

## FOOTNOTES TO APPENDIX B

*Front Yard* depths are measured from *Street Wall* or covered porch wall of building to the street line or center of the street; greater figure to apply. Maximum building area includes *Accessory Buildings*. In the case of a parcel of land abutting tidewater, a minimum depth of any required yard contiguous to Mean High Water shall be measured from the line of the aforesaid Mean High Water, except that a required yard contiguous to the latter need not be provided if proper egress can otherwise be obtained in compliance with the Stamford Building Code or other regulations or laws related to the provision of proper egress.

- 1 For regulations pertaining to Designed Districts see Section 9.
- 2 Front setback: 10 feet from the *Curb Line* (15 feet from the *Curb Line* on Ground Floor Retail Streets). However, to ensure proper alignment with existing adjacent Buildings and Structures, the front setback may be modified to promote a generally consistent Street Wall; however, the front setback shall not be less than ten (10) feet from the Curb Line.  
  
Side and rear setback: None required within 70 feet of a *Curb Line*; if provided at least 15 feet. Beyond 70 feet of a *Curb Line*: 15 feet from any Property Line. The Zoning Board may, by Special Permit, reduce the setback requirement for the ground floor only (or up to a height of 20 feet above the finished grade, whichever is less) if it finds that (i) the ground floor is used for non-residential uses only (including residential amenity space or lobbies) and (ii) the reduction of the setback does not create a non-compliance for abutting properties with regard to Light and Air. (221-14)
- 3 For complete information on building regulations see Section 4,B.
  - 3.1 Six feet (6') plus 6 inches (6") for each foot of length of an individual building over forty-five feet (45'), measured parallel to the side lot line, not to exceed fifteen (15) feet. (99-004)
  - 3.2 Apartment Building for the Elderly and Apartment Building for the Elderly - Nonprofit as defined in Section 5 may be erected in a C-G or CC district provided the lot area per dwelling unit is not less than 400 square feet or 300 square feet in the case of such Apartment Building for the Elderly-Nonprofit built on a lot 10,000 square feet or less in the CC district. An apartment building in which not less than 10% of the residential units are designed, constructed and set aside as apartments for the elderly and rented on an income-qualified basis may be erected in the CC district provided the lot area per dwelling unit is not less than 400 square feet. (92-014; 94-013; 97-030)
  - 3.3 Each side yard at least equal to one-half the height of the building but need not exceed fifteen feet (15') each side.
  - 3.4 All side and rear yards shall be no less than one-third the height of the building and in no case less than ten feet (10').
  - 3.5 Residential use in the C-B district shall conform to the same square foot per family standard as the R-MF district on equivalent sized lots, or limited to the underlying Master Plan density, whichever is more restrictive. (209-030)
  - 3.6 See Article III section 4.B.6 for complete information on the C-WD District. Minimum side yard, one side may be zero feet, but at least four feet (4') if provided. Both side yards must equal fourteen feet (14'), combined. Minimum rear yard is fifteen feet (15') measured from mean high water mark.
- 4 Residential *Buildings* erected in the C-G General Commercial District and used only for purposes permitted in R-MF Multiple Family Residence Districts may have a minimum of five hundred (500) square feet of land area per family. Mixed-use projects within the C-G or CC District, within Master Plan Category #11, (Downtown), as delineated on the Stamford Master Plan, and subject to *Special Permit* approval by the Zoning Board pursuant to Section 7.S of these regulations shall have a minimum of 400 square feet of land area per family. Below Market Rate Housing shall be provided pursuant to Section 7.4. of these Regulations. Where proposed development includes ten (10) or more dwelling units, not less than ten

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percent (10%) of the total number of dwelling units shall be offered for rent or sale as Below Market Rate (BMR) units. Required Below Market Rate units shall be affordable to households earning not more than fifty percent (50%) of the Stamford SMSA Median income and shall be provided in accordance with the standards, definitions and procedures contained within Article III, Section 7.4 of these Regulations. For every BMR unit provided on-site, including BMR units provided voluntarily within developments containing fewer than ten (10) dwelling units, a bonus of two additional dwelling units exempt from any BMR requirement shall be permitted, provided that as-of-right density shall not be increased by more than twenty five (25%). (81-018; 97-027; 200-27; 203-12, 207-61; 208-18; 213-43, 216-27, 220-13)

- 5 All new development of property fronting on U.S. Route 1 shall be consistent with the land use goals and objectives of Master Plan Category #9. Development exceeding a total *Floor Area Ratio* of 0.3, inclusive of residential use and structured parking, shall be subject to *Special Permit* approval by the Zoning Board. All other development shall be subject to approval by the Zoning Enforcement Officer, upon written findings and recommendations of the Land Use Bureau Chief or their designee, with emphasis on buffering of surface parking and attractive pedestrian streetscape, after informal presentation to the Zoning Board. (203-29)
- 6 [New footnote 6 added with application 223-11 – formerly Section 7.R.]  
Property within the RM-1, R-5 and/or R-MF districts to be developed, redeveloped or rehabilitated, in whole or in part, with the use of mortgage assistance or financing, insured, procured or guaranteed through local, state, or federal housing assistance programs may utilize the following special standards, Permitted Uses and review procedures, subject to issuance of a Special Permit from the Zoning Board: (207-65)
  - a. The minimum land area is three (3) acres and may include land areas of at least one (1) acre in common ownership separated by a right-of-way. Proposed Lots where home ownership is available shall not be less than 2,000 square feet. Residential density shall be governed by the standards of the RM-1, R-5 and/or R-MF Districts, including applicable Below Market Rate and bonus density requirements, provided that bonus density may be increased to 15, 25, and 44 Dwelling Units per acre in RM-1, R-5 and R-MF zones respectively; (206-38, 207-44; 207-65, 222-19)
  - b. The developer shall enter into one or more regulatory agreements with the Housing Authority of the City of Stamford (i.e. Charter Oak Communities), pursuant to which approximately one half of the Dwelling Units will be made available to households which meet federal public housing or state assisted housing income eligibility requirements for the term required by the HOPE VI or similar program; (207-44)
  - c. Authorized Special Permit uses shall include all uses permitted by right in the R-5, C-N and R-MF districts and Community Center, Health Club, Sales/Leasing offices, Day Care, Health Clinic, Police substation, School, Dental Clinic and other appropriate accessory recreational and support facilities; (206-38)
  - d. Required parking shall be determined based on the number of residential Dwelling Units at a rate of not less than 1.25 Parking Spaces per unit. The location, setbacks and screening of Parking Spaces shall be subject to Zoning Board approval and may include tandem spaces. Additional parking for non-residential uses shall be determined by the Zoning Board. Driveways may be no less than twenty (20) feet wide. Where existing housing is being replaced and 100% of Dwelling Units are provided as Below Market Rate, existing nonconforming parking shall be increased by at least 25% of existing or to a ratio of 1.0 spaces per unit, whichever is less. The requirements of Section 12.L shall not apply, although the inclusion of equipment and/or infrastructure to serve proposed or future electric vehicle charging is encouraged; (207-44, 222-19)
  - e. Usable Open Space shall be provided on site, provided that the amount, design, location, and dimensions of open space shall be subject to determination by the Zoning Board; (206-38; 207-65)
  - f. Total Building Coverage shall not exceed thirty-five percent (35%) and may exclude the area of one-Story parking Structures provided that the height of such Structures is not more than five (5') above the grade of the Street from which the Structure is accessed; (206-38, 214-19)
  - g. Building Height shall be limited to three (3) Stories and thirty-five (35) feet in the RM-1 district and shall be limited to four (4) Stories and forty-five (45) feet in the R-5 and R-MF districts, provided that the Zoning Board may authorize increased Building Height in the R-MF district not to exceed five (5) Stories and sixty-five (65) feet where sites abut zoning districts that allow five (5) or more Stories in height. Building Height within seventy-five (75) feet of a more restrictive residential district (external to the project area) shall be limited to three (3) Stories and thirty-five feet. Pursuant to Definition 16-a, height may be measured from the established grade of the curb of the primary street frontage. (214-19)

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- h. All Buildings shall provide a Front Yard setback of not less than ten feet (10') excluding covered porch and steps, except that a Front Yard setback of not less than five (5) feet may be allowed where the Zoning Board makes a finding that the proposed plan (i) is consistent with the Master Plan; (ii) encourages retail-type uses at the ground floor; and (iii) will not interfere with the potential for street widening or street parking where needed. There shall be no minimum side or Rear Yard requirements provided there is an appropriate relationship of yards and separation of Structures on the site to each other and to existing off site Structures with the objective of assuring adequate light, open space, screening, landscape, safety, privacy, and overall urban design considerations. The requirements of Section 7.K of these Regulations shall not apply;
- i. Applications for Special Permits shall follow the procedures outlined in Section 9.C.6. The Zoning Board shall authorize in the approval of General Plans the number of years from the date of final plan approval within which all phases of Development shall be completed. General Plans may anticipate the relocation, abandonment or establishment of public and private rights-of-way, and may authorize an expansion or alteration of the original public housing land area, at the discretion of the Zoning Board. (98-019)
- j. Subsequent to approval of Final Site Plan, the Zoning Board, where required for reasons shown for financing, operating or conveyance purposes, may allow internal property lines to be established, or existing property lines to remain, that create Lots that individually may not conform to internal Building or parking setbacks, residential density and/or Building Coverage standards, provided that all conditions applicable to all Lots are filed on the Stamford Land Records. (208-45, 222-19)

[Previous footnote 6 deleted with application 220-13]

- 7 Dwelling units shall be set back not less than fifteen feet (15') from all property lines provided that this requirement shall not apply to dwelling units within buildings which include retail use on the ground floor. Notwithstanding this and subject to issuance of a *Special Permit* by the Zoning Board and determination that the building design and site development plan are consistent with the Master Plan, building area may equal one hundred percent (100%) of the site and minimum yard setbacks established by Appendix B, Table III or elsewhere in the Regulations may be reduced within the C-L, CC-N and C-G Districts, provided that the site is within Master Plan Category #11 (Downtown) and that adequate off-street loading berths are provided on the site or on an adjacent easement and that the building location does not interfere with pedestrian or vehicular movements upon or around the site, and provided further that no front yard is required within the C-G District for sites fronting on Broad Street. (96-012; 206-35; 207-61, 216-27)
- 8. Deleted (216-27)
- 8.1 Deleted (220-13)
- 9 By *Special Permit* of the Zoning Board, sites used exclusively for Apartment Buildings for the Elderly, Non-Profit, may be allowed the following special standards: (213-41)
  - a. Residential Density: shall be determined by the maximum floor area permitted, provided that the average *Floor Area* of dwelling units shall be not less than four hundred fifty (450) square feet.
  - b. *Floor Area Ratio*: 3.0 inclusive of all *Structures* and uses
  - c. Building Area: 60% inclusive of all *Structures* and uses (211-18)
  - d. Height: 5 stories and 65'
  - e. Setbacks: Rear: 10 feet;
  - f. Parking: Parking shall conform to Section 12 of these Regulations except that spaces shall be not less than five (5) feet from a front property line provided that the abutting street is not less than fifty (50) feet in width and spaces are adequately screened
- 10 (Deleted - 84-037).
- 11 290 feet above Mean Low Water as established by the United States Coastal and Geodetic Survey (USCGS) provided roof *Structures* and other

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*Structures* not exceeding 40% of the area of the roof on which they are located and not exceeding twenty-five feet (25') in height and containing no more than two (2) stories above said roof, may be constructed upon buildings, subject to the use limitation prescribed in Section 8 of these Regulations. Provided further that no such roof or other structure shall exceed 4,800 square feet in area and no part of such structure shall be used for other than building equipment, cooling towers, building management, maintenance or storage purposes. (74-007)

- 12** 210 feet above Mean Low Water as established by the United States Coastal and Geodetic Survey (USCGS) but in no event shall a hotel be more than twenty-one (21) stories in height and all other uses shall be no more than fifteen (15) stories. Furthermore, the *Gross Floor Area* of any *Building* or groups of buildings, excluding a hotel, on any parcel of land shall not exceed 2.5 times the area of the parcel. No *Structure*, except for a hotel, shall occupy more than 50% of the site. Any *Structure* or portion of a *Structure* devoted primarily to the parking of motor vehicles shall be excluded from such computations provided the upper exposed deck of such parking *Structures* shall not be utilized for the parking of vehicles and shall be properly landscaped or fitted out for recreational facilities. (74-007)
- 13** Standard Floor/Area maximum ratios as set forth below except that on any parcel containing at least 30,000 square feet in area (7.5 times the minimum allowable lot) or on any parcel located on a "Ground Floor Retail Street" as defined herein, and which is to be developed in accordance with premiums permitted by these regulations, *Buildings* shall not exceed the "premium floor/area ratio maximum" and "maximum premium height" shown below for the appropriate district. All other restrictions of the appropriate district pertaining to front yards, side yards, rear yards and uses must be complied with. (204-16, 220-13)

District	Standard <i>FAR</i> Maximum*	Premium <i>FAR</i> Maximum	Maximum Premium Height (Feet)	Maximum Premium Stories
C-N	0.3	N.A.	N.A.	N.A.
C-B	0.5	N.A.	N.A.	N.A.
C-L	1.0	1.2	55***	5***
C-G	1.8	2.2	150	N.A.
CC	2.0	2.5	350**	N.A.
C-I	1.2	N.A.	N.A.	N.A.

\* For lots less than 30,000 square feet or where no premiums are granted.

\*\* 400 feet, see Section 7.S.9. (206-42)

\*\*\* 75' Maximum Premium Height / 7 Maximum Premium Stories for C-L Properties within the Downtown Boundary. (206-04)

Specifically excluded from these regulations are Southeast Quadrant Urban Renewal Project Re-Use Parcels, now or formerly numbered 3-D, 3-E, 3-F, 3-G, 12, 13, 29, 30, 31 and 32 which constitute construction projects approved by the Urban Redevelopment Commission. (78-002; 80-025; 80-026; 83-003)

For any project within the CC or C-G District, directly fronting on a "Ground Floor Retail Street" as defined herein, and utilizing premium floor area or premium height pursuant to this footnote, the Ground Floor Retail amenity must be provided. For such projects, retail floor area not to exceed 1.0 FAR may be exempt from the maximum FAR calculation. Ground Floor Retail Streets: Atlantic Street - from Tresser Boulevard north to Broad Street, Bedford Street - from Broad Street north to the CBD Boundary, Broad Street - from Washington Boulevard to Greyrock Place, Main Street - from Washington

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Boulevard to Veterans Park, West Park Place - from Washington Boulevard to Main Street, Bank Street - from Main Street to Atlantic Street, Summer Street - from Main Street north to the CBD Boundary.

The determination as to qualification for premiums shall be made by the Zoning Board, by issuance of a *Special Permit* in accordance with the standards of Section 19, upon report of the Land Use Bureau Chief and *Zoning Enforcement Officer*, and based on the principles set forth in the Master Plan. All such buildings are required to provide Pedestrian Oriented Frontage, which is defined as uses of buildings and/or major design features that encourage pedestrian interaction at the street level. These include but are not limited to: retail shops, service businesses; establishments dealing directly with the general public; visually interesting features such as public art; display cases; awnings; signage at eye level; accessible plazas; or similar landscaped open spaces for public use and congregation. To the maximum extent practicable, all frontages on public and private streets and pedestrian ways shall be supported with contiguous pedestrian-oriented amenities that appropriately fit into the context of the existing streetscape. For any project within the CC District adjacent to the Mill River, and utilizing *Premium Floor Area* and/or premium heights pursuant to this footnote, the Greenbelt Amenity must be provided. For such projects, extra floor area not to exceed 1.0 FAR may be exempt from the maximum FAR calculation, provided the maximum FAR for the contiguous parcel remaining after any donation of land shall not exceed 3.5 FAR and the parking ratio shall not exceed 2.75 parking spaces per one thousand (1000) square feet of commercial office space. (97-002, 97-027, 99-011; 206-35, 220-13)

- 14 Deleted (217-12)
- 15 In any *Building* containing more than 3000 square feet of *Gross Floor Area* general office use shall be limited to stories above the ground floor level. (83-003)
- 15.1 In no case shall density exceed the maximum permitted square feet per family density of Appendix B of the most restrictive abutting residential zone. For purposes of this provision in the R-6 District, maximum permitted square feet per family density shall be considered to be 3,000 sq.ft. per unit, with building height limited to two (2) stories and not to exceed thirty (30) feet. (83-003, 86-050)
- 16 In the R-MF and R-H Districts, parking *Structures* not exceeding ten (10) feet above average grade shall be excluded from the computation of building area, provided such *Structures* are: (a) covered with a fully landscaped roof serving the residents of the development and/or general public as usable open space and are not visible at ground level from the perimeter of the site except for necessary means of ingress and egress; or (b) if in the R-H District and in an area of Special Flood Hazard, and a *Special Permit* has been issued by the Zoning Board for Neighborhood Commercial and/or Professional Office uses pursuant to Article III, Section 9.K.4.c, and the top of the parking structure is dedicated for parking for such non-residential uses, and such parking is not visible at ground level from the perimeter of the site except for necessary means of ingress and egress. (205-22)
- 17 Except that an Apartment Building for the Elderly - Nonprofit, as defined in Section 5, may be erected in the RM-1 District at a density of 2,500 square feet per family, only on lots 30,000 square feet and over, and may also be created through the rehabilitation of an existing structure on lots with a minimum area of not less than one acre (43,560 square feet) at a density as approved by the Zoning Board not to exceed the maximum permitted in the Master Plan, pursuant to Article III, Section 7.2 of these Regulations. In the case of rehabilitated *Structures*, no increased density shall be granted nor site plan approved until the Zoning Board has made a special finding that the site plan is compatible with and implements the objectives and policies of Stamford's Master Plan, that the existing *Building* will not be expanded beyond the limits of the existing foundation, and that the preservation is in the public interest and will not impair future development of the surrounding area. (89-023)
- 18 In the RM-1 District the maximum building area percentage may be increased to 27 percent if a one-car enclosed garage is provided for each unit or increased to 32 percent if a two-car enclosed garage is provided for each unit. These percentages of coverage apply to both an interior and a corner lot.

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Alternatively, on lots of two (2) acres or more where building area does not exceed 25% of the site, the Zoning Board may authorize an additional half-story and up to an additional ten feet (10') in building height where the minimum setback of said *Building(s)* from all side lot lines is increased an additional one foot (1') for each one foot (1') of height over thirty feet (30'). Where the Zoning Board grants such additional height and/or story, it shall require a significant amount of required parking be located in enclosed garages (up to 80%) and may also require up to an additional 10' setback from side and rear lot lines where a determination is made that the proximity to adjacent homes, available areas for landscaping, and/or site topography warrant such additional requirements.

- 19 See Section 4.B.3.d.(1). (86-013).
- 20 See Section 9.M.5.a. (86-013)
- 21 None required but if provided must be at least 4 feet.
- 22 See Section 9.L.5.b. (88-013)
- 23 Subject to the issuance of a *Special Permit*, parcels within the CC district may be developed as hotels and/or extended stay hotels with a maximum above grade FAR of 6.0, subject to the following standards and limitations:
- a. no commercial office or residential floor area shall be permitted;
  - b. all above grade structured parking area shall count toward the FAR total;
  - c. on Ground Floor Retail Streets, ground floor retail and/or ground floor hotel common areas must be provided;
  - d. facade features such as flag poles, canopies, lighting fixtures, balconies, façade articulation which does not include occupiable floor area, cornices, eaves, and other similar ornamental features may extend over public property, including but not limited to sidewalks and property owned by the Urban Redevelopment Commission, provided they are not less than eight (8) feet above grade (except for balconies which shall not be lower than the second story) and set back a minimum of three (3) feet from the curb where overhanging a sidewalk and do not restrict the free flow of pedestrian or vehicular traffic; and provided further that with the exception of flag poles, canopies, and lighting fixtures, such façade features referenced above shall not exceed eighteen (18) inches beyond the property line;
  - e. Building coverage may equal 100% of the lot area with no rear yard, and no at grade open space;
  - f. Parking may be provided at a rate of 0.5 spaces per hotel room for hotels and 0.75 spaces per hotel room for extended stay hotels within five hundred (500) feet of a public garage, where 24-hour shuttle services are provided, the terms of which are determined by the Zoning Board, and hotel conferencing and/or banquet facilities do not exceed 5,000 square feet;
  - g. access driveways shall be not less than twenty (20) feet in width between curbs for two-way operation;
  - h. Where parking and site access is provided on an adjacent lot(s), parking spaces and drive aisles may extend over common property lines, provided necessary easements are granted to the satisfaction of the Director of Legal Affairs. (201-12; 208-27, 213-09, 218-63)
- 24 Within the CC District, for any mixed-use project comprised of two or more *Principal Buildings* located on a development site of at least three (3) acres in area, and that seeks *Premium Floor Area* or premium height by *Special Permit* application pursuant to Footnote 13 to Appendix B of the Zoning Regulations, the Zoning Board may allow, for reasons shown for financing, construction, operating or conveyance purposes, internal property lines to be established that do not conform to the Zoning Regulations, subject to the following:
- a. Any further use or uses, in addition to or different from those set forth in the application under which internal property lines are established pursuant to this paragraph, will be required to be approved by subsequent *Special Permit* application in which all parcel owners are joined as co-applicants; and
  - b. The applicant who receives approval to establish internal property lines under this paragraph must register such approval prior to obtaining a building

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permit by filing in the City land records a site plan showing the new property lines and with notes referencing the date of Zoning Board approval, together with a notice containing the text of the Zoning Board approval and expressly referring to the filed site plan. (206-49)