

## SECTION 3 – DEFINITIONS

### 3.A. CONSTRUCTION OF LANGUAGE

For the purpose of these regulations certain words and terms used herein are defined as follows:

All words used in the present tense include the future tense; all words in the plural number include the singular number and all words in the singular number include the plural number, unless the natural construction of the wording indicates otherwise. The word "*Lot*" includes the word "*Plot*"; the word "*Building*" includes the word "*Structure*"; and the word "shall" is mandatory and not directory. The word "used" shall be deemed also to include "designed, intended, or arranged to be used". Unless otherwise specified, all distances shall be measured horizontally. The word "city" means the City of Stamford, State of Connecticut; the term "zoning board" means the Zoning Board of said City; the term "board of appeals" means the Board of Zoning Appeals of said City; the term "planning board" means the Planning Board of said City; and the term "*Building inspector*" means the *Building Inspector* and/or *Zoning Enforcement Officer* of said City.

### 3.B. DEFINED TERMS

All defined terms are marked with “*Term*” in these Regulations and defined as follows:

#### ***Accessory Building***

Any *Building* located on the same *Lot* as a *Principal Building* and devoted or intended to be devoted to a use which is clearly incidental and customarily subordinate to the principal use. Any portion of a *Principal Building* devoted or intended to be devoted to an *Accessory Use* is not an *Accessory Building*. (219-26)

Any *Accessory Building* which is attached to the *Principal Building*, except by a *Breezeway*, and not more than five feet (5') in length shall comply in all respects with the requirements of these Regulations applicable to the *Principal Building*. (223-11)

#### ***Accessory Structure***

Any *Structure* including an *Accessory Building*, whether decorative or functional, that is located on the same *Lot* as a principal use, and which is clearly incidental and customarily subordinate to the principal use and that is not a *Permitted Obstruction* or a *Sign*. *Accessory Structures* include, but are not limited to, *Structures* used to store goods and materials, including sheds and containers, solid waste and recycling containers, or antennae *Structures*. (223-06)

Provided however, such *Accessory Building* or *Accessory Structure* shall not be located in any *Front Yard*, nor exceed one (1) *Story* and or exceed 15' in height. No *Accessory Building* or *Structure* shall be within five (5') feet of any *Lot Line*, except in cases in which the *Principal Building* is permitted to be closer. No *Accessory Building* or *Structure* shall be erected prior to the erection of the *Principal Building*. (91-002, 204-41, 219-26)

On *Corner Lots* in addition to the above requirements, no *Accessory Building* or *Structure* in a *Rear Yard* shall be nearer a street side *Lot Line* than the least *Front Yard* setback of any required along such *Street*.

A *Building* attached to the *Principal Building* by a covered passageway not over five feet (5') long, or by having a wall or part of a wall in common with it, shall be considered an integral part of the *Principal Building* and not an *Accessory Building*. In any Residential District, no detached *Accessory Building* shall be located nearer than 10' to any *Principal Building*.

A Detached *Accessory Building* or *Buildings* of not more than one (1) *Story* and not exceeding 15' in height may occupy part of a *Rear Yard* in accordance with the percentage specified in Table II APPENDIX B, SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF *BUILDINGS*; provided however, in the case of any *Lot* located in the RA-1, RA-2 or RA-3 District, by *Special Permit* issued by the Zoning Board of Appeals, such *Accessory Building* may exceed 15' in height but shall not exceed one (1) *Story* and shall not exceed 25' in height, (i) where the minimum setback of said *Building* from all side and *Rear Lot Lines*, as defined in this definition, is increased an additional one foot (1') for each one foot (1') of height over 15', and (ii) upon a finding by the Zoning Board of Appeals that the use, size, shape, location and design of said *Building* are appropriate in the context of both the *Lot* upon which it is located as well as adjoining *Lots*. Such *Special Permit* shall be exempt from the standards of Subsection 19.C.2.e. However, the total area of such *Accessory Building* plus the area of the *Principal Building* shall not exceed the maximum *Building Area* specified in Table II APPENDIX B, SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF *BUILDINGS*. (204-41)

When a detached accessory garage is provided in the *Rear Yard* of a *Lot* supporting only a one-family or a two-family use within the R-7<sup>1</sup>/<sub>2</sub>, R-6, RM-1 or R-5 District and where no parking is located within the *Front Yard*, the maximum permitted *Building Area* may be increased by 300 square feet for a detached garage providing one required *Parking Space* and may be increased by 500 square feet for a detached garage providing two required *Parking Spaces*. (210-09)

### ***Accessway***

An *Accessway* is that portion of an *Accessway Lot* held in the same fee simple ownership as the *Accessway Lot*, beginning at the *Street Line* and ending at the point where the *Lot* boundary lines diverge from each other at an angle of not less than thirty (30) degrees, provided that the *Accessway* shall have a minimum width of twenty five feet (25') and, on any record map dated after August 1, 1959, a width not greater than forty-nine feet (49'). A physical or other obstruction to ingress

or egress over any area designated as an “*Accessway*” to satisfy the requirements of Section 7, Subsection O, shall not preclude the designation of such area as the necessary “*Accessway*”, provided there is some other suitable and legal access to the *Accessway Lot*. (210-43)

***Accessway Lot***

SEE: *Lot, Accessway* (223-06)

***ADA***

SEE: *Americans with Disabilities Act*

***Adaptive Reuse***

See: *Redevelopment*

***Administrative Approval*** (222-34)

An *Administrative Approval* is an approval by the Zoning Board which is granted pursuant to Section 19.H. of these Regulations.

***Affordable Housing*** (220-13)

*Affordable Housing* is all housing, for which the sale price, the rent or the rent increase is restricted for at least 30 years, or, in the case of *BMR Units*, permanently deed restricted, beginning with the final Certificate of Occupancy, by deed restriction, covenant or other legal instrument, running with the land and senior to all financing instruments. Affordable means that the housing cost (either mortgage or rent payments, parking for one vehicle and applicable basic utilities (except telephone and cable), fees and taxes) of a household earning 80% or less of the *Area Median Income (AMI)*, adjusted by household size, does not exceed 30% of the gross income of said household. “Deeply Affordable Housing” is all housing affordable to households earning 30% or less of the *AMI*. SEE ALSO *Market Rate Housing* and *Market Rate Affordable Housing*.

***Alley***

An *Alley* is a passage or way, not over twenty feet (20’) in width, open to public travel, which affords generally a secondary means of vehicular access to abutting *Lots* and is not intended for general traffic circulation. No vehicle entrance to any *Building* or improvement, which entrance opens into an *Alley*, shall be erected, constructed, or established nearer to the center of such *Alley* than a distance of fifteen feet (15’). (223-11)

***Alteration*** (223-22)

SEE: *Substantial Renovation or Alteration*

***Amenity Space, Indoor*** (223-08)

SEE: *Indoor Amenity Space*

***Amenity Space, Outdoor*** (223-08)

SEE: *Open Space, Usable*

***Americans with Disabilities Act – ADA*** (220-31)

The *Americans with Disabilities Act of 1990 (ADA)* (42 U.S.C. § 12101), as amended, is a federal law that prohibits discrimination based on disability, requires accommodations to employees with disabilities, and imposes accessibility requirements on public accommodations.

***AMI*** (220-13)

SEE: *Area Median Income*

***Area Median Income (AMI)***

The *Area Median Income* is based on the most current statistics of median family income for the Stamford Standard Metropolitan Statistical Area (SMSA) as published and periodically revised by the U.S. Dept. of Housing and Urban Development.

***Basement***

A portion of a *Building* located partly below grade, that is not a crawl space, where the ceiling is less than five (5) feet above the level from which the height of the *Building* is measured. (203-38)

***Base Floor Area***

SEE: *Floor Area, Base*

***Base Height***

The *Base Height* of a *Building* is the maximum permitted height of the front wall of a *Building*

before any required *Street Wall Setback*. A *Building* is required to meet a minimum *Base Height* only when the total height of the *Building* will exceed the maximum permitted *Base Height*.

***Below Market Rate Dwelling Unit (BMR, BMR Unit)*** (220-13)

A *Below Market Rate Dwelling Unit (BMR, BMR Unit)* is a *Dwelling Unit* permanently deed restricted (with such restriction running with the land and senior to all financing instruments) as to sale or rent to households not earning more than 80% of the *Area Median Income*, based on the most current statistics of median family income for the Stamford Standard Metropolitan Statistical Area (SMSA) as published and periodically revised by the U.S. Dept. of Housing and Urban Development.

***Bicycle*** (220-31)

A *Bicycle* is a human-powered vehicle propelled by pedals and steered with handlebars attached to the front wheel. *Bicycles* must be exclusively muscle-powered, or have an auxiliary electric motor not exceeding 540W in power and speeds of 20 mph. All vehicles which require a state issued license for operation or registration shall not be considered *Bicycles* for the purposes of these Regulations.

***Bicycle Parking*** (220-31)

*Bicycle Parking* means all off-street storage space for all *Bicycles*, as further defined in Section 12.J. of these regulations. Class A *Bicycle Parking* is fully enclosed permanent storage space for *Bicycles* with controlled access primarily for building tenants, residents, employees, and students, for storage usually exceeding two hours, as further described in Section 12.J.

Class B *Bicycle Parking* is generally unenclosed off-street storage specifically designed for *Bicycles* primarily used for short-term parking of two hours or less, typically to accommodate visitors, customers, messengers or other short-term and irregular users, as further described in Section 12.J.

***Bonus Floor Area***

SEE: *Floor Area, Bonus*

***Breezeway*** (223-06)

A *Breezeway* is a roofed unenclosed *Passageway* connecting two or more *Buildings*.

***Building***

A *Structure* having a roof supported by columns or walls along whose outside face can be traced an unbroken line for the complete circumference of the *Building*, which is permanently affixed to a *Lot* or *Lots* for the housing or enclosure of persons, animals or chattels, and shall include each of the independent units into which it is divided by party walls. The connection of two *Buildings* by means of an open porch, breezeway, carport or other such open *Structure*, with or without a roof, shall not be deemed to make them one *Building*, except in the case of a (a) *Accessory Garage* so attached to a dwelling, or (b) covered passageway not more than five feet (5') long. (See also *Accessory Building* and *Principal Building*) (219-26)

***Building Area***

*Building Area* is the aggregate of the maximum horizontal cross section area of all *Buildings* including *Accessory Buildings* on a *Lot*, excluding cornices, eaves, gutters or chimneys projecting not more than twenty-four inches (24"), steps and one-*Story* open porches, covered front porches (see Section 7.C.3), and balconies and terraces. *Building Area* shall also exclude decks, terraces, patios, pools or similar *Structures* not more than eight inches (8") above adjacent grade, and exclude such *Structures* that exceed eight inches (8") above adjacent grade up to an amount equal to 200 square feet for each *Dwelling Unit* on the *Lot*. (210-40, 219-26)

***Building Coverage***

SEE: *Building Area*

***Building Height*** (223-05)

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. Buildings 10 feet or less from a Street Line.** If a *Building* is located ten feet (10') or less from a *Street Line*, then, the *Building Height* shall be measured (a) at the center of the front wall of the *Building* from the established grade of the curb; or (b) if no grade has been officially established and no curb exists, from the average level of the adjoining *Street* or right-of-way, or (c) if no such *Street* or right-of-way exists, from the finished ground surface across the front of the *Building*.
- 2. Buildings more than 10 feet from a Street Line.** If a *Building* is more than ten feet (10') from the *Street Line*, then the *Building Height* shall be measured from the average level of the finished ground surface at a point three feet (3') 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 feet (3') above the average level of the existing ground surface at a point three feet (3') from the exterior walls of the *Building*. When a *Building* is subject to Section 15.B Flood Prone Area Regulations, the *Building Height* may be measured from no more than three feet (3') above the Base Flood Elevation applicable to the *Building*. (203-38, 214-06)

3. **Height of Accessory Structures.** The Height of *Accessory Structures* shall be measured from the average level of the ground surface adjacent to the exterior walls of the *Accessory Structure* to the highest point of the roof. (91-002)
4. **Connected Buildings.** Where two (2) or more *Buildings* are connected by a *Hallway* or enclosed *Passageway*, 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.** Attached *Buildings* separated by a firewall between *Buildings* shall be treated as separate structures for the purposes of determining the average level of the ground surface and measuring height.
6. **Exceptions.** The *Building Height* requirements shall not apply to the building features or *Structures* listed below if such feature or *Structure* (a) does not cover more than 25% of the *Building Coverage*, and (b) is unoccupied *Floor Area*, such as mechanical space, circulation areas or air space, and (c) does not exceed the maximum permitted *Building Height* by more than one (1) story or fifteen feet (15'), whichever is less.
  - architectural screenings of rooftop equipment
  - cupolas
  - cables
  - mechanical penthouses and mechanical appurtenances including, but not limited to HVAC systems
  - parapet walls
  - Personal Wireless Service Facilities, radio and television and other antennae
  - decorative towers or turrets
  - water tanks (76-012; 97-020; 210-21)
7. **Exemptions.** The following shall be exempt from the Building Height requirements:
  - chimneys
  - church spires or similar features on other Houses of Worship
  - flag poles
  - green roofs
  - greenhouses for food production
  - monuments
  - railings and other safety features required by the building code
  - solar panels, both photovoltaic and thermal

- standpipes
- transmission towers and cables
- water towers

8. **Modifications of Building Height Requirements.** The Zoning Board may, by *Special Permit* approval and in its sole discretion, modify the height requirements of the underlying Zoning District for a *Building* feature or *Structure* if it finds that :

- a. the *Building* feature or *Structure* exceeding such requirement does not contain any *Floor Area*;
- b. the *Building* feature or *Structure* exceeding such requirement complies with the *Light and Air* requirements of these Regulations;
- c. the relief requested is limited to the minimum relief necessary; and
- d. the relief requested is necessary for the intended function of such *Building* feature or *Structure*.

***Building Line*** (220-31)

The *Building Line* is the linear extension of a *Building's* outside exterior wall into the *Yard* space of a *Lot*.

***Certificate of Zoning Compliance*** (223-16)

A *Certificate of Zoning Compliance* is required for the occupancy or use of all land, *Buildings*, *Structures*, and activities listed in Section 19.I.1. and further specified in Section 19.I.3.c.

***Commercial Street*** (223-06)

SEE: *Street, Commercial*

***Contributing Structure or Site*** (220-38)

A *Structure*, site or object adding to the historic significance of a property based on historic associations, historic architectural qualities or archeological values, as defined by the National Park Service<sup>12</sup>. The *Structure*, site or object must be documented as a contributing resource on the National Register of Historic Places, a Local *Historic District* established pursuant to CGS Sec 7-147 or the City of Stamford *Cultural Resources Inventory*.

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<sup>12</sup> National Park Service, National Register Bulletin – How to Complete the National Register Registration Form (NRB 15), Washington, D.C., 1997, p. 37.

A *Non-Contributing Structure* or *Site* is a *Structure* or site located within a *Historic District* but lacks the features of a *Contributing Structure* or *Site*. A *Non-Contributing Structure* or *Site* may be developed, demolished, redeveloped, altered, expanded, or otherwise modified pursuant to regulations applicable in the underlying *Zoning District* as delineated on the City of Stamford *Zoning Map*.

***Corner Lot*** (223-06)

SEE: *Lot, Corner*

***Critical Reconstruction*** (220-38)

*Critical Reconstruction* projects are infill *Developments* in areas developed prior to the effective date of these Regulations (November 30, 1951). The goal of *Critical Reconstruction* is to maintain or restore the fabric of the neighborhood by permitting buildings and building typologies that have or may have been historically extant and are contextual in bulk and other characteristics with the neighborhood context.

***Court***

A court is an unoccupied open space, other than a *Yard*, on the same *Lot* with a *Building*, which is bounded on two (2) or more sides by the walls of such *Building*. An outer court extends to a *Street Line* or opens upon a *Front, Side* or *Rear Yard*. An inner court is enclosed on all sides by the walls of a *Building* or by *Lot Lines* on which *Building* walls are permitted. The "least dimension" of a court or *Yard* is the least of the horizontal dimensions of such a court or *Yard*. The "length of an outer court" is the horizontal distance between the end opening on a *Street* or a *Rear Yard* and the end opposite such *Street* or *Rear Yard*.

***Cultural Resources Inventory ("Inventory")*** (220-38)

A list established and maintained by the City of Stamford Land Use Bureau, in consultation with *HPAC* that includes historically and architecturally significant districts, *Buildings, Structures, artifacts, remains* or other physical features affixed to the land within the City of Stamford that are at least 50 years old.

***Curb Line*** (220-31)

The *Curb Line* is a physical separation and delineation between the vehicular driving and parking lanes and a sidewalk as reflected on engineering drawings. For unbuilt or projected *Streets*, the

Curb Line may be defined in engineering drawings and other documents. In instances where the front setback or *Front Yard* is measured from the *Curb Line*, the following rules shall apply:

1. Where a curb exists, the front setback shall be measured from said curb unless the Engineering or Transportation, Traffic and Parking Bureaus have plans for a modification of the *Curb Line* in which case the setback shall be measured from the projected *Curb Line*.
2. If no curb or plans for a curb exist, the Director of Operations or designee, shall determine a line from which the front setback shall be measured.
3. For unbuilt or projected *Streets*, the *Curb Line*, as shown in the engineering drawings, shall apply.
4. Where the required front setback from the *Curb Line* is less than the distance between the *Curb Line* and the *Street Line*, then the front setback shall be at least the distance between the *Curb Line* and the *Street Line*.
5. Where there is a sidewalk requirement pursuant to Subsection 12.K, and the distance between the *Curb Line* and the *Street Line* is less than said sidewalk requirement, then the abutting property owner shall enter into a permanent easement agreement in favor of the City granting the City the balance of the required sidewalk width. The Engineering and TTP Bureaus may modify this requirement upon request.
6. If the *Curb Line* is changed by the City (e.g., for a street widening project) after the effective date of a Zoning Board approval (or after the issuance of a Building Permit for as-of-right *Developments*), which would render the *Development* non-compliant with the front setback and sidewalk requirements, then the *Development* shall be considered compliant with the front setback and sidewalk requirements for the life of the *Development* and no *Variance* shall be required.

***Deeply Affordable Housing*** (220-13)

SEE: *Affordable Housing*

***Development*** (219-26, 220-38)

A Development of a parcel or *Lot*, or a portion thereof, is the result of one of the following activities:

- the construction of a new *Building* or other *Structure*;
- the relocation of an existing *Building* or other *Structure* to another *Zoning Lot*;
- the establishment of a new use, other than an *Accessory Use*;
- any activity resulting in soil or site disturbance including but not limited to grading, paving and landscaping; or

- any *Redevelopment*.

***Density*** (221-11)

Density is the amount of floor area for non-residential structures and uses or the number of Dwelling Units for residential uses of any development on a given *Lot*.

SEE also *Density, Residential*.

***Density, Permitted*** (221-11)

For purposes of compliance with these Regulations, the *Permitted Density* for development on a *Lot* in any given Zoning District within the City of Stamford shall be determined as follows:

1. In Zoning Districts where the *Permitted Residential Density* is defined in “Square feet per Family” only, pursuant to Sections 4, 5, and 9, the *Permitted Residential Density* shall be determined by dividing the *Lot Area* (in square feet) by the “Square feet per Family” to determine the permitted number of Dwelling Units and, if applicable, the permitted number of “Families per Plot” pursuant to Appendix B, Table II. In such Districts, densities for permitted non-residential uses shall be determined by the *Floor Area Ratios* where specified for these non-residential uses. If no *FAR* for non-residential uses is provided, the maximum permitted non-residential *Density* (in square feet) shall be determined by multiplying the allowable Building Area (coverage in square feet) by 2.
2. In Zoning Districts where the *Permitted Density* is defined by *Floor Area Ratio* only, the permitted *Residential Density* shall be determined by multiplying the *Lot Area* (in square feet) by the *Floor Area Ratio* and dividing by the *Residential Density Divider (RDD)*. Where no *Residential Density Divider* is provided, a *RDD* of 1,500 shall be applied.
3. In mixed-use Zoning Districts where the *Permitted Density* is defined by *Floor Area Ratio* for non-residential uses and by square feet per Family for residential uses, the maximum aggregate number of Dwelling Units shall be calculated by adding (i) the *Residential Density* in number of Dwelling Units to (ii) the number of Dwelling Units resulting from conversion of non-residential *Density* to Dwelling Units. Conversion of non-residential *Density* into Dwelling Units where permitted, is determined by dividing the *Floor Area* permitted for non-residential uses by 1,000 in the C-C Center City District and by 1,500 in all other applicable districts. No conversions of *Residential Density* into non-residential *Density* shall be permitted unless otherwise provided in these Regulations. (223-06)

**Example:**

Lot Area: 20,000 sf

Residential Density: 400 sf per Family of *Lot Area* = 50 Dwelling Units (20,000 / 400 =50)

Non-Residential Density: 2.5 FAR

Conversion Factor 1,000

Convert Non-Residential Density to Dwelling Units:

$20,000\text{sf} * 2.5 = 50,000$  divide by 1,000 =  $50,000\text{ sf} / 1,000 = 50$  Dwelling Units

Total Permitted Units = 50 units (Residential Density) + 50 units (Converted Commercial Floor Area) = 100 units total

***Density, Residential*** (221-11)

*Residential Density* is the number of Dwelling Units, excluding accessory Dwelling Units, on any given Lot within the City of Stamford.

***Electric Car or Vehicle*** (220-31)

For the purposes of these Regulations, an *Electric Vehicle* or *Electric Car* is a vehicle that uses one or more electric motors for propulsion and for which a driver's license is required. Plug-in Hybrid Electric Vehicles shall be considered *Electric Vehicles*.

***Eligible Household*** (220-13)

A household whose gross household income does not exceed the amounts set forth in Section 7.4.

***FAR***

SEE: *Floor Area Ratio*

***Fence*** (223-11)

A *Fence* is a physical barrier intended to prevent escape from or intrusion into an area or to mark a boundary. A *Fence* meeting the requirements of this definition shall be considered a *Permitted Obstruction* pursuant to Section 3.B. of these Regulations. For the purposes of these Regulations, walls that are not *Buildings* or *Retaining Walls* and function as a barrier shall be considered *Fences*. All *Fences* shall meet the following requirements:

- a. No *Fence* shall exceed six feet (6') in height in any *Front* or *Side Yard*, measured from the finished grade adjacent to both sides of the *Fence* or wall, whichever is lower.
- b. No *Fence* shall exceed eight feet (8') in height in any *Rear Yard*, measured from the finished grade adjacent to both sides of the *Fence* or wall, whichever is lower.
- c. All *Fences* shall comply with the Corner Vision Obstructions regulations pursuant to City of Stamford Code Section 214-27.1.
- d. The Zoning Board may, by *Special Permit*, authorize a *Fence* or wall of greater height within a *Front*, *Side* or *Rear Yard*, if it determines that the *Fence* or wall will not adversely impact

any adjacent property or public *Street* (203-38).

This definition shall not prohibit the erection of a protective fence over six feet (6') high around any public utility substation, transformer station, pumping station or reservoir.

***Flag***

A *Sign* made of fabric or other flexible material that is secured or mounted on one side only to allow movement caused by the atmosphere. (200-32)

***Floor Area***

The sum of the gross horizontal areas of the several floors of all Buildings on the *Lot* measured from the exterior faces of the exterior walls or from the centerline of the party walls. (219-26)

***Floor Area, Base***

The Floor Area of a Building without any Bonus or *Premium Floor Area*. (219-26)

***Floor Area, Bonus*** (223-11)

*Bonus Floor Area* may be awarded to a *Development* if it incorporates certain desirable features, provides certain amenities or helps achieve policy and planning goals as laid out in the City’s *Master Plan* or other official policy documents. *Bonus Floor Area* may only be awarded by the Zoning Board, by *Special Permit*, as specified in these Regulations.

Under no circumstances shall the total of all applicable *Bonus* and *Premium Floor Areas* exceed 33% of the permitted *Base Floor Area*.

The Zoning Board may grant a *Special Permit* to authorize *Bonus Floor Area* and approve amenities for the benefit of the public in the C-L, C-G, CC, R-HD and TCD Districts, in addition to any required amenities, subject to the following standards and limitations:

Amenity	Bonus	Minimum Amenity Required to Qualify		Maximum Bonus Floor Area Obtainable	
		Lots less than 1 acre	Lots 1 acre and larger	Lots less than 1 acre	Lots 1 acre and larger
Public Plazas pursuant to Sections	1 sf additional <i>Floor Area</i> for each 1 sf of	500sf	2,500sf	1,000sf	5,000sf

6.B. and 6.C.1.	Amenity				
Through-Block Connections pursuant to Sections 6.B. and 6.C.2.	1 sf additional <i>Floor Area</i> for each 1 sf of Amenity	500sf	2,500sf	1,000sf	5,000sf
Publicly Accessible Waterfront Areas pursuant to Sections 6.B. and 6.C.3.	4 sf additional <i>Floor Area</i> for each 1 sf of Amenity in excess of the required minimum amount.	Required minimum Amenity Area of at least 15 feet in depth must be provided along the entire length of the waterfront on average. Bonus is only provided for Amenity in excess of required minimum amount.		5,000sf	10,000sf
Community Room, pursuant to Sections 6.B. and 6.C.5.	3 sf additional <i>Floor Area</i> for each sf of Community Room	400sf	1,250sf	500sf	2500sf
Commuter Facility Spaces pursuant to Sections 6.B. and 6.C.6.	4 sf additional <i>Floor Area</i> for each 1 sf of Commuter Facility Space	1,000sf	1,000sf	5,000sf	5,000sf
Child Day Care Services	2 sf additional <i>Floor Area</i> for each 1 sf of Child Day Care Services	500sf	1,000sf	1,000sf	2,500sf
Mill River Park, Public Access	1 sf of additional <i>Floor Area</i> for each 1 sf of public access or conservation easement provided within the designated Mill River Corridor	n/a			
Mill River Park, Land Conveyance	7 sf of additional <i>Floor Area</i> for each 1 sf of land conveyed in fee at no cost to the city or for each \$100* paid to Mill River Park within the designated Mill	n/a			

	River Corridor	
Mill River Park, additional Building Height	10 sf of permitted <i>Floor Area</i> may be located above a height of 350’ within the CC District for each \$100* paid to Mill River Park. No Building shall exceed a height of 400’.	n/a

\* Amount shall be adjusted each year on January 1<sup>st</sup> based on the construction price index as published in the Engineering News Record (ENR) with January 2020 as the base month.

***Floor Area, Gross Non-Residential***

All *Floor Area* used for non-residential uses and uses accessory to or supportive of such uses, including but not limited to hallways, stairs, lobbies, amenity-, utility-, storage-, loading office and mechanical space but excluding *Parking Areas* and *Structures*.

***Floor Area, Gross Residential***

All *Floor Area* used for residential uses and uses accessory to or supportive of residential uses, including but not limited to hallways, stairs, lobbies, amenity-, utility-, storage- and mechanical space, but excluding *Parking Areas* and *Structures*. (219-26)

***Floor Area, Premium***

*Premium Floor Area* are the development rights that can be used if all required *Below Market Rate Housing Units* are provided on site. The *Premium Floor Area* is calculated by utilizing the *Premium Floor Area Ratio*, where applicable.

Under no circumstances shall the total of all applicable Bonus and *Premium Floor Areas* exceed 33 percent of the permitted *Base Floor Area*. (219-26)

***Floor Area Ratio (FAR)***

The permitted *Floor Area Ratio* of all Buildings on any *Lot* is the total *Floor Area* of the Buildings on that *Lot*, divided by the area of such *Lot*. (78-002; 80-019)

The following shall not be included in the *FAR* calculations:

- Portions of floors housing mechanical or central heating/air conditioning equipment within the

- Building and mechanical penthouses not exceeding 10% of the total Building Floor Area;
- Parking *Structures* where the top of the parking deck does not exceed five feet (5') in height above the average finished grade;
  - Parking *Structures* no more than five (5) *Stories* or 60 feet high, whichever is less, if the roof of such *Structure* at least 90% covered by a Building, amenity space, or a Green Roof, and if the *Structure* is wrapped by active uses or suitably screened from views from the public right of way;
  - Floors that are 50 percent or more below the average finished grade; and
  - Free-standing garages for required parking, with no more than four (4) parking floors or 50 feet in height above the average grade, whichever is less, that are wrapped with other uses or suitably screened from views from the public right of way, if the roof of the parking *Structure* is totally landscaped and accessible as *Usable Open Space* to the occupants of the building for which the parking is required, or is a Green Roof. In the case of free-standing garages for required parking exceeding four (4) floors or 50 feet in height above the average grade, whichever is less, but otherwise meets all of the requirements of the preceding sentence, then the area of parking floors below the fifth floor or 50 feet above the average grade, whichever is less, may be excluded from the *FAR* calculation.

#### **Fractional Numbers, Rounding of:** (220-38)

Unless specified otherwise in these Regulations, the following rules shall apply to the rounding of numbers:

1. No more than two decimal places shall be considered.
2. Regardless of the decimal value, density calculations shall always be rounded down.

*Example: Lot Area = 1.6 acres, permitted density = 1 unit per acre*

*1.6 / 1 = 1.6 units; permitted density: 1 unit.*

3. Regardless of the decimal value, parking requirements shall always be rounded up.

*Example: Parking requirement = 1.67 spaces per unit, 2 units provided*

*1.67x2 = 3.34 spaces; parking requirement: 4 spaces.*

#### **General Development Plan (GDP)** (223-18)

A *General Development Plan (GDP)* is an approval granted by the Zoning Board pursuant to Section 19.J. of these Regulations that outlines the development of certain 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. A *GDP* approval is not a Site Plan

approval or a Final Site Plan approval.

***Group Parking Facility*** (220-31)

A *Group Parking Facility* is a *Parking Structure, Building or Parking Lot* used for parking with a parking capacity in excess of three (3) vehicles where *Parking Spaces* are not assigned to individual vehicle owners or units.

***Hallway*** (223-06)

A *Hallway* is an entrance-hall or a passage between rooms in a *Dwelling* or other *Building*.

***Historic Building or Historic Structure (collectively “Historic Structure”)*** (220-38)

*Historic Buildings or Structures* are *Buildings or Structures*: (1) listed or under consideration for listing as individual units on the National Register of Historic Places (16 USC 470a, as amended), (2) which are contributing to a district listed or are under consideration for listing on said National Register, (3) are located within a *Local Historic District* established pursuant to CGS Section 7-147, or (4) are listed or under consideration for listing on the City of Stamford *Cultural Resources Inventory*.

***Historic District*** (220-38)

A *Historic District* is a defined area which: (1) is listed or under consideration for listing on the National Register of Historic Places or (2) is a *Local Historic District*.

***Historic District, Local*** (220-38)

A *Local Historic District* is a *Historic District* established pursuant to CGS Section 7-147.

***Historic Preservation Advisory Commission (“HPAC”)*** (220-38)

Stamford’s *Historic Preservation Advisory Commission (HPAC)* is a Commission formed pursuant to Connecticut General Statutes Sections 7-147(a) through 7-147(y), and Sections C6-200-1 through C6-200-3 of the Charter of the City of Stamford to serve in an advisory role to officials, boards, commissions and departments of the City of Stamford regarding the protection of local cultural resources.

***Historic Preservation Easement*** (220-38)

A *Historic Preservation Easement* is a legal agreement between the property owner and the City of Stamford, approved by the City’s Law Department and recorded on the Land Records of the City of Stamford, in which the property owner agrees to the maintenance, protection, rehabilitation and adaptive use of the historic features of building façade and property.

***Historic Preservation White List (“White List”)*** (220-38)

The *Historic Preservation White List* is a registry of properties to be established and maintained by the City of Stamford Land Use Bureau in consultation with HPAC containing Buildings at least 50 years of age and older that are not considered historically significant. *Historic Structures* or *Historic Sites* shall be ineligible for being added to the *White List*.

***Historic Site or Property (“Historic Site”)*** (220-38)

*Historic Site* or *Property* are those properties (1) on which a *Historic Structure* is located, (2) which are listed or under consideration for listing on the National Register of Historic Places, (3) which are a part of a *Historic District* listed or under consideration for listing on the National Register, (4) which are located within a *Local Historic District*, or (5) which are listed or under consideration for listing on the City of Stamford *Cultural Resources Inventory*.

**Under Consideration for Listing**

“Under Consideration for Listing” as a *Historic Structure* or a *Historic Site* shall mean:

1. With respect to listing on the National Register of Historic Places: an application has been filed for listing on the National Register of Historic Places;
2. With respect to listing on the *Cultural Resources Inventory*: an application has been filed with the City of Stamford Land Use Bureau for listing on the *Cultural Resources Inventory*;
3. With respect to a *Local Historic District*: where a Study Committee for the creation of a *Local Historic District* has been approved by the City of Stamford Board of Representatives (for such *Local Historic District*).

***HPAC*** (220-38)

SEE *Historic Preservation Advisory Commission*

***Indoor Amenity Space*** (223-08)

*Indoor Amenity Space* is the portion of a *Building* dedicated exclusively to recreational activities and relaxation of the *Building*’s occupants. Circulation areas, lobbies, leasing offices, mechanical

space or similar areas, and areas not open to all *Building* occupants, shall not be considered *Indoor Amenity Space*.

SEE also: *Open Space, Usable*.

### ***Interior Lot Line***

SEE: *Lot Line, Interior*

### ***Light and Air*** (219-26, 223-06)

In the - R-6, R-5, V-C, MX-D Infill, NX-D, RM-1 and R-MF Zoning Districts, all rooms in residential units, except for kitchens and bathrooms, shall have at least one window measuring not less than 12 square feet which shall (a) front on a public right-of-way or public park or (b) have at least 20 feet of *Unobstructed Space* in front of it, measured perpendicularly from the building façade where such window is located.

In all other Zoning Districts allowing multifamily housing, all rooms in residential units, except for kitchens and bathrooms shall have at least one window measuring not less than 12 square feet which shall (a) front on a public right-of-way or public park or (b) have at least 30 feet of *Unobstructed Space* in front of them, measured perpendicularly from the building façade where such window is located.

Conversions of non-residential *Floor Area* into residential *Floor Area*, where existing conditions preclude ability to meet the *Light and Air* requirements of this Definition, shall not be subject to the *Unobstructed Space* requirement.

In case of a conflict between the *Light and Air* regulations and the Building, Fire, or other public health or safety codes, the requirements of such codes shall prevail.

### ***Loading Space***

An off-street space available for the loading or unloading of goods; not less than fifteen (15') feet wide, twenty-five feet (25') long, and fourteen feet (14') high, and having direct usable access to a *Street* or *Alley*, except that where one such *Loading Space* has been provided, any additional *Loading Space* lying alongside, contiguous to, and not separated from such first *Loading Space* need not be wider than twelve feet (12').

### ***Local Historic District*** (220-38)

SEE: *Historic District, Local*

***Lot***

A parcel of land occupied or to be occupied by a *Building* or a group of *Buildings* and their *Accessory Uses*, or for storage space, including such open spaces as are required by these regulations and such other open spaces as are arranged, designed and/or used in connection with such *Buildings*.

Where a *Lot* is formed from part of a *Lot* already occupied by a *Building*, such subdivision shall be affected in such manner so as not to render the existing *Lot* or *Building* non-conforming and not to increase any pre-existing nonconformity. No permit shall be issued for the erection of a new *Building* on the new *Lot* thus created unless it complies with all the provisions of these Regulations.

Any *Lot* not meeting the minimum lot size requirement for the Zoning District in which such *Lot* is situated, and which *Lot* was in existence at the time of the adoption of these Regulations, may be used as a *Lot* for any purpose permitted in the Zoning District, provided that all other regulations prescribed for the District by these Regulations are complied with. (84-035; 223-11)

***Lot, Accessway*** (223-11)

An *Accessway Lot* is a *Lot* shown on an approved subdivision map that does not satisfy the *Lot Frontage* requirement at the *Street Line* and that is served by an *Accessway*. (210-43)

*Accessway Lots*, each limited to one (1) single-family residence whether now existing or hereafter created, shall be permitted only in the RA-3, RA-2, RA-1 and R-20 Districts. The division between the *Accessway* and the remainder of an *Accessway Lot* shall be shown on any record map dated after August 1, 1959 by a dotted or dashed line. The area of each *Accessway Lot*, exclusive of its *Accessway*, shall conform to the area regulations for the District in which it is located. Its area shall be designated on any record map dated after August 1, 1959 as "exclusive of *Accessway*". Not more than two (2) abutting *Accessways* shall be permitted. Every *Accessway Lot* shall be so designed that a circle of the following diameter can be drawn within the boundaries of the *Lot*:

- two hundred feet (200') in a RA-3 or RA-2 District;
- one hundred fifty feet (150') in a RA-1 District; and
- one hundred twenty feet (120') in a R-20 District.

The record map shall include arcs demonstration that such a circle can be included within the *Lot*. On any *Accessway Lot*, the main dwelling and each *Accessory Building* shall be located at least: (a) the same distance from any two boundaries as is required of a main dwelling from the *Front* and *Rear Lot Lines* on an *Interior Lot* in the district, and (b) from each of the other boundaries, thirty feet (30') in an RA-3 or RA-2 District, twenty-five feet (25') in a RA-1 District, and twenty feet (20') in a R-20 District. In no event shall any *Building* on an *Accessway Lot* be located nearer to any *Street* than the minimum front setback regulations for the district in which it is located. (89-003, 210-43)

The standards of this Definition shall not prohibit the use of any access to a rear *Lot* if such access

was shown as the legal access on a map of record filed in the Town Clerk's Office prior to August 1, 1959. (210-43)

### ***Lot Area***

The total horizontal area included within the *Lot Lines*. One half ( $1/2$ ) of any private right-of-way common to two (2) adjoining *Lots* may be included in the *Lot Area*, in the *Lot Frontage*, and in the *Side Yard* requirements.

### ***Lot, Corner***

A *Lot* situated at the intersection of two (2) or more *Streets* having an interior angle of intersection of not more than 135 degrees. A *Lot* abutting upon a curved *Street* shall be deemed a *Corner Lot* if the tangents to the curve at its points of beginning within the *Lot* or at the points of intersection of the side *Lot Lines* with the *Street Line* intersect at the interior angle of not more than 135 degrees. In all Districts, a *Building* erected on a *Corner Lot* shall be required to comply with the *Front Yard* setback standard on all *Streets* and all other *Yards* shall comply with the *Side Yard* setback standard. (91-025; 223-11)

### ***Lot Coverage***

Except as otherwise provided herein, *Lot Coverage* includes all *Buildings*, *Structures*, infrastructure and other man-made materials located on the *Lot*, whether such materials are impervious or not. *Lot Coverage* includes, but is not limited to, *Buildings*, roofs, and other *Structures*, roads, driveways, sidewalks and other areas covered by permeable pavers or other materials, and hardscaped areas and artificial soil coverings (e.g., AstroTurf). (219-26)

### ***Lot Depth***

The mean distance from the *Street Line* of the *Lot* to its rear line measured in the average direction of the side lines of the *Lot*.

### ***Lot Frontage***

The distance between the side lines of a *Lot* measured along the *Street Line* of the *Lot*. Where at least fifty percent (50%) of the *Street Line* is along the circular terminus of a cul-de-sac, the distance may be measured at the required front *Street Line* setback distance along an arc concentric with the front *Lot Line*. Any property not having legal access to a *Street* as defined below, but fronting thereon, shall be deemed to have *Lot Frontage* on such *Street* and shall be obligated to meet all set back requirements from such *Street*. (207-22, 210-43)

***Lot, Front Yard***

The lineal distance from the *Street Line* to the *Street Wall* or covered porch wall of the *Building*, whichever is nearer. It shall be measured at right angles to the *Street Line*.

***Lot, Interior***

A *Lot* other than a *Corner Lot*.

***Lot Line*** (220-31)

The *Lot Line* is any property line bounding a lot, including the *Street Line* and Interior Lot or Property Lines.

***Lot Line, Interior*** (220-31)

The *Interior Lot* or *Property Lines* are all *Lot Lines* of a *Lot* except for the *Street Line(s)*.

***Lot Line, Rear***

The *Lot Line* which is generally opposite the front *Lot Line*; if the *Rear Lot Line* is less than ten feet (10') in length, or if the *Lot* comes to a point at the rear, the *Rear Lot Lines* shall be deemed to be a line parallel to the front line not less than ten feet (10') long, lying wholly within the *Lot* and farthest from the front *Lot Line*.

***Lot Street Line*** (220-31)

SEE: *Street Line*.

***Lot, Tax*** (221-06)

A *Tax Lot* is a tract of land identified as such on the City of Stamford Tax Assessor's Records.

***Lot, Through***

A *Lot* having both front and *Rear Yards* abutting on a *Street*. *Front Yard* requirements shall be maintained on both street frontages, when the minimum depth of the *Lot* is greater than one hundred and twenty feet (120'). When the minimum depth of the *Lot* is less than one hundred and twenty feet (120'), the total *Front Yard* requirements on both *Streets* shall equal that specified in

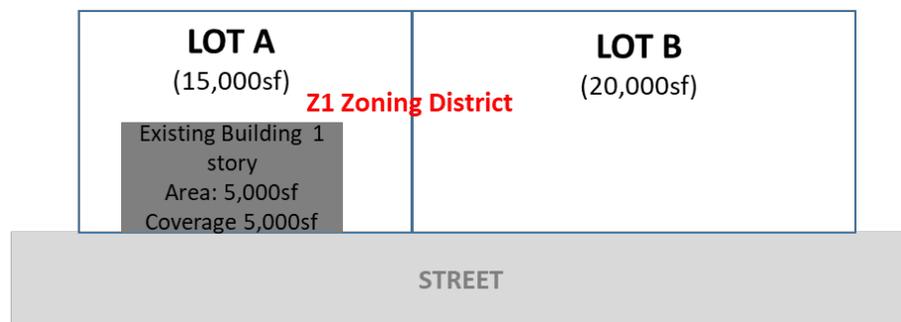
the SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF *BUILDINGS* for that of the more restricted district in which the property is located. A *Lot* with a *Rear Yard* abutting on an *Alley* or a private right-of-way is not considered a *Through Lot*.

**Lot, Zoning** (221-06)

1. A *Zoning Lot* is (a) a full *Tax Lot* or (b) a tract of land subject to a *Zoning Lot Development Agreement*, which consists of two or more full *Tax Lots* under common or separate ownership that, for zoning purposes only, is treated as one Lot. If a *Building* or *Structure* is located on more than one *Tax Lot* under common ownership, such tax lots shall be consolidated. A *Zoning Lot* must meet all of the following requirements:

- a. Each *Tax Lot* that is part of the *Zoning Lot* must be contiguous to and share a *Lot Line* at least twenty feet (20’) in length with at least one other of such *Tax Lots* and must not be separated by any public street.
- b. All *Buildings* and *Structures* on a single *Zoning Lot* must conform and comply with the requirements of the zoning district in which they are located except as otherwise provided for in Subsection d. below.

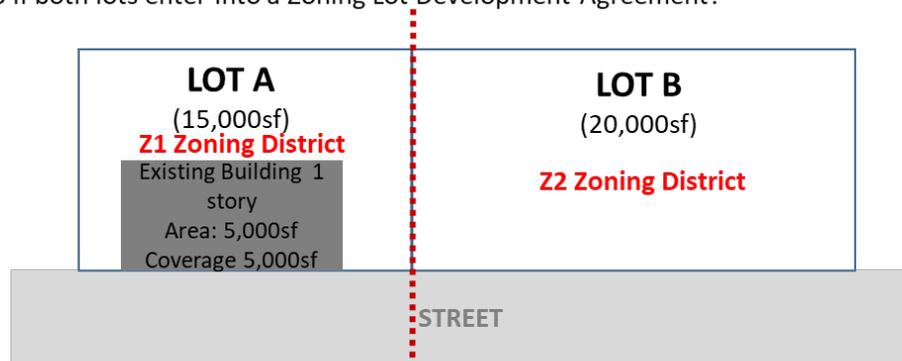
**Example 1:** Tax Lots A and B are in Zoning District Z1. What is the development potential for Lot B if both lots enter into a Zoning Lot Development Agreement?



	Z1 District	LOT A (w. existing Building)		Development Potential for LOT B WITHOUT Zoning Lot Agreement	LOT A+B Zoning Lot		Development Potential for LOT B WITH Zoning Lot Agreement
		Permitted	Actual		Permitted	Actual	
<b>Floor Area</b>	1.0 FAR	15,000 sf	5,000 sf	20,000 sf	35,000 sf	5,000 sf	30,000 sf
<b>Lot Coverage</b>	50%	7,500 sf	5,000 sf	10,000 sf	17,500 sf	5,000 sf	12,500 sf
<b>Building Height</b>	4 stories / 45'	4 stories / 45'	1 story / 15'	4 stories / 45'	4 stories / 45'	1 story / 15'	4 stories / 45'
<b>Setbacks</b>	0' (Front) 10' (Sides) 10' (Rear)	0' (Front) 10' (Sides) 10' (Rear)	0' (Front) 15' / 35' (Sides) 50' (Rear)	0' (Front) 10' (Sides) 10' (Rear)	0' (Front) 10' (Sides) 10' (Rear)		0' (Front) 10' (Sides) 10' (Rear)

- c. If a *Zoning Lot* is located in more than one Zoning District: (i) *Buildings and Structures* must meet all bulk requirements, except those set forth in Subsection d. below, including but not limited to *Height, Setback, Light and Air*, and use requirements of the respective Zoning District in which they are located, and (ii) *Floor Area and Density* calculations, and required off-street parking shall be based on the area of land in the respective Zoning District.

**Example 2:** Tax Lots A and B are in different Zoning Districts Z1 and Z2. What is the development potential for Lot B if both lots enter into a Zoning Lot Development Agreement?



	Z1 District	LOT A (w. existing Building)		Z2 District	Development Potential for LOT B <u>WITHOUT</u> Zoning Lot Agreement	LOT A+B Zoning Lot		Development Potential for LOT B <u>WITH</u> Zoning Lot Agreement
		Permitted	Actual			Permitted	Actual	
<b>Floor Area</b>	1.0 FAR	15,000 sf	5,000 sf	1.5 FAR	30,000 sf	45,000 sf	5,000 sf	40,000 sf
<b>Lot Coverage</b>	50%	7,500 sf	5,000 sf	75%	15,000 sf	22,500 sf	5,000 sf	17,500 sf
<b>Building Height</b>	4 stories / 45'	4 stories / 45'	1 story / 15'	5 stories / 55'	5 stories / 55'	4 stories / 45'	1 story / 15'	5 stories / 55'
<b>Setbacks</b>	0' (Front) 10' (Sides) 10' (Rear)	0' (Front) 10' (Sides) 10' (Rear)	0' (Front) 15' / 35' (Sides) 50' (Rear)	0' (Front) 0' (Sides) 10' (Rear)	0' (Front) 0' (Sides) 10' (Rear)	0' (Front) 10' (Sides) 10' (Rear)		0' (Front) 0' (Side) 10' (Rear)

- d. Unused *Floor Area, Density, Building and Lot Coverage* (including open space), and required off-street parking for all uses within the Zoning Lot (the “Transferrable Rights”) may be transferred, distributed or allocated throughout the *Tax Lots* comprising the *Zoning Lot* as agreed upon by all of the property owners; provided, however, that: (i) a proposed *Building or Structure* must meet all other zoning requirements, including but not limited to *Height, Setback, Light and Air* and *use requirements* of the Zoning District in which it is located; and (ii) any *Development* remains compliant with Subsection b above. (223-06)
- e. In no event may a *Building or Structure*, including but not limited to *Accessory Structures* or facilities serving such *Building or Structure*, be located on two or more separately owned Tax

Lots in a *Zoning Lot* (i.e., a *Building* or *Structure* may not cross from one *Tax Lot* to another *Tax Lot* where such lots are under separate ownership.)

- f. The creation of a *Zoning Lot* shall be subject to administrative review and approval by the *Zoning Board*.
  - g. Unless a public hearing is required to be held, all *Development* on a *Zoning Lot* regardless of the size of the *Zoning Lot* or whether the *Zoning Lot* is located in more than one *Zoning District*, shall be subject to administrative Site and Architectural Plan review and approval by the *Zoning Board*, pursuant to Section 19.D of these Regulations.
  - h. *Setbacks* along shared *Tax Lot Lines* interior to the *Zoning Lot* may be modified or waived as agreed upon by the property owners.
  - i. Shared driveways and other features to reduce curb cuts and impervious surface are strongly encouraged.
  - j. *Zoning Lots* shall only be permitted if:
    - (1) All individual *Tax Lots* are located in one or more of the following *Zoning Districts*: C-D, C-C, C-G, DW-D, MX-D, R-HD, and V-C (outside of Glenbrook and Springdale); or
    - (2) At least one of the *Tax Lots* contains a property listed on the *Cultural Resources Inventory*.
2. A *Zoning Lot* is a discretionary approval by the *Zoning Board* subject to a *Zoning Lot Development Agreement*. The *Zoning Board* may deny *Zoning Lot* approval for any reason including, but not limited to:
- a. The *Zoning Lot* created would allow for development inconsistent with the *Master Plan*.
  - b. *Development* on a *Zoning Lot* would create a significant adverse impact on neighboring properties or neighborhood character as compared to as-of-right development.
3. Where two or more *Tax Lots* are required to be consolidated (e.g., pursuant to a condition of approval by the *Zoning Board*), they are not eligible to be a *Zoning Lot*.

***Market Rate Affordable Housing*** (220-13)

*Market Rate Affordable Housing* is housing for which the sales price, the rent or the rent increase is not regulated or limited by covenant, deed restriction or other legal instrument, or when such restriction is for less than 30 years, but which is, or was at some point during the last three years, affordable to households earning no more than 80% of the *AMI*.

***Market Rate Housing*** (220-13)

*Market Rate Housing* is housing for which the sales price, the rent or the rent increase is not regulated or limited by covenant, deed restriction or other legal instrument, or when such restriction is for less than 30 years, regardless of the actual amount of the rent or sales price. SEE

ALSO *Affordable Housing*.

***Master Plan*** (219-26)

*Master Plan* refers to the City of Stamford *Master Plan*, pursuant to Section C-6-30-3 of the City of Stamford Charter.

***Master Plan Category*** (219-26)

*Master Plan Category* refers to the Land Use Categories defined in Chapter 8.2 of the City of Stamford *Master Plan*.

***Master Plan Category Boundary*** (219-26)

The *Master Plan Category Boundary* is the boundary line between two different *Master Plan Categories*, as depicted on the City of Stamford *Master Plan* map. Where a *Master Plan Category Boundary* is shown on a public or private *Street*, the street center line shall be considered the *Master Plan Category Boundary*.

***Minor Modification*** (222-34)

A *Minor Modification* is a modification to an existing Zoning Board approval that meets the following requirements: (i) the modification sought is in compliance with the base zoning standards (i.e., without any premiums or bonuses) of the respective Zoning District; and (ii) the modification is a non-material change to an existing approval, including to the nature, scope or intensity of such approval. For modifications which do not meet the thresholds for *Minor Modifications*, a new application pursuant to Section 19 of these Regulations shall be required. The Zoning Board reserves the right to determine whether a proposed modification meets the definition of a *Minor Modification* and the requirements of Section 19.H.

***Mixed-Use Building*** (223-06)

A *Mixed-Use Building* is a *Building* with residential and non-residential uses where at least forty percent (40%) of the *Gross Floor Area*, excluding *Parking Areas*, is used for residential uses, including residential *Indoor Amenity Space*.

***Non-Contributing Structure or Site*** (220-38)

SEE: *Contributing Structure or Site*

***Open Space, Usable*** (71-012, 99-004, 223-08)

*Usable Open Space* is that portion of a *Lot* used exclusively for recreational and relaxation activities which are customarily carried out outdoors by the owners or occupants of a property. *Usable Open Space* shall not be encroached upon by roadways open to vehicular traffic, public sidewalks, off-street *Parking Space* or *Loading* berths. *Usable Open Space* may include private balconies, patios or terraces (if the minimum dimension of each side of the balcony, patio or terrace is at least 54 inches and at least 80% of units have such balconies, patios or terraces), but not to exceed 30% of the *Usable Open Space*.

The following minimum standards shall apply for *Usable Open Space*:

1. All *Usable Open Space* shall be unobstructed to the sky (except for qualifying balconies and terraces) unless provided otherwise below. Tree canopy shall not be considered an obstruction;
2. No more than 20% of the area of the *Usable Open Space* shall be permanently roofed (except pergolas or other decorative features and retractable or movable covers);
3. No more than 50% of the perimeter of the *Usable Open Space*, in aggregate, shall be permanently enclosed above a height of six feet (6') (unless required by the Building Code) unless at least 50% of the *Usable Open Space* is unshaded for at least five (5) consecutive hours on December 21;
4. All *Usable Open Space*, except for qualifying balconies, patios and terraces, shall have a minimum contiguous area of the lesser of 750sf or the total required *Usable Open Space*, with a minimum dimension on each side of no less than 20 feet;
5. All *Usable Open Space* shall be structurally safe, adequately surfaced with high quality materials (asphalt shall not be permitted), protected and suitably maintained by the owner or management;
6. Chain link fencing shall be prohibited;
7. *Usable Open Space* shall be screened towards neighbors and designed to minimize noise and light impacts on both residents and neighbors;
8. At least 25% of the area of the *Usable Open Space* shall be landscaped with living plants or grass;
9. *Usable Open Space* shall be utilized for managing stormwater, and the Best Management Practices outlined in the Stamford Drainage Manual, as amended, shall be employed;
10. All *Usable Open Space* shall be ADA compliant and provide safe crossings of parking areas and driveways;
11. Except for housing restricted to certain adult populations (e.g., senior housing), the lesser of 1,000sf or 25% of the area of the *Usable Open Space* shall be provided indoors or outdoors as play area for children up to the age of 12;
12. *Usable Open Space* shall not be counted as or be substituted for required *Publicly Accessible Amenity Space (PAAS)*;

- 13. *Publicly Accessible Amenity Space (PAAS)* shall not be counted as or be substituted for required *Usable Open Space*;
- 14. Within 500 feet of a publicly accessible park, up to 75% of *Usable Open Space* may be substituted with *Indoor Amenity Space*. In all other areas, up to 50% of *Usable Open Space* may be substituted with *Indoor Amenity Space*;
- 15. Sidewalks, including public sidewalks on private property, shall not be counted as *Usable Open Space*; and
- 16. For new *Development and redevelopments Usable Open Space* shall be required as follows:

<b>Zoning District</b>	<b>Required Usable Open Space per Dwelling Unit</b>
RA-3, RA-2, RA-1, R-20, R-10, R-7 1/2	None required
All other Districts - for single- or two-family <i>Dwellings</i>	None required
RM-1, R-5, R-MF, R-H – for <i>Buildings</i> of three (3) <i>Dwelling Units</i> or more	150sf
All other Districts - for <i>Buildings</i> of three (3) <i>Dwelling Units</i> or more	75sf, but no less than a total of 500sf

SEE also *Indoor Amenity Space*

***Outdoor Amenity Space*** (223-08)

SEE: *Open Space, Usable*

***PAAS*** (223-06)

SEE: *Publicly Accessible Amenity Space*

***Parking Area*** (220-31)

A *Parking Area* is a space other than a street used and improved for the parking of not-for- vehicles consisting of one or more *Parking Spaces*, not including driveways or accessways or related *Accessory Structures*.

***Parking Facility*** (220-31)

A *Parking Facility* is a *Building, Parking Structure, Parking Lot* or area developed or improved

for the parking of vehicles including *Group Parking Facility*, parking driveways, accessways and appurtenant *Accessory Structures*.

***Parking Lot*** (220-31)

A *Parking Lot* is a surface *Parking Facility*.

***Parking Management Plan***

A *Parking Management Plan (PMP)* is a legally binding document prepared and submitted pursuant to Section 19.F. of these Regulations and which is recorded on the City of Stamford Land Records. The *PMP* outlines how the use of parking on a property, or, in case of shared parking, multiple properties, is managed and controlled. (211-36, 220-31)

***Parking Space***

An off-street space available for the parking of one (1) motor vehicle and having an area of not less than two hundred (200) square feet per vehicle, exclusive of passageways and driveway appurtenant thereto and giving access thereto, and having direct access to a *Street* or *Alley*.

***Parking Structure*** (220-31)

A *Parking Structure* is a *Parking Facility* other than a *Parking Lot*, including but not limited to parking garages (above or below ground) or parking decks.

***Passageway*** (223-06)

A *Passageway* is a way that allows access between *Buildings* or different rooms within a *Building*. *Passageways* include *Hallways*, *Walkways* and *Breezeways*.

***Permitted Density*** (221-11)

SEE: *Density, Permitted*

***Permitted Obstructions*** (219-26; 223-11)

*Permitted Obstructions* on *Lots* are physical features permitted in required *Yards* and in *Unobstructed Space*. Any *Structures*, *Buildings*, *Accessory Buildings* and physical features not listed in this Definition as a *Permitted Obstruction* and which are not *Principal Buildings* shall be considered *Accessory Structures*. *Permitted Obstructions* shall not project beyond the *Street* or

*Property Line* of the *Lot*, except for Awnings and Canopies as defined below.

The following shall be considered *Permitted Obstructions*:

- **Air conditioning condensation units** for single- or two-family *Buildings* only, provided such units: (i) do not exceed four feet (4') in height from the average finished grade, (ii) do not extend more than four feet (4') from the *Building* wall, and (iii) are no closer than five feet (5') from any *Property Line*;
- **Arbors or trellises**;
- **Awnings** and other sun control devices above the first floor. All such awnings and other sun control devices shall (i) be limited to a maximum projection from a *Building* wall of thirty inches (30"); and (ii) have solid surfaces that, in aggregate, cover no more than 30% of the area of the *Building* wall (as viewed in elevation) from which they project. Such awnings may extend over a public sidewalk, *Alley* or public right-of-way, provided they meet the conditions set forth for "Awnings on the first floor";
- **Awnings and Canopies on the first floor** , whether fixed or retractable, may extend over a public sidewalk, *Alley* or public right-of-way, provided that every such awning (i) shall at its lowest point be at least seven feet (7') above the public sidewalk grade and finished grade of adjacent *Yard*, *Alley* or public right-of-way, (ii) shall be set back a minimum of three feet (3') from the curb line, (iii) shall not extend above the sill of any windows of the second floor, (iv) shall not restrict or interfere with the free flow of pedestrian or vehicular traffic and (v) shall be removable to accommodate work within the public right-of-way (86-032, 207-61);
- **Balconies**, unenclosed, of a *Building* containing residences not extending more than four feet (4') into a required *Yard*; but no closer than five feet (5') from any *Interior Lot Line*;
- **Bicycle Parking Structure** (220-31);
- **Breezeways, Passageways**;
- **Chimneys**, projecting not more than twenty-four inches (24") from the *Building* wall;
- **Cornices** and similar architectural enhancements projecting not more than twenty-four inches (24") from the *Building* wall;
- **Driveways** pursuant to Section 12 of these Regulations;
- **Eaves**, gutters or downspouts projecting not more than twenty-four inches (24") from the *Building* wall;
- **Electric Vehicle charging facilities** pursuant to Section 12 of these Regulations not exceeding five feet (5') in height, and having a volume of no more than 15 cubic feet;
- **Fences** meeting the definition of "Fences" in this Section 3.B.;
- **Fire escapes**, not extending more than six feet (6') from the *Building* wall;

- **Flagpoles;**
- **Fountains:** ornamental fountains not exceeding: (i) six feet (6') in height and diameter in RA-3, RA-2, RA-1, R-20, R-10, R-7<sup>1</sup>/<sub>2</sub> and R-6 Districts, and on all lots supporting a one-, two-, three- or four-family *Dwelling* in all other Zoning Districts; and (ii) fifteen feet (15') in height and diameter in all other Districts and on all lots that support more than four-family *Dwellings*. In no event shall a fountain be closer than five feet (5') from any *Interior Lot Line*;
- **Light poles**, not exceeding eighteen inches (18") in diameter;
- **Natural features**, comprised of area of land or water, or a combination thereof, which contain or consist of outstanding remnants or natural elements of surviving undisturbed natural ecosystems such as individual species of plant life, nests or rookeries, geological formations, or objects of special scientific, educational, aesthetic, or recreational character;
- **Overhanging portions of Buildings** above the first floor which project not more than twenty four inches (24") from the *Building* wall; provided that the lowest point of the projected portion shall be no less than seven feet (7') about above-grade the ground beneath the projection of the *Building*. Supports for the projected portion of any *Building* are permitted, provided that no support extends beyond the projection and that the total area occupied by such supports does not exceed 15% of the area underneath the projection;
- **Parking Areas** pursuant to Section 12 of these Regulations;
- **Porches:** One-*Story* permanently unenclosed porches, projecting no more than six feet (6') into the required *Yard*;
- **Railings** required by the Building Code;
- **Ramps** and other physical features supporting access for persons with physical disabilities;
- **Recreational or play equipment;**
- **Steps**, provided that such steps access only the lowest *Story* of a *Building*;
- **Sculptures, Statuary and other freestanding artistic or decorative features:** not exceeding: (i) six feet (6') in height and diameter in RA-3, RA-2, RA-1, R-20, R-10, R-7<sup>1</sup>/<sub>2</sub> and R-6 Districts, and on all lots supporting a one-, two-, three- or four-family *Dwelling* in all other zoning districts; and (ii) fifteen feet (15') in height and diameter in all other zoning districts and on lots that support more than four-family *Dwellings*. All sculptures, statuary and other freestanding artistic features shall be at least five feet (5') from any *Interior Lot Line*;
- **Swimming pools** and pool decks, provided that they are: (i) not more than eight inches (8") above adjacent grade and (ii) no closer than five feet (5') from any *Interior Lot Line*. Swimming Pools shall not be permitted in *Front Yards*. Swimming pools and pool decks not meeting these requirements shall be deemed *Accessory Structures*;
- **Terraces, patios or decks**, which are open, provided that they: (i) are not more than eight inches (8") above adjacent grade and (ii) do not extend more than six feet (6') into the *Yard*.

All terraces, patios and decks shall be at least five feet (5') from any Property Line. Terraces, patios or decks not meeting these requirements shall be deemed *Accessory Structures*;

- **Trees, brushes and other vegetation;**
- **Utility poles**, not exceeding eighteen inches (18") in diameter, including wiring and appurtenances; and
- **Walkways**, sidewalks, bike paths.

***Plot, Parcel***

SEE: *Lot* (200-32, 215-24)

***Plot Plan*** (223-16)

A *Plot Plan* is a plan required for the application for a *Zoning Permit* containing the information specified in Section 19.B.2. of these Regulations.

***PMP***

SEE: *Parking Management Plan*

***Premium Floor Area***

SEE: *Floor Area, Premium*

***Principal Building*** (219-26)

*Principal Building* means a Building in which is conducted the principal use of the *Lot* on which it is located. A *Principal Building* may have more than one principal use.

***Propane Filling Station***

A property at which propane and/or other gases is sold at a wholesale and/or retail basis at which tanks or other appropriate containers may be pumped or otherwise filled with gas by the proprietor. The proprietor may also sell such product in a tank it provides.

Said use may be permitted on properties of at least 10,000 square feet in industrial zones or commercial zones as listed in Appendix A Table I; provided that in commercial zones the subject property fronts on a state or an interstate highway including but not limited to Route 1, does not adjoin any residentially zoned property and is approved by the Land Use Bureau Chief, the

Zoning Enforcement Officer and the Fire Marshall. The operation must comply with all appropriate safety and regulatory requirements as determined by the Fire Marshall.

Prior to the issuance of a *Zoning Permit*, an applicant for this use must execute and file an affidavit in favor of the City of Stamford which stipulates to the applicant's specific site plan and the limitations of this use, in addition to any information requested by the Land Use Bureau Chief, the Zoning Enforcement Officer and the Fire Marshall.

### ***Property Line***

SEE: *Lot Line*

### ***Publicly Accessible Amenity Space*** (219-29)

*Publicly Accessible Amenity Space (PAAS)* are publicly accessible areas on private property that are owned and maintained by the property owner or tenant pursuant to Section 6 of these Regulations and approved by the Zoning Board through a Site and Architectural Plan application.

### ***Qualified Historic Preservation Expert*** (220-38)

A *Qualified Historic Preservation Expert* for the purpose of Section 7.3 is a person who satisfies either of the following requirements to the satisfaction of the *Historic Preservation Advisory Commission* or the Zoning Board.

1. A graduate degree in Architectural History, or Art History and Historic Preservation which include course work in American Architectural History, or a closely related field of study plus a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Architectural History that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States; and evidence that demonstrates the successful application of acquired proficiencies in the discipline to the practice of historic preservation.
2. An undergraduate degree in Architectural History, or Art History and Historic Preservation which include course work in American Architectural History, or a closely related field of study, plus a minimum of four (4) years of full-time professional experience applying the theories, methods, and practices of Architectural History that enables professional judgment to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States; and evidence that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation.

A closely related field of study may include American Studies, American Civilization, Architecture, Landscape Architecture, Urban and Regional Planning, Urban Studies, American History, and Public History.

**Redevelopment** (219-26, 220-38)

Any construction activity (including, but not limited to, clearing and grubbing, grading, excavation, and dewatering) within existing drainage infrastructure or at an existing site to modify, expand, reduce, add or otherwise change existing *Buildings* or *Structures*, grounds, or infrastructure.

**Renovation** (223-22)

SEE: *Substantial Renovation* or *Alteration*

**Residential Density** (221-11)

SEE: *Density, Residential*

**Residential Density Divider (RDD)** (219-26)

In Zoning Districts where residential density is controlled by *Floor Area Ratio*, the *Residential Density Divider (RDD)* is used for determining the maximum number of *Dwelling Units* allowed per parcel by dividing the maximum permitted *Gross Residential Floor Area* by said divider. All fractional results must be rounded down to the next whole number.

$$\text{Maximum number of Dwelling Units per parcel} = \frac{\text{Gross Residential Floor Area}}{\text{RDD}}$$

**Retaining Wall** (223-06)

A *Retaining Wall* is a *Structure* that holds back any material, such as earth, soil, or water, and prevents it from sliding, flowing or eroding. It is designed to resist the lateral pressure of the material that it is holding back.

**Sign**

Any device, *Structure*, writing, pictorial representation, emblem or any other figure of similar character used to announce, identify, advertise, or bring a subject to the attention of the public, and which is attached to the exterior of a *Building* or *Structure* or upon the ground, or permanently applied or attached to the interior surface of a window and intended to be viewed from the outside.  
(200-32)

***Sign Area***

The total square footage area of the continuous perimeter enclosing the limits of writing, representation, emblem or other display on a *Sign*, together with any material or color forming an integral part of the display or used to differentiate such *Sign* from the background against which it is placed, but not including any supporting framework, bracing or *Structures*, provided that there is no written advertising copy on such framework, bracing or *Structures*. When any *Ground Sign* permitted under this section has two (2) sign faces placed back-to-back against each other, or where the interior angle formed by two sign faces is sixty (60) degrees or less, and the sign faces are visible from opposite directions, the total surface area for such a *Sign* is the surface area of only the largest of the two (2) sign faces. When any *Sign* permitted under this section has more than two (2) sign faces, regardless of orientation, the total surface area for such a *Sign* shall equal one-half the combined surface area of all sign faces. (200-32; 209-24)

***Sign, Ground***

A *Sign* supported by uprights or braces which is placed on, near or at ground level, or resting upon a foundation on the ground, and which is not attached to any *Building*. (200-32)

***Sign Height***

The vertical distance measured from the highest point of the *Sign* to the average finished ground surface beneath the *Sign*, or to the grade of the adjacent *Street* when the *Sign* is not more than ten (10) feet from the *Street Line*, whichever is less. (200-32)

***Sign, Off-Site Advertising***

A *Sign* identifying or directing attention to a commercial activity, product, service, business, establishment, commodity or entertainment that is conducted, sold, rented, offered, or provided elsewhere than upon the same zoning *Lot* and is not accessory to a use located on the zoning *Lot*. (200-32)

***Sign, On-Site***

A *Sign* (1) identifying or directing attention to an activity, product, service, business, commercial establishment, commodity or entertainment that is conducted, sold, rented, offered, or provided on the same zoning *Lot* and is accessory to a use located on the same zoning *Lot* where the *Sign* is located, or (2) displaying only noncommercial copy, or (3) any combination of the first two. (200-32)

***Sign, Pole***

A *Sign* supported by at least one (1) upright pole, pylon or post which is secured to the ground, where the bottom of the *Sign* is at least six (6) feet above grade.

***Sign, Roof***

A *Sign* painted, applied, installed or erected on or above a roof where it meets the front wall of a *Building*. (200-32)

***Sign, Wall***

A *Sign* fastened, placed or painted on a wall, cupola, or parapet of a *Building* or *Structure*, in such a manner that only one side of the *Sign* is visible. (200-32)

***Special Permit*** (220-38)

A *Special Permit* is a discretionary approval by the City of Stamford Zoning Board or the Zoning Board of Appeals based on certain findings made by the approving Board, as outlined in Section 19.C. of these Regulations.

***State Historic Preservation Office*** (220-38)

Connecticut's *State Historic Preservation Office (SHPO)*, established under the Department of Economic and Community Development, administers a range of federal and state programs that identify, register and protect the *Buildings*, sites, *Structures*, districts and objects that comprise Connecticut's cultural heritage.

***Story***

That portion of a *Building* between any floor and the ceiling or roof next above it, the ceiling of which is five feet (5') or more above the level from which the height of the *Building* is measured, shall constitute a full *Story*. A "half-*Story*" is any habitable space which has a stairway as a means of access and egress and in which the ceiling area at a height of 7 1/3 feet above the floor is not more than one-third the area of the next floor below. (91-002; 203-38)

***Street***

A public or private right-of-way including, without limitation, any road, highway, drive, lane, avenue, place, boulevard, and any other thoroughfare identified on the City of Stamford

Engineering Bureau’s list of Stamford Roads. (210-43)

***Street, Commercial***

A *Commercial Street* is a *Street* in the V-C and R-HD districts where special use and bulk regulations apply, as defined in the respective District Regulations.

For the purposes of these Regulations, the following *Streets* shall be considered *Commercial Streets*:

- Atlantic Street
- Bedford Street between Broad Street and North Street (223-06)
- Crescent Street
- Dock Street between Atlantic Street and Canal Street
- Glenbrook Road
- Hope Street
- John Street between Dock Street and Towne Street
- Stillwater Avenue

“On a *Commercial Street*” or “along a *Commercial Street*” (or similar phrase) shall mean within 125 feet of said *Street*, measured perpendicularly from the *Street Line* fronting on said *Commercial Streets*. (219-26, 223-06)

***Street Line*** (219-26)

The *Street Line* is the property line facing on a public or private *Street* or right-of-way.

***Street Wall*** (219-26)

The *Street Wall* is the wall of a Building facing on a public or private *Street* or right-of-way.

***Street Wall setback*** (219-26)

The *Street Wall setback* is the horizontal distance from the *Street Wall* of a Building Base to the building parts above the Base Height, measured from the *Street Line*.

***Structure*** (219-26)

Anything constructed or erected which requires location on the ground or attachment to something having a location on the ground. Except as otherwise indicated, *Structure*, as used in these Regulations, shall be deemed to include (but not limited to) Buildings, swimming pools, open entries, *Signs*, and fences or walls more than three (3) feet in height other than retaining walls.

Infrastructures, mechanical devices and lighting fixtures, with or without a power source, and irrespective of their location on, or connection or attachment to a Building, *Structure* or land, shall not be considered *Structures*.

### ***Structural Alteration***

Any change in or addition to the structural or supporting members of a *Building* such as bearing walls, columns, beams or girders.

### ***Substantial Renovation or Alteration*** (223-22)

*Substantial Renovation or Alteration* means any combination of repairs, reconstruction, alteration, addition, renovation or other improvements (collectively, “Alterations”) to a *Building, Structure*, taking place during a five (5)-year period, the cumulative cost of which equals or exceeds fifty percent (50%) of the market value of the *Structure* (excluding land value) at the start of such five (5)-year period. The five (5)-year period shall begin upon issuance of the building permit for the first Alteration of any *Building* or *Structure*. The market value of the *Structure* is (1) the appraised value of the *Structure* as shown on the tax records of the City of Stamford at the start of Alterations, or (2) in the case of damage, the appraised value of the *Structure* as shown on the tax records of the City of Stamford immediately prior to the time the damage occurred.

*Substantial Renovation or Alteration* does not include:

1. any improvement project required to comply with existing health, sanitary or safety code specifications which are the minimum necessary to assure safe living conditions and which have been previously identified by the local code enforcement official, or
2. any Alterations of a *Historic Structure*, provided that the Alterations will not preclude the structure's continued designation as a *Historic Structure*.

### ***Tax Lot***

SEE: *Lot, Tax*

### ***TDMP***

SEE: *Transportation Demand Management Plan*

### ***Temporary Structure***

A *Structure* which by the type and materials of its construction is erected for not more than one (1) year. Such *Structures* shall include tents, portable bandstands, bleachers not erected in

conjunction with athletic fields, reviewing stands, or other *Structures* of similar character.

***Transportation Demand Management Plan*** (220-31)

A *Transportation Demand Management Plan (TDMP)* is a legally binding document established pursuant to Section 19.G. of these Regulations which is recorded on the City of Stamford Land Records outlining strategies and goals for reducing the use of single occupancy vehicles and vehicular traffic in particular during peak hours and encouraging the use of transit and alternate modes of transportation.

***Use, Accessory*** (219-26)

A use of land, Building or *Structure* which is customarily clearly incidental and customarily subordinate to, in connection with, and located on the same *Lot* therewith with, the *Principal Building* or Use.

***Use, Permitted*** (219-26)

A Use permitted in a zoning district without the need for Zoning Board review and approval, upon satisfaction of the standards and requirements of these Zoning Regulations.

***Unobstructed Space*** (219-26)

All space without any physical obstructions, except *Permitted Obstructions*, open to the sky.

***Usable Open Space*** (223-08)

SEE: *Open Space, Usable*

***Variance*** (223-16)

A *Variance* is relief from certain zoning regulations granted by the Zoning Board of Appeals based on an unusual hardship of the land, pursuant to the standards and procedures of Section 19.B.

***Walkway*** (223-06)

A *Walkway* is a passage or path for walking within or outside of a *Building*.

***Water-Dependent Use*** (220-31)

*Water-Dependent Uses* means those uses and facilities which require direct access to, or location in, marine or tidal waters and which therefore cannot be located inland and which are defined in CGS Sec. 22a-93(16).

***White List*** (220-38)

SEE: *Historic Preservation White List*

***Yard*** (223-11)

A *Yard* is a space extending between the property lines of a *Lot* and a *Building* situated on such *Lot*. No *Building* or other *Structure* shall be permitted in any *Yard* unless permitted by these Regulations.

When a *Lot* adjoins a *Lot* in a more restrictive district, any adjoining *Side Yard* of such former *Lot* shall have minimum width equal to the required *Side Yard* in the more restrictive district, and any adjoining *Rear Yard* shall have a minimum depth equal to the required depth of the *Rear Yard* in the more restrictive district.

***Yard, Front***

An open, unoccupied space extending across the full width of the *Lot* between the front wall of the *Principal Building* and the front *Lot Line*.

***Yard, Rear***

An open, unoccupied space extending across the full width of the *Lot* between the most rear *Principal Building* and the *Rear Lot Line*. The depth of the required *Rear Yard* shall be measured horizontally from the nearest part of the *Rear Lot Line*.

***Yard, Side***

An open, unoccupied space between a *Principal Building* and the side *Lot Line* extending from the *Front Yard* or front *Lot Line* where no *Front Yard* is required, to the *Rear Yard*. The width of the required *Yard* shall be measured horizontally from the nearest point of the side *Lot Line* toward the nearest part of the *Principal Building*.

***Zoning Enforcement Officer***

*Zoning Enforcement Officer* (ZEO) is defined as an official appointed by the Zoning Board who

is charged with enforcing the zoning regulations of the City of Stamford per Sections C6-40-19 and C6-40-20 of the City Charter. The ZEO's duties include reviewing building construction and development plans to assure that there are no violations of prescribed conditions set by the Planning Board, Zoning Board and Zoning Board of Appeals prior to issuance of zoning/building permits and certificates of occupancy and issuing such *Zoning Permit*; initiating, responding to, and investigating alleged zoning violations and violations of decisions of the Planning Board, Zoning Board and Zoning Board of Appeals; and issuing cease and desist orders for any such violations.

***Zoning Lot Development Agreement*** (221-06)

A *Zoning Lot Development Agreement* is a private, legally binding agreement between the owners of two or more adjoining individual *Tax Lots* under common or separate ownership that allow these *Tax Lots* to be considered as one *Zoning Lot* to permit the more rational development of said *Tax Lots*. *Tax Lots* which are required to be consolidated into a single *Tax Lot* (e.g., pursuant to a condition of approval by the Zoning Board) are not eligible for a *Zoning Lot Development Agreement*.

A *Zoning Lot Development Agreement* must meet all of the following requirements:

1. The property must meet the definition and requirements of a *Zoning Lot*.
2. The *Zoning Lot Development Agreement*: (a) is subject to administrative review and approval by the Zoning Board; (b) shall specify the total development rights of each *Tax Lot*, the amount of development rights currently being used on each *Tax Lot*, the remaining unused development rights on each *Tax Lot*, and which unused *Transferrable Rights* are transferred, distributed or allocated on each *Tax Lot*; and (c) must be recorded on the land records of all affected properties within 30 days of approval by the Zoning Board. The *Zoning Lot Development Agreement* shall be subject to all existing legal rights, obligations and limitations (e.g., easements).

A *Zoning Lot Development Agreement* shall not be terminated unless each of the individual *Tax Lots* comprising the *Zoning Lot* is in compliance and conformance with the regulations of the applicable Zoning District.

***Zoning Lot*** (221-06)

SEE: *Lot, Zoning*

***Zoning Permit*** (223-16)

A *Zoning Permit* is a permit issued by the *Zoning Enforcement Officer* or *their designee* required for all *Buildings, Structures, Signs, Uses*, excavations, driveways, parking areas and other activities, pursuant to Section 19.I. of these Regulations.