

SECTION 4 – DISTRICTS AND DISTRICT REGULATIONS

4.A. [*deleted*] (223-07)

4.B. DISTRICT REGULATIONS

4.B.1. RA-3, RA-2, RA-1 Single Family Districts, Very Low Density

a. Purpose

The purpose of these districts is to set aside and protect areas which have been or may be developed predominantly for single family *Dwellings* on large *Lots* in a rural setting. Certain other uses are also permitted as-of-right or by *Special Permit* subject to adequate conditions and safeguards. It is intended that all uses permitted in these districts be compatible with single family *Development* and consistent with local *Street* characteristics, the use and protection of private water and sewer facilities (where public facilities are unavailable) and the level of other public services. it is hereby found and declared, further, that these regulations are necessary to the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential area of diverse types.

b. Permitted Uses

See Appendix A, Land Use Schedule. (223-30)

c. [*deleted*] (223-30)

d. [*deleted*] (219-26)

e. Building Regulations

(1) RA-3 Districts

- (a) Minimum *Lot Area*: 130,680 sq. ft., designed to contain a circle 200 feet in diameter.
- (b) Minimum *Frontage*: 200 ft.
- (c) Maximum *Building Coverage*, all *Buildings*: 10%
- (d) Maximum *Building Height*: 3 *Stories*, may not exceed 35 feet
- (e) Minimum *Yards*: Front: 60 ft., Rear: 70 ft., Side: at least 35 ft. each side

(2) RA-2 Districts

- (a) Minimum *Lot Area*: 87,120 sq. ft., designed to contain a circle 200 feet in diameter.
- (b) Minimum *Frontage*: 200 ft.
- (c) Maximum *Building Coverage*, all *Buildings*: 10%
- (d) Maximum *Building Height*: 3 *Stories*, may not exceed 35'
- (e) Minimum *Yards*: Front: 60 ft., Rear: 70 ft., Side: at least 35 ft. each side

(3) RA-1 Districts

- (a) Minimum *Lot Area*: 43,560 sq. ft. designed to contain a circle 125 feet in diameter.
- (b) Minimum *Frontage*: 125 ft.
- (c) Maximum *Building Coverage*, all *Buildings*: 15%
- (d) Maximum *Building Height*: 3 *Stories*, may not exceed 35'
- (e) Minimum *Yards*: Front: 40 ft., Rear: 60 ft., Side: one side 15', both sides 35'

- (4) On *Lots* created by subdivision approved after the effective date of this Regulation exclusively accessed by private rights-of-way where the overall property is impacted by a FEMA flood zone, inland wetlands, steep slopes (incline of 15% or greater), or other significant natural resources, the minimum *Front Yard* along such private rights-of-way may be 50% of the requirement in paragraphs (1), (2) and (3) above, and provided the limits of *Front Yard* reduction are stipulated as conditions of the subdivision approval and filed on the Stamford Land Records. (222-35)

4.B.2. R-20, R-10, R-7 1/2 Single Family Districts, Low Density**a. Purpose**

The purpose of these districts is to set aside and protect areas which have been or may be developed predominantly for single family Dwellings. Certain other uses are also permitted as-of-right or by *Special Permit* subject to adequate conditions and safeguards. It is intended that all uses permitted in these districts be consistent with local *Street* characteristics and the level of public services. It is hereby found and declared, further, that these regulations are necessary to the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.

b. Permitted Uses

See Appendix A, Land Use Schedule. (223-30)

c. [Deleted (223-30)]

d. Building Regulations

(1) R-20 District

- (a) Minimum *Lot Area*: 20,000 sq. ft., designed to contain a circle 100 feet in diameter.
- (b) Minimum Frontage: 100 ft.
- (c) Maximum *Building Coverage*, all *Buildings*: 15%
- (d) Maximum *Building Height*: 2¹/₂ *Stories*, not to exceed 30'
- (e) Minimum *Yards*: Front: 40 ft., Rear: 50 ft., Side: one side 15', both sides 35'

(2) R-10 Districts

- (a) Minimum *Lot Area*: 10,000 sq. ft.
- (b) Minimum Frontage: 75 ft.
- (c) Maximum *Building Coverage*, all *Buildings*: 20%
- (d) Maximum *Building Height*: 2¹/₂ *Stories*, not to exceed 30'
- (e) Minimum *Yards*: Front - 40 ft., Rear - 30 ft., Side: at least 10 ft. each side

(3) R-7¹/₂ Districts

- (a) Minimum *Lot Area*: 7500 sq. ft.
- (b) Minimum Frontage: 60 ft.
- (c) Maximum Building Coverage, all Buildings: 25%
- (d) Maximum Building Height: 2 1/2 Stories, not to exceed 30'
- (e) Minimum *Yards*: Front: 30 ft., Rear: 30 ft., Side: at least 6 ft. each side

On *Lots* created by subdivision approved after the effective date of this Regulation and exclusively accessed by private right-of-way where the overall property is impacted by a FEMA flood zone, inland wetlands, steep slopes (incline of 15% or greater), or other significant natural resources, the minimum *Front Yard* along such private rights-of-way may be 50% of the requirement in paragraphs (1), (2) and (3) above, but in no case less than 20', and provided the limits of *Front Yard* reduction are stipulated as conditions of the subdivision approval and filed on the Stamford Land Records. (222-35)

4.B.3. R-6 One- and Two-Family District

a. Purpose

The purpose of this district is to set aside and protect areas which have been or may be developed predominantly for one family or two family detached family Dwellings on separate Lots. It is the intent of these regulations to stabilize such neighborhoods and preserve the type of Dwelling Units and density provided for. Certain other uses are also permitted as-of-right or by *Special Permit* subject to adequate conditions and safeguards. It is intended that new *Development* permitted in this district be harmonious and compatible with existing Dwellings. It is hereby found and declared, further, that these regulations are necessary to the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.

b. Permitted Uses, as-of-right

In any R-6 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) Single family detached Dwellings, two-family detached Dwellings; one per *Lot*. Multiple Dwellings are specifically prohibited.
- (2) Public parks and playgrounds.
- (3) Public school.
- (4) Family day care homes.
- (5) Group Day Care Home (223-10)

c. Permitted Uses, Special Permit

The following uses shall be permitted by *Special Permit*:

- (1) Camp, summer day; provided that such camps shall be operated only between the hours of 8 A.M. and 6 P.M. from June 1 to September 1. In considering a *Special Permit* for this purpose, the Board shall take into account the size of the parcel involved, the number of campers and the proximity of the camp to existing Dwellings. The Board may condition this use on adequate screening and placement of facilities so they do not interfere with the quiet use and enjoyment of surrounding properties.
- (2) Cemeteries and Mausoleums.
- (3) Child day care centers (223-10)
- (4) Christmas trees, etc. temporary sale of by non-profit organizations. Sale is limited to outdoors only between the dates of November 15 and December 31. The granting of a *Special Permit*

for this use shall include a condition requiring disposal of all debris left over from the sale of such merchandise so that the premises will be left in reasonably clean condition after the last mentioned date of sale.

- (5) Churches and other places of worship including an accessory parish house.
- (6) Public library or branch thereof.
- (7) Public utility transformer and pump stations.
- (8) Public Youth Services Agency, R-6 District Only. (213-25)
- (9) School, non-public.

d. Building Regulations

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| (1) Minimum <i>Lot Area</i> : | Single Family Dwelling | 5000 sq. ft. |
| | Two Family Dwelling | 6000 sq. ft. |

On *Lots* of at least 5,000 sq. ft. but less than 6,000 sq. ft., there may be located by conversion a second Dwelling Unit in a single family dwelling existing as of June 24, 1986 or constructed or last modified as to total *Floor Area* at least five (5) years prior to the date of application under this section. Such second Dwelling Unit shall be limited to one (1) bedroom and no more than three (3) additional rooms, and may occupy the existing unexpanded useable *Floor Area* of any single floor, or if created by expansion shall be limited to 700 sq. ft. of useable area. *Building Coverage* (footprint) of the *Principal Building* shall not be increased by the conversion or subsequent to the conversion, except for exterior stairways required by the *Building Code*. Three (3) off-street, suitably screened and landscaped *Parking Spaces* shall be provided for such converted Dwellings, two of which may be provided in tandem.

- (2) Minimum Frontage: 50 ft.
- (3) Maximum *Building Coverage*, all *Buildings*: 25%
- (4) Maximum *Building Height*: 2¹/₂ Stories, not to exceed 30'
- (5) Minimum *Yard*: Front: 25 feet, Rear: 30 feet, Side: at least 6 feet each side

4.B.4. P Park District

a. Purpose

The purpose of these districts is to set aside and protect areas that are publicly owned and designated as public parks, recreational facilities and open spaces and residential areas in near proximity to such district.

b. Permitted Uses, as-of-right

Uses and *Structures* permitted in these districts are those intended for active and passive recreational purposes as well as other customary park and educational uses and *Structures* incidental thereto, including but not limited to *Historic Sites*, public gatherings, public service and educational programs. Customary refreshment and service uses, incidental to the recreational use of a Park District, are permitted. All other business, commercial and municipal uses and *Structures* not directly incidental to the above *Permitted Uses* and *Structures* are prohibited.

c. General Regulations

All uses and *Structures*, including parking, shall be arranged and located to give protection to nearby residential property. Where the nature of the activities or facilities in the park present potential hazard or detriment to contiguous residential properties from noise, glare, odors, smoke, vibration, flying objects or traffic, protection to such contiguous residential properties shall be provided in the form of open space, fences, walls, hedges, enclosures and/or by such other means as may be appropriate and effective to prevent or minimize such hazards.

4.B.5. C-B Community Business District

a. Purpose

The primary function of this district is to provide central concentrations of convenience goods and services as well as other commercial uses serving several neighborhoods. It is intended that only uses compatible with adjacent residential areas be permitted and that convenient and adequate parking be provided. *Parking Areas* are to be screened and made attractive through the use of landscaping.

b. Permitted Uses.

See Appendix A, Land Use Schedule. (223-30)

c. Building Regulations.

- (1) Minimum *Lot Area*: 5,000 square feet
- (2) Minimum *Frontage*: 50 feet
- (3) Maximum *Building Coverage*: 40%
- (4) Maximum *Building Height*: 4 *Stories*, 50 feet
- (5) Minimum *Yards*: Front: 10 feet, Rear: 20 feet, Side: one side 6 feet, both sides 18 feet
- (6) Maximum *FAR*: 0.5

d. Sign Regulations.

The regulations of Section 13.f regarding *Signs* in the C-N district shall apply.

e. Special Parking Requirements

Because these districts are located adjacent to multi-family residential districts it is anticipated that retail establishments will have a high degree of walk-in trade. Therefore retail establishments, defined for purposes of this section only as establishments selling goods at retail directly to the general public, may provide parking at the minimum rate of 2 spaces per thousand square feet of *Gross Floor Area*. (84-026)

f. Below Market Rate Requirements

Below Market Rate Housing shall be provided pursuant to Section 7.4 of these Regulations. (220-13)

4.B.6. C-WD Coastal Water-Dependent District

a. Purpose

The purpose of the district is to set aside and protect areas which have been or may be developed predominantly for water dependent industrial and commercial uses and to preserve and encourage such uses which are dependent upon water-borne shipping and receiving or otherwise require waterfront access. Certain other uses are permitted by *Special Permit* provided that no displacement of existing water dependent uses occurs. It is intended that all uses permitted shall conform with the provisions of federal, state and local coastal policies. It is hereby found and declared, further, that these regulations are necessary to encourage the most appropriate use of land and the balanced protection and *Development* of the waterfront, to encourage the preservation of significant *Structures* and features representing the historic pattern and scale of Stamford's waterfront heritage, to encourage the retention of employment opportunity associated with water-dependent uses, and to promote the health, safety, and welfare of the community.

b. Authorized Uses

In a C-WD district a *Lot* or *Building* may be altered, arranged, designed, erected or used for any of the following purposes, subject to the issuance of a *Special Permit* in accordance with the standards of Subsections 4.B.6.d. and 4.B.6.f. herein:

- (1) Water-dependent uses as defined in the Connecticut Coastal Management Act (CGS Section 22a-93(16)) except that provision of public access shall not be sufficient to determine water dependency.
- (2) The following non-water dependent uses may also be approved by the Zoning Board subject to the additional standards of Subsections 4.B.6.e. and 4.B.6.h. herein (213-16):
 - (a) industrial uses
 - (b) Warehouses.
 - (c) Retail, office, multi-family residences, senior housing, service establishments, and *Accessory Uses* when such uses are subordinate, incidental and related to a water-dependent use or part of the *Adaptive Reuse* of existing *Buildings*. Any retail use permitted hereunder shall comply with the standards for retail uses in the M-G zone.
 - (d) Facilities in the national interest, as defined in Section 22a-93(14) of the General Statutes.

c. Building Regulations

- (1) Minimum *Lot Area*: 4,000 square feet
- (2) Minimum frontage: 40 feet
- (3) Maximum *Building Coverage*: 50 percent
- (4) Maximum *Building Height*: 4 *Stories*, 50 feet
- (5) Minimum *Yards*: Front: 10 feet; Rear: 15 feet, from Mean High Water mark; Side: none, but at least 4 ft. if provided, Both Sides: 14 feet

(6) *Floor Area Ratio (FAR)*: 1.0

d. Site Development Standards

Development within the C-WD district shall conform to the following standards:

- (1) Environmental impacts to coastal resources shall be suitably mitigated using best available technology;
- (2) The siting of *Structures* and uses shall serve to protect and harmonize with the significant waterfront resources and unique characteristics of the site. The direct loss of significant natural resources or scenic values of the harbor area shall be mitigated by comparable on-site or off-site replacement
- (3) Public views to and along the water shall be maintained and enhanced wherever possible through careful design and siting of *Structures*. Dedication of public *Accessways* or provision of walkways and similar public amenities shall be provided except where public safety would be at risk or where public access would conflict with the purposes set forth in Subsection 4.B.6.a above. Provision shall be made to prevent trespass onto adjacent private property from public access areas.
- (4) Satisfactory public facilities such as vehicle access, water supply, sewage, and drainage shall be available with adequate capacity and capability to service the requirements of the site.
- (5) Proposed *Structures* and uses shall conform with the standards of Section 15.B - Flood Prone Area Regulations, where applicable.

e. Criteria for Special Permits

The following standards shall apply in addition to those found elsewhere in these regulations:

- (1) No *Special Permit* shall be granted which will replace, adversely impact, or displace any water-dependent use with a non-water-dependent use. Any such use approved by *Special Permit* shall be so situated on the *Lot* that the water frontage is preserved for future *Structures* and/or uses requiring direct water access.
- (2) Non-water-dependent uses shall not exceed in the aggregate a *Floor Area Ratio* of 0.4, except as permitted in paragraph 4.B.6.h. below, and the *Floor Area* of all uses on the property shall not exceed a *Floor Area Ratio* of 1.0. (213-16)
- (3) No *Special Permit* shall be granted which will locate a non-water-dependent use on a site which is:
 - (a) physically suited for a water-dependent use for which there is a reasonable demand, or
 - (b) identified for a water-dependent use on the *Master Plan* or in any other plan of development adopted by a city agency.

- (4) No *Special Permit* shall be granted which will substantially reduce or inhibit existing public access to marine or tidal waters. *Special Permits* seeking *Adaptive Reuse* pursuant to Subsection 4B.6.h. below are required to enhance existing or create new public access to marine or tidal waters. Enhancements may include installation of paved walkways, curbing, fencing and other pedestrian safety improvements, lighting, landscaping, benches, trash receptacles, signage and/or similar methods for improving the public access experience. (213-16)
- (5) No *Special Permit* shall be granted which conflicts with the policies and standards of the Connecticut Coastal Management Act, (CGS section 22a-90 et seq.) except as may be mitigated under subsection 10.4 (a) and (b).

f. Coastal Site Plan Review

All *Buildings*, uses and *Structures* within the C-WD district shall be subject to coastal site plan approval by the Zoning Board in accordance with the requirements and procedures established in CGS Section 22a-105 to 109 and Section 15.A of these Regulations.

g. Variances

No use *Variances* shall be granted to property located within the C-WD district.

h. Adaptive Reuse

Subject to a *Special Permit* by the Zoning Board, existing *Buildings* that may or may not conform to the *Floor Area* limitations of Section 10.5 above may be adaptively reused subject to the following standards:

- (1) The *Gross Floor Area* of any *Adaptive Reuse* shall not exceed the prior existing *Floor Area*, except that expansion beyond the walls of the existing *Building* may be allowed, not to exceed two and one-half percent (2.5%) of the existing *Building Coverage* or *Floor Area*, provided such expansion is limited to exterior stairways, canopies, lobbies, or other architectural features and improvements which shall be in furtherance of *Adaptive Reuse* of the *Building* for modernization, aesthetic, safety, code compliance or sustainability purposes. Additional *Floor Area* may be added for water-dependent uses provided that total *Floor Area* does not exceed a ratio of 1.0.
- (2) Residential density shall be determined by the allowable *Floor Area*, provided that the average *Floor Area* of *Dwelling Units* shall not be less than six hundred (600) square feet.
- (3) Below Market Rate Requirements: Below Market Rate Housing shall be provided pursuant to Section 7.4 of these Regulations. (220-13)

- (4) The Zoning Board may reduce or waive the standards of Sections 12.A, 12.B, 12.C, and 12.D of these Regulations regarding parking requirements, dimensional standards and the setback of *Parking Spaces* from property lines and *Buildings* provided that any such reduction in required parking does not result in less than two (2) spaces per 1,000 gross square feet of *Building Area* for non-residential uses. Parking may be satisfied through the use of self-parking, valet, tandem, or other similar onsite or offsite parking management strategies. The applicant must demonstrate to the satisfaction of the Board that the proposed reductions in the parking standards for an *Adaptive Reuse* will not decrease existing parking ratios and will improve existing parking conditions, utilizing such methods as a *Parking Management Plan* or a Transportation Management Plan, or the use of shared parking, tandem parking or valet parking, demonstrating that parking will be sufficient for the subject uses.
- (5) Notwithstanding paragraphs 4.B.6.b.(2) and 4.B.6.h herein, no *Special Permit* that establishes residential use shall be granted where said use will prohibit or further limit the operation of any authorized industrial use permitted in the C-WD zone on any site which as of July 1, 2013 was legally used for industrial purposes. For purposes of this section, “prohibit or further limit the operation of any authorized industrial use” shall include, but may not be limited to, a requirement that such use comply with the more restrictive transmitting standard under the Stamford noise ordinance.
- (6) No *Special Permit* shall be granted for an *Adaptive Reuse* that will replace, adversely impact, or displace any water-dependent use with a non-water-dependent use. (213-16)

j. Redevelopment (218-29)

Subject to issuance of a *Special Permit* by the Zoning Board, an existing parcel or group of parcels, together with improvements thereon, may be redeveloped subject to the following findings and standards. The standards of this Section 10 shall apply to *Redevelopment* under this Section 10.9; provided however, that in the event of a conflict between a standard elsewhere in Section 10 and a standard in this Subsection 4.B.6.j., the standard in this Subsection 4.B.6.j. shall apply:

- (1) Findings. In approving said *Special Permit* for *Redevelopment*, the Board shall find that the *Redevelopment* will result in:
 - (a) the remediation of property impacted by the presence of hazardous substances, contaminants or pollutants of the air, soil or ground waters;
 - (b) the construction of needed improvements to the Stamford waterfront, including marinas, public beaches and parks, public access to the waterfront and shorelines; especially those which provide public waterfront amenities and attractive walkways of general utility and associated infrastructure and rights of way; including, with the approval of the Zoning Board after consultation with the Harbor Management Commission, in-kind or cash contributions to achieve offsite improvements to operations, amenities and/or management of Stamford Harbor which, compared to any onsite harbor amenity being displaced, is determined by the Zoning

- Board to be superior to that being displaced; and
- (c) the maintenance, enhancement, or development of marina facilities for recreational boating when not in conflict with navigation requirements or significant natural resources.
- (2) Standards. Upon the Zoning Board making the findings specified in 4.B.6.j(1), the following standards shall apply to the *Redevelopment* for which the *Special Permit* is being sought:
- (a) Properties subject to the same *Special Permit* Approval may be treated as a single development site for the purposes of calculating *Building Coverage*, *Floor Area*, and *Building Setbacks* to internal *Lot Lines*, provided that necessary agreements for siting of *Structures*, parking, access and/or the combination or transfer of development rights between individual parcels are documented and recorded on the Stamford Land Records.
- (b) Minimum *Front Yards* shall be measured from the established curblineline. The *Front Yard* setback above 10 feet from average grade may be reduced to 5 feet.
- (c) *Building Height* shall not exceed 4 *Stories* and 65 feet to the main roof and 75 feet to a partial fifth *Story* where the *Gross Floor Area* does not exceed 50% of the *Building* footprint.
- (d) All *Floor Area* may be devoted to non-water dependent uses provided that:
- i. No pre-existing water-dependent *Floor Area* is eliminated by the *Redevelopment*; and
 - ii. Amenities such as, but not limited to, restrooms available for use by the general public are maintained at grade in association with any water-dependent use.
- (e) Accessory Garage Structure: Where an accessory garage Structure is proposed to increase parking capacity to levels not in excess as those provided in Section 12 of these regulations on one or more parcels, such Structure may be permitted, not to exceed 5 Stories and 50 feet in height, and shall be exempt from *Floor Area* calculations provided that:
- i. An area not less than 100% of the Building Coverage of such garage is provided onsite, in the form of landscaping, public access, and/or usable public open space, and further provided that not less than 70% of such area is located at grade; and
 - ii. Parking in such garage is made available to the general public for use during normal non-business hours including weekends. The shared parking for general public use shall be subject to approval by the Zoning Board (including hours for public use) at the time of the *Special Permit* approval and for minor modification by Zoning Board staff.
- (g) The Zoning Board may reduce parking requirements in accordance with the standards of Subsection 4.B.6.h(4) above.

4.B.7. V-C Village Commercial District (208-40, 218-25)**a. Purpose**

The purpose of the Village-Commercial District (V-C District) is to promote the preservation and development of sustainable, transit-oriented and pedestrian friendly “Main Streets” for neighborhood centers. The regulation intends to assure that the development of new *Structures* and uses is in context with the architecture and character of existing neighborhoods, *Buildings*, sites, streetscapes and pedestrian environments, appropriate with the scale and context of their respective neighborhoods. In order to protect surrounding one-family residential neighborhoods, land currently zoned RA-3, RA-2, RA-1, R-20, R-10, or R-7^{1/2} shall not be rezoned to V-C. Land zoned R-6 or R-5 shall only be rezoned to V-C if the Zoning and Planning Boards find that that the V-C zoning would be compatible with and enhance the existing built environment.

b. Authorized Uses

- (1) In the V-C Districts in Glenbrook and Springdale, on land within 125 feet of *Commercial Streets* as defined in Subsection 4.B.7.c(12) below, a *Lot* or *Building* may be altered, arranged, designed, erected or used for any use permitted within the C-N Neighborhood Commercial District, including C-N *Special Permit* uses, but specifically excluding Dwelling – Single Family; Dwelling – Two Family; Boarding House, Rooming House; Auto Service Station; Laundry, Cleaning & Dyeing Agency; Pawn Shop, Second-Hand Store, Auction Store and Medical Marijuana Dispensary Facility. In addition, “Community Center”, “Theatre” and “Ice Skating Rink, Indoor” shall be *Permitted Uses*, and “Café, excluding entertainment” shall be a use permitted by *Special Permit* provided that the provisions of Section 14 of these Regulations shall not apply to any “Café excluding entertainment” or “Restaurant excluding entertainment” within the V-C Districts. (223-09)
- (2) In all V-C Districts, on land beyond 125 feet of *Commercial Streets* as defined in Subsection 4.B.7.c(12) below, the same uses as in the R-MF District shall be permitted. (223-09)
- (3) In addition to paragraph (1) above, the following uses may be allowed in all other V-C Districts within 100 feet of an *Commercial Street* as defined in Subsection 4.B.7.c(12) by *Special Permit* only: Apartment Building for the Elderly; Café including Entertainment & Liquors; Clinic, Community Health Center; Colleges & Universities; Garages, Public; Hotel, Inn; Nursing Home; Surgery Center/Out Patient; Food Catering; Gymnasium or Physical Culture Establishment; Laboratories, Research; and Restaurant including Entertainment & Liquors. “Pawn Shop, Second-Hand Store, Auction Store” shall not be allowed.

c. Development Standards

The following standards shall apply to the *Development* of property within V-C Districts:

| | V-C Commercial Street¹⁾ Glenbrook / Springdale | V-C Side Street²⁾ Glenbrook / Springdale | V-C Commercial Street¹⁾ all other V-C Districts | V-C Side Street²⁾ all other V-C Districts |
|-----------------------------|--|--|--|--|
| (1). Minimum Lot size | 5,000 sf | 5,000 sf | 5,000sf | 5,000sf |
| (2) Minimum Lot Frontage | 50' | 50' | 50' | 50' |
| (3) Setbacks | | | | |
| Front ³⁾ | 15' (min.) 20' (max.) | 10' (min.) 15' (max.) | 15' (min.) 20' (max.) | 10' (min.) 15' (max.) |
| Side (223-09) | none required within 70 feet of a <i>Street Line</i> if not abutting a single family district ⁴⁾ 10' beyond 70 feet of a <i>Street Line</i> ; 15' when abutting a single-family district ⁴⁾ with a planted buffer of at least 5'; if provided, no less than 10'. | none required within 70 feet of a <i>Street Line</i> if not abutting a single family district ⁴⁾ 10' beyond 70 feet of a <i>Street Line</i> ; 15' when abutting a single-family district ⁴⁾ with a planted buffer of at least 5'; if provided, no less than 10'. | none required within 70 feet of a <i>Street Line</i> if not abutting a single family district ⁴⁾ 10' beyond 70 feet of a <i>Street Line</i> ; 15' when abutting a single-family district ⁴⁾ with a planted buffer of at least 5'; if provided, no less than 10'. | none required within 70 feet of a <i>Street Line</i> if not abutting a single family district ⁴⁾ 10' beyond 70 feet of a <i>Street Line</i> ; 15' when abutting a single-family district ⁴⁾ with a planted buffer of at least 5'; if provided, no less than 10'. |
| Rear | 30' when abutting a single-family district ⁴⁾ , 20' when abutting all other districts. | 30' when abutting a single-family district ⁴⁾ , 20' when abutting all other districts. | 30' when abutting a single-family district ⁴⁾ , 20' when abutting all other districts. | 30' when abutting a single-family district ⁴⁾ , 20' when abutting all other districts. |
| (4) Maximum Building Height | 3 <i>Stories</i> or 35' whichever is less. However, on <i>Lots</i> with more than 60' fronting on an <i>Commercial Street</i> a maximum <i>Building Height</i> of 4 <i>Stories</i> or 45' whichever is less, may be permitted if the fourth floor is set back by at least 10' from the <i>Street Wall</i> , or | 3 <i>Stories</i> or 35' whichever is less. | 5 <i>Stories</i> or 55' whichever is less, exclusive of the height of roof or parapet to be determined by the Zoning Board; however, the fifth floor must be setback at least 10' from the <i>Street Wall</i> , or not cover more than 50% of the <i>Building</i> footprint. | 4 <i>Stories</i> or 45', whichever is less; the 4 th floor, however, must be setback at least 15' from the curb line |

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| | does not cover more than 50% of the <i>Building</i> footprint. | | | |
| (5) Coverage (a) <i>Building Coverage</i> ⁵⁾ | 55% | 45% | 65% | 55% |
| (b) <i>Lot Coverage</i> (223-09) | 75% | 70% | 85% | 80% |
| (6) Max. <i>Floor Area Ratio</i> ⁶⁾ | 1.00 (residential only) 1.25 (all uses). Not more than 0.5 <i>FAR</i> of non-residential use shall be allowed. A bonus of 0.25 <i>FAR</i> shall be applied if all <i>BMR Units</i> , excluding fractional units, are provided on site. Said bonus <i>FAR</i> shall not be subject to <i>BMR</i> calculations. Fractional <i>BMR Units</i> shall be subject to a Fee-In-Lieu Payment as defined in Section 7.4.C.4. of these regulations. | 1.00 A bonus of .25 <i>FAR</i> shall be applied if all <i>BMR Units</i> , excluding fractional units, are provided on site. Said bonus <i>FAR</i> shall not be subject to <i>BMR</i> calculations Fractional <i>BMR Units</i> shall be subject to a Fee-In-Lieu Payment as defined in Section 7.4.C.4. of these regulations. | 1.50 (residential only) 1.75 (all uses) Not more than 0.5 <i>FAR</i> . of non-residential use shall be allowed. A bonus of 0.25 <i>FAR</i> shall be applied if all <i>BMR Units</i> , excluding fractional units, units are provided on site. Said bonus <i>FAR</i> shall not be subject to <i>BMR</i> calculations. Fractional <i>BMR Units</i> shall be subject to a Fee-In-Lieu Payment as defined in Section 7.4.C.4. of these regulations. | 1.50 A bonus of .25 <i>FAR</i> shall be applied if all <i>BMR Units</i> , excluding fractional units, are provided on site. Said bonus <i>FAR</i> shall not be subject to <i>BMR</i> calculations Fractional <i>BMR Units</i> shall be subject to a Fee-In-Lieu Payment as defined in Section 7.4.C.4. of these regulations. |

- 1) Standards apply for development parcels and parts thereof in all V-C districts within 125’ of an *Commercial Street*. (223-09).
- 2) Standards apply for development parcel and parts thereof in all V-C districts on *Side Streets* more than 125’ from an *Commercial Street* (223-09).
- 3) Front setbacks shall be measured from the established curb line. The maximum setback should only be applied if adjacent existing *Buildings* are setback by more than the minimum setback. For *Corner Lots* fronting on an *Commercial* and a *Side Street*, the front setback for the said *Side Street* shall apply from the intersection of the *Building* front wall on the *Commercial Street* with the *Side Street*.
- 4) For the purposes of this Section 11, Single-Family Districts are RA-3, RA-2, RA-1, R-20, R-10, R-7¹/₂, R-6, and R-5.
- 5) *Parking Structures* with roof or upper deck not more than five (5) feet above average finished grade, measured at the perimeter of the parking *Structure*, suitably enclosed and/or landscaped to the satisfaction of the Board, may be excluded from the calculation of *Building Coverage*.
- 6) Excluded from the *Floor Area* calculation are rooftop mechanical *Structures*, bulkheads and mechanical penthouses not exceeding more than 10% of the roof area and parking *Structures* that are below-grade or fully

enclosed within the *Building* behind solid façades , or with roof or upper-deck not more than five (5) feet above average finished grade measured at the perimeter of the parking *Structure*, suitably enclosed and/or landscaped to the satisfaction of the Board. Basement space where the underside of the finished ceiling is three feet or less above the average finished grade may also be excluded from the maximum *Floor Area Ratio* calculation. (215-26)

- (7) **Residential Density.** Residential density shall be determined by the maximum residential *Floor Area* permitted, provided that the average *Floor Area* of *Dwelling Units* shall be not less than six hundred and fifty (650) square feet. For *Developments* providing twenty percent (20%) or more of residential units as affordable units not exceeding 65 percent of the Stamford SMSA Median Income, the average *Floor Area* of units shall be not less than five hundred (500) square feet.
- (8) **Below Market Rate Housing.** Below Market Rate Housing shall be provided pursuant to Section 7.4 of these Regulations. (220-13)
- (9) **Parking, Loading and Vehicle Access.** Parking and Loading Spaces shall be provided pursuant to Section 12, except that for retail or personal service establishments the first 2,000sf of each establishment may be excluded from the parking requirements established in Section 12. (223-09)
- (10) **Signage.** Signage within the V-C Districts within 100 feet of *Commercial Streets* as defined in Subsection 4.B.7.c(12) below shall be governed by the definitions of these Regulations and by standards of the ARD District. For parcels or parts of parcels more than 100 feet from *Commercial Streets*, the residential *Sign* regulations shall apply.
- (11) **Buffer Area.** If a *Lot Line* abuts a single family residential district, a planted buffer of at least 5' in width shall be provided along said property line. For the purposes of this Section, RA-3, RA-2, RA-1, R-20, R-10, R-7¹/₂, R-6, and R-5 districts are considered single family districts. Street trees and other landscaping located on private property shall count towards this requirement. Street trees and other landscaping located on private property shall count towards this requirement. (223-09)
- (12) *[deleted]* (223-09)

d. Site Design and Architectural Criteria

Development within the V-C District shall conform to the standards of Section 19.D. and Section 19.C of these Regulations, and the following additional design standards and criteria:

(1) Site Design

- (a) *Buildings* are encouraged to be constructed close to the front property line or *Street Line* to maintain a continuous *Building* wall along the sidewalk, with minimum interruptions only for permitted driveways, provided that *Buildings* shall be located not less than fifteen (15') feet from the established curb line on an *Commercial Street* as defined in Subsection

4.B.7.c(12) above or ten (10') from all other *Streets* to provide an adequate sidewalk width. *Buildings* may be set back further from the front property line to accommodate outside dining on retail *Streets* or to provide small landscaped *Front Yards* to buffer ground floor residential uses or where necessary to align the *Building* with existing *Buildings* on adjoining properties, to accommodate an irregular property line condition, to accommodate an existing unique landscaping feature, or to create publicly accessible open space.

- (b) Surface parking shall be located to the rear of the *Principal Building*, with suitable landscaped islands and perimeter landscaped screening. Large surface parking *Lots* shall be divided with rows of landscaping no less than six feet (6') in width, to create parking "fields" of no more than 50 spaces each. Limited parking may be permitted along the side of the *Principal Building*, provided that no parking or access aisles shall be located in advance of any front *Building* façade on the *Lot* or on an adjoining parcel, and a dense landscaped buffer shall be provided with a minimum width of ten feet (10') and with plant materials maintained at a height of three (3') to four (4') feet, interrupted only by permitted driveways and walkways. Where a screening wall with a height of three (3') to four (4') feet is provided, the buffer width requirement may be reduced to five feet (5'). *Parking Spaces* on street corners are discouraged.
- (c) The number and width of curb cuts to off-street parking and loading areas shall be minimized to enhance pedestrian safety, to maintain an active *Street Wall* and to preserve the opportunity for on-street parking. The consolidation and sharing of driveways and curb cuts between adjacent properties and interior connections between parking *Lots* and/or the use of shared *Parking Facilities* is strongly encouraged.
- (d) Exterior lighting, averaging not less than one-half (0.5) foot candles, shall be provided to insure adequate and safe lighting of all pedestrian sidewalks, walkways and *Parking Areas* within the site and along the property frontage to the curb line. Lighting fixtures shall be appropriately shielded to prevent trespass lighting onto adjoining private property, unless specifically waived by the adjoining property owner.
- (e) All loading and service areas, trash receptacles and mechanical equipment shall be located away from *Streets* and/or suitably screened by means of solid fencing or landscaping, or a combination of both. Landscape screening materials should be maintained at a minimum height of four (4') feet.
- (f) Fencing materials along public *Street* rights-of-way shall be limited to tubular steel or wrought-iron-type milled steel pickets. Fencing along-side or *Rear Yards* or within a *Lot* may be wood, steel pickets or any other approved fence type. Chain link fencing shall not be permitted.

(2) Architectural Design

- (a) The architectural design of new *Buildings* or *Substantial Renovation or Alteration* projects, as defined in subsection 4.B.7.e(6), shall be coordinated and compatible with the architectural context of the site and prevailing character of the surrounding V-C District. Design compatibility includes complementary *Building* style, form, size, colors and materials. Multiple *Buildings* on the same site shall be designed to create a cohesive visual relationship between the *Buildings*.
- (b) *Buildings* shall be designed to have a clear base, middle and top, with horizontal elements separating each.
- (c) Coordination of the height of new *Buildings* or *Substantial Renovation or Alteration* projects, as defined in subsection 4.B.7.e(6), with the actual and apparent height of adjacent *Structures* is encouraged, especially where *Buildings* will adjoin or be close to each other. Coordination of *Building Height* can often be achieved by adjusting the height of a wall, cornice or parapet line to match that of the adjacent *Building*. Similar design linkages can be achieved to adjust apparent height by placing window lines, belt courses, and other horizontal elements in a pattern that reflects the same elements on neighboring *Buildings*.
- (d) *Buildings* shall be designed to reduce their perceived height and bulk by incorporating architectural strategies such as, but not limited to, dividing the *Building* mass into smaller-scale components and providing articulation of all façades. On larger *Buildings*, the rooflines of *Buildings* can follow the variation in bay massing so as to appear as a series of side-by-side *Buildings* or bays. Rooflines shall be emphasized, for example with gabled or other pitched roof forms, parapets, balustrades, and/or cornices. Where side elevations of *Buildings* are prominently exposed to pedestrian view from public *Streets*, architectural strategies shall be employed to provide articulation of the façade and to diminish perceived height. (215-09)
- (e) Changes in primary wall material from lower to upper levels shall occur along a horizontal line, with the visually-heavier material below the visually-lighter material. Paneling materials applied to one façade only, such as brick paneling, shall be extended around *Building* corners to a logical break in plane, so as to look substantial rather than “pasted-on.”
- (f) *Building* façades shall be articulated by using color, arrangement, or change in materials to emphasize the façade elements. The planes of the exterior walls may be varied in height, depth or direction. Long *Building* façades are encouraged to be broken up into lengths of approximately thirty feet (30’) with sufficient *Building* articulation and architectural features such as reveals and piers and, and landscaping in limited instances, to avoid a monotonous or overpowering institutional appearance. Large scale retail stores with *Building* frontages exceeding thirty feet (30’) are encouraged to include architectural details and design elements to create the appearance of multiple storefronts.

- (g) Parking *Structures* shall be situated below grade, integrated into the *Principal Building* behind active uses or located to the rear of the *Principal Building* and suitably screened from sensitive pedestrian views and adjacent residential *Buildings*, with all exposed exterior walls faced with finished materials such as brick or masonry.
- (h) Rooftop mechanical equipment shall be integrated into the design of the *Building* and set back at least ten feet (10') from all upper-level *Building* façades, and effectively screened from view from *Street* level.
- (i) The *Principal Building* entrance and front *Building* façade shall face the street frontage and sidewalk, and not be oriented toward a parking *Lot*. A *Building* on a *Corner Lot* shall have its principal entrance facing the primary *Street*. Where parking is located to the side or rear of a *Building*, a secondary entrance may be provided for direct access to the *Parking Area* or a walkway should lead to the primary entrance at the *Street*. All entries should be well lit and shall include architectural treatment that heightens their visibility.
- (j) Storefronts and architectural façades shall serve to enliven the *Street* and provide a continuous “border of interest” by maintaining storefronts and window displays close to the outermost edge of the *Building* façade and by avoiding deep setbacks and dark alcoves. Storefront windows shall be kept as large as reasonably possible and glazing shall be of clear vision glass only. Tinted glass is discouraged and reflective glass shall not be permitted. Storefront windows are encouraged to have a minimum height of six feet (6') with a window sill of not more than three feet (3') above grade, and to occupy seventy-five percent (75%) or more of the *Building* frontage on the *Street*. Primary store entrances shall open to the *Street* where possible. Where storefronts do not open to the *Street*, *Building* façades should be highly articulated with projections, recessions, windows, and other design elements to avoid blank, featureless areas.
- The floor to ceiling height of a non-residential ground floor shall be no less than twelve feet (12').
- (k) *Building* façades and site improvements significantly exposed to public view shall be constructed with high quality, durable exterior materials. Use of lesser quality materials, such as, but not limited to, masonite paneling, sheet tile, simulated brick, pegboard, vinyl and aluminum siding, external insulation and finish systems, plastic laminate and canopies and awnings made of vinyl is discouraged. This paragraph is not intended to discourage the use of high quality, durable and innovative materials.
- (l) Windows on upper floors shall be residentially-scaled double-hung, casement or other multi-paned styles. Fixed-glass windows should not be used on the upper levels, nor shall painting over or otherwise obscure upper-*Story* windows.
- (m) *Buildings* shall have varied roof lines and materials. Peaked, mansard and other sloping roof types are encouraged. Flat roofs should be topped with cornices or decorative parapets.

- (n) Preferred security systems are glass shock or breaker sensors or electronic alarms. Open grill gates when used shall be mounted within the store interior behind the window display with the gate housing hidden from view. Solid slat rolling gates or shutters, barbed wire and razor wire are prohibited.
- (o) Sidewalks and Street Trees shall be provided pursuant to Section 12.K. (223-09)
- (p) **Ground Floor Residences.** Ground floor residences along public sidewalks shall generally have a minimum 24-inch floor elevation above, and 5-foot landscape buffer from, the adjoining public sidewalk. The 24-inch elevation may be waived or adjusted by the Zoning Board where impractical due to variations in grade or other factors.

e. Application and Review Procedure

- (1) Applications shall be made on forms provided by the Zoning Board and shall contain the information required under Section 19.D. and Section 19.C of these Regulations, and scaled drawings and architectural design information indicating location, specification of materials, dimensions, colors, manner of fabrication and installation, and such other additional supporting facts and information as required by the Zoning Board or the Land Use Bureau Chief to fully review the proposal. Presentation of actual samples of the exterior architectural materials and colors is encouraged.
- (2) Where approval is required pursuant to this Section, no *Zoning Permit* shall be issued by the *Zoning Enforcement Officer* and no *Building* permit shall be issued by the *Building* Department except upon Site Plan and *Special Permit* approval by the Zoning Board or issuance of Site Plan approval by the Land Use Bureau Chief, or designee, as defined in subsection 4.B.7.e.
- (3) Any *Special Permit* and/or Site Plan approval, for which a full *Building* permit has not been issued within one (1) year from the approval date, shall become null and void unless the reviewing authority, upon timely application and good cause shown, grants not more than three one-year extensions of the expiration date.
- (4) The Zoning Board and/or Land Use Bureau Chief may seek the recommendations of any town or regional agency or outside specialist, with which it consults, including, but not limited to, the regional planning agency, the municipality's historical society, the Connecticut Trust for Historic Preservation and The University of Connecticut College of Agriculture and Natural Resources. Any reports or recommendations from such agencies or organizations shall be entered into the public hearing record.
- (5) All applications for new construction and *Substantial Renovation or Alteration* in view from public roadways shall be subject to review and recommendation by an architect or architectural firm, landscape architect, or a Planner for the City of Stamford, as designated by the Land Use Bureau Chief, for consistency with V-C District and the character of the respective neighborhood. Alternatively, or in addition to the prescribed review procedure, the Zoning

Board may designate a neighborhood association, Neighborhood Revitalization Zone Board, or Special Services District as the district consultant for applications in their respective neighborhood or jurisdiction as an Architectural Review Advisory Committee (ARAC). The ARAC shall consist of not less than three (3) individuals, including at least one architect, landscape architect, planner or other qualified professional. ARAC members shall be selected by the Land Use Bureau Chief after consultation with the Zoning Board and shall possess sufficient expertise and qualifications to review architecture and *Building* design. The ARAC shall review an application and report to the Planning and Zoning Boards within thirty-five days of receipt of the application. Non submission of a review by an ARAC shall be considered as a positive recommendation by said Committee

(6) Reviewing Authority

- (a) The Zoning Board shall review and determine compliance with the standards of the V-C Districts, by issuance of *Special Permit* and Site Plan approval, for all substantial new construction, and reconstruction projects, and changes of use defined as follows:
- i. Establishment of a *Special Permit* use of *Buildings* and/or property, as defined in subsection 11.2 above.
 - ii. Construction of *Buildings, Structures, and Accessory Structures*, including additions and alterations to existing *Buildings* and *Structures*, resulting in an increase in gross *Building Floor Area* of more than twenty thousand (20,000) square feet or a project developing or altering forty thousand (40,000) square feet of land area.
 - iv. Changes in use comprising more than 5,000 square feet of *Floor Area* of a *Building* or *Structure* to a permitted V-C District use.
 - iii. Construction, reconstruction or alteration of a *Building* façade more than 50 feet in width, including signage, that exceeds thirty percent (30%) of the vertical plane area of any individual façade or portion of façade visible from within the V-C Districts from any public *Street*, roadway, public pedestrian walkway or park.
- (b) The Zoning Board shall administratively review and determine compliance with the standards of the V-C district for:
- i. Changes in use comprising 5,000 square feet or less of *Floor Area* of a *Building* or *Structure*.
 - ii. Construction of new or modification of existing driveways, *Parking Areas*, outside storage, signage, lighting, landscaping, fences, walls, pedestrian walks and terraces, and related site features, that exceeds two thousand (2,000) square feet or thirty percent (30%) of site area.
 - iii. Construction, reconstruction or alteration of a *Building* façade less than 50 feet in width, including signage, that exceeds thirty percent (30%) of the vertical plane area of any individual façade or portion of façade visible from within the V-C Districts from

- any public *Street*, roadway, public pedestrian walkway or park.
- (c) The Land Use Bureau Chief, or designee, shall review and determine compliance with the standards of the V-C District for all other non-exempt projects, by issuance of Site Plan approval.
- (7) **Exemptions.** The following projects and activities shall be exempt from review under this Section:
- (a) Minor repairs and/or minor alterations, maintenance or replacement of portions of an existing *Building, Structure, Sign*, utility service or other minor *Structures* and site features that would result in no significant impact on the design, function, architectural character or visual appearance of the *Building, Structure* or property.
 - (b) Exterior architectural modifications that do not substantially alter the existing height, bulk or façade of an existing *Building* or *Structure* and do not increase *Building Floor Area*.
 - (c) Interior modifications that do not result in a change in use of the *Building*.

4.B.8. M-G General Industrial District (217-12)**a. Purpose**

The purpose of the M-G zoning district is to establish areas for a wide range of industrial uses. The M-G district allows the most intense industrial uses to operate in the City while separating them from susceptible uses to minimize potential negative impact. Performance standards for each use are defined in Section 3.

b. Permitted Uses

In any M-G district a *Lot*, *Building*, or other *Structure* may be erected, altered, arranged, designed, or used, for the purposes and in the same manner as uses designated in Appendix A, Table I.

c. Permitted Uses, Special Permit

The following uses shall be permitted by *Special Permit* pursuant to Appendix A, Table I; Adult Establishment; Auto Service Station; Auto Truck Storage Area; Auto Wrecking Area, Junk Yard; Automatic Car Wash Establishments; Beach Club; Chemical Mfg. & Storage; Child Day Care Center¹³; Demolition Materials Recycling Facility; Emergency Shelter; Family Day Care Home; Fire Station Volunteer; *Historic Site*; Medical Marijuana Dispensary Facility; Microwave Transmission Facilities, Commercial Principal or *Accessory Use*; Official Emissions Inspection Station; Public Libraries or Branch thereof; Public Utility Generating Plant; Radio & Television Broadcasting Stations & Masts; Recycling Preparation Operation; Roller Skating Rink; Sand & Gravel Pit (No Crushing; Sorting, Bailing, Processing or Storage of Junk, Wood, Metal, Paper); School, Non-Public; Tennis Courts, Indoor; Yacht Club. See Section 7.3 – *Special Permit* Uses for *Historic Buildings*. (223-10)

d. Building Regulations

- (1) Minimum *Lot Area*: 4,000 square feet
- (2) Minimum Frontage: 40 feet
- (3) Maximum *Building Coverage*: *Corner Lot*: 90%, *Interior Lot*: 80%
- (4) *Accessory Buildings*: 40% of *Rear Yard*
- (5) Maximum *Building Height*: 50 feet

¹³ [Note: Application 222-31 removed Child Day Care Center from permitted uses in the M-G district as listed in Appendix A Table I]

- (6) Maximum *Building Stories*: 4 *Stories*
- (7) Minimum *Yards*: Front: *Street Line* 10 feet, Front: *Street* center 35 feet, Rear: 15 feet, Side: none required but if provided must be at least 4 feet.
- (8) Maximum *FAR*: 1.0

The total *Floor Area* devoted to business and professional office use in Industrial Districts shall not exceed one-half ($1/2$) the *Lot Area*, 0.5 *FAR*.

Self-storage, which is a low intensity industrial use with minimal traffic and parking impacts shall be allowed a *Floor Area Ratio* of 1.25 above grade with up to an additional 0.5 *Floor Area Ratio* permitted below grade, provided that the *Building* is setback 25' from a property line abutting a residential district and the height of the *Building* is limited to two (2) *Stories* above grade.

e. Parking Requirements

The regulations of Section 12 Automobile Parking and *Loading Space* shall apply.

f. Sign Regulations

The regulations of Section 13-I regarding signage in the M-G and M-L shall apply.

g. Special Permit uses for historic Buildings

See Section 7.3-D.2.c.

h. Buffer Requirements for Non-Industrial Uses (221-11)

Where a Lot in an M-G District abuts a *Lot* in any other District other than an M-D, M-G or M-L District, then, in addition to the requirements of Section 7.K. of these Regulations, the following buffer requirements shall apply to the common *Lot Lines*:

- (1) All industrial uses, including storage of vehicles (except as set forth below) and material, within thirty feet (30') of the common *Lot Lines* shall be fully enclosed. Open surface parking of passenger vehicles and light trucks of 10,000 pounds Gross Vehicle Weight Rating (GVWR) or less are permitted.
- (2) There shall be a ten foot (10') wide planted buffer designed to manage stormwater and to screen the uses located on the Lot in the M-G District. Such buffer shall be regularly maintained and meet at all times the requirements of the City of Stamford Anti-Blight regulations.

- (3) There shall be a fully opaque fence or wall not to exceed eight feet (8') in height in *Rear Yards* or six feet (6') in height in *Side Yards*. The fence or wall must be located either in the center or the inward edge of the planting strip.

4.B.9. M-L Light Industrial District (217-12)

a. Purpose

The M-L zone allows light industrial uses which have higher performance standards compared to uses allowed in the M-G district.

b. Permitted Uses, as-of-right

In any M-L district a *Lot*, *Building*, or other *Structure* may be erected, altered, arranged, designed, or used, for the purposes and in the same manner as uses designated in Appendix A, Table I.

c. Permitted Uses, Special Permit

The following uses shall be permitted by *Special Permit* pursuant to Appendix A, Table I; Adult Establishment; Auto Service Station; Automatic Car Wash Establishments Bowling Alleys; Beach Club; Camp, Trailer; Trailer Sales; Child Day Care Center¹⁴; Dwelling, Multiple; Emergency Shelter; Equipment Rental; Family Day Care Home; Fire Station Volunteer; Home Center; *Historic Site*; Hotel, Inn; Medical Marijuana Dispensary Facility; Microwave Transmission Facilities, Commercial; Principal or *Accessory Use*; Public Libraries or Branch thereof; Radio & Television Broadcasting Stations & Masts; Recycling Preparation Operation; Restaurant, Fast-Food; Roller Skating Rink; School, Non-Public; Tennis Courts, Indoor; Yacht Club; (223-10)

See also Section 7.3 – *Special Permit* Uses for Historic *Buildings*.

d. Building Regulations

- (1) Minimum *Lot Area*: 4,000 square feet
- (2) Minimum Frontage: 40 feet
- (3) Maximum *Building Coverage*: *Corner Lot*: 90%, *Interior Lot*: 80%
- (4) *Accessory Buildings*: 40% of *Rear Yard*
- (5) Maximum *Building Height*: 50 feet
- (6) Maximum *Building Stories*: 4 *Stories*
- (7) Minimum *Yards*: Front: *Street Line* 10 feet, Front: street center 35 feet, Rear: 15 feet, Side: none required but if provided must be at least 4 feet.

¹⁴ [Note: Application 222-31 removed Child Day Care Center from permitted uses in the M-L district as listed in Appendix A Table 1]

(8) Maximum *FAR*: 1.0

The total *Floor Area* devoted to business and professional office use in Industrial Districts shall not exceed one-half ($\frac{1}{2}$) the *Lot Area*, 0.5 *FAR*

e. Parking Requirements

The regulations of Section 12 Automobile Parking and Loading Space shall apply.

f. Sign Regulations

The regulations of Section 13.I regarding signage in the M-G and M-L shall apply.

g. Special Permit uses for historic Buildings

See Section 7.3.D.2.c.

h. Buffer Requirements for Non-Industrial Uses (221-11)

Where a Lot in an M-L District abuts a Lot in any other District other than an M-D, M-G or M-L District, then, in addition to the requirements of Section 7.K. of these Regulations, the following buffer requirements shall apply to the common *Lot Lines*:

- (1) All industrial uses, including storage of vehicles (except as set forth below) and material, within thirty feet (30') of the common *Lot Lines* shall be fully enclosed. Open surface parking of passenger vehicles and light trucks of $\frac{3}{4}$ tons or less are permitted.
- (2) There shall be a ten foot (10') wide planted buffer designed to manage stormwater and to screen the uses located on the *Lot* in the M-L District. Such buffer shall be regularly maintained and meet at all times the requirements of the City of Stamford Anti-Blight regulations.
- (3) There shall be a fully opaque fence or wall not to exceed eight feet (8') in height in *Rear Yards* or six feet (6') in height in *Side Yards*. The fence or wall must be located either in the center or the inward edge of the planting strip.

4.B.10. NX-D NEIGHBORHOOD MIXED USE DESIGN DISTRICT (218-11)**a. Purpose**

The Neighborhood Mixed Use Design District (NX-D) is adopted pursuant to Section 8-2 of the Connecticut General Statutes, as amended, and is intended to implement the policies, goals, and urban design principles articulated in the *Master Plan* of the City of Stamford, as amended. The NX-D is designed to maintain and facilitate the growth and expansion of small-scale light industrial, home and business service, wholesale distribution, arts production and related activities, live/work use, and general commercial service activities, while protecting existing housing and encouraging the development of new businesses at a scale and density compatible with the surrounding blocks. The general goals served by these regulations are to (i) encourage investment in mixed residential, commercial, and industrial neighborhoods by permitting expansion and new development of a wide variety of uses in a manner ensuring the health and safety of people using the area, (ii) promote the opportunity for workers to live in the vicinity of their work, (iii) create new opportunities for mixed use neighborhoods, (iv) recognize and enhance the vitality and character of existing and potential mixed use neighborhoods, (v) promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and *Buildings*, and (vi) promote a vibrant commercial environment. Design controls, the establishment of use and design standards that apply to new and certain existing architectural façades, sites and *Buildings*, and review procedures, will all ensure a compatible relationship between commercial, light industrial, and residential areas.

b. Authorized Uses

In the NX-D, the following uses from Appendix A of these Regulations shall be allowed, as of right:

| NX-D – Permitted As of Right Uses | | Use Category*** |
|-----------------------------------|--|-----------------|
| 1.1* | Apartment Building for the Elderly ** | R |
| 1.4 | Apartment Building for Supportive Housing | R |
| 2 | Apartment – Garden Type | R |
| 3.1 | Apartment Hotel for the Elderly | R |
| 4 | Apartment House | R |
| 4.1 | Auto Rental Service Facility | I |
| | Café | |
| 9 | Child Day Care Center | C |
| 10 | Christmas Trees, Holly Wreaths and similar Christmas Decorations; the temporary sale of, outdoors only, between the dates of Nov. 15 & Dec. 31 | C |
| 11 | Churches & Religious Institutions | C |
| 13.1 | Clinic, Community Health Center | C |
| 17 | Community Center | C |
| 18 | Dwelling – Single Family | R |
| 19 | Dwelling – Two Family | R |

| | | |
|------|---|---|
| 19.1 | Dwelling, Multiple | R |
| 20 | Dwelling-Group or Town Houses | R |
| 20.5 | Family Day Care Home | C |
| 24.1 | Group Day Care Home | C |
| 24.2 | Historic Site | C |
| 25 | Home Occupation | C |
| 29 | Nursing Home | C |
| 31 | Professional Offices, <i>Accessory Use</i> | C |
| 32 | Professional Offices, Medical | C |
| 33 | Professional Offices, Principal Use | C |
| 34 | Professional Pharmacy | C |
| 42.1 | Senior Housing and Nursing Home Facility Complex | R |
| 44.1 | Agencies – Real Estate, Insurance, Employment | C |
| 49 | Art & Antique Shops | C |
| 60 | Automotive Equipment & Service | I |
| 62 | Bakeries | C |
| 64 | Barber, Beauty Shops | C |
| 78 | Carpentry, Woodworking Shop | I |
| 81 | Christmas Trees, Holly Wreaths & Similar Christmas Decorations, the sale of | C |
| 84 | Color Scanning Shop, except no limit on employees in Industrial Districts | I |
| 86 | Confectionary Store | C |
| | Consignment / Thrift Store – sale of used items including apparel, shoes, books and other non-perishable goods | C |
| 87.1 | Copy and Communication Center | C |
| 92 | Drug Store | C |
| 95 | Electrical & Manual Household Appliances (small) repair & service | I |
| 96 | Electronics Scientific Instrument Mfg smaller than 5,000 square feet | I |
| | Fabric Store | C |
| 99 | Floor Covering Shop, Retail | C |
| 100 | Florist Shop | C |
| 101 | Food Catering, including preparation of all foods for off-premises consumption, providing the number of persons working in any one location shall not exceed 5 except no limit on employees in Industrial Districts | C |
| 104 | Food Processing, Wholesale, excludes Meat, Fish, Vinegar, Yeast, Fat | I |
| 105 | Food Shops, Retail | C |
| 111 | Gardening Supplies, Retail | C |
| 114 | Glass Fabricators & Installation smaller than 5,000 square feet | I |
| 117 | Gymnasium or Physical Culture Establishment | C |
| 118 | Hardware Store | C |
| 119 | Ice Dispensing Service, Retail | C |
| 123 | Interior Decorating Services, no Retail | C |
| 126 | Laboratories, Research smaller than 5,000 square feet | I |
| 127 | Laundry, Cleaning & Dyeing Agency | I |
| 129 | Laundry & Dry Cleaning Establishment, Retail | C |
| 130 | Laundry, Self-Service; Dry Cleaning, Self-Service | C |

| | | |
|-------|---|----------------|
| 131 | Machine Shop, Blacksmith Shop smaller than 5,000 square feet | I |
| 132 | Manufacture & Assembly, smaller than 5,000 square feet, of: Art Goods; Boxes; Candy; Clothing; Cosmetics; Drugs; Electrical Goods; Excelsior; Felt; Fiber; Firearms; Flavoring; Furniture; Glass Products; Hats; House, Office and Theatre Equipment; Ladders; Leather & Sporting Goods; Mattresses; Models, Tools & Appliances; Musical Instruments; Novelties; Paper Products; Perfumes; Playground Equipment; Signs; Staging; Stationery; Store & Office Equipment; Synthetic & Plastics Products; Textiles; Toilet Preparations; Toys | I |
| 134 | Metal Fabrication of Light Sheet Metal Ducts, Gutters, Leaders smaller than 5,000 square feet | I |
| 135 | Millwork, Cabinet Work smaller than 5,000 square feet | I |
| 137 | Newsstand, Variety Store | C |
| 138 | Offices, Business & Professional | C |
| 138.1 | Official Emissions Inspection Station | C |
| 139 | Optician, Repairs | C |
| 140 | Optical & Scientific Instrument Mfg | I |
| 143 | Paint Stores including Wholesale Paint Stores for Resale off Premises | C |
| 145.1 | Personal Wireless Communication – Retail | C |
| 148 | Photo Engraving | C |
| 151 | Plumbing & Heating Shop | I |
| 152 | Printing; Industrial; Wall Paper | I |
| 153 | Printing; Job Shop, Publisher | I |
| 157 | Rag, Bag & Carpet Cleaning | I |
| 158 | Restaurant, includes Entertainment & Liquors | C |
| 159.1 | Restaurant, Carry-Out | C |
| 164.1 | Self-Storage Facility | I [†] |
| 167 | Shoe Repair Shop | C |
| 169 | Sign Painting | C |
| 172 | Stone & Monument Works, Mfg., Display & Sale smaller than 5,000 square feet | I |
| 175 | Tailor Shop | C |
| 177 | Taxidermist | C |
| 177.1 | Tennis Courts, Indoor | C |
| 180 | Upholsterer except no limitation on number of employees | I |
| 184 | Wearing Apparel Fabrication & Processing | I |
| 185 | Welding Supplies & Equipment Including Welding Gases, Storage and Sale | I |
| 186 | Wholesale, Closed Storage Bldg. & Warehouses | I |

*Denotes designation in Appendix A, schedule of *Permitted Uses*.

***As used in this Section 4.B.10, and for purposes of applying the development standards in subsections 14.3 and 14.4 below, the designation “R” shall mean a residential use, the designation “C” shall mean a commercial use, and the designation “I” shall mean an industrial use.

[†]Provided that the *FAR* standard provided in Section 14.3 below for Commercial uses shall be applicable to Self-Storage Facilities.

In the NX-D, the following uses from Appendix A of these Regulations shall be allowed, subject to *Special Permit* approval by the Zoning Board, in accordance with the procedures and standards as set forth under Section 9 and Section 19 of these Regulations:

| NX-D – Permitted Uses by Special Permit | | Use Category*** |
|--|--|------------------------|
| | Adult Use Cannabis Dispensary (223-17(MOD)) | C |
| 3 | Apartment Hotel | C |
| | Bed & Breakfast | C |
| 5 | Boarding House, Rooming House | R |
| 23 | Garages, Public | C |
| 24 | Garage, Accessory | C |
| | Marijuana or Cannabis Delivery Facility (223-17(MOD)) | |
| | Marijuana or Cannabis Delivery Service (223-17(MOD)) | |
| | Marijuana or Cannabis Transport Facility (223-17(MOD)) | |
| 30 | Passenger Terminals & Stations | C |
| 30.2 | Personal Wireless Service Facility | C |
| 37 | Public Utility Buildings | I |
| 38 | Public Utility Transformer & Pump Stations | I |
| 39 | Radio & television Broadcasting Stations & Masts | I |
| 42.15 | Social Hall | C |
| 50 | Assembly of Parts, Retail Only | C |
| 53 | Auto Parking Area, Commercial & Municipal | C |
| 54 | Auto Sales Agency, New with Used | I |
| 55 | Auto Sales Area, Used | I |
| 56 | Auto Service Station (Gasoline Filling Station)(See Section 11) | I |
| 57 | Auto Truck Storage Area | I |
| 59 | Automatic Car Wash Establishments Subject to Section 11 | I |
| 68 | Bottling Plant | I |
| 72 | Building Material, Sales & Storage | I |
| 77 | Canvas Products Mfg. | I |
| 79 | Casting, Foundry | I |
| 87 | Contractor's Material & Equipment Storage Yard & Building | I |
| 96 | Electronics Scientific Instrument Mfg. greater than 5,000 square feet | I |
| 96.1 | Equipment Rental, General | I |
| 109 | Garages, Public (See Section 11)(subject to the standards of Sect. 11.C.2 and 11.C.3; | C |
| 110 | Garages, Bus & Taxi Service (See Section 11) | C |
| 114 | Glass Fabricators & Installation greater than 5,000 square feet | I |
| 126 | Laboratories, research greater than 5,000 square feet | I |
| 131 | Machine Shop, Blacksmith Shop greater than 5,000 square feet | I |
| 132 | Manufacture & Assembly, greater than 5,000 square feet, of: Art Goods; Boxes; Candy; Clothing; Cosmetics; Drugs; Electrical Goods; Excelsior; Felt; Fiber; Firearms; Flavoring; Furniture; Glass Products; Hats; House, Office and Theatre Equipment; Ladders; Leather & Sporting Goods; Mattresses; Models, Tools & Appliances; Musical Instruments; Novelties; | I |

| | | |
|-------|--|---|
| | Paper Products; Perfumes; Playground Equipment; <i>Signs</i> ; Staging; Stationery; Store & Office Equipment; Synthetic & Plastics Products; Textiles; Toilet Preparations; Toys | |
| 133 | Meat Processing excluding Slaughtering, Curing & Smoking | I |
| 134 | Metal Fabrication of Light Sheet Metal Ducts, Gutters, Leaders | I |
| 134.5 | Microwave Transmission Facilities, Commercial; Principal or <i>Accessory Use</i> greater than 5,000 square feet | I |
| 135 | Millwork, Cabinet Work greater than 5,000 square feet | I |
| | Motel | C |
| 150 | Plating, Lacquering & Finishing of Metals | I |
| 155 | Public Utility Service <i>Yards</i> | I |
| 159.2 | Restaurant, Drive-In | C |
| 159.3 | Restaurant, Fast-Food | C |
| 170 | Sorting, Baling, Processing or Storage of Junk, Wood, Metal, Paper | I |
| 172 | Stone & Monument Works, Mfg., Display & Sale greater than 5,000 square feet | I |
| 179 | Truck & Terminal, Classification Bldg. and/or Yard | I |

*Denotes designation in Appendix A, schedule of *Permitted Uses*.

***As used in this Section 4.B.10, and for purposes of applying the development standards in Subsections 4.B.10.c. and 4.B.10.d below, the designation “R” shall mean a residential use, the designation “C” shall mean a commercial use, and the designation “I” shall mean an industrial use.

c. Development Standards (223-08; 223-09)

| Standard | Residential Uses | | Mixed-Use (residential and commercial or industrial) | Commercial and Industrial Uses (no residential) |
|--|--|---|---|---|
| | <i>1 and 2 family Dwellings</i> | <i>Multi (3+) family Dwellings</i> | | |
| <i>Minimum Lot Size</i> | 5,000 square feet | 6,000 square feet | 5,000 square feet | 10,000 square feet |
| <i>Minimum Frontage</i> | 50 feet | 50 feet | 50 feet | 50 feet |
| <i>Residential Density Divider</i> | Maximum of 2 families per <i>Plot</i> | 1,000 | 1,000 | N/A |
| <i>Maximum Building Height</i> | 35 feet or 3 <i>Stories</i> , whichever is less | 60 feet or 5 <i>Stories</i> , whichever is less, and provided that after 45 feet of height, the remaining portion of the <i>Building</i> is setback an additional 10 feet from any required setback | 60 feet or 5 <i>Stories</i> , whichever is less, and provided that after 45 feet of height, the remaining portion of the <i>Building</i> is setback an additional 10 feet from any required setback | 60 feet or 4 <i>Stories</i> , whichever is less, and provided that after 45 feet of height, the remaining portion of the <i>Building</i> is setback an additional 10 feet from any required setback |
| <i>Maximum Floor Area Ratio*</i> | N/A determined by Building Coverage and Building Height | 1.5 | 1.5 | 1.0 |
| <i>Front Yard Setback, measured from Curb Line</i> | No less than 15 feet, which must include a 5-foot planted buffer | No less than 15 feet, which must include a 5-foot planted buffer | No less than 10 feet. However, if there is no active ground floor use, the <i>Front Yard</i> setback shall be no less than 15 feet and include a 5-foot | No less than 10 feet. However, if there is no active ground floor use, the <i>Front Yard</i> setback shall be no less than 15 feet and include a 5-foot |

| | | | | |
|---|----------------------|--|--|--|
| | | | planted buffer | planted buffer |
| Minimum <i>Side Yard Setback From Curb Line</i> | No less than 10 feet | No <i>Side Yard</i> required within 70 feet of a <i>Street Line</i> ; 10 feet beyond 70 feet of <i>Street Line</i> ; if provided no less than 10 feet. | No <i>Side Yard</i> required within 70 feet of a <i>Street Line</i> ; 10 feet beyond 70 feet of <i>Street Line</i> ; if provided no less than 10 feet. | No <i>Side Yard</i> required within 70 feet of a <i>Street Line</i> ; 10 feet beyond 70 feet of <i>Street Line</i> ; if provided no less than 10 feet. |
| Minimum <i>Rear Yard Setback</i> | 30 feet | 20 feet | 20 feet | 10 feet |
| Maximum <i>Lot Coverage</i> | 70% | 85% | 85% | 90% |
| Maximum <i>Building Coverage</i> | 30% | 60% 70% on <i>Corner Lots</i> | 60% 70% on <i>Corner Lots</i> | 70% 80% on <i>Corner Lots</i> |
| <i>Usable Open Space</i> | N/A | A minimum of 75 square feet per <i>Dwelling Unit</i> | A minimum of 75 square feet per <i>Dwelling Unit</i> | N/A |

d. Additional Development Standards Applicable to Uses within the NX-D

(1) Additional Development Standards for mixed-use *Buildings*

- (a) Location of uses in mixed use *Buildings* – For new mixed use *Developments* that include residential uses, and for *Buildings* proposed to be converted to mixed use *Developments* that include residential uses (“conversion *Buildings*”), commercial and/or industrial uses may only be located on the *Story* below the lowest *Story* occupied by *Dwelling Units*, or on the same level as the lowest level *Story* occupied by *Dwelling Units* provided that such commercial and/or industrial uses are located along a public street frontage, in front of any *Dwelling Units*. In no event may *Dwelling Units* be located below any commercial or industrial use in a new mixed use *Building* or conversion *Building*.
- (b) In any new mixed use *Buildings* occupied by residential uses or in any conversion *Buildings*, residential uses and commercial/industrial uses, shall have separate direct pedestrian entrances.

(2) Setback from Abutting Zones. Where a *Lot Line* abuts a residential zoning boundary, a minimum setback of 10 feet shall be provided, and provisions of Section 7.K. of these regulations shall not apply.

(3) Building Use and Frontage

- (a) To the extent practical and consistent with the operational requirements of the intended use, the ground floor use shall be commercial use that is oriented toward its primary street frontage.
- (b) The ground level of any *Building* shall be designed to promote the pedestrian scale of the overall *Development*.

- (c) New *Buildings* shall face the main street edge and include entrances, commercial storefronts, or lobbies, as applicable.
- (d) New *Buildings* with ground floor residential uses shall be raised at least 2-feet above grade, and include screening of first floor residences.
- (e) All uses authorized in the NX-D District under Subsection 4.B.10.b. above shall be located exclusively indoors, except for the following:
- Automatic Car Wash Establishments Subject to Section 11
 - Auto Parking Area, Commercial & Municipal
 - Auto Rental Service Facility
 - Auto Sales Agency, New with Used
 - Auto Sales Area, Used
 - Auto Service Station
 - Auto Truck Storage Area
 - Christmas Trees, Holly Wreaths & Similar Christmas Decorations, the sale of
 - Christmas Trees, Holly Wreaths and similar Christmas Decorations; the temporary sale of, outdoors only, between the dates of Nov. 15 & Dec. 31
 - Garages, Bus & Taxi Service
 - Gardening Supplies, Retail
 - Passenger Terminals & Stations
 - Restaurant, Drive-In
 - Truck & Terminal, Classification Bldg. and/or Yard
- (4) **Sidewalks and Street Trees.** Sidewalks and Street Trees shall be provided pursuant to Section 12.K. (223-09)
- (5) **Façade Length and Articulation.** Any new *Buildings* that have a façade length or width of more than 50 feet facing a public *Street* or adjoining residential district shall be designed to break the façade design into smaller masses or length through the use of changes in the plane of the elevation, articulated entries or window bays or other design features to reduce the scale and perceived bulk of *Building* masses. *Building* façades may be articulated by using color, arrangement, or change in materials to emphasize the façade elements. The planes of the exterior walls may be varied in height, depth or direction. Long *Building* façades are encouraged to be broken up into lengths of approximately thirty feet (30') with sufficient *Building* articulation and architectural features such as reveals and piers and, and landscaping in limited instances, to avoid a monotonous or overpowering institutional appearance.
- (6) **Transparency**
- (a) New *Buildings* with active ground floor commercial use(s), residential lobby or amenity space and having a *Front Yard* setback of less than 15 feet from the curb shall have a minimum of 70% transparent glass on the ground floor on the sides of the *Building* that

front public *Streets*. This requirement shall not apply for new *Buildings* that are setback 15 feet or more from the curb.

- (b) New *Buildings* with active ground floor industrial use(s) and having a *Front Yard* setback of less than 15 feet from the curb shall have a minimum of 50% transparent glass on the ground floor on the sides of the *Building* that front such public *Streets*. This requirement shall not apply for new *Buildings* that are setback 15 feet or more from the curb.
- (c) Where metal security gates are proposed along a street frontage for active ground floor uses mentioned above, open grille gates are encouraged in lieu of solid metal gates.

(7) Landscaping and Buffers

- (a) A landscaped buffer at least 5 feet wide shall be maintained between properties with commercial or industrial improvements, and properties with residential improvements.
- (b) Required buffer areas shall be maintained as unoccupied landscaped open space and may include required curb cuts necessary to access the site and pedestrian walkways and similar improvements as approved by the reviewing body.

(8) Parking and Loading. The amount, location and dimensions of parking and loading and dimensions of driveways shall satisfy the standards of Section 12 of these Zoning Regulations, as modified by the following special standards applicable to *Development* within the NX-D:

- (a) Parking shall not be permitted in a *Front Yard* or buffer area.
- (b) All **loading areas** shall be incorporated into *Buildings*, and/or suitably screened by means of solid fencing or landscaping, or a combination of both, to mitigate visual impacts to adjoining properties. Landscape screening materials should be maintained at a minimum height of four (4') feet.
- (c) All parking abutting residential uses along the side and *Rear Lot Lines* shall be buffered by a 5-foot wide planting strip.
- (d) **Shared Parking.** The shared use of parking may be permitted, subject to *Special Permit* approval by the Zoning Board, where a finding is made that individual uses will experience peak parking demands at different times. In such cases, the Zoning Board may authorize a reduction in parking by recognizing the opportunity to share common *Parking Spaces*, including off-street public *Parking Facilities*, in accordance with the general methodology entitled "Shared Parking", published by the Urban Land Institute in 1983, as amended and updated. Shared parking may be considered for multiple uses on individual parcels as well as between two or more parcels, subject to Zoning Board approval of a suitable *Parking Management Plan* and legal agreement, recorded on the land records, assuring the continued availability of the shared *Parking Spaces* on the affected properties for the life of the proposed *Development* or use.
- (e) **Bicycle Parking.** New *Buildings* shall provide secure, safe and enclosed bicycle parking as follows:

- i. Residential – 1 space per 4 Dwelling Units
- ii. Commercial – 1 space per 7,500 square feet of *Floor Area*
- iii. Industrial – 1 space per every three (3) employees of the *Building(s)* on the *Lot*.

Bicycle Parking shall be either located at-grade or reachable by ramps.

- (8) **Curb Cuts.** The number and width of curb cuts leading to off-street parking and loading areas shall be minimized to enhance pedestrian safety and to preserve the opportunity for on-street parking. The consolidation and sharing of driveways and curb cuts between adjacent properties and interior connections between parking *Lots* and/or the use of shared *Parking Facilities* is strongly encouraged. The Land Use Bureau Staff or Zoning Board, as applicable, may authorize a reduction in parking of up to ten percent (10%) if the use of shared curb cuts is implemented. Curb cuts shall be a minimum distance of 50 feet from street corners and 30 feet from other curb cuts.
- (9) **Delivery and Storage Areas.** All service areas, trash receptacles, mechanical equipment, vehicles or equipment that are adjacent to other *Lots* or a public *Street* shall, to the extent practicable be located away from *Streets*, or be hidden from street and pedestrian view by *Buildings*, fences and landscape treatments, or a combination thereof. No such service area shall be located in the *Front Yard*.
- (10) **Enclosed Storage.** Storage areas in the NX-D shall be fully enclosed. In no case shall solid waste storage as defined by state and local law be permitted on site.
- (11) **Site Lighting.** Site lighting shall be limited to cut-off fixtures that do not create glare or extend light onto adjacent residential properties. All site lighting shall be directed onto the site and shall be shielded from adjacent residential uses or zones and from the adjoining *Street*.
- (12) **Hours of Operation.** The Zoning Board may attach reasonable conditions to the hours of operation of commercial and light industrial businesses, deemed necessary to safeguard the surrounding neighborhood.
- (13) **Noise.** The proposed use must be shown to be in compliance with Stamford Code of Ordinances Chapter 164 - City of Stamford Noise Control Ordinance.
- (14) **Vibration, Dust, & Odors.** The dissemination of dust, smoke, observable gas or fumes, odor, or vibration shall be contained to the immediate site of the *Building* in which such use is conducted, and the Zoning Board may attach such reasonable conditions and safeguards deemed necessary to ensure same.
- (15) **Traffic & Parking.** *Development* shall be designed to avoid unusual traffic hazards or congestion due to the type of vehicles required in the use or due to the manner in which traffic enters or leaves the site of the use, and the Zoning Board may attach such reasonable conditions and safeguards deemed necessary to ensure same.

- (16) **Signage.** Signage. The design, location and size of signage for uses in the NX-D shall be governed by the definitions of these Regulations and by the design criteria and signage rights permitted in the Architectural Review Design District (Section 7.6 and Section 13.D. of these Regulations), except that the following special standards shall apply (221-18, 221-28):
- (a) In the case of Industrial uses on properties adjacent to an Interstate highway roadway system, Wall Signs placed on the street front wall of a Building may not exceed eight (8) feet in height, and the Zoning Board, by administrative review, may allow one (1) Ground Sign or Pole Sign to be located along the frontage adjacent to the Interstate highway roadway system. Such sign shall not exceed sixty (60) square feet in area and no side of the sign face shall exceed ten (10) feet in length. A decorative or ornamental base structure supporting such sign may be allowed, provided the face of such decorative or ornamental base structure does not exceed one hundred (100) square feet in area, the structure contains no lettering and is one (1) color, which color may be different that the color of the sign. No Pole Sign authorized by this section, together with any decorative or ornamental base, shall exceed twenty-one (21) feet in height. The right to one (1) Ground Sign or Pole Sign and Wall Signs not exceeding eight (8) feet in height, shall not increase the aggregate signage rights allowed in the NX-D set forth in Section 7.6.D.1 of these Regulations nor modify any other requirement. (221-18, 221-28)
- (17) **Historic Buildings.** the standards of 7.3 of these Regulations shall apply to any *Buildings* located in the NX-D that qualify as historic, as provided for under said section.
- (18) **Below Market Rate Requirements.** Below Market Rate Housing shall be provided pursuant to Section 7.4 of these Regulations. (220-13)

e. Application and Review Procedure

- (1) Application shall be made on forms provided by the Zoning Board and shall contain the information required under Section 19.D. and, for applications requiring *Special Permit* approval, Section 19.C. of these Regulations, and scaled drawings and architectural design information indicating location, specification of materials, dimensions, colors, manner of fabrication and installation, and such other additional supporting facts and information as required by the Zoning Board or the Land Use Bureau Chief to fully review the proposal.
- (2) Where approval is required pursuant to this Section, no *Zoning Permit* shall be issued by the *Zoning Enforcement Officer* and no *Building* permit shall be issued by the *Building Department* except upon Site Plan and/or *Special Permit* approval by the Zoning Board or issuance of Site Plan approval by the Land Use Bureau Chief, or designee, as defined in subsection 14.5-e.
- (3) Any *Special Permit* and/or Site Plan approval, for which a full *Building* permit has not been issued within one (1) year from the approval date, shall become null and void unless the reviewing authority, upon timely application and good cause shown, grants not more than three (3) one (1) -year extensions of the expiration date.

- (4) The Zoning Board and/or Land Use Bureau Chief may seek the recommendations of any town or regional agency or outside specialist with which it consults. Any reports or recommendations from such agencies or organizations shall be entered into the public hearing record.
- (5) **Reviewing Authority.**
- (a) The Zoning Board shall review and determine compliance with the standards of the NX-D, for (i) all uses permitted by *Special Permit*, by issuance of *Special Permit* and Site Plan approval, and (ii) all uses permitted as-of-right with greater than 20,000 square feet of *Lot Area*, by issuance of Site Plan approval.
 - (b) The Land Use Bureau Chief shall conduct an administrative site plan and architectural review and determine compliance with the standards of the NX-D, by issuance of Site Plan approval, for all uses permitted as-of-right having less than 20,000 square feet of *Lot Area*.
 - (c) Minor modifications to *Special Permit* approvals or approved site and architectural plans hereunder shall be reviewed by Land Use Bureau Staff. All other modifications shall be subject to subparagraphs 4.B.10.e(5)(a) and 4.B.10.e(5)(b) of this subsection (5) above.
- (6) **Exemptions.** Notwithstanding the above, the following projects and activities shall be exempt from site plan and/or *Special Permit* review under this Section, but must comply with all standards of this Section and all other provisions of these Regulations:
- (a) Minor repairs and/or minor alterations, maintenance or replacement of portions of an existing *Building, Structure, Sign*, utility service or other minor *Structures* and site features that would result in no significant impact on the design, function, architectural character or visual appearance of the *Building, Structure* or property.
 - (b) Exterior architectural modifications that do not substantially alter the existing height, bulk or façade of an existing *Building* or *Structure* and do not increase *Building Floor Area*.
 - (c) New signage not exceeding five (5) square feet in area in the aggregate.
 - (d) Interior modifications that do not result in a change in use of the *Building*.

4.B.11. R-HD RESIDENTIAL DISTRICT, HIGH DENSITY

a. Definition

The Residential High Density District (R-HD) is defined as an area for predominantly transit-oriented, high-density, high-rise residential development within *Master Plan Categories* 5 (High Density Residential), 9 (Urban Mixed-Use), 11 (Downtown) and 16 (Transit-Oriented Development District) which is comprised of a parcel or contiguous parcels 40,000 sf or larger. It is intended that development in this district provides an attractive living environment and includes open space for the use and enjoyment of residents and visitors. Where appropriate, neighborhood retail and other services are also encouraged. The regulations are designed to ensure that the highest intensity uses have a *Lot Area* adequate to meet the parking and open space requirements of these regulations. (221-11)

b. Criteria for Designation as Residential High Density District

The Zoning Board may map a parcel or contiguous parcels of 40,000 sf or larger within the appropriate *Master Plan Category* as a R-HD Zoning District. A parcel or parcels less than 40,000 sf, but located within *Master Plan Categories* 5, 9, 11 and 16 may only be designated a R-HD Zoning District if abutting an already existing R-HD Zoning District. (223-09)

c. Authorized Uses

In any R-HD district a *Building* or other *Structure* may be erected, altered, arranged, designed or used, and a lot may be used, for any of the following uses. Uses defined in Section 5 are noted with wide spacing text.

- Apartment – Garden Type
- Apartment Building for Supportive Housing
- Apartment Building for the Elderly (Private, Municipally owned, or Non-Profit)
- Apartment Hotel for the Elderly
- Apartment House or Dwelling
- Assisted Living Facility
- Camp, Summer Day
- Child Day Care Center
- Christmas Trees, Temporary Sale
- Churches and Religious Institutions
- Clinics, Community Health Center
- Clubs and Lodges, Non-Profit
- Colleges and Universities
- Community Center

- Dormitory
- Dwelling Multiple
- Dwelling-Group or Town Houses
- Group Day Care Home (223-10)
- *Historic Site*
- Neighborhood Commercial – along designated Commercial Streets only. For the purposes of this Section, Neighborhood Commercial shall mean only those uses permitted as-of- right in the SRD-S Zoning District (including applicable area limitations), (ii) occupy not more than 0.75 FAR, and (iii) be located exclusively on the ground floor. No new standalone commercial Buildings shall be permitted; however existing commercial office Buildings may be allowed to remain provided they are not expanded by more than 10% of the existing Floor Area at the time of designation. (221-03, 221-11)
- Nursing Home
- Public and Charitable Institutions
- Public Library or any Branch thereof
- Public Utility Transformer and Pump Stations
- Residential Recreational Area
- School, Non-Public
- Schools, Public
- Senior Housing and Nursing Home Facility Complex (without any limitation as to minimum parcel size)

d. Building Regulations (223-08)

| | Lots less than one acre | Lots one acre or more |
|---|--------------------------------------|---|
| (1) Minimum Lot Size | 5,000 sf | 43,560 sf |
| (2) Minimum Street Frontage | 50 feet | 150 feet |
| (3) Density - Floor Area Ratio | 2.5 (Premium FAR 0.25) ⁶⁾ | 3.75 (Premium FAR 0.75) ⁶⁾ |
| <i>Residential Density Divider (RDD)</i> / market rate | 1,000 sf | 1,000 sf |
| <i>RDD / affordable housing, housing for the elderly</i> | 800 sf | 800 sf |
| (4) Building Coverage | 60% (80% <i>Corner Lots</i>) | 80% (90% <i>Corner Lots</i>) 50% above a height of the lesser of 7 stories or 80 feet 30% above a height of the lesser of 12 stories or 135 feet |
| (5) Max. Building Height^{3), 4)} | The lesser of 7 stories or 80 feet | The lesser of 12 stories or 135 feet (when located in <i>Master Plan Category 5</i> , and when located outside the STDA in <i>Master Plan Categories 9 and 11</i>) The lesser of 25 stories or 275 feet |

| | | |
|---|--|--|
| | | (when located within the STDA in <i>Master Plan Categories 9 and 11</i>) ⁴⁾ |
| (6) Base Height³⁾ | Minimum: The greater of 3 stories or 35 feet Maximum: The lesser of 5 stories or 55 feet | Minimum: The greater of 4 stories or 45 feet Maximum: The lesser of 7 stories or 80 feet |
| (7) Street Wall Setback (measured from Street Line^{3) 4)} above Base Height | Minimum: 10 feet | Minimum: 15 feet |
| (8) Front Setback³⁾ from Curb Line | Minimum: 10 feet (15 feet on <i>Commercial Streets</i>) Additional 5' planted buffer required when ground floor is used residentially ⁵⁾ Maximum: 20 feet (25 feet on commercial streets) | Minimum 10 feet (15 feet on <i>Commercial Streets</i>) Additional 5' planted buffer required when ground floor is used residentially ⁵⁾ Maximum: 25 feet (30 feet on Commercial Streets) |
| (9) Side and Rear Setback³⁾ | None required within 70 feet of <i>Street Line</i> ; if provided at least 15 feet Minimum 15 feet beyond 70 feet of the <i>Street Line</i> | None required within 70 feet of <i>Street Line</i> ; if provided at least 15 feet Minimum: 15 feet beyond 70 feet of the <i>Street Line</i> (30 feet beyond 70 feet of the <i>Street Line</i> above a height of the lesser of 5 stories or 60 feet) |
| (10) [deleted] (223-09) | | |
| (11) Lot Coverage (223-09) | Maximum 85% ¹⁾ | Maximum: 90% ¹⁾ |

- 1) May be increased by up to 100% if additional coverage in excess of maximum Lot Coverage is provided either as pervious surface, such as permeable pavers, or green roof. (223-09)
- 2) [deleted] (223-08)
- 3) Any part of a *Building* exceeding a height of 85' or eight (8) stories, whichever is less, shall be set back at least 30' from the *Master Plan Category Boundary* when abutting land in *Master Plan Categories 1, 2, 3, 4, 6, 7, 8, 14 and 15* within Parking Category 1. Any part of a *Building* exceeding a height of 60' or five (5) stories, whichever is less, shall be set back at least 30' from the *Master Plan Category Boundary* when abutting land in *Master Plan Categories 1, 2, 3, 4, 6, 7, 8, 14 and 15* outside Parking Category 1. (221-11; 223-09)
- 4) Within the STDA in *Master Plan Categories 9, 11 and 16*, every portion of a *Building* exceeding a height of the lesser of 12 stories or 135' above the average finished grade shall be considered a "Tower". The minimum distance between individual Towers shall be no less in horizontal distance than 100', unless they are separated by a public street. Towers shall be set back at least 50' from any *Interior Lot Line*. Under no circumstances shall Towers cover more than 30% of the *Zoning Lot Area*. The floor plate of an individual Tower shall not exceed 15,000 sf up to a height of the lesser of 20 stories or 225' and 12,000 sf for portions above the lesser of 20 stories or 225'. No Tower floor plate shall be less than 7,500 sf, except for mechanical penthouses. (223-09)
- 5) Where the Street frontage is 75 feet or less and the adjacent *Buildings* are closer to the curb line than prescribed herein, the Front Setback may be reduced to the distance from the curb line to the existing *Building(s)*. However, no sidewalk shall be narrower than ten (10) feet on *Commercial Streets* and eight (8) feet on all other *Streets*.
- 6) [deleted] (223-09)
- 7) Where a lot maintains a minimum of 150' of water frontage, not less than 50' of street frontage shall be required.

Existing vehicular easements/connections to public and private rights-of-way may continue to provide access and egress to the property. (221-03)

e. Parking

The standards of Section 12 shall apply; provided, however, that within the Parking Category 1 for any non-residential use permitted in Subsection 4.B.11.c. above or approved by the Zoning Board in accordance with Subsection 4.B.11.m(4)(c)i below, the parking requirement is 2.0 spaces per 1,000 sf of *Floor Area*. The first 2,500 sf of each establishment shall be excluded from this requirement. The Standards of Section 12.D.1.c. shall also be applicable in the R-HD zoning district subject to *Special Permit* granted by the Zoning Board.

f. Below Market Rate Requirement

Below Market Rate Housing: *Below Market Rate* housing shall be provided pursuant to Section 7.4 of these Regulations.

g. Signage

All Signage shall comply with the standards of Subsections 13.A.-13.E. of these Regulations. Where non-residential uses are provided on the ground floor on a Commercial Street, Subsection 13.F.(1-3) and Subsection 13.F.(7) shall apply for the frontage of such uses, provided that no sign shall be higher than 17' above the average finished grade of such frontage.

h. Public Amenity Requirement

Publicly Accessible Amenity Space (PAAS) shall be provided pursuant to Section 6 of these Regulations. (221-03, 223-31)

i. Public Amenity Bonus

If more *Publicly Accessible Amenity Space* is provided than the minimum amount required pursuant to Subsection h. above, then *Bonus Floor Area*, in addition to the *Floor Area Ratios* specified in table d. above, may be granted by the Zoning Board pursuant to Section 3.B., Definition "*Floor Area, Bonus*". (223-11)

j. Site Design

(1) **Mitigation of Environmental Impact.** Appropriate measures shall be taken to mitigate environmental impacts to coastal resources through sensitive design and implementation of best available technologies and methods for controlling pollutant discharges from the site.

Where the Environmental Protection Board or Zoning Board authorizes encroachment or removal of any inland wetland or other natural resource, a suitable on-site or off-site habitat replacement program or alternative mitigation effort shall be provided consistent with local, state, or federal permits as may be required and subject to approval of the Environmental Protection Board or the Zoning Board.

- (2) **Landscaping.** All areas of the site not devoted to *Buildings*, Structures or other designed uses shall be suitably landscaped to the satisfaction of the Zoning Board. Landscaping shall be designed, provided and permanently maintained consistently with the design and visual quality criteria of adjacent uses and neighborhoods. Use of native plants and plants requiring little or no irrigation is strongly encouraged.
- (3) **Exterior Lighting.** Exterior lighting, averaging not less than one-half (0.5) foot candles, shall be provided to ensure adequate and safe lighting of all pedestrian sidewalks, walkways and parking areas within the site and along the property frontage to the curb line. Lighting fixtures shall be appropriately shielded to prevent trespass lighting onto adjoining private property.
- (4) **Fencing.** Chain link fencing shall not be permitted. Fencing materials along public streets and other public rights-of-way shall be limited to tubular steel or wrought-iron-type milled steel pickets. Fencing alongside *Rear Yards* or within a lot may be wood, steel pickets or any other fence type approved by the Zoning Board.

k. Architectural Design

- (1) **Contextuality.** The architectural design of new *Buildings* or *Substantial Renovation or Alteration* or renovation projects shall be coordinated and compatible with the architectural context of the site and prevailing character of the surrounding areas. Design compatibility includes complementary Building style, form, size, colors and materials. Multiple *Buildings* on the same site shall be designed to create a cohesive visual relationship between the *Buildings*.
- (2) **Building Elements.** *Buildings* shall be designed to have a clear base, middle and top.
- (3) **Building Height.** Coordination of the height of new *Buildings* or *Substantial Renovation or Alteration* or renovation projects with the actual and apparent height of adjacent Structures is encouraged, especially where Buildings will adjoin or be close to each other. Coordination of *Building Height* can often be achieved by adjusting the height of a wall, cornice or parapet line to match that of the adjacent *Building*. Similar design linkages can be achieved to adjust apparent height by placing window lines, belt courses, and other horizontal elements in a pattern that generally reflects the same elements on neighboring *Buildings*.
- (4) **Building Volume.** *Buildings* shall be designed to reduce their perceived height and bulk by incorporating architectural strategies such as, but not limited to, dividing the building mass into smaller-scale components and providing articulation of all façades . Architectural

strategies which create the appearance of a series of side-by-side *Buildings* or bays are encouraged on longer *Buildings*. Rooflines may be emphasized, for example, with a variety of roof forms, parapets, balustrades, and/or cornices. Where side elevations of *Buildings* are prominently exposed to pedestrian view from public streets, architectural strategies shall be employed to provide articulation of the façade and to diminish perceived height.

- (5) **Materials.** Changes in façade treatment from lower to upper levels shall occur along a horizontal line, with the visually-heavier treatment below the visually-lighter treatment. Paneling materials applied to one façade only, such as brick paneling, shall be extended around building corners to a logical break in plane, so as to look substantial rather than “pasted-on.”
- (6) **Façades.** Building façades shall be articulated by using color, arrangement or change in materials to emphasize the façade elements. The planes of the exterior walls may be varied in height, depth or direction. Long building façades are encouraged to be broken up into manageable lengths with sufficient building articulation and architectural features such as reveals and piers and, and landscaping in limited instances, to avoid a monotonous or overpowering institutional appearance. Retail Stores with building frontages exceeding 50’ are encouraged to include architectural details and design elements to create the appearance of multiple storefronts. Building façades and site improvements significantly exposed to public view shall be constructed with high quality, durable exterior materials. This paragraph is not intended to discourage the use of high quality, durable and innovative materials.
- (7) **Screening of Roof Top Mechanicals.** Rooftop mechanical equipment shall be integrated into the design of the *Building* and set back at least 10’ from all upper-level building façades , and effectively screened from view from street level.
- (8) **Building Entrances.** The principal building entrance and front building façade shall be prominently located and visible from the street and shall not be oriented toward a parking lot. A *Building* on a *Corner Lot* is encouraged to have its principal entrance facing the primary street. Where parking is located to the side or rear of a *Building*, or above the ground floor, a secondary entrance may be provided for direct access to the parking area or a walkway should lead to the primary entrance at the street. All entries should be well lit and shall include architectural treatment that heightens their visibility.
- (9) **Storefronts.** Storefronts and architectural façades shall serve to enliven the street and provide a continuous “border of interest” by maintaining storefronts and window displays close to the outermost edge of the building façade and by avoiding deep setbacks and dark alcoves. Ground floor used for non-residential uses shall have a floor-to-ceiling height of at least 12’. Storefront windows and glazing shall be of clear vision glass only; tinted or reflective glass shall not be permitted. Storefront windows shall be as large as reasonably possible and are encouraged to have a minimum height of six feet (6’) with a window sill of not more than three feet (3’) above grade, and to occupy 75% or more of the building frontage on the street on the ground floor between the heights of 3’ and 10’. Primary store entrances shall open to the street where possible. Where storefronts do not open to the street, building façades should be highly

articulated with projections, recessions, windows, and other design elements to avoid blank, featureless areas.

- (10) **Security Systems.** Preferred security systems are glass shock, breaker sensors or electronic alarms. Open grill gates when used shall be mounted within the store interior behind the window display with the gate housing hidden from view. Solid slat rolling gates or shutters, barbed wire and razor wire are prohibited.
- (11) **Ground Floor Residences.** Ground floor residences shall not be permitted along Commercial Streets. Privacy measures shall be employed for ground floor residences along public sidewalks including, but not limited to, elevating the finished first floor a minimum of 24” above the finished grade of the sidewalk, installing reverse shades, introducing landscaped private terraces or implementing other screening measures. There shall be at least a five foot (5’) wide planting strip between the sidewalk and each ground floor dwelling.

I. Sustainability

All Buildings shall be required to employ sustainable building practices including: Energy Star rating for Building Efficiency; Efficient Appliances; energy sub metering, use of cool roof surfaces; employ traffic demand management strategies as well as incentives for shared car usage; all as set forth in either of the following standards (i) US Green Building Council’s LEED Silver (ii) Enterprise Green Communities Criteria Pre-Build (iii) Green Building Initiative’s Green Globe (2 Globes). Applicants shall certify compliance with these requirements. As part of the review, Land Use Bureau staff may request from applicants, submission of specifications, certifications from qualified professionals or other documentation to verify the certification made by the applicant that it complied with these requirements.

m. Application and Review Procedure

- (1) **Application Format.** Applications shall be made on forms provided by the Zoning Board and shall comply with and contain the information required under Section 19.D. of these Regulations, and shall include scaled drawings and architectural design information indicating location, specification of materials, dimensions, colors, manner of fabrication and installation, and such other additional supporting facts and information as requested by the Zoning Board or the Land Use Bureau Chief to fully review the proposal. Presentation of actual samples of the exterior architectural materials and colors is required, except where it is determined that samples are not needed to provide assistance to the Zoning Board in making a decision.
- (2) **Scope of Approval.** Where approval is required pursuant to this Section, no *Zoning Permit* shall be issued by the *Zoning Enforcement Officer* and no Building Permit shall be issued by the Building Department except upon Site Plan approval by the Zoning Board or the Land Use Bureau Chief, or designee, as defined in Subsection 4.B.11.m.4 below.

(3) **Validity of Approvals.** Any Site Plan approval for which a full Building Permit has not been issued within one (1) year from the approval date, shall become null and void unless the Zoning Board, upon timely application and good cause shown, grants not more than three one-year extensions from the expiration date.

(4) **Reviewing Authority**

(a) On parcels 20,000 sf and larger, the Zoning Board shall review and determine compliance with the standards of the R-HD District, by issuance of Site Plan approval pursuant to Section 19.D. of these Regulations, for all new construction, alterations, expansion, rehabilitation and change of use,

(b) On parcels less than 20,000 sf for as-of-right uses as defined in Subsection c. above, the Land Use Bureau Chief, or designee, shall review and determine compliance with the standards of the R-HD District for construction of *Buildings, Structures, and Accessory Structures*, including additions and alterations to existing *Buildings and Structures*,

(c) Pursuant to *Special Permit* approval following a public hearing, the Zoning Board may modify the requirements of the following subsections of this R-HD Regulation, based on the findings of Section 19.3 of these Regulations and the following additional findings:

i. **Subsection 4.B.11.c.** (Authorized Uses)

The Zoning Board may allow additional uses if it finds that these uses are compatible with the neighborhood character and would not create noise, light, parking or traffic conditions exceeding those of permitted as-of-right uses. Under no circumstances shall uses be allowed that are exclusively limited to M-L and/or M-G Districts.

ii. **Subsection 4.B.11.d(6)** (Base Height)

The Zoning Board may modify the Base Height of a Building if such modification allows for better alignment with existing Buildings and Structures, or for design features that improve the overall appearance or quality of the Building.

iii. **Subsection 4.B.11.d(7)** (Street Wall Setback)

The Zoning Board may modify the Building Street Wall Setback from the Base Height if such modification allows for better alignment with existing Buildings and Structures, or for design features that improve the overall appearance or quality of the Building.

For buildings or portions of buildings 5 stories or less or 60 feet or less, the Zoning Board may reduce side and/or rear setback requirements to no less than the permitted setback of the building on the adjacent property.

iv. **Subsection 4.B.11.d(8)** (Front Setback)

The Zoning Board may modify the Front Setback if it finds that such modification:

- allows for better alignment with existing Buildings and Structures, or for design features that improve the overall appearance or quality of the Building;
- allows for landscaped exterior Courts or other Building or public open space elements that enhance the streetscape;
- allows for drives or access to required off-street parking or pick-up and drop-off for Building residents or their guests; or
- allows for the rational development of the site because of specific site conditions and constraints.

v. **Subsection 4.B.11.d(9)** (Side Setback)

The Zoning Board may reduce the Side Setback for a shared *Lot Line* for buildings or portions of buildings not exceeding 5 stories or 60 feet, whichever is less, and which are exclusively used for parking, mechanical or storage space if it makes all the following additional findings:

- The adjoining property is located in a zoning district with less restrictive Side Setback requirements;
- The proposed Side Setback is at least as deep as required in the less restrictive district; and
- The reduced Side Setback would not reduce the Light and Air for residential uses on the adjoining property to less than is required under these Regulations.

vi. **Subsection 4.B.11.d(10)** (Rear Setback)

The Zoning Board may reduce the Rear Setback for a shared *Lot Line* for buildings or portions of buildings not exceeding 5 stories or 60 feet, whichever is less, and which are exclusively used for parking, mechanical or storage space if it makes all the following additional findings:

- The adjoining property is located in a zoning district with less restrictive Rear Setback requirements;
- The proposed Rear Setback is at least as deep as required in the less restrictive district; and
- The reduced Rear Setback would not reduce the Light and Air for residential uses on the adjoining property to less than is required under these Regulations.

vii. **Subsection 4.B.11.d(11)** (Pervious Surface)

The Zoning Board may modify or waive Pervious Surface requirements in consultation with the Engineering Department and EPB based on considerations such as soil conditions, including but not limited to bedrock or contamination.

viii. **Subsection 4.B.11.e.** (Non-Residential Parking)

The Zoning Board may, in consultation with the Transportation, Traffic & Parking Bureau, reduce the Non-Residential Parking requirement if the applicant can demonstrate that the proposed parking or Traffic Demand Management measures meet the parking needs and will not have an adverse effect on traffic and parking conditions in the vicinity of the site.

(5) Exemptions

The following projects and activities shall be exempt from Zoning Board site plan review under this Section, when determined by the Zoning Board or the Land Use Bureau Chief, or designee:

- (a) Minor repairs and/or minor alterations, maintenance or replacement of portions of an existing Building, Structure, sign, utility service or other minor Structures and site features that would result in no significant impact on the design, function, architectural character or visual appearance of the Building, Structure or property.
- (b) Exterior architectural modifications that do not substantially alter the existing height, bulk or façade of an existing *Building* or *Structure* and do not increase *Building Floor Area*.
- (c) Interior modifications that do not result in a change in use of the Building.

4.C. MISCELLANEOUS PROVISIONS [*deleted*] (223-07)