

LEGAL NOTICE OF DECISION

Application 221-20 – Notice is hereby given that the Zoning Board of the City of Stamford, CT at a regular meeting held on **Monday, December 6, 2021** APPROVED AS MODIFIED the City of Stamford Zoning Board for the following text change:

APPROVED Zoning Text Change to Amend Section 9.G – C-D Designed Commercial District

12-06-2021

9.G. C-D DESIGNED COMMERCIAL DISTRICT¹

9.G.1. Designation Criteria

Where the excellence of the overall design in accordance with the criteria listed below warrants special consideration for modification of standards of the existing zoning district for the *Lot*, any *Development* or *Redevelopment* of *Lots*, or where a building is being restored, repaired, or remodeled principally for uses listed herein, a property may be designated by the Zoning Board as a C-D DESIGNED COMMERCIAL DISTRICT provided that the following objectives are met.

1. The proposed *Development* or *Redevelopment* is consistent with the Master Plan.
2. The proposed *Development* or *Redevelopment* consists of such uses and such proportions as are most appropriate to its functional integration into the neighborhood.
3. The proposed *Development* or *Redevelopment* site plan is so designed in its space allocation, orientation, materials, and to be complementary to the surrounding neighborhood.
4. The proposed *Development* or *Redevelopment* is south of the Merritt Parkway.

9.G.2. Minimum Area

The minimum area to be designated a C-D DESIGNED COMMERCIAL DISTRICT shall be fifteen (15) acres. Any parcel smaller than said minimum acreage may be added to existing C-D

¹ Appl. 217-01, permitting Gymnasium and Physical Culture Establishments by Special Permit in the C-D zoning district, was approved by the Zoning Board on May 22, 2018 and is currently under judicial review. If the Zoning Board's approval is affirmed by the court, the approved text will be inserted herein.

Districts. No land may be removed from the C-D District if it results in such C-D parcel no longer meeting the minimum area size or any other zoning requirement. Land zoned C-D may be subdivided and internal property lines may be established where the resulting individual *Lots* do not conform to the *Coverage, Yard, or Floor Area Ratio* limitations of these Regulations, provided that the overall C-D zoned land being subdivided remains compliant. Prior to obtaining a building permit, the site plan depicting the new property lines with notes referencing the Zoning Board approval and an accompanying Zoning Data Chart, subject to approval of Land Use Bureau staff, shall be filed on the Stamford Land Records. (218-45)

9.G.3. Permitted Uses

The following are the uses permitted within the C-D DESIGNED COMMERCIAL DISTRICT. Any use in the C-D District shall be permitted only by *Special Permit*.

- a. Professional Offices; Professional Offices, Medical; Administrative Offices; Scientific Offices; Educational Offices; Statistical Offices; Executive Offices; Executive Home Offices; Engineering Offices; Sales Offices; Offices for Drafting Rooms; Experimental Engineering Research Laboratories; Experimental and Research Laboratories; Research and Development Laboratories.(206-11)
- b. School, public.
- c. Single-family, two-family and multi-family dwellings in contiguous C-D districts with more than 50 acres, regardless of the size of the individual parcels.
- d. Assisted Living Facility.
- e. Senior Housing and Nursing Home Facility Complex.
- f. School, Non-Public.
- g. Colleges and Universities.
- h. Child Care Center.
- i. *Accessory Structures* and *Accessory Uses* accessory to all the uses referred to in this section may include storage space for equipment, supplies, materials and motor vehicles; central heating systems; air-conditioning systems; power plants; water tanks or towers; refuse disposal system; training schools for employees; cafeterias; clinics; club houses or guest lodges for the use of residents, tenants and employees of the Buildings; such retail trade and service uses as are incidental to, and necessary for the comfort and convenience of, the residents, tenants and employees in the Buildings; assembly hall for meetings incidental to the business of the principal use or for civic meetings; playground for Child Care Center. (206-11)

There shall be no commercial manufacture or fabrication of products for sale except with respect to limited quantities of test or trial products or such models or prototypes as may be created and used on the premises in pursuit of the research, experimentation or development conducted in any laboratory.

9.G.4. Standards

In connection with the *Special Permit* uses set forth in Subsection 9.G.3. the following standards shall apply:

	Non-Residential Uses and Mixed Uses (Non-Residential and Residential,)	Residential Uses
a. Building Coverage	12% three story Development 10% four story Development	25%
b. Lot Coverage¹⁾	40% three-story development 35% four-story development	40%
c. Density	0.40 FAR	12 units / 14 units per acre if all required BMR units are provided on-site
d. Building Height	Lesser of 4 <i>Stories</i> or 60 feet	Lesser of 3 <i>Stories</i> or 35 feet
e. Setback from Street Line	50 feet	50 feet
f. Setback from property lines, except Street Line	100 feet if adjacent to single and two-family districts ²⁾ , 50 feet if adjacent to any other districts	Same as the <i>Rear Yard</i> requirement for each adjacent district but not less than 50 feet

¹⁾ Stone walls, sidewalks, pedestrian walkways, bike lanes and at grade patios, which in total do not exceed 5% of the total *Lot Area* shall be exempt.

²⁾ RA-3, RA-2, RA-1, R-20, R-10, R-7¹/₂, R-6.

g. Parking.

- (1) Parking shall be provided pursuant to Section 12 of these Regulations. *Parking Structures* shall only be permitted on lots of thirty (30) acres or larger. New *Parking Structures* shall be set back at least 100 feet from any property line or *Street Line*;
- (2) The Zoning Board, by *Special Permit* approval, may exempt freestanding *Parking Structures* from *Building Coverage* and *Density* calculations only when all of the following conditions are met:
 - (a) *Parking Structures* shall not cover more than five percent (5%) of the Lot Area;
 - (b) *Lot Coverage* shall not exceed thirty-five percent (35%);
 - (c) *Floor Area Ratio* of all *Buildings*, exclusive of *Parking Structures*, shall not exceed 0.35;

(d) The height of the *Parking Structure* shall not exceed thirty feet (30') above average grade; and

(e) All *Parking Structures* shall be appropriately screened from view by *Principal Buildings*, topography, and/or landscaping to the satisfaction of the Zoning Board.

h. Signage. All Signs shall comply with Subsections 13.A. – 13.D. of these Regulations, and the City of Stamford Code of Ordinances. In addition, the following regulations shall apply:

(1) **Building Signs.** One (1) *Sign* may be affixed to each *Building* wall facing each *Street* on which the *Lot* abuts. Each such *Sign* may not exceed sixty (60) square feet in area. *Signs* shall be placed either between (a) the top of the top floor row of windows and the top of the roof line or parapet wall, or (b) the top of the ground floor row of windows and the bottom of the second floor row of windows. *Signs* shall not extend above the roof line or parapet wall of the *Building*; provided, however that *Signs* are permitted on roof structures such as mechanical penthouses and bulkheads as long as they do not extend beyond the height or width of said roof structure. Where there are fully transparent curtain walls or no windows, the Zoning Enforcement Officer shall determine the location of the *Sign*.

(2) **Ground Signs.** There shall be one *Ground Sign* permitted for each curb cut. *Ground Signs* shall not exceed ten feet (10') in length or eight feet (8') in height. Directional signs not exceeding twelve (12) square feet in area or eight feet (8') in height shall be permitted as-of-right. The Zoning Board may, at its sole discretion as part of the Site and Architectural Plan Approval, allow an Applicant to substitute *Building Signs* for *Ground Signs*, provided that no *Ground Sign* shall exceed the dimensional parameters established as set forth above.

(3) **Flags.** Flags may be displayed on vertical or mast-arm flagpoles provided that no flag shall exceed twenty-four (24) square feet in area and twenty-five feet (25') in height. Where there is more than one flag per *Lot*, the aggregate square footage of the flags combined shall not exceed seventy-two (72) square feet in area (200-32, 218-45)

i. **Below Market Rate Housing Requirement.** All Below Market Rate Housing shall be provided pursuant to Section 7.4 of these Regulations.

j. **Public Amenity Requirement.** For all *Development* or *Redevelopment* projects filed after December 1, 2021 at least five percent (5%) of the lot area shall be provided as a *Publicly Accessible Amenity Space* pursuant to Section 6 of these Regulations. Trails on Applicant's property shall count towards this requirement.

Public Access to the waterfront, meeting or exceeding the standards of Section 6, where required by the Master Plan, shall be provided and counted toward this requirement.

9.G.5. Procedure

All *Development* and *Redevelopment* within the C-D District, shall be subject to a *General Development Plan*, pursuant to Subsections 9.D.7.b, c, d and 9.D.8.f., and to the Site Plan Review requirements pursuant to Section 19.D, unless Final Site and Architectural Plan Approval is granted for the entirety of the *Development* or *Redevelopment* at the time of the *Special Permit* approval.

Effective date of this Decision: December 21, 2021

ATTEST: DAVID STEIN
 CHAIRMAN, ZONING BOARD
 CITY OF STAMFORD, CT

Dated at the City of Stamford, CT This 8th day of December, 2021.