

# Branchville Zoning Study

PA 25-1 Review  
Zoning Options and Recommendations

1/6/26



# Agenda

1. Review relevant aspects of Public Act 25-1 and discuss implications
2. Review the Branchville area for potential new zoning district boundaries
3. Review recommended zoning districts
4. Discuss options

# Public Act 25-1: Overview

**Public Act 25-1 (HB-8002)** has multiple implications for Branchville (and Ridgefield).

Effective July 1, 2026, municipalities:

- Cannot reject a proposed residential development with fewer than 17 units solely due to a failure to conform to a requirement for off-street parking unless the lack of parking will have a specific adverse impact on public health and safety that cannot be mitigated through approval conditions that have no substantial adverse impact on the project's viability. **(You cannot require parking for residential development with 16 units or less unless located in a conservation and traffic mitigation district)**
- Must allow 2-9 unit residential development in commercial zones without a Special Permit or public hearing requirement.
- Can, if they have or are near transit, become a Transit Oriented Community (TOC) by adopting zoning regulations creating a transit-oriented district around the station.

# Public Act 25-1: Important Terms

- **Conservation and Traffic Management District:** An area designated by a municipality where the parking requirements for multifamily can be enforced.
- **Qualifying Transit-Oriented Community:** A rapid transit community, a bus transit community, or a community that borders a community with rapid transit or regular bus service.
- **Qualifying Rapid Transit Community:** A community with a rapid transit station (such as Branchville Station)
- **Transit-Oriented District:** A zoning district adopted by a municipality around a transit station.
- **Housing Growth Zone:** An area within a municipality in which zoning regulations are designed to facilitate substantial development of new dwelling units or a transit-oriented district.
- **Housing Growth Program:** A program to be established and administered by OPM to provide grants-in-aid to assist municipalities
- **Housing Growth Plan:** Replaces the Affordable Housing Plan requirement and is required by each COG for all municipalities in the region. Municipalities may draft their own.

# Public Act 25-1

## **Conservation and Traffic Mitigation Districts**

- Towns can adopt up to two conservation and traffic mitigation districts that allow parking requirements to be imposed on residential developments with up to 15 units.
- These locally designated districts each cannot account for more than 4% of municipality's land area (8% combined) and may be contiguous.

# Public Act 25-1

## **Qualifying Transit Oriented Community**

Any municipality that:

- (A) is a qualifying rapid transit community or qualifying bus transit community, or
- (B) borders a municipality that has one or more rapid transit stations or regular bus service stations, and that designates a transit-oriented district in or adjacent to a downtown area located in such municipality.

# Public Act 25-1

## **Qualifying Rapid Transit Community**

Any municipality that contains not less than one rapid transit station or a planned rapid transit station, contained within a transit-oriented district adopted by such municipality, provided such transit-oriented district is of reasonable size and either

- (A) includes land of such municipality located within a one-half-mile radius of any such station, or
- (B) is located within a reasonable distance, as determined by the secretary, or the secretary's designee, of any other transit service, a commercial corridor or the downtown area of such municipality;

## **Transit Oriented District**

A collection of parcels of land in a municipality designated by such municipality and subject to zoning criteria designed to encourage increased density of development, including mixed-use development, consistent with the provisions of PA 25-1.

# Public Act 25-1

## **Transit-Oriented Community Zoning**

TOCs are eligible for additional funding under any program the OPM secretary administers if the TOC adopts additional zoning criteria including:

1. higher density development,
2. requiring greater housing unit affordability than what the bill specifically requires in certain larger proposed developments,
3. developing public land or public housing,
4. implementing programs to encourage homeownership, and
5. other criteria the OPM secretary sets.

# Public Act 25-1

## **Establishing a Transit-Oriented District**

In determining whether a transit-oriented district is of reasonable size, the secretary, or the secretary's designee, in consultation with the zoning commission of the municipality, shall

- (1) determine whether the area of such district is adequate to support greater density of development in an equitable manner, as determined by the secretary, or the secretary's designee, considering the geographic characteristics of the municipality;
- (2) consider municipal and regional housing needs; and
- (3) not require the inclusion of the following lands in any such district: (A) Special flood hazard areas designated on a flood insurance rate map published by the National Flood Insurance Program, (B) wetlands, as defined in section 22a-38 of the general statutes, (C) land designated for use as a public park, (D) land subject to a conservation restriction or preservation restriction, as such terms are defined in section 47-42a of the general statutes, (E) coastal resources, as defined in section 22a-93 of the general statutes, (F) areas necessary for the protection of drinking water supplies, and (G) areas designated as likely to be inundated during a thirty-year flood event

# Public Act 25-1

## **Inland Wetlands Agency Coordination**

The zoning commission of the municipality shall consult with the inland wetlands agency of the municipality to establish the boundaries of any proposed transit-oriented district within the municipality.

# Public Act 25-1

## **Transit-Oriented District “As of Right” Uses**

A qualifying transit-oriented community shall allow the following developments as of right in any transit-oriented district:

- A. transit community middle housing developments, if such development contains 2 to 9 dwelling units;
- B. developments that contain ten or more dwelling units where not less than thirty per cent of such units qualify as a set-aside development pursuant to section 8-30g of the general statutes, as amended by this act; and
- C. Affordable housing developments (all units affordable) on land owned by (i) the municipality in which such land is located, (ii) the public housing authority of the municipality in which such district is located, (iii) any not-for-profit entity, or (iv) any religious organization

# Public Act 25-1

## **Transit-Oriented District Uses: Ground Floor Commercial**

For developments that result in the development of ten or more dwelling units as of right, a municipality may enact zoning regulations that require commercial uses to be permitted on the ground level of any multistory development, except that provisions of this subdivision shall not apply to dwelling units developed by a religious organization.

# Public Act 25-1

## **Transit-Oriented District Uses: Affordability Requirement**

Each qualifying transit-oriented community shall require that any proposed development within any transit-oriented district that contains ten or more dwelling units that are not allowed as of right be subject to a deed restriction that requires, for not less than 40 years after the initial occupation of the proposed development, that a percentage of dwelling units **(10% for Ridgefield)**, be sold or rented at, or below, a cost in rent or mortgage payments equivalent to not more than 30% of the annual income of individuals and families earning 60% of the median income of the state or the area median income as determined by the United States Department of Housing and Urban Development, whichever is less.

# Public Act 25-1

## **Transit-Oriented District Uses: Accessory Dwelling Units**

Any owner of real property located within a transit-oriented district who has owned such real property located within a transit-oriented district in the municipality for not fewer than three years, may construct an accessory apartment on such real property as of right, provided such accessory apartment complies with any structural or architectural requirements imposed by any zoning regulations adopted pursuant to section 8-2, as amended by this act.

# Public Act 25-1

## **Housing Growth Zone**

Any area within a municipality in which applicable zoning regulations are designed to facilitate substantial development of new dwelling units or any transit-oriented district established by a municipality.

# Public Act 25-1

## Housing Growth Program

The program will provide grants-in-aid to assist municipalities in paying costs related to the construction, improvement or expansion of public infrastructure, including, but not limited to, water lines, **sewer lines**, roads, bicycle and pedestrian infrastructure and transit infrastructure associated with the development of new dwelling units.

To be eligible to receive funding from the program, a municipality shall be in compliance with its housing growth plan or compliance with a regional housing growth plan, if applicable, and shall demonstrate steps such municipality has taken to implement its housing growth policies, and

- (1) have been determined to be a qualifying transit-oriented community, **or**
- (2) have adopted a development district established pursuant to a memorandum of agreement with the Connecticut Municipal Development Authority, **or**
- (3) meet additional eligibility criteria to be developed by the secretary.

# PA 25-1 Options

Item	No Changes	Adoption of Conservation and Traffic Management District (CTMD)	Adoption of a Transit-Oriented District + CTMD
2-9 unit res. in commercial zones without Special Permit	✓	✗	✓
Mixed-use in commercial zones without Special Permit	✗	✗	✓
No parking requirement for res. with 16 or fewer units.	✓	✗	✗
10+ dwelling units with 30%+ affordable housing without a Special Permit	✗	✗	✓
10+ dwelling units must include 10% affordable housing, but a Special Permit can be required	✗	✗	✓
Municipal, housing authority, non-profit, or religious affordable housing developments without a Special Permit	✗	✗	✓
Ground floor commercial requirement for 10+ units	✗	✗	✓
Accessory Dwelling Units without a Special Permit	✗	✗	✓
Eligible for Housing Growth Program Funding + Other	✗	✗	✓

# PA 25-1 Timeline

- Transit Oriented Districts will be required to be approved by OPM and comply with guidelines to be developed by a new Council on Housing Development which will convene by January 1, 2026.
- The deadline for the development of the guidelines is January 1, 2027.
- Communities can seek an exemption from the guidelines by submitting an application to OPM (presumably if no guidelines yet exist, an exemption may be required).
- The Housing Growth Program will be established by July 1, 2028.

# PA 25-1: Housing Growth Plan

- The Act requires the COG to develop a Housing Growth Plan (HGP) for all towns in the region, which will include an affordable housing goal for each town.
- COGs must use a methodology that increases a municipality's goal if relative to other municipalities in its planning region, it has a:
  1. higher equalized net grand list per capita
  2. higher median income, or
  3. lower population share with income below the federal poverty rate, or living in multifamily housing
- The HGP will outline policies and practices that promote or enable housing development to meet the municipal affordable housing goal.
- The Town can opt to write its own Housing Growth Plan.

# PA 25-1: Housing Growth Plan

## **The Housing Growth Plan must:**

- Identify housing growth policies it has adopted or will adopt to reduce specific regulatory barriers to the development of dwelling units in the municipality and to promote the development of additional dwelling units.
- Identify specific zones or parcels that could be developed via a “summary review” (as of right) process in order to meet the affordable housing goal.
- Identify strategies it has adopted or will adopt to promote the development of diverse housing types, considering factors like unit size, number of bedrooms, construction type, density of development, and ownership models
- Provide an implementation schedule for the policies, strategies, and other actions identified in the plan that is calculated to achieve each municipal affordable housing goal.
- And meet other requirements...

# PA 25-1: Housing Growth Plan

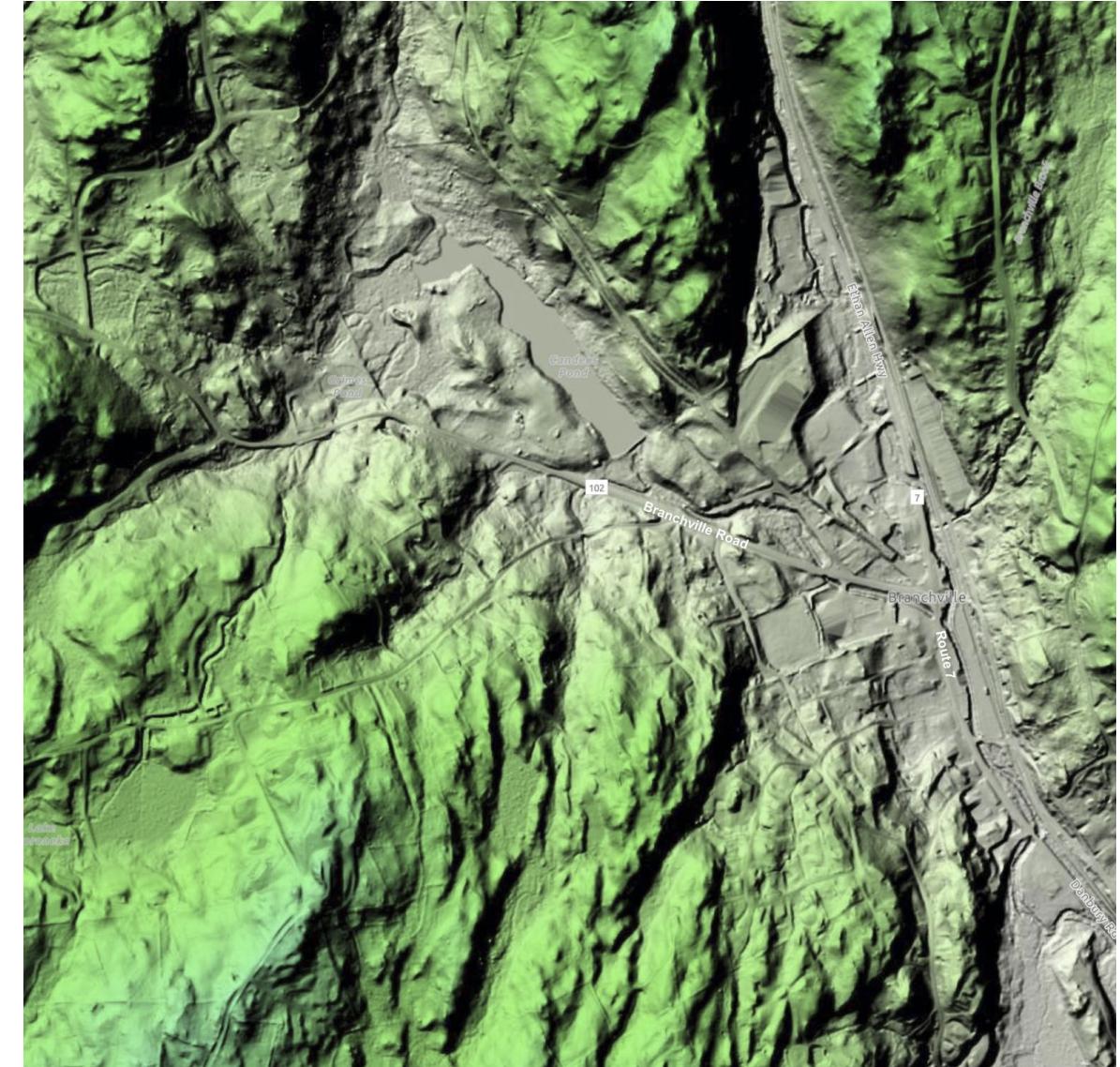
## **Housing Growth Plan Compliance**

- Municipalities must generally work to adopt and implement the housing growth policies outlined in the applicable HGP, and annually report on their progress, to be eligible for housing growth program grants.
- Municipalities must submit an annual progress report to OPM.

# Rezoning Potential in Branchville

# Constraints: Topography

- Areas along Route 7 and Branchville Road are relatively flat compared to most of the surrounding area.
- These areas have the greatest potential for infill development based upon topography alone.



# Constraints: Topography

- Areas within the yellow boundary have the greatest potential for infill development based upon topography alone.
- Areas outside would be challenging to accommodate development at densities greater than those currently permitted in the RA zone.



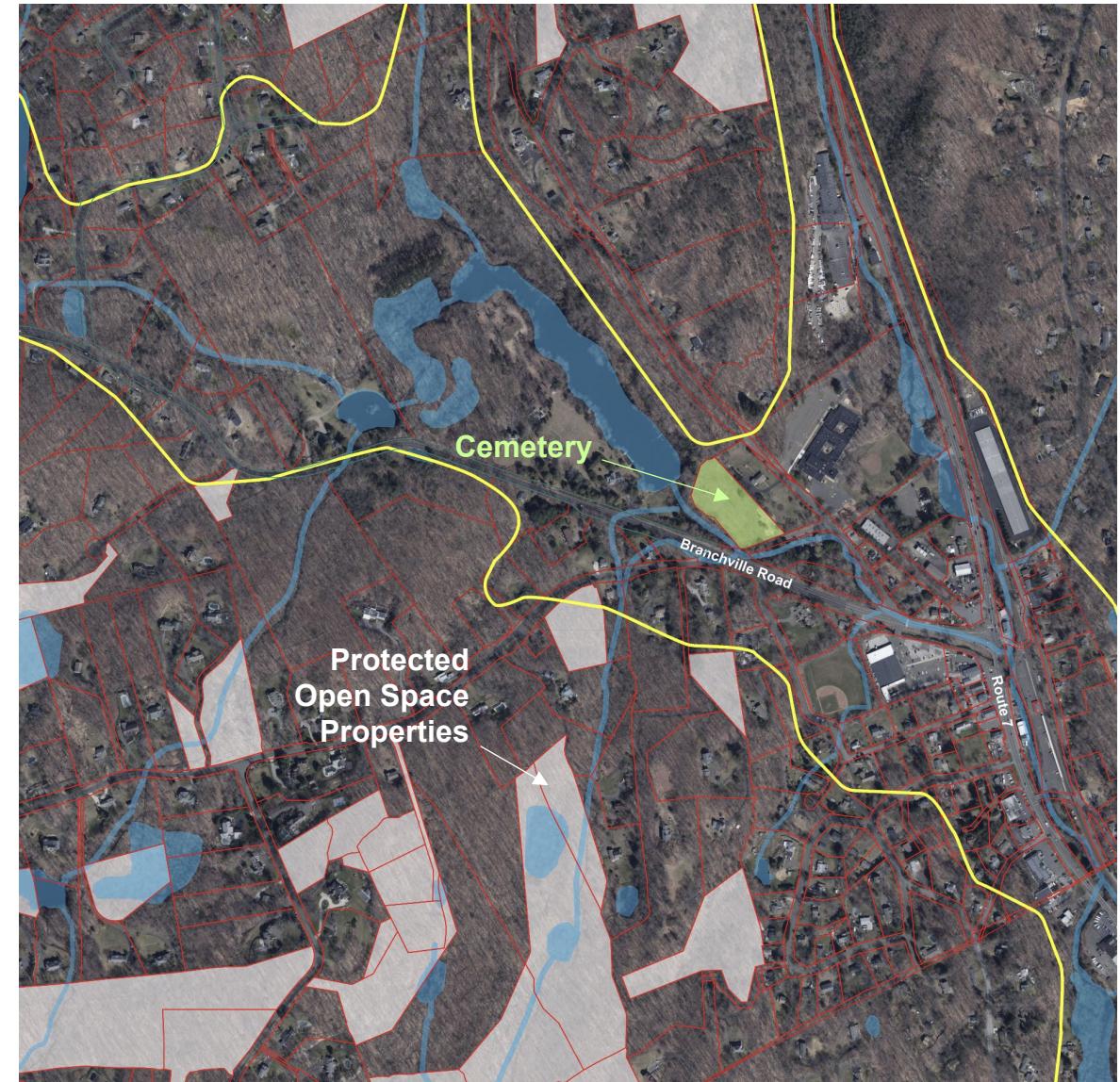
# Constraints: Wetlands

Wetlands including wetland soils, ponds, rivers, and creeks restrict development on multiple properties across Branchville and are restrictive to development.



# Constraints: Protected Open Space

- Multiple parcels in the study area are protected as open space through ownership or deed restriction. However, these parcels are in areas with steep grades.
- Branchville Cemetery, while not a protected open space, is an obvious development constraint.



# Constraints: Flood Zones

The 100-year (1% chance of annual flooding) and 500-year (0.2% chance of annual flooding) flood zones restrict the type of development that can occur within these areas.



**Floodway:** No buildings permitted



**1% Flood Hazard Zone (A & AE):** Floors below the base flood elevation are limited to commercial development. Regulated by FEMA and Section 11 of the Zoning Regulations.



**0.2% Flood Hazard Zone:** Neither FEMA or Section 11 restrict development, but areas are subject to flooding.



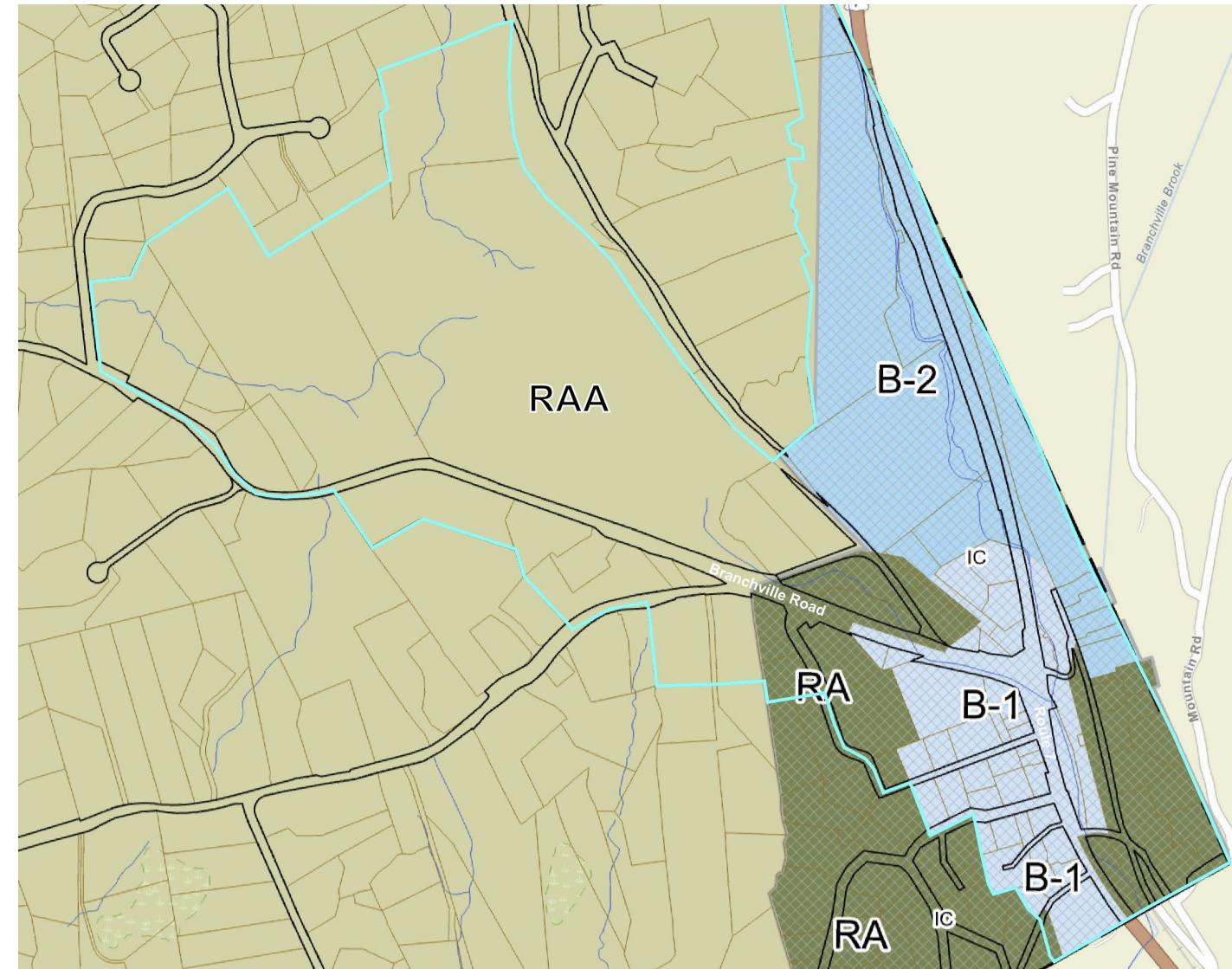
# Parcels to Consider for Rezoning

- Based upon the analysis of environmental constraints, the parcels shown within the **blue outline** at right are the best candidates for rezoning.
- Other factors include existing land uses, access to Branchville Road and Route 7 and existing zoning designations.



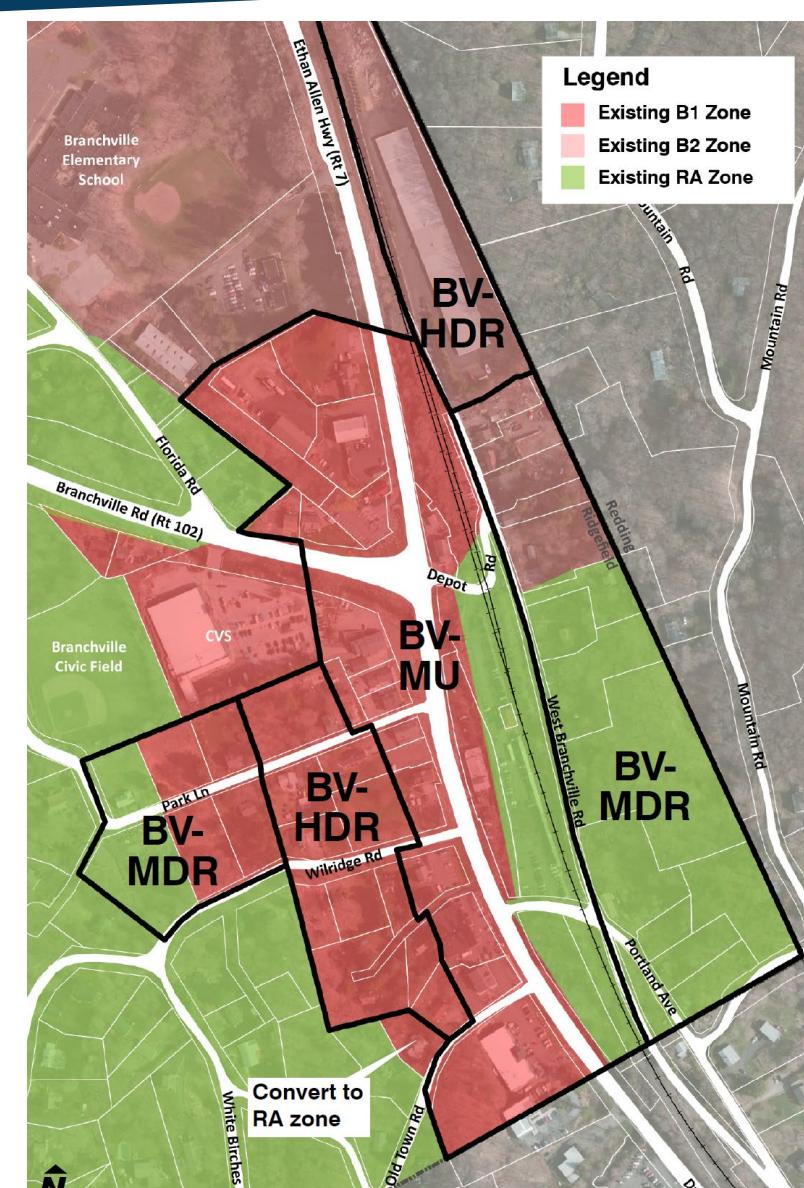
# Parcels to Consider for Rezoning

This area captures the B-1 and B-2 zones, about half of the RA zone, and a large area of the RAA zone proximate to Branchville Road.



# TOD Plan Recommendations

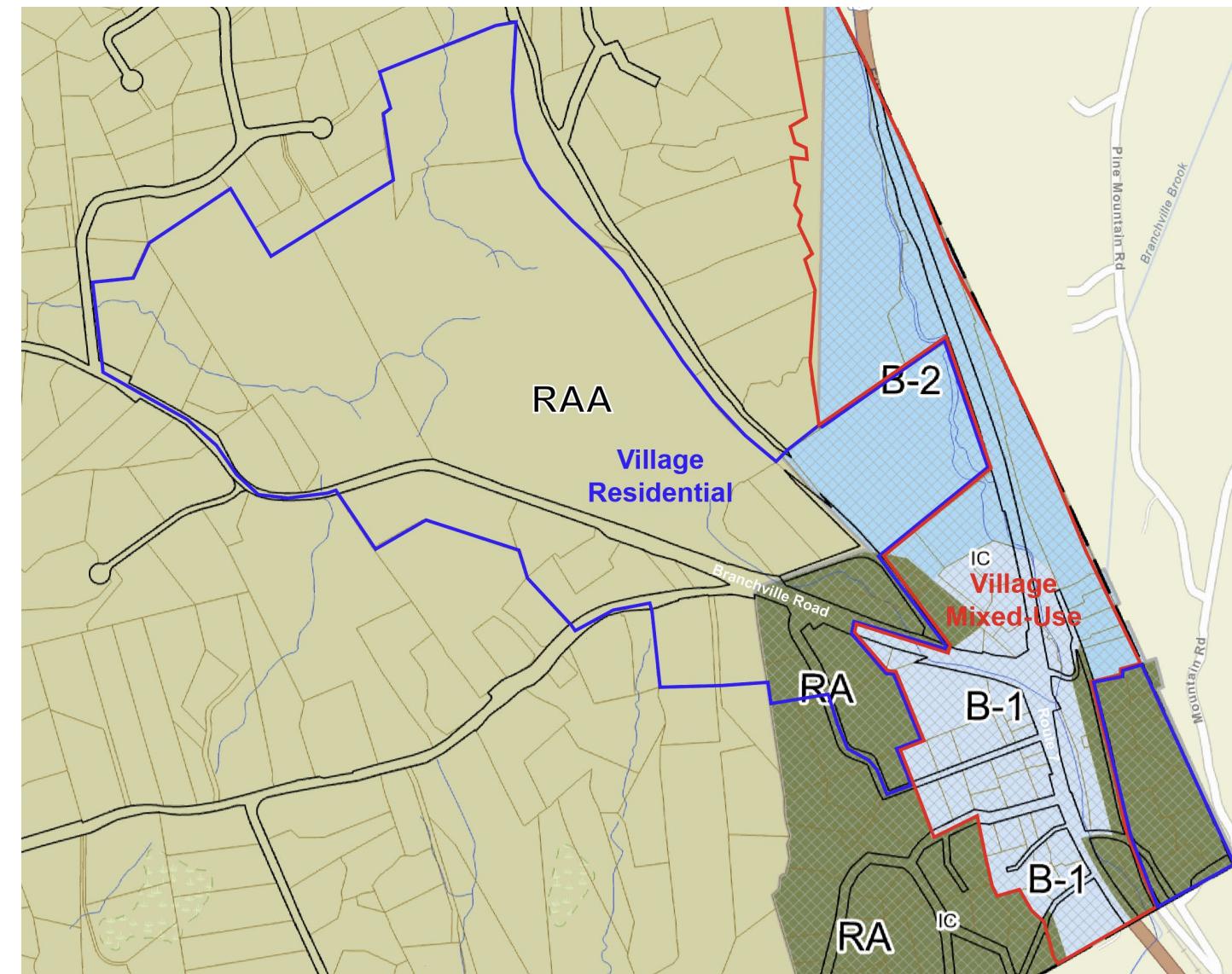
- The 2017 TOD Plan was narrowly focused on the area immediately adjacent to the train station in its zoning recommendations.
- It recommends the creation of three new zones:
  - Branchville Village Mixed-Use
  - Branchville Village High-Density Residential
  - Branchville Village Medium-Density Residential
- Such small and specific zones primarily enable development only as envisioned by the plan and allow for little flexibility.
- **We recommend drafting new zoning districts that are informed by the TOD plan but are not limited to the zoning recommendations of the TOD plan.**



# Recommended Zones

Divide the area into two zones capturing all of the B-1 and B-2 and part of the RA and RAA:

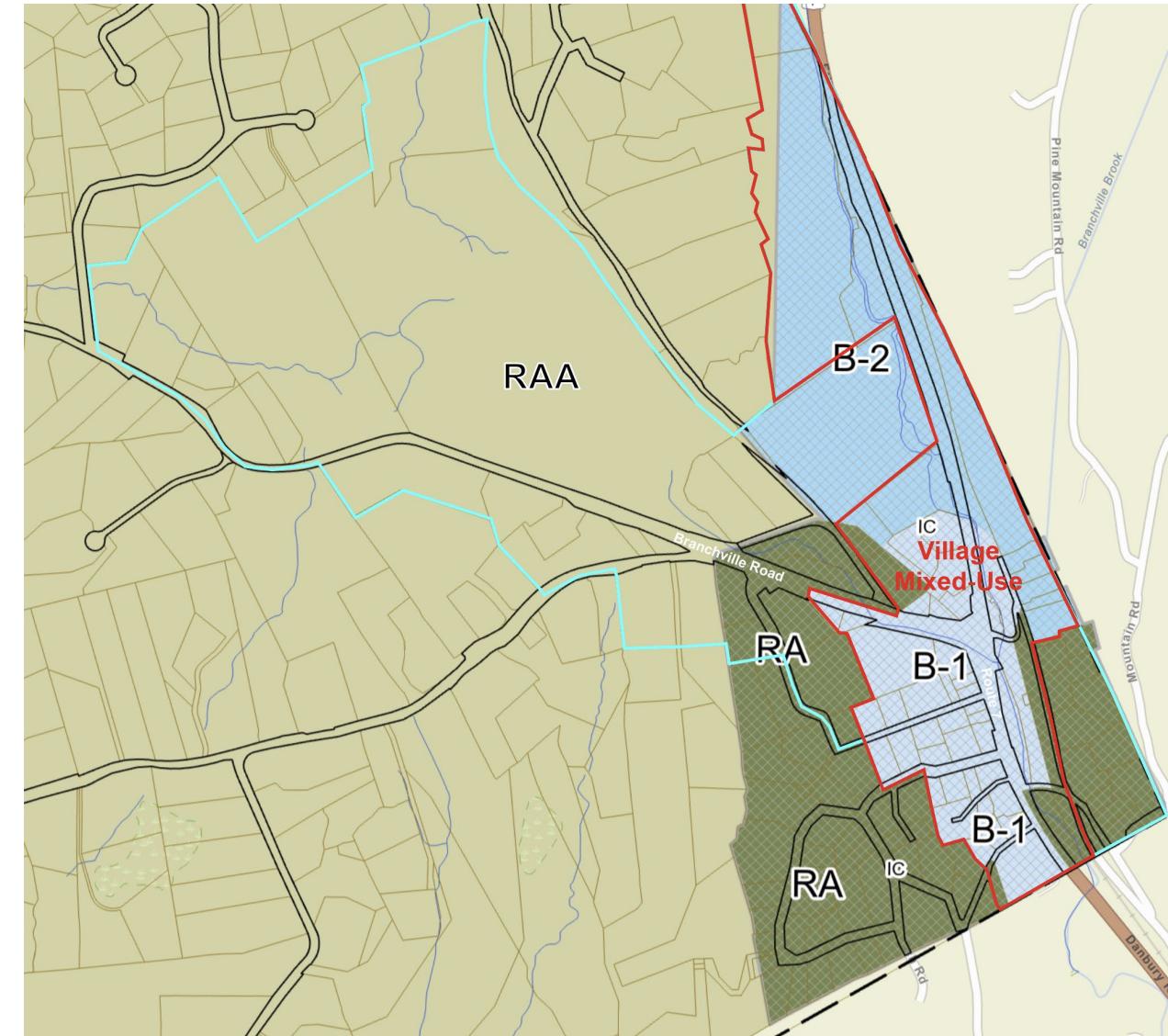
- Village (or TOD) Mixed-Use
- Village (or TOD) Residential



# Recommended Zones

## **The Mixed-Use Zone would allow:**

- Multifamily development but would require that buildings fronting Route 7 or Branchville Road (and those in A and AE flood zones) have first floor commercial uses.
- Mixed-use and commercial uses such as office, retail, restaurants, and service-based uses.
- Civic and institutional uses (schools, community centers)
- All existing uses to continue as conforming uses but prohibit establishment of new manufacturing/industrial and auto service type uses.



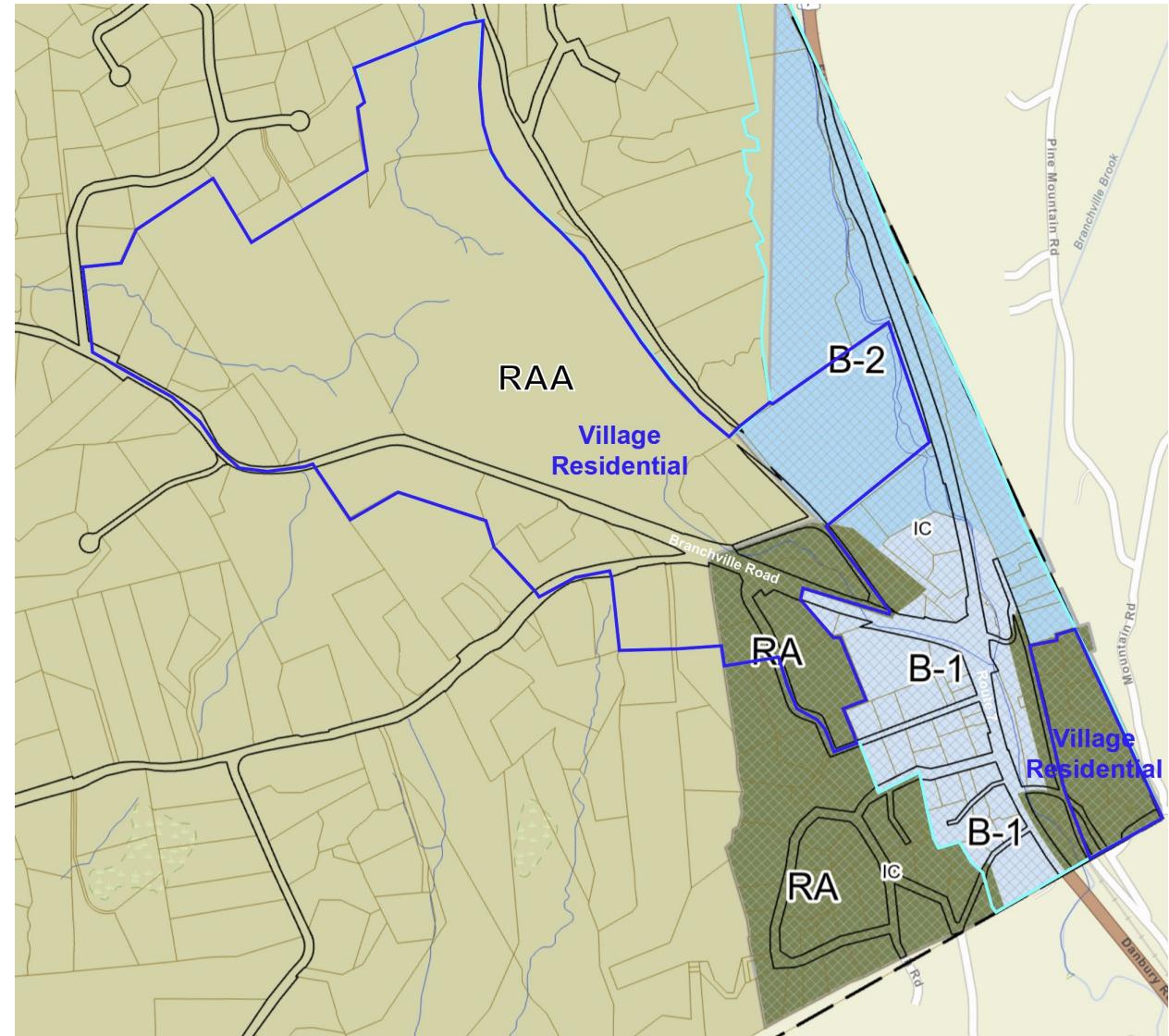
# Village Mixed-Use Zone Examples



# Option 2: Village Residential

## **The Residential Zone would allow:**

- Small-lot single family homes (10,000 sf lots)
- Duplex homes
- Attached housing (townhouses)
- Mansion homes (up to six units in a building designed to look like a large house.)
- Senior housing developments
- Civic and institutional uses (schools, community centers)



# Village Residential Zone Examples



# Village District Zoning

- The new zones would be adopted as “Village Districts” under CGS § 8-2j.
- This will require design review of all projects in the zones and provides the Commission with the authority to deny a project that does not comply with the design standards.
- We recommend exempting single-family homes from the design requirements.
- Housing development required “as of right” by PA 25-1 is not exempted from Village District standards.

## **Key Features of Village District Zoning**

- Authorized by CGS § 8-2j
- Purpose is to protect the distinctive character, landscape, and historic structures of areas that are significant to a town’s heritage, particularly traditional village centers.
- Enables Zoning Commission to adopt and enforce design standards covering building scale, architectural style, site layout, landscaping, signage, and streetscape character.

# Inclusionary Housing Option

**If not establishing a Transit Oriented District, then consider establishing an inclusionary housing requirement or incentive for any mixed-use or multifamily building or development.**

- This would be similar to Section 4.2 (Multi-Family Development District) of the zoning regulations.
- It would require a specified share of units (such as 15% in the MFDD) to be set-aside as affordable housing.
- An option would be to provide a fee-in-lieu of payment into an affordable housing fund for units not provided.

# Other Options

- Establish a minimum active or functional open space requirement for development over a specified size or for any multiple dwelling or mixed-use development.
- Require development to provide sidewalks or pathways linking to the new sidewalk network.
- Establish other public space standards for frontages within the zoning and design guidelines.

# Summary of Options

- Rezone as Village Residential and Village Mixed-Use
- **-OR-**
- Rezone as TOD Residential and TOD Mixed-Use in accordance with PA 25-1 requirements

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- Adopt a Village District overlay zone spanning the two zones.
- Adopt a Conservation and Traffic Management District spanning the two zones (combined the zones are 1% of the Town's area).

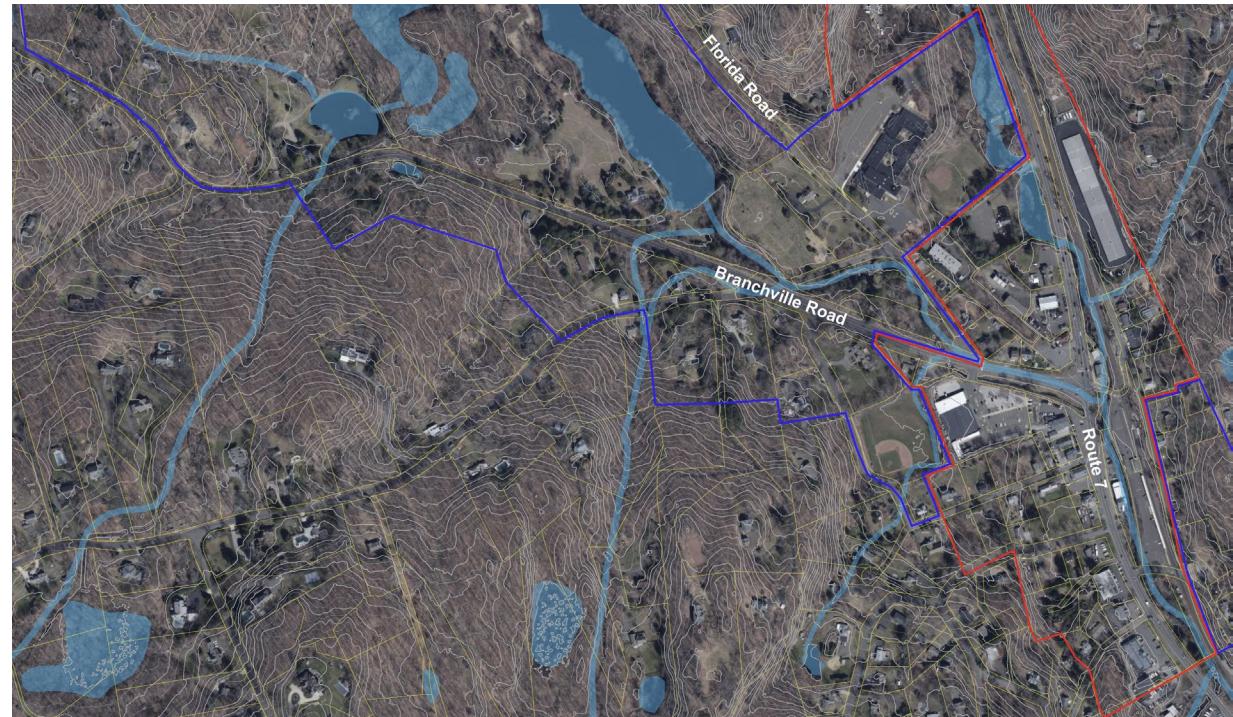
# Next Steps

- Refine the zoning boundaries as needed
- Draft the zoning regulations for the new zones
- Begin development of village district design guidelines

# Parcel View of New Zones



North



South



North



**The following slides are for reference**

# RAA and RA Zones

- 2-acre minimum for development (RAA), 1-acre minimum (RA)
- Permitted Uses:
  - Conservation, Agriculture, Equestrian Facilities
  - Single-family homes and group homes
- Special Permit Uses:
  - Government, Institutional, Instructional, Recreational, Public Utility, Cemetery uses
  - Adaptive Reuse
  - Day Care
  - Bed and Breakfast
  - Planned Residential Development (single-family homes, RAA zone)



# Business 1 Zone

- 10,000 sf minimum lot size (approx.  $\frac{1}{4}$  acre)
- Permitted Uses:
  - Retail store, shopping center, service establishments
  - Business, professional, medical, real estate office, or bank.
  - Restaurant and food retail
  - Single-family house existing as of 2008



# Business 1 Zone

- Special Permit Uses:
  - Municipal or other government uses including parking and recreation uses
  - Gas station, motor vehicle repair, motor vehicle sales
  - Up to 8 dwelling units per acre above commercial development
  - Bowling alleys, driving range, and other indoor and outdoor recreation
  - Group day care homes and day care centers
  - Educational, philanthropic, or religious uses, nonprofit clubs and organizations
  - Funeral homes
  - Commercial kennels and veterinary hospitals
  - Theater
  - Hotel, motel, or inn
  - Public utility substation

# Business 2 Zone

- 10,000 sf minimum lot size (approx.  $\frac{1}{4}$  acre)
- Permitted Uses:
  - Service establishments
  - Business, professional, medical, real estate office, or bank
  - Offices for executive, administrative, and data processing
  - Restaurant and food retail
  - Seasonal Farmers' Market
  - Retail sales accessory to another type of commercial use
  - Fitness center, dance studio, arts education
  - Single-family house existing as of 2008



No general retail permitted

# Business 2 Zone

- Special Permit Uses:
  - Assisted living facility, nursing or convalescent home, congregate housing
  - Municipal or other government uses including parking and recreation uses
  - Research and development labs
  - Manufacturing, processing, assembly, fabrication, packing, storage, distribution (limited to specific products)
  - Contractors' yards
  - Storage warehouse
  - Group day care homes and day care centers
  - Bowling alleys, driving range, golf clubs, and other indoor and outdoor recreation
  - Commercial kennels and veterinary hospitals
  - Educational, philanthropic, or religious uses, nonprofit clubs and organizations
  - Funeral homes
  - Theater
  - Hotel, motel, or inn
  - Public utility substation
  - Brewery or brewpub
  - Sales showroom

No general  
retail  
permitted