. Congregate living units, restricted to occupancy by persons aged fifty-five (55) and older or persons aged sixty-two (62) and older in accordance with the Federal Fair Housing Act.
3. Assisted living units, restricted to occupancy by persons aged fifty-five (55) and older or persons aged sixty-two (62) and older in accordance with the Federal Fair Housing Act.
4. Convalescent home.
5. Nursing home or memory care facility
6. Affordable housing developments in the ARHD-1 zone.
7. Accessory uses and buildings for the exclusive use of residents and their guests.
8. Institutional uses in the ARHD-1 zone, such as: museums and cultural arts; governmental uses; educational, philanthropic, and religious uses; other public uses on land owned or leased by the Town of Ridgefield; and including uses customarily accessory to these institutional uses as determined by the Commission.

⁴ 2013-088-A: Defined different requirements for ARHD-1 (Halpin Lane and Prospect Ridge) and ARHD-2 (638-642 Danbury Road), effective 11/1/13

D. OVERALL STANDARDS

No development under this Section shall be approved unless the following special requirements, as applicable, are met:

1. The site shall have convenient access to an arterial roadway in the Town of Ridgefield, as designated in the Plan of Conservation and Development, as may be amended.
2. The site shall be located on and have convenient access to public transportation routes, where available.
3. The site shall, in the opinion of the Commission, be conveniently located relative to, or shall provide for access to, local service areas located within Ridgefield which shall include - retail stores, grocery stores, drug stores, restaurants, banks, medical and dental offices and public facilities.

E. DIMENSIONAL STANDARDS

1. Minimum Lot or Lease Area

- a. Five (5) acres for Special Permit uses 1 through 5
- b. 20,000 s.f. for single family homes
- c. 9,000 s.f. for institutional uses

2. Maximum Density

- a. The total number of living units and beds on the parcel shall not exceed the following density limits.

Living Arrangement	Maximum Density
Independent living units	Three (3.0) dwelling units per acre
Congregate living units within a single structure	Eight (8.0) dwelling units per acre
Assisted living units	Eight (8.0) dwelling units per acre
Convalescent home	Twenty-four (24) beds per acre
Nursing home or memory care facility	Twenty-four (24) beds per acre

- b. Compliance shall be demonstrated by determining the number of acres required for each type of living arrangement (units or beds) proposed and then comparing the sum of all such areas to the total area of the parcel.

3. Maximum Coverage for Special Permit Uses.

- a. Lot coverage by all buildings shall not exceed fifteen percent (15%) of the total land area of the site.
- b. Total coverage by all buildings, parking areas and drives shall not exceed twenty-five percent (25%) of the total land area of the site.

4. Minimum Yard Setbacks.

- a. Except as noted in “c” below, no part of any building or structure, including an accessory use or structure, shall be located less than fifty (50) feet from any public or private road or any recorded right of way or from the side and rear line of the lot on which it is erected.
- b. Except as noted in “c” below, no part of any parking area, excluding access drives, shall be located less than fifty (50) feet from any public or private road or any recorded right of way or from the side and rear line of the lot on which it is erected.
- c. Setbacks for buildings and structures for single family homes and institutional uses shall be located no less than twenty (20) feet from any property line or lease line, and parking areas (excluding access drives) shall be 20 feet from any property line or lease-line unless otherwise authorized by the commission.

5. Maximum Building Height.

Unless a greater height is authorized by the Commission for good cause shown, no building or structure shall exceed:

- c. Thirty-five (35) feet in average building height.
- d. Two-and-a-half (2.5) stories.

6. Building Separation.

- a. All principal buildings shall be a minimum of thirty (30) feet from all other principal buildings on the property, unless building and fire codes allow a shorter distance.
- b. All accessory buildings shall be a minimum of fifteen (15) feet from all other principal or accessory buildings on the property.

F. OTHER STANDARDS

1. Utilities.

- a. The site shall be serviced by public water and public sewer, as set forth in Chapter 13 of the Ridgefield Plan of Conservation and Development.
- b. Unless otherwise authorized by the Commission, all utilities, lines and connections serving the development shall be placed underground.

2. Vehicular Facilities for uses 1 through 5.

Unless otherwise authorized by the Commission for good cause shown, parking shall be provided on the basis of one parking space for each staff member on the largest shift plus adequate parking for the living arrangements based on the following minimum rates:

- a. one-and-a-half (1.5) parking spaces for each independent living unit; and
- b. one (1.0) parking space for each congregate living unit; and
- c. three-quarters (0.75) of a parking space for each assisted living unit; and
- d. two-thirds (0.67) of a parking spaces for each bed in the nursing home, memory care facility or convalescent home; and
- e. additional spaces as may be needed, in the opinion of the Commission, for visitors, accessory uses, and any other facilities.

3. Pedestrian and Transit Facilities.

- a. As appropriate, in the opinion of the Commission, the facility shall provide safe and adequate sidewalks, and/or trails for residents to walk to nearby shopping, banking, and other services and facilities.
- b. As appropriate, in the opinion of the Commission, facilities shall provide private transportation services for residents for shopping, banking, the town senior center, community and religious services, medical care and cultural activities.
- c. Unless modified by the Commission, facilities shall accommodate public transportation, where available.

4. Landscaping.

Unless modified by the Commission, the site shall maintain, with the exception of public or private roads providing access, a minimum landscaped buffer of fifty (50) feet from all adjacent properties.

5. Housing Affordability.

- a. A minimum of five (5) percent of the total number of the independent, congregate, and assisted living units shall be permanently allocated to comply with the affordability levels prescribed under CGS 8-39a.
- b. If such congregate or assisted living units are offered for sale, the affordability shall exclude the costs of health care and other services.
- c. If such congregate or assisted living units are not for sale, then the Commission may approve alternative methods of dedicating a minimum of five (5) percent of such units as permanent affordable housing where health care, meals, housekeeping, transportation and other or similar services are a portion of the resident's cost of maintaining residency at the facility.

4.4. Housing Opportunity Development (HOD)⁵

A. INTENT AND PURPOSE

The Housing Opportunity Development (HOD) provisions are to be applied as an overlay zone to designated properties for certain applications submitted under §8-30g of the Connecticut General Statutes, and are intended to:

1. Increase the availability and diversity of housing units in Ridgefield where adequate facilities and services are present.
2. Encourage the construction of housing that is within the economic means of moderate and low income households and is in a mixed-income development.
3. Promote housing choice and economic diversity, including multiple family housing for low and moderate income households, some of which may be dedicated to provide for Senior Living, within the Town.
4. Efficiently utilize existing or expanded infrastructure and utilities.
5. Provide standards and criteria for development of parcels designated for Housing Opportunity Development.

B. ELIGIBLE PARCELS

Only the following parcels of land are designated by the Commission for application of the HOD provisions, in conjunction with applications submitted under §8-30g of the Connecticut General Statutes:

1. 619 Danbury Road (a lot size of not less than 3.5 acres nor more than 3.75 acres and frontage at 619 Danbury Road of not less than 490 feet).
2. 616 Bennetts Farm Road (a lot size of 153± acres).

C. PERMITTED USES

Single-family, two-family, and multiple-family dwellings of not more than twenty-five (25) units per structure, subject to the requirements contained in these HOD overlay provisions in lieu of the underlying zone requirements.

⁵ 2007-042 Amendment/Section adopted effective 2/22/08

D. DEFINITIONS

1. **Housing Opportunity Development (HOD)** is a housing development in which not less than thirty percent (30%) of the dwelling units will be held or conveyed by deeds containing covenants or restrictions which shall require, for a period of at least forty (40) years, that such dwelling units be rented, sold at, or below, prices which will preserve the units as affordable housing as defined in §8-30g of the General Statutes, as amended.
2. **Housing Opportunity Unit** means a dwelling unit within an HOD that is subject to long-term price restrictions that comply with §8-30g of the General Statutes as amended.
3. **Land-based Criteria** means steep slopes, public water supply watershed lands, wetlands, vernal pools, and other environmentally sensitive features of land which may make that land unsuitable for development and which should be protected from construction or significant disturbance for the benefit of the health, safety, and welfare of residents of the development and the surrounding area.
4. **Senior Living Community** means a development dedicated for occupancy by persons aged fifty-five (55) and older or sixty-two (62) and older in accordance with the Federal Fair Housing Act.

E. LOT DENSITY

Lot density for parcels designated under paragraph B of these provisions shall be determined according to land-based criteria to the extent permitted under §8-30g of the Connecticut General Statutes, as follows:

1. 619 Danbury Road – 14 dwelling units per gross acre of land; and
2. 616 Bennetts Farm Road – 2.0 dwelling units per gross acre of land.

F. BEDROOMS

1. The dwelling units in an HOD shall consist of a mix of efficiency, one, two, and three bedroom units.
2. Not more than thirty percent (30%) of all dwelling units in the development shall contain three bedrooms.

G. LOT COVERAGE AND OPEN SPACE

Total permitted lot coverage (buildings) for parcels designated under paragraph B of these regulations shall be as follows:

1. 619 Danbury Road – twenty-five percent (25%); and
2. 616 Bennetts Farm Road – ten percent (10%)

At least sixty percent (60%) of the total acreage of any development or developments within the HOD overlay shall be deed-restricted as open space.

H. IMPERVIOUS COVERAGE

Total permitted impervious coverage (buildings and other structures, parking, driveways, side-walks) shall be as follows:

1. 619 Danbury Road – seventy-five percent (75%); and
2. 616 Bennetts Farm Road – twenty percent (20%).

I. SETBACKS

Setbacks for designated HOD parcels shall be as follows:

	Front (public street)	Front (private street)	Side	Rear
619 Danbury Road	40 feet		20 feet	25 feet
616 Bennetts Farm Rd	50 feet	20 feet	100 feet	100 feet

J. BUILDING HEIGHT; SEPARATION; HALLWAYS; UTILITY CONNECTIONS

1. No building or structure shall exceed three (3) stories and an attic, and forty (40) feet in height.
2. Attic areas shall be for storage purposes only.
3. All residential structures shall be separated by a distance of not less than thirty (30) feet.
4. Common hallways are permitted to serve up to twenty-five (25) dwelling units.
5. All utility lines and connections serving the development shall be placed underground.

K. OFF-STREET PARKING

1. The minimum width of a paved vehicular entrance shall be twenty (20) feet.
2. The minimum number of parking spaces shall be:
 - a. One and one-half (1.5) per efficiency and one bedroom dwelling unit; and
 - b. Two (2.0) per dwelling unit with two or more bedrooms; and
 - c. Visitor parking – up to two additional spaces of visitor parking shall be provided for every ten (10) dwelling units, with final number to be determined by the Commission.

3. Parking spaces for the physically handicapped shall be located as close as possible to ramps, walkways, and building entrances. Such spaces shall be so arranged as to eliminate or minimize the need for physically handicapped persons to wheel or walk behind parked cars to reach entrances, ramps, and walkways. The number, size designation, location and markings of parking spaces for the handicapped shall be as pursuant to the Connecticut General Statutes. All parking spaces for the physically handicapped that are provided shall be credited to the total number of required parking spaces.
4. HOD driveways shall be adequately graded, drained, and maintained in all seasons to accommodate traffic and to afford satisfactory access to police, fire fighting, and snow removal equipment.
5. Garage spaces shall count toward satisfying the minimum parking requirement.

L. SCREENING AND LANDSCAPING

1. See Section 7.1, Landscaping Standards, of these regulations.

M. UTILITIES

All dwelling units within the HOD shall be served by public water and Town of Ridgefield municipal sewer systems.

1. No sewer line shall be extended into or shall cross through the Saugatuck public water supply watershed.

N. AGE RESTRICTION

Parcels designated for development under paragraph B of these provisions shall be age restricted in part or in their entirety in accordance with the Federal Fair Housing Act, as follows:

1. 619 Danbury Road – no age restriction; and
2. 616 Bennetts Farm Road – no less than seventy percent (70%) of the dwelling units in the development shall be dedicated as a Senior Living Community for persons fifty-five (55) and older, thirty percent (30%) of which units shall also be designated as affordable, and the remainder of the units in the development shall be in a separate condominium association with no age restriction, provided that thirty percent (30%) of those units are designated as affordable.

O. GARBAGE CONTAINERS

Garbage containers shall be stored in contained and screened collection areas.

P. APPLICATION REQUIREMENTS FOR DESIGNATION AS ELIGIBLE FOR DEVELOPMENT UNDER THE HOD REGULATIONS

An application for designation of a parcel of land as eligible for development under the HOD provisions shall consist of the following:

1. An application form, approved by the Planning Director.
2. Fees calculated as follows:
 - a. Base application fee equal to \$25 per unit proposed in the development;
 - b. Public hearing fee equal to one-half of the base application fee;
 - c. Public hearing legal notice fee of \$60;
 - d. Decision legal notice fee of \$30. and
 - e. State environmental fee of \$30.
3. Fifteen (15) copies of a certified survey map or maps at a scale not smaller than one inch equals one hundred (100) feet showing perimeter dimensions, total area, abutting current property owners, right of way and traveled way of abutting streets; location of municipal sewer lines and water mains; terrain contours at five (5) foot intervals, or less, but lesser intervals may be required by the Commission where warranted; wetlands areas, limits of vegetative coverage; and all other documents and information required for an affordable housing development by Connecticut General Statutes §8-30(g), as amended, and any regulations adopted there under.
4. Fifteen (15) copies of a statement of the proposal including:
 - a. Number of units proposed;
 - b. Density of proposed development in terms of units per gross acre, determined in accordance with land based criteria found in paragraph Q; and
 - c. Traffic impact data when requested by the Commission.
5. A conceptual site plan and reports providing the following information:
 - a. Total number of residential units and their arrangement on the property;
 - b. Proposed roads and traffic circulation;
 - c. Proposed sewage disposal plan or plans;
 - d. Proposed water supply plan or plans; and
 - e. An Affordability Plan as required by Connecticut General Statutes §8-30g.

Q. APPLICATION PROCEDURE FOR HOD SITE PLAN APPROVAL

Following the Commission's determination of eligibility of the parcel for housing opportunity development, the owner of record, or his or her properly designated agent, shall file an application for Site Plan Approval under Subsection 9.1.C of these regulations, together with the additional documentation prescribed in that section, for the construction and maintenance of an HOD on land so designated, together with application fees as follows:

- a. Base application fee equal to \$25 per unit proposed in the development;
- b. Public hearing fee equal to one-half of the base application fee;
- c. Public hearing legal notice fee of \$60;
- d. Decision legal notice fee of \$30; and
- e. State environmental fee of \$30.

In addition to the requirements for application in Subsection 9.1.C, and consistent with §8-30g of the Connecticut General Statutes to protect the public health, safety and welfare of the future residents of the HOD community, the Commission shall consider the proposed HOD plan under the following additional criteria:

1. A report from the Inland Wetlands Board regarding potential adverse impacts to wetlands and watercourses;
2. Potential impacts to aquifers and other similar potential sources of potable water;
3. Potential impacts to significant woodlands;
4. Potential impacts to hillsides and terrains deemed susceptible to erodability or the creation of turbidity or siltation; and
5. Potential impact to sites, buildings or structures of historic or archaeological significance.

Notwithstanding the requirements of Subsection 9.1.C for review by the Planning Director, the Commission shall approve, disapprove, or approve with modifications a site plan application under these HOD provisions. The Commission shall hold a public hearing on the Site Plan Application.

R. REQUIREMENTS FOR HOUSING OPPORTUNITY UNITS

The following requirements shall apply to HOD Units:

1. HOD units shall be of a construction quality that is comparable to market-rate units within the development.
2. The HOD units shall be built on a pro rata basis as construction proceeds.
3. In conjunction with an application for approval of a site plan for an HOD development, the applicant shall submit an "Affordability Plan", as required by Connecticut General Statutes §8-30g, which shall describe how the regulations regarding affordability will be administered. The Plan shall include provisions for administration of and compliance with this Section, notice procedures to the general public of the availability of affordable units, procedures for verification and periodic confirmation of unit occupancy income, and compliance with affordability requirements.
4. A violation of the regulations contained in this Section shall not result in a forfeiture or reversion of title, but the Ridgefield Planning and Zoning Commission or its designated agent shall otherwise retain all enforcement powers granted by the Connecticut General Statutes, including §8-12.

4.5. Main Street Design District (MSDD)⁶

A. INTENT AND PURPOSE

1. The Main Street Design District is a floating zone established by legislative action by the PZC and applicable only to properties on Main Street that are currently zoned RA or SDR-20 between Prospect Street and Pound Street. The MSDD is intended to
 - a. provide higher density residential housing within close proximity of the Town center commercial area to support economic, cultural, and social vitality;
 - b. maintain the residential character of Main Street;
 - c. conform to the goals and objectives of the 2002 North Main Street Plan and the 2010 Town Plan of Conservation and Development;
 - d. preserve natural, historic, and aesthetic qualities of Main Street; and
 - e. preserve existing structures of historic or architectural interest.
2. An MSDD zone is established by zone change pursuant to the procedures of Section 9.2.C. In addition to the application requirements of that Section, an application for establishment of an MSDD shall be accompanied by a site development plan for the proposed MSDD location as part of a Special Permit application pursuant to the requirements in Sec. 9.2.a.

B. PERMITTED USES AND STRUCTURES

1. Permitted without Zoning Permit:
 - a. All uses permitted without a zoning permit in the underlying zone.
2. Permitted with Zoning Permit:
 - a. All uses permitted with a Zoning Permit in the underlying zone.

C. SPECIAL PERMIT USES

1. Any use permitted under Section 3.2.C of these Regulations.
2. Residential Design Developments as provided in this Section.

D. RESIDENTIAL DESIGN DEVELOPMENTS

1. A Residential Design Development (“RDD”) is a residential development of single family and/or multifamily dwellings meeting the design guidelines and dimensional and other site development standards as provided in this Section and these Regulations.

⁶ 2013-061-REZ-A-PR-SP Amendment/Section adopted effective 10/11/13

2. A Residential Design Development in an MSDD zone shall comply with the following standards.
 - a. Maximum Density. The maximum density of a RDD shall be six (6) dwellings per acre, unless fifteen percent (15%) of the dwelling units are designated affordable as described below. In calculating the number of dwelling units, a calculation that results in a fractional number shall be rounded to the nearest whole number, with a fraction of .50 or higher being rounded up to the next whole number.
 - b. Maximum Density with Affordable Dwelling Units. The maximum density may be increased to eight (8) units per acre provided that not less than fifteen percent (15%) of the units are set aside as affordable in compliance with these Regulations. In calculating the number of dwelling units, a calculation that results in a fractional number may be rounded to the nearest whole number, with a fraction of .50 or higher being rounded up to the next whole number. To qualify as an affordable unit under this Section:
 - i. The affordability restriction shall have a duration of not less than forty (40) years;
 - ii. The sale price or rent, as the case may be, shall at all times comply with the provisions for affordability described in Sec. 8-30g of the Connecticut General Statutes as may be amended, including provision for no less than 50% of the units to be restricted at the 60% income level and the remainder to be restricted at the 80% level; and
 - iii. The affordability restrictions shall be set forth in writing recorded in the Ridgefield Land Records, either as part of a declaration of common interest community, if applicable, or other instrument and shall run with the land until the term of the affordability restriction expires.
 - c. Multifamily Conversion. In addition to the MSDD standards, the conversion of an existing single family dwelling to multifamily dwelling shall comply with the provisions of Section 3.1.C.9 of these Regulations, except that density may be in accordance with subparagraph a of this section.
 - d. Maximum Lot Coverage.
 - i. No more than thirty percent (30%) of the land area of any parcel developed as an RDD shall be covered by buildings.
 - e. Minimum Yard Setbacks.
 - i. Except as provided below, no part of any building or structure shall be located less than twenty-five (25) feet from any side, front, or rear lot line.
 - ii. The Commission may allow a reduced front, side, or rear setback along a boundary when the site development plan demonstrates compatibility with surrounding properties and uses, including screening and buffering where appropriate.
 - iii. The Commission may allow a reduced front, side or rear setback along a boundary when the site development plan demonstrates preservation of existing buildings and structures, in which case, the setbacks shall be not less than the existing setbacks of the buildings or structures being preserved.

- f. Maximum Building Height.
 - i. Except as provided below, no building or structure in the MSDD shall exceed thirty-five (35) feet in height or two and one-half (2.5) stories.
 - ii. Existing buildings and structures in any MSDD that exceed thirty-five feet or 2.5 stories shall be exempt from the maximum height restriction.
 - iii. The Commission may allow building or structure height exceeding 35 feet or 2.5 stories with a finding that the approved height will not be incompatible with adjoining property developments or have a negative effect on the intent of the MSDD regulations as stated above.
- g. Building Separation.
 - i. Except as provided below, a distance of not less than thirty (30) feet shall be maintained between buildings containing dwelling units.
 - ii. The Commission may allow a building separation of less than 30 feet with a finding that the approved separation distance will not be incompatible with adjoining property developments or have a negative effect on the intent of the MSDD regulations as stated above, and will be in compliance with all applicable building and fire safety codes.
- h. Utilities.
 - i. All utilities serving the buildings in an RDD shall be placed underground in accordance with all applicable laws and codes, if feasible.
 - ii. Any RDD shall be served by a public water supply system and municipal sewerage collection system meeting all applicable requirements.
- i. Sidewalks, Parking, and Vehicle Access.
 - i. Off-street parking shall be provided to serve any RDD in accordance with Section 7.3 of these Regulations. Parking may be open or enclosed.
 - ii. Vehicular access to any MSDD site shall be in accordance with Section 7.10 of these Regulations and be designed to provide safe interaction between vehicles and pedestrians, including sidewalks and walking paths, and to reduce traffic conflicts with vehicle accesses on the opposite side of the street.
- j. Screening and Landscaping.
 - i. A landscaping plan prepared by a Connecticut licensed landscape architect shall be submitted as part of a Special Permit Application as provided below.
 - ii. Such plan shall be designed to preserve the character of the MSDD site and surrounding areas and to provide, to the extent feasible, screening of buildings and parking areas from Main Street and neighboring properties, using, to the extent feasible, a combination of fences, walls, and vegetation.

E. PROCEDURES

1. Initiation. A proposal for establishment of an MSDD may be initiated by the Commission or any property owner within the area defined in this Section.
2. Pre-Application Review. Private applicants for the establishment of an MSDD and approval of a Residential Design Development are encouraged to initiate a pre-application review as provided in Section 9.2 of these Regulations.

3. Sequencing.
 - a. Legislative Establishment of MSDD. The Commission may approve the establishment of an MSDD upon determination of conformance with the intent of this Section and a finding of conformance of the MSDD with the Town Plan of Conservation and Development.
 - b. Residential Design Development Application / Special Permit. The Commission may approve a Special Permit for an RDD development in accordance with the procedures of Section 9.2.A, including referral to the Architectural Advisory Committee.

4.6 Inclusionary Housing Zone⁷.

See Section 8.8

⁷ A-22-5 Amended effective 05.26.2023

5. BUSINESS ZONES & USES

5.1. *Central Business District (CBD)*

A. PURPOSE

The CBD Zone is established to enhance the historic character of Ridgefield Center; to preserve Ridgefield Center as the traditional focal point in the community for cultural, civic and commercial activities; to promote pedestrian friendly development; and to aid in the preservation and restoration of its architectural assets.

B. ARCHITECTURAL REVIEW REQUIRED

The CBD Zone is hereby designated as a Village District as authorized by CGS 8-2j. Any new construction or remodeling of the exterior of a building within the CBD Zone shall be reviewed by a design review board designated by the Commission (see Section 8.3 for additional information and requirements).

C. PERMITTED USES ^{1, 2}

- Within an existing building, the following uses are permitted by issuance of a Zoning Permit by the ZEO in accordance with Section 9.1.A for any Change of Use, whether or not new floor area is added to the tenant space.
- If new floor area is constructed or if there is any physical expansion of the existing building, the following uses shall be permitted by Special Permit (or Revision to an existing Special Permit) approval granted by the Commission in accordance with 9.2.A (as is the case with those uses listed in Sec. 5.1.D.1.) unless administrative approval is authorized pursuant to Sec. 9.2.A.7.e.

1. Retail store.
2. Service establishment or personal service establishment.
3. Bank.
4. Sit-down restaurant.
5. Business, professional, or medical office when located above or below the street level of the building.
6. Real estate office.
7. Food retail / serving establishment (such as a bakery, delicatessen, ice cream parlor, or coffee shop) with seating for fewer than fifteen (15) customers.
8. Uses accessory to the uses listed in Subsection 5.1.C when located on the same lot.

¹ 2019-041-A Amendment effective 06/07/19: Modified box contents for Change of Use via Zoning Permit, and Special Permit language. Deleted Site Plan application requirement.

² 2010-105-A: Amended effective 12/24/10

9. Seasonal Farmers' Market.³
10. Fitness center / exercise facility / dance studio / facility for education in the arts.⁴

D. USES REQUIRING SPECIAL PERMIT

The following uses require approval of a Special Permit application in accordance with Subsection 9.2.A.

1. Construction which results in new floor area.
2. Municipal or other governmental uses, including public parking and recreational facilities.
3. Business, professional, or medical offices when located at the street level of the building.
4. Food retail / serving establishment (such as a bakery, delicatessen, ice cream parlor, or coffee shop) with seating for fifteen (15) or more customers.
5. Drive through facility, but not permitting use for food service.
6. Residential uses in the same building as other permitted Commercial uses, excluding the basement and the first floor, when served by public water and sewer and as authorized by Sec.7.3.C.adequate off-street parking, will be provided.⁵
7. Day care centers, as per Subsection 3.2.C.7 of these regulations.
8. Group day care homes, as per Subsection 3.3.D.3 of these regulations.
9. Educational, philanthropic, or religious uses.
10. Nonprofit club or other organization providing social, cultural and recreational activities serving a community need or convenience and not including any activity carried on primarily for profit.
11. Funeral homes or funeral director's establishments, but not including any crematory.
12. Indoor theater.
13. Public utility substations.
14. Principal uses similar to uses listed in Subsection 5.1.C.
15. Uses accessory to the uses listed in Subsection 5.1.D when located on the same lot.

³ 2007-138-A: Amended effective 01/11/08

⁴ 2013-113-A: Amendment effective 11/28/13: Changed from Special Permit to as-of-right.

⁵ 2018-085-A Amendment effective 02/01/2019 Mixed residential

E. DIMENSIONAL STANDARDS

Minimum lot size	10,000 square feet
Minimum frontage	30 feet
Maximum lot coverage (buildings)	65 percent
Maximum total coverage (buildings, driveways, parking areas, and other impervious surfaces)	90 percent
Minimum front yard setback	The average of the front yard setbacks of abutting principal structures or as otherwise approved by the Commission
Maximum front yard setback	The average of the front yard setbacks of abutting principal structures or as otherwise approved by the Commission
Minimum side yard setback	None required, but at least 3 feet if provided
Minimum rear yard setback	None required, but at least 3 feet if provided
Minimum buffer /setback where property abuts a residential zone	See Subsection 7.1.E of these Regulations
Maximum average building height	40 feet

F. ADDITIONAL STANDARDS

1. See Section 7.0 of these Regulations for additional provisions related to parking, loading, landscaping, signage, and other standards.
2. The Planning Director may refer any Change of Use application to the Commission for review and/or action.

5.2. *Business B-1 Zone*

A. **PURPOSE**

The Business B-1 Zone is established to provide opportunities for retail stores, restaurants, and other businesses that will provide goods and services.

B. **ARCHITECTURAL REVIEW REQUIRED**

Any new construction or remodeling of the exterior of a building in the Business B-1 Zone shall be reviewed by the Architectural Advisory Committee in accordance with the provisions of Subsection 9.3.G of these Regulations.

C. **PERMITTED USES ⁶**

- Within an existing building, the following uses are permitted by issuance of a Zoning Permit by the ZEO in accordance with Section 9.1.A for any Change of Use, whether or not new floor area is added to the tenant space, and whether or not additional parking is required.
- If new floor area is constructed or if there is any physical expansion of the existing building, the following uses shall be permitted by Special Permit (or Revision to an existing Special Permit) approval granted by the Commission in accordance with 9.2.A (as is the case with those uses listed in Sec.5.2.D.1.) unless administrative approval is authorized pursuant to Sec. 9.2.A.7.e.

1. Retail store.
2. Shopping center on a minimum of two (2) acres.
3. Service establishment or personal service establishment.
4. Business, professional, or medical office.
5. Real estate office.
6. Bank.
7. Sit-down restaurant.
8. Food retail / serving establishment (such as a bakery, delicatessen, ice cream parlor, or coffee shop) with seating for fewer than fifteen (15) customers.
9. A single family detached dwelling provided that⁷:
 - a. The dwelling was in existence as of 9/19/08; and
 - b. The dwelling conforms to the area and bulk requirements of the R-20 Zone.
10. Uses accessory to uses listed in Subsection 5.2.C when located on the same lot.

⁶ 2019-041-A Amendment effective 06/07/19: Modified box contents for Change of Use via Zoning Permit, and Special Permit language. Deleted Site Plan application requirement.

⁷ 2008-079-A: Amended effective 09/19/08

11. Seasonal Farmers' Market.⁸

12. Fitness center / exercise facility / dance studio / facility for education in the arts.⁹

D. USES REQUIRING SPECIAL PERMIT

The following uses require approval of a Special Permit application in accordance with Subsection 9.2.A.

1. Construction which results in new floor area.
2. Municipal or other governmental uses, including public parking and recreational facilities.
3. Drive through facility, but not permitting use for food service.
4. Food retail / serving establishment (such as a bakery, delicatessen, ice cream parlor, or coffee shop) with seating for fifteen (15) or more customers.
5. Gasoline station provided that:
 - a. the lot contains at least thirty thousand (30,000) square feet.
 - b. lot coverage (building) shall not exceed forty (40) percent, and
 - c. yard setbacks shall be at least 25 feet.
6. Sale of new or used motor vehicles provided that:
 - a. the lot contains at least two (2) acres,
 - b. display of motor vehicles for sale shall only occur within a yard setback with the specific approval of the Commission,
 - c. lot coverage (building) shall not exceed forty (40) percent, and
 - d. yard setbacks shall be at least 25 feet.
7. Motor vehicle repair and/or servicing provided that:
 - a. the lot contains at least thirty thousand (30,000) square feet,
 - b. lot coverage (building) shall not exceed forty (40) percent, and
 - c. yard setbacks shall be at least 25 feet.
8. Residential dwelling units that are a part of a commercial structure and are located over street level businesses, provided that^{10,11}:
 - a. the development is served by public water or private well(s), and municipal sewer(s) or private septic systems(s) in compliance with the Public Health Code;
 - b. adequate off-street parking, as determined by the Commission, shall be provided on the premises for the use of residents and businesses;
 - c. except as allowed under 8.d, below, the number of dwelling units shall not exceed a density of 2.2 units per acre, except as provided in d. and e., below;
 - d. the number of dwelling units may be increased to a maximum density of eight (8) units per acre on properties of a maximum of one and three-quarters (1.75) acres in the B-1 zone located in the following areas: (i) between the intersection of North Salem Road and Danbury Road/Main Street on the west and Mountain View Avenue and South Street on the east; and (ii) in Branchville, provided that a. and b., above, can be achieved;
 - e. the Commission may grant a density bonus of up to twenty percent (20%) in the permitted number of units provided that the bonus units are deed-restricted as affordable housing according to the criteria for affordability set up in CGS 8-30g (6) for tenants with incomes less than 80% of the State Median Income (SMI);

⁸ 2007-138-A: Amended effective 01/11/08

⁹ 2013-113-A: Changed from SP to as-of-right, effective 11/28/13

¹⁰ 2013-110-A: Amended effective 02/28/14

¹¹ 2016-050-A: Amended effective 07/21/16

- f. calculation of permitted density may be rounded down to the nearest whole number when fractions are less than 0.5 and shall be rounded up when fractions are 0.5 or greater.
- 9. Bowling alleys and other similar indoor recreational activities.
- 10. Golf driving range and other similar outdoor recreational activities.
- 11. Group day care homes, as per Subsection 3.3.D.3 of these regulations.
- 12. Day care centers, as per Subsection 3.2.C.7 of these regulations.
- 13. Educational, philanthropic, or religious uses.
- 14. Nonprofit club or other organization providing social, cultural and recreational activities serving a community need or convenience and not including any activity carried on primarily for profit.
- 15. Funeral homes or funeral director's establishments, but not including any crematory.
- 16. Commercial kennels.
- 17. Veterinary hospitals conducted under the personal administration of a licensed veterinarian.
- 18. Indoor theater.
- 19. Hotel, motel, or inn.
- 20. Public utility substations.
- 21. Principal uses similar to the uses listed in Subsection 5.2.C.
- 22. Uses accessory to uses listed in Subsection 5.2.D when located on the same lot.

E. DIMENSIONAL STANDARDS

Minimum lot size	10,000 square feet
Minimum frontage	50 feet
Maximum total coverage (buildings, driveways, parking areas, and other impervious surfaces)	90 percent
Minimum front yard setback	10 feet
Minimum side yard setback	None required, but 3 feet if provided
Minimum rear yard setback	None required, but 3 feet if provided
Minimum buffer /setback where property abuts a residential zone	See Subsection 7.1.E of these Regulations
Maximum average building height	40 feet

F. ADDITIONAL STANDARDS

1. See Section 7.0 of these Regulations for additional provisions related to parking, loading, landscaping, signage, and other standards.
2. The Planning Director may refer any Change of Use application to the Commission for review and/or action.

5.3. **Business B-2 Zone**

A. PURPOSE

The Business B-2 Zone is a non-retail district established to provide opportunities for a variety of businesses, including restaurants, personal services, and other uses that will help to meet the needs of Ridgefield residents.

B. ARCHITECTURAL REVIEW REQUIRED

Any new construction or remodeling of the exterior of a building shall be reviewed by the Architectural Advisory Committee in accordance with the provisions of Subsection 9.3.G of these Regulations.

C. PERMITTED USES ¹²

- Within an existing building, the following uses are permitted by issuance of a Zoning Permit by the ZEO in accordance with Section 9.1.A for any Change of Use, whether or not new floor area is added to the tenant space, and whether or not additional parking is required.
- If new floor area is constructed or if there is any physical expansion of the existing building, the following uses shall be permitted by Special Permit (or Revision to an existing Special Permit) approval granted by the Commission in accordance with 9.2.A (as is the case with those uses listed in Sec.5.3.D.1.) unless administrative approval is authorized pursuant to Sec. 9.2.A.7.e.

1. Service establishment or personal service establishment.
2. Business, professional, or medical office.
3. Real estate office.
4. Bank.
5. Sit-down restaurant.
6. Offices for executive, administrative and data processing activities.
7. A single family detached dwelling, provided that:¹³
 - a. The dwelling was in existence as of 9/19/08; and
 - b. The dwelling conforms to the area and bulk requirement of the R-20 Zone.
8. Uses accessory to the uses listed in Subsection 5.3.C when located on the same lot.
9. Seasonal Farmers' Market.¹⁴
10. Ancillary retail sales of goods directly related and clearly incidental to the principal commercial use, service business, medical office or recreational use, provided that the display area

¹² 2019-041-A Amendment effective 06/07/19: Modified box contents for Change of Use via Zoning Permit, and Special Permit language. Deleted Site Plan application requirement.

¹³ 2008-079-A: Amended effective 09/19/08

¹⁴ 2007-138-A: Amended effective 01/11/08

for such retail sales shall not exceed the lesser of 10% of the gross customer area or 200 s.f.¹⁵

11. Fitness center / exercise facility / dance studio / facility for education in the arts.¹⁶

12. Food retail/serving establishment (such as a bakery, delicatessen, ice cream parlor or coffee shop) with seating for fewer than fifteen (15) customers.¹⁷

D. USES REQUIRING SPECIAL PERMIT

The following uses require approval of a Special Permit application in accordance with Subsection 9.2.A:

1. Assisted living facility, memory care facility, nursing/convalescent home, congregate housing, or a combination thereof. Notwithstanding the requirements otherwise listed for the zone, the following standards must be achieved:¹⁸
 - a. the parcel must be a minimum of one and one-half (1.5) acres in size;
 - b. units shall consist of no more than two bedrooms each;
 - c. each bedroom shall have no more than two occupants;
 - d. the maximum number of beds shall be 25 per acre;
 - e. the maximum average building height shall not exceed 45 feet and three (3) stories;
 - f. a minimum twenty-five (25) foot setback shall be provided between any principal building structure and the property line of any adjacent non-residential use;
 - g. a minimum fifty (50) foot setback shall be provided between any principal building structure and the property line of any adjacent residential use;
 - h. the applicant shall demonstrate that adequate parking has been provided for residents, staff and visitors;
 - i. the applicant shall provide data regarding the anticipated need for Town emergency medical services.
2. Construction which results in new floor area.
3. Municipal or other governmental uses, including public parking and recreational facilities.
4. Research and development laboratories, including research and development of manufactured, processed or compounded products.
5. The manufacture, production, fabrication, processing, assembling, packing, storing and distribution of:
 - a. precision-electrical or precision-mechanical equipment;
 - b. optical goods, business machines, precision instruments, surgical and dental instruments;
 - c. pharmaceutical, toiletry, and cosmetic; and
 - d. Flooring, granite and marble and¹⁹
 - e. any other use of the same general character as any of the uses listed above.
6. Contractors' yards and structures, including parking of motor vehicles and equipment, if located on a minimum of one (1) acre of land.
7. Storage warehouse if located on a minimum of one (1) acre.

¹⁵ 2009-070-A: Amended effective 11/19/09

¹⁶ 2013-113-A: Amendment effective 11/28/13: Changed from Special Permit to as-of-right.

¹⁷ 2018-045-A Amended effective 11/09/2018

¹⁸ 2016-057-A: Amended effective 07/08/16

¹⁹ 2018-052-A amended effective 11/09/2018

8. Drive through facility, but not permitting use for food service.
9. Group day care homes, as per Subsection 3.3.D.3 of these regulations.
10. Day care centers, as per Subsection 3.2.C.7 of these regulations.
11. Residential dwelling units that are a part of a commercial structure and are located over street level businesses, provided that²⁰:
 - a. the development is served by public water and municipal sewers in compliance with the Public Health Code;
 - b. adequate off-street parking, as determined by the Commission, shall be provided on the premises for the use of residents and businesses;
 - c. except as allowed under 11.d, below, the number of units shall not exceed 2.2 units per acre;
 - d. on properties of a maximum of one (1) acre in the B-2 zone at 30-40 Grove Street between Sunset Lane and Old Quarry Road, and the 0.747-acre lot at 30 Old Quarry Road and the one (1.0) acre lot at 35 Old Quarry Road, the number of units may be increased to a maximum of eight (8) units per acre, provided that a and b, above, can be achieved;²¹
 - e. the Commission may grant a density bonus of up to twenty percent (20%) in the permitted number of units provided that the bonus units are deed-restricted as affordable housing according to the criteria for affordability set up in CGS 8-30g(6) for tenants with incomes less than 80% of the State Median Income (SMI) level;
 - f. calculation of permitted density may be rounded down to the nearest whole number when fractions are less than 0.5 and shall be rounded up when fractions are 0.5 or greater.
12. Bowling alleys and other similar indoor recreational activities.
13. Golf driving range and other similar outdoor recreational activities.
14. Golf clubs and other private recreational uses.
15. Commercial kennels.
16. Veterinary hospitals conducted under the personal administration of a licensed veterinarian.
17. Educational, philanthropic, or religious uses.
18. Nonprofit club or other organization providing social, cultural and recreational activities serving a community need or convenience and not including any activity carried on primarily for profit.
19. Funeral homes or funeral director's establishments, but not including any crematory.
20. Indoor theaters.
21. Hotel, motel, or inn.
22. Public utility substations.
23. Brewery or brew pub.²²

²⁰ 2013-110-A: Amended effective 02/28/14

²¹ 2017-009-S-SP-SR-A: Amendment effective 04/14/17

²² 2016-109-A: Amended effective 01/27/17

24. Non-direct-retail-sales showroom²³
25. Principal uses similar to the uses listed in Subsection 5.3.C.
26. Uses accessory to the uses listed in Subsection 5.3.D when located on the same lot.
27. Any change in use, floor area or exterior site modifications or alterations involving the sale of new or used motor vehicles provided that:
 - a. the lot contains at least one (1) acre, and²⁴
 - b. display of motor vehicles for sale shall only occur within a yard setback with the specific approval of the Commission.
28. Any change in use, floor area or exterior site conditions of any operation legally existing at the time of the adoption of these Regulations operated as a gasoline station provided that:
 - a. that the use was in existence as of May 1, 2007,
 - b. the lot contains at least thirty thousand (30,000) square feet.
 - c. lot coverage (building) shall not exceed forty (40) percent, and
 - d. yard setbacks shall be at least 25 feet.
29. Any change in use, floor area or exterior site conditions of any operation legally existing at the time of the adoption of these Regulations involving motor vehicle repair and/or servicing provided that:
 - a. that the use was in existence as of May 1, 2007,
 - b. the lot contains at least thirty thousand (30,000) square feet.

E. DIMENSIONAL STANDARDS

Minimum lot size	10,000 square feet
Minimum frontage	50 feet
Maximum lot coverage (buildings)	25 percent
Maximum total coverage (buildings, structures, parking, and drives)	75 percent
Minimum front yard setback	30 feet
Minimum side yard setback	None required, but 3 feet if provided
Minimum rear yard setback	None required, but 3 feet if provided
Minimum buffer /setback where property abuts a residential zone	See Subsection 7.1.E of these Regulations
Maximum average building height	40 feet

²³ 2018-016-A: Amendment effective 05/04/18: Permit non-direct retail showrooms as a legal use.

²⁴ 2018-045-A: Amendment effective 11/09/2018

F. ADDITIONAL STANDARDS

1. See Section 7.0 of these Regulations for additional provisions related to parking, loading, landscaping, signage, and other standards.
2. The Planning Director may refer any Change of Use application to the Commission for review and/or action.

5.4. *Business B-3 Zone*

A. **PURPOSE**

The Business B-3 Zone is a non-retail district established to provide opportunities for a variety of businesses that will help to meet the needs of Ridgefield residents for services.

B. **ARCHITECTURAL REVIEW REQUIRED**

Any new construction or remodeling of the exterior of a building shall be reviewed by the Architectural Advisory Committee in accordance with the provisions of Subsection 9.3.G of these Regulations.

C. **PERMITTED USES** ²⁵

- Within an existing building, the following uses are permitted by issuance of a Zoning Permit by the ZEO in accordance with Section 9.1.A for any Change of Use, whether or not new floor area is added to the tenant space, and whether or not additional parking is required.
- If new floor area is constructed or if there is any physical expansion of the existing building, the following uses shall be permitted by Special Permit (or Revision to an existing Special Permit) approval granted by the Commission in accordance with 9.2.A (as is the case with those uses listed in Sec.5.4.D.1.) unless administrative approval is authorized pursuant to Sec. 9.2.A.7.e.

1. Business, professional, or medical office.
2. Real estate office.
3. Service establishment or personal service establishment.
4. Research and development laboratories, including research and development of manufactured, processed or compounded products.
5. Offices for executive, administrative and data processing activities.
6. Fitness center / exercise facility / dance studio / facility for education in the arts.
7. Uses accessory to the uses listed in Subsection 5.4.C when located on the same lot.
8. Seasonal Farmers' Market²⁶
9. Ancillary retail sales of goods directly related and clearly incidental to the principal commercial use, service business, medical office or recreational use, provided that the display area for such retail sales shall not exceed the lesser of 10% of the gross customer area or 200 s.f.²⁷

²⁵ 2019-041-A Amendment effective 06/07/19: Modified box contents for Change of Use via Zoning Permit, and Special Permit language. Deleted Site Plan application requirement.

²⁶ 2007-138-A: Amended effective 1/11/08

²⁷ 2009-070-A: Amended effective 11/19/09

D. USES REQUIRING SPECIAL PERMIT

The following uses require approval of a Special Permit application in accordance with Subsection 9.2.A.

1. Assisted living facility, memory care facility, nursing/convalescent home, congregate housing, or a combination thereof. Notwithstanding the requirements otherwise listed for the zone, the following standards must be achieved:²⁸
 - a. the parcel must be a minimum of one and one-half (1.5) acres in size;
 - b. units shall consist of no more than two bedrooms each;
 - c. each bedroom shall have no more than two occupants;
 - d. the maximum number of beds shall be 25 per acre;
 - e. the maximum average building height shall not exceed 45 feet and three (3) stories;
 - f. a minimum twenty-five (25) foot setback shall be provided between any principal building structure and the property line of any adjacent non-residential use;
 - g. a minimum fifty (50) foot setback shall be provided between any principal building structure and the property line of any adjacent residential use;
 - h. the applicant shall demonstrate that adequate parking has been provided for residents, staff and visitors;
 - i. the applicant shall provide data regarding the anticipated need for Town emergency medical services.
2. Construction which results in new floor area.
3. Municipal or other governmental uses, including public parking and recreational facilities.
4. Residential uses on the same lot as other uses permitted in the B-3 Zone provided:
 - a. the development is served by public water and sewer,
 - b. adequate off-street parking, as determined by the Commission, will be provided on the premises for the use of residents,
 - c. the number of units does not exceed 1.1 units per acre where such units are free-standing and 2.2 units per acre where the use is a physical part of a commercial structure and located above the first floor,
 - d. the Commission may grant a density bonus of up to thirty percent (30%) in the number of units provided that all of the residential units are deed-restricted as follows:
 - i. age restricted according to state and federal fair housing laws, and
 - ii. the bonus units are designated as affordable housing according to the criteria for affordability set up in CGS 8-30g(6).
5. Group day care homes, as per Subsection 3.3.D.3 of these regulations.
6. Day care centers, as per Subsection 3.2.C.7 of these regulations.
7. Educational, philanthropic, or religious uses.
8. Indoor theaters.
9. Public utility substations.
10. Principal uses similar to the uses listed in Subsection 5.4.C.
11. Uses accessory to the uses listed in Subsection 5.4.D when located on the same lot.

²⁸ 2016-057-A: Amended effective 07/08/16

E. DIMENSIONAL STANDARDS

Minimum lot size	10,000 square feet
Minimum frontage	50 feet
Maximum lot coverage (buildings)	25 percent
Maximum total coverage (buildings, structures, parking, and drives)	75 percent
Minimum front yard setback	30 feet
Minimum side yard setback	None required, but 3 feet if provided
Minimum rear yard setback	None required, but 3 feet if provided
Minimum buffer / setback to a residential zone	See Subsection 7.1.E of these Regulations
Maximum average building height	40 feet

F. ADDITIONAL STANDARDS

1. See Section 7.0 of these Regulations for additional provisions related to parking, loading, landscaping, signage, and other standards.
2. The Planning Director may refer any Change of Use application to the Commission for review and/or action.

5.5. Corp. Development District (CDD)

A. PURPOSE

The Corporate Development District (CDD) is established to enable the establishment and/or development of corporate uses and structures in appropriate locations of the town so as to aid in the achievement of the goals and objectives in the Plan of Conservation and Development.

B. ARCHITECTURAL REVIEW REQUIRED

Any new construction or remodeling of the exterior of a building shall be reviewed by the Architectural Advisory Committee in accordance with the provisions of Subsection 9.3.G of these Regulations.

C. PERMITTED USES

All uses require a Special Permit per Subsection 5.5.D.

D. USES REQUIRING SPECIAL PERMIT

The following uses require approval of a Special Permit application in accordance with Subsection 9.2.A.

1. Offices for executive, administrative, business, professional, and data processing activities.
2. Research and development laboratories, including research and development of manufactured, processed or compounded products.
3. The manufacture, production, fabrication, processing, assembling, packing, storing and distribution of:
 - a. precision-electrical or precision-mechanical equipment;
 - b. optical goods, business machines, precision instruments, surgical and dental instruments;
 - c. pharmaceutical, toiletry, and cosmetic; and
 - d. any other use of the same general character as any of the uses listed above.
4. Medical and medical paraprofessional offices and facilities, and fitness and wellness centers located within the same structure as medical or medical paraprofessional offices, provided:²⁹
 - a. the parcel is larger than twenty-five (25) acres;
 - b. the parcel has frontage on two state highways;
 - c. no overnight stays are permitted; and
 - d. ancillary retail sales of goods directly related and clearly incidental to the principal use are permitted, provided that the display area for such retail sales shall not exceed the lesser of 10% of the gross customer area or 200 s.f.³⁰
5. Accredited post-secondary educational institutions.
6. Municipal or other governmental uses, including public parking and recreational facilities.
7. Licensed child day care centers
8. Public utility substations.
9. Uses accessory to the uses listed in Subsection 5.5.D when located on the same lot.

²⁹ 2010-085-A: Amended effective 10/15/10

³⁰ 2009-070-A: Amended effective 11/19/09

E. DIMENSIONAL STANDARDS

Minimum lot size	Twenty (20) acres lying wholly within the Corporate Development District
Minimum frontage	0 feet
Maximum total coverage (buildings, structures, park- ing, and drives)	20 percent ⁽⁴⁾
Maximum floor area ratio (FAR)	12 percent ⁽⁴⁾
Minimum building setback	100 feet ⁽¹⁾
Minimum pavement set- back	30 feet ⁽⁵⁾
Minimum buffer / setback to a single-family residential zone³¹	200 feet ⁽¹⁾ for a building 150 feet for pavement or other activity area excluding a driveway
Maximum average building height	Thirty-five (35) feet ^{(2) (3)}

- (1) Gatehouses and security offices, not to exceed one story in height may be located at a distance no less than thirty (30) feet from any property line
- (2) Ventilators, skylights, water tanks, bulkheads, building chimneys, necessary mechanical appurtenances and similar features above the roof level do not have to comply with the building height limitation provided the size, height, and location of such appurtenances are approved by the Commission as part of the Special Permit
- (3) The Commission may, by Special Permit, allow average building heights up to forty-five (45) feet in an effort to best utilize existing topography where such an allowance will substantially minimize cuts and fills.
- (4) For lots in excess of two hundred (200) acres, the Commission may, by Special Permit, allow the following where it can be demonstrated that the public health, safety, and welfare will be protected.

Maximum total coverage (buildings, structures, parking, and drives)	30 percent
Maximum floor area ratio (FAR)	30 percent

- (5) Where property does not abut a single-family residential zone, the Commission may establish a suitable buffer width in accordance with the standards in Sec. 7.1.E.4.³²

³¹ 2010-085-A: Amended effective 10/15/10

³² 2010-085-A: Amended effective 10/15/10

F. ADDITIONAL STANDARDS

1. See Section 7.0 of these Regulations for additional provisions related to parking, loading, landscaping, signage, and other standards.
2. All storage of merchandise, supplies and refuse shall be located in a building or in underground containers or otherwise effectively screened.
3. The Commission may, by Special Permit, authorize the establishment of a Planned Corporate Development (PCD) within the Corporate Development District with a minimum lot area requirement of ten (10) acres provided:
 - a. the parcel contains forty (40) or more acres of land;
 - b. the maximum number of building sites shall be determined by dividing the gross development area by twenty (20) acres;
 - c. at least ten (10) percent of the total acreage shall be preserved for open space purposes in perpetuity and said lands may be deeded to:
 - i. the Town of Ridgefield; or
 - ii. a private association legally constituted for conservation purposes.
 - d. the Commission may, by Special Permit, allow greater FAR and/or less OSR for specified lot(s) within the PCD provided:
 - i. the overall FAR and the overall OSR permitted shall not exceed the limits permissible within the CDD zone; and
 - ii. the FAR shall not exceed 24 percent and the base OSR shall not be less than 60 percent on any lot.
 - e. the Commission may allow lesser setbacks between lots within the PCD if, in its determination, such change will help protect natural resources and preserve open space and provided such setback is not less than thirty (30) feet.

5.6 NBZ – Neighborhood Business Zone³³

A. PURPOSE

The Neighborhood Business Zone is established to promote opportunities for mixed uses including retail stores of limited size, restaurants, offices, and other businesses providing goods and services to town residents in the vicinity of the Route 7 and Route 35 intersection in northeast Ridgefield. The zone also provides for apartments over businesses, and architectural and site design standards for all development in this important entryway into the Town of Ridgefield.

B. DESIGN STANDARDS COMPLIANCE AND ARCHITECTURAL REVIEW REQUIRED

All site plans and architecture for new construction in the NB Zone, including the remodeling of building exteriors, free-standing signs and wall signs in excess of 10 s.f., shall be reviewed by the Architectural Advisory Committee in accordance with the provisions of Subsection 9.3.G and the NB Design and Landscaping Standards found in subparagraph F of these Regulations.

1. The recommendations of the AAC shall be incorporated into the design unless otherwise modified by the Commission.

C. PERMITTED USES³⁴

- Within an existing building, the following uses are permitted by issuance of a Zoning Permit by the ZEO in accordance with Section 9.1.A for any Change of Use, whether or not new floor area, not to exceed 1,500 s.f., is added to the tenant space, and whether or not additional parking is required.
- If new floor area is constructed or if existing tenant space is increased to exceed 1,500 s.f., or if there is any physical expansion of the existing building or any changes to the exterior site plan for the property, etc., the following uses shall be permitted by Special Permit (or Revision to an existing Special Permit) approval granted by the Commission in accordance with 9.2.A (as is the case with those uses listed in Sec. 5.6.D.1.) unless administrative approval is authorized pursuant to Sec. 9.2.A.7.e.

1. Service establishment or personal service establishment.
2. Business, executive/professional, or medical office.
3. Retail stores of 1,500 s.f. or less in gross floor area of tenant space within an existing building.
 - a. Any area designated for outside display or storage shall be included as part of the 1,500 s.f. of area allowed.
4. Sit-down restaurant.
5. Food retail / serving establishment (such as a bakery, delicatessen, ice cream parlor, or coffee shop) with seating for fewer than fifteen (15) customers.
6. Ancillary retail sales of goods directly related and clearly incidental to the principal commer-

³³ 2015-093-A-REZ: Amended effective 03/25/16

³⁴ 2019-041-A Amendment effective 06/07/19: Modified box contents for Change of Use via Zoning Permit, and Special Permit language. Deleted Site Plan application requirement.

cial use, service business, medical office or recreational use, provided that the display area for such retail sales shall not exceed the lesser of 10% of the gross customer area or 200 s.f..

7. Fitness center/ exercise facility/ dance studio/ facility for education in the arts.
8. Uses accessory to uses listed in Subsection 5.6.C when located on the same lot.

D. PERMITTED BY SPECIAL PERMIT (COMMISSION)

The following uses require approval of a Special Permit application in accordance with Subsection 9.2.A.

1. Construction which results in new floor area.
2. Municipal or other governmental uses, including public parking and recreational facilities.
3. Food retail / serving establishment (such as a bakery, delicatessen, ice cream parlor, or coffee shop) with seating for fifteen (15) or more customers.
4. Retail uses in excess of 1,500 s.f. of gross floor area of tenant space.
 - a. No single retail tenant space shall total more than 2,500 s.f., of gross floor area, including any area designated for outside storage or display of retail merchandise.
5. Any change in use, building structure, gross floor area (including outdoor display or storage of retail merchandise), or parking configuration of any single retail business or tenant space where the gross square footage of retail area (including outside display or storage of retail merchandise) is in excess of 2,500 s.f., legally existing at the time of the creation of the Neighborhood Business Zone on March 25, 2016 provided that:
 - a. Existing retail gross floor area (including any area used for outside storage or display of retail merchandise) shall not be increased.
- 5 Gasoline station provided that:
 - a. The lot contains at least thirty thousand (30,000) square feet.
- 6 Apartment dwelling units located over street level businesses, the density of which shall be based on available parking for the mixed uses, as determined by the Commission, provided that:
 - a. the building shall be no taller than 3 (three) stories;³⁵
 - b. units shall be constructed to meet ADA (Americans with Disabilities) requirements;
 - c. adequate public water supply or well, and septic disposal system or sewer service shall be provided on the lot;
 - d. adequate off-street parking shall be provided on the premises for the residential and non-residential uses.
- 7 Educational or philanthropic uses.
- 8 Veterinary hospitals conducted under the personal administration of a licensed veterinarian.
- 9 Uses accessory to uses listed in Subsection 5.6.D when located on the same lot.

³⁵ A-21-6: Amended effective 11/05/21: 800 SF minimum unit size deleted as per PA 21-29

E. DIMENSIONAL STANDARDS

Minimum lot size	10,000 square feet
Minimum frontage	50 feet
Maximum building coverage	65 percent
Maximum total coverage (buildings, driveways, parking areas, and other impervious surfaces)	90 percent
Minimum front yard setback for buildings	The average of the front-yard setbacks of abutting principal structures or as otherwise approved by the Commission
Minimum side yard setback	None required, but 3 feet if provided
Minimum rear yard setback	None required, but 3 feet if provided
Minimum buffer /setback where property abuts a residential zone	See Subsection 7.1.E of these Regulations
Maximum average building height	40 feet*

*Where apartments are constructed in 3 (three-story) buildings per Section 5.6.C.7, the maximum average building height shall be no greater than 45 (forty-five) feet.

F. ADDITIONAL STANDARDS

1. See requirements below and refer to Section 7.0 of these Regulations for additional provisions related to parking, loading, landscaping, signage, and other standards.
2. The Planning Director may refer any Site Plan for Change of Use application to the Commission for review and/or action.
3. **Required NBZ Landscaping and Site Design Standards:** Unless otherwise authorized by the Commission, the following minimum design standards shall apply:
 - a. The applicant shall provide evidence of consent from the CTDOT for any construction of sidewalks, driveways, or other work within the highway right-of-way.
 - b. The location of any sidewalks shall provide continuity with existing sidewalks on neighboring properties, and/or shall be planned for appropriate connection to future sidewalks, considering topography and other physical restraints.
 - c. Parking lots shall be arranged to allow interconnection with adjoining commercial properties to the extent possible, to reduce curb cuts and to allow mutual and reciprocal use parking spaces.
 - d. Service yards and refuse storage areas shall be screened to preserve the streetscape and shall include trees, shrubs, lawns, ornamental fencing, walls, and gravel where appropriate.
 - e. Landscaping plans for new development projects shall be prepared by a licensed landscape architect, and plant materials shall be selected to enhance the building setting and the pedestrian environment.
4. **Required NBZ Architectural Review:** Unless otherwise authorized by the Commission, all site plans and landscaping plans for new construction, and architectural plans for buildings, exterior renovations and modifications to existing structures and properties within the NBZ zone shall be reviewed by the Architectural Advisory Committee and shall be subject to the minimum standards in 5.6.F.3, above, and the following:
 - a. The applicant shall demonstrate how the proposed development enhances the character and streetscape of the commercial corridor.
 - b. Architectural focal points and repeating architectural details shall be incorporated into the design to increase visual interest.
 - c. Elements and materials that reflect the New England Classical and New England Village character are encouraged.
 - d. Rear entry to buildings from parking lots at the rear of the site is encouraged, with buildings situated close to the front yard setback line.
 - e. Larger buildings should be broken up using different materials, rooflines, and massing.
 - f. Lighting shall be designed in conformance with Sec. 7.8 in the zoning regulations, with uniformity of design throughout the site.
 - g. Wall signage on multi-tenant developments shall utilize uniform sign frames against the building for individual tenant signage, and may include a larger plaza identification sign on the building.
5. **Curb Cut and Access Management:** To the extent possible, all changes to parking lots and access drives shall be consistent with the Ridgefield *Route 7 Access Management & Curb Cut Study* dated July 2011, prepared as part of the *Route 7 Transportation and Land Use Study* for HVCEO and SWRPA by Fitzgerald & Halliday.
 - a. Curb cuts on major highways shall be minimized, and internal drives shall be designed to connect multiple buildings and uses.

5.7 *Mixed-Use Overlay Zone*³⁶

A. PURPOSE

The Mixed-Use (MU) Overlay Zone was established to encourage socioeconomic diversity, providing low to moderate-income households access to affordable housing through incentivizing new construction or renovation of existing buildings for mixed-income, mixed-use housing development.

B. ARCHITECTURAL REVIEW REQUIRED

1. Unless otherwise authorized by the Commission, all site plans and landscaping plans for new construction, and architectural plans for buildings, exterior renovations and modifications to existing structures shall be reviewed by the Architectural Advisory Committee, per Section 9.3.G of these Regulations and shall be subject to the minimum standards of the following:
 - a. The applicant shall demonstrate how the proposed development enhances the character and streetscape of the commercial corridor.
 - b. Architectural focal points and repeating architectural details shall be incorporated into the design to increase visual interest.
 - c. Elements and materials that reflect the New England Classical and New England Village character are encouraged.
 - d. Rear entry to buildings from parking lots at the rear of the site is encouraged, with buildings situated close to the front yard setback line.
 - e. Larger buildings should be broken up using different materials, rooflines, and massing.
 - f. Lighting shall be designed in conformance with Sec. 7.8 in the zoning regulations, with uniformity of design throughout the site.
 - g. Wall signage on multi-tenant developments shall utilize uniform sign frames against the building for individual tenant signage, and may include a larger plaza identification sign on the building.

C. ELIGIBILITY

The MU Overlay Zone applies to properties located in the Business B-1 Zone, Business B-2 Zone, Business B-3 Zone and Neighborhood Business Zone.

D. PERMITTED BY SPECIAL PERMIT

1. Multi-family dwelling units located over a street level commercial structure not to exceed sixteen (16) units per acre.

E. DENSITY STANDARDS

A maximum density of sixteen (16) residential dwelling units per acre is permitted, when no less than thirty percent (30%) of the dwelling units in the development contain a forty (40) year deed restriction for units to be rented, sold or resold to persons and families whose annual income is less than or equal to eighty percent (80%) of the median income, as defined in subsection 8-30g-1(10) of the Regulations of Connecticut State Agencies and shall be rented, sold or resold at an amount equal to or less than the amount determined using the formula for maximum price or maximum monthly housing payment, as stated in section 8-30g-8 of the Regulations of Connecticut State Agencies. When calculating the required number of residential dwelling units to be set-aside as affordable, fractions shall be rounded up to the next whole number.

³⁶ 2017-083-A Amend effective 01/14/2018

F. DEVELOPMENT STANDARDS

1. **Temporary Installation Deferral**-The Commission may defer the immediate installation of up to 40% of the required parking spaces where sufficient evidence has been presented, in the judgment of the Commission, to show that:
 - a. the reduced parking facilities will adequately serve the proposed use(s);
 - b. there is adequate space reserved on the site, as shown upon the Site Development Plan, to install the full parking requirements and the engineering feasibility of constructing such parking facilities has been demonstrated; and,
 - c. the owner accepts, in writing, a requirement that the owner will record the Site Development Plan in the Office of the Town Clerk, stipulating that the owner, or the successor and assigns of the owner, will install as many of the deferred parking spaces as the Commission deems necessary within six (6) months of the Commission's request.
2. **Recording Requirements**
 - a. An affordability deed restriction shall be set forth in writing and recorded on the Town of Ridgefield Land Records, either as part of a declaration of common interest community, if applicable, or other instrument and shall run with the land until the term of the affordability restriction expires.
 - b. In accordance with Section 8-30g of the CGS, an affordability plan shall be submitted with the Special Permit application and recorded on the Town of Ridgefield Land Records if the Commission grants approval.
 - c. Before any dwelling units are occupied, the applicant shall submit satisfactory proof that the aforementioned documents have been recorded on the Town of Ridgefield Land Records.
3. **Annual Certification**- Per Section 8-30h of the Connecticut General Statutes rental units shall provide annual certification to the Commission (Town of Ridgefield Planning and Zoning Department) that the development continues to be in compliance with the covenants and deed restrictions required under said section. If the development does not comply with such covenants and deed restrictions, the developer, owner or manager shall rent the next available units to persons and families whose incomes satisfy the requirements of the covenants and deed restrictions until the development is in compliance. The commission may inspect the income statements of the tenants of the restricted units upon which the developer, owner or manager bases the certification.
4. **Required Landscaping and Site Design Standards**- Unless otherwise authorized by the Commission, the following minimum design standards shall apply:
 - a. The applicant shall provide evidence of consent from the CTDOT for any construction of sidewalks, driveways, or other work within the highway right-of-way.
 - b. The location of any sidewalks shall provide continuity with existing sidewalks on neighboring properties, and/or shall be planned for appropriate connection to future sidewalks, considering topography and other physical restraints.
 - c. Parking lots shall be arranged to allow interconnection with adjoining commercial properties to the extent possible, to reduce curb cuts and to allow mutual and reciprocal use parking spaces.
 - d. Service yards and refuse storage areas shall be screened to preserve the streetscape and shall include trees, shrubs, lawns, ornamental fencing, walls, and gravel where appropriate.
 - e. Landscaping plans for new development projects shall be prepared by a licensed landscape architect, and plant materials shall be selected to enhance the building setting and the pedestrian environment.

5. **Curb Cut and Access Management-** To the extent possible, all curb cuts on major highways shall be minimized, and internal drives shall be designed to connect multiple buildings and uses.

6.2 Public Water Supply Protection Zone

PURPOSE

The Public Water Supply Protection Zone is an overlay zone and is adopted to protect the public health by reducing or minimizing the potential for the contamination of groundwater resources in certain identified stratified drift aquifers and other water supply resource areas, in order to ensure a present and future supply of safe and healthy drinking water for present and future generations.

PUBLIC WATER SUPPLY PROTECTION ZONE DEFINED.

The provisions of this Section shall apply to the following defined water resource protection areas in the Town of Ridgefield, identified on the map cited in subsection 6.2.C. below, as follows:

- a. Titicus Valley Aquifer;
- b. Upper Titicus Aquifer;
- c. Sugar Hollow Aquifer;
- d. Great Swamp Aquifer – North Section;
- e. West Mountain Aquifer;
- f. Great Swamp Aquifer – South Section;
- g. Little Pond Aquifer;
- h. Branchville Aquifer; and
- i. Simpaug Aquifer.

ZONING PARAMETERS

1. The location and boundaries of the above locally-defined aquifers are shown on a map entitled “Aquifer Protection Districts,” as amended, which is hereby incorporated into and made a part of this Section. The above map is on file at the Ridgefield Town Clerk’s Office and the Planning and Zoning Office.
2. The Aquifer Protection Zone for locally-defined aquifers is hereby declared to be an overlay to any other zone, and the regulations, restrictions and requirements contained herein shall be in addition to those applicable in the underlying zone.

PERMITTED ACTIVITIES

The following activities are permitted within the Public Water Supply Protection Zone:

1. Any activity conducted at a single-family residence without compensation.
2. Any agricultural activity regulated pursuant to CGS 22a-354m(d).
3. Any agricultural activity which employs best management practices, as recommended by the U.S. Soil Conservation Service, for the application of manure, fertilizers or pesticides and management of animal wastes.

SPECIAL PERMIT ACTIVITIES

The following activities may be permitted within the Public Water Supply Protection Zone subject to the granting of a Special Permit by the Commission when in compliance with these Regulations and other local, state, and federal requirements:

1. Gasoline stations, auto repair and service stations, new or used car dealerships, car

washing stations.

2. Bulk oil storage/fuel storage.
3. Lawn care services, furniture stripping establishments.
4. Non-municipal storage of road salt / deicing material.
5. Above ground fuel oil storage tank provided that:
 - a. plans showing designs and construction details for the installation of petrochemical tanks have been prepared by a Connecticut licensed professional engineer; and
 - b. such plans have been approved by the Connecticut Department of Environmental Protection.
6. Groundwater heat pump systems supplying heating and cooling provided that engineering plans and details demonstrate that the designs for the system will assure the return of only uncontaminated water to the groundwater.
7. Municipal facilities, services and related uses including, but not limited to:
 - a. municipal garages for the storage, repair and maintenance of motor vehicles and equipment,
 - b. fuel storage and dispensing facilities,
 - c. handling and storage of road salt and deicing materials provided that a plan to prevent leachate contamination shall be submitted depicting structural and nonstructural measures such as, but not limited to, building enclosures, impervious pads and pavements, self-contained drainage system, detention basins, filters, separators or other devices and management practice.
 - d. solid waste recycles and transfer stations,
 - e. storage of roads and parks construction and maintenance material and supplies, and
 - f. municipal sewage and septage treatment facilities.
8. Home occupations where activities may contaminate ground water quality, including but not limited to any of the following:
 - a. hazardous materials handling for use or storage of more than 2.5 gallons of each type of such material on-site at any one time, and provided that the total of all hazardous materials on-site do not exceed 55 gallons at any one time;
 - b. repair and/or maintenance of vehicles, engines or equipment;
 - c. fuel storage for other than residential use;
 - d. disposal of waste water generated by the activity.

PROHIBITED ACTIVITIES

The following uses of land and buildings are specifically prohibited in the defined areas within the overlay zone:

1. Hazardous wastewater treatment sites; disposal of hazardous material; storage, manipulation, or transportation of hazardous material, except such hazardous material as is in sealed or unopened containers for resale or maintained in containers for normal household use.
2. Sanitary landfill sites, non-municipal septage disposal lagoons.
3. Underground residential fuel oil tanks, oil, gasoline or hazardous material pipelines.
4. Dry-cleaning and dyeing establishments and laundries that utilize cleaning solvents.
5. Lithography, photo-engraving, plate making, commercial printing and gravure establishments.
6. Photo processing establishments, unless served by municipal sewers.
7. Beauty salons, unless served by municipal sewers.
8. Any other use otherwise permitted within the corresponding zoning district which may discharge hazardous material into the groundwater.

STANDARDS

1. **Stormwater Management and Drainage Plan** - Any Special Permit application which includes the construction of buildings and related parking area for a use other than a single-family residential dwelling shall include a stormwater management and drainage plan, prepared by a Connecticut licensed professional engineer, which shall be designed to minimize suspended solids and maximize groundwater recharge.
2. **Operations Plan** - Any Special Permit application which includes the construction of buildings and related parking area for a use other than a single-family residential dwelling, shall include an operations plan prepared by a Connecticut licensed professional engineer with specific expertise in aquifer protection, which shall specify the procedures to be used in managing the activities at the site.
3. **Environmental Impact Assessment** - On an application for a Special Permit or for revising the boundaries of the Public Water Supply Protection Zone the Commission may require an Environmental Impact Assessment be prepared by a Connecticut licensed professional engineer with specific expertise in public water supply watershed and aquifer protection describing, insofar as is pertinent to the application:
 - a. Aquifer characteristics, including a delineation of the primary recharge area and details of the hydrologic budget, including natural and man-induced sources of recharge and withdrawal.
 - b. Details of the proposed aquifer usage, including static conditions and an estimate of the quantity of induced surface flows.
 - c. Potential impacts to the aquifer, including impacts to other users of the aquifer, in terms of levels, quantity of water available and water quality changes.
 - d. Proposed measures to monitor, report, and mitigate any impacts.

4. **Best Management Practices** - Applicants for all projects within the Public Water Supply Protection Zone shall refer to the Appendix of these Zoning Regulations for guidance on the design and maintenance of buildings, site improvements and storm water management. The Commission may impose Special Permit conditions based on these Best Management Practices in approving applications under this Section.

PROCEDURES

1. The Commission, in arriving at its decision on an application must find that the proposal, as submitted and/or together with conditions and/or modifications that the Commission may attach to it, will ensure that:
 - a. the groundwater quality will not fall below federal or state standards for drinking water quality, except that, if existing groundwater quality is already below said standards the implementation of the proposal will result in no further deterioration; and
 - b. accidental spills and discharge of toxic and hazardous materials will be safely contained by measures and devices detailed in the application or prescribed by the Commission.

DETERMINATION OF REGULATED AND NON-REGULATED ACTIVITIES

1. Any person proposing to carry a regulated activity to occur in the Public Water Supply Protection Zone is required to provide information about the proposed activity to the Planning and Zoning Office on a form provided by the department. Such form shall provide sufficient information to enable staff to properly determine that the proposed activity is a regulated activity or a non-regulated activity within the Zone. Staff may refer such information to the Commission for further review.
2. If such activity is determined to be a non-regulated activity, then no further action under this Section is required.

7. BASIC STANDARDS

7.1. Landscaping¹

A. PURPOSE

These landscaping standards are established for the purpose of protecting property values by preserving existing vegetation and planting new materials; providing privacy from visual intrusion, light, dirt, and noise; preventing the erosion of soil; providing water recharge areas; improving the quality of the environment and the attractiveness of Ridgefield, and improving the quality of life for residents and visitors.

B. APPLICABILITY

These landscaping standards shall apply to any development in Ridgefield which requires Site Plan Approval or Special Permit Approval.

C. LANDSCAPE ARCHITECT REQUIRED

Unless waived by the Planning Director due to the minimal impact of a proposed activity, a landscape architect licensed in Connecticut shall prepare the plans illustrating compliance with the requirements of this Section.

D. PARKING AREA LANDSCAPED AREA REQUIREMENT


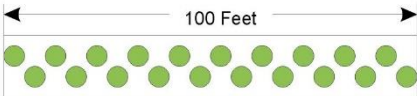
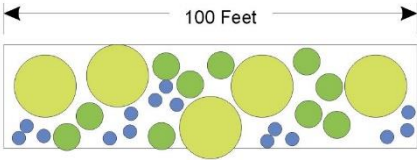
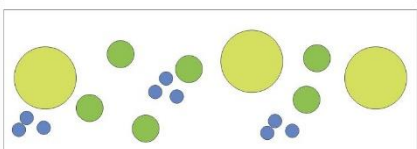
When a landscaping plan for parking areas is required under these regulations, the plan shall be designed to suit the site-specific conditions, and shall be substantially in conformance with the following desired minimum standards:

1. Unless site-specific conditions such as lot size and shape, travel-ways, sidewalks, or other conditions prevent strict adherence to this standard, parking areas shall be planted with trees a minimum of four (4) inches in caliper measured six (6) inches above ground level, one tree per ten (10) parking spaces within the parking lot.
2. Such trees must be staked with two (2) three-inch diameter stakes and protected by curbing against damage by vehicles.
3. A minimum planting area, equivalent to one hundred fifty (150) square feet per tree shall be provided.
4. Unless site-specific conditions such as lot size and shape, travel-ways, sidewalks, or other conditions prevent strict adherence to this standard, required parking areas shall have a landscaped island at each end or each row of vehicle spaces and an intermediate island for every fifteen (15) or fewer vehicle spaces.
5. Such planting islands shall be not less than nine (9) feet wide in the direction parallel to the row and not less than eighteen (18) feet long in the direction perpendicular to the row.
6. Each such island shall have a suitable curb of stone or poured-in-place concrete, and shall be planted with grass or ground cover, or have pedestrian pavers where approved by the Commission or Staff.

¹ 2014-089-A Amended effective 11/21/14

E. LANDSCAPED BUFFER REQUIREMENT

1. Nonresidential buildings and uses, including vehicular areas, shall provide a landscape buffer along the property line abutting land used for residential purposes or located in a residential zone.
2. Multi-family residential uses, including vehicular areas, shall provide a landscape buffer along each property line.
3. The depth of the landscape buffer and the density of plant materials shall be determined by the Commission based on the nature of surrounding uses, extent of existing vegetation, site characteristics, topography, soils, and other features, using the following diagrams as a guide.

Landscape Buffer Concepts	# of Plants / 100' of buffer
<p>Simple Screen (10' deep)</p> 	<p>10 Evergreen Trees 6+ feet in height</p>
<p>Basic Buffer (15' deep)</p> 	<p>20 Evergreen Trees 6+ feet in height</p>
<p>Enhanced Buffer (25' deep)</p> 	<p>5 Canopy Trees 3+ inches in caliper</p> <p>10 Understory Trees 1.5+ inches in caliper</p> <p>15 Shrubs 4+ feet in height</p>
<p>Wide Buffer (45' deep)</p> 	<p>3 Canopy Trees 3+ inches in caliper</p> <p>6 Understory Trees 1.5+ inches in caliper</p> <p>9 Shrubs 4+ feet in height</p>

F. EXISTING VEGETATION

1. Existing plant materials may be used to meet all or part of the landscape regulations.
2. Significant trees, as defined in these Regulations, shall be preserved to the extent feasible and any significant tree which is proposed for removal shall be clearly designated on the site plan. Unless clearly designated for removal, significant trees shall be considered to be designated for preservation.
3. Unless otherwise authorized by the Commission, any significant tree designated for preservation shall:
 - a. have no construction operations carried on within the drip-line of the significant tree;
 - b. have no material stored within the drip-line of the significant tree;
 - c. if at risk of damage from construction, be protected by a four-foot high fence offset at least ten (10) feet from the tree's trunk(s) except that, if the Commission so designates, the fence shall be installed at the drip-line of the tree;
4. All tree protection measures and devices shall:
 - a. be installed in advance when any construction activity will occur within forty (40) feet of the affected tree(s); and
 - b. remain in place and be maintained in good repair during the construction period.
5. Damage to any significant tree shall be repaired by a Connecticut licensed arborist.
6. Any significant tree marked for preservation which is removed or damaged beyond satisfactory repair shall be replaced with sufficient trees of the same or similar species as approved by the Commission or its agent so that the combined caliper measurements of the replacement trees shall equal or exceed the caliper measurement of the significant tree which was removed or damaged.

G. OTHER LANDSCAPING PROVISIONS

1. **Screening of security fences** - When the proposed site plan includes the installation of security fences necessary for the operation and maintenance of permissible uses, the Planning and Zoning Commission, or its authorized agent, may require that such fences be adequately screened from public view.
2. **Additional screening, landscaping, buffering** - The Commission shall retain the right to require additional screening, landscaping or buffering as deemed necessary.
3. **Native species** -
 - a. Planting materials used for landscaping and screening shall be appropriate for Connecticut; native species are preferred.
 - b. The use of any plant designated by the Connecticut Department of Environmental Protection as an invasive species is prohibited.

7.2. Signage

A. PURPOSE

This Section is intended to promote the public safety and welfare by providing standards to control the location, area, number, illumination and overall design of signs in order to prevent undue distraction of motorists and pedestrians, to ensure compatibility of signs with permitted land uses, to provide reasonable standards by which uses within the various zones may relate their function to the public, and to aid in preserving and enhancing the aesthetic and historical values of the community.

B. PERMIT REQUIRED

A zoning permit for a sign shall be obtained from the Commission or its duly authorized officer prior to the erection or installation of any sign except for:

- a. The alteration, reconstruction or replacement of any sign meeting the requirements of this Section, provided the sign area is not increased.
- b. The normal maintenance of any sign meeting the provisions herein.
- c. A sign listed in Subsection 7.2.C of these Regulations or elsewhere in Section 7.2 as not requiring a Zoning Permit.

C. SIGNS PERMITTED IN ANY DISTRICT

The following types of signs are permitted in any zone without a Zoning Permit provided that any such sign shall comply with other provisions of Section 7.2:

Type of Sign	Maximum Number	Maximum Size / Area
1. Traffic control signs required or approved by the Traffic Authority of the Town of Ridgefield or by the State of Connecticut.	n/a	n/a
2. The insignia of any nation, or any governmental or religious organization.	n/a	n/a
3. Historic structure plaques issued by the Ridgefield Historical Society.	One (1) sign per structure	n/a
4. Temporary political signs	n/a	n/a
5. Real estate signs advertising the sale or rental of the premises, provided that the maximum height of said sign does not exceed five (5) feet.	One (1) sign per street frontage	Four (4) square feet on each of two sides
6. Real estate directional signs for open houses between the hours of 12 p.m. and 4 p.m. on Saturdays and Sundays, on the premises or on off-site private property with permission of the owner.	One (1) sign per open house	Four (4) square feet on each of two sides

7. Temporary signs of the building contractors or professionals on the premises where the work is being performed, provided that: a. no such sign exceeds ten (10) feet in height, and b. such sign is removed promptly upon completion of the work.	One (1) sign per premises	Not more than six (6) square feet per any one side
8. Temporary street signs within subdivisions prior to road acceptance.	One (1) sign per intersection	n/a
9. Necessary directional signs within the premises of a permitted use, providing that no such sign shall exceed five (5) feet in height.		Not more than three (3) square feet per any one side
10. Community Sign Boards in sizes and locations approved by the Commission (may be located within the setback area and/or on Town property).	As approved by the Commission	As approved by the Commission
11. Temporary signs for special non-profit community events in the Town of Ridgefield (such as those held for charity, fund-raising, the arts, education, seasonal fairs, and other similar events sponsored by non-profit organizations) may be posted on designated Community Sign Boards provided that: a. no sign shall be posted more than two (2) weeks before the special event; b. the sign(s) shall be removed within 48 hours of cessation of the event; c. no sign shall be posted outside of the sign area of the Community Sign Board; and d. no tag sale signs are permitted except for those held as non-profit events by non-profit organizations.	One (1) sign per organization per Community Sign Board	Two (2.0) feet high and two (2.0) feet wide
12. Digital/Electronic Signs (Special Permit required) ²	Determined by Commission	Determined by Commission

² A-23-2 Amended effective 07/14/2023

D. SIGNS PERMITTED IN RESIDENTIAL DISTRICTS

1. The following types of signs are permitted for residential uses in a residential zone provided that any such sign shall comply with other provisions of Section 7.2:

Type of Sign	Maximum Number	Maximum Size / Area
a. A sign bearing the name and/or permitted home occupation of the resident (no permit required)	One (1) for each permitted use or dwelling	Two (2) square feet in total area

2. The following types of signs are permitted for non-residential uses in residential zones (such as religious institutions, libraries, museums, art centers, historical societies, schools, municipal uses, non-profit agencies) provided that any such sign shall comply with other provisions of Section 7.2:

Type of Sign	Maximum Number	Maximum Size / Area
a. One or more wall signs provided that the total area of all wall signs does not exceed twenty (20) square feet (Zoning Permit required)	One (1) sign per street frontage	Twenty (20) square feet in total area
b. One or more wall signs (Special Permit required) ³	One (1) sign per street frontage	Twenty-five (25) Square feet
c. A freestanding sign erected or placed perpendicular or parallel to the public street or highway to which the building or structure fronts or abuts provided that the sign does not exceed five (5) feet in height (Zoning Permit required) ³	One (1) free-standing sign per street frontage	Twenty (20) square feet in total area per side
d. Temporary signs for special events with the following restrictions (no permit required): <ul style="list-style-type: none"> i. no sign shall be posted more than two (2) weeks before the special event; ii. the sign(s) shall be posted only on the premises where the event is taking place, behind the front property line and not in any street right-of-way; iii. no sign exceeds six (6) feet in height iv. the temporary sign(s) shall be removed within 48 hours of cessation of the activity or use to be conducted thereon; and v. the special event is limited to an activity scheduled for specific dates and not for continuous activities or on-going programs. 	Not more than two (2) signs shall be posted at any one time	The area of any one side of the sign shall not exceed six (6) square feet

E. SIGNS PERMITTED IN NON-RESIDENTIAL DISTRICTS

³ 2007-056 Amended effective 6/29/07

³ 2018-047 Amended effective 11/09/2018

The following types of signs are permitted in a non-residential zone provided that any such sign shall comply with other provisions of Section 7.2:

Type of Sign	Maximum Number	Maximum Size / Area
1. One (1) wall sign displaying the name of the owner or occupant of the premises and/or the activity conducted thereon (Zoning Permit required)	One sign per tenant except as may be allowed by Subsection 7.2.E.3 or Subsection 7.2.E.4	One (1) square foot per lineal foot of facade of the tenant space but not more than twenty-five (25) square feet or not more one (1) square foot per 1,000 square feet of gross floor area, whichever is greater
2. One projecting sign (in lieu of a wall sign) displaying the name of the owner or occupant of the premises and/or the activity conducted thereon (Zoning Permit) provided that there is at least fourteen (14) feet of clearance under the sign for vehicular traffic and at least eight (8) feet of clearance under the sign otherwise (Zoning Permit required)	One sign per tenant except as may be allowed by Subsection 7.2.E.3 or Subsection 7.2.E.4	One (1) square foot per lineal foot of facade of the tenant space but not more than twenty-five (25) square feet per sign
3. One (1) additional wall sign or projecting sign displaying the name of the owner or occupant of the premises (Special Permit required)	One additional sign for a maximum of two (2) signs total	For both signs, maximum of one-and-a-half (1.5) square feet per lineal foot of main facade of the tenant space but not more than twenty-five (25) square feet per sign
4. An entrance identification sign for a rear entrance into a building or tenant space from a parking area (Zoning Permit required)	One sign	Four (4) square feet in area
5. Sign(s) identifying store hours and non-advertising notices (no permit required)	n/a	Two (2) square feet in total area per tenant space
6. For a residence in a non-residential zone, a sign bearing the name and/or permitted home occupation of the resident (no permit required).	One (1) for each permitted use or dwelling	Two (2) square feet in total area

Type of Sign	Maximum Number	Maximum Size / Area
7. Permanent window sign(s) on store windows for a permitted conforming use provided that a “permanent window sign” permit has been obtained (Zoning Permit required)	Two (2) window surfaces	Fifteen (15) per cent of the window surface to which applied
8. A freestanding sign erected or placed on the premises provided that the maximum height of such sign does not exceed ten (10) feet (Zoning Permit required) ⁴	One (1) freestanding sign per premises	Twenty-four (24) square feet in total area for all sign faces
9. A temporary sign announcing special events directly related to the activity or use conducted within the premises provided that no more than four (4) permits per tenant for such special events signs shall be issued in any one calendar year (Zoning Permit required)	One (1) sign per business or occupant for up to two (2) weeks but no more than one (1) sign per property at any one time	Twelve (12) square feet in total area
10. Temporary window sign for a permitted conforming use (no permit required), provided that: a. Such sign shall not be displayed for more than forty –five (45) days. ⁴		Fifty (50) percent or twenty (20) square feet, of the window surface, whichever is less
11. Digital/Electronic Signs (Special Permit required) ⁵	Determined by Commission	Determined by Commission

⁴ 2007-056 Amended effective 6/29/07

⁴ 2018-046 Amended effective 11/09/2018

⁵ A-23-2: Amended adopted 07/05/2023 effective 07/14/2023

F. SIGN LOCATION AND CONSTRUCTION

1. No sign, other than official street or highway signs, shall be erected or maintained within street or highway rights-of-way.
2. No sign shall project over any private property line without the express written permission of the affected property owner
3. No sign shall be placed so as to:
 - a. interfere in any way with the vision of pedestrian or vehicular traffic, traffic signals or signs, or
 - b. endanger traffic on a street or public way by obscuring a clear view of, or by confusion with, official street signs, highway signs, or signals.
4. No sign shall be affixed to the roof of any building; nor shall any sign affixed to any wall of any building project above the top of said wall.
5. All signs shall be designed, constructed, erected and maintained in accordance with the standards specified in the state building code.
6. No sign shall consist of, contain, or appear to contain rotating, vibrating or moving materials such as paper, cloth or metal, whether attached to a fixed sign or used independently thereof.
7. No sign shall be constructed, illuminated, or function in a way so as to appear to rotate, vibrate, move, or otherwise be animated.

G. SIGN ILLUMINATION

1. The illumination of permitted signs shall be non-animated and non-flashing, unless specifically approved by the Commission via Special Permit.
2. No sign shall be externally illuminated by other than white incandescent or white fluorescent lights, unless specifically approved by the Commission. The color temperature of lights should be 3000 kelvin or less whenever possible; no light shall exceed 4000 kelvin unless specifically approved by the Commission.
3. Any internally illuminated sign shall consist of a dark or opaque background with lighter-colored lettering unless specifically approved by the Commission. Digital or electronic signage, or any other self-luminous sign, when approved by Special Permit, shall be designed and/or controlled with luminosity limit of 150 nits during nighttime/dark conditions, and 5,000 nits during daytime/sunlight conditions. Automatic control of luminance based on ambient lighting conditions, with the range defined above, is encouraged.⁶
4. Light sources shall be so located to preclude light trespass into the street or any adjoining property.
5. Spotlights or floodlights for signs shall be shielded so that:
 - a. the source of light shall not be visible from any point off the premises on which the sign, building or structure being illuminated is erected, and
 - b. only one (1) sign is directly illuminated thereby.

⁶ A-23-2: Amended effective 07/14/2023

H. SIGN DESIGN AND REVIEW PROCEDURE

1. All signs shall be designed so as to be harmonious and compatible with the architectural character of the building(s) or premises to which they refer and with due consideration to the protection and enhancement of Ridgefield historic character and tradition.
2. A sign application shall be referred to the Architectural Advisory Committee (AAC) for review when the wall sign, projecting sign, free-standing sign, or other permanent sign:
 - a. is located in the CBD District,
 - b. is located in the B-1 District,
 - c. is located in another non-residential district and has a sign area exceeding ten (10) square feet, or
 - d. is located in a residential district and has a sign area exceeding ten (10) square feet.
3. For such signs, the Architectural Advisory Committee shall act within fifteen (15) days of the date of submission of a complete application or the sign design shall be considered approved as submitted and a permit shall be granted by the Zoning Enforcement Officer provided that the sign complies with other provisions of Section 7.2.
4. A request from the AAC for resubmission of the application based on the AAC recommendations shall not be considered failure to act.

7.3. *Parking*

A. **PURPOSE**

These parking regulations are adopted for the purpose of providing for adequate parking facilities to serve existing and proposed uses.

B. **NUMBER OF PARKING SPACES**

Unless modified as provided in this Section, off-street parking spaces shall be established and maintained for every use of land, buildings or structures based upon the following schedule of minimum requirements:

Residential Uses

1.	One-family and two-family structures	Two (2) parking spaces for each dwelling
2.	Building or group of buildings containing three (3) or more dwellings	One (1) space per efficiency unit or one-bedroom unit ⁷ ; two (2) spaces for each other type of unit
3.	Home occupation, service or profession	One (1) space for the home occupation, service or profession plus one (1) space per non-resident employee in addition to the parking spaces for the dwelling unit
4.	Visitor parking at a multi-family development	As determined by the Commission

Retail / Service Uses

5.	Retail stores, banks, service establishment	4.25 spaces per 1,000 square feet of gross floor area on the first floor plus 3.4 spaces per 1,000 square feet of gross floor area on each upper floor
6.	Restaurants, taverns, bars, nightclubs, dance halls	15.0 spaces per 1,000 square feet of gross floor area
7.	Motels, hotels, inns and similar places for transient living	One (1) space for each guest room plus one (1) space for each employee
8.	Auto or other motor vehicle sales	5.0 spaces for each repair or service bay plus additional spaces for display, employees, visitors, and other purposes as determined by the Commission
9.	Gasoline filling station, motor vehicle repair or service station	1.5 spaces per gas pump, plus 5.0 spaces for each repair or service bay, plus additional spaces for retail sales, employees, visitors, and other purposes as determined by the Commission

⁷ A-21-6 amended effective 11/05/2021 to reduce 1.5 spaces to 1 space per PA 21-29

Office Uses

10.	General business offices	3.4 spaces per 1,000 square feet of gross floor area
11.	Corporate and re-search and develop-ment offices	2.8 spaces per 1,000 square feet of gross floor area
12.	Medical or dental of-fices	4.9 spaces per 1,000 square feet of gross floor area
13.	Real estate office	4.25 spaces per 1,000 square feet of gross floor area

Places of Assembly

14.	Theater, auditorium, places of worship	One (1) space for each four (4) seats based on maximum capacity, to be provided within five hundred (500) feet of the building; or if in a residence district, on the same lot with the building
15.	Funeral, mortuary establishments	One (1) space for each four (4) seats based on maximum capacity to be provided within premises and/or within three hundred (300) feet of the establishment
16.	Clubs, fraternal or-ganizations	One (1) space for each three (3) members, based on maximum membership
17.	Stadiums, athletic fields	One (1) space for each four (4) seats based on maximum capacity, to be provided within one thousand (1,000) feet of the building or field
18.	Bowling alleys	Four (4) spaces for each lane
19.	Golf driving range	One (1) space for each driving tee

Other Uses

20.	Unlisted uses	Off-street parking requirements for uses not specifically listed above shall be determined in each case by the Commission or its author-ized staff.
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In the case of multiple or mixed uses on the same property, the parking spaces required shall be the sum of the requirements for each of the various uses and/or structures computed separately, unless modified according to Sec. 7.3.C.

C. MODIFICATION OF NUMBER OF PARKING SPACES

1. Parking in CBD Zone.^{8, 9}

Due to the high level of pedestrian activity and the multi-purpose nature of trips in the CBD zone, the following parking requirements shall apply:

- a. for a change of use within an existing building in the CBD zone, there shall be no additional off-street parking required with the exception of the proposed residential use portions of the development. Residential uses must meet the requirements in regulation 7.3.B with no allowable reduction in parking.
- b. for the expansion or new construction of a building (including appurtenant structures) in the CBD zone, the number of required parking spaces shall be reduced to sixty percent (60%) for all portions of the development except the residential use portions. Residential uses must meet the requirements in regulation 7.3.B with no allowable reduction in parking.

2. Parking for Non-coincidental Uses on Separate Lots.

In a business zone, the Commission may, by Special Permit, permit off-street parking spaces on a separate, adjoining lot for a predominantly evening use to be used as part of the off-street parking spaces count required for a predominantly day-time use provided that mutual and reciprocal parking easements are filed in the office of the town clerk.

3. Permanent Shared Use Reduction

In a business zone other than the CBD Zone, the Commission may, by Special Permit, permit a reduction of the provision of up to 25% of the parking spaces required for the uses on one or more sites due to shared use of parking facilities when:

- a. the parking facilities provided on the site(s) are interconnected with adjacent parking facilities to create a functional parking arrangement,
- b. appropriate access and parking easements are executed between the adjacent properties, and
- c. the Commission is satisfied that the parking needs of the joint users on the sites occur at different hours of the day or that adequate parking will be available for the current and potential future uses.

4. Temporary Installation Deferral

In a business zone other than the CBD Zone, the Commission may, by Special Permit, defer the immediate installation of up to 25% of the required parking spaces where sufficient evidence has been presented, in the judgment of the Commission, to show that:

- a. the reduced parking facilities will adequately serve the proposed use,
- b. there is adequate space reserved on the site, as shown upon the Site Development Plan, to install the full parking requirements,
- c. the owner accepts, in writing, a requirement that the owner will file the Site Development Plan in the office of the town clerk, stipulating that the owner, or the successor and assigns of the owner, will install as many of the deferred parking spaces as the Commission deems necessary within six (6) months of the Commission's request, when, in the opinion of the Commission, such installation is needed.

5. Commission May Specify Reduction

In the case of multiple or mixed uses and/or structures on the same property, the Commission may, by Special Permit, authorize a reduction of up to 25% of the total parking spaces

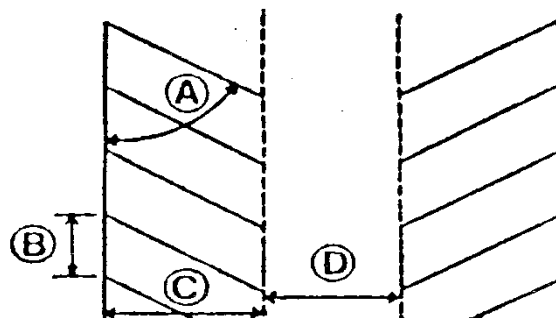
⁸ 2010-105-A: Amended effective 12/24/10

⁹ A-22-6 Adopted 02/07/2023. Amended effective 02/17/2023

required for the combined, separate uses and/or structures.

D. DESIGN OF PARKING AREAS

1. Except as provided below, parking spaces and aisle shall be installed and maintained so that a rectangular area at least nine (9) feet wide and eighteen (18) feet long, exclusive of access or maneuvering space, is provided for each parking space as follows:



A	Parking angle	30°	45°	60°	90°
B	Curb length	18.00	12.73	10.39'	9.00'
C	Stall depth	16.79	19.09	20.09'	18.00'
D	Vehicular aisle width – two-way circulation	24.00'	24.00'	24.00'	24.00'
D	Vehicular aisle width – one-way circulation	12.00'	13.00'	18.00'	24.00'

2. Unless modified by the Commission, parking spaces and access drives shall have at least six (6) inches of process stone and at least two-and-a-half (2.5) inches of bituminous concrete as surface treatment.
3. When and where required by the Commission, curbing within parking areas shall be made of granite or cast in-place concrete.
4. For all new construction of a commercial building or multiunit residential building with 5 or more designated parking spaces for cars or light duty trucks, there must be included electric vehicle charging stations capable of supporting Level 2 and/or direct current fast charging in at least 10% of such parking spaces. The Commission may, at its discretion, and considering factors such as location, and proposed alterations, require less (as per PA 22-5, no less than 10% when 30 or more spaces are created) or no more than a 20% maximum of extra EV parking spaces capable of Level 2 and/or direct current fast charging.¹⁰

¹⁰ A-23-1 Adopted 08/01/2023 Effective 08/11/2023

E. PARKING SPACES FOR HANDICAPPED PERSONS

1. Handicapped parking shall be provided in accordance with Section 1106.0 of the State Building Code as amended, or other applicable standard.

For informational purposes only:

Total Number of Parking Spaces in Lot	Minimum Number of HC Spaces	Minimum Number of Van-Accessible Spaces (included in total HC spaces)
Up to 25	1	1
26 to 50	2	1
51 to 75	3	1
76 to 100	4	1
101 to 150	5	1
151 to 200	6	1
201 to 300	7	1
301 to 400	8	1
401 to 500	9	2
501 to 1,000	2 percent of total number of spaces	
1,001 plus	20 spaces plus 1 space for every 100 spaces over 1,000 spaces	12.5 percent of total number of HC spaces

Such parking spaces shall be located:

- as close as possible to the nearest accessible ramp and building entrance on an accessible route;
- so that physically handicapped persons shall not be compelled to wheel or walk behind parked cars to reach the nearest accessible ramp and building entrance.

A handicapped parking space shall be:

- no less than eight (8) feet wide with a crosshatched, painted access aisle no less than eight (8) feet wide if it is a van-accessible handicapped parking space, or
- no less than ten (10) feet wide with an adjacent crosshatched, painted access aisle no less than five (5) feet wide if a handicapped parking space.

All handicapped accessible parking spaces shall be clearly designated with signs situated approximately 5 feet above grade and, wherever possible, with pavement markings. Signs shall display the internation-

al symbol of access and shall bear the words "Handicapped Parking Permit Required" and "Violators Will Be Fined." Accessible spaces for vans shall also bear the words "Van-Accessible."

F. FEE IN LIEU OF PARKING

1. Pursuant to CGS 8-2c, application may be made to the Commission to allow a fee to be paid in lieu of providing the parking spaces required by this Section.
2. The Commission may, by granting of a Special Permit, allow a fee to be paid in lieu of providing all or portion of the parking spaces required for a use or structure providing:
 - a. The use or structure is located within a CBD or a B-1 Zoning District;
 - b. The number of off-street parking spaces required by this Section will not be physically accommodated on the parcel within which the use or structure is proposed; and
 - c. at least sixty (60) percent of the parking spaces required by this Section will be available within three hundred (300) feet of the use or structure.
3. Prior to closing the public hearing on the Special Permit application, the Commission shall have:
 - a. received a written statement from the applicant identifying:
 - i. the use or uses to be contained within the premises or building;
 - ii. the area of building or premises devoted to each use;
 - iii. the number of parking spaces required by this Section,
 - iv. the number of spaces that will be provided on the site and,
 - v. the deficit between the required and proposed parking spaces.
 - b. made a determination, with staff assistance, of the parking deficit by using the parking standards of this Section;
 - c. notified the applicant of the parking deficit; and
 - d. been notified by the applicant whether he or she agrees to enter into an agreement on the basis of the determination of the parking deficit.
4. No application for approval of a fee in lieu of parking shall be approved by the Commission unless:
 - a. the applicant has agreed to enter into an agreement on the basis of the determination of the parking deficit; and
 - b. the proposal shall receive a two-thirds (2/3) majority vote of the Commission.
5. No Zoning Permit shall be issued for such use or structure with the parking deficit until the final agreement, detailing the number of parking spaces in deficit and the amount of fees due the "fees-in-lieu of parking" fund, shall have been:
 - a. executed by the applicant and the Commission; and
 - b. filed with the Town Clerk
6. Fees in lieu of parking shall:
 - a. be eight thousand six hundred dollars (\$8,600.00) per parking space; and
 - b. be paid in full by the applicant prior to the issuance of a zoning permit.

7.4. Loading and Unloading

A. PURPOSE

These regulations are adopted for the purpose of providing for adequate off-street loading and unloading facilities to serve existing and proposed uses.

B. NUMBER OF LOADING SPACES

1. Adequate off-street loading and unloading spaces shall be established and maintained for every use of land, buildings or structures.
2. The location and number of off-street loading and unloading spaces shall be clearly shown on plans submitted for approval.
3. Parking space, as required by Section 7.3 (Parking Regulations) shall not be considered for loading or unloading space.
4. The Commission may require the provision of additional off-street loading spaces where it finds that such spaces are clearly warranted or that, in the absence of such additional spaces, the traffic circulation and overall site operations would be significantly hindered.

C. DESIGN OF LOADING AREAS

1. A loading space shall have:
 - a. a minimum width of ten (10) feet,
 - b. a minimum length of forty (40) feet excluding its access from a public road or street, and
 - c. a minimum clear height of fourteen (14) feet.
2. Driveways, parking, and loading areas shall have adequate all-weather surfacing capable of allowing free and safe movement of all vehicles customarily using the facility.
3. The location of off-street loading and unloading spaces shall be subject to the approval of the Commission.

7.5. *Excavation, Filling, and Grading*

A. PURPOSE

This Section is intended to regulate the excavation or removal of earth materials, and the filling and grading of land within Ridgefield to protect the public health and safety, to encourage the orderly development of the town, and to provide for the restoration of property following any excavating, filling or grading so as to minimize any unnecessary accelerated erosion and sedimentation.

B. APPLICABILITY

Within the Town of Ridgefield, there shall be no excavation or removal of topsoil, humus, loam, gravel, clay, stone or other earth materials, nor filling or grading of land by any means except as herein provided.

C. OTHER APPROVALS MAY BE REQUIRED

Any approval or exemption under this Section does not relieve any person from having to obtain any other approvals which may be required, such as for:

1. a regulated activity in a wetland or watercourse area,
2. an activity within a floodplain area, or
3. an activity regulated by a local, state or federal agency.

D. PERMITTED ACTIVITIES (SEE TABLE, NEXT PAGE)¹¹¹²

An activity listed in the table in this Subsection may be conducted provided that any required permit is obtained prior to commencement of the activity and further provided:

1. appropriate erosion and sedimentation control measures are utilized at all times until the site is fully stabilized,
2. all activities are conducted in full compliance with the provisions of Subsection 7.5.F, and
3. activity #1 shall be subject to the following additional standards:
 - a. No such activity shall be conducted for a period of longer than three (3) months.
 - b. Such excavation, filling and grading activities are limited to one (1) activity per property per calendar year.
4. all activities are conducted in full compliance with Subsection 7.14 (Drainage Requirements and Stormwater Management), including the submission of drawings for design of drainage and stormwater management systems.

	No Additional Permit Re- quired	Zoning Per- mit (ZEO)	Special Per- mit (PZC)
1. Excavation, filling and/or grading in connection with: a. normal maintenance of property, b. normal repair of property, c. customary landscaping, or d. minor improvements to property.	0- 49 cubic yards	50 – 499 cubic yards	500+ cubic yards
2. Excavation, filling and/or	0 - 499 cubic	500 - 1,999	2,000+ cubic

¹¹ 2013-091-A: Amendment to allow ZEO to approve limited size screener on development site.

¹² 2016-007-A: Amendment to alter permit requirements for excavation, filling and/or grading.

	grading associated with the dredging of an existing pond provided that the inland wetland board or its agent has issued a permit.	yards	cubic yards	yards
3.	Excavation, filling and/or grading in connection with and clearly essential to: a. construction or alteration of a building, and/or b. the installation of utilities or amenities (such as septic systems, utility service lines, swimming pools, or walls or fencing).	n/a	0 - 1,999 cubic yards provided that a zoning permit, a building permit, or a septic permit has been issued for such construction and the proposed excavation or filling is specified in such permit	2,000+ cubic yards
4.	Excavation, filling and/or grading associated with specific plans for a subdivision or a special permit approved by the Commission provided that all necessary approvals and permits having been obtained, applicable bonds have been posted, and an erosion and sedimentation control plan was approved	n/a	0 - 1,999 cubic yards	2,000+ cubic yards
5.	Operation of earth material processing, screening or crushing equipment.	n/a	n/a	As permitted by the Commission
6.	Any other excavation, filling and/or grading.	n/a	n/a	As permitted by the Commission
		No Additional Permit Required	Zoning Permit (ZEO)	Special Permit (PZC)
7.	Operation of a portable earth-material screener, provided that the screener is a one-piece assembly that requires no disassembly, has a maximum capacity of five (5) cubic yards, a maximum forty-five (45) horsepower engine and a maximum gross vehicle weight of twenty-two thousand (22,000) pounds,	n/a	Permitted only in conjunction with zoning permit issued for a building.	n/a

and provided that no earth material shall be brought on-to the premises and no screened materials may be exported from the premises.

E. CONSIDERATIONS

- C. In addition to the Special Permit criteria set forth in Subsection 9.2.A.5 (Special Permit), the Commission shall also consider the following when reviewing an application under this Section:
- a. Potential soil erosion and sedimentation affecting all land, bodies of water and public works, both on-site and off-site.
 - b. Effects on drainage and groundwater table.
 - c. Lateral support slopes, grades and elevations of abutting streets and properties.
 - d. Land values and uses in the surrounding areas.
 - e. Effect on traffic circulation and road condition on streets serving the parcel under consideration.
 - f. Any permit or recommendation issued by the Inland Wetlands Board.
 - g. The recommendation of the Town Engineer, the Conservation Commission, the Flood and Erosion Control Board, and the Planning Director.
 - h. Scope and duration of the project and effects on neighboring properties.
 - i. In cases of excavation, filling, dredging earth material processing, rock crushing, screening or other regrading within the limits of an overlaying Flood Safety Zone, the Commission may further consider -
 - i. Any approval of the Connecticut Department of Environmental Protection and/or the U.S. Army Corps of Engineers.
 - ii. Possible deleterious effects of the proposed work in regard to flood or pollution, either before or after completion.
- D. In approving an application, the Commission may specify the overall time period within which an excavation, filling, regrading or processing activity shall be completed, but in no event shall that time period exceed two (2) years.
- E. The Commission may grant an extension of time within which to complete the proposed project upon a showing by the applicant of good cause and subject to the considerations and conditions set forth in this Section, but in no event shall more than one extension of time be granted. The time period of the extension shall not exceed the duration of the original permit.
- F. As a condition of any Special Permit, the Commission may require that the applicant furnish a performance and/or maintenance bond, acceptable to the Commission in form, amount, and surety, securing to the Town of Ridgefield the faithful performance of the work proposed, pursuant to both the provisions of this or other applicable Sections of these regulations and to the specific conditions of approval.
- G. No bond shall be released until the Commission receives an as-built survey prepared by a Connecticut-licensed land surveyor that the project has been completed according to approved plans and conditions attached thereto.

F. STANDARDS

1. Unless otherwise specified by the Commission, truck access and egress and operations shall be limited to the hours of 8:00 AM to 4:00 PM, Monday through Friday and there shall be no activities on weekends or legal holidays.
2. No equipment other than that necessary to complete the work on-site shall be maintained on the premises and any equipment or machinery used for the operation shall be properly muffled to minimize nuisances of noise upon surrounding properties.
3. Any excavation, filling or grading work approved by the Commission or Staff shall be completed in accordance with the approved grading plan(s).
4. Except as may be specifically approved by the Commission or as permitted Sec. 7.5.D.3.7 (table):
 - a. no screening, sorting, washing, crushing, mixing, or other forms of material processing shall be conducted within the premises.
 - b. no materials shall be imported to a site for screening, crushing, or any other type of processing.
 - c. no processed materials shall be exported from a site.
5. Truck access/egress to and from the premises shall be conducted as to minimize danger to off-site traffic, and nuisance to surrounding properties.
6. If frequent truck access/egress is anticipated, the Commission or its authorized agent may require that the access/egress road have a dust-less surface or apron:
 - a. Consisting of a three (3) inch thick layer of crushed stone,
 - b. no less than twelve (12) feet wide by one hundred (100) feet long measured from its intersection with the wearing surface of principal street or roadway, and
 - c. which apron shall be refurbished as needed to continuously retrieve soil from truck tires, etc.
7. All excavated material to be stockpiled within the premises shall be contained within a sediment control barrier.
8. All materials to be transported out of site shall be covered to minimize flying dust or rock.
9. No excavation requiring Special Permit approval by the Commission shall take place within fifty (50) feet of any property line or street line unless specifically approved by the Commission.
10. During the period of excavation and removal, barricades or fences of approved design and location shall be erected as deemed necessary by the Commission or its authorized agent as a safety precaution and shall remain in effect until safety hazard is eliminated provided that such barricades shall not be erected at location where prohibited by other Sections of the Zoning Regulations.
11. Unless otherwise authorized by the Commission¹³, all disturbed areas which are not to be excavated further shall, unless exposed rock or ledge surface;
 - a. Be graded so the slopes do not to exceed one (1) foot vertical for every three (3) feet horizontal (1:3),
 - b. Be covered with a layer of topsoil four (4) inches thick over the graded area,
 - c. Be treated with 10-10-10 fertilizer at the rate of fourteen (14) pounds per one thousand (1,000) square feet,

¹³ 2012-037-SR-A-SP: Amended effective 5/18/12

- d. be seeded with perennial rye grass at the rate of one and one-half (1.5) pounds per one thousand (1,000) square feet, and
 - e. Be kept mulched until the area is stabilized to erosion-free conditions.
12. At all stages of operation, proper drainage shall be provided to prevent the collection and stagnation of water and to prevent harmful effects upon surrounding properties.

7.6. Erosion and Sediment Control

A. PURPOSE

This Section is intended to provide standards for earth-disturbing activities in order to minimize accelerated erosion and sedimentation and to avoid unnecessary damage to land features, bodies of water and public works, both on-site and offsite.

B. OVERALL REQUIREMENTS

1. Any earth-disturbing activity in Ridgefield shall consider the potential problem of accelerated erosion and sedimentation and shall address such potential problem in accordance with the standards outlined in a publication prepared and distributed by the Connecticut Department of Environmental Protection (DEP) entitled "Guidelines for Soil Erosion and Sediment Control (2002)," as may be amended from time to time, available for inspection at the Planning and Zoning Office.
2. Any development activity which will result in earth disturbance¹⁴ shall prepare and submit a soil erosion and sediment control plan as provided in Subsection 7.6.C.

C. PLAN REQUIREMENTS

1. A soil erosion and sediment control plan shall be prepared on a stamped, signed and sealed survey by a licensed Connecticut surveyor, or on a site plan based on a survey, prepared by a licensed Connecticut professional engineer or landscape architect showing the following detail, unless an alternate plan is accepted by the Planning and Zoning staff for smaller projects:
 - a. one paper copy at a minimum scale of 1"=40' and 24" X 36" in size;
 - b. one digital PDF copy;¹⁵
 - c. the boundaries of the property;
 - d. existing structures on the project site, if any;
 - e. existing and proposed topography including soil types, wetlands, watercourses, water bodies and flood zones;
 - f. proposed alterations including limits of clearing, grading, excavation, filling;
 - g. proposed new structures and site improvements (utilities, driveways, parking, easements, etc.);
 - h. location of and design details for all proposed soil erosion and sediment control measures and storm water management facilities;
 - i. a narrative, and such other materials as may be necessary to fully describe the techniques which will be utilized to minimize soil erosion and sedimentation resulting from development and earth-disturbing activities, and the proposed sequence of activities;
 - j. table including overall area of disturbance, size of regulated area in acres or square feet (existing and disturbed), area of impervious surface (existing and proposed), water quality volume required and treated, and watershed area;
 - k. location of soil tests completed to identify soil texture, color and horizon limits, depth to

¹⁴ 2020-049-A: Amended effective 10/30/2020

¹⁵ 2020-049-A: Amended submission requirements effective 10/30/2020

- rock, depth to water, and suitability for use as designed;
- I. contingency erosion control planning for extreme weather events.

- 2. Such soil erosion and sediment control plan shall contain proper provisions to adequately control accelerated erosion and sediment and reduce the danger from storm water runoff on the proposed site and onto off-site neighboring properties during construction, and shall provide stabilization and protection from erosion and sedimentation when the project is completed.

D. MINIMUM ACCEPTABLE STANDARDS

- 1. Plans for soil erosion and sediment control shall be developed in accordance with the best available technology and the CTDEEP's *2002 Guidelines for Soil Erosion and Sediment Control*, as amended.
- 2. Computations for storm water runoff are required when drainage structures are proposed, and may be requested by Planning and Zoning Staff when warranted because of topography and/or potential effect on neighboring properties or downstream/downhill resources. When required, such computations shall be prepared by a Connecticut licensed professional engineer in accordance with Sec. 7.14 of these regulations.
- 3. Alternative design criteria, principles, methods and practices may be used with the approval of the Commission or its designated agent.

E. PLAN REVIEW AND APPROVAL

- 1. Any soil erosion and sediment control plan submitted pursuant to this Section may be reviewed by a technical expert retained by the Commission, at the expense of the applicant.
- 2. The Commission or its designated agent may refer the plan to any other local, state or federal agency for their findings and recommendations.
- 3. Nothing in this Section shall be construed as extending the time limits for actions on any application under Chapter 124 or 126 of the Connecticut General Statutes.
- 4. The Commission or its designated agent may require as a condition of approval that the applicant/developer post a performance bond in favor of the town in form, content and amount satisfactory to the Commission or its agent.

F. IMPLEMENTATION

- 1. It shall be the responsibility of the developer to:
 - a. Implement the approved plan or any revision thereto,
 - b. Install the erosion and sediment control measures and facilities as scheduled and as shown on the approved plan, prior to the commencement of any site development activity except as may be required to implement the plan; and
 - c. Maintain the plan measures and facilities in effective condition to ensure compliance with the approved plan.
- 2. The Commission or its agent may require the permittee to:
 - a. verify through progress reports and "as-built" surveys that soil erosion and sediment control measures and facilities have been performed or installed according to the approved plan and are being operated and properly maintained, or
 - b. retain an inspector who is a Certified Professional in Erosion and Sediment Control (CPESC) or other qualified professional to inspect the development activity and to file periodic reports with the Planning and Zoning Office.

3. The Commission or its agent is hereby authorized to withhold the issuance of zoning permits or the issuance of zoning certificates of compliance unless, in its judgment, accelerated erosion and sedimentation control measures have been complied with.
4. Inspections shall be made by the Commission or its agent during development to ensure compliance with the approved plan and that control measures and facilities are properly performed or installed and maintained.

7.7. Access Management

A. PURPOSE

This Section is intended to control the number, size, and location of driveways and access points, especially those that front on heavily trafficked roads and state highways, while allowing proper and adequate access to and from premises along such thoroughfares in order to promote overall traffic control, promote public safety and welfare, provide for safer and more efficient traffic operations along major roadways and protect the public safety through the management and reduction of vehicular congestion.

B. APPLICABILITY

The provisions of this Section shall apply to all development in Ridgefield.

C. REVIEW CONSIDERATIONS

In reviewing proposed developments, the Commission and/or its designated agent shall review road layout, parking layout and configuration, traffic circulation within the site, the number and location of access points to and from the site, and the nature and type of traffic circulation on adjacent roadways to ensure that public safety and welfare is promoted with the greatest efficiency.

D. GENERAL PROVISIONS

1. Where street geometry, traffic volumes or traffic patterns warrant, the Commission may limit the number of driveways that serve a specific site, designate the location of any driveway, require the use or provision of a shared driveway with associated easements, and limit access to a major street and require access from a minor street.
2. As part of application approval, the Commission or its designated agent may require an applicant or owner to establish mutual driveway or other easements to provide a single point of access for two or more abutting properties in a location acceptable to the Commission and the Traffic Authority, file such easements on the land records in favor of the abutting property owners and/or the Town of Ridgefield as shall be acceptable to the Commission and the Town Attorney, and/or utilize a mutual driveway or other easement that exists on abutting property in lieu of having a separate curb cut onto a road or street.

E. SPECIFIC PROVISIONS

1. Specific curb cut and access management plans may have been adopted by the Commission as follows:
 - a. Route 7 Curb Cut and Access Management Plan (1996).
 - b. Route 35 Driveway and Curb Cut Management Plan (2005).
 - c. such other corridors as deemed necessary.
2. Where specific curb cut and access management plans have been adopted by the Commis-

sion, driveways and curb cuts shall, unless modified by the Commission, be brought into conformance with recommendations shown on maps contained in the document if:

- a. The application is for a new development.
 - b. The application is for an existing development and involves an increase of twenty-five (25) percent or more in floor space or traffic generation.
 - c. The proposal requires a special permit pursuant to Subsection 9.2.A (Special Permit) of these regulations or if the alteration or change of use of land or building necessitates the filing of a site plan application under Subsection 9.1.C (Site Plan Approval) of these regulations.
3. In reviewing existing and future curb cuts, the following guidelines shall be considered:
- a. Cuts should generally be located opposite existing streets and/or major driveways;
 - b. The number of site access points should be limited;
 - c. Driveway closures should not restrict internal site circulation;
 - d. Internal connections between adjacent properties and the combination of access/egress driveways serving adjacent properties shall be required whenever practicable.

7.8. Exterior Lighting

A. PURPOSE

These Regulations are intended to provide standards with regard to exterior lighting in order to maximize the effectiveness of site lighting, to enhance public safety and welfare, to raise public awareness of energy conservation, to discourage the installation of lighting fixtures that emit objectionable illumination, to avoid unnecessary upward illumination and illumination of adjacent properties, and to reduce glare.

B. APPLICABILITY

The standards herein shall apply to all exterior lighting where site plan review or special permit is required, except for single-family dwellings.

C. STANDARDS

1. All exterior lights and sign illumination shall be designed, located, installed and directed in such a manner as to:
 - a. prevent direct glare or light trespass,
 - b. employ soft, transitional light levels which are consistent from area to area,
 - c. minimize contrast between light sources, lit areas and dark surroundings, and
 - d. be confined within the target area.
2. For commercial uses, for multi-family developments, for institutional uses or other non-residential uses in residential zones:
 - a. no externally-mounted, direct light source directed towards the property line shall be visible at the property line at ground level or above, and
 - b. lighting fixtures for all vehicular areas and pedestrian areas shall be full cut-off type fixtures or IESNA cut-off fixtures as approved by the Commission, or shall be fully shielded/recessed fixtures where the lens is recessed or flush with the bottom surface.
3. Lighting fixtures for building security or aesthetics and any display purposes shall, unless otherwise approved by the Commission or these regulations, be:
 - a. top downward (not upward or sideways), and
 - b. full cut off, or IESNA cut-off fixtures as approved by the Commission, or fully shielded/recessed.

4. Where outdoor playing fields or other special outdoor activity areas are to be illuminated, lighting fixtures shall be specified, mounted and aimed so that:
 - a. their beams fall within the primary playing area and immediate surroundings, and
 - b. no light trespass is directed off the site.
5. Lighting designed to highlight flagpoles shall be targeted directly at the flag.
6. All non-essential lighting (such as display, aesthetic, parking and sign lighting) shall be configured for “photocell on - time clock off” operation.
7. Where necessary, lighting for site security may be configured for motion or infrared sensor operation.
8. The height of luminaires, except streetlights in public right-of-ways, shall be the minimum height necessary to provide adequate illumination, but shall not exceed a height of:
 - a. fourteen (14) feet from the ground to the highest point of the fixture or pole in the Central Business District.
 - b. fourteen (14) feet in height from the ground to the highest point of the fixture or pole in any other district unless specifically authorized by the Commission by granting of a Special Permit and in no instance shall any pole or fixture exceed twenty -four (24) feet in height from the ground to the highest point of the fixture or pole.
9. The “maintained horizontal illuminance recommendations” set by the Illuminating Engineering Society of North America (IESNA) shall be observed unless modified by the Commission.
10. High pressure sodium light sources are prohibited.
11. In any case, the Commission shall determine whether the type and style of proposed lighting fixtures and illumination meets the standards, purpose and intent of these regulations.

D. EXEMPTIONS AND MODIFICATIONS

- A. The following types of lighting are exempt from these Regulations:
 - a. Traditional seasonal lighting;
 - b. Temporary lighting associated with a fair, carnival or similar function authorized by the Town of Ridgefield;
 - c. Temporary light used by the Police Department, Fire Department or Emergency Services.
- B. The Commission may, by Special Permit, allow lighting that does not comply with the specific standards listed in this Section provided the Commission determines that such proposed lighting is consistent with the intent and purpose of these Regulations.

E. ADDITIONAL PROVISIONS

1. The Planning Director may refer any Site Plan to the Commission for a determination of acceptable lighting fixtures.
2. Any application for use of IESNA fixtures shall include “cut-sheets” with specifications and details of the proposed fixture and pole..
3. Any application for use of fixtures in excess of fourteen (14) feet in height shall:
 - a. include plans and details prepared by a professional lighting designer or electrical engineer,

- b. show that the proposed number, height, and placement of fixtures will provide sufficient illumination for both pedestrian and vehicular use with sensitivity to the surrounding area and the proximity of residential and other uses that may be affected,
- c. demonstrate that the proposed plan will result in fewer light poles and fixtures, less visual impact on surrounding properties, reduced electrical consumption, reduced overall glare, and lower light intensity, and
- d. show that the scale of the proposed fixtures and poles is appropriate in relation to the elevation of the site and surrounding properties and the buildings and natural features on the site.

7.9. Driveways

A. PURPOSE

This Section is intended to provide basic standards for the establishment of driveways in Ridgefield.

B. STANDARDS

1. Unless otherwise authorized or required by the Commission or its agent, a driveway constructed for primary vehicular access to a rear lot or adjacent parcel shall be located within the required accessway.¹⁶
2. No driveway shall have a grade in excess of twelve (12) percent except as provided below¹⁷:
 - a. Where warranted to avoid excessive cuts and fills, the Commission or its agent may authorize a driveway with a grade over twelve (12) percent and up to fourteen (14) percent;
 - b. A Special Permit shall be required for any driveway in excess of fourteen (14) percent.
3. Unless otherwise authorized by the Commission or its agent, no driveway shall, within the street right-of-way, have a grade in excess of three (3) percent.
4. Any culvert or bridge on a driveway shall be designed to carry the weight of emergency vehicles (including water supply trucks) unless modified by the Commission.

7.10. Pedestrian Improvement

A. PURPOSE

This Section is intended to provide for the establishment of a pedestrian network in Ridgefield.

B. STANDARDS

1. To provide safe pedestrian access, sidewalks and/or trails shall be constructed in the following locations as may be required by the Commission or its authorized agent:

District	Standards
CBD Zone	Sidewalks shall be required along street frontages
B-1 Zone	Walkpaths may be required within the site
R-7.5 Zone	Trails may be required within the site
R-10 Zone	

¹⁶ 2010-104-A: Amended effective 11/25/10

¹⁷ 2008-062 Amended effective 7/4/08

**R-20 Zone
SD R-20 Zone**

**MFDD Zone
ARHD Zone**

Sidewalks shall be required along street frontages and along internal roads within the development
Walkpaths may be required within the site
Trails may be required within the site

**CDD Zone
B-2 Zone
B-3 Zone**

Sidewalks may be required along street frontages
Walkpaths may be required within the site
Trails may be required within the site

**RA Zone
RAA Zone
RAAA Zone**

Sidewalks typically not required along street frontages
Walkpaths may be required within the site
Trails may be required within the site

Other zones

Sidewalks may be required along street frontages
Walkpaths may be required within the site
Trails may be required within the site

2. Unless modified by the Commission or its agent:
 - a. sidewalks shall be five (5) feet wide and constructed of concrete,
 - b. walkpaths shall be four (4) feet wide and constructed of suitable surface material (such as stone dust), and
 - c. trails shall be of suitable width as determined by the Commission.

7.11. Utility Infrastructure

A. PURPOSE

These utility standards are established for the purpose of enhancing the reliability of the utility infrastructure, helping to protect the public health and safety, protecting property values by preserving existing vegetation, and improving the quality of the environment and the attractiveness of the town of Ridgefield.

B. STANDARDS

1. Unless otherwise authorized by the Commission or its agent, all new utility service lines shall be placed underground. This requirement shall not apply to replacement service or a service upgrade.
2. All fuel oil tanks shall be placed within basements of buildings or shall be installed pursuant to the Connecticut Department of Environmental Protection standards.

7.12. Outdoor Woodburning Furnaces¹⁸

A. INTENT AND PURPOSE

This section regulates the installation of Outdoor Woodburning Furnaces, as defined in Section 2.2 (Definitions) of these regulations.

B. STANDARDS

¹⁸ 2009-052 Amended effective 7/17/09 (supersedes 2008-060)

1. The installation of Outdoor Woodburning Furnaces in any zone within the Town of Ridgefield is prohibited.

7.13. CANNABIS ESTABLISHMENTS¹⁹

A. INTENT AND PURPOSE

This section regulates Cannabis Establishments, as defined in Section 2.2 (Definitions) of these regulations and in Connecticut General Statutes Section 21a-420. The Planning and Zoning Commission has determined that Cannabis Establishments have the potential to impair the health, safety, and welfare of the citizens of the Town of Ridgefield.

B. STANDARDS

1. Cannabis Establishments are prohibited in any zone within the Town of Ridgefield, consistent with Chapter 356 of the Ridgefield Town Ordinances.

7.14. Incidental Improvements²⁰

A. PURPOSE

This section is intended to provide for the installation of incidental site improvements for all properties within the Town of Ridgefield.

B. APPLICABILITY

The standards herein shall apply to fences, walls, retaining walls, parking areas, driveways, stormwater management facilities, light poles, fire hydrants and suppression tanks, septic facilities, refuse containers, generators, HVAC equipment, gas or propane tanks, playground equipment, signs authorized by Section 7.2, minor accessory structures permitted by section 3.4.A.1, and other similar incidental improvements that are not roofed structures.²¹

C. STANDARDS

1. Unless otherwise authorized or required by the Commission or its agent, incidental improvements may be located at any location on the premises, including being located within the minimum yard setbacks.

Section 7.14 is repealed, effective July 14, 2017.²²

¹⁹ A-22-4 Amended effective 11/04/2022

²⁰ 2017-083-A: Amend effective 1/12/2018. Section for incidental improvements replaces repealed stormwater regulations

²¹ 2018-006-A: Amend effective 3/02/2018 Amended to include Sec. 3.4.A.1, Minor Accessory Structures as Incidental Improvements

²² 2017-037-A: Amend effective 7/14/2017 Repealed stormwater management regulations

7.15. Stormwater Management and Drainage Requirements²³

A. PURPOSE AND INTENT

This section is intended to regulate the development and redevelopment of properties in Ridgefield with the goal to maintain post-development peak rate of stormwater runoff to a level that is less than or equal to pre-development conditions, manage quantity of runoff, and improve the water quality of the runoff.

These regulations are intended to protect the public health, safety, and welfare of Ridgefield's residents, to avoid adverse and cumulative impacts to downstream properties and structures, and to protect the integrity of our wetlands and watercourses.

Implementation of these standards, in conjunction with adherence to the standards in Section 7.6 (Erosion and Sedimentation Control) will minimize any unnecessary accelerated erosion and sedimentation, and result in compliance with MS4 requirements, as amended.

B. APPLICABILITY

Within the Town of Ridgefield, any new development or redevelopment, received after the date of adoption, including any earth disturbance (excavation, filling, or grading, etc.), and/or any sub-missions of any application subject to the review by the Planning and Zoning Commission (e.g., Special Permits and Revisions to Special Permits, Subdivisions, Floodplain Site Plan Applications, etc.), shall be subject to these regulations.

1. Residential Zones:

Unless the project, upon completion, will result in total impervious coverage that is the same or less than the percentage threshold shown in Table 1, stormwater management shall be required. However, stormwater management shall only apply to the area of new impervious coverage. Stormwater management shall be required:

- A. When impervious coverage on a property currently exceeds the threshold shown in Table 1.
- B. When impervious coverage on a property is currently under the percentage threshold shown in Table 1, but completion of the proposed activity would result in exceeding that threshold.

Table 1. Impervious Coverage Thresholds.

Residential Lot Area (square feet)	Impervious Coverage Threshold – Maximum Allowed Without Requiring Stormwater Manage- ment Requirements
Less than 7,500	35% of lot area
7,500-9,999	2,625 plus 5% of lot area in excess of 7,500 sq ft
10,000-19,999	2,750 plus 6% of lot area in excess of 10,000 sq ft
20,000-39,999	3,350 plus 6.5% of lot area in excess of 20,000 sq ft
40,000-79,999	4,650 plus 4% of lot area in excess of 40,000 sq ft
80,000-99,999	6,250 plus 3.5% of lot area in excess of 80,000 sq ft
100,000-199,999	6,950 plus 2% of lot area in excess of 100,000 sq ft
200,000 or More	8,950 plus 1.5% of lot area in excess of 200,000 sq ft

²³ 2020-007-A: Amend effective 09/04/2020 Stormwater Regulation

2. Business/Commercial and Multi-Family Dwelling Zones:

Where new impervious coverage is proposed, a stormwater management plan shall be submitted in accordance with this regulation. Stormwater management shall only apply to the area of new impervious coverage.

C. GOALS FOR STORMWATER DRAINAGE DESIGN AND FACILITIES

Proposed stormwater drainage systems shall address the following goals:

1. Preserve the pre-development site hydrology;
2. Preserve and protect streams, channels, wetlands, water bodies, watercourses and other natural features that provide water quality and quantity benefits, including upland review areas;
3. Prevent pollution of drinking water sources, both above ground and below ground (aquifers) by minimizing the discharge of soluble pollutants;
4. Prevent pollutants from entering receiving waters and wetlands;
5. Preserve undisturbed natural areas from development and minimize grading and clearing of land;
6. Avoid compaction of soils and restore the original properties and porosity of the soil. In areas where no improvements are proposed, but there has been, or will be, earth disturbance due to onsite construction, the soils should be loosened to a minimum depth of six (6) inches below grade prior to placing topsoil or final landscaped surface;
7. Manage stormwater runoff in a manner that maintains or improves the physical and biological characteristics of existing drainage systems and prevents increases in downstream flooding, stream bank erosion, and water pollution;
8. In accordance with the Connecticut Department of Energy and Environmental Protection General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Water Systems (effective date 07/01/2017, and as amended), consideration of Low Impact Development (“LID”) techniques, Best Management Practices (“BMPs”), runoff reduction site planning and development practices, and non-structural approaches to controlling runoff and water quality, where appropriate;
9. On applications where the increase in the area of impervious surfaces exceeds the impervious coverage thresholds in Table 1, or any application adding impervious coverage in any commercial or business zones, ensure that the new peak rate of runoff is less than or equal to the existing condition peak rate of runoff for a 1, 10, and 50-year storm event, based on a 24 hour storm duration;
10. Utilize infiltration, where appropriate, to reduce stormwater runoff rate and volume, to improve stormwater quality and to recharge groundwater.

D. STORMWATER TREATMENT GENERAL PROCEDURES AND GUIDELINES

In general, the preferred methods for meeting the objectives of post-construction runoff control include the installation of Site Design Best Management Practices and/or Low Impact Develop-

ment measures, described below, which can be considered as both stormwater pretreatment facilities and primary treatment facilities, as applicable.

Pretreatment facilities are designed to remove large particles and debris from runoff in order to prevent clogging and minimize maintenance of any downstream primary treatment facility.

Primary treatment facilities are designed to capture and treat the design water quality volume (WQV) or the design water quality flow (WQF) in accordance with the design procedures contained in the Connecticut Stormwater Quality Manual, as amended, and address the Goals and Guidelines set forth in these regulations.

Site Design Best Management Practices (BMPs). Site design BMPs are techniques and facilities that can be used to reduce the quantity of runoff, and to treat runoff in order to reduce the level of pollutants. Preferred site design techniques include minimizing impervious areas and retaining native vegetation. Site design BMPs include roof downspout infiltration systems, drywells and the utilization of pervious surfaces where appropriate. Preferably, runoff storage and treatment measures shall be spread throughout the site rather than being placed at a single stormwater collection point (end-of-pipe structure).

Low Impact Development (LID). A site design strategy intended to maintain or replicate pre-development hydrology through the use of small-scale controls integrated throughout the site to manage runoff as close to its source as possible. This involves strategic placement of lot-level controls to reduce runoff volume and pollutant loads through infiltration, evapotranspiration, and reuse of stormwater runoff. Small-scale LID practices include, but are not limited to, the use of vegetated swales, buffers, and filter strips, bioretention facilities and rain gardens, dry wells, sub-surface chambers, and infiltration trenches, rainwater harvesting, vegetated roof covers (green roofs), and pervious surfaces. The main feature that distinguishes these practices from conventional structural stormwater controls is scale. These small systems are typically designed as off-line systems that accept runoff from a single residential lot or portions of a lot, as opposed to large multiple-lot or end-of-pipe controls.

E. STORMWATER MANAGEMENT REQUIREMENTS

1. Application Submission

Proposed stormwater drainage systems shall be shown on a stamped and signed site plan prepared by a Connecticut licensed professional engineer, using current engineering practices, and shall be designed to create post-development runoff that is less than or equal to existing conditions. Plans shall incorporate BMPs, LID, and/or other Stormwater Treatment General Procedures to manage the quantity of stormwater and to treat the quality of stormwater in order to comply with the Goals for Stormwater Drainage Design and Facilities. Application submissions shall include calculations and documentation to support and identify the methods used in the design of the stormwater management and drainage facilities, and compliance with the Connecticut Stormwater Quality Manual, as amended.

Any application submission subject to these regulations shall be accompanied by a written narrative describing the proposed project, and the following stormwater management requirements shall be included and/or addressed in documentation, plans, and details:

- A. An analysis performed in accordance with the Connecticut Stormwater Quality Manual, providing a comparison of the pre-development conditions with the proposed post-development conditions;
- B. Attenuation of the post-development peak runoff rate;

- C. All drainage/conveyance systems, whether structural or non-structural, shall be analyzed, designed and constructed to accommodate existing upstream off-site runoff and developed on-site runoff (post-development);
- D. Provisions for the treatment of surface runoff in order to minimize the discharge of pollutants into existing conveyance systems, wetlands, watercourses, and water bodies;
- E. Measures to control soil erosion and sedimentation during construction and post-development in accordance with Section 7.6 in these regulations;
- F. Pretreatment of runoff prior to discharging to the site's primary stormwater treatment facility or to any infiltration facility. If a pretreatment facility is used, primary treatment shall also be required;
- G. Primary treatment of stormwater runoff at all points where stormwater discharges from the site into an existing stormwater conveyance system, wetland, or watercourse; and
- H. All stormwater conveyance systems, storm sewer systems, surface drainage systems, detention systems, swales, channels, and similar facilities shall be appropriate for the site and shall be designed in accordance with current engineering practices, addressing the goals and requirements in these regulations.

Submission of a Stormwater Maintenance and Drainage System Agreement and Plan shall accompany all applications when required by these regulations.

Maintenance of all proposed stormwater drainage systems/facilities not dedicated to the Town shall be the sole responsibility of the property owner or property association. A Stormwater Management Maintenance Agreement must be submitted.

Detention systems not dedicated to the Town require an operation and maintenance schedule/plan that addresses items of routine maintenance, frequency of maintenance, the party responsible for maintenance, accessibility for town inspection, and an emergency operation plan outlined in a document that must be filed as an agreement with the Town prior to the issuance of any Zoning Certificate of Compliance for the development.

2. Stormwater Quality

All development subject to these regulations shall include provisions for the treatment of stormwater runoff in order to minimize the transport of pollutants into existing conveyance systems, wetlands, watercourses, water bodies, and into the groundwater, in accordance with the Town of Ridgefield's policy to comply with the National Pollutant Discharge Elimination System (NPDES) Permit Phase II Requirements for Post-Construction Runoff Control. The Commission or its Agent may require a post-development pollutant renovation analysis for business or commercial site development, where warranted by the proposed use and potential for pollutant runoff.

Specifically, all stormwater management facilities including, but not limited to, stormwater conveyance systems, storm sewer systems, surface drainage systems, detention systems, drainage swales and channels shall be designed to:

- A. Remove at least 80% of the average total suspended solids (TSS) load;
- B. Remove all oils, greases and vehicle fluids from the post development runoff, prior to the runoff leaving the site, to the maximum extent possible;
- C. Incorporate stormwater management practices that mitigate potential increases in the temperature of runoff.

Water quality volume shall be calculated based on the precipitation depth of 1.5 inches. The use of pervious surfaces, as defined in Section 2.2, is encouraged, and the amount of coverage required to be managed, in accordance with this regulation, shall be reduced by 50% of the area of new pervious surface, provided the plan prepared by a Connecticut licensed professional engineer is acceptable.

3. Stormwater Quantity / Peak Runoff Attenuation

All development subject to these regulations shall attenuate the post-development peak runoff rate. Peak runoff attenuation can be accomplished by limiting impervious coverage, increasing travel times, utilizing pervious pavers and pavements, introducing groundwater recharge, constructing stormwater detention facilities or other approved methods.

The following standards shall be applied in designing for peak rate attenuation:

- A. Increases in peak runoff must be attenuated for the 1, 10, and 50-year storms, based on data for 24-hour storm duration, upon certification from a Connecticut licensed engineer. The Commission or local review authority may waive the peak runoff attenuation criterion for sites that discharge to a large river (fourth order or greater) or lake where the development area is less than 5 percent of the watershed area upstream of the development site;
- B. Rainfall data (Point Precipitation Frequency Estimates) for Ridgefield Connecticut shall be obtained from the National Oceanic and Atmospheric Administration (NOAA) Atlas 14: (https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html);
- C. Additional attenuation may be required where the development is in close proximity to designated Special Flood Hazard Areas, designated on Federal Flood Insurance Rate Maps for the Town of Ridgefield, where the cumulative impact of the development has the potential to adversely affect downstream developed properties, or the Commission determines that additional attenuation for the 100-year storm may be required.

F. OTHER APPROVALS MAY BE REQUIRED

An approval under this Section does not relieve any person from having to obtain other permit approvals that may be required, including:

- 1. A regulated activity in a wetland or watercourse area;
- 2. An activity within a floodplain area; or
- 3. An activity regulated by a local, state, or federal agency.

G. REFERENCES FOR DESIGN

The analysis and design of drainage and stormwater management systems shall utilize the latest versions of the following publications, where applicable:

- 1. State of Connecticut Department of Transportation (CONNDOT) Drainage Manual;
- 2. U.S. Soil Conservation Service TR-55 Manual;
- 3. U.S. Soil Conservation Service TR-20 Manual;

4. 2002 Connecticut Guidelines for Soil Erosion and Sediment Control (DEP Bulletin 34);
5. 2004 Connecticut Stormwater Quality Manual, including the Low Impact Development Appendix to the Manual (2011)

7.16 - Renewable Energy Systems²⁴

A. PURPOSE AND INTENT

These renewable energy standards are established for the purpose of incentivizing, facilitating, and regulating the development of renewable energy, including renewable geothermal, solar and wind generating facilities in Ridgefield with the goal of protecting the public health, safety, and welfare of Ridgefield's residents by avoiding significant adverse and cumulative impacts to the public and neighboring properties, and ensuring the preservation of the Town's community character.

Renewable energy is widely considered an essential part of addressing man-made climate change by weaning the electric grid from fossil fuels. The carefully managed widespread employment of renewable energy is encouraged in the Town of Ridgefield. Connecticut General Statutes Section 8-2 allows zoning regulations that encourage the use of renewable energy systems.

The planning, zoning and permitting processes for renewable energy systems seek to address safety, aesthetics, community character, and compatibility concerns. Thus, the intent of this section is to:

- Establish standards to enable and regulate the installation and use of renewable energy systems;
- Encourage and facilitate the use of renewable forms of energy in Ridgefield.
- Ensure that renewable energy systems are consistent with neighborhood compatibility and the preservation of community character.

B. APPLICABILITY

Within the Town of Ridgefield, the installation of solar, wind, and geothermal energy renewable energy systems shall be subject to these regulations.

However, large-scale solar energy systems that are tied to the grid are governed by the Connecticut Siting Council and do not fall within the jurisdiction of the Town of Ridgefield's Zoning Regulations. The Connecticut Siting Council does not regulate facilities owned and operated by a private power producer that is determined by the Connecticut Siting Council to be for the producer's own use and that has a generating capacity of 1 megawatt or less if utilizing renewable energy sources or a generating capacity of 25 megawatts or less if utilizing cogeneration technology.

C. ALLOWED RENEWABLE ENERGY SYSTEM TYPES

The following renewable energy system types, as defined in Section 2.2, shall be allowed within the Town of Ridgefield as permitted below in Section 7.16.E through Section 7.16.I.

²⁴ A-21-3: Amendment effective 8/6/2021. Add new Section 7.16, "Renewable Energy Systems".

1. Solar Energy Systems
 - a. Roof-mounted Solar Energy Systems
 - b. Ground-mounted/Pole-mounted Solar Energy Systems
2. Wind Energy Systems
 - a. Roof-mounted Wind Energy Systems
 - b. Ground-mounted Wind Energy Systems
3. Geothermal Energy Systems

D. PERMITS REQUIRED

1. Permitted (without a Zoning Permit):
 - a. All roof-mounted solar energy systems, installed on a principal building or accessory structure in all zones.
 - b. All closed-loop geothermal energy systems in all zones.
2. Zoning Permit Required:
 1. All ground-mounted/pole-mounted solar energy systems of no more than six (6) feet in height from the ground to the highest point of the structure in all residential zones or no more than four (4) feet in height from the ground to the highest point of the structure on lots that are less than 20,000 square feet in area, and not located in the front yard.
3. Special Permit Required:
 - a. All ground-mounted/pole-mounted solar energy systems greater than six (6) feet in height from the ground to the highest point of the structure in all residential zones or greater than four (4) feet in height from the ground to the highest point of the structure on lots that are less than 20,000 square feet in area.
 - b. All ground-mounted/pole-mounted solar energy systems in all residential zones located in the front yard.
 - c. All ground-mounted/pole-mounted solar energy systems in any business/commercial or multi-family zone.
 - d. All wind energy systems.

E. REQUIREMENTS FOR ALL RENEWABLE ENERGY SYSTEMS

1. Where designed to generate electricity, the system must be used to produce energy solely for consumption within buildings, structures, and uses located on the same lot as the system, except that:
 - a. When the lot receives electrical power supplied by a public utility company, excess energy generated may be supplied to the utility company or through the distribution system of the utility company to offset other usage of other electric ac-

counts, in accordance with applicable laws such as those pertaining to net or virtual net metering.

2. The applicant may be required to submit additional materials that indicate compliance with this section which may include but are not limited to:
 - a. An A-2 Survey and project narrative showing detailed information, including maps, plans sheets, or dimensioned sketches, showing the proposed location, including setbacks from property lines, adjacent roadways and sight line studies, distances from structures on neighboring properties, and height.
 - b. Detailed product specifications from the manufacturer.
 - c. Sun and shadow diagrams specific to the proposed installation (for solar energy systems).
3. All parts of a renewable energy system shall be maintained in good working repair at all times.
4. Renewable energy systems, when applicable, shall be subject to Sec.7.15, Storm-water Management.
5. Renewable energy systems, when applicable, shall be subject to the provisions of the Ridgefield Noise Ordinance.

F. REQUIREMENTS FOR SOLAR ENERGY SYSTEMS

1. Roof-Mounted:
 - a. A roof-mounted solar energy system and any portion thereof shall be located in compliance with minimum yard setbacks applicable to structures for the zoning district in which it is located.
 - b. A roof-mounted solar energy system and any portion thereof affixed to a pre-existing legal non-conforming structure, as of the effective date of this regulation, shall not have to comply with the minimum yard setbacks applicable to structures for the zoning district in which it is located.
 - c. A roof-mounted solar energy system or any portion thereof shall not extend or protrude further than any eaves, edges or outermost element.
 - d. In all zoning districts, a roof-mounted solar energy system or any portion thereof shall not exceed the allowable total building height for that zoning district.
2. Ground-Mounted/Pole-Mounted Solar Energy System as an Accessory Structure/Use:
 - a. Ground-mounted/pole-mounted solar energy systems may be permitted in the side or rear yard as long as the equipment is located outside the minimum required yard setbacks.
 - b. On properties of less than 20,000 square feet in area, ground-mounted/pole-mounted solar energy systems shall cover no more than ten percent (10%) of the total lot area.

- c. On properties of less than 20,000 square feet in area, ground-mounted/pole-mounted solar energy systems shall not exceed four (4) feet in height from the ground to the highest point of the structure
- d. A ground-mounted/pole-mounted solar energy system and any portion thereof shall not exceed twelve (12) feet in height from the ground to the highest point of the structure when fixed or eighteen (18) feet in height from the ground to the highest point of the structure if a solar tracker is used, unless specifically approved by the Commission based on location, improvements and appropriate alteration of physical conditions.²⁵
- e. Applications shall include a landscaping plan showing adequate screening from neighboring properties, where appropriate.
- f. A ground-mounted/pole-mounted solar energy system shall conform to industry standards and shall be constructed in accordance with all applicable local, State, and Federal safety, construction, electrical, and communication requirements.
- g. All exterior electrical and/or plumbing lines must be buried below the surface of the ground and be placed in conduit.

G. REQUIREMENTS FOR WIND ENERGY SYSTEMS

- 1. Roof-mounted:
 - a. A roof-mounted wind energy system and any portion thereof shall be located in compliance with minimum yard setbacks applicable to structures for the zoning district in which it is located.
 - b. A roof-mounted wind energy system and any portion thereof affixed to a pre-existing legal non-conforming structure, as of the effective date of this regulation shall not have to comply with the minimum yard setbacks applicable to structures for the zoning district in which it is located.
 - c. In no case shall a roof-mounted wind energy system and any portion thereof extend more than 10 feet above the total building height for the zoning district in which it is located.
 - d. When a wind energy system is proposed in the Central Business District, approval shall first be granted by the Village District Consultants (pursuant to Section 8.3).
- 2. Ground-Mounted Wind Energy System as an Accessory Structure/Use:
 - a. Ground-mounted wind energy systems in the RAA and RAAA residential zones shall not exceed 80 feet in height from the average grade.
 - b. Ground-mounted wind energy systems shall not be located in any front yard.

²⁵ A-24-4 Amended, effective 9/15/2023

- c. In permitted residential zones, ground-mounted wind energy systems shall be set back from all lot lines a distance at least equal to the height of the wind energy apparatus.
- d. In all permitted business/commercial zones, ground-mounted wind energy systems shall comply with minimum setbacks for the specific zone.
- e. When a wind energy system is proposed in the Central Business District, the design shall first be reviewed by the Village District Consultants (pursuant to Section 8.3).
- f. When a wind energy system is proposed in any other business/commercial zone, review shall be undertaken according to Zoning Regulations by the Architectural Advisory Council.

H. REQUIREMENTS FOR GEOTHERMAL ENERGY SYSTEMS

- 1. All transmission lines to any other building or structure shall be located underground to the extent feasible, and shall not involve access to the street right-of-way or cross any street lines.
- 2. All closed-loop geothermal systems shall be installed according to manufacturer specifications, the requirements of any applicable utility company interconnected agreements, where applicable, and any applicable codes including the Connecticut Building Code.
- 3. The design and installation of geothermal systems and related boreholes for geothermal heat pump systems shall conform to applicable industry standards.
- 4. Only non-toxic, biodegradable circulating fluids such as food grade propylene glycol shall be permitted.
- 5. Wellheads located above ground shall be labeled clearly to identify that they are part of a closed loop geothermal system and not a source of potable water.

I. OTHER APPROVALS MAY BE REQUIRED

An approval under this Section does not relieve any person of the requirement to obtain other necessary permit approvals if applicable, if the proposed work may include:

- 1. A regulated activity in a wetland or watercourse area;
- 2. An activity within a floodplain area; or
- 3. An activity regulated by a local, state, or federal agency.

8. SPECIAL PROVISIONS

8.1. *Nonconforming Conditions*

A. NONCONFORMING USES

1. Any nonconforming use of buildings or land lawfully existing at the time of adoption of these Regulations, or any amendments hereto, may be continued as a nonconforming use.
2. No legal nonconforming use may be changed except to a conforming use or, with the approval of a Special Permit by the Commission, to another nonconforming use that is (a) not more intensive than the existing use, and (b) is more compatible with the neighborhood and zone.
3. No legal nonconforming use, and no portion of a building containing a nonconforming use, shall be extended or expanded.
4. No legal nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel of land.

B. NONCONFORMING STRUCTURES

1. Any nonconforming structure lawfully existing at the time of adoption of these Regulations, or any amendments hereto, may be continued as a nonconforming structure.
2. A legal nonconforming structure may only be enlarged horizontally, vertically, or both provided such enlargement complies with applicable parts of these Regulations for the specific use and zone.
3. A legal nonconforming structure which is damaged or destroyed by fire, explosion, act of God, or the public enemy, may be rebuilt with the same footprint and floor area and the use continued, but not to any greater extent than in the previously existing structure.
4. A legal nonconforming structure may be maintained, repaired, restored, rebuilt, replaced, or altered provided such work:
 - a. does not increase the non-conforming aspect of the structure, or
 - b. complies with other applicable parts of these Regulations for the specific use and zone.

C. NONCONFORMING LOTS

1. A lawfully existing parcel of land separately recorded by deed in the office of the town clerk prior to the effective date of these Regulations or any amendment hereto or any zoning change which fails to meet the area, shape, or frontage or any other applicable requirements of these regulations pertaining to lots, may be used as a lot and a building or other structure may be constructed, reconstructed, enlarged, extended, moved, or structurally altered thereon, provided that the building, structure, or any extension thereof, complies with all applicable requirements of these regulations as of the date of application for a zoning permit for any such improvement..
2. Where two (2) or more nonconforming lots are contiguous and in one ownership, such parcels shall be combined or merged to create a conforming lot or a more conforming lot to the extent possible.

8.2. Antenna Facilities

A. INTENT AND PURPOSE

These regulations are intended to establish guidelines and standards for the siting of antenna facilities in order to protect the public safety and general welfare and, through design, siting, and screening, to minimize any adverse visual and operational effects.

B. ANTENNAE ALLOWED WITH NO PERMIT REQUIRED

1. **Residential Household Antenna** - An antenna used solely for residential household television and/or radio reception provided any such antenna:
 - a. meets required setbacks, and
 - b. does not exceed 50 feet in height.
2. **Residential Satellite Dish Antenna** - A satellite dish antenna used solely for residential purposes in a residential zone provided the dish antenna measures 1 meter (3.28 feet) or less in diameter.
3. **Commercial Satellite Dish Antenna** - A ground-mounted or roof-mounted satellite dish antenna in a non-residential zone provided the dish antenna measures 2 meters (6.56 feet) or less in diameter.
4. **Existing Tower Repair** - Repair of existing towers and antennas, provided there are no changes in design, height or appearance.

C. ANTENNAE ALLOWED BY ZONING PERMIT

1. **Amateur Radio Antenna** - An amateur radio antenna owned and operated by an amateur radio operator licensed by the FCC provided:
 - a. it is accessory to and on the same parcel as a residential use,
 - b. a ground-mounted installation is located in the rear yard.
 - c. a building-mounted installation is affixed to the rear of the structure.
 - d. any tower and antenna combination is less than 50 feet in total height and is erected no nearer to any property line than a distance equal to the vertical height of the tower and antenna.

D. ANTENNAE ALLOWED BY SITE PLAN APPROVAL

1. **Commercial Satellite Dish Antenna** - A ground-mounted or roof-mounted satellite dish antenna in a non-residential zone that does not comply with Subsection 8.2.B.3.

E. RESIDENTIAL ANTENNAE ALLOWED BY SPECIAL PERMIT

1. **Other Residential Antenna** - An antenna that does not comply with Subsection 8.2.B.1, Subsection 8.2.B.2 or Subsection 8.2.C and is:
 - a. used solely for residential household television and radio reception,
 - b. a satellite dish antenna in a residential zone, or
 - c. an amateur radio antenna owned and operated by an amateur radio operator licensed by the FCC.

F. OTHER ANTENNAE ALLOWED BY SPECIAL PERMIT

1. **Other Antennae on Existing Structures.** Any other antenna which is not attached to a tower, provided:
 - a. The antenna complies with all applicable FCC and FAA regulations;
 - b. The antenna complies with all applicable building codes;
 - c. The antenna does not extend more than 10 feet above the highest point of the structure; and
 - d. The antenna is completely screened or designed and installed to be architecturally compatible with the structure in question.
2. **New Public Safety Tower or Antenna** - A new antenna tower intended and used primarily for the purpose of police, fire, ambulance, and/or other emergency services or similar emergency communications.
3. **New Tower or Antenna on Town-Owned Property** - A new antenna located on property owned, leased or otherwise controlled by the Town of Ridgefield.
4. **Municipal Tower** - A new antenna to be controlled or managed by the Town of Ridgefield.
5. **New Tower or Antenna** - Any new tower or antenna not regulated by the Connecticut Siting Council.

G. REQUIREMENTS FOR SPECIAL PERMIT APPLICATIONS

1. Applicability

The requirements of this Subsection apply to any antenna proposed under the provisions of Subsection 8.2.F of these Regulations.

2. Considerations

The requirements of this Subsection apply in addition to the Special Permit criteria and other requirements contained in Subsection 9.2.A of these Regulations.

3. Application Requirements

- a. Each application shall include documentation that a licensed carrier or an authorized emergency services organization is either an applicant or a co-applicant on the application.
- b. Each application shall include documentation that the proposed facility will not cause any interference with any emergency or public safety radio system.
- c. Each application shall include documentation showing how the proposed facility will accommodate emergency service communications for police, fire and ambulance services or a statement from each organization that such accommodation is not desired.
- d. Each application shall include documents indicating that:
 - i. all towers, antennas, and/or equipment to be installed meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the state or federal government with the authority to regulate towers and antennas.
 - ii. if such standards and regulations are changed, then the owners of the towers and antennas governed by this regulation shall bring such towers and antennas into compliance.
- e. Each application shall include documentation regarding noise emission from equipment and identify appropriate steps to provide soundproofing so that any noise above ambient levels is inaudible at the property line.
- f. Each application shall include a written maintenance plan for the site, including, but not limited to, all facilities including landscaping at the site.
- g. Each application shall include a map showing the extent of planned coverage within the Town of Ridgefield and the location and service area of the proposed facilities.

4. Visual Considerations

- a. Towers and antenna and appurtenances shall be painted a neutral color or other such finish as determined by the Commission so as to minimize visual obtrusiveness.
- b. The design of the equipment, buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding buildings.
- c. If an antenna is installed on a structure other than a tower, the antenna and supporting equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure to make the antenna and related equipment as visually unobtrusive as possible.
- d. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority and specifically authorized by the Commission.
- e. No signs shall be allowed on any antenna, facility, or tower unless required by an overriding legal authority, except that a 2 square foot sign is required to be posted showing the emergency contact and telephone number.

5. Equipment Considerations

- a. Any equipment cabinets or other appurtenances used in association with the tower or antenna shall be clearly shown as part of the application including how such equipment is designed to blend with the surrounding landscape or be obscured from adjacent properties and streets
- b. Security fencing, no more than six feet in height, may be required by the Commission around the antenna, tower, and equipment depending on the nature of the installation.
- c. Landscaping, including buffering, may be required by the Commission around the antenna, tower, and equipment depending on the nature of the installation.

6. Facility Removal

- a. A facility not in use for six (6) months shall be removed by the service facility owner and such removal shall be completed within ninety (90) days of the end of the six-month period. Upon removal the site shall be restored to its previous appearance.
- b. The Commission may require the owner to submit a periodic report to the Commission or its agent (such as every six months) indicating whether the facility is still in use.
- c. The Commission may require the posting a bond to (1) secure compliance with the approved installation of any facility and (2) to ensure the timely and proper removal of said facility upon cessation of use.

8.3. Architectural Review / Village Districts¹

A. PURPOSE

This Section is intended to ensure that the exterior design of buildings and sites is in harmony with the character of the community, to encourage high quality building and site design, and to result in development which is compatible with the character of the community.

B. APPLICABILITY

The following types of applications shall be subject to the provisions of this Section:

1. Any exterior modification associated with a proposed development, construction, or use in the Central Business District (CBD) zone shall be reviewed in relation to the design guidelines in Subsection 8.3.D and the additional considerations in Subsection 8.3.E, and in accordance with Sec. 8-2j of the Connecticut General Statutes.
2. Any exterior modification associated with a principal use or activity permitted by Special Permit in any residence in the Central Business District (CBD) zone, except for establishment of an interior lot or accessway, a group home, or an agricultural use, shall be reviewed in relation to the design guidelines in Subsection 8.3.D.

C. PROCEDURE

1. Applications subject to the provisions of this Section shall be referred to the Village District Consultant (VDC), which may be the Architectural Advisory Committee (AAC) or another Board or individual(s) appointed by the Commission as appropriate, upon acceptance of a complete application.
2. The application shall be reviewed by the VDC in relation to the design guidelines of this Section.
3. The application shall be commented upon by the VDC prior to the opening of any public hearing on the application and such report be issued no more than thirty-five (35) days from the date of acceptance of a complete application.
4. Failure to act within the prescribed period shall be construed as approval of the design of the proposed application by the VDC .
5. A request from the VDC for resubmission of the application based on the VDC recommendations shall not be considered failure to act.
6. The Commission shall take action on the application upon receipt of the report from the Village District Consultant.
7. In accordance with §8-2j(f) and 8-3c of the Connecticut General Statutes, approval of a Village District Application is effective upon filing in the office of the Town Clerk.

¹ 2008-024 Amended effective 5/2/08

D. DESIGN GUIDELINES

1. Relationship of Buildings to Site and Adjoining Areas

- a. Buildings shall be organized in a coordinated and functional manner that is compatible with site features and the desirable characteristics of adjoining areas.
- b. A unified design theme for building massing, exterior treatments and signage shall be established where harmony in textures, lines, and masses is provided and monotony is avoided.
- c. Parking areas shall be treated appropriately in relation to the building, the neighborhood, and the community.
- d. The height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings.
- e. Newly installed utility services, and service revisions necessitated by exterior alterations, shall be underground.
- f. A desirable streetscape and attractive landscape transitions to adjoining properties shall be provided.

2. Landscape and Site Treatment

- a. Landscape treatment shall be provided to enhance architectural features, shield unsightly areas, provide shade, and relate to the natural environment and topography.
- b. Plant material shall be selected for its ultimate growth, for hardiness, for compatibility with the character of the area, and for interest in its shape, texture, and color.
- c. Planting materials used for landscaping and screening shall be native to Connecticut. The use of any plant designated by the Connecticut Department of Environmental Protection as invasive species is prohibited.
- d. Pedestrian sidewalks, walkpaths, and trails shall provide safe and convenient connections within the site and between adjacent sites and shall generally be constructed of brick, concrete or paving blocks and not be gravel, earth or loose stone.
- e. Existing trees at four (4) inches or greater caliper shall be incorporated into the site plan.

3. Building Design

- a. Architectural features shall be evaluated based on the scale of the building(s), the quality of the design, and the relationship to surroundings.
- b. Facades and rooflines shall be articulated and/or varied to reduce the appearance of bulk and provide architectural interest.
- c. Building materials shall have good architectural character and durable quality and shall be selected for harmony of the building with adjoining buildings.
- d. Building textures, colors, and components shall be selected for harmony of the building with adjoining buildings.
- e. Utility and service equipment areas shall be screened from public view with materials harmonious with the building.

4. Signs and Lighting

- a. Every sign shall be designed as an integral architectural element of the building and site to which it principally relates and shall be coordinated with the building architecture.
- b. Exterior lighting, where used, shall enhance public safety, the building design, and the landscape.
- c. Lighting shall be restrained in design and excessive brightness avoided.

E. ADDITIONAL VILLAGE DISTRICT CONSIDERATIONS

1. Design Guidelines

- a. Special attention shall be paid to protecting the distinctive character, landscape, and historic structures within the Village District.
- b. The removal or disruption of historic, traditional, or significant structures or architectural elements shall be avoided or minimized.
- c. The conversion, conservation, and preservation of existing buildings and sites in a manner that maintains the historic or distinctive character of the Village District is encouraged.
- d. The exterior of structures or sites shall be consistent with:
 - i. the "Connecticut Historical Commission - The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings", as amended; or
 - ii. the distinctive characteristics of the district identified in the Ridgefield Plan of Conservation and Development.
- e. Proposed buildings or modifications to existing buildings shall be harmoniously related to their surroundings, the terrain in the district, and to the use, scale and architecture of existing buildings in the district that have a functional or visual relationship to a proposed building or modification.
- f. All spaces, structures, and related site improvements visible from public roadways shall be designed to be compatible with the elements of the area of the Village District in and around the proposed building or modification.
- g. The color, size, height, location, proportion of openings, roof treatments, building materials, and landscaping of commercial or residential property, and any proposed signs and lighting, shall be evaluated for compatibility with the local architectural motif.
- h. Maintenance of views, historic buildings, monuments, and landscaping shall be encouraged.

8.4. *Temporary Trailers*

A. LIMITATIONS

1. Temporary construction trailers may be utilized during a construction project provided that the location of any such trailer shall, unless modified by the Zoning Enforcement Officer, comply with yard setback requirements.
2. No trailer of any kind shall be used for human habitation except, as determined by the Zoning Enforcement Officer, for an emergency and then only:
 - a. on a temporary basis until construction of a damaged or destroyed principal structure is complete, and
 - b. when the temporary basis is guaranteed by a bond or other form of surety acceptable to the Zoning Enforcement Officer.
3. Except as provided above, no trailer shall be used or employed for any use of any kind (including storage) without approval of a Special Permit by the Commission.

8.5. Character Resource Preservation²

A. PURPOSE

In order to encourage the preservation of structures and other resources contributing to positive aspects of community character, the Commission may, by Special Permit, allow a minimum area or dimensional requirement (such as minimum yard setback) to be reduced or a maximum area or dimensional requirement (such as maximum building coverage and floor area ratio) to be exceeded in accordance with the following standards.

B. DESIGNATION CRITERIA

1. For purposes of this Section, structures may, upon application by the owner, be designated as character resources by the Commission where said structures:
 - a. exemplify or reflect the broad cultural, political economic or social history of the nation, state or Town; or
 - b. are identified with historic personages or with important events in the national, state or local history; or
 - c. embody the distinguishing characteristics of an architectural type inherently valuable for study of a period, style, method of construction or of indigenous materials or craftsmanship; or
 - d. are representative of a notable work of a master builder, designer or architect who influenced his or her age; or
 - e. have yielded, or may be likely to yield, information important to history; or
 - f. are identified in Ridgefield's "Historic Resources Inventory" and/or the National or State Register of Historic Places; or
 - g. are located in any State, National or Town designated Historic District; or
 - h. by virtue of architecture or design, contribute to the rural or agrarian character of the Town.
2. The Commission encourages property owners to seek designation of historic significance from local, state or federal organizations and to display appropriate historic plaques.

² 2014-090-A Amended effective 11/21/14

C. APPLICATION REQUIREMENTS

1. Application for the Special Permit shall be made in the form prescribed by the Commission, consistent with all applicable provisions of these regulations and shall contain, at a minimum:
 - a. accurate exterior elevations or photographs of each side, of each historic structure proposed to be preserved,
 - b. a survey map and other documentation sufficient to establish the historic, cultural, or architectural significance of the historic structure and compliance with the standards set forth in Subsection B above and any other standards contained in these regulations as determined applicable by the Commission.

D. CONSIDERATIONS

1. When considering an application under this Section the Commission may solicit pertinent information from outside experts such as the Historical Society, Historic District Commission, architectural consultants, historians or any other person(s) it may find as qualified to comment and provide information on the subject application.
2. When reviewing Special Permits under this Section, the Commission shall, in addition to the Special Permit Criteria of these Regulations, consider and determine in each case whether the proposal will:
 - a. permit the retention of historic or significant structures that would be in scale and compatible with surrounding structures, and
 - b. allow for the preservation of historic or significant structures having special historical, cultural and/or architectural merit.
3. In granting a Special Permit under this section, the Commission shall determine that:
 - a. the structure in question contributes to community character or possesses a degree of historic significance (which may be evidenced by its age, architectural uniqueness, or cultural value) which would represent a cultural benefit to the community if preserved; and,
 - b. the structure in question requires some measure of regulatory relief to allow for its preservation; and
 - c. based upon the standards and considerations set forth herein and in Section 9.2.A, area and dimensional requirements shall be determined for the property which may increase but not exceed 140% of the lot coverage and/or floor area, and/or decrease but not exceed a 40% reduction of the setbacks in the zone in which the property is located.

E. LIMITATIONS

1. Once a Special Permit has been granted under this Section, the historic structure shall not be relocated or modified in any way unless such modification or relocation is approved by the Commission. If a modification as proposed is minor in nature, the Commission may authorize administrative approval to the Planning Director upon submission of appropriate information.
2. Any Special Permit granted under this Section shall prescribe the specific conditions to be observed and structural appearance to be maintained for the preserved structure. Any unauthorized deviation from these conditions shall constitute a nullification of the Special Permit approval. Upon such nullification, the property may be subject to any and all legal means available to the Commission to correct any unauthorized work at the property owners expense, or may be subject to any other enforcement action the Commission or its designated agent(s) deems necessary. In addition, any permits issued subsequent to the granting of the Special Permit may be voided and the work associated with any such permit may be required to be removed.
3. Any proposed modifications to the structure or the use of the structure shall be made known to the Commission at the time of the Special Permit application. Any subsequent changes to the use or the structure shall only be accomplished as specified herein. Emergency repairs may be made by the owner as a result of fire or other similar type damage and the Planning and Zoning office shall be notified not later than 72 hours after the repair or stabilization is initiated.
4. Any significant maintenance requirements to any structure covered by this regulation shall be done promptly by the owner. Failing this, the owner shall be notified that, if the maintenance requirements of the original Special Permit are not complied with, the Special Permit may be determined to be violated and may be nullified by the Commission.
5. Any change in use of any structure which has an approved Special Permit may only be authorized by application to, and approval by, the Commission. Said application shall contain all relevant information pertaining to the previously approved and proposed change of use for the historic structure. The Commission shall determine if the proposed change in use is appropriate and in keeping with the intent of the original Special Permit granted for the subject historic structure according to the standards referenced in this Section.

8.6 *Uses Subject to Moratorium*³

A. INTENT AND PURPOSE

The Planning and Zoning Commission has determined that the following uses have the potential to impair the health, safety and welfare of its citizens, and that a temporary, limited moratorium is needed in order to properly develop restrictions and standards for the implementation of these uses.

³ A-22-4 Amended effective 11/04/2022

8.7 Long Island Sound - Riparian Zoning⁴

A. PURPOSE

As required by PA 21-29, and in recognizing the environmental impact of local development across all Connecticut municipalities on the coastal water quality of the Long Island Sound, the review of all development applications received by the Town of Ridgefield shall consider the importance of riparian buffers as a means to reduce nonpoint source pollutants entering the Sound.

B. STANDARDS

Where development abuts the Norwalk River, Saugatuck River, Silvermine River, and/or Titicus River, a 100-foot non-infringement area shall be provided. Such non-infringement area shall remain undisturbed with the exception of any public trails, stormwater detention/retention ponds and/or wetland plantings required to eliminate nonpoint source pollutants from stormwater before entering the river. The use of pesticides and fertilizers within the non-infringement zone are prohibited except where an applicant can demonstrate that such applications are for existing agriculture following best management practices. In no case shall pesticides or fertilizers be applied within 25 feet of any designated non-infringement area.

⁴ A-21-7: Amended effective 11/05/2021 to add new section to comply with 21-29

Section 8.8. Inclusionary Zoning⁵

A. PURPOSE

These regulations are intended to encourage the development of affordable housing within the Town of Ridgefield, consistent with Section 8-2i of the General Statutes of the State of Connecticut.

B. Applicability

These regulations shall apply to all zones within the Town of Ridgefield, except RAAA and RAA.

C. Requirements

1. Basic Requirement. All applications for development resulting in the creation of five (5) or more dwelling units shall designate a minimum number of dwelling units **as per the Minimum Affordable Housing Chart** in a manner such that the units would qualify to be counted as either “assisted housing” or “set-aside development” as defined by Section 8-30(g) of the Connecticut General Statutes (herein “Affordable Units”). In calculating the minimum requirement, fractions shall be rounded up to the nearest whole number (see sample table attached).
2. Phasing. For any phased project (e.g., multiple buildings/structures or other construction that will be completed in stages at separate times), the Affordable Units shall be constructed within the first phase, unless the Commission specifically permits otherwise in the application approval.
3. Integrated Site. Unless permitted by the Commission within the application approval, all projects shall be designed to mix Affordable Units evenly throughout the site (i.e., not clustered), sharing the same common amenities and services available to traditional units (e.g., parking, common room access, etc.), and generally the Affordable Units should not be physically identified or otherwise distinguishable from traditional units, and shall be constructed of similar materials and workmanship to the traditional units.

D. Incentives

1. Developments subject to the provisions of this section which exceed the Basic Requirement (defined above) pursuant to the Minimum Affordable Housing Chart by at least five percent (5%) may be eligible for the below incentives, based upon the specific project and scope and consistent with the purpose and intent of these regulations, at the sole and absolute discretion of the Commission:
 - a. Density Bonus. The Commission may grant a density bonus of additional dwelling units, in a quantity up to 30% of the otherwise permitted limit. Fractions in the density bonus shall be rounded up to the nearest whole number. The density bonus units may be a combination of Affordable Units and traditional units as determined by the Commission, provided the Basic Requirement is exceeded by at least the percentage set forth above.
 - b. Dimension & Bulk. The Commission may alter the dimensional standards established in these regulations (including lot area, lot coverage, setback, yard, floor area, frontage, height, or similar restrictions), by no more than 25%, based upon the specific project and scope.

⁵ A-22-5 Amended effective 05.26.2023

- c. Parking. The Commission may reduce the parking requirements by up to twenty-five percent (25%), based upon the specific project and scope.
- d. The Commission may allow the use of the Area Median Income (AMI) rather than the State Median Income (SMI) in exchange for increasing the set-aside deed restriction from 40 years to in perpetuity.⁶

E. Fee-In-Lieu

When this section would apply to a development application intended to be exclusively single-family dwelling units, the Commission may allow the payment of a cash fee in lieu of constructing some or all of the affordable units. The fee shall be equal to 300% of the Danbury, CT HUD Metro FMR Area Median Income (i.e., \$134,700 in FY2022), multiplied by the number of Affordable Units not to be constructed. The fee shall be paid to either: (a) a housing trust fund for the Town of Ridgefield, if one exists, or otherwise (b) another Commission-designated entity focused on providing affordable housing within the Town of Ridgefield.

F. Administration

The applicant shall submit an affirmative fair housing marketing plan for the below market rate dwelling units. All dwelling units shall be offered for sale or rent in compliance with all applicable Federal and State Fair Housing laws.

Any application under this Section shall identify the non-profit entity or property manager who will be responsible for program administration. The program administrator is subject to the approval of the Commission or its designated representative.

1. The program administrator shall:

- a. Annually review and certify to the Commission the annual income of households residing in below market rate dwelling units in accordance with a procedure established in advance and approved by the Commission.
- b. Maintain a list of eligible households in each category, who have applied for participation in the program. Applicants within each category shall be selected by lottery, conducted in accordance with a procedure established in advance of said lottery and approved by the Commission, or its designated representative.
- c. Annually certify to the Commission that the selected household actually resides in the below market rate dwelling unit.
- d. Certify to the Commission that below market rate dwelling units sold or re-sold do not exceed the maximum purchase price as calculated in a manner consistent with the methodology for maximum housing payment calculations in set-aside developments outlined in Section 8-30g of the Regulations of Connecticut State Agencies, as adjusted for family size.
- e. Certify to the Commission that below market rate dwelling units for rent shall not exceed the maximum monthly rent as calculated in a manner consistent with the methodology for maximum housing payment calculations in set-aside developments outlined in Section 8-30g-8 of the Regulations of Connecticut State Agencies, as adjusted for family size.

⁶ A-24-1 Amended effective 07-12-2024

2. Deed Restrictions: In order to maintain below market rate units for at least forty years or the life of the unit, whichever is longer, the following restrictions shall apply:

a. Below market rate units for sale shall be restricted by title to require that, in the event of any resale by the owner or any successor, the resale price shall not exceed the then maximum allowable sales price for said dwelling unit, or the sum of

the original purchase price and the cost of any documented fixed improvements made by the owner, whichever is greater.

b. Below market rate units for rent shall be restricted by title to require that the rents for said units shall not exceed the maximum rent as determined annually in accordance with (e) above.

Affordable Housing Minimum Units Chart for Inclusionary Zones	
# Housing Units	Minimum # Affordable Units
5	1
6	1
7	1
8	1
9	1
10	1
11	2
12	2
13	2
14	2
15	3
16	3
17	3
18	3
19	3
20	3
21	3
22	4
23	4
24	4
25	4
26	4
27	4
28	4
29	5
30	5
Further calculations would be 14% of the total housing units rounded up.	

8.9 Outdoor eating areas.⁷

Each of the following uses is permitted in each district to the extent indicated for that use and district, subject to all provisions of the applicable district, except as specifically provided for in this section. Every application for the use of property subject to conditions set forth herein shall be filed in accordance with the provisions of these regulations, and shall be subject to approval by any commission, board or agency stipulated in this section.

For use of Town-owned property including sidewalks, parking spaces, roads, or road right-of-way, contact the Selectman's Office for their approval process.

Outdoor Eating Areas as defined in §2.2 shall be permitted in all Non Residential Zones on privately-owned property or public sidewalks and pedestrian pathways subject to the following requirements:

- The total number of indoor and outdoor seats shall not exceed the total number of seats approved for the site. For example, if a restaurant is limited to 100 seats, the total number of indoor and outdoor seats shall not exceed 100 seats.

A. Required

1. **Planning and Zoning Approvals.** A Zoning Permit application shall initially be submitted to the Planning and Zoning Office and is eligible for approval by the Planning and Zoning Director or ZEO and will be subject to obtaining a Zoning Permit. After the initial Zoning Permit is granted, the use shall be subject to an annual Zoning Permit from the Planning and Zoning Office renewed by May 1st each year thereafter provided there are no changes, or a new Zoning Permit application must be obtained.
2. **Other Department Approvals.** Prior to submission of a Zoning Permit application, an Outdoor Patio approval must be obtained directly from:
 - a. The Ridgefield Health Department
 - b. Approval by WPCA if on sewer
 - c. The Fire Marshal's Office.
 - d. The Building Department when utilizing tents, membrane structures, other temporary or permanent structures utilized for occupancy.
 - e. The Police Department for any Outdoor Eating Areas that abut drive-ways, parking lots and streets or are located within parking areas.
 - f. Parking Authority if parking spaces are being used.
 - g. Highway Dept. for any right of way encroachments.
 - h. The licensed restaurant operator, at its cost and expense, shall keep the public sidewalk and pedestrian pathways leading to, and area to be used for, outdoor dining free and clear of debris, garbage, bottles, food, glassware, dishes, and utensils.

B. Location

Outdoor Eating Areas may be located on privately-owned as follows: On-site, or on an abutting property with the approval of the property owner, in either case subject to providing a pathway constructed in compliance with Federal ADA requirements that is at least four-feet wide.

⁷ A-23-3 Adopted 08-01-2023 effective 08-11-2023

1. Outdoor Eating Areas may be located on a public or privately-owned sidewalk or pedestrian pathway in front of the principal use, provided a four-foot-wide clear path shall be maintained consistent with the federal ADA requirements.
2. Outdoor Eating Areas may be located within parking areas to support the principal use provided a Barrier Protection Plan is submitted that is subject to approval by the Ridgefield Police Department.
3. Fire Department Appurtenances. No Outdoor Eating Area or related Structure shall impede access to fire hydrants, fire lanes, or fire department connections.
4. Outdoor dining areas shall not interfere with public, state or municipal use of any public street, sidewalk or property, shall not create a disturbance or hazard to pedestrians or traffic and shall not interfere with the safe and free flow of pedestrians or traffic.

C. Size

The Outdoor Eating Area shall not exceed 30% of the total Floor Area of the Principal use.

D. Parking Requirements

There are no minimum parking requirements for Outdoor Eating Areas.

E. Setbacks/Coverage

Outdoor Eating Areas shall not be permitted within 50-feet of a residential zoning district boundary line unless separated from the Residential Zone by a public street or a waterbody. No Front Landscape Area may be removed to accommodate an Outdoor Eating Area. Structures used for an Accessory Outdoor Eating Area are exempt from Coverage requirements.

F. Lighting

Any lighting shall be down directed and not shed light beyond the property line.

G. Covers

Enclosures and structures consisting of the use of, tents, awnings, igloos, pergolas and covers with rigid supports, fabric or non-rigid sides is permitted per the Connecticut State Building Code and the Connecticut State Fire Safety Code provided they meet the requirements under such sub-sections.

Following the granting of a Zoning Permit, a Building Permit and permit from the Office of the fire Marshal shall be obtained for the following:

1. Installing temporary or permanent electrical service to any outdoor structure.
2. Installing temporary or permanent heating or air conditioning.
3. Any tent in excess of 400 SF.
4. Any tent in excess of 700 SF with open sides.
5. Or multiple tents set side by side without a 12-foot fire break whose aggregate area is in excess of 700 SF.

H. Hours of Operation

The hours of operation shall be limited to 6:30 a.m. to 11:00 pm Sundays through Thursdays and 6:30am to 12:00 midnight on Fridays and Saturdays. There shall be no music in any Outdoor Eating Area after 9:00 p.m.

I. Signage

No additional signage shall be permitted.

8.10. Temporary and Limited Development Moratorium⁸

A. INTENT AND PURPOSE

The Planning and Zoning Commission has determined that in order to protect the health, safety and welfare of its citizens, it is prudent and necessary to implement a temporary and limited moratorium on certain types of applications, as listed below in this section, which involve a heightened level of technical complexity and greater potential impact to town infrastructure and resources.

During this temporary and limited moratorium, it is the intent of the Planning & Zoning Commission to undertake a comprehensive and integrated review of:

- (a) these Regulations (including but not limited to Residential Zones (Sec 3), Other Housing Zones & Uses (Sec 4), and Basic Standards (Sec 7) and Administration (Sec 9) as they relate to Residential and mixed-use applications),
- (b) the 2020 Plan of Conservation and Development (focusing primarily on what adjustments are appropriate given that the plan was written in 2019, and the COVID-19 pandemic likely altered the 10-year outlook on local demographics, economics, town priorities, etc.)
- (c) town zoning map(s) (focusing on the question of where new development and/or increased density is best suited),
- (d) town infrastructure and resources (including, without limitation, the capacity and conditions of the town sewer system, roads and traffic safety, pedestrian network, etc.)
- (e) the internal capacity, capabilities, and procedures of the Planning & Zoning Department, as well as the availability of reliable external consultants which are necessary (per Sec 9.3.C.3.a) for proper review of complex applications.

The purpose of the above review shall be to identify, consider, and adopt or implement any appropriate amendments, enhancements, or other changes to its policies and procedures – to assure that the types of applications listed in this section are properly guided, reviewed, assessed, and decided.

B. APPLICATION TYPES SUBJECT TO MORATORIUM

This moratorium shall apply to all applications which meet any one of the criteria listed below.

1. Any application (including special permits and subdivision applications) that seeks to build additional multi-family residential housing, in any zone. For purposes of this section, multi-family housing shall include two or more dwelling units within one building; but shall not prohibit the creation of an accessory dwelling unit in accordance with these Regulations.
2. Any application (including special permits and subdivision applications) that seeks to create 5 or more additional dwellings, of any kind, in any zone.
3. Any special permit for commercial or mixed-use projects that would result in more than 5,000 square feet of additional coverage in any zone other than CDD.

Notwithstanding the above, this moratorium shall not apply to: (a) any zoning permit application submitted in accordance with a previously approved zoning or special permit, or (b) revisions to prior special permits, provided the revision itself does not trigger the criteria above, (c) applications submitted in accordance with Connecticut General Statutes section 8-30(g), and (d) applications for municipal improvements, government, and educational uses.

⁸ A-24-3: Adopted 05-06-2025 effective 06-01-2025 to add development moratorium

The Planning Director may refer any application to the Commission for review and/or action, or seek the advice of the Commission, should there be a question as to applicability of this moratorium to the specifics of any application.

C. EFFECTIVE DATE AND EXPIRATION

This moratorium shall be effective as of June 1, 2025 and it shall expire on December 1, 2025. No applications subject to this moratorium will be accepted, processed, heard, or approved – by either the Planning & Zoning Commission or its Staff – during this period. The Commission may terminate this moratorium early, or extend its length, as necessary to achieve the intent and purpose stated above.

9. ADMINISTRATION

9.1. Submissions To Staff

A. ZONING PERMIT APPLICATION (ZEO)

1. **Application Required - An application for a Zoning Permit shall be made to the Zoning Enforcement Officer (ZEO) on a form provided for that purpose before:**
 - a. the erection or alteration of any building or structure is commenced in any zone; or
 - b. the commencement of any other activity which requires a Zoning Permit or other permit as required by these Regulations.
2. **Application Requirements -** Such application for a Zoning Permit shall be accompanied by:
 - a. a completed Zoning Permit application form;
 - b. the appropriate fee (see Appendix);
 - c. a zoning improvement survey prepared to Class A-2 standards, stamped with an embossed seal and signed by a Connecticut licensed land surveyor, showing the information required in the Appendix of these Regulations, except that, in the case of an addition to a single family dwelling, the ZEO may waive* the requirement for an updated zoning improvement survey showing the proposed addition, when it is evident from the documents submitted and the zoning records, that the proposed addition and the subject property, upon completion of the addition, will comply with the setback area, floor area, building height, number of stories and coverage requirements of these Regulations;¹
 - d. a Soil Erosion and Sediment Control Plan in accordance with Section 7.6 of these Regulations; and
 - e. other drawings and documentation showing the information required in the Appendix of these Regulations.
 - f. a Stormwater Management Drainage Requirements plan, and a Stormwater Management Maintenance Agreement in accordance with Sec.7.15 of these Regulations.²
3. **Proceedings**
 - a. If the premises, proposed activity or use is found from the Application to be in compliance with these Regulations, the ZEO shall issue a Zoning Permit setting forth the date on which the permit was issued.³
 - b. The recipient of a Zoning Permit may provide notice of approval of such Zoning Permit by publication in a newspaper having substantial circulation in Ridgefield stating that the certification has been issued and, if published, such notice shall contain:
 - i. a description of the building, use or structure;
 - ii. the location of the building, use or structure;
 - iii. the identity of the applicant; and
 - iv. a statement that an aggrieved person may appeal the granting of the Zoning Permit to the Zoning Board of Appeals (ZBA) in accordance with the provisions of CGS 8-7.
 - c. An application for a Zoning Permit may be withdrawn, in writing, by the applicant at any time prior to final action.

*** The waiver request form, signed by the property owner, must be submitted as part of the Development Permit Application.**

¹ 2011-111-A Amended effective 11/24/11 (waiver of certain survey requirements)

² 2020-007-A Amended effective 9/4/2020 (add submission requirement)

³ 2017-084-A Amended effective 01/12/18 (add term premises)

4. Foundation Survey Required

- a. Upon completion of the foundation of any new building or structure or addition thereto, no further work shall be done on such building or structure until a zoning improvement survey prepared to Class A-2 standards, prepared by a Connecticut licensed land surveyor, has been filed with the Zoning Enforcement Officer (ZEO) showing the foundation location of the new building, structure, or addition.
- b. The ZEO may waive the requirement for an A-2 foundation location survey when a building, structure, or addition related to a single family dwelling is less than 500 square feet in area.

5. Zoning Permit Expiration

Any Zoning Permit issued by the ZEO under the provisions of these Regulations shall become invalid if the authorized work is not commenced within six (6) months after issuance of the Zoning Permit, or if the authorized work is suspended or abandoned for a period of six (6) months after the time of commencing the work.

B. CERTIFICATE OF ZONING COMPLIANCE (ZEO)

1. The Zoning Enforcement Officer shall determine that the premises, any use, building, structure or alteration for which a zoning permit has been issued conforms in all respects to the zoning regulations.⁴
2. Except as provided in Sec. 9.1.B.3, below, upon completion of any building, structure or addition for which a Zoning Permit has been issued, the applicant shall submit the following information to the ZEO before a Certificate of Compliance may be issued:
 - a. a zoning improvement survey prepared to Class A-2 standards, prepared, stamped with an embossed seal, and signed by a Connecticut licensed land surveyor showing the information required in the Appendix of these Regulations; and
 - b. a certification by a Connecticut licensed land surveyor as to the location of the completed building, structure or addition, the lot coverage, and building height, where applicable; and
 - c. a signed statement from a Connecticut licensed architect or Connecticut licensed land surveyor certifying the floor area ratio, where applicable.
3. Notwithstanding the requirements in Sec. 9.1.B.2, above, and to correct discrepancies in the Town's zoning compliance records, said section shall not preclude the issuance of a Certificate of Zoning Compliance for the completion of any building, structure or addition for which a Certificate of Occupancy has been issued by the Building Department prior to January 1, 1991, provided that a valid zoning permit was issued prior to construction of that building, structure, or addition.⁵

⁴ 2017-084-A Amended effective 01/12/18 (add term premises)

⁵ 2014-019 Amended effective 4/22/14

C. SITE PLAN APPLICATION (PLANNING DIRECTOR)

1. **Application Requirements** - A Site Plan Application shall be submitted for any use or activity designated in the Regulations as requiring approval of a Site Plan.
2. **Approval Authority**
 - a. A Site Plan Application shall be reviewed and acted upon by the Planning Director except that the Planning Director may elect to submit the application to the Commission for action.
 - b. During the review process, the Planning Director may consult with the Commission and with any other town agency or official the director deems necessary.
3. **Proceedings**
 - a. The Site Plan Application shall be submitted in accordance with Subsection 9.3.A.
 - b. The date of receipt for the Site Plan Application shall be determined in accordance with Subsection 9.3.B.
 - c. Supplemental application materials may be required in accordance with Subsection 9.3.C.
 - d. The Site Plan Application may be required to be referred to:
 - i. an adjoining municipality in accordance with Subsection 9.3.D;
 - ii. a water company and the Commissioner of Public Health in accordance with Subsection 9.3.E;
 - iii. the Architectural Advisory Committee in accordance with Subsection 9.3.G; and
 - iv. the Village District consultant in accordance with Subsection 9.3.H.
 - e. The applicant may, at any time prior to action by the Planning Director, withdraw a Site Plan Application.
4. **Timeframe for Action**
 - a. On a Site Plan Application involving an activity regulated pursuant to CGS 22a-36 to 22a-45, inclusive:
 - i. the Planning Director shall wait to render his or her decision until the Inland Wetlands Board has submitted a report with its final decision; and
 - ii. the time period for a decision by the Planning Director may be extended to thirty-five (35) days after the decision of the Inland Wetlands Board.
 - b. Whenever approval of a Site Plan Application is the only approval required, a decision on the Site Plan Application shall be rendered within sixty-five (65) days after the date of receipt of such Site Plan Application except that the applicant may consent to one or more extensions of such period provided the combined extension(s) of all such periods shall not exceed sixty-five (65) days.
 - c. A Site Plan Application shall be considered approved unless a decision to deny or modify it is rendered within the applicable time period specified above.
5. **Decision Considerations**
 - a. On a Site Plan Application, the Planning Director shall give due consideration to any report or testimony received from:
 - i. an adjoining municipality under Subsection 9.3.D;
 - ii. a water company and the Commissioner of Public Health under Subsection 9.3.E;
 - iii. the Architectural Advisory Committee under Subsection 9.3.G; or
 - iv. the Village District consultant under Subsection 9.3.H.
 - b. Before the Planning Director approves a Site Plan Application, it shall be determined that that the application is in conformance with the applicable provisions of these Regulations.
 - c. In approving a Site Plan Application, the Planning Director may impose conditions deemed necessary to protect the public health, safety, welfare, convenience, and property values.
 - d. Whenever the Planning Director grants, denies, or modifies a Site Plan Application, he or she shall state the reason(s) for his or her decision.

6. Action Documentation

- a. The Planning Director shall send, by certified mail, a copy of any decision on a Site Plan Application to the applicant within fifteen (15) days after such decision is rendered.
- b. The Planning Director shall cause notice of the approval or denial of a Site Plan Application to be published in a newspaper having a substantial circulation in Ridgefield within fifteen (15) days after such decision is rendered.
- c. In any case in which such notice is not published within the fifteen (15) day period after a decision has been rendered, the applicant may provide for the publication of such notice within ten (10) days thereafter.
- d. On any Site Plan Application for which the time period for approval has expired and on which no action for approval or denial has been taken by the Planning Director, the Planning Director shall send a letter of approval to the applicant within fifteen (15) days of the date on which the period for approval expired and such letter of approval shall state the date on which the five-year completion period under Subsection 9.1.C.9 expires.

7. Following Approval

- a. Following approval of a Site Plan Application, the Planning Director may require the submission of:
 - i. one (1) fixed-line mylar copy of the approved plan(s), and/or
 - ii. four (4) paper copies of the approved plan(s).
- b. Such plan(s), if required, shall:
 - i. reflect any modifications made or required during the approval process,
 - ii. bear the raised seal and signature of the appropriate professionals who prepared the drawing(s);
 - iii. bear a copy of the decision letter of the Planning Director and any other Town regulatory agencies authorizing the activity;
 - iv. contain a signature block where the Planning Director can indicate approval; and
 - v. contain a block where the Planning Director can indicate the date that the five-year period for completion expires.
- c. Such plan(s), if required, shall be filed in the Planning and Zoning Office before any Zoning Permits are issued for the activities shown on the approved plan(s).
- d. Any proposed modification to an approved plan shall be submitted to the Planning Director for review and action.
- e. Within a Village District, no approval shall be effective until a copy thereof, certified by the Commission, containing the name of the owner of record, a description of the premises to which it relates and specifying the reasons for its decision, is recorded by the applicant in the land records, indexed in the grantor's index under the name of the then record owner.

8. Reports to Commission

As requested by the Commission, the Planning Director shall submit a report summarizing actions taken in connection with this Section of the Regulations.

9. Expiration and Completion

All work in connection with a Site Plan shall be completed within five (5) years after the date of approval of the plan and failure to complete all work within such five-year period shall result in automatic expiration of the approval of such Site Plan.

10. Recourse

Decisions by the Planning Director on applications for Site Plan Approval may be appealed in accordance with the provisions of CGS 8-7. Decisions by the Commission on applications for Site Plan Approval may be appealed in accordance with the provisions of CGS 8-8.

D. CERTIFICATE OF LOCATION APPROVAL-DEALERS AND REPAIRERS LICENSE (ZEO)⁶

11. Application Requirements

- a. In accordance with CGS 14-54, an application for a Certificate of Location Approval shall be submitted to the Zoning Enforcement Officer after Special Permit Approval is issued through the Planning and Zoning Commission by any person who desires to obtain a license for dealing in or repairing motor vehicles in Ridgefield, except that this requirement shall not apply to:
 - i. a transfer of ownership to a spouse, child, brother, sister or parent of a licensee;
 - ii. a transfer of ownership to or from a corporation in which a spouse, child, brother, sister, or parent of a licensee has a controlling interest; or
 - iii. a change in ownership involving the withdrawal of one or more partners from a partnership.

2. Proceedings

- a. In reviewing a Certificate of Location Approval application, the Zoning Enforcement Officer acts as an agent of the State of Connecticut, not in a zoning capacity, and the notice provisions and other provisions of CGS Chapter 124 shall not apply.
- b. As an agent of the State of Connecticut, the Zoning Enforcement Officer shall determine if the proposed location and use(s) of the property conform to the zoning regulations.
- c. In determining whether the proposed location and use(s) of the property conform to the zoning regulations, the Zoning Enforcement Officer may require an inspection of the premises.

⁶ 2023-A-23-4 effective 12-1-2023

9.2. Submissions To Commission

Pre-Application Review (Staff)

Applicants are encouraged to initiate a pre-application review at the early stages of project conception in order to facilitate the preparation and processing of a subsequent application.

The Planning Director may also initiate a pre-application review.

A. SPECIAL PERMIT APPLICATION (PZC)

1. Application Requirements

A Special Permit Application shall be submitted for any activity designated in the Regulations as requiring a Special Permit.

2. Proceedings

- a. The Special Permit Application shall be submitted in accordance with Subsection 9.3.A.
- b. The date of receipt of the Special Permit Application shall be determined in accordance with Subsection 9.3.B.
- c. Supplemental Special Permit Application materials may be required in accordance with Subsection 9.3.C.
- d. The Special Permit Application may be required to be referred to:
 - i. an adjoining municipality in accordance with Subsection 9.3.D;
 - ii. a water company and the Commissioner of Public Health in accordance with Subsection 9.3.E;
 - iii. the Architectural Advisory Committee in accordance with Subsection 9.3.G; and
 - iv. the Village District Consultant in accordance with Subsection 9.3.H.
- e. The Commission shall hold a public hearing on the Special Permit Application and shall:
 - i. publish a legal notice in accordance with the requirements of Subsection 9.3.J of these Regulations; and
 - ii. require that the applicant give notice to nearby property owners in accordance with the requirements of Subsection 9.3.L of these Regulations.
- f. The applicant may withdraw such Special Permit Application at any time prior to action by the Commission.

3. Timeframe for Action

- a. The Commission shall process the Special Permit Application within the period of time permitted under CGS 8-7d:
 - i. the public hearing shall commence within sixty-five (65) days after receipt of the application;
 - ii. the public hearing shall be completed within thirty-five (35) days after such hearing commences;
 - iii. all decisions shall be rendered within sixty-five (65) days after completion of such hearing; and
 - iv. the applicant may consent to one or more extensions of any period specified herein provided the combined extension(s) of all such periods shall not exceed sixty-five (65) days.
- b. On a Special Permit Application involving an activity regulated pursuant to CGS 22a-36 to 22a-45, inclusive:
 - i. the Commission shall wait to render its decision until the Inland Wetlands Board has submitted a report with its final decision; and
 - ii. the time period for a decision by the Commission may be extended to thirty-five (35) days after the decision of the Inland Wetlands Board.

4. Decision Considerations

- a. On a Special Permit Application, the Commission shall give due consideration to any report or testimony received from:
 - i. an adjoining municipality under Subsection 9.3.D;
 - ii. a water company and the Commissioner of Public Health under Subsection 9.3.E;
 - iii. the Architectural Advisory Committee under Subsection 9.3.G; or
 - iv. the Village District consultant under Subsection 9.3.H.
- b. Before granting a Special Permit, the Commission shall determine that:
 - i. the Special Permit Application is in conformance with the applicable provisions of these Regulations;
 - ii. the applicant has demonstrated, in the sole discretion of the Commission, that the application as proposed satisfies the applicable Special Permit criteria in Subsection 9.2.A.5 of these Regulations; and
 - iii. the Special Permit Application is in harmony with the purposes and intent of these Regulations.
- c. In granting a Special Permit, the Commission may stipulate such conditions the Commission believes are reasonable and necessary to protect or promote the public health, safety or welfare; property values; the environment; sound planning and zoning principles; improved land use, site planning and land development; or compatibility with the surrounding neighborhood.
- d. Whenever it grants or denies a Special Permit, the Commission shall state upon its record the reason(s) for its decision.

5. **Special Permit Criteria**

The Commission, in considering the application and arriving at its decision, shall find, in its sole discretion, that the following conditions have been met or will be met, by the proposal or by conditions attached to an approval thereof.

a. Suitable Location

The location, size, nature, hours of operation, and intensity of the proposed use or uses in relation to the size and location of the site shall be:

- i. appropriate for the proposed location and
- ii. in harmony with the appropriate and orderly development of the district in which it is located.

b. Appropriate Improvements

The location, nature, size, and the architectural design of buildings and appurtenances shall:

- i. be compatible with neighboring properties and their uses,
- ii. be in harmony with recognized principles of civic design and land use planning, and
- iii. not hinder or discourage the appropriate development or use of land and buildings nor impair the value thereof.

c. Appropriate Alteration of Landscape and Physical Conditions

The proposed alteration of the landscape and physical features of the property shall be consistent with the protection of the public's health, safety and welfare, and the appropriate and orderly development of the district. The Commission may consider characteristics of the land such as:

- i. the natural, scenic, historic, and unique resource areas and amenities;
- ii. wetlands, watercourses, rivers, streams, ponds, swamps, vernal pools, floodplains and other designated water bodies;
- iii. aquifers and similar potential sources of potable water;
- iv. significant woodlands;
- v. hillsides and of terrains deemed susceptible to erodability or the creation of turbidity or siltation;
- vi. significant animal, fowl or aquatic habitat;
- vii. sites, buildings or structures of historic or archeological significance;

d. Appropriate Landscaping

The nature and extent of landscaping on the site will be such that the use shall not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.

e. Suitable Transportation Conditions

Streets, driveways, parking areas and other transportation improvements shall be appropriately sized and of adequate condition to accommodate the traffic to be generated by the particular proposed use(s).

f. Adequate Public Services

The proposed use or activity shall provide easy accessibility for fire apparatus and police protection and is laid out and equipped to further the provision of emergency services.

g. Adequate Public Utilities

The provisions for water supply, sewage disposal, and storm water drainage shall:

- i. conform to accepted engineering practices,
- ii. comply with all standards of the appropriate regulatory authority, and
- iii. not unduly burden the capacity of such facilities.

h. Long Term Viability

Adequate provisions have been made for the sustained maintenance of the proposed development (structures, streets, and other improvements).

i. Consistent With Purposes

The proposed use or activity shall not impair the public health, safety or welfare or conflict with the purposes of the Regulations.

j. Consistent With Plan of Conservation and Development

The proposed use or activity facilitates achievement of one or more of the goals, objectives, policies, and recommendations of the Plan of Conservation and Development, as amended.

6. Action Documentation

- a. The Commission shall send, by certified mail, a copy of any decision on a Special Permit Application to the applicant within fifteen (15) days after such decision is rendered.
- b. Such notice of decision shall:
 - i. state the name of the owner of record;
 - ii. contain a description of the premises to which it relates;
 - iii. identify the Section and/or Subsection of the Regulations under which the Special Permit was granted or denied; and
 - iv. specify the nature of the Special Permit.
- c. The Commission shall cause notice of the approval or denial of the Special Permit Application to be published in a newspaper having a substantial circulation in Ridgefield within fifteen (15) days after such decision is rendered.
- d. In any case in which such notice is not published within the fifteen-day period after a decision has been rendered, the applicant may provide for the publication of such notice within ten (10) days thereafter.

7. Following Approval

- a. A Special Permit granted by the Commission shall only become effective upon the filing of a copy, certified by the Commission, in the land records of the Town, in accordance with the provisions of CGS 8-3d.
- b. Within a Village District, no approval shall be effective until a copy thereof, certified by the Commission, containing the name of the owner of record, a description of the premises to which it relates and specifying the reasons for its decision, is recorded by the applicant in the land records, indexed in the grantor's index under the name of the then record owner.
- c. A Special Permit shall only authorize the particular use or uses specified in the Commission's approval.
- d. Failure to strictly adhere to the documents, plans, terms, conditions and/or safeguards approved by the Commission or its staff shall be a violation of these Regulations and the Commission shall have the authority to revoke the Special Permit at any time the operation is found to be in noncompliance with the Special Permit.
- e. Following approval of a Special Permit by the Commission, any amendment, change, expansion or modification of the proposed plans or buildings:
 - i. may be approved by the Planning Director only if the revisions involve minor changes to the location or arrangement of parking or landscaping or minor changes to the architecture of a building or structure; or
 - ii. shall require further review and approval of the Commission and may, at the Commission's discretion, be:
 - a) authorized by the Commission without another public hearing only if such proposed amendment, change, expansion or modification is determined by the Commission to be minor in nature; or
 - b) subject to another public hearing if such proposed amendment, change, expansion or modification is found to be substantive in nature.

8. Recourse

Decisions by the Commission on applications for a Special Permit may be appealed in accordance with the provisions of CGS 8-8.

B. REGULATION AMENDMENT APPLICATION (PZC)

1. Application Requirements

- a. A Regulation Amendment Application shall be submitted for any proposal to amend, change, or repeal any provision of these Regulations.
- b. Concurrent with a Regulation Amendment Application, the applicant shall submit:
 - i. an application to amend the Plan of Conservation and Development or any section thereof in accordance with the requirements of Article XIII of the Subdivision and Master Plan Regulations entitled "Adoption And Amendments To The Plan Of Development", or
 - ii. a statement describing why the applicant believes such an application is not required.
- c. The Commission shall not be required to hear any petition or petitions relating to the same changes, or substantially the same changes, more than once in a period of twelve (12) months unless it finds, on facts presented in writing, that a material change in the situation justifies this action. A change of ownership of property or any interest therein shall not be deemed a material change in the situation for the purpose of this Section.

2. Proceedings

- a. The Regulation Amendment Application shall be submitted in accordance with Subsection 9.3.A.
- b. The date of receipt of the Regulation Amendment Application shall be determined in accordance with Subsection 9.3.B.
- c. Supplemental Regulation Amendment Application materials may be required in accordance with Subsection 9.3.C.
- d. The Regulation Amendment Application may be required to be referred to:
 - i. an adjoining municipality in accordance with Subsection 9.3.D.
 - ii. a water company and the Commissioner of Public Health in accordance with Subsection 9.3.E.
 - iii. a regional agency in accordance with Subsection 9.3.F.
- e. The Commission shall hold a public hearing on the Regulation Amendment Application and:
 - i. shall cause a legal notice to be published in accordance with the requirements of Subsection 9.3.J of these Regulations; and
 - ii. may publish the full text of such proposed regulation in full in such notice.
- f. A copy of the proposed Regulation Amendment Application shall be filed by the Planning Director in the office of the Town Clerk for public inspection at least ten (10) days before the public hearing.
- g. The applicant may withdraw such Regulation Amendment Application at any time prior to action by the Commission.

3. Timeframe for Action

- a. The Commission shall process the Regulation Amendment Application within the period of time permitted under CGS 8-7d except that these timeframe provisions shall not apply to any action initiated by the Commission regarding adoption or amendment of any Regulation:
 - i. the public hearing shall commence within sixty-five (65) days after receipt of the application;
 - ii. the public hearing shall be completed within thirty-five (35) days after such hearing commences;
 - iii. all decisions shall be rendered within sixty-five (65) days after completion of such hearing; and
 - iv. the applicant may consent to one or more extensions of any period specified herein provided the total extension of all such periods shall not be for longer than sixty-five (65) days.

4. Decision Considerations

- a. On a Regulation Amendment Application, the Commission shall incorporate into the record, and give due consideration to, any report or testimony received from:
 - i. an adjoining municipality under Subsection 9.3.D;
 - ii. a water company and the Commissioner of Public Health under Subsection 9.3.E; and
 - iii. a regional planning agency under Subsection 9.3.F.
- b. In making its decision the Commission shall:
 - i. take into consideration the Plan of Conservation and Development, prepared pursuant to CGS 8-23; and
 - ii. state upon the record its findings on consistency of the proposed establishment, change or repeal of such Regulations with the Plan of Conservation and Development, as amended.
- c. Whenever it acts upon a Regulation Amendment, the Commission shall state upon its record the reason(s) for its decision.

5. Effective Date

Unless otherwise expressly provided for by the Commission, the effective date of a Regulation Amendment shall be the day following the publication of such proposed change in a newspaper having a substantial circulation in Ridgefield provided a copy of the Regulation Amendment approved by the Commission shall be filed in the office of the Town Clerk prior to the effective date.

6. Action Documentation

- a. The Commission shall send, by certified mail, a copy of any decision on a Regulation Amendment Application to the applicant within fifteen (15) days after such decision is rendered.
- b. The Commission shall cause notice of the approval or denial of the Regulation Amendment Application to be published in a newspaper having a substantial circulation in Ridgefield within fifteen (15) days after such decision is rendered and any such notice of approval shall identify the effective date established by the Commission.
- c. In any case in which such notice is not published within the fifteen-day period after a decision has been rendered, the applicant may provide for the publication of such notice within ten (10) days thereafter.

C. ZONE CHANGE APPLICATION (PZC)

1. Application Requirements

- a. A Zone Change Application shall be submitted for any proposal to alter the zoning designation of any parcel(s) of land or part thereof.
- b. A Zone Change Application shall be:
 - i. signed by the affected property owner(s);
 - ii. initiated by petition provided that the petitioner(s) shall notify by certified mail all property owners who have not cosigned the petition but whose premises are included within the area proposed for the zone change;
 - iii. commenced by the Commission on its own initiative; or
 - iv. by the Commission in response to a petition, duly signed and acknowledged, requesting change or modification of the official Zoning Map.
- c. Concurrent with a Zone Change Application, the applicant shall submit
 - i. an application to amend the Plan of Conservation and Development or any section thereof in accordance with the requirements of Article XIII of the Subdivision and Master Plan Regulations entitled "Adoption And Amendments To The Plan Of Development", or
 - ii. a statement describing why the applicant believes such an application is not required.
- d. The Commission shall not be required to hear a Zone Change Application that has been rejected within one (1) year from the date of rejection unless it finds, on facts presented in writing, that a material change in the situation justifies this action. A change of ownership of property or any interest therein shall not be deemed a material change in the situation for the purpose of this Section.

2. Proceedings

- a. The Zone Change Application shall be submitted in accordance with Subsection 9.3.A.
- b. The date of receipt of the Zone Change Application shall be determined in accordance with Subsection 9.3.B.
- c. Supplemental Zone Change Application materials may be required in accordance with Subsection 9.3.C.
- d. The Zone Change Application may be required to be referred to:
 - i. an adjoining municipality in accordance with Subsection 9.3.D.
 - ii. a water company and the Commissioner of Public Health in accordance with Subsection 9.3.E.
 - iii. a regional agency in accordance with Subsection 9.3.F.
 - iv. the Village District consultant in accordance with Subsection 9.3.H.
- e. The Commission shall hold a public hearing on the Zone Change Application and shall cause a legal notice to be published in accordance with the requirements of Subsection 9.3.J of these Regulations.
- f. The Commission shall require that the applicant:
 - i. post a sign in accordance with the requirements of Subsection 9.3.K of these Regulations; and
 - ii. give notice to nearby property owners in accordance with the requirements of Subsection 9.3.L of these Regulations.
- g. A copy of the proposed Zone Change Application shall be filed by the Planning Director in the Office of the Town Clerk for public inspection at least ten (10) days before the public hearing.
- h. The applicant may withdraw such Zone Change Application at any time prior to action by the Commission.

3. Timeframe for Action

- a. The Commission shall process the Zone Change Application within the period of time permitted under CGS 8-7d except that these timeframe provisions shall not apply to any action initiated by the Commission regarding establishment or change of any zone:
 - i. the public hearing shall commence within sixty-five (65) days after receipt of the application;
 - ii. the public hearing shall be completed within thirty-five (35) days after such hearing commences;
 - iii. all decisions shall be rendered within sixty-five (65) days after completion of such hearing; and
 - iv. the applicant may consent to one or more extensions of any period specified herein provided the total extension of all such periods shall not be for longer than sixty-five (65) days.

4. Decision Considerations

- b. On a Zone Change Application, the Commission shall incorporate into the record, and give due consideration to, any report or testimony received from:
 - i. an adjoining municipality under Subsection 9.3.D;
 - ii. a regional planning agency under Subsection 9.3.F; and
 - iii. a water company and the Commissioner of Public Health under Subsection 9.3.E.
- c. Whenever it grants or denies a Zone Change Application, the Commission shall state upon its record:
 - i. the reason(s) for its decision; and
 - ii. the findings on consistency of the proposed zone change with the Plan of Conservation and Development, as amended.
- d. Such zone change shall be established, changed or repealed only by a majority vote of all the members of the Commission except that, if a protest against a proposed change is filed with the Commission at or before a hearing, signed by all of the owners of record of twenty (20) percent or more of the area of the lots affected by such proposed change or of the lots within five hundred (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 all the members of the Commission.

5. Effective Date

Unless otherwise expressly provided for by the Commission, such Zone Change shall become effective on the day following the publication of such change in a newspaper having a substantial circulation in Ridgefield provided that, prior to the effective date, a copy of the zone change approved by the Commission shall be filed in the office of the Town Clerk.

6. Action Documentation

- a. The Commission shall send, by certified mail, a copy of any decision on a Zone Change Application to the applicant within fifteen (15) days after such decision is rendered.
- b. The Commission shall cause notice of the approval or denial of the Zone Change Application to be published in a newspaper having a substantial circulation in Ridgefield within fifteen (15) days after such decision is rendered and any such notice of approval shall identify the effective date established by the Commission.
- c. In any case in which such notice is not published within the fifteen-day period after a decision has been rendered, the person who submitted such application may provide for the publication of such notice within ten (10) days thereafter.

D. CERTIFICATE OF LOCATION APPROVAL (PZC)⁷

1.Application Requirements

- a. In accordance with CGS 14-321, an application for a Certificate of Location Approval shall be submitted to the Commission by any person who desires to obtain a license for the sale of gasoline or any other product, under the provisions of CGS 14-319, including the alteration or changing of adjoining physical properties for such purposes, except that this requirement shall not apply:
 - i. in the case of a renewal of a license by the holder of the license;
 - ii. to the transfer of the last issued license from one person to another provided no more than one (1) year has elapsed since the expiration of such license; or
 - iii. in the case of the addition or discontinuance of pumps.

2. Proceedings

- a. In reviewing a Certificate of Location Approval application, the Commission acts as an agent of the State of Connecticut, not in a zoning capacity, and the notice provisions and other provisions of CGS Chapter 124 shall not apply.
- b. As an agent of the State of Connecticut, the Commission serves solely to determine whether a Certificate of Location Approval should be issued based upon such considerations as:
 - i. whether the use is permitted in the zoning district;
 - ii. the suitability of the location in view of traffic, intersecting streets, width of highway, effect on public travel, and other conditions;
 - iii. the relationship of the proposed use or operation with respect to schools, churches, theaters, playhouses or other places of public gathering;
 - iv. whether the proposed use of the location would imperil the safety and welfare of the public;
 - v. whether the proposed use of the location would have a detrimental effect on the value of nearby properties or development thereof; or
 - vi. whether there has been a material change in conditions which might reverse a decision of granting or denying a previous application.
- c. The Commission may hold a public hearing on the Certificate of Location Approval application and, if such hearing is to be held:
 - i. shall cause a legal notice to be published in accordance with the requirements of Subsection 9.3.J of these Regulations; and
 - ii. may require that the applicant give notice to nearby property owners in accordance with the requirements of Subsection 9.3.L of these Regulations.
- d. The applicant may withdraw such Certificate of Location Approval Application at any time prior to action by the Commission.

⁷ A-23-5 Amended effective 12-1-2023

7. Proceedings

- e. In reviewing a Certificate of Location Approval application, the Commission acts as an agent of the State of Connecticut, not in a zoning capacity, and the notice provisions and other provisions of CGS Chapter 124 shall not apply.
- f. As an agent of the State of Connecticut, the Commission serves solely to determine whether a Certificate of Location Approval should be issued based upon such considerations as:
 - i. whether the use is permitted in the zoning district;
 - ii. the suitability of the location in view of traffic, intersecting streets, width of highway, effect on public travel, and other conditions;
 - iii. the relationship of the proposed use or operation with respect to schools, churches, theaters, playhouses or other places of public gathering;
 - iv. whether the proposed use of the location would imperil the safety and welfare of the public;
 - v. whether the proposed use of the location would have a detrimental effect on the value of nearby properties or development thereof; or
 - vi. whether there has been a material change in conditions which might reverse a decision of granting or denying a previous application.
- g. The Commission may hold a public hearing on the Certificate of Location Approval application and, if such hearing is to be held:
 - i. shall cause a legal notice to be published in accordance with the requirements of Subsection 9.3.J of these Regulations; and
 - ii. may require that the applicant give notice to nearby property owners in accordance with the requirements of Subsection 9.3.L of these Regulations.
- h. The applicant may withdraw such Certificate of Location Approval Application at any time prior to action by the Commission.

E. PRE-SUBMISSION CONCEPT (PZC)

1. A prospective applicant may prepare and submit a pre-submission concept for informal presentation to the Commission.
2. Such pre-submission concept submission shall, at a minimum, include the following:
 - a. A plan providing sufficient information for the Commission to visualize how the proposed use or development might be configured and to identify the location of significant natural features (wetlands, watercourses, steep slopes, flood plain) and other relevant information; and
 - b. A one-page summary of the issue the Commission is being asked to address.
3. The Commission may allow an informal presentation by the prospective applicant.
4. The Commission may informally review the pre-submission concept for general conformance with these Regulations and may request additional information where deemed necessary.
5. A pre-submission concept shall be considered only informational and advisory in nature and no development rights shall attach to the review or consideration of any pre-application concept.
6. Such review shall not be binding on the applicant or the Commission.
7. In accordance with PA 03-184 (codified as §7-159b in the Connecticut State Statutes), such review and any results or information obtained from it may not be appealed under any provision of the Connecticut General Statutes.
8. A pre-submission concept shall be placed on file in the Planning and Zoning Office.

Pre-Submission Concept Review (Commission)

For particularly large or involved concepts, potential applicants are encouraged to consider a pre-submission concept review at the early stages of project conception in order to facilitate the preparation and processing of a subsequent application.

The Planning Director may also recommend a pre-submission concept review.

9.3. *Application Processing*

A. APPLICATION SUBMITTAL

1. Applications to the Planning Director or the Commission shall be submitted to the Land Use Office at the Town Hall (Annex).
2. Applications to the Zoning Board of Appeals (ZBA) shall be submitted in accordance with procedures established by the ZBA.
3. An application submittal to the Planning Director or the Commission shall include:
 - a. the appropriate application form(s) for the type of application being submitted which has been completed and bears, as applicable, the original signature of the applicant and the original signature of owner of the property affected, or written permission for an authorized agent to sign for the owner and applicant;
 - b. the appropriate fee(s) as adopted by the Commission (see Appendix), except that Town agencies shall be exempt from any application fee; and
 - c. such supporting plans, materials, and other information as specified in the Appendix for the type of application being submitted (see checklists in the Appendix);
 - d. written permission for staff and the Commission to inspect the property.
4. If an application involves an activity regulated pursuant to CGS 22a-36 to 22a-45, inclusive, the applicant shall submit an application for a permit to the Inland Wetlands Board no later than the day such application is filed with the Commission.
5. In accordance with CGS 8-7c, any person who makes an application to the Commission pertaining to real property, the record title to which is held by a trustee of any trust, shall file with said application a sworn statement disclosing the name(s) of the equitable owner(s) of such real property or the beneficiary(ies) of the trust.

B. DATE OF RECEIPT

For the purposes of calculating statutory timeframes for processing applications, the date of receipt of an application to the Commission shall be:

1. the day of the next regularly scheduled meeting of the Commission immediately following the day of submission of the application; or
2. thirty-five (35) days after submission, whichever is sooner.

C. POSSIBLE SUPPLEMENTAL MATERIALS

1. Depending on the nature of the application, the Commission may request that the applicant submit additional information so that the Commission can make a reasonable review of the application.
2. On any application, the Commission may seek the advice and opinion of other officials, boards, or Commissions to assist it in evaluating applications.
3. On any application, the Commission may retain outside consultants to review applications when it finds the size, complexity or potential impact of the proposed use or activity requires specialized assistance and expertise and:
 - a. the fees charged by such outside consultants shall be paid for by the applicant;
 - b. the applicant shall deposit with the Commission an amount equal to one hundred fifty (150) percent of the estimated consultant fees (or lesser amount if authorized by the Planning Director) from written estimates prepared by the consultants on the basis of the anticipated cost of the review and, following review of the application and payment of consultant fees, the applicant shall be reimbursed any unused funds without payment of interest; and
 - c. payment of any outstanding balance in the consultant fees shall be a condition of approval of any application and no final approval shall be documented until such amount is paid in full.
4. Where the Commission determines that, because of the particular size, location or nature of a proposal, the public interest would be best served by a three dimensional physical representation or a computer simulation of the project, the Commission may require that the applicant provide a digital model of the proposal or a physical model of the proposal at such appropriate scale as the Commission may approve. The Commission may also require that the model include three dimensional representation of all or portions of the abutting properties where this would significantly aid the Commission and the public to visualize and understand the proposal.

D. REFERRAL OF APPLICATION (TO ABUTTING MUNICIPALITIES)

1. In accordance with CGS 8-7d(f), the Commission shall notify the clerk of an adjoining municipality of any application concerning any project on any site in which:
 - a. any portion of the property affected by a decision is within five hundred (500) feet of the boundary of the adjoining municipality;
 - b. a significant portion of the traffic to the completed project shall use streets within the adjoining municipality to enter or exit the site;
 - c. a significant portion of the sewer or water drainage from the project shall flow through and significantly impact the drainage or sewerage system within the adjoining municipality; or
 - d. water runoff from the improved site shall impact streets or other municipal or private property within the adjoining municipality.
2. Such notice shall be made by certified mail return receipt requested and shall be mailed within seven (7) days of the day of the submission of the application, petition, request or plan.
3. No hearing shall be conducted on any application, petition, request or plan unless the adjoining municipality has received the notice required under this Section.
4. Such adjoining municipality may, through a representative, appear and be heard at any hearing on any such application, petition, request or plan.

E. REFERRAL OF APPLICATION (TO WATER COMPANY)

1. In accordance with CGS 8-3i, an applicant shall provide written notice to a water company and the Commissioner of Public Health when an application, petition, request or plan is filed with the Commission concerning any project on any site which is within:
 - a. an aquifer protection area, provided such area has been delineated in accordance with CGS 22a-354c; or
 - b. the watershed of a water company, provided such water company has filed a map with the Commission or on the Ridgefield land records showing the boundaries of the watershed.
2. Such notice shall be made by certified mail, return receipt requested and shall be mailed within seven (7) days of the date of the submission of the application, petition, request, or plan.
3. Prior to the scheduled meeting regarding the application, the applicant shall submit the following or the application shall be considered incomplete:
 - a. a copy of the complete package of information; and
 - b. proof of mailing.
4. Such water company and the Commissioner of Public Health may, through a representative, appear and be heard at any hearing on any such application, petition, request or plan.

F. REFERRAL OF APPLICATION (TO REGIONAL AGENCY)

1. In accordance with CGS 8-3b, the Commission shall provide written notice to the Housatonic Valley Council of Elected Officials and the regional planning agency of the other affected municipality when:
 - a. any portion of the land affected by a Regulation Amendment Application affecting the use of a zone is located within five hundred (500) feet of the boundary of another municipality within the area of operation of a regional planning agency.
 - b. any portion of the land affected by a Zone Change Application is located within five hundred (500) feet of the boundary of another municipality within the area of operation of a regional planning agency.
2. Such notice shall be made by certified mail, return receipt requested, not later than thirty (30) days before the public hearing.
3. The regional planning agency may submit its advisory findings and recommendations to the Commission at or before the hearing but if such report is not submitted, it shall be presumed that such agency does not disapprove of the proposal.

G. REFERRAL OF APPLICATION (TO ARCH. ADVISORY COMM.)

1. When required by these Regulations, an application shall be forwarded to the Architectural Advisory Committee for review and comment.
2. Such forwarding shall be made by the Commission or its agent within seven (7) days of the day of the submission of the application, petition, request or plan.
3. The applicant shall meet with the Architectural Advisory Committee to discuss the design elements of the application including the site layout, site landscaping, and the architectural design of all buildings and other structures so that same are of such character as to harmonize with the neighborhood and surrounding uses, and to preserve and improve the appearance and beauty of the community.
4. The Architectural Advisory Committee shall report its finding(s) to the applicant and the Commission within seven (7) days of the meeting with the applicant or agent thereof.
5. The Architectural Advisory Committee may submit a report to the Commission or may, through a representative, appear and be heard at any hearing on any such application, petition, request or plan.

H. REFERRAL OF APPLICATION (TO VILLAGE DISTRICT CON.)

1. When an application is filed in any zoning district which is identified as a village district, such application shall be forwarded for review and comment to the Village District Consultant selected by the Commission, in accordance with Sec. 8.3 of these regulations.⁸
2. Such Village District Consultant shall be:
 - a. an Architectural Review Board (which may be the Architectural Advisory Committee) provided the members shall include at least one (1) architect, landscape architect or planner who is a member of the American Institute of Certified Planners; or
 - b. a licensed architect or an architectural firm; or
 - c. a licensed landscape architect; or
 - d. a planner who is a member of the American Institute of Certified Planners.
3. The Village District consultant shall review an application and report to the Commission within thirty-five (35) days of receipt of the application.
4. Such report and recommendation shall be entered into the public hearing record and considered by the Commission in making its decision.
5. Failure of the Village District Consultant to report within the specified time shall not alter or delay any other time limit imposed by these Regulations.

I. REFERRAL OF APPLICATION (IN A VILLAGE DISTRICT)

1. When an application is filed in any zoning district which is identified as a village district, the Commission may seek the recommendations of any Town or regional agency or outside specialist including, but not limited to:
 - a. the regional planning agency,
 - b. the Ridgefield Historic District Commission,
 - c. the Ridgefield Historical Society,
 - d. the Connecticut Trust for Historic Preservation, and
 - e. the University of Connecticut College of Agriculture and Natural Resources.
2. Any reports or recommendations from such agencies or organizations shall be entered into the public hearing record.

⁸ 2008-024 Amended effective 5/2/08

J. NOTICE OF HEARING (NEWSPAPER)

1. When a public hearing is required by these Regulations or scheduled by the Commission, the Commission shall cause notice of the date, time, and place of the public hearing to be published in a newspaper having a substantial circulation in Ridgefield.
2. Such notice shall be published at least twice at intervals of not less than two (2) days, the first not more than fifteen (15) days, nor less than ten (10) days, and the last not less than two (2) days before the date of the hearing.

K. NOTICE OF HEARING (SIGN)

1. When required by these Regulations, the applicant shall cause one or more signs to be posted on the property that is the subject of the application in location(s) which are visible and legible to passersby on the principal public street(s) or highway(s).
2. Such sign(s) shall:
 - a. be no less than ten (10) square feet in area;
 - b. be constructed of durable material;
 - c. state the nature of the application (such as "PREMISES PROPOSED FOR REZONING");
 - d. state the date, time, and place of the public hearing;
 - e. be in evidence for a continuous period of no less than fourteen (14) days preceding the date of the public hearing.
3. At the public hearing on the application, the applicant shall submit an affidavit certifying:
 - a. that the sign was (signs were) posted for the required time period;
 - b. what the sign(s) stated; and
 - c. where the sign(s) were located.

L. NOTICE OF HEARING (MAILING TO NEARBY OWNERS)⁹

1. When a public hearing is scheduled for an application submitted to the Commission, the applicant shall notify owners of property within one hundred (100) feet of the subject property whether inside or outside Ridgefield, of a pending application by mailing a notice at least ten (10) days prior to the scheduled hearing.
2. At a minimum, such notice shall consist of:
 - a. a description of the proposed activity;
 - b. notification of the date, time, and place of the scheduled hearing; and
 - c. a copy of the application form submitted to the Commission.
3. Notices to such property owners shall be sent via regular mail except that where any property owner shall have listed with the Assessor an address outside the United States, the requisite notice shall be sent by International Express Mail or equivalent.
4. For each notice sent, the applicant shall obtain a "Certificate of Mailing" or "Return Receipt" (for certified mail) from the United States Postal Service.
5. The last-completed Grand List of the Town Assessor, as of the date of mailing, shall be utilized to determine the owner of each property and if such information is not readily available the fact shall be made known to the Commission.
 - a. for corporations listed with the office of the Secretary of State, the listed individual owners or the office of the corporation shall be notified;
 - b. for common interest communities, the homeowners' association president and the property manager shall be notified, as well as the owner(s) of any units in buildings located within 100 feet of the property subject to the application.
6. No later than the scheduled hearing regarding the application, the applicant shall submit the following to the Commission or the application shall be considered incomplete:
 - a. a copy of the complete package of information sent to abutters;
 - b. a list of the abutters to whom the notices were sent; and
 - c. proof of mailing such as "Certificates of Mailing" or "Return Receipts" issued by the United States Postal Service for all persons notified.

M. SEQUENCE OF APPLICATIONS

1. Where a proposed development or activity requires multiple applications, the Commission may process such applications (including conducting any public hearings) simultaneously or in the order they deem appropriate.

⁹ 2011-115-A Amended effective 11/24/11

N. BONDS

1. Where a bond is required by any Section of these Regulations, it shall be in one (1) of the following forms and the Planning Director shall require evidence of compliance with the following standards before accepting any bond:
 - a. cash deposited with the Town;
 - b. certified check to the order of the Town when the amount of the check is fully insured by the FDIC;
 - c. bank deposit assigned irrevocably and solely to the Town when the amount of the deposit is fully insured by the FDIC; or
 - d. irrevocable letter of credit naming the Town as sole beneficiary provided that:
 - i. such letter of credit shall be issued by, and drafts thereunder presentable at, a branch of a bank in Connecticut provided that:
 - a) such bank is included in the most recent list issued by the Securities Valuation Office of the National Association of Insurance Commissioners (or any successor office or organization, "NAIC") as a bank meeting NAIC standards for issuing letters of credit for reinsurance purposes; or
 - b) the long-term unsecured debt of such bank (or the long-term unsecured debt of its holding company) is rated BBB or better by Standard & Poor's rating service or Baa or better by Moody's rating service;
 - ii. The terms and conditions of such letter of credit shall be acceptable in form and substance to the Town and substantially in the form of the model letter of credit in the Appendix;
 - iii. if and when such letter of credit shall, through the passage of time, have less than thirty (30) days remaining until its expiration or lapse date, and such date shall not have been extended, the Town may draw under said letter of credit the full amount thereof and the proceeds may be retained by the Town as the bond.
2. Any required bond shall not be released by the Commission until:
 - a. the release has been requested, in writing, by the applicant;
 - b. the Town Engineer and/or the Planning Director has submitted a report stating that all required improvements have been satisfactorily completed and that all conditions and requirements of the Commission's approval have been satisfied; and
 - c. the applicant's engineer or surveyor has certified to the Commission, if required, through submission of a set of detailed "Record" plans on mylar, that all improvements and other work are in accordance with the approved plan(s).
3. Any cost of collecting a bond, including attorney, bank and other collection fees and expenditures, may be deducted from amounts released in Subsection 9.3.N.2.

9.4. Enforcement Procedures

A. ENFORCEMENT AUTHORITY

1. These Regulations shall be administered and enforced by the Commission.
2. The Commission shall appoint one or more administrative agents, with the title of Zoning Enforcement Officer (ZEO), with full power to administer and enforce these Regulations on behalf of the Commission.
3. The Commission may designate one or more persons who shall be authorized to assist the ZEO in the enforcement of these Regulations.

B. INSPECTIONS AUTHORIZED

The Zoning Enforcement Officer(s) and the Commission shall have authority to cause an inspection to be made of any premises and the building and structures thereon and the use of any land and any kind of work upon any building or structure being erected or altered, whether or not such work is being done under authority of a Zoning Permit.

C. NOTICE OF VIOLATION

1. If the Zoning Enforcement Officer (ZEO) shall find a violation of these Regulations, he or she shall serve upon the owner, lessee, tenant, architect, engineer, builder, contractor, manager, or any agent, a violation notice and an order to discontinue such work and violation and to correct or abate the condition complained of within ten (10) days from service of such notice and order, or earlier in the case of earth removal, grading, erosion or sediment control, or other matters requiring more immediate attention.
2. The ZEO shall have the authority to order the removal of any sign erected on, attached to, maintained on or displayed on any property in any zone where no permit has been issued in accordance with these Regulations or where such sign is in violation of any provision of these Regulations.
3. The ZEO shall have the authority to remove signs where no sign permit has been issued and where the sign is located within a public road right-of-way or is located on Town property.

D. FURTHER ACTION

1. Any person violating any of the provisions of these Regulations shall be subject to the fines, injunctive procedures, and any other penalties prescribed by Chapter 124 of the Connecticut General Statutes, as amended, including, when warranted, a separate violation for each day that a violation exists.
2. Where it is alleged that there is an error in any enforcement order, requirement or decision made by the ZEO, an aggrieved party may file an appeal with the Zoning Board of Appeals (ZBA) in accordance with Subsection 9.5.B.

9.5. Zoning Board of Appeals (ZBA)

A. GENERAL PROVISIONS

1. Powers and Duties

Pursuant to CGS 8-6 and the specific provisions of these Regulations, the Zoning Board of Appeals (ZBA) shall have the following powers and duties.

- a. 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 (ZEO) or other person charged with the enforcement of these Regulations, but excluding appeals of decisions by the Commission on Special Permit or Site Plan applications.
- b. To determine and vary the application of the Zoning Regulations solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of these Regulations would result in exceptional difficulty or unusual hardship and only when such determination or variance shall:
 - i. be in harmony with the general purpose and intent of these Regulations;
 - ii. give due consideration for conserving the public health, safety, convenience, welfare and property values; and
 - iii. result in substantial justice being done and the public safety and welfare secured.
- c. To hear and decide all matters upon which it is required to pass by the specific terms of the zoning bylaw, ordinance or regulations.

B. APPEAL OF ORDER

1. Authority

In accordance with CGS 8-7, an Appeal of Order may be taken to the ZBA by any person aggrieved, where it is alleged that there is an error in any order, requirement or decision made by the ZEO.

2. Proceedings¹⁰

An Appeal of Order shall be processed in accordance with the Connecticut General Statutes and bylaws adopted by the ZBA.

- a. The ZBA shall require that notice be mailed to persons who own land that is adjacent to, or within one hundred (100) feet of, the land that is the subject of a hearing.
- b. Persons who own the land shall be the owners indicated on the property tax map or on the last-completed Grand List as of the date such notice is mailed.
- c. Notice shall be by U.S. mail.

¹⁰ 2008-027 Amended effective 6/1/08

C. VARIANCE

1. Authority

In accordance with CGS 8-6, the ZBA shall have the power and duty to determine and vary the application of the Regulations solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of these Regulations would result in exceptional difficulty or unusual hardship.

2. Nature of Variance

- a. Any variance granted by the ZBA shall run with the land and shall not be personal in nature to the person who applies for and receives the variance.
- b. A variance shall not be extinguished solely because of the transfer of title to the property or the invalidity of any condition attached to the variance that would affect the transfer of the property from the person who initially applied for and received the variance.

3. Proceedings¹¹

The Variance Application shall be processed in accordance with the Connecticut General Statutes and bylaws adopted by the ZBA.

- a. The ZBA shall require that notice be mailed to persons who own land that is adjacent to, or within one hundred (100) feet of, the land that is the subject of a hearing.
- b. Persons who own the land shall be the owners indicated on the property tax map or on the last-completed Grand List as of the date such notice is mailed.
- c. Notice shall be by U.S. mail.

4. Additional Considerations for Use Variances

- a. No use variance shall be granted where a dimensional variance would relieve the exceptional difficulty or unusual hardship.
- b. Pursuant to the authority under CGS 8-6, these Regulations do not permit the ZBA to grant the use variances specified below:
 - i. the use of any residentially zoned premises for uses other than for residential purposes;
 - ii. the use of premises within CBD, B-1, B-2, B-3, CDD or , ARHD, Aquifer Protection or Floodplain Overlay zone for any purpose not specifically permitted by the Zoning Regulations governing said districts;
 - iii. the use of premises within single-family residential districts for other than single-family residential purposes;
 - iv. any use of premises not otherwise permitted by these Zoning Regulations, regardless of zone;

5. Following Approval

- a. A variance granted by the ZBA shall only become effective upon the filing of a copy, certified by the ZBA, in the land records of the Town, in accordance with the provisions of CGS 8-3d.
- b. A variance shall only authorize the particular activity specified in the ZBA's approval.

¹¹ 2008-024 Amended effective 5/2/08

10. APPENDIX

10.1. Application Fees

A. GENERAL:

- Pursuant to CGS Section 8-1c and Section 3-7 of the Town Code, the Board of Selectmen has authorized the Planning and Zoning Commission to establish application and processing fees. The fee information below is presented for public convenience.
- Fees are due at the time the application is filed. The failure to submit the applicable fee(s) shall render the application incomplete and may be grounds to deny the application.
- In accordance with CGS 22a-27j, all applications shall include an additional fee of \$60 which the Town is required to collect and pay to the State of Connecticut.

B. APPLICATIONS TO THE ZONING ENFORCEMENT OFFICER:

(Add \$60 State fee to the fees listed below, except Opinion Letter)

Zoning Permit (based on Cost of Construction):

\$ 0	to	\$ 5,000	\$ 20
\$ 5,001	to	\$ 20,000	\$ 30
\$ 20,001	to	\$ 40,000	\$ 40
\$ 40,001	to	\$ 100,000	\$ 80
\$ 100,001	to	\$ 500,000	\$ 200
\$ 500,001	to	\$ 1,000,000	\$ 400
\$ 1,000,001	to	\$ 3,000,000	\$ 800
\$ 3,000,001	to	\$ 10,000,000	\$ 2,000
\$ 10,000,001	and	Higher	\$ 3,000

Sign Permit:

- Temporary Sign (Commercial) \$ 20 + \$5/square foot
- Permanent Sign \$ 30 + \$5/square foot

Excavation Permit	\$ 150
Change of Use Permit ¹	\$ 50
Home-Based Business Permit	\$ 50
ZEO Opinion Letter or Written Interpretation	\$ 25

C. APPLICATIONS TO THE PLANNING DIRECTOR:

(Add \$60 State fee and legal notice fees to the fees listed below)

Site Plan Application	\$ 100
Site Plan Modification or Revision	\$ 50

¹ 2008-026 Amended 5/2/08

D. APPLICATIONS TO THE PLANNING AND ZONING COMMISSION:

(Add \$60 State fee and legal notice fees to the fees listed below)

Special Permit (Base Fee):

- | | |
|--|-----------------|
| • For residential use in residential zone | \$ 50 + SF fee |
| • For residential use in MFDD, ARHD | \$ 350 + SF fee |
| • For residential use in non-residential zone | \$350 + SF fee |
| • For non-residential use in residential zone | \$ 250 + SF fee |
| • For non-residential use in non-residential zone | \$ 350 + SF fee |
| • For modification, revision or renewal of previously granted Special Permit | \$ 100 |
| • Excavation Special Permit | \$250 |
| • Signs | \$100 |

Special Permit (SF Fee):

When required	\$0.025 / square foot of floor area for construction / reconstruction of buildings
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Village District Design Review	\$ 50
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Certificate of Location Approval (Motor Vehicle Licenses)	\$ 250
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Regulation Change Application	\$ 350
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Zone Change Application	\$ 350
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Subdivision, PRD or resubdivision (including existing lot)	\$ 300 / lot
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Modification or revision of approved subdivision or re-subdivision plan	\$ 100
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Fee in lieu of parking	\$8,600 / space
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E. ADDITIONAL APPLICATION FEES:

Legal Notice Fees:

- | | |
|--|--------|
| • Notice of Public Hearing (one fee for combined hearings) | \$ 120 |
| • Notice of Decision | \$ 60 |

Public Hearing Fee:

- | | |
|------------------------------|---|
| • If Public Hearing required | Fifty percent (50%) of the Base Fee for the Application |
|------------------------------|---|

State Fee (municipality is exempt per CGS 22a-27j)	\$ 60
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In accordance with Section 9.3.C of these Regulations, the Commission may charge additional fees for technical review at any time during the application process if the size, complexity and/or potential impact of the project requires specialized assistance and expertise.

10.2. Application Checklists

A. ZONING PERMIT APPLICATION (ZEO)

- ☐ 1. Digital Application submitted by the owner(s) of record, or letter of authorization from the owner to a designated agent²;
- ☐ 2. Application Fee (refer to Fee Schedule in Subsection 10.1)
- ☐ 3. Pursuant to Public Act 05-124, for property subject to a conservation or preservation restriction, and where activity is proposed within the restricted area, a notarized statement from the applicant certifying that:
 - the proposed activity involves only interior work in an existing building or exterior work that does not expand or alter the footprint of an existing building, or
 - the applicant provided written notice of such application, by certified mail, return receipt requested, not later than sixty days prior to the filing of the application to the party holding a conservation restriction or a preservation restriction, or
 - the holder of such restriction or the holder's authorized agent has submitted a letter verifying that the application is in compliance with the terms of the restriction.
- ☐ 4. Unless waived by the Zoning Enforcement Officer pursuant to Sec. 9.1.A.2.c, two (2) hard copies and one digital PDF copy³ of a plot plan of the premises or parcel of land at acceptable scale, incorporating a zoning improvement survey prepared to Class A-2 standards, prepared, stamped with an embossed seal and signed by a Connecticut licensed land surveyor or showing, where applicable:⁴
 - ☐ 4.1. the actual dimensions of the plot to be built upon or used;
 - ☐ 4.2. the location of the plot in relation to public and/or private streets and accessways;
 - ☐ 4.3. the zone in which the plot is located;
 - ☐ 4.4. the north arrow;
 - ☐ 4.5. the location and size of any presently existing buildings and structures upon the plot with exact setback distances from front, side and rear lot lines,
 - ☐ 4.6. the location of septic system(s) and well(s);
 - ☐ 4.7. the proposed location and size of any new buildings, additions or structures to be erected thereon, with proposed setback distances from front, side and rear lot lines;
 - ☐ 4.8. current and proposed percentage of the lot to be covered by buildings;
 - ☐ 4.9. current and proposed building height;

(continued on next page)

² 2020-049-A: Amended effective 10/30/2020 (digital submission requirements)

³ 2020-049-A: Amended effective 10/30/2020 (digital submission requirements)

⁴ 2011-111-A Amended effective 11/24/11

- ☐ 4.10. all applicable setback lines;
 - ☐ 4.11. a signed statement from a licensed architect or surveyor stating the existing and proposed floor area ratio (where applicable);
 - ☐ 4.12. The location of any wetlands and/or watercourses or areas of special flood hazard
 - ☐ 4.13. a key map showing the location of the property in relation to surrounding areas.
-
- ☐ 5. Two (2) hard copies and one digital PDF copy⁵ of an Erosion and Sedimentation Control Plan in compliance with the Connecticut Department of Environmental Protection *2002 Guidelines for Soil Erosion and Sediment Control* (CTDEP Bulletin 34) for all new construction, and for any other application where determined necessary by the Planning and Zoning Office staff.

⁵ 2020-049-A: Amended effective 10/30/2020 (digital submission requirements)

B. SUPPLEMENTAL REQUIREMENTS FOR EARTH REMOVAL

- ☐ 1. A written statement describing the proposed work and the purpose of the excavation and/or filling with an indication of proposed commencement and completion dates
- ☐ 2. A map of the property to be excavated or filled showing existing and proposed contour lines with existing contours shown for at least twenty (20) feet beyond the perimeter property lines*
- ☐ 3. Existing and proposed drainage plans*
- ☐ 4. A permit, if required, from the inland wetland agent or the inland wetland board if the property contains wetland or watercourses
- ☐ 5. Names of surrounding property owners, surrounding street and proposed access,
- ☐ 6. Plans, specifications, or other information necessary to describe the erosion and sedimentation control measures to be utilized before, during, and after any proposed activities*
- ☐ 7. A statement that any such activity will be conducted in accordance with Section 7.6 (Erosion and Sediment Control) of these Regulations

*** Plans required in items 2, 3 and 6 above shall be prepared by a Connecticut licensed professional engineer.⁶**

⁶ 2016-007-A: Amendment requiring plans to be prepared by a Connecticut licensed professional engineer.

C. SITE PLAN APPLICATION (Planning Director)

- ☐ 1. A digital application submitted by the owner(s) of record, or letter of authorization from the owner to a designated agent⁷;
- ☐ 2. Application Fee (refer to Fee Schedule in Subsection 10.1)
- ☐ 3. Pursuant to Public Act 05-124, for property subject to a conservation or preservation restriction, and where activity is proposed within the restricted area, a notarized statement from the applicant certifying that:
 - the proposed activity involves only work that does not expand or alter the footprint of an existing building, or
 - the applicant provided written notice of such application, by certified mail, return receipt requested, not later than sixty days prior to the filing of the application to the party holding a conservation restriction or a preservation restriction, and the holder of such restriction or the holder's authorized agent has submitted a letter verifying that the application is in compliance with the terms of the restriction.
- ☐ 4. A statement describing in detail the proposed use or uses.
- ☐ 5. Where applicable, two (2) hard copies and one PDF copy⁸ of a site plan at acceptable scale incorporating an A-2 survey of the premises or parcel of land prepared, stamped with an embossed seal and signed by a Connecticut licensed land surveyor showing, where applicable:
 - ☐ 5.1. a key map showing the location of the property in relation to surrounding areas,
 - ☐ 5.2. existing and/or proposed buildings and appurtenances thereof,
 - ☐ 5.3. existing and/or proposed parking accommodations,
 - ☐ 5.4. location of existing and proposed buffer strips and landscaping,
 - ☐ 5.5. access and egress details for pedestrian and vehicular traffic,
 - ☐ 5.6. location of existing and proposed signs, and
 - ☐ 5.7. location of adjacent roads, curb cuts, and width of rights-of-way and travel way
- ☐ 6. Where applicable, two (2) hard copies and one PDF copy⁹ of a sketch drawing showing existing and proposed floor plans with dimensions, and indicating all proposed interior and exterior alterations, modifications or changes.

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⁷ 2020-049-A: Amended effective 10/30/2020 (digital submission requirements)

⁸ 2020-049-A: Amended effective 10/30/2020 (digital submission requirements)

⁹ 2020-049-A: Amended effective 10/30/2020 (digital submission requirements)

- ☐ 7. Where applicable, two (2) hard copies and one PDF copy¹⁰ of a sketch drawing showing proposed exterior elevations of buildings, including dimensions.
- ☐ 8. Where applicable, two (2) hard copies and one PDF copy¹¹ of a sketch drawing showing the design of any proposed sign, including dimensions.
- ☐ 9. A report by the Ridgefield Health Director or Water Company specifying that the proposed use(s) will be adequately served by proposed well or public water.
- ☐ 10. A report by the Ridgefield Health Director or the Water Pollution Control Authority stating that the proposed uses(s) will be adequately served by proposed septic system or municipal sewers.
- ☐ 11. If an accessory dwelling unit, an affidavit indicating that the owner of the property will occupy either the principal or accessory dwelling unit.
- ☐ 12. If an accessory dwelling unit under the Senior Occupant incentive, an affidavit indicating that the owner of the property will occupy either the principal or accessory dwelling unit.
- ☐ 13. Any other information which in the Planning Director's judgment will assist in evaluating the proposal.

(see next page for supplemental requirements for erosion and sediment control)

¹⁰ 2020-049-A: Amended effective 10/30/2020 (digital submission requirements)

¹¹ 2020-049-A: Amended effective 10/30/2020 (digital submission requirements)

D. REQUIREMENTS FOR EROSION AND SEDIMENT CONTROL

(for Applications Submitted to the Planning and Zoning Commission)

- ☐ 1. Two (2) hard copies and one digital PDF copy¹² of a soil erosion and sediment control plan containing proper provisions to adequately control accelerated erosion and sediment and reduce the danger from storm water runoff on the proposed site based on the best available technology.

- ☐ 2. Two (2) hard copies and one digital PDF copy¹³ of a narrative describing:
 - ☐ 2.1. The development;
 - ☐ 2.2. The schedule for grading and construction activities including:
 - start and completion dates;
 - sequence of grading and construction activities;
 - sequence for installation and/or application of soil erosion and sediment control measures;
 - sequence for final stabilization of the project site;
 - ☐ 2.3. The design criteria for proposed soil erosion and sediment control measures and storm water management facilities.
 - ☐ 2.4. The construction details for proposed soil erosion and sediment control measures and storm water management facilities;
 - ☐ 2.5. The installation and/or application procedure for proposed soil erosion and sediment control measures and storm water management facilities;
 - ☐ 2.6. The operations and maintenance program for proposed soil erosion and sediment control measures and storm water management facilities.

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¹² 2020-049-A: Amended effective 10/30/2020 (digital submission requirements)

¹³ 2020-049-A: Amended effective 10/30/2020 (digital submission requirements)

- ☐ 3. Two (2) hard copies and one digital PDF copy¹⁴ of a plan drawn to an appropriate scale showing:
- ☐ 3.1. The location of the proposed development site, its boundaries, its size, and adjacent properties;
 - ☐ 3.2. The existing and proposed topography shown with contour lines at intervals not greater than two (2) feet and extending for a distance of two hundred (200) feet beyond the boundaries of the development site;
 - ☐ 3.3. The boundaries and location of various soil types, wetlands, watercourses and water bodies and other land subject to periodic flooding on the site and within a distance of two hundred (200) feet beyond the site boundaries;
 - ☐ 3.4. The location and size of any existing and proposed structures, drainage facilities, roadways and other man-made installations on the land as well as drainage structures outside the boundaries for a distance of two hundred (200) feet.
 - ☐ 3.5. The location of and design details for all proposed temporary and permanent erosion and sediment control measures and storm water management facilities;
 - ☐ 3.6. The sequence of grading and construction activities; the sequence for the installation and/or application of soil erosion and sediment control measures; and the sequence for final stabilization of the development site.
- ☐ 4. Any other information which in the Planning Director's judgment will assist in evaluating the proposal.

¹⁴ 2020-049-A: Amended effective 10/30/2020 (digital submission requirements)

E. SPECIAL PERMIT APPLICATION (Commission)

- ☐ 1. Application Form bearing the original signature(s) of the owner(s) of record, or letter of authorization from the owner to a designated agent;
- ☐ 2. Application Fee (refer to Fee Schedule in Subsection 10.1)
- ☐ 3. Pursuant to Public Act 05-124, for property subject to a conservation or preservation restriction, and where activity is proposed within the restricted area, a notarized statement from the applicant certifying that:
 - the proposed activity involves only work that does not expand or alter the footprint of an existing building, or
 - the applicant provided written notice of such application, by certified mail, return receipt requested, not later than sixty days prior to the filing of the application to the party holding a conservation restriction or a preservation restriction, and the holder of such restriction or the holder's authorized agent has submitted a letter verifying that the application is in compliance with the terms of the restriction.
- ☐ 4. A statement describing in detail the proposed use or uses.
- ☐ 5. Two (2) hard copies and one digital PDF copy¹⁵ of detailed maps and plans at acceptable scale incorporating an A-2 survey of the premises or parcel of land prepared, stamped with an embossed seal and signed by a Connecticut licensed land surveyor showing, where applicable:
 - ☐ 5.1. a key map showing the location of the property in relation to surrounding areas,
 - ☐ 5.2. existing and proposed contour elevations based upon two (2) foot contours
 - ☐ 5.3. existing and/or proposed buildings, structures, and appurtenances thereof,
 - ☐ 5.4. existing and/or proposed parking and loading accommodations,
 - ☐ 5.5. existing and proposed landscaping prepared by a Connecticut-licensed landscape architect
 - ☐ 5.6. access and egress details for pedestrian and vehicular traffic,
 - ☐ 5.7. location of existing and proposed signs,
 - ☐ 5.8. location of adjacent roads, curb cuts, and width of rights-of-way and travel way
 - ☐ 5.9. site drainage plans and details
 - ☐ 5.10. location of municipal sewer lines and water mains
 - ☐ 5.11. site lighting details

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¹⁵ 2020-049-A: Amended effective 10/30/2020 (digital submission requirements)

- ☐ 5.12. location of soil types, including identified wetlands
- ☐ 5.13. location of watercourses, aquifers and flood boundaries
- ☐ 5.14. provisions and manner for refuse disposal
- ☐ 5.15. limits of vegetation coverage and location of any significant trees to be retained and/or to be removed
- ☐ 5.16. Total land coverage with breakdown for lot coverage and other impervious areas;
- ☐ 5.17. names of all abutting landowners

- ☐ 6. A Stormwater Management Drainage Requirements plan, and a Stormwater Management Maintenance Agreement in accordance with Sec.7.15 of these Regulations¹⁶

- ☐ 7. Where applicable, two (2) hard copies and one digital PDF¹⁷ copy of preliminary architectural plans at acceptable scale prepared by a Connecticut-licensed architect showing floor plans and exterior elevations of buildings and indicating building materials, textures and color of all building façades, fenestration, roofs and other appurtenances

- ☐ 8. Where applicable, two (2) hard copies and one digital PDF¹⁸ copy of a sketch drawing showing the location, size and design of all signs and other graphics.

- ☐ 9. A report from the Ridgefield Health Department and/or Water Company specifying that the proposed use(s) will be adequately served by proposed well or public water.

- ☐ 10. A report from the Ridgefield Health Department or Water Pollution Control Authority commenting on the feasibility of proposed septic system or the availability and timing of sewage disposal services for the proposed development.

- ☐ 11. Where the application involves only a portion of a parcel of land, the proposed plan shall indicate the manner in which the remainder of the land shall properly relate to the development proposed.

- ☐ 12. In cases where unusual topographic, drainage or other conditions exist, the Commission may require the submission of additional data pertinent to their review.

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¹⁶ 2020-007-A Amended effective 9/4/2020 (added submission requirement)

¹⁷ 2020-049-A: Amended effective 10/30/2020 (digital submission requirements)

¹⁸ 2020-049-A: Amended effective 10/30/2020 (digital submission requirements)

- ☐ **13.** Any development proposal in excess of five thousand (5,000) square feet of retail, commercial, office or industrial floor space shall be accompanied by a traffic study evaluating the impact of proposal on thoroughfares serving and/or affected by the development and shall, at a minimum, include data and information on:
- ☐ 13.1. existing average daily traffic and peak hour traffic of principal road(s),
 - ☐ 13.2. location of existing and proposed curb cuts, traffic lights and intersections at the development site and within three hundred (300) feet from the development site,
 - ☐ 13.3. anticipated average daily traffic and peak hour traffic traffic generation,
 - ☐ 13.4. traffic impact of proposed development,
 - ☐ 13.5. adequacy of right-of-way and travel way;
 - ☐ 13.6. recommendations for safe pedestrian and vehicular circulation.
 - ☐ 13.7. Where applicable, the applicant shall include the written recommendations of the Connecticut Department of Transportation, the Ridgefield Traffic Commission, and the town engineer.
- ☐ **14.** If a multi-family development, two (2) hard copies and one digital PDF copy¹⁹ of a report of the proposal including:
- ☐ 14.1. Number of units proposed and breakdown of dwelling unit types;
 - ☐ 14.2. The density of the proposed development (units per gross acre);
 - ☐ 14.3. Acreage in buildings and parking and acreage in open space
 - ☐ 14.4. Anticipated number of people and number of school age children per unit
 - ☐ 14.5. Projected dwelling unit floor areas and projected selling price or rentals of units
 - ☐ 14.6. A draft of proposed covenants and restrictions
- ☐ **15.** A statement describing the proposed phasing if the development is to be constructed over a period of years.
- ☐ **16.** A report from the Ridgefield Fire Marshal commenting and/or recommending on fire protection provisions affecting the development or nearby properties.

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¹⁹ 2020-049-A: Amended effective 10/30/2020 (digital submission requirements)

- ☐ 17. A report from the Ridgefield Planning Director commenting, if applicable, on the compatibility of the proposed development with respect to the Plan of Conservation and Development, as amended, zoning regulations, and special plans for the area within which the proposed development will be located.
- ☐ 18. A report from the Architectural Advisory Committee on the site plan, landscaping, and architectural design of all buildings and other structures.
- ☐ 19. A narrative describing construction phases and manner in which the application complies with the requirements for erosion and sedimentation control prescribed under these Regulations
- ☐ 20. Documentation confirming that any additional approvals (such as a Certificate of Need from the Connecticut Commission on Hospitals and Health Care) have been issued or a statement that no such approvals are required.
- ☐ 21. For a Planned Residential Development (PRD), such plans shall also show existing structures, septic systems, well locations on-site and within one hundred (100) feet of perimeter, easements, zoning boundaries and open space areas and uses.
- ☐ 22. If utilizing on-site septic systems, a report from a Connecticut-licensed professional civil engineer or a Connecticut-licensed soil scientist describing soil characteristics (including wetlands and based upon on site inspection of soils and:
 - a. Soil mapping and description available on a map entitled "Designated Inland Wetlands and Water Courses of the Town of Ridgefield" (Composite Soil Map) dated December, 1973, which map is on file in the office of the town clerk; and / or
 - b. "Special Soils Report; Soil Survey, Town of Ridgefield, Connecticut and Soil Interpretations for Urban Uses" prepared in 1970 by the U.S. Department of Agriculture Soil Conservation Service.
- ☐ 23. If utilizing on-site septic systems, a subdivision sewage disposal report prepared by the applicant including proposed locations of septic systems.
- ☐ 24. For a Planned Residential Development (PRD), topographic maps showing how the property could be subdivided if it were subdivided conventionally.
- ☐ 25. Any other information which in the Commission's judgment will assist in evaluating the proposal.

F. ADDITIONAL REQUIREMENTS IN FLOOD-PRONE AREAS²⁰

- ☐ 1. Two (2) hard copies and one digital PDF copy²¹ of a Site Plan prepared by a Connecticut licensed professional engineer (based on an A-2 survey prepared by a Connecticut licensed land surveyor) at an appropriate scale showing:
 - ☐ 1.1. base flood elevation (BFE) data and floodway data of the Special Flood Hazard Area (SFHA) as shown on the Flood Insurance Rate Map (FIRM) of the Town of Ridgefield;
 - ☐ 1.2. the location of existing and proposed structures, fill areas, storage areas for materials, and drainage facilities;
 - ☐ 1.3. the actual elevation of the lowest habitable floor (including basement) of all new or substantially improved structures. Such elevation shall be National Geodetic Vertical Datum (NGVD) of 1929 or other datum to which Ridgefield's base flood elevations as shown on the flood insurance rate map are referenced;
 - ☐ 1.4. elevation to which any structure has been flood proofed;
 - ☐ 1.5. description of the extent to which any watercourse will be altered or relocated as a result of a proposed development;
 - ☐ 1.6. statement and supporting documentation (all costs of project, market value of structure, etc.) verifying that the proposed alteration(s) meets or does not meet the criteria of the "substantial improvement" or "substantial damage" definition.
- ☐ 2. Where applicable, two (2) hard copies and one digital PDF copy²² of:
 - ☐ 2.1. Certification by a Connecticut-licensed land surveyor of the actual elevation of all existing and proposed structures (such elevation shall be National Geodetic Vertical Datum (NGVD) of 1929 or other datum to which Ridgefield's base flood elevations as shown on the flood insurance rate map are referenced);
 - ☐ 2.2. Certification by a Connecticut-licensed professional engineer or architect of the flood proofing methods for any nonresidential structure;
 - ☐ 2.3. Plans to enclose space below the base flood elevation meeting the minimum design criteria in 11.5.C.3;
 - ☐ 2.4. A statement as to whether there will be dry access to the structure during the 100-year storm event;
 - ☐ 2.5. A statement as to whether the proposed development will increase the water surface elevation of the base flood more than one foot at any point after considering the cumulative effect of the proposed development when combined with other anticipated development;
 - ☐ 2.6. A statement as to whether the proposed development complies with the standards for Floodways as in 11.5.C.5.
- ☐ 3. A statement that all necessary permits have been obtained from federal, state, or local governmental agencies from which prior approval is re-

²⁰ 2010-027-A: Adopted 4/20/10 in conjunction with changes to Sec. 6.1(Floodplain Overlay Zone) and Sec. 11 to comply with State and Federal requirements, all amendments effective 4/30/10.

²¹ 2020-049-A: Amended effective 10/30/2020 (digital submission requirements)

²² 2020-049-A: Amended effective 10/30/2020 (digital submission requirements)

quired.

- ☐ 4. Where applicable, a statement regarding whether the alteration or relocation of a watercourse is proposed in a form acceptable for notification of adjacent communities, the Connecticut Department of Environmental Protection, and the Federal Insurance Administrator.
- ☐ 5. Where applicable, a statement indicating whether maintenance will be provided within the altered or relocated portion of said watercourse so that the flood carrying capacity will not be diminished.
- ☐ 6. A statement indicating whether interpretations were made as to the exact location of the boundaries of the areas of special flood hazards (i.e., where there appears to be a conflict between a mapped boundary and actual field conditions).
- ☐ 7. Any other information which, in the Commission's judgment, will assist in evaluating the proposal.

G. ADDITIONAL REQUIREMENTS FOR EARTH EXCAVATION

- ☐ 1. Two (2) hard copies and one digital PDF copy of a statement indicating the purpose of the excavation and/or filling.
- ☐ 2. Two (2) hard copies and one digital PDF copy of a plan, drawn to an appropriate scale, showing:
 - ☐ 2.1. A survey prepared by a licensed surveyor identifying spot elevations and contours at intervals not greater than two (2) feet extending for a distance of two hundred (200) feet beyond the boundaries of the site;
 - ☐ 2.2. Location and extent of watercourses, wetlands and boundaries of land subject to periodic flooding on the site and for a distance of two hundred (200) feet beyond the boundaries of the site; and
 - ☐ 2.3. The soil types and their location as identified in the soil survey of the Town of Ridgefield prepared by the U.S. Soil Conservation Service;
- ☐ 3. Two (2) hard copies and one digital PDF copy of an engineering report including statements on traffic safety, noise, grading, landscaping, and erosion control methods;
- ☐ 4. Two (2) hard copies and one digital PDF copy of a surveyor's statement certifying that the areas planned for immediate and future excavation have been staked out in a permanent manner visible to operators during excavation;
- ☐ 5. Two (2) hard copies and one digital PDF copy of an engineering plan detailing, in two-year increments, the manner in which the site owner/operator intends to progress in furthering site excavation and extraction of earth material;
- ☐ 6. If a pond may result due to excavation below normal water table, the application shall also include:
 - ☐ 6.1. A drainage analysis showing watershed area;
 - ☐ 6.2. Computations of water inflows and outflow; and
 - ☐ 6.3. Calculations and confirmation that the pond's water supply and its water inflow and outflow will be adequate to avoid stagnation and will not be hazardous to surrounding land uses
- ☐ 7. Two (2) hard copies and one digital PDF copy²³ of a detailed plans, specifications and other information necessary to describe any earth material processing, screening and rock crushing.
- ☐ 8. Any other information which in the Commission's judgment will assist in evaluating the proposal.

²³ 2020-049-A: Amended effective 10/30/2020 (digital submission requirements)

H. REGULATION CHANGE APPLICATION (Commission)

- ☐ 1. Application Form bearing the original signature(s) of the owner(s) of record, or letter of authorization from the owner to a designated agent;
- ☐ 2. Application Fee (refer to Fee Schedule in Subsection 10.1)
- ☐ 3. Two (2) hard copies and one digital PDF copy²⁴ copies of the proposed text amendment identifying by reference to appropriate article, section, subsection, or paragraph numbers and to any other designation to be altered and indicating in brackets the text to be deleted and in capital letters the text to be added.
- ☐ 4. Two (2) hard copies and one digital PDF copy²⁵ of a written memorandum stating the reasons for the proposed change and to what extent it would enhance the general health, safety and welfare of the Town of Ridgefield.
- ☐ 5. Any other information which in the Commission's judgment will assist in evaluating the proposal.

²⁴ 2020-049-A: Amended effective 10/30/2020 (digital submission requirements)

²⁵ 2020-049-A: Amended effective 10/30/2020 (digital submission requirements)

I. ZONE CHANGE APPLICATION (Commission)

- ☐ 1. Application Form bearing the original signature(s) of the owner(s) of record, or letter of authorization from the owner to a designated agent;
- ☐ 2. Application Fee (refer to Fee Schedule in Subsection 10.1)
- ☐ 3. Two (2) hard copies and one digital PDF copy of a map at an appropriate scale showing:
 - ☐ 3.1. the property proposed to be rezoned indicating the existing zoning district designation, the proposed boundary line(s), and the proposed zoning district designation.
 - ☐ 3.2. a key map showing the location of the property in relation to surrounding areas,
 - ☐ 3.3. properties within five hundred (500) feet in all directions of the premises proposed to be rezoned
- ☐ 4. Two (2) hard copies and one digital PDF copy of calculations prepared by a Connecticut-licensed land surveyor or civil engineer based upon the latest Assessor's data indicating the area of the lots (or portion thereof) contained within five hundred (500) feet in all directions of the premises proposed to be rezoned.
- ☐ 5. Two (2) hard copies and one digital PDF copy of a simple metes and bounds description defining in writing the boundaries of the proposed zoning district change.
- ☐ 6. Any other information which in the Commission's judgment will assist in evaluating the proposal.
- ☐ 7. Two (2) hard copies and one digital PDF copy²⁶ of completed, notarized petition form showing signatures of all petitioners.

²⁶ 2020-049-A: Amended effective 10/30/2020 (digital submission requirements)

[illegible]

Technical assistance in the comprehensive revision
of these Regulations provided by



31 Ensign Drive, Avon, CT 06001 860-677-5267

11. FLOODPLAIN MANAGEMENT REGULATIONS

11.1 STATUTORY AUTHORIZATION AND PURPOSE

A. STATUTORY AUTHORIZATION

The Legislature of the State of Connecticut has delegated in Title 7, Chapter 98, Section 7-148(c)(7)(A), and in Title 8, Chapter 124, Section 8-2 of the General Statutes the responsibility for local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. In response to the delegation of this trust, the Planning and Zoning Commission of the Town of Ridgefield amended and updated its regulation for management of development in floodplain areas, in accordance with the requirements of the Federal Emergency Management Agency (FEMA) and the State of Connecticut, to secure the safety of its residents from floods.

B. FINDINGS OF FACT

1. The flood hazard areas of the Town of Ridgefield are subject to periodic flood inundation which can result in the loss of life and property, the creation of health and safety hazards, the disruption of commerce and governmental services, the necessity for extraordinary public expenditures for flood protection and relief, and the impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
2. These flood losses are caused by the cumulative effect of obstructions in the floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazards to other lands which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damage. Uncontrolled development and use of the floodplains can adversely affect the community.
3. The Planning and Zoning Commission first regulated development in areas designated as "Flood Safety Zones" under zoning regulations adopted effective July 12, 1968, for flood areas shown on maps prepared by the State of Connecticut Water Resources Commission. The zoning regulations were amended in 1983 to incorporate reference to Flood Insurance Rate Maps (FIRMs) dated September 30, 1982 and a Flood Insurance Study dated March 30, 1982 (prepared by FEMA). The Town of Ridgefield has voluntarily participated in the National Flood Insurance Program (NFIP) since September 30, 1982, and adopted "Flood Damage Prevention Regulations" effective on July 2, 1982, to meet the strictest FEMA (federal) requirements at that time. This Section, adopted by the Commission effective on April 30, 2010, amends and updates all previous flood plain management regulations.
4. The NFIP is founded on mutual agreements between the federal government and individual participating communities. Local, state and federal governments must share roles and responsibilities to meet the goals and objectives of the NFIP, and the community's role is of paramount importance. Property owners are able to receive federally subsidized flood insurance only if the community enacts and enforces the minimum floodplain regulations required for participation in the NFIP.

C. STATEMENT OF PURPOSE

It is the purpose of this regulation to regulate floodplain development in Special Flood Hazard Areas (SFHAs), to protect the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Protect human life and health, and prevent damage to property;

2. Minimize expenditure of public funds for costly flood control projects;
3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. Minimize prolonged business interruptions and other economic disruptions;
5. Minimize damage to public facilities, infrastructure and utilities, such as water and gas mains, electric, telephone and sewer lines, and streets and bridges, located in the floodplain;
6. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas in such a manner as to minimize flood damage, and future flood blight areas;
7. Insure that potential buyers are notified that property is in a flood hazard area;
8. Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners;
9. Ensure that those who occupy the flood hazard areas assume responsibility for their actions; and
10. Discourage development in a floodplain if there is any practicable alternative to locate the activity, use, or structure outside of the floodplain.

D. OBJECTIVES

In order to accomplish its purposes, this regulation includes objectives, methods and provisions that:

1. Restrict or prohibit uses which are dangerous to health, safety and property due to flood or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
2. Require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers that are involved in the accommodation of flood waters;
4. Control filling, grading, dredging and other development which may increase erosion or flood damage; and
5. Prevent or regulate the construction of barriers or obstructions which will unnaturally divert flood waters or which may increase flood hazards to other lands.

11.2 DEFINITIONS

Unless specifically defined below, words and phrases used in this regulation shall have the same meaning as they have in common usage and to give this regulation its most reasonable application. For the purposes of regulating and evaluating development in designated floodplain areas, these definitions supersede any other definitions found in Sec. 2.2 of the zoning regulations.

Base Flood – The flood having a one (1) percent chance of being equaled or exceeded in any given year, also referred to as the one hundred (100) year flood, as published by the Federal Emergency Management Agency (FEMA) as part of a Flood Insurance Study (FIS) and depicted on a Flood Insurance Rate Map (FIRM).

Base Flood Elevation (BFE) – The elevation of the crest of the base flood or 100-year flood; the height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas.

Basement – Any area of the building having its floor subgrade (below ground level) on all sides.

Building – see definition for “Structure” in this Section.

Cost – As related to substantial improvements, the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure is established by a detailed written contractor’s estimate, provided that the estimate includes, but is not limited to: the cost of materials (interior finishing elements, structural elements, utility and service equipment); sales tax on materials, building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor’s overhead; contractor’s profit; and grand total. Items to be excluded include; cost of plans and specifications, survey costs, permit fees, outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds and gazebos.

Dangerous Materials - Any material or substance which may pose an unreasonable risk to the health and safety of individuals, property, water supplies and/or the environment if discharged or released. These materials or substances may be defined as explosive, blasting agent, flammable gas, nonflammable gas, combustible liquid, flammable liquid, flammable solid, organic peroxide, oxidizer, poison, irritating material, etiologic agent, radioactive material, corrosive material, other regulated material.

Development – Any man-made change to improved or unimproved real estate, including but not limited to the construction of buildings or structures; the construction of additions, alterations or substantial improvements to buildings or structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment; the storage, deposition, or extraction of materials; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities located within the Special Flood Hazard Area (SFHA).

Elevated Building – A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts or piers), shear walls or breakaway walls, as allowed under applicable standards.

Federal Emergency Management Agency (FEMA) – The federal agency that administers the National Flood Insurance Program (NFIP).

Five Hundred Year Storm or 500-year Flood – Flooding having a 0.2 percent chance (1:500) of occurring or being equaled or exceeded in any given year.

Finished Living Space – As related to fully enclosed areas below the base flood elevation (BFE), a finished living space can include, but is not limited to, a space that is heated and/or cooled, contains finished floors (tile, linoleum, hardwood, etc.) has sheetrock walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathrooms, fireplaces and other items that are easily damaged by floodwaters and expensive to clean, repair or replace.

Flood or Flooding – A general and temporary condition of partial or complete inundation of normally dry land areas from either the overflow of inland waters, or the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM) – The official map of a community on which the Federal Emergency Management Agency (FEMA) has delineated both the special flood hazard areas (SFHAs, or 100-year floodplain) and the insurance risk premium zones applicable to a community.

Flood Insurance Study (FIS) – The official study of a community in which the Federal Emergency Management Agency (FEMA) has conducted an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.

Floodway – The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1.0) foot. For the purposes of these regulations, the term “Regulatory Floodway” is synonymous in meaning with the term “Floodway”.

Floor – The top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction, or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for the parking of vehicles.

Functionally Dependent Use or Facility – A use or facility that cannot perform its intended purpose unless it is located or carried out in close proximity to water, such as docking facilities and port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include seafood processing facilities, long-term storage, manufacturing, sales or service facilities.

Highest Adjacent Grade (HAG) - The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic Structure – Any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a State inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the interior in states without approved programs.

Lowest Floor – The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area is not considered a building’s lowest floor, provided that such an area meets the design requirements specified in Section 11.5.C.3 of this regulation.

Manufactured Home – A structure, transportable in one (1) or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term also includes park trailers, travel trailers, recreational vehicles and other similar vehicles or transportable structures placed on a site for one hundred and eighty (180) consecutive days or longer and intended to be improved property.

Manufactured Home Park or Subdivision – A parcel or contiguous parcels of land divided into two (2) or more manufactured home lots for rent or sale.

Market Value - The market value of the structure shall be determined by the appraised value of the structure prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring.

Mean Sea Level (MSL) - The North American Vertical Datum (NAVD) of 1988 or other datum, to which the base flood elevations shown on a community's Flood Insurance Rate Map (FIRM) are referenced.

New Construction – Structures for which the “start of construction” commenced on or after July 2, 1982, the effective date of the initial adoption of floodplain management regulations in the Town of Ridgefield, and includes any subsequent improvements to such structures.

Recreational Vehicle – A vehicle which is: (a) built on a single chassis; (b) four hundred (400) square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) not designed for use as a permanent dwelling, but for primary use as temporary living quarters for recreational, camping, travel, or seasonal use.

Special Flood Hazard Area (SFHA) – The land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. SFHAs are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on the Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. SFHAs include, but are not necessarily limited, to the land shown as Zones A, AE, AO, and AH on the FIRM. The SFHA is also called the Area of Special Flood Hazard.

Start of Construction – Includes substantial improvement and means the date the Site Plan for Floodplain Development was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, substantial improvement or other improvement was initiated within one hundred and eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erections of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure – A walled and roofed building which is principally above ground, including a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

Substantial Damage – Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement – Any combination of repairs, reconstruction, rehabilitation, alterations, additions or other improvements to a structure, taking place during a one (1) year period, in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure as determined at the beginning of such ten (10) year period. This term includes structures that have incurred “substantial damage,” regardless of the actual repair work

performed. For purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or (2) Any alteration of a “historic” structure, provided that the alteration will not preclude the structure’s continued designation as a “historic” structure.

Variance – A grant of relief by the Ridgefield Zoning Board of Appeals from the terms of this floodplain management regulation that allows construction in a manner otherwise prohibited, and where specific enforcement would result in unnecessary hardship.

Violation – Failure of a structure or other development to be fully compliant with Ridgefield’s floodplain management regulations. A structure or other development without required permits, lowest floor elevation documentation, flood-proofing certificates or required floodway encroachment calculations is assumed to be in violation until such time as that documentation is provided.

Water Surface Elevation – The height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

11.3 GENERAL PROVISIONS

A. AREAS TO WHICH THIS REGULATION APPLIES

This Floodplain Management Regulation shall apply to all Special Flood Hazard Areas (SFHAs) shown as Zones A and AE, including areas designated as a floodway, on a Flood Insurance Rate Map (FIRM) for the Town of Ridgefield.

B. BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS (SFHAs)

The Special Flood Hazard Areas (SFHAs) identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for Fairfield County, Connecticut and accompanying Flood Insurance Rate Maps (FIRM) effective on June 18, 2010, and other supporting data applicable to the Town of Ridgefield, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this Floodplain Management Regulation. Since mapping is legally adopted by reference into this regulation, it must take precedence even when more restrictive than actual conditions may appear, until such time as a map amendment or map revision is obtained from FEMA.

The SFHA for the Town of Ridgefield includes any area shown on the FIRM as Zones A and AE, including areas designated as a floodway on a FIRM. SFHAs are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for Ridgefield. BFEs provided on a Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. The current FIRM and FIS are on file in the Planning and Zoning Department.

C. STRUCTURES ALREADY IN COMPLIANCE

Non-compliant Alterations Prohibited. A structure or development already in compliance with this regulation shall not be made non-compliant by any alteration, modification, repair, reconstruction or improvement and must also comply with other applicable local, state, and federal regulations. No structure or land shall hereafter be located, extended, converted,

modified or structurally altered without full compliance with the terms of this regulations and other applicable regulations.

D. ABROGATION AND GREATER RESTRICTIONS

This regulation is not intended to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this regulation and another ordinance, regulation, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

E. INTERPRETATION

In the interpretation and application of this regulation, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body, and; (3) deemed to neither limit nor repeal any other powers granted under State statutes.

F. WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this regulation is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering consideration and research. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This regulation does not imply or guarantee that land outside the Special Flood Hazard Area or uses permitted in such areas will be free from flooding and flood damages. This regulation shall not create liability on the part of the Town of Ridgefield or by any officer or employee thereof for any flood damages that result from reliance on this regulation or any administrative decision lawfully made thereunder. The Town of Ridgefield, its officers and employees shall assume no liability for another person's reliance on any maps, data or information provided by the Town of Ridgefield.

G. SEVERABILITY

If any section, subsection, paragraph, sentence, clause, or phrase of this regulation should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this regulation, which shall remain in full force and effect, and to this end, the provisions of this regulation are hereby declared to be severable.

11.4 ADMINISTRATION

A. DESIGNATION OF THE LOCAL ADMINISTRATOR

The Planning and Zoning Commission is designated to administer, implement and enforce the provisions of this zoning regulation and, except for the issuance of permits under this regulation, may delegate other administrative, implementation and enforcement duties and responsibilities to its designated agent(s).

B. CERTIFICATION

Where required under this regulation, a Connecticut registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this regulation. Such certification must be provided to the Planning and Zoning Office.

C. ESTABLISHMENT OF PERMITS FOR FLOODPLAIN DEVELOPMENT

A Site Plan Application for Floodplain Development is hereby established for securing a permit under these regulations, and shall be required in conformance with the provisions of this regulation prior to the commencement of any development activities. Permits issued under Site Plan Approval pursuant to this regulation shall expire if actual construction of a permitted structure does not commence within one hundred and eighty (180) days of the permit approval date.

D. PERMIT APPLICATION PROCEDURES

Site Plan Approval for Floodplain Development is required for all construction and other development to be undertaken in Special Flood Hazard Areas in the Town of Ridgefield. Prior to the issuance of a Zoning Permit for construction and prior to the commencement of any development activities, a Site Plan Application for Floodplain Development shall be approved by the Planning and Zoning Commission pursuant to the requirements in Sec. 9.1.C of the zoning regulations and the additional requirements of these Floodplain Management Regulations. The application shall be filed on a form provided by the Planning and Zoning Office and shall include at least the information listed below (unless otherwise authorized by the Director of Planning):

1. **Site Plan and supporting documentation.** Two (2) hard copies and one digital PDF copy¹ of a site plan prepared by a Connecticut licensed professional engineer (based on an A-2 survey prepared by a Connecticut licensed land surveyor), drawn to scale and showing the information on the Checklist found in Sec. 10.2.F of the zoning regulations, described in more detail below:
 - a. Base flood elevation (BFE) for the site in question as determined in the FEMA Flood Insurance Study (FIS) or Flood Insurance Rate Map (FIRM); [The FIS flood profiles provide more accurate BFE data than the FIRM.]; the extent of the 100-year floodplain and floodway must be depicted with a boundary line on any site plan and shown in relation to existing and proposed structures or development;
 - b. Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all new construction, substantial improvements or repairs to structures that have sustained substantial damage;
 - c. Elevation in relation to mean sea level to which any non-residential new construction, substantial improvements or repair to structures that have sustained substantial damage will be dry flood-proofed;
 - d. Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development; computations by a licensed professional engineer must be submitted to demonstrate that the altered or relocated segment will provide equal or greater conveyance than the original stream segment, in accordance with Section 11.5.A.5 of these regulations; the applicant must submit any maps, computations or other materials required by the Federal Emergency Management Agency (FEMA) in order to officially amend or revise the Flood Insurance Rate Map; the applicant must pay any fees or other costs assessed by FEMA for this purpose; the applicant must also provide costs assessed by FEMA for this purpose; the applicant must also provide assurances that the conveyance capacity of the altered or relocated stream segment will be maintained;
 - e. A statement and supporting documentation (all costs of project, market value of structure, etc.) verifying that the proposed alterations to an existing structure meets or does not meet the criteria of the substantial improvement and/or substantial damage definition (Sec.11.2); if a development meets the definition of substantial improvement and/or substantial damage, the structure must be brought into compliance with all floodplain regulations as if it was new construction;
 - f. Where applicable, the following certifications confirming that the design methods of construction are in accordance with accepted standards of practice and the provisions

¹ 2020-049-A: Amended effective 10/30/2020 (digital submission requirements)

of Section 11.5.C shall be provided to the Planning and Zoning Commission or its designated agent by a Connecticut registered engineer or architect:

- i. Non-residential flood-proofing must meet the provisions of Section 11.5.C.2;
- ii. Fully enclosed areas below the base flood elevation (BFE) must meet the minimum design criteria in Section 11.5.C.3;
- iii. No (0.00) increase in floodway water surface elevations is allowed; any development in a floodway must meet the provisions of Section 11.5.C.5.

2. **Review by Commission.** Notwithstanding references to the duties of the Planning Director in Section 9.1.C of the zoning regulations, the Site Plan Application for Floodplain Development shall be reviewed by the Planning and Zoning Commission in accordance with the requirements of that section and pursuant to the requirements of these Floodplain Management Regulations, following the notice requirements and timetables found in Section 8-7d of the Connecticut General Statutes (CGS), as follows:

- a. The Commission may find that the nature of the proposed development and/or improvements is of a major size and intensity that may have an affect or may be of interest to neighboring and/or downstream property owners, and therefore a public hearing shall be scheduled in accordance with the notice requirements and timetables found in Section 8-7d(a) of the CGS; or
- b. The Commission may find that the nature of the proposed development and/or improvements is of a minor size and intensity that will not have an affect on neighboring and/or downstream property owners, and the review of the application shall proceed in accordance with the timetables in Section 8-7d(b) of the CGS.
- c. Flood Hazard Disclosure. For all Site Plan Approvals for Floodplain Development, the owner of the property shall file a copy of the approval on the Ridgefield Land Records.

3. **Certification of Completed Development.** Upon completion of the permitted development and prior to the issuance of a Zoning Certificate of Compliance, the applicant shall provide required as-built surveys and other documents listed as conditions of the Site Plan Approval, Zoning Permit, and/or these regulations; engineering or architectural certifications shall be provided demonstrating compliance with the issued Site Plan Approval for Floodplain Development and the standards of Section 11.5 of this regulation, including but not limited to the following:

- a. Verification of Elevation. Completion of a National Flood Insurance Program Elevation Certificate, prepared by a Connecticut licensed land surveyor based on a Class A-2 as-built survey; for residential structures and manufactured homes, such survey shall show the elevation of the top of the lowest floor (including basement); for non-residential structures, such survey shall show the elevation of the lowest floor (including basement) and/or the elevation to which such structures have been dry flood-proofed;
- b. Verification of Flood-proofing Measures. Where flood-proofing is used to satisfy the standards of these regulations, a Connecticut registered professional engineer or architect shall submit a written statement, signed and sealed, certifying that he/she has inspected the completed construction and that the structure or facility has been constructed to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood, as specified in the Site Plan Approval for Floodplain Development and in accordance with the provisions of these regulations;

E. DUTIES AND RESPONSIBILITIES FOR ADMINISTRATION

Administration, implementation and enforcement of these regulations shall be the responsibility of the following agents and agencies:

1. **Director of Planning.** The Director of Planning and designated staff in the Planning and Zoning Department shall:
 - a. Review all proposed development activities to determine if the proposed activity is within a Special Flood Hazard Area (SFHA);
 - b. Review all permit applications to determine whether the proposed development and building sites will be reasonably safe from flooding.
 - c. Review all proposed plans with applicants to explain the provisions of this Section, identify any aspects of the proposed activity that may not conform, and suggest the type of professionals who can design modifications that would bring a project into conformance with the standards of these regulations;
 - d. Advise applicants of any known additional federal, state or local permits that may be required, and/or direct the applicant to federal, state and local sources who can provide that information; [It is the responsibility of the applicant/property owner to obtain all applicable, required permits.]
 - e. Issue written findings, recommendations and suggested conditions of approval to the Planning and Zoning Commission regarding any Site Plan Application for Floodplain Development and/or variance from the standards of these regulations;
 - f. Provide advice and assistance to the ZEO to ensure that approved and permitted activities are completed in conformance with the provisions of these regulations;
 - g. Assist the ZEO in notifying permit holders regarding any violation of the provisions of this Section, in the issuance of any Warning or Citation, and in the initiation of other enforcement actions as necessary;
 - h. Endorse the ZEO's issuance of a Certificate of Zoning Compliance upon final inspection and determination that the conditions of the Site Plan Approval for Floodplain Development have been met;
 - i. Maintain records pertaining to the provisions of this Section and any Site Plan Approval for Floodplain Development issued under these regulations.
 - j. Obtain, record and maintain the elevation (in relation to mean seal level) of the lowest floor (including basement) of all new construction, substantial improvement or repair to a structure that has sustained substantial damage.
 - k. Obtain, record and maintain the elevation (in relation to mean seal level) to which all new construction, substantial improvement or repair to a structure that has sustained substantial damage has been flood-proofed.
2. **Planning and Zoning Commission.** The Commission shall approve, approve with conditions, or disapprove all Site Plan Applications for Floodplain Development within the designated areas specified in these regulations.
 - a. The Commission or its designated agent shall provide notification to adjoining municipalities and the appropriate Regional Planning Agency not less than thirty-five (35) days prior to any scheduled public hearing or final action on any change of regulations or use of a flood zone any portion of which is within five hundred (500) feet of any adjoining municipality;
 - b. The Commission or its designated agent shall notify adjacent municipalities and the Connecticut Department of Environmental Protection Inland Water Resources Division no less than thirty-five (35) days prior to approval of any application to alter or relocate any watercourse designated within an SFHA, and shall submit evidence of such notification to the Federal Emergency Management Agency.
 - c. The Commission shall require that all permits issued for flood plain development shall expire unless construction has been initiated within one hundred eighty (180) days of the issue date.
3. **Zoning Enforcement Officer (ZEO).** The ZEO shall monitor and inspect construction and other development activities within the area approved for development in the Site Plan Approval for Floodplain Development, to ensure compliance with the standards of this

regulation and the conditions of the approval, and shall enforce any violations in the same manner as other violations of the Zoning Regulations.

- a. The ZEO shall not issue a Certificate of Zoning Compliance until a determination has been made that all conditions of the permit and any other zoning permit for construction have been met;
- b. The ZEO shall maintain records pertaining to the enforcement of the provisions of this regulation;
- c. The ZEO is authorized to inspect any property in a Special Flood Hazard Area (SFHA) where it appears that violations of these regulations may be taking place.

11.5 PROVISIONS FOR FLOOD HAZARD REDUCTION

A. GENERAL STANDARDS

In all Special Flood Hazard Areas (SFHAs), the following provisions are required:

1. **New Construction and Substantial Improvements.** New construction, substantial improvements and repair of structures that have sustained substantial damage shall comply with the following requirements:
 - a. Shall be constructed using methods and practices that minimize flood damage;
 - b. Shall be constructed with materials and utility equipment resistant to flood damage;
 - c. Shall be anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic loads, including the effects of buoyancy;
 - d. Cannot be constructed or located entirely or partially over water unless they are a functionally dependent use or facility;
 - e. Electrical heating, ventilation, plumbing, air conditioning equipment, HVAC ductwork, and other service facilities, or any machinery or utility equipment or connections servicing a structure shall be elevated to the same or above the base floor elevation (BFE) to prevent water from entering or accumulating within the components during conditions of flooding; this includes, but is not limited to, furnaces, oil or propane tanks, air conditioners, heat pumps, hot water heaters, ventilation ductwork, washer and dryer hook-ups, electrical junction boxes, and circuit breaker boxes;
 - f. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
 - g. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters;
 - h. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
 - i. Above-ground storage tanks (oil, propane, etc.) which are located outside or inside of the structure must either be elevated above the base flood elevation (BFE) on a concrete pad, or be securely anchored with tie-down straps to prevent flotation or lateral movement, have the top of the fill pipe extended above the BFE, and have a screw fill cap that does not allow for the infiltration of flood water.
2. **Watercourse alteration.** In any portion of a watercourse that is altered or relocated, the flood carrying capacity must be maintained. As required in Section 11.4.E.2.b, The Commission shall notify adjacent communities and the Connecticut Department of Environmental Protection Inland Water Resources Division prior to any alteration or relocation of a watercourse.
3. **Portion of Structure in SFHA.** If any portion of a structure lies within the Special Flood Hazard Area (SFHA), the entire structure is considered to be in the SFHA. The entire

structure must meet the construction requirements of the flood zone. The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks or porches that extend into a more restrictive flood zone will require the entire structure to meet the standards of the more restrictive zone.

4. **Structure within Two or More Flood Zones.** If a structure lies within two or more flood zones, the construction standards of the most restrictive zone apply to the entire structure (i.e., V zone is more restrictive than A zone; structure must be built to the highest BFE). The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks or porches that extend into a more restrictive zone will require the entire structure to meet the requirements of the more restrictive zone.
5. **Equal Conveyance.** Within the floodplain as designated on the Flood Insurance Rate Map (FIRM) for Ridgefield, encroachments resulting from filling, new construction or substantial improvements involving an increase in footprint of the structure are prohibited unless the applicant provides certification by a registered professional engineer demonstrating, with supporting hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments shall not result in any (0.00 feet) increase in flood levels (base flood elevation). Work within the floodplain and the land adjacent to the floodplain, including work to provide compensatory storage, shall not be constructed in such a way as to cause an increase in flood stage or flood velocity.
6. **Compensatory Storage.** The water holding capacity of the floodplain shall not be reduced. Any reduction caused by filling, new construction or substantial improvements involving an increase in footprint to the structure shall be compensated for by deepening and/or widening of the floodplain. Storage shall be provided on-site, unless easements have been gained from adjacent property owners; it shall be provided within the same hydraulic reach, and a volume not previously used for flood storage; it shall be hydraulically comparable and incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Compensatory storage can be provided off-site if approved by the Town of Ridgefield.

B. STANDARDS FOR WATERCOURSES WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS (UN-NUMBERED A ZONE), ADOPTED FLOODWAYS AND/OR FLOOD MAPPING

1. **Un-numbered A Zones.** The Planning and Zoning Commission or its designated agent shall require base flood elevation (BFE) data to be provided with any application for new construction, substantial improvement, repair to structures which have sustained substantial damage or other development in Zone A without a FEMA-published BFE (un-numbered A Zone). The Commission or its designated agent shall obtain, review and reasonably utilize any BFE and floodway data available from a federal, state or other source, including data developed for subdivision proposals, as criteria for requiring that new construction, substantial improvements, repair to structures which have sustained substantial damage or other development in un-numbered A Zones on Ridgefield's Flood Insurance Rate Map (FIRM) meet the standards in Section 11.5 of these regulations. If no BFE can be determined, the lowest floor, including basement, must be elevated to two (2) feet above the highest adjacent grade next to the structure.
2. **No Floodway Designated.** When BFEs have been determined within Zone AE on Ridgefield's FIRM but a regulatory floodway has not been designated, the Planning and Zoning Commission or its designated agent shall require that no new construction, substantial improvements, repair to structures which have sustained substantial damage or other development, including fill, shall be permitted which will increase the water surface

elevation of the base flood more than one (1.0) foot at any point within the Town of Ridgefield when all existing and anticipated development is considered cumulatively with the proposed development.

3. **Request for Floodway Data.** The Planning and Zoning Commission or its designated agent may request floodway data of an applicant for watercourses without FEMA-published floodways. When such data is provided by an applicant or whenever such data is available from any other source (in response to the Commission's request or not), the Commission shall adopt a regulatory floodway based on the principle that the floodway must be able to convey the waters of the base flood without increasing the water surface elevation more than one (1.0) foot at any point within the community.
4. **Use of Data from Other Sources.** The Planning and Zoning Commission or its designated agent shall obtain, review and reasonably utilize any BFE and floodway data available from a federal, state or other source, as criteria for requiring that new construction, substantial improvements, repair to structures which have sustained substantial damage or other development in any area of potential, demonstrable or historical flooding within the community meet the standards in Section 11.5 of these regulations.
5. **Exception to 1.0 foot Limit in Increased BFE Elevation.** Under the provisions of 44 CFR Chapter 1, Section 65.12 of the National Flood Insurance Program regulations, a community may approve certain development in Zone AE on the community's FIRM which increases the water surface elevation of the base flood by more than one (1.0) foot, provided that the community first completes all of the provisions required by Section 65.12.

C. SPECIFIC STANDARDS

The following are specific **Construction Standards** for Special Flood Hazard Areas. These standards shall be implemented in the design of all development, in addition to the General Standards listed in Sec. 11.5.A of these regulations.

1. **Residential Construction.** All new construction, substantial improvements, and repair to structures that have sustained substantial damage which are residential structures shall have the bottom of the lowest floor, including basement, elevated to or above the base flood elevation (BFE). Electrical, plumbing, machinery or other equipment that service the structure must be elevated to the same level or above the BFE.
2. **Non-Residential Construction.** All new construction, substantial improvements, and repair to structures that have sustained substantial damage which are commercial, industrial or non-residential structures shall:
 - a. Have the bottom of the lowest floor, including basement, elevated to the same or above the base flood elevation (BFE); or
 - b. In lieu of being elevated, non-residential structures may be dry flood-proofed to one (1) foot above the BFE, provided that together with all attendant utilities and sanitary facilities, the areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, and provided that such structures are composed of structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A Connecticut registered professional engineer or architect shall review and/or develop structural design specifications and plans for the construction, and shall certify that the design and methods of construction are in accordance with acceptable standards of practice for meeting the provisions of this section. Such certification shall be provided to the Planning and Zoning Commission on the FEMA Flood-proofing Certificate, Form 81-65.

- c. Electrical, plumbing, machinery or other utility equipment that service the structure must be elevated to or above the BFE.

3. **Elevated Buildings and Fully Enclosed Areas Below the Base Flood Elevation.** All new construction, substantial improvements, or repair of substantial damage to residential or non-residential structures that include fully enclosed areas formed by a foundation and other exterior walls below the base flood elevation (BFE) of an elevated building shall be designed to preclude finished living space and be designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls (wet flood-proofing). Designs for complying with this requirement must be certified by a Connecticut registered professional engineer or architect, or meet the following minimum criteria listed in sections (a)-(g) below:

- a. Equalization of Hydrostatic Forces. Provide a minimum of two (2) openings (hydraulic flood vents) having a total net area of not less than one square inch for every one square foot of enclosed area subject to flooding. These hydraulic openings must be located on at least two different walls. Only the area (square footage) that lies below the BFE can be used in the calculation of net area of vents required. If the structure has more than one enclosed area, openings must be installed in the exterior walls of each enclosed area so that flood waters can enter directly from the outside.
- b. The bottom of all openings shall be no higher than one (1) foot above grade. At least one side of the structure's fully enclosed area must be at or above grade. Fill placed around the foundation walls must be graded so that the elevation inside the enclosed area is equal to or higher than the adjacent outside elevation on at least one side of the building. The finished floor of the enclosed area shall be no lower than the bottom of the foundation openings. The foundation slab of a residential structure, including the slab of a crawlspace, must be set equal to the outside finished grade on at least one side of the building.
- c. The openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic entry and exit of flood waters in both directions without any external influence or control such as human intervention, including the use of electrical and other non-automatic mechanical means. Other coverings may be designed and certified by an engineer, and must be approved by the Planning and Zoning Commission and any other applicable Town agent (such as the Building Inspector).
- d. Unfinished living space. The area cannot be used as finished living space. Use of the enclosed area shall be the minimum necessary and shall only be used for the parking of vehicles, building access or limited storage. Access to the enclosed area shall be the minimum necessary to allow for the parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator). The enclosed area shall not be used for human habitation or partitioned into separate rooms.
- e. All interior wall, floor and ceiling materials located below the BFE shall be unfinished and resistant to flood damage.
- f. Utilities above minimum elevation standard. Electrical, plumbing, HVAC ductwork, machinery or other utility equipment and connections that service the structure (including, but not limited to, furnaces, oil or propane tanks, air conditioners, heat pumps, hot water heaters, ventilation, washers, dryers, electrical junction boxes, circuit breaker boxes and food freezers) are prohibited in the fully enclosed area below the BFE. Utilities or service equipment located in this enclosed area, even if elevated

g. Garage space. A residential building with a structurally attached garage having the floor slab below the BFE is considered an enclosed area below the BFE and must meet the standards of Section 11.5.C.3(a)-(f). A garage attached to a residential structure constructed with the garage floor slab below the BFE must be designed to allow for the automatic entry and exit of floodwaters in both directions. Flood openings or vents are required in the exterior walls of the garage or in the garage doors. The human intervention necessary to open garage doors when flooding occurs is not an acceptable means of meeting the openings requirements. In addition to the automatic entry of floodwaters, the areas of the garage below BFE must be constructed with flood resistant materials. Garages attached to non-residential structures must also meet the aforementioned requirements or be dry flood-proofed as per the requirements of Section 11.5.C.2.

4. Manufactured (Mobile) Homes and Recreational Vehicles (RVs). Manufactured and mobile homes, including parks and subdivisions for these homes, are prohibited in all Special Flood Hazard Areas (SFHAs). In all SFHAs, any manufactured (mobile) homes undergoing a substantial improvement or repaired as a result of substantial damage, shall be elevated so that the bottom or the lowest floor is at or above the base flood elevation (BFE). The manufactured home must also meet all the construction standards per Section 11.5.C.

a. All manufactured (mobile) homes within a SFHA shall be placed on a permanent foundation which itself is securely anchored and to which the structure is securely anchored so that it will resist flotation, lateral movement and hydrostatic pressures. Anchoring may include, but not be limited to, the use of over-the-top or frame ties to ground anchors.

b. All manufactured (mobile) homes within a SFHA shall be installed using methods and practices which minimize flood damage. Adequate access and drainage shall be provided. Elevation construction standards include piling foundations placed no more than ten (10) feet apart, and reinforcement provided for piers more than six (6) feet above ground level.

c. Recreational vehicles placed on sites within a SFHA shall either (1) be on the site for fewer than 180 consecutive days, and (2) be fully licensed and ready for highway use, OR (3) meet all the general standards of Section 11.5 and the elevation and anchoring requirements in this sub-section (above). A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devised, and has no permanently attached additions.

5. Floodways. Floodways are located within Special Flood Hazard Areas (SFHAs) and are designated on the Flood Insurance Rate Maps (FIRM) Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris and potential projectiles, and since there is high potential for erosion, the following provisions shall apply:

a. No encroachments, including fill, new construction, substantial improvements, repairs to substantially damaged structures and other developments shall be permitted unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating, through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that encroachments shall not result in any (0.00 feet) increase in flood levels during occurrence of the base flood discharge.

b. Fences in the floodway must be aligned with the flow and be of an open design.

- c. A permit may be given which allows encroachments resulting in increases in base flood elevations provided the community first obtains conditional floodway revision by meeting the requirements of CFR 44, Chapter 1, Subsection 65.12.
- d. Prohibited uses: Within any delineated Regulatory Floodway, the placement of manufactured homes, manufactured home parks, Manufactured home subdivision, recreational vehicles, new or substantially improved uses and facilities used for the storage or production of dangerous materials and new or substantially modified underground storage facilities containing or proposed to contain dangerous materials shall be prohibited.

11.6 DESIGN STANDARDS FOR SUBDIVISION PROPOSALS

All subdivision proposals within the Town of Ridgefield shall be designed to be consistent with the need to minimize flood damage and reduce threats to public health and safety. The following requirements shall apply to all subdivision proposals:

1. Public utilities and facilities such as sewer, gas, telephone, electrical and water systems shall be located, elevated (where possible) and constructed to minimize the change of impairment during a flood.
2. Adequate storm water drainage shall be provided to reduce exposure to flood hazards.
3. A subdivision shall not be approved unless home sites and related facilities are designed, located and constructed so that at any time during the occurrence of the base flood, all building sites can be safely accessed and evacuated.
4. All proposed subdivisions which contain land within a Special Flood Hazard Area shall include the base flood data on the record plan. Where the BFE is not available on the FIRM, the applicant shall provide a hydrologic and hydraulic engineering analysis performed by a Connecticut licensed professional engineer to generate the BFE.

11.7 VARIANCE PROCEDURES

A. ESTABLISHMENT OF VARIANCE PROCESS

Except as limited in paragraphs B and C below, and in accordance with Connecticut General Statutes Sections 8-6 and 8-7, the Ridgefield Zoning Board of Appeals shall hear and decide any appeal of this regulation and any Appeal of an Order issued by the Zoning Enforcement Officer in conjunction with enforcement of these regulations. [Authorization and procedures for the Zoning Board Appeals are found in the State statutes and are summarized in Section 9.5 of the zoning regulations of the Town of Ridgefield.] Considerations for granting variances (as provided by the Connecticut Department of Environmental Protection for Floodplain Management) are listed in paragraph C, below.

B. VARIANCES PROHIBITED

1. No variance shall be issued within any designated Regulatory Floodway if the proposal would result in any increase in flood levels during the base flood discharge (i.e., discharge from a flood have a one percent change of being equaled or exceeded in any given year, also referred to as the 100-year flood).

2. No variance shall be issued within any Special Flood Hazard Area (SFHA) if the proposal would result in an increase in the base flood elevation (BFE) in excess of one-tenth of one foot (0.1 feet).

C. VARIANCES FOR SPECIAL SITUATIONS

Historic Structures. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places, the State Inventory of Historic Places, or located within Town of Ridgefield Historic District (with proof and documentation of the local historic value) without regard to the procedures set forth in the remainder of this section, except that:

1. There shall be no violation of the prohibitions listed in 11.7.B (1 and 2), above;
2. No reconstruction, rehabilitation, renovation or alteration shall be permitted without due consideration and effort to incorporate design concepts which, while preserving the historical character of the building, will also serve to reduce the potential for future flood damage and threat to human life and property;
3. The proposed reconstruction, rehabilitation or restoration shall not result in the structure losing its historical character and designation.

D. CONSIDERATIONS FOR GRANTING OF VARIANCES

In granting variance applications, the Zoning Board of Appeals shall consider all technical evaluations, relevant factors and standards specified in other sections of these regulations, and the items listed below. Upon consideration of these factors and the purpose of these floodplain management regulations, the ZBA may attach such conditions to the granting of variances as it deems necessary to further the purposes of this regulation, including consideration for:

1. The danger that materials may be swept onto other lands, to the injury of others;
2. The danger to life and property due to flooding or erosion damage;
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
4. The importance of the services provided by the proposed facility to the community;
5. The availability of alternative locations not subject to flooding or erosion damage for the proposed use;
6. The compatibility of the proposed use with existing and anticipated development;
7. The relationship of the proposed use to the Comprehensive Plan and the Floodplain Management Program for that area;
8. The safety of access to the property in times of flood for ordinary and emergency vehicles;
9. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters expected at the site; and
10. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities, infrastructure and facilities such as sewer, gas, electrical and water systems, streets and bridges.

E. NOTIFICATION OF EFFECT OF VARIANCE ON FLOOD INSURANCE RATES

Any application to whom a variance is granted to allow the lowest floor elevation to be below the base flood elevation (BFE) shall be given written notice by the Planning and Zoning Office that the cost of insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

11.8 ENFORCEMENT

1. **Planning and Zoning Commission.** The Commission may suspend or revoke a Site Plan Approval for Floodplain Development if it is found that the applicant has not complied with the terms, conditions or limitations set forth in the permit or has exceeded the scope of work as set forth in the application.
 - a. Prior to revoking or suspending any permit, the Commission shall issue a Notice of Intent to Revoke (or Suspend) the permit, and shall send the notice by Certified Mail, Return Receipt Requested, setting forth the facts or conduct that warrants the proposed action, and shall offer the applicant the opportunity, within ten days of the issuance of the Notice, to appear before the Commission to answer to the Notice.
 - b. In the event that violations or obstructions are not promptly removed from the Special Flood Hazard Area (SFHA), the Commission or its designated agent may cause such removal and remediation work to be performed utilizing bond money, if such bond was imposed as a condition of approval of the Site Plan Application for Floodplain Development, or, the Town may direct the Director of Public Services to cause such work to be done and to place a lien against the property.
2. **Zoning Enforcement Officer.** The Zoning Enforcement Officer shall have the authority to enforce these regulations in the same manner as any other zoning regulation, pursuant to Section 8-12 of the Connecticut General Statutes, Section 9.4 of the Zoning Regulations of the Town of Ridgefield and Article 24, Chapter 1 of the Code of Ordinances of the Town of Ridgefield (Citation Ordinance). [See also 11.4.E.3, under "Administration".]