

LEGAL NOTICE
ZONING BOARD - CITY OF STAMFORD

Application 222-28 – Notice is hereby given that the Zoning Board of the City of Stamford, CT at a special meeting held on **Wednesday, September 28, 2022 UNANIMOUSLY APPROVED AS MODIFIED** the application of the City of Stamford Zoning Board for a Text Change 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 and the regulations are amended as described below:

Note: 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.

AMEND Section 5.E. "Dwelling" as follows:

The terms "Dwelling", "One-Family Dwelling", "Two-Family Dwelling", "~~Multiple-Family Dwelling~~" or "Dwelling Group" shall not be deemed to include Automobile Court, Camp Ground, Rooming House, Tourist Home, Inns or Hotels. Parked recreational vehicles, camping trailers or other Structures not permanently affixed to the site shall not be considered Dwellings and shall not be used for habitation.

1. Dwelling, Single-Family or One-Family: A detached *Building* containing a ~~only one-single~~ (1) Dwelling Unit. In addition to a single Dwelling Unit, a One-Family Dwelling may contain an attached, integrated, or detached Accessory Dwelling Unit, as defined herein.

2. Dwelling, Two-Family: A detached *Building* containing two (2) Dwelling Units.

3. Dwelling, Multiple-Family: A ~~Building or portion thereof~~ containing three (3) or more Dwelling Units.

4. ~~Dwellings~~: Group or Town Houses: A group of not less than three (3) nor more than ten (10) attached or semi-detached one-family dwelling Dwelling Units, erected as a single *Building*, and each or all *Buildings* may be constructed on one (1) *Lot* in single ownership or each Dwelling Unit in each *Building* may be in separate ownership. Each Dwelling Unit shall be separated from the any adjoining Dwelling Unit or Dwelling Units by masonry party wall or walls in accordance with the Building Code of the City of Stamford and which wall shall extend from the Basement or cellar floor to the roof along the dividing Lot line, if there be such line, and such party walls shall project not less than six inches (6") above the roof

of each Dwelling Unit. Each *Building* shall be separated from any other *Building* by a dimension not less than twice the height of opposing Building walls, except as otherwise provided for under APPENDIX B, SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF BUILDINGS. Each ~~such~~ Dwelling Unit shall be no greater in depth than thirty-five feet (35') measured from the main front wall to the main rear wall of ~~each~~ the Dwelling Unit. (99-004)

Dwelling Unit

A *Building* or portion thereof providing complete housekeeping facilities, including, but not limited to sleeping accommodations, kitchen and bathroom facilities, for one Family that can be accessed without entering from any other Dwelling Unit.

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

An Accessory Dwelling Unit (ADU) is a Dwelling Unit that is located on the same lot as a Principal Dwelling Unit of greater square footage. Such ADU either shall be attached to or within the Principal Dwelling Unit or detached from the Principal Dwelling Unit. The Principal Dwelling Unit and the ADU must remain under common ownership.

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

1. The property owner must reside on the premises. At the time of application for a building permit for an ADU, owner shall submit an affidavit stating that the owner resides on premises;
2. Attached ADUs or ADUs within the Principal Dwelling shall meet all of the requirements of the respective zoning district;
3. Detached ADUs shall meet either (i) the standards for *Accessory Buildings* or (ii) the standards of *Single-Family Dwelling*, in the respective zoning district;
4. ADUs shall only be permitted on *Lots* containing no more than one (1) *Single-Family Dwelling* and which have a lot area of at least 10,000sf;
5. Occupancy of an ADU shall be limited to no more than three persons;
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 an ADU in addition to the parking required for the Principal Dwelling Unit. Such parking space shall not have its access obstructed by the parking spaces required for the Principal Dwelling Unit. No additional curb cuts shall be permitted. All parking must comply with the Zoning Regulations, including but not limited to Section 12;

9. No Multiple-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 Unit and the ADU or (ii) proposed upgrades in connection with the proposed ADU will be sufficient to serve both the Principal Dwelling Unit and the ADU. No ADUs shall be added to any Lot where the septic system is insufficient for both the Principal Dwelling Unit 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 Unit, Accessory (ADU) permitted, pursuant to Section 5.E.

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

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

Accessory Dwelling Unit (ADU)

SEE: Dwelling Unit, Accessory (ADU)

ADD “ADU” to Section 5.E., Use Regulations

ADU

SEE: Dwelling Unit, Accessory (ADU)

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

Principal Dwelling Unit

SEE: Dwelling Unit, 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.

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-7¹/₂ 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.

Effective date of this Decision: October 11, 2022

ATTEST: DAVID STEIN
 CHAIRMAN, ZONING BOARD
 CITY OF STAMFORD, CONN.

Dated at the City of Stamford, CT, this 29th day of September, 2022.