

SECTION SEVEN
RIDGELINE ZONING

7-01 PURPOSE

The following ridgeline zoning provisions are enacted to protect the unique and distinctive geological and ecological character of the community's traprock ridgeline. It is further the intent of these regulations to protect prominent vistas, prevent the destruction of natural habitat in the ridgeline setback area and minimize potential harm and damage to down-gradient property. Ridgeline zoning is adopted pursuant to Section 8-2 of the Connecticut General Statutes.

7-02 APPLICABILITY

Regulations and requirements pertaining to ridgeline zoning shall be applicable to all geographic areas located within the specified ridgeline setback area as defined in Section 7-04 of these Regulations.

7-03 ABROGATION AND GREATER RESTRICTION CLAUSE

These regulations are not intended to repeal, abrogate or impair any existing regulations; however, where these regulations impose greater standards or restrictions, the provisions of these regulations shall prevail.

7-04 DEFINITIONS

For purposes of these regulations, the following terms shall be defined as follows:

BUILDING(S) - means any structure other than (A) a facility as defined in Section 16-501 of the Connecticut General Statutes or (B) structures of relatively slender nature compared to the buildings to which they are associated, including, but not limited to chimneys, flagpoles, antennas, utility poles, steeples.

CLEAR CUTTING - means the harvest of timber in a fashion which removes all or substantially all trees over two inches (2") in diameter as measured at breast height from any ten foot square area.

DEVELOPMENT - means the construction, reconstruction, alteration, or expansion of a building.

EMERGENCY WORK - means any work necessary to protect life and property.

PASSIVE RECREATION - means any non-motorized recreation such as hiking, bicycling, picnicking and bird watching.

QUARRYING - means the removal, excavation, processing or grading of stone, fill or other earth product, regardless of the methods utilized.

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RIDGELINE - means the line on a traprock or amphibolite ridge created by all points at the top of a 50% slope and which is maintained for a distance of fifty horizontal feet perpendicular to the slope and which consists of surficial basalt geology, identified on the map prepared by Stone et al., United States Geological Survey, Entitled "Surficial Materials Map of Connecticut".

RIDGELINE SETBACK AREA - means the area bounded by (A) a line that parallels the ridgeline at a distance of one hundred fifty feet on the more wooded side of the ridge, and (B) the contour line where a ridge of less than fifty percent is maintained for fifty feet to more on the rockier side of the slope, mapped pursuant to Section 8-2 of the Connecticut General Statutes.

SELECTIVE TIMBERING - means the harvesting of no trees less than six inches (6") in diameter as measured at breast height.

TRAPROCK RIDGE - means Short Mountain, Ragged Hill and the portion of West Peak which extends into Southington.

7-05 DELINEATION OF REGULATED AREA

The ridgeline setback area is depicted on the Town of Southington, Connecticut Zoning Map and is referred to as the "Ridgeline Overlay District". The Ridgeline Overlay District generally delineates the location of the ridgeline setback area and is intended to serve only as a guide for locating regulated areas. The specific and actual location of the ridgeline setback area shall be determined by an interpretation in accordance with the applicable definitions as provided in Section 7-04 of these regulations.

7-06 PERMITTED USES

The following uses shall be permitted by right within the ridgeline setback area:

- (A) Emergency work necessary to protect life and property;
- (B) Any nonconforming use that was approved and established before the adoption of these regulations; and
- (C) Selective timbering, grazing of domesticated animals and passive recreation.

7-07 SPECIAL PERMIT USES

In accordance with Section Nine (9) of these regulations, the Planning and Zoning Commission may grant a special permit authorizing the establishment of the following uses within the ridgeline setback area:

- (A) Agricultural and farming activities (excluding selective timbering and the grazing of domesticated animals);

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- (B) Public utility lines and stations, whether located above or below ground;
- (C) Wireless telecommunication facilities and related equipment, subject to the provisions of Section 12-18 of these regulations; and
- (D) Public or private camps.

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In addition to the special permit requirements set forth in Section 9 of the Zoning Regulations, the Commission shall require and consider the following information in determining the suitability of a proposed activity:

- A. **VISUAL IMPACT:** The applicant shall provide illustrations of the visual impact of proposed activities as viewed from public highways, public parks or other areas accessible to the general public. Such illustrations may be by means of photographic, graphic or other means sufficient to portray the visual impact of the proposed activity. In considering such information, the commission shall not approve applications which result in the establishment of unnatural gaps, cuts, projections, or other obvious artificial alterations to the existing natural tree lines, ridgelines, prominent topographic features or rock formations. Furthermore, the commission shall not approve buildings or structures comprising materials which by their color, reflectiveness, finish, size or orientation disrupt the natural character of the ridgeline setback area.
- B. **ENVIRONMENTAL AND ECOLOGICAL IMPACT:** The applicant shall be responsible for providing an inventory of any federal and/or state rare or endangered species inhabiting, breeding, foraging or migrating through or over the area of the proposed activity. In addition, the applicant shall provide an inventory of any known wildlife resources, an analysis of the ridgeline area as a wildlife resource (habitat, breeding ground, foraging area, migratory pathway, etc.) and an analysis of the impact of the proposed activity on such resource(s). In considering such information, the commission may restrict the size of lawn areas or other clearings in connection with any development proposal and may require the use of retaining walls or other methods to reduce disturbance to topography and vegetation. The Commission may restrict the size of areas used for agricultural purposes and may require the alteration to the shape, location or character of such areas in order to minimize disturbance of wildlife and wildlife habitat. The Commission may require the reforestation or landscaping of areas disturbed by development activity.
- C. **ARCHAEOLOGICAL AND HISTORIC IMPACT:** The Commission shall require an archaeological examination of the area of the proposed activity, and an analysis by a qualified archaeologist of the impact of the proposed activity on any known or potential archaeological resources. In addition, the Commission shall require the report of a qualified historian concerning the role which the site may have played in any recorded chapter of American history, and the impact which the proposed activity would have on the preservation of that historic resource.

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- D. **EROSION AND DRAINAGE IMPACT:** The applicant shall provide the Commission with a study adequately addressing the impact of drainage, storm water runoff, control of erosion and sedimentation and the promotion of site stabilization. Such information shall be certified by a Connecticut licensed professional engineer.
- E. **MISCELLANEOUS INFORMATION:** The Commission may require other information as may be required to determine compliance with the purposes and criteria of this section, or any other applicable section of these regulations.

7-08 **PROHIBITED USES**

The following uses shall be prohibited when located within the ridgeline setback area:

- (A) Quarrying,
- (B) Clear Cutting,
- (C) Buildings as defined in Section 7-04 of these regulations, and
- (D) Any use or activity which is either prohibited or not listed in the underlying zoning district.