



PLANNING & ZONING DEPARTMENT

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ADOPTED AMENDMENT TO THE SUBDIVISION REGULATIONS

Amend Sec. 4-25 (b) – Payments in Lieu of Open Space

Commission-initiated

Reasons: (1) To increase the fee for payment in lieu of open space donation to 10% from 6%, thereby providing additional funds for the purchase of land reserved for open space preservation and conservation purposes, and (2) to accept payment in lieu of open space for any subdivision where this payment is deemed to be more appropriate than the acceptance of open space land. This amendment makes the Ridgefield Subdivision Regulations consistent with the authorization in Connecticut General Statutes Sec. 8-25.

Unless otherwise indicated,

XXXX - Bold capitalized, underlined means language to be added.

~~[xxxx]~~ - Strikethrough, in brackets, means language to be deleted.

Under Sec. 4-25 (b) make the following changes:

Sec. 4-25 (b) *Payments in lieu of open space.* As provided under Section 8-25 of the Statutes, the Commission may, ~~[where the]~~ **IN ANY** proposed subdivision plan ~~[contains three lots or less]~~, authorize the applicant to pay a fee to the town, or pay a fee to the town and transfer land to the town in lieu of any requirement to provide open spaces. Such payment or combination of payment and the fair market value of the land to be transferred shall be equal to six **TEN** percent of the fair market value of the land to be subdivided prior to the approval of the subdivision. The fair market value shall be determined by an appraiser jointly selected by the Commission and the applicant but the cost of such appraisal shall be paid by the applicant. A fraction of such payment, the numerator of which is one and the denominator of which is the number of approved lots in the subdivision, shall be ~~[made]~~ **PAID TO THE TOWN OF RIDGEFIELD** at the time of sale of each approved lot in the subdivision and ~~[shall deposit]~~ any such payments **SHALL BE DEPOSITED** in a fund which shall be used solely for the purpose of acquiring additional land for open space or for recreational or agricultural purposes. The provisions of this subsection shall not apply if the transfer of all land in a subdivision of less than five lots is to a parent, child, brother, sister, grandparent, grandchild, aunt, uncle or first cousin for no consideration, or if the subdivision is to contain affordable housing as defined in Section 8-39a of the Statutes, equal to twenty percent or more of the total housing units to be constructed on lots within the subdivision.

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