

Proposed Zoning Text Change to Amend Section 9.G – C-D Designed Commercial District, Add Section 19.H. – General Development Plans, and modifications to miscellaneous provisions due to these changes

10-07-2021

AMEND Section 9.G. C-D Designed Commercial District as follows:

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 landscaping ~~and other features as to produce a stable and desirable character~~, to be complementary to the surrounding neighborhood.
4. The proposed *Development or Redevelopment* is south ~~South~~ of the Merritt Parkway.

9.G.2. Minimum Area

The minimum ~~site~~ area to be designated a C-D DESIGNED COMMERCIAL DISTRICT shall be fifteen (15) acres. Said minimum area shall have been held as a single contiguous parcel of land, whether by one or successive owners, for at least three years prior to an application for a zone change to a C-D District. The foregoing sentence shall not, however, prohibit any parcel or parcels smaller than said minimum acreage being added to, and qualifying for C-D District designation, with a parcel possessing such minimum acreage, nor shall it prohibit subdivision of land zoned C-D prior to January 1, 1997 into Lots smaller than said minimum acreage. Provided that the overall C-D zoned land being subdivided remains compliant, internal property lines may be established by subdivision where individual Lots do not conform to the Coverage, Yard, or Floor Area Ratio limitations of these regulations. 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, shall be filed on the Stamford Land Records. (218-45)

9.G.3. Permitted Uses

a. Permitted Uses, As-of-Right

The following uses are permitted as-of-right in a C-D DESIGNED COMMERCIAL DISTRICT (~~See also Subsection M of this Section~~).

- (1) 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; Child Day Care Center. (206-11)
- (2) Supplemental and Accessory Buildings and 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 tenants and employees of the Buildings; such retail trade and service uses as are necessary for the comfort and convenience of the tenants and employees in the Buildings; assembly hall for meetings incident to the business of the principal use or for civic meetings; playground for Child Care Center. (206-11)
- (3) 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.
- (4) School, public.
- (5) No less than 20 Dwelling Units per Lot including dwelling units comprised of single family, two-family and multifamily dwellings.

b Special Permit Uses¹

The following uses shall be permitted by Special Permit only:

- (1) Assisted Living Facility
- (2) Senior Housing and Nursing Home Facility Complex
- (3) School, Non-Public
- (4) Colleges and Universities

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.

9.G.4. {Standards}

In connection with the uses set forth in Subsection ~~BBB-2~~ 9.G.3 the following standards shall apply:

	<u>Non-Residential Uses and Mixed Uses (Non-Residential and Residential, and Non-Residential and Special Permit uses)</u>	<u>Residential Uses</u>	<u>Special Permit Uses</u>
a. <u>Building Coverage</u>	<u>12% three story Development</u> <u>10% four story Development</u>	<u>25%</u>	<u>12%</u>
b. <u>Lot coverage¹⁾</u>	<u>40% three-story development</u> <u>35% four-story development</u>	<u>50%</u>	<u>40%</u>
c. <u>Density</u>	<u>0.40 FAR</u>	<u>12 units / acre</u> <u>14 units / acre if all BMR units, except for fractional units, are provided on site</u>	<u>0.40 FAR</u>
d. <u>Building Height</u>	<u>Lesser of 4 stories or 60 feet</u>	<u>Lesser of 3 stories or 35 feet</u>	<u>Lesser of 4 stories or 60 feet</u>
e. <u>Setback from Street Line</u>	<u>50 feet</u>	<u>50 feet</u>	<u>50 feet</u>
f. <u>Setback from property lines, except Street Line</u>	<u>100 feet if adjacent to Single and two-family districts²⁾, 50 feet if adjacent to any other Districts</u>	<u>Same as the rear yard requirement for each adjacent district but not less than 30 feet</u>	<u>Same as the rear yard requirement for each adjacent districts but not less than 50 feet</u>

¹⁾ Stone walls, sidewalks, pedestrian walkways, bike lanes and at grade patios, not exceeding 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. Coverage. Building Coverage shall not exceed twelve percent (12%) of the Lot Area, and the maximum permitted non-porous surface area coverage shall not exceed forty percent (40%) of the Lot Area. Notwithstanding the foregoing, security Buildings which are not more than two hundred (200) square feet and located in office parks developed prior to January 1, 1979, shall be excluded from Building Coverage; and uncovered patios built at finished first floor to existing Buildings in the C D District shall be excluded from Building~~

~~Coverage, even if above grade, and shelter Structures which may include a roof, do not exceed two hundred (200) square feet in area, and do not have running water, heating, air conditioning or a door, which have a portion of their walls open for ingress and egress; and no more than three (3) such shelter Structures shall be permitted. Stone walls, sidewalks, pedestrian walkways, and at grade patios shall be exempt from the non-porous surface area not to exceed an additional five percent (5%) of total Lot Area. (205-32; 206-31, 218-45)~~

- ~~h. Height. No Building shall exceed three and one half (3½) Stories in height except that on any Lot having an area of thirty (30) acres or more or for Buildings or portions of Buildings used exclusively as an Assisted Living Facility or Senior Housing and Nursing Home Facility Complex, four (4) Stories in height may at the sole discretion of the Board, be allowed provided that the Buildings are appropriately screened from adjacent residentially zoned land by landscaped treatment and topography, as determined by the Zoning Board and the area of the roof covered with mechanical penthouses and/or equipment shall not exceed ten percent (10%). The above stated limitation on the area of mechanical penthouses and/or equipment shall not apply to Assisted Living Facility or Senior Housing and Nursing Home Facility Complex. (218-45)~~
- ~~i. Yard Requirements. No Building shall be located at a distance less than one hundred feet (100') from the boundary line of a Residential District. Buildings shall be set back at least fifty feet (50') from any non-residential district or the Merritt Parkway or any Street on which the Lot fronts. Four (4) Story Buildings shall be at least four hundred feet (400') from the front Street Line except that an Assisted Living Facility or Senior Housing and Nursing Home Facility Complex shall be no closer than two hundred feet (200') from a front Street Line. (218-45)~~

g. Parking.

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 (100') from any property line and Street Line;

(3) 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 erected affixed to each Building wall facing each Street on which the Plot 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 may any part thereof eight feet (8') in height. Exposed tubes, bulbs or similar exposed light sources, shall not illuminate such Sign. There shall be no exterior spot lighting or other illumination of any such Sign that would cause any glare observable within a Residential District. Where a Parking Area is provided on a Plot, Directional signs additional Signs may be erected at the entrances and exits of such Parking Area provided the total surface area of all such Signs does not exceeding twelve (12) square feet in area and no such Sign exceeds or eight feet (8') in height shall be permitted as-of-right. One (1) additional Ground Sign or Wall Sign, not exceeding sixteen (16) square feet in area and ten (10) feet in height when ground mounted, may be displayed on any Plot. This Sign may be erected on a temporary protective fence on a property in the process of construction, demolition, remodeling or repair. 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 (25) feet 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. When existing C-D zoned land is subdivided, the Zoning Board may allow two (2) additional Ground Signs, not to exceed sixty (60) square feet each. (200-32, 218-45)

~~j. Floor Area Ratio. The FAR of all Buildings shall not exceed 0.40. Notwithstanding the foregoing, security Buildings which are not more than two hundred (200) square feet and located in office parks developed prior to January 1, 1979, shall be excluded from FAR, and shelter Structures which may include a roof, do not exceed two hundred (200) square feet in area, and do not have running water, heating, air conditioning or a door, which have a portion~~

of their walls open for ingress and egress; and no more than three (3) such shelter Structures shall be permitted. (205-32; 206-31)

- k. ~~Structured Parking: In order to encourage reduced Development intensity and increased Building setbacks, conservation of open space, and effective use of topography to screen above-grade parking Structures, the Zoning Board may grant limited exemptions from the standards of subsections (a), (c), and (f) above, subject to the following criteria: (1) parking Structures shall be located on a lot of not less than thirty (30) acres and set back not less than 400 feet from the front Street Line and fifty feet (50') from all other property lines; (2) exempt parking Structures may occupy not more than five percent (5%) of the Lot Area; (3) total non-porous surface area shall not exceed thirty-five percent (35%) of the Lot Area; (4) Floor Area Ratio of all Buildings, exclusive of exempt Structured parking, shall not exceed 0.35; (5) The height of such parking Structure shall not exceed twenty feet (20') above average grade measured at a uniform distance of fifty feet (50') or less from the perimeter of the Structure; (6) the top floor of such Structure, within 100 feet of residential property, shall be ten (10) feet or more below the grade at the property line of any adjoining residential property within 500 feet of the Structure, excluding the Merritt Parkway; (7) all such parking Structures shall be appropriately screened from view by Principal Buildings, topography, and/or landscaping to the satisfaction of the Board.~~

9.G.5. Special Permit Uses

~~Assisted Living Facility, Senior Housing and Nursing Home Facility Complex and School, Non Public may be authorized by Special Permit by the Zoning Board subject to the standards of Section 9.G.4 above. Notwithstanding the above, Single family, Two family and multifamily dwellings may be authorized by Special Permit by the Zoning Board subject to the following standards: (218-45, 220-11)~~

a. ~~The parcel shall be contiguous to residentially zoned land on all sides and shall not front on a State highway.~~

b. ~~The standards of the RM-1 Zoning District shall apply except for Building Height and BMR standards. Building Height shall not exceed three (3) Stories. Parking garages shall be exempt from Building Coverage and Story limitations provided that the garage ceiling is not more than five (5) feet above the level from which the height of the Building is measured, the garage roof is fully landscaped and accessible to residents as Usable Open Space, and any exposed garage walls are covered with finished architectural materials and/or suitably screened from sensitive views. (207-21)~~

c. ~~Total non-porous surface area coverage shall not exceed fifty percent (50%), provided that if at least one Parking Space per residential unit is provided in an enclosed area, coverage may be increased to fifty-five percent (55%). (208-04)~~

~~d. The parcel shall be developed exclusively for residential use and no commercial use shall be permitted.~~

i. **Below Market Rate Housing Requirement.** Below Market Rate Housing shall be provided pursuant to Section 7.4 of these Regulations. (203-20)

9.G.4. Procedure

All Development and Redevelopment, and all significant renovations (as determined by the Land Use Bureau) involving a change in use, bulk or density within the C-D District, shall be subject to a General Development Plan, pursuant to Section 19.H and the Site Plan Review requirements pursuant to Section 19.D.

~~Within any C-D Designed District, applications requesting approval of any Permitted Uses or approval of site and architectural plans shall include all of the plans and information as specified by Section 7.2.C of these Regulations. Such applications shall be submitted to and be subject to the approval of the Zoning Board in accordance with the specific standards and objectives of the District, the procedures and review standards of Section 7.2 Site Plan Review, and the general purposes and other applicable standards of these Regulations, who shall not approve same until after a public hearing. (97-006)~~

AMEND Section 3.B, “Defined Terms – Building Height” as follows:

Building Height

The vertical distance to the level of the highest point of the roof surface if the roof is flat or inclines not more than one inch (1") vertical in one-foot horizontal, or the mean level between the eaves and the highest points of the roof if the roof is of any other type, measured as follows:

1. If the *Building* adjoins the front property line or is not more than ten feet (10') distant therefrom, measured at the center of the front wall of the *Building* from the established grade of the curb; or if no grade has been officially established from the elevation of the existing curb; or if no grade has been officially established and no curb exists, measured from the average level of the finished ground surface across the front of the *Building*.
2. If the *Building* is more than ten feet (10') from the front property line, measured from the average level of the finished ground surface at a point three (3) feet from the exterior walls of the *Building*. Where the finished ground surface is made by filling, the level of such finished ground surface for the purpose of this definition shall not be deemed to be more than three (3) feet above the average level of the existing ground surface at a point three (3) feet from the exterior walls of the *Building*. Where a residential *Building* is to be

built, altered or reconstructed in order to comply with the Minimum Elevation Standard of Section 15.B Flood Prone Area Regulations, and such *Building* is located fully or partially within the Coastal Boundary as defined in Section 15.A Coastal Area Management Regulations, *Building Height* may be measured from the Base Flood Elevation applicable to the residential *Building*, ~~provided that the resulting height of the *Building* measured from average grade is not more than five (5) feet greater than the maximum *Building Height* permitted in the applicable Zoning District.~~ (203-38, 214-06)

3. *Accessory Structures* shall be measured from the average level of the ground surface adjacent to the exterior walls of the *Building* to the highest point of the roof. (91-002)
4. Where two (2) or more *Buildings* are connected by an enclosed hallway or walkway, each *Building* shall be treated as a separate structure for the purposes of determining the average level of the ground surface and determining *Building Height*.
5. Attached *Buildings* separated by a firewall with no internal connection between *Buildings* shall be treated as separate structures for the purposes of determining the average level of the ground surface and measuring height.

ADD Section 19.H. “General Development Plans”

19.H. GENERAL DEVELOPMENT PLANS (GDP)

19.H.1. Purpose

The purpose of *General Development Plans (GDP)* is to outline the development of large, phased or multi-building projects in order to assess and, if necessary, mitigate anticipated development impacts and to assure that the individual components of the development will form a cohesive whole. The goal is to define the potential maximum of the anticipated *Development*, such as maximum building height, density, coverage, number of curb cuts or parking requirements.

19.H.2. Applicability

General Development Plans shall be required as follows:

- a. All new or re-development in C-D, DW-D, HCD-D, IP-D, MRD-D, MX-D, SRD-N, SRD-S and TCD-D Districts;
- b. All multi-building or phased development with individual buildings exceeding a Building Coverage of 10,000sf each or 10 Dwelling Units or more, unless Final Site and Architectural Plan Approval is sought for the entirety of the Development or Redevelopment;

- c. All applications requiring a traffic study pursuant to Subsection 12.A.5; or
- d. All *Development* or redevelopment involving or related to the following uses:
 - (1) Beach Club
 - (2) Corporate Retreat
 - (3) Country Clubs or Golf Clubs
 - (4) Hospital Complex
 - (5) Museum Complex
 - (6) Senior Housing and Nursing Home Facility Complex
 - (7) Swim of Tennis Clubs
 - (8) Yacht Clubs
- e. Exempt Activities. The following activities shall be exempt from the *GDP* requirement:
 - (1) *Building* renovations, interior or exterior, or upgrades that do not result in an increase in *Building Coverage, Floor Area, Density* or *Building Height*;
 - (2) changes of parking and other hardscaped areas that do not result in an increase in *Lot Coverage* or change the way a site is accessed by vehicles from a public right of way;
 - (3) multi-*Building* or phased *Developments* for which Final Site and Architectural Plan approval is sought for the entire Development or Redevelopment; or
 - (4) minor modifications or changes as determined by the City of Stamford Land Use Bureau Chief, or designee.

19.H.3. Standards

All *General Development Plans* shall, at a minimum, contain the following:

- a. **Application fee**, as established by the applicable fee schedule.
- b. **Written Application**. Written application on a Land Use Bureau form including a project narrative. The narrative shall include a description of the intended manner of the site development, including the types of uses and the size, densities and coverages of the principal *Structures* and facilities to be established, an analysis of Zoning conformance and compliance, and a declaration of other agency permits required.
- c. **Existing Conditions Map**. A descriptive map showing the location, boundaries, dimensions and approximate acreage of the site, the approximate location and dimensions of existing *Buildings* and *Structures*, existing uses of *Structures* and land areas, existing site utilities and vehicle access, information describing land elevations, flood hazards, coastal and natural

resource areas, and information regarding *Structures*, uses and street elevations within 500 feet of the site.

- d. **General Site Development Plan.** A site plan drawn at a scale of not less than one inch = 30 feet, showing the proposed location, dimensions, floor area and uses of Structures and the proposed location and area of principal land uses and facilities, existing and proposed land contours, the general location of landscaped areas, *Parking Areas*, vehicle access, public access amenities and easements. Information addressing the conformance and compliance with applicable Zoning District standards shall be shown in tabular form and any intended subdivisions of the site shall be indicated. The goal is to define the maximum extent of the proposed development and establish site specific development limitations.
- e. **General Architectural Plans.** Preliminary architectural drawings including massings, generalized floor plans and other descriptive information. The goal is to define the maximum extent of the proposed development and establish site specific development limitations.
- f. **Utilities Report.** Preliminary plans and written report prepared by a qualified professional engineer specifying the means by which sewage disposal, water supply, stormwater disposal, traffic and access requirements, and related services will be provided for the proposed Development. The level of information, data, and scope of analysis shall be sufficient to demonstrate compliance with the requirements of these Regulations and the standards and criteria of other units of government having separate jurisdiction. Where feasibility of the proposed *Development* depends upon off-site improvements in infrastructure systems, a suitable improvement plan and binding agreement shall be provided.
- g. **Schedule of Improvements.** A proposed timetable shall be provided indicating the completion of major site improvements, the establishment of uses, and the general sequence of construction.
- h. **Additional Information.** The Zoning Board or Land Use Bureau may request additional information deemed necessary for the comprehensive review of a *GDP*.

19.H.4. Review Procedures

- a. **Procedures.** All *General Development Plan* applications shall be reviewed pursuant to the Application and Procedures for *Special Permits*, as outlined in Section 19.C.3. of these Regulations, in particular paragraphs a. and c. The Land Use Bureau Chief, or designee, shall determine to which City, State or other agencies or entities *GDP* applications need to be referred, based on site specific conditions. Applications shall be referred at least 35 days prior to the scheduled public hearing date.
- b. **Site and Architectural Plan Approvals Required.** All *Development* or *Redevelopment* proposed pursuant to a *GDP* shall require simultaneous or subsequent Site and Architectural Plan Review pursuant to Section 19.D. of these Regulations.

- c. **Modifications of Previously-Approved General Development Plans.** (i) No Zoning Board approval for a modification of a previously-approved *GDP* shall be required if the proposed change is within the limitations of such *GDP*. (ii) If the proposed modifications are outside the limitations of the approved *GDP* but comply with the underlying Zoning Regulations and are *de minimis*, then such modifications are subject to administrative review and approval by the Zoning Board. Modifications to *GDPs* not meeting (i) or (ii) of this paragraph c shall require public hearing review and approval by the Zoning Board.
- d. The Zoning Board may, in its sole discretion, impose conditions or other requirements on its approval of a *GDP*.

19.H.5. Validity

- a. **Standard Validity.** Unless specified differently in the Conditions of Approval for the *GDP* itself, *GDPs* shall be valid for a period of five (5) years from the effective date of the approval. The Zoning Board, at its sole discretion, may administratively extend a *GDP* up to two (2) times for no more than five (5) years for each extension. When all extensions are exhausted a new application shall be required pursuant to Subsection 19.C.4.a.
- b. **Vesting of General Development Plans.** A *General Development Plan* shall be vested if Final Site and Architectural Plan approval for part of the *Development* covered by the *GDP* was granted and a Building Permit for such partial *Development* was issued by the Building Department. Such vesting shall apply only to the portion of the *GDP* covered by the Final Site and Architectural Plan approval and which was granted a Building Permit.
- c. **Applicability of Zoning Regulations.** Should the Zoning Regulations change after the effective date of the *GDP*, the Zoning Regulations under which the *GDP* was approved shall apply until expiration of the initial five-year approval period. If, upon expiration of the initial five-year approval period, a *GDP* is not yet vested, then: (i) the current Zoning Regulations shall apply upon such expiration; or (ii) the Applicant may request by *Special Permit* to be grandfathered-in under the Zoning Regulations valid at the time of the *GDP* approval, if the Zoning Board makes findings that:
 - (1) adhering to the new Regulations would be an undue hardship; and
 - (2) maintaining the old Zoning Regulations would not adversely impact on neighbors and abutters.
- d. **Other Validity terms.** The Zoning Board may, at its sole discretion, reduce or increase the term of the validity of *GDP* approvals in its Certificate of Approval. Provided, however, that the initial term of validity shall not exceed ten (10) years, and no more than three (3) five-year extensions shall be granted.

AMEND Section 3.B. Definitions by adding a definition for “General Development Plan (GDP)”

General Development Plan (GDP)

A General Development Plan (GDP) is an approval granted by the Zoning Board that outlines the development of large, phased or multi-building projects in order to assess and, if necessary, mitigate anticipated development impacts and to assure that the individual components of the development will form a cohesive whole and which is subject to the rules and procedures in Section 19.G. of these Regulations.

AMEND Section 3.B. Definitions by adding a definition for “Mural”

Mural

A Mural is a work of art, image or photograph painted on, applied to, affixed on or otherwise displayed on a Building, wall or other structure that is partially or fully visible from any public right of way or adjoining property. Murals advertising or promoting any business, product, living person or commercial service shall be subject to the Sign Regulations in Section 13 of these Regulations. Murals shall be permitted as-of-right in all zoning districts except in the RA-3, RA-2, RA-1, R-20, R-10, R7¹/₂ and R6 districts, provided that a zoning permit is first obtained from the Zoning Board staff. Where permitted as of right, Murals must meet the following requirements:

1. Murals shall not extend beyond the limits of the wall or Structure they are applied to or affixed or displayed on;
2. Murals shall not block or interfere with any windows or doors or inhibit or prevent the use of emergency exits or other building or life safety features required by the building or other codes or regulations;
3. Murals shall meet the requirements of the City of Stamford Lighting Ordinance, Murals shall not depict lewd or obscene content;
4. Murals shall not depict content glorifying, trivializing; promoting or inciting violence or unlawful behavior; and
5. Murals shall at all times be maintained in good condition.

All permit applications for Murals shall comply with the requirements of Sections 13.C and 13.D. of these Regulations.

This Regulation shall not be construed to infringe upon the right of free speech under federal, state or local law.

AMEND Section 5.E. Use Regulations “Country Clubs or Golf Clubs” as follows:

Country Clubs or Golf Clubs

Principal Use: Country Club or Golf Club, Professional size golf course of at least nine (9) holes.

Accessory Uses permitted: Tennis courts, swimming pools and other recreational facilities usually afforded by any such club, excluding bowling alleys. *Buildings* and accessory accommodations necessary or desirable for the exercise of the club's objectives, pursuits and purposes may be maintained. Clubs shall operate without profit, or division of any revenues to its members, except as reasonable compensation for special services actually rendered; devoting all revenues received to supporting the purposes and objectives or to eleemosynary uses. No certificate of occupancy may be issued on any building or *Structure* until the principal use is operational.

Such Clubs may be developed, expanded and/or redeveloped in phases, pursuant to a ~~public hearing and~~ *General Development Plan* approval. ~~by the Zoning Board,~~ subject to the following standards:

- ~~1. A General Development Plan (GDP) shall mean a conceptual plan and accompanying information depicting the approximate size and location of all existing and proposed Structures and site improvements, the construction of which may be implemented in phases over a period of up to ten (10) years from the date of approval, and up to two (2) extensions of up to three (3) years each, subject to the approval of the Zoning Board. Each specific element of a GDP shall be subject to final review and approval by the Land Use Bureau Chief, or designee, or the administrative review of the Zoning Board prior to the issuance of a Building Permit.~~
- ~~2. Site and Architectural Plans: Minor changes and minor expansions of existing Structures, patios, Parking Areas, driveways and pathways, or similar approved uses, including new Structures or driveways, may be allowed, subject to review and approval of the Land Use Bureau Chief or designee, or administrative review of the Zoning Board, provided that said improvements are within the approved GDP area and result in no substantial increased impact to parking or traffic demand or other public infrastructure.~~
3. Such Country Clubs or Golf Clubs shall comply with the standards of Section 19.C.2.e, except that:
 - a. Existing nonconforming buildings, *Structures*, parking, recreational amenities, and signage may remain or be modified provided that any such modification does not exacerbate a nonconformity or create a new nonconformity and is part of an approved *GDP*.
 - b. Proposed unlighted tennis courts shall be setback a minimum of ten (10) feet from all property lines.

- c. The 75% building perimeter buffer requirement of 19.C.2.e.(5) shall not apply to buildings located at least 100' from the nearest property line.
4. Where any proposed GDP activity requires approval from the Environmental Protection Board, Engineering Bureau and/or Health Department, said approvals shall be obtained prior to the start of site activity or the issuance of a building permit for said activities. (219-16)

AMEND Section 5.E. Use Regulations “Museum Complex”

Museum Complex

A parcel of land not less than 50 acres, in single ownership at the time of adoption of these regulations, containing multiple existing museum Buildings, which may be expanded, developed and/or redeveloped in phases, pursuant to a ~~public hearing and~~ *General Development Plan* approval. ~~by the Zoning Board, and which land is devoted to the following Permitted Uses: subject to the following standards.~~ (215-31)

~~1. For the purposes of this Definition, a General Development Plan (GDP) shall mean a conceptual plan and accompanying information depicting the approximate size and location of all existing and proposed Structures and site improvements, the construction of which may be implemented in phases over a period of up to twenty (20) years from the date of approval, and up to two (2) extensions of up to five (5) years each, subject to the approval of the Zoning Board. Each specific element of a GDP shall be subject to final review and approval by the Land Use Bureau Chief, or designee, or the administrative review of the Zoning Board, only after proposed improvements have received all necessary permits, approvals, and endorsements from other local, state, or federal agencies having regulatory jurisdiction over the proposed improvements. Plans and designs submitted as part of a GDP application and/or subsequent Building Permit review by the Land Use Bureau Chief, or designee, should adhere to the application requirements of Section 7.2.C and the standards and conditions of Sections 19.C.2.a through 19.C.2.e.~~

~~*Permitted Uses:*~~ *Permitted Uses* ~~may include~~ are defined as educational programming related to matters of natural history, agriculture, animal husbandry, astronomical studies, marine biology, and art history; cafe; Day Care; summer day camp; Retail Food Shop; picnic pavilions; trails; nature center; gift shop; playground; temporary community retail booth (e.g. bake sales, farmers market, etc.); recreation area; camp grounds; parking of vehicles for educational and community programs; and onsite housing for museum staff.

[Remainder of definition to be unchanged]

AMEND Section 9.C. “MX-D Mixed-Use Development District” as follows:

9.C.6. MX-D Mixed-Use Development District Procedure

~~The procedure to be followed in connection with applications for designation of MX-D MIXED USE DEVELOPMENT DISTRICT shall be as follows (213-06):~~

~~a. **Application and General Plans.** Each All applications for designation as MX-D shall be accompanied by a General Development Plan pursuant to Section 19.H. of these Regulations, general site and architectural plans of the exterior of Structures, showing the intended Development, Redevelopment and/or rehabilitation of the land and Structures within the area to be redesignated; shall include a comparative analysis of specific characteristics of the proposed Development as they may differ from Appendix B, SCHEDULE OF REQUIREMENTS FOR AREA HEIGHT AND BULK OF BUILDINGS for the existing zone classification for the site; shall include a staging plan for the Development indicating projected dates of construction and occupancy for all proposed Structures; and shall include a request for authorization of specific uses intended for the Development in accordance with Subsection 9.C.3.a of this section. The application and general plans shall be sufficient in scope and character to determine that the objectives of the MX-D MIXED USE DEVELOPMENT DISTRICT will be met, and shall provide that those portions of the site that will be scheduled for later phases of construction be landscaped and maintained as Usable Open Space in the interim for the benefit of site tenants and the general public. Any proposed division of this site into separately owned and operated units shall be indicated. Subdivision approval shall not act to void the minimum area provision for the site.(213-06)~~

[remainder of Section 9.C.6 unchanged]

AMEND Section 9.D.7 as follows

9.D.7. Designed Waterfront Development District (DW-D) Review Procedures

All applications for designation and *Development* of property within the Designed Waterfront Development (DW-D) District shall be subject to *GDP* and Final Site and Architectural Plan approval pursuant to Section 19.D. All such applications shall only be considered simultaneously and in conjunction with a *General Development Plan* application pursuant to Section 19.H. conform to the following procedures:

~~a. **Pre-Application.** No application for designation of a DW-D District shall be made to the Board and no such application shall be accepted as complete by the Board until a pre-application has been filed and reviewed as set forth below:~~

~~(1) A pre-application submission, as defined in Subsection 9.D.8.a. shall be filed with the Planning and Zoning Director who shall be responsible for coordinating the technical~~

~~review, and shall cause a legal notice to be published noticing receipt of the pre-application and shall make a copy of the pre-application materials available for public inspection and shall maintain a record of all written comments received.~~

- ~~(2) Within five (5) days of receipt, the Director shall refer the submission to the Stamford Planning Dept., the Connecticut Coastal Area Management Office, the Environmental Protection Dept., the Dept. of Traffic and Parking, and any other City, State, or Federal unit of government with information necessary to support a complete review of the pre-application.~~
- ~~(3) The Agencies' referral responses must be received within thirty five (35) days after referral. Failure to respond shall be taken as no objection.~~
- ~~(4) Within twenty (20) days of the close of the referral period, the Director shall prepare and issue to the applicant and to the Board a written review report setting forth findings regarding the following:
 - ~~(a) Consistency with the purposes and standards of the DW-D District.~~
 - ~~(b) Information required to assess the viability of any existing water dependent use, or the ability of the site to support another such use.~~
 - ~~(c) Information required to justify any proposed modification, reduction or elimination of any water dependent use.~~
 - ~~(d) Impact evaluation studies required to evaluate the compatibility of the project with adjacent neighborhoods or the adequacy of public facilities.~~
 - ~~(e) The adequacy of measures proposed to mitigate adverse impacts to coastal resources.~~
 - ~~(f) Recommendations for resolution of any specific deficiencies or conflicts identified in the project.~~
 - ~~(g) The level of information required by other agencies regarding their issuance of permits.~~~~
- ~~(5) At any time prior to the issuance of findings, the applicant shall be entitled upon written request to grant extensions of any time periods or to withdraw the pre-application without prejudice. In response to issues raised during the course of the review, the applicant shall also be entitled to modify the pre-application and to submit additional information. However, substantial modifications or additional information which, in the opinion of the Director changes the essential character of the application shall be deemed a new pre-application for the purposes of the time limits set out above. Where the *Development* of such additional information depends upon the services of a professional consultant, the Director shall retain the authority to select the consultant who shall receive direction from and report to the Director.~~

~~completion of pre-application review procedures, application may be made to establish a DW-D District and to apply for the issuance of a special permit and approval of general development plans, and to apply for coastal site plan review, all such applications to be submitted and acted on in common by the Zoning Board.~~

b.

- ~~(1) An application for DW-D designation and approval of general development plans shall be submitted to the Board which shall review the submission for completeness, as defined in Subsection 9.D.8.b., including any information deficiencies cited in the pre-application findings. Any incomplete application may be rejected by the Board as ineligible for consideration.~~
- ~~(2) Upon a finding that the application is complete, the Board shall so notify the applicant in writing, and shall proceed to review the application and conduct a public hearing, in the manner prescribed under Section 8-3, Section 8-3C, and Section 22a-105 of the Conn. General Statutes.~~
- ~~(3) The Board shall promptly refer the complete application to the Conn. Coastal Area Management Office pursuant to Section 22a-103 CGS, and shall also refer the application to the Stamford Planning Board pursuant to Section 8-3a CGS. The Planning and Zoning Director shall be authorized to refer the application to any other unit of City, state, or federal government, and to convene technical staff meetings and to confer with the applicant as necessary to develop information to support a complete review of the application at a public hearing.~~
- ~~(4) Following a public hearing, the Board shall by separate resolutions act to approve or disapprove the petition for establishment of the DW-D District, and to approve, approve with modifications, or disapprove the application for special permit and the application for general development plans and the application for coastal site plan review. No DW-D District shall be approved or shall become effective unless the Board shall also approve a special permit and general development plans for the subject property.~~
- ~~(5) Upon approval of a special permit and general development plans, the Chairman of the Zoning Board shall endorse the certificate of approval for special permit and record the certificate in the land records of the City of Stamford. A record copy of the general development plans, modified as directed by the Board, shall be endorsed by the Chairman and recorded in the land records of the City of Stamford. Upon recording of the approved general development plans, the DW-D District shall be considered to be established and the Zoning Map shall be amended to show the boundaries of the DW-D area along with a reference to the location in the land records containing the special permit and general development plans authorizing the *Development*.~~

~~(6) Adoption of a DW-D District shall authorize the submission of final plans for approval to the Zoning Board, consistent with the approved uses, *Buildings, Structures* and site development standards and design criteria shown and described on the recorded general development plans and special permit. Unless otherwise specified, final plans shall be submitted for approval within one (1) year from the date of approval of the DW-D District, subject to extensions by the Board, each one not to exceed one year. Failure to submit acceptable final plans shall be sufficient grounds for the Board to revoke the special permit and to restore the original zoning district designation for the subject property.~~

~~c. **Final Plans.** Final site plan development plans shall be submitted for approval to the Zoning Board in conformance with the approved general development plans and special permit, and shall be acted on as required by law.~~

~~(1) An application for approval of final plans and a supplemental application for coastal site plan review where required, shall be submitted to the Zoning Board which shall review the submission for completeness, as defined in Subsection 9.D.8.c. The Board may request additional information necessary to clarify or complete the application or may reject any incomplete application as ineligible for consideration. In acting to approve the application, the Board may direct the applicant to modify the plans and may establish reasonable conditions to insure that site improvements are provided in a timely manner to conform to the purpose and intent of the DW-D District. Reasonable conditions may include the filing of a performance guarantee acceptable to corporation counsel, and establishment of a timetable and construction phasing plan. When warranted, the Board may elect to hold a public hearing on any application for final plan approval. No *Building* permit shall be issued for the proposed *Development* or any part thereof until the Board has approved final plans and has confirmed in writing that implementation of conditions of approval has been assured.~~

~~(2) A DW-D project shall be completed within two (2) years from the date of approval of final plans, subject to extensions by the Board, each one not to exceed one year.~~

~~d. **Modification of Plans.** The Board may, at its sole discretion, authorize a request to modify the approved general development plan or special permit where the requested modifications are minor or are necessitated by circumstances beyond the control of the applicant. The Board shall receive and act on any such requested modification in the same manner as a new application for designation of a DW-D District. A requested modification of the terms, conditions and specifications of final plans shall be reviewed administratively by the Board, provided however that the Board may elect to hold a public hearing when warranted.~~

9.D.8. Application Contents

- a. ~~**Pre-Application Submission.**~~ A request for pre-application review shall include, as a minimum, twelve (12) copies of the following information:
- ~~(1) **Written Statement.**~~ A narrative describing the intended manner of *Development* of the site including the types of uses and the principal *Structures* and facilities to be established, a declaration and supporting data demonstrating generally how the project conforms with the purposes and criteria of the DW-D District, and a declaration of other agency permits required.
 - ~~(2) **Existing Conditions Map.**~~ A descriptive map showing the location, boundaries, dimensions and approximate acreage of the site, the approximate location and dimensions of *Buildings* and *Structures*, existing uses of *Structures* and land areas, existing site utilities and vehicle access, information describing land elevations, flood hazards, and coastal natural resource areas, and information regarding *Structures*, uses and *Street* elevations within 200 feet of the site.
 - ~~(3) **Preliminary Development Plans.**~~ A preliminary site plan at a scale of 30 feet to 1 inch and preliminary architectural plans showing the intended demolition, rehabilitation or new construction of *Buildings* and *Structures*, including approximate dimensions, floor areas and intended uses, the general design of waterfront development and public access amenities, the extent of any dredging, excavation or filling, and areas devoted to landscaping, pedestrian access and parking.
 - ~~(4) **Impact Statement.**~~ A description of how the project will affect any existing water-dependent uses or the suitability of the site to support another such use in the future; a description of the project's impact to coastal resources and the measures proposed to mitigate adverse impacts; a description of the project's impact on adjacent land uses and the capacity of the public *Streets*, utilities and services; an analysis of the visual impact of the project demonstrating compliance with subsection 9.D.5.e.
- b. ~~**Application For DW-D Designation and Approval of General Development Plans.**~~ A petition for DW-D designation and application for special permit, approval of general development plans and coastal site plan review shall include, as a minimum, twelve (12) copies of the following information:
- ~~(1) **Written Application.**~~ Written application on forms as prescribed by the Board including a project narrative as defined under Subsection 9.D.8.a(1).
 - ~~(2) **Existing Conditions Survey.**~~ An accurate survey of the site including the information required under subsection 9.D.8.a(2) including land contours at a maximum of two-foot intervals, critical spot elevations, flood elevation data, the location of utilities and any easements of record, and the location of coastal resource areas based on accepted field mapping methods, with a mapping accuracy meeting or exceeding the standards for a Class A-2 survey as defined by the Connecticut Technical Council, Inc.

- ~~(3) **General Development Plan.** A site plan drawn at a scale of not less than one inch = 30 feet, showing the proposed location, dimensions, floor area and uses of *Structures* and the proposed location and area of principal land uses and facilities, existing and proposed land contours, the general location of landscaped areas, *Parking Areas*, vehicle access and public access amenities. Information addressing the DW-D *Building* standards shall be shown in tabular form and any intended subdivisions of the site shall be indicated.~~
- ~~(4) **General Architectural Plans.** Preliminary architectural drawings including generalized floor plans, exterior elevations, perspective drawing(s) and descriptive information on types of *Building* materials and exterior finishes.~~
- ~~(5) **Utilities Report.** Preliminary plans and written report prepared by a qualified professional engineer specifying the means by which sewage disposal, water supply, stormwater disposal, traffic and access requirements, and related services will be provided for the proposed *Development*. The level of information, data, and scope of analysis shall be sufficient to demonstrate the ability to comply with the requirements of these Regulations and the standards and criteria of other units of government having separate jurisdiction. Where feasibility of the proposed *Development* depends upon off-site improvements in infrastructure systems, a suitable improvement plan and binding agreement shall be provided.~~
- ~~(6) **Schedule of Improvements.** A proposed timetable shall be provided indicating the completion of major site improvements, the establishment of uses, and the general sequence of construction.~~
- e. ~~**Final Plan Submission.** An application for final plan approval shall be submitted in conformance with and including all of the information required by the approved General Development Plan. Twelve (12) copies of all final plan material shall be submitted and shall include at least the following:~~
- ~~(1) **Final Site Plan.** Plans, design details, and specifications satisfying the standards of Section 7.2C of these Regulations.~~
- ~~(2) **Architectural Plans.** Full floor plans and final exterior architectural designs, elevations, perspective renderings, and the materials, finishes and colors of proposed *Structures*.~~
- ~~(3) **Utilities Plans.** Engineering design plans and specifications showing provisions for stormwater drainage, water supply, sewage disposal, and traffic management, including the details of any improvements proposed within any public right of way or off site.~~
- ~~(4) **Landscaping, Grading and Erosion Control Plans.** Detailed plans showing the extent of any proposed excavation, dredging, grading or filling activities, including the intended timetable and sequence of such work and the means proposed to control erosion and sedimentation. Erosion controls shall conform to Section IV, Subsection 4.18 of the~~

~~Subdivision Regulations. Final stabilization and landscaping plans shall include materials, specifications, plant design, and a suitable maintenance agreement.~~

~~(5) **Legal Documentation.** Legal documentation, easements, covenants, guarantee agreements and assurances as required to implement the intent and purpose of the DW-D District and the approved general development plan, including any provisions for public access and the protection of water dependent uses.~~

AMEND Section 9.F., TCD-D Transportation Center Design District, as follows:

9.F.8. TCD-D Transportation Center Design District Procedures. All applications for designation and Development of property within the TCD District shall include submission and approval of a General Development Plan (GDP) pursuant to Section 19.H. of these Regulations. ~~conform to the review and application procedures of the DW-D District (Sect. 9.D.7 and 8) except that all references to water dependent uses and the schedule set forth in Subsection 9.D.7.c(2) shall not apply. An approved General Development Plan shall remain in effect for five (5) years with the opportunity for two (2) one-year extensions at the discretion of the Zoning Board; provided, however, in the case of a multi-phased Development where at least one certificate of occupancy is obtained for a principal Structure within the initial five (5) years, the Zoning Board, at its discretion, may issue up to five (5) one-year extensions of the initial five (5) year timeframe. For a General Development Plan approved prior to July 1, 2011, that has not expired prior to May 9, 2011, the Zoning Board, at its discretion, may issue up to nine (9) one-year extensions of the initial five (5) year timeframe. Notwithstanding any other provision of these Regulations, any approved General Development Plan in the TCD District shall remain in effect so long as all Building permits have been obtained during the applicable timeframe set forth above, and the Zoning Board, upon timely application, may for good cause shown grant extensions of related Final Site Plan, Special Permit and Coastal Site Plan approvals commensurate with the General Development Plan approval.~~ (211-31, 215-20)

AMEND Section 9.I, IP-D Designed Industrial Districts as follows:

- Include all subsection headers in the text
- Amend Subsection 9.I.9.d as follows:
 - d. For all *Development* and *Redevelopment* within the IP-D District, approval of a General Development Plan (GDP) pursuant to Section 19.H. shall be required. ~~A site plan showing the road layout for the entire property, and a plan for the exterior architectural design for the initial Building, and a description of the use or uses proposed for same, shall be submitted to and be subject to the approval of the Zoning Board, who shall not approve same until after a public hearing. Exterior designs of~~

~~subsequent Buildings, and uses therein, must be in harmony with the initial Building and the site plan, and shall be subject to approval of the Zoning Board, with the exception that offices as a principal use shall not be subject to approval of the Zoning Board. After receipt of subsequent applications for approval of architectural design of and proposed uses for additional Buildings, and/or for approval of plans for screening from adjoining residential areas, and/or for modification of the approved site plan, and/or for approval of modification of existing or approved Buildings and/or uses, each such application shall be subject to approval of the Zoning Board, who shall not approve same for a Building permit until after a public hearing. (78-022)~~

AMEND Section 9.P MRD-D MILL RIVER DISTRICT as follows:

~~An application for MRD District designation shall only be considered simultaneously and in common conjunction with an application for a General Development Plans, pursuant to Section 19.H. of these Regulations. and subsequent or simultaneous approval of Final Site Plans, in conformance with the review and application procedures of Section 9.D.7. and 9.D.8., except that references to DW-D shall be construed as references to MRD. When a project consists of a single phase and General Development Plan approval and Final Site Plan approval are considered simultaneously, separate General Architectural Plans as described in Section 9.D.8b.(4) are not required. Where a Mill River Corridor Project Plan has been adopted, an application for MRD District designation and approval of General Development Plans shall be referred to the reviewing authority for consistency with the adopted Mill River Corridor Project Plan in the same manner and procedure as a referral to the Stamford Planning Board. A MRD designation proposal disapproved by the reviewing authority may be approved by the Zoning Board only by an affirmative vote of not less than four (4) members. Significant modifications of an approved MRD General Development Plan shall only be considered by petitioning the Zoning Board to rezone the property to the original underlying zone, coupled with a separate request to rezone the property to MRD and approve the amended General Development Plan. Failure of an applicant to submit Final Plans within one year from the approval of a General Development Plan, or expiration of Final Plan approval shall be cause for the Zoning Board to rezone the property to the zoning classification that existed immediately prior to MRD designation. Provided; however, when an obligation for required public access to the waterfront is satisfied within two (2) years of General Development Approval, an approved General Development Plan shall remain in effect for five (5) years with the opportunity for up to a five (5) year extensions each not more than one year, upon timely application and good cause shown.~~
(00-010, 214-27, 216-24)

AMEND Section 9.Q.7. “South End Redevelopment District. South, SRD-S” as follows:

9.Q.7. South End Redevelopment District. South, SRD-S Review Procedures

All applications for designation of, and/or *Development* of property within, the South End Redevelopment District, South (SRD-S) District shall conform to the following procedures.

- a. **Application for SRD-S Designation and Approval of General Development Plan.** The application to amend the Zoning Map to SRD-S and ~~application for approval of General Development Plan and Coastal Site Plan Review shall be submitted simultaneously and acted on in common by the Zoning Board.~~ shall be reviewed only in conjunction with a *General Development Plan (GDP)*.
 - (1) ~~An application for SRD-S designation and approval of General Development Plan shall be submitted to the Zoning Board which shall review the submission for completeness, as defined in subsection 8.a, below. Any incomplete applications may be rejected by the~~

~~Board as ineligible for consideration. The Board shall refer the complete application to the Conn. Office of Long Island Sound Programs, Conn. D.E.P. pursuant to Section 22a-103 CGS, and shall also refer the application to the Stamford Planning Board. The Land Use Bureau Chief shall be authorized to refer the application to any other unit of City, state, or federal government, and to convene technical staff meetings and to confer with the applicant as necessary to develop information to support a complete review of the application at a public hearing. Following a public hearing, the Board shall by separate resolutions act to approve or disapprove the petition for establishment of the SRD-S Zoning Tract, and to approve, approve with modifications, or disapprove the application for General Development Plan and the application for Coastal Site Plan Review. No SRD-S Zoning District shall be approved or shall become effective unless the Board shall also approve General Development Plan for the subject property, and record the Certificate of Approval and a copy of the General Development Plan in the land records of the City of Stamford. Upon recording of the approved General Development Plan, the SRD-S District shall be considered to be established and the Zoning Map shall be amended to show the boundaries of the SRD-S Zoning Tract area along with a reference to the location in the land records containing the General Development Plan authorizing the *Development*.~~

- (1) Adoption of a SRD-S District shall authorize the submission of an application for Final Site and Architectural Plans and Requested Uses, pursuant to Section 19.D. of these Regulations to the Zoning Board, consistent with the approved uses, *Buildings, Structures* and site development standards, design criteria, phasing schedule and timetable shown and described on the recorded *General Development Plan*.

~~**Final Plans.** Application for final Site and Architectural Plans & Requested Uses shall be submitted for approval to the Zoning Board in conformance with the approved General Development Plan. An application for approval of final Site and Architectural Plans & Requested Uses and Coastal Site Plan Review shall be submitted to the Zoning Board which shall review the submission for completeness, as defined in subsection 8.b, below. The Board may request additional information necessary to clarify or complete the application or may reject any incomplete application as ineligible for consideration. In acting to approve the application, the Board may direct the applicant to modify the plans and may establish reasonable conditions to insure that site improvements are provided in a timely manner to conform to the purpose and intent of the SRD-S District. Reasonable conditions may include the filing of a performance guarantee acceptable to the Office of Legal Affairs, and establishment of a timetable and construction phasing plan. The Zoning Board shall hold a public hearing on any application for final plan approval. No *Building* permit shall be issued for the proposed *Development* or any part thereof until the Board has approved final plans and has confirmed in writing that implementation of conditions of approval has been assured.~~

~~Modification of the General Development Plan. Subsequent to the approval and recording of the General Development Plan, a request to modify the approved General Development Plan shall be reviewed and acted upon by the Zoning Board following the procedures specified in subsection 7 a(1) above, provided that the Board, in its sole discretion, may waive the public hearing and notice requirement for minor modifications.~~

d.-b. **Conveyance of Property:** Prior to conveyance of any Block, the Applicant shall file a written certification with the Land Use Bureau, executed by the Applicant, that the Block to be conveyed, as well as all remaining Blocks in the Zoning Tract, will remain in compliance with the GDP approval and conditions and these Regulations. Further, the Applicant shall identify the party responsible for completing construction of all public improvements and necessary infrastructure and providing required public services. This obligation shall cease to apply for any Block which has received final site plan approval.

AMEND Section 9.S. – Hospital Complex Design District (HCD-D) as follows:

9.S.7. Application Contents

a. **Application for Approval of Designation as HCD-D and General Development Plan Approval.** ~~All applications for designation as HCD-D District must be accompanied by a *General Development Plan (GDP)* application pursuant to Section 19.H. An application for approval of designation as HCD-D and General Development Plan approval shall include, as a minimum, twelve (12) copies of the following information:~~

~~(1) **Written Application.** Written application on forms prescribed by the Board including a list of property owners located within the proposed HCD-D, a project narrative describing the intended manner of *Development* of the site including the types of uses and the principal *Structures* and facilities to be established, a declaration and supporting data demonstrating generally how the project conforms with the purposes and criteria of the HCD-D, and a declaration of other permits required.~~

~~(2) **Property Location Map.** A map depicting the location of the property to be included in the HCD-D designation.~~

~~(3) **Existing Condition Survey.** A Property and Topographic Survey of the site including the boundaries, dimensions and area; the location and dimension of *Buildings* and *Structures*, existing uses of *Structures* and land areas; existing site utilities and vehicle access; property ownership; land contours at a maximum of two foot intervals and critical spot elevations; flood elevation data; and the location of any coastal resource areas based on accepted field mapping methods.~~

~~(4) **General Site Plans.** Site plans, on one or more sheets, drawn at a scale of not less than one inch = 50 feet, unless otherwise authorized by staff, and showing, at a minimum, the following information:~~

- ~~(a) the proposed location, floor area and uses of *Structures*;~~
 - ~~(b) the proposed location and area of principal land uses and facilities;~~
 - ~~(c) existing and proposed land contours;~~
 - ~~(d) the general location and character of landscaped areas;~~
 - ~~(e) vehicle parking and loading areas;~~
 - ~~(f) vehicle access and transportation systems;~~
 - ~~(g) public access amenities, facilities and services;~~
 - ~~(h) the boundaries of any *Street*, open spaces, public access areas or other easements or land rights to be conveyed to the City;~~
 - ~~(i) tabulation of all applicable standards of Section 9.S.5 above.~~
- ~~(6) **General Architectural Plans.** Preliminary architectural drawings including general plan diagrams, exterior elevations, perspective drawings and renderings for general illustration of *Building* character and to generally establish the intended height, bulk, arrangement, setback and general character of *Principal Buildings* and *Structures*.~~
- ~~(7) **Utilities Report.** Preliminary plans and written report prepared by a qualified professional engineer specifying the means by which sewage disposal, water supply, storm water disposal, traffic and access requirements, and related services will be provided for the proposed *Development*. The level of information, data, and scope of analysis shall be sufficient to demonstrate the ability to comply with the requirements of these Regulations and the standards and criteria of other units of government having separate jurisdiction. Where feasibility of the proposed *Development* depends upon off-site improvements in infrastructure systems, a suitable improvement plan shall be provided.~~
- ~~(8) **Schedule of Improvements.** A proposed Phasing Plan and timetable shall be provided indicating the anticipated completion of major site improvements, the establishment of uses, and the general sequence of construction.~~
- ~~(9) **Subdivision(s).** Any intended subdivision of the HCD-D tract into separate parcels for ownership or financing purposes shall identify the intended ownership, purpose, and relationship to the HCD-D District as a whole.~~
- b. **Application for Special Permit Approval for Requested Uses.** An application for approval of a *Special Permit* for requested uses shall include, as a minimum, twelve (12) copies of the written application on forms as prescribed by the Board including a statement describing the specific request.
- c. **Final Plan Submission.** An application for approval of Final Site and Architectural Plans and Requested Uses shall include at a minimum the following:

- (1) **Final Site Plan.** Plans, design details, and specifications satisfying the standards of Section 19.D. of these Regulations.
- (2) **Architectural Plans.** Full floor plans depicting uses and final exterior architectural designs, elevations, perspective renderings, and the materials, finishes and colors of the proposed *Structures*.
- (3) **Utility Plans.** Engineering design plans and specification showing provisions for storm water drainage, water supply, sewage disposal, and traffic management, including the details of any improvements proposed within any public right-of-way or off-site.
- (4) **Landscape, Grading, Sedimentation and Erosion Control Plans.** Detailed plans showing the extent of any proposed excavation, dredging, grading or filling activities, including the intended timetable and sequence of such work and the means proposed to control erosion and sedimentation. Erosion controls shall conform to Section IV, Subsection 4.18 of the Subdivision Regulations. Final stabilization and landscaping plans shall include materials, specifications, plant design, and a suitable maintenance agreement.
- (5) **Legal Documentation.** Legal documentation, easements, covenants, guarantee agreements and assurances required to implement the intent and purpose of the HCD-D and the approved General Development Plan.

~~9.S.8. Performance and Phasing~~

~~The components of the General Development Plan shall be constructed in a timely fashion consistent with any approved Phasing Plan and timetable. When approving a General Development Plan, the Zoning Board may determine the timeframe in which the Applicant shall file Final Plans for each phase of *Development*. In addition, the Zoning Board, upon timely application, may for good cause shown grant not more than five (5) one-year extensions of the period within which the Applicant may obtain a *Building* permit for each final plan. If the Applicant fails to complete all improvements shown on a GDP within fifteen (15) years following the original approval, reapproval of the GDP shall be required before any further improvements in the HCD-D zone are authorized.~~

AMEND APPENDIX A Table 1

Change use 24.1 “Group Day Care Home” to a Permitted Use in all listed districts except M-G and M-L and replace ‘A’ and ‘B’ with ‘X’. Add ‘-’ against this use in Table 1 for M-L and M-G to indicate the use is not permitted. Add Group Day Care Home as a Permitted Use in all District Regulations in Section 4 and Section 9 except M-L and M-G.

