



CITY OF STAMFORD
ZONING BOARD
LAND USE BUREAU
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MEMORANDUM

To: Stamford Planning Board
From: Vineeta Mathur, Principal Planner
Re: Responses to Planning Board questions regarding Clean Up 3 ZB # 222-01
Date: February 15, 2022

Following are responses to questions raised by the Planning Board members at the Regular Meeting held on February 8, 2022 during the discussion of Zoning Board Application 222-01 Omnibus Text Amendment Clean Up 3 and received through subsequent emails from Planning Board members.

How does this proposal affect the C-D districts?

The proposed changes do not impact regulations in the C-D district. The amendments to the C-D district were part of application 221-20 and were approved by the Zoning Board on December 6, 2021 and became effective on December 21, 2021.

In which districts will the Mural standards apply?

This amendment adds a definition of a Mural along with review procedures. Currently the Zoning Regulations have no requirement related to Murals thus providing no standard procedure for review of such art and no limitations on which districts allow such art to be installed.

The proposed definition prohibits Murals in single family districts RA-3, RA-2, RA-1, R-20, R-10, R-71 /2 and R-6 and allows Murals in all other districts which include multi-family residential, commercial and industrial districts. The definition includes guidance related to the quality of the Murals as well as general recommendation against offensive content.

How are the standards for Usable Open Space changing?

The regulations related to Usable Open Space are currently located in Section 7.Q under the broad umbrella of Area and Supplemental Regulations. In addition, certain districts such as MX-D have separate Usable Open Space standards. While crucial to the quality of new developments, this requirement is not easy to locate. The proposed amendment provides a consolidated chart within the definition of Usable Open Space in Section 3 listing the requirement for all districts.

The 7.Q requirement currently applies to all developments with ten (10) or more units in R-5 district and twenty (20) or more unit in R-MF, Commercial and Industrial Districts. This language left its applicability to most other multifamily districts (such as V-C, CC, RM-1) up to interpretation. The proposed amendment increases the scope of when and where Usable Open Space needs to be provided. The proposed text will require all multifamily development with three (3) or more units to provide the Usable Open Space. The current requirement was 200 sf per unit in the R-5 district and 75 sf in all other districts. The new standard will be 150 sf in RM-1, R-5, R-MF and R-H and 75 sf. in all other districts. While slightly reducing the Usable Open Space required in R-5 district, the amendment increases Usable Open Space in RM-1, R-MF and R-H districts. The proposed text provides a predictable and proportional standard for provision of Usable Open Space.

Explain the change to the Short Term Rental regulations

The definition for Short Term Rental regulations was created as part of Clean Up 2. The definition of Short Term Rental requires that in single family zoning districts (RA-3, RA-2, RA-1, R-20, R-10, R-7½ or R-6) the owner of the home also resides at the dwelling during the rental. In multifamily districts it was not intended for Short Term Rentals to require residency by the property owner during the rental.

However, the definition for “Short Term Rental Operator” included the residency provision, therefore making it applicable to all zoning districts. By removing the reference to residency in the definition of the Short Term Rental Operator, this will maintain the original intent which was to require only single family home owners to be residents on the premises during Short Term Rentals.

Explain if there are any changes in the bonus provisions

The bonus provisions table will be applicable to C-L, C-G, C-C, R-HD and the TCD-D districts. The new bonus provision table consolidates the existing bonus standards in Section 7.S which are applicable to C-L, C-G and C-C districts and the bonus standards listed in the R-HD district. The R-HD district standards are the most current standards and reflect current City priorities. Bonuses are approved by Special Permit when the project provides an amenity at their cost which benefits the public. While the 7.S standards included the bonus floor area and general standards for the amenities, the R-HD includes discreet minimum floor areas for the amenities to be provided and the maximum amount of bonus floor area that can be achieved. Adding the minimum amenity standards and maximum bonus standard for all districts eligible for such bonuses will tighten the regulations and not provide any additional relief. The proposed text also eliminates outdated bonuses including ‘Residential’, ‘Low Coverage at Upper Floors’, ‘Arcades’, ‘Direct Pedestrian Connection to Public Parking Garage’ and ‘Short Walking Distances’.

How do the bonus calculations work?

For every square feet of amenity that is provided, Developments receive x square feet of floor area in addition to the base regulations standards. This standard is provided in Column 2. For example, per the public plaza bonus, one square foot of bonus floor area is permitted per square

foot of public plaza provided. A project which provides a 3,000 sf plaza is eligible for 3,000 sf of bonus floor area in addition to the base floor area permitted in the Zoning District. Column 3 provides the minimum size of the amenity space which will be required to qualify thus ensuring good quality of the amenity space. Finally, Column 4 adds an upper limit to the amount of bonus floor area that the project may receive even if the amenity space provided entitles the development to more space. While floor area bonuses provide an incentive for developments to provide amenity space, other zoning limitations such as height, setbacks, building coverage, lot coverage and parking requirements continue to apply and ensure orderly development. See attached table with comments related to each bonus provision.

Which sites will be eligible for the waterfront bonus?

Among the Zoning Districts eligible for bonuses, only R-HD and TCD-D currently have frontage along the water. While the current TCD-D on the waterfront is fully developed (Charter Communications), the only potential R-HD site for this bonus is 10 Water Street (former Sprague energy site). We have clarified the waterfront amenity bonus requirement in the attached table and text.

How are parking requirements changing through the proposed amendment?

There is no change in the parking standards. The only change to Section 12 is the correction of an error to the bike parking standards in Table 12.10.

Is there any other change in the proposal which affects development rights of buildings?

The only language in the proposed text which modestly increases the development rights is the change related to conversion of existing commercial floor area to residential floor area pursuant to Section 10.H. In order to encourage conversion of existing underused office/other commercial buildings to residential use, Section 10.H provides a density standard. The dwelling unit density will change from 1 unit per 800 sf of converted gross floor area to 1 unit per 600 sf of converted gross floor area. Where BMR units are provided on site, the standard will change from 1 unit per 600 sf of converted gross floor area to 1 unit per 500 sf of converted gross floor area. In addition, a provision was added to allow the addition of one story to converted buildings. Given that this change applies only to existing buildings, this change will have limited impact. Encouraging conversions utilizes existing site infrastructure, reduces office vacancy, improves the appearance of buildings and, importantly, increases the amount of available housing.

Request to provide a blackline version of the text

Please see a blackline version of the text amendment attached.