

**INTEROFFICE MEMORANDUM
CITY OF STAMFORD**

TO: Public Registry email list
FROM: Vineeta Mathur, Principal Planner
DATE: August 19, 2022



RE: Application 222-28 - City of Stamford – Zoning Board, 888 Washington Boulevard, Stamford, CT, - Text Change, - Proposing to amend Section 5.E use regulations to add definitions and regulations related to accessory dwelling units (ADU), amend Section 4 District regulations to add ADU as a permitted use, amend Appendix B Table III and Appendix A Table I to add ADU as a permitted use.

On behalf of the Zoning Board a copy of the above captioned application is hereby enclosed for your information.

If you have any questions, please feel free to contact me at (203) 977-4716.



APPLICATION FOR TEXT CHANGE OF THE STAMFORD ZONING REGULATIONS

Complete, notarize, and forward **thirteen (13) hard copies and (1) electronic copy in PDF format** to Clerk of the Zoning Board with a **\$1,000.00 Public Hearing Fee** and the required application filing fee (**see Fee Schedule below**), payable to the City of Stamford.

NOTE: Cost of required Public Hearing advertisements are payable by the Applicant and performance of mailing of required property owners is the sole responsibility of the applicant. **LAND RECORDS RECORDING FEE:** \$60.00 for First page - \$5.00 for each additional page)

Fee Schedule

Minor Text Change	\$1,060.00
Major Text Change	\$5,060.00

APPLICANT NAME (S): CITY OF STAMFORD ZONING BOARD
 APPLICANT ADDRESS: 888 WASHINGTON BOULEVARD, STAMFORD, CT – 06901
 APPLICANT PHONE #: 203-977-4711
 IS APPLICANT AN OWNER OF PROPERTY IN THE CITY OF STAMFORD? NO
 LOCATION OF PROPERTY IN STAMFORD OWNED BY APPLICANT (S): N/A

PROPOSED TEXT CHANGE:

AMEND SECTION 5.E USE REGULATIONS TO ADD DEFINITIONS AND REGULATIONS RELATED TO ACCESSORY DWELLING UNITS (ADU), AMEND SECTION 4 DISTRICT REGULATIONS TO ADD ADU AS A PERMITTED USE, AMEND APPENDIX B TABLE III TO REFERENCE ADU.

DOES ANY PORTION OF THE PREMISES AFFECTED BY THIS APPLICATION LIE WITHIN 500 FEET OF THE BORDER LINE WITH GREENWICH, DARIEN OR NEW CANAAN? NO (If yes, notification must be sent to Town Clerk of neighboring community by registered mail within 7 days of receipt of application – PA 87-307).

DATED AT STAMFORD, CONNECTICUT, THIS 19TH DAY OF AUGUST 2022

SIGNED: Ralph Blessing

NOTE: Application cannot be scheduled for Public Hearing until 35 days have elapsed from the date of referral to the Stamford Planning Board. If applicant wishes to withdraw application, please notify the Zoning Board at least three (3) days prior to Public Hearing so that the Board may have sufficient time to publicize the withdrawal.

STATE OF CONNECTICUT ss STAMFORD Aug 19th 2022
 COUNTY OF FAIRFIELD

Personally appeared Ralph Blessing, signer of the foregoing application, who made oath to the truth of the contents thereof, before me.
 MARY JUDGE

Notary Public, State of Connecticut
 My Commission Expires 9/30/2023
Mary Judge Notary Public - Commissioner of the Superior Court

FOR OFFICE USE ONLY

APPL. #: 222-28 Received in the office of the Zoning Board: Date: _____

By: _____

Project Narrative

Proposed Accessory Dwelling Unit Text Amendment

08-19-2022

The City of Stamford Zoning Board proposes to amend Section 5.E Use Definitions to add definitions and regulations related to Accessory Dwelling Units (ADUs) to create new housing opportunities in the City of Stamford. ADUs are secondary residential units which include cooking facilities and are required to meet all building and health codes. The proposed text would allow ADUs to be added as detached or attached structures, or incorporated within the main house, all while remaining within the existing development rights for each property. Facilitating the construction of Accessory Dwelling Units was identified as one of the implementation strategies in the Stamford Housing Affordability Plan and also furthers the goals of the Stamford Master Plan to create venues for adding affordable housing in the City. All ADUs will require a Zoning Permit to ensure compliance with zoning requirements and sign off by other City agencies.

Accessory Dwelling Units provide several benefits to the City and its residents including:

1. Providing an affordable housing option to meet housing demand.
2. Assisting existing homeowners financially by creating an option for downsizing (i.e., homeowner moves into the ADU and rents out the principal residence) or aging in place with supplemental income from the ADU.
3. Increasing value of the property.
4. Making use of existing infrastructure and underutilized land.
5. Incentivizing renovation of the existing housing stock.

This proposal meets several goals of the Master Plan including the following:

3C.3: Maintain the affordable housing stock to ensure that people who work in Stamford can afford to live in Stamford.

6A.1 Balance new development with preservation of existing residential communities.

The proposed zoning text includes the following additions to the Regulations:

1. Adds definitions for Accessory Dwelling Units and Principal Dwelling along with development standards for Accessory Dwelling Units

Addition of definitions for ADUs and Principal Dwelling allows clarity when permitting such a structure along with providing the following standards for development of ADUs:

- The ADU and the Principal Dwelling shall individually and together meet all zoning standards for the underlying zoning district.
- ADUs will only be permitted on lots with no more than one single family dwelling. ADUs are not permitted on properties which are currently multi-family.

- Minimum lot area to qualify for an ADU is 8000 sf.
- Only one ADU to be permitted for each lot and only one family allowed per ADU.
- Establishes maximum size limitations of the ADU based on size of lots. Lots one acre or larger may have a 1,200 sf ADU while lots between 8000 sf – less than one acre may have a maximum of 800 sf ADU.
- Requires one parking space for each ADU.
- Prohibits Short Term Rentals (such as Airbnb)
- Requires approval by Health Department and EPB where property has a septic system to ensure adequate capacity.

2. Add a footnote to Appendix B, Table III “Max Families per Plot” and “SF per Family” to allow ADUs

3. Amend Appendix A, Table I by adding ADUs (Line 17.6) as a permitted use in each district except CC, M-L and M-G.

4. Add definition for “Dwelling, Principal” in order to distinguish from Accessory Dwelling Unit and add cross references for “Principal Dwelling” and “Dwelling, Accessory”.

5. Amend Sections 4.B.1.b and 4.B.2 to allow ADUs as a permitted use in single family districts.

PROPOSED ACCESSORY DWELLING UNIT TEXT AMENDMENT

AUGUST 25, 2022

Underlined text indicates new language. ~~Struck-out~~ text indicates text to be eliminated. Terms in *italics* indicate terms defined in Section 3.B. of the City of Stamford Zoning Regulations. Terms with expanded character spacing indicate uses defined in Section 5.E. of the City of Stamford Zoning Regulations.

ADD “Accessory Dwelling Unit, ADU” to Section 5.E., Use Regulations:

An Accessory Dwelling Unit (ADU) is a separate living unit that (i) is located on the same lot as a Principal Dwelling of greater square footage, (ii) has cooking facilities, (iii) a bathroom, and (iv) complies with all applicable building code, fire code and health and safety regulations. Such living unit either shall be attached to or located within the Principal Dwelling or detached from the Principal Dwelling, and located on the same Lot as such Dwelling. Parked recreational vehicles, camping trailers and other Structures not permanently affixed to the site shall not be considered ADUs and shall not be used for habitation. The Principal Dwelling and the ADU together constitute a single property and must remain under common ownership.

Accessory Dwelling Units may only be permitted by Zoning Permit and only under the following conditions:

1. Except as set forth in this Section, both (i) the Principal Dwelling and ADU taken together and (ii) the Principal Dwelling shall meet all of the requirements of the respective zoning district;
2. The property owner must reside on the premises (either in the Principal Dwelling or the ADU);
3. Detached ADUs shall meet either (i) the requirements for setback, separation, area, height and coverage for Accessory Buildings or (ii) the setback, separation, area, height and coverage requirements of the Principal Dwelling, in the respective zoning district;
4. ADUs shall only be permitted on Lots containing no more than one single-family Dwelling and which have a lot area of at least 11,000sf;
5. Occupancy of an ADU shall be limited to no more than three persons. There shall be at least 250sf of living space per occupant;
6. The size of the ADU shall not exceed eight hundred (800) sf in Gross Floor Area ;
7. No more than one ADU shall be permitted per single family Dwelling ;
8. One (1) off-street parking space shall be provided for each ADU in addition to the parking required for the Principal Dwelling. Such parking space shall have direct access from the Street and shall not have its access obstructed by the parking spaces required for the Principal Dwelling. All parking must comply with the Zoning Regulations, including but not limited to Section 12;

9. No multi-family Dwelling, including but not limited to legally non-conforming two- and three-family Dwellings, shall be eligible for Accessory Dwelling Units;
10. ADUs shall not be used as Short-Term Rentals; and
11. Where an ADU is not connected to the public sewer system, no zoning permit shall be issued prior to review and a finding by the Department of Health and EPB that (i) the existing septic system is sufficient for both the Principal Dwelling and the ADU or (ii) proposed upgrades in connection with the proposed ADU will be sufficient to serve both the Principal Dwelling and the ADU. No ADUs shall be added to any Lot where the septic system is insufficient for both the Principal Dwelling and the ADU

AMEND Appendix B, Table 3 by adding a footnote to “MAX FAMILIES PER PLOT” and “S.F. PER FAM.” as follows:

MAX FAMILIES PER PLOT*

S.F. PER FAM.*

* Dwelling, Accessory (ADU) permitted, pursuant to Section 5.E.

AMEND Appendix A, Table 1 by adding a Line 17.6 “Dwelling, Accessory (ADU)” and adding an “x” under each district except for CC, M-L, and M-G, indicating that ADUs are permitted in all listed zoning districts except CC, M-L and M-G.

ADD “Dwelling, Principal” to Section 5.E., Use Regulations

Dwelling, Principal

For Lots containing an Accessory Dwelling Unit (ADU), the Principal Dwelling Unit is the Dwelling Unit that has a larger Gross Floor Area than the Accessory Dwelling Unit on the same Lot.

ADD “Dwelling, Accessory” to Section 5.E., Use Regulations

Dwelling, Accessory

SEE: Accessory Dwelling Unit (ADU)

ADD “Principal Dwelling” to Section 5.E., Use Regulations

Principal Dwelling

SEE: Dwelling, Principal

AMEND Section 4.B.1.b, RA-3, RA-2, RA-1 Single Family Districts, Very Low Density as follows:

b. Permitted Uses, as-of-right

In any RA-3, RA-2 or RA-1 district a *Building* or other *Structure* may be erected, altered, arranged, designed or used, and a *Lot* or *Structure* may be used as-of-right for any of the following purposes and no other:

- (1) Dwelling, single-family. ~~Single-family detached dwellings one per Lot.~~
- (2) Public parks and playgrounds, except in the RA-3 district.
- (3) Public Schools.
- (4) Family day care homes.
- (5) Family Estates.
- (6) Accessory Dwelling Unit (ADUs), pursuant to Section 5.E.

AMEND Section 4.B.2. R-20, R-10, R-7 1/2 Single Family Districts, Low Density, as follows:

b. Permitted Uses, as-of-right

In any R-20, R-10 or R-7^{1/2} district a *Building* or other *Structure* may be erected, altered, arranged, designed or used, and a *Lot* or *Structure* may be used as-of-right for any of the following purposes and no other:

- (1) Dwelling, single-family. ~~Single-family detached dwellings one per Lot.~~
- (2) Public parks and playgrounds.
- (3) Public schools.
- (4) Family day care homes.
- (5) Accessory Dwelling Unit (ADUs), pursuant to Section 5.E.