



City of Stamford
Zoning Board

STAFF REPORT

TO: CITY OF STAMFORD ZONING BOARD
FROM: VINEETA MATHUR, PRINCIPAL PLANNER
SUBJECT: ZB #222-35, Richard Redniss, Text Amendment
DATE: January 06, 2023

REQUESTED ACTIONS:

222-35	Zoning Text Change	Amend Section 4.B.1 (RA-3, RA-2, RA-1 Single Family Districts, Very Low Density) subsection “e” (Building Regulations) by adding new paragraph (4) Section 4.B.2 (R-20, R-10, R-7 ½ Single Family Districts, Low Density) subsection “d” (Building Regulations) by adding new paragraph (4) Appendix B, Table III by adding Footnote (6) to the Front Street Line and Front Street Corner requirements in all single-family zones (RA-3, RA-2, RA-1, R-20, R-10 AND R-7 ½). Amend Appendix B, Footnote 6
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Introduction

The Applicant Richard Redniss requests a text amendment to allow the reduction of the front setback in certain Zoning Districts when lots are created by a subdivision and front on private right of ways. The text will be applicable in the RA-3, RA-2, RA-1, R-20, R-10, R-7 ½ zoning districts where environmental conditions such as FEMA flood zones, inland wetlands, steep slopes (incline of 15% or greater), or other natural resources impact the development. Given that this text is only applicable to future subdivisions, such plans will be subject to review by the Planning Board.

Approval of the reduced setback would need to be specifically approved by the Planning Board and noted in the approval.

Proposed Text Amendment

The following changes are proposed to the Zoning Regulations:

Amend Section 4.B.1. (RA-3, RA-2, RA-1 Single Family Districts, Very Low Density) subsection “e” (Building Regulations) by adding new paragraph (4) to read as follows:

(4) On Lots created by subdivision 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 natural resources, the minimum Front Yard along such private rights-of-way shall be 50% of the requirement in paragraphs (1), (2) and (3) above.

The current front street line setback for RA-3, RA-2 and RA-1 zoning districts is 60ft, 60ft and 40ft respectively. The proposed text will allow a 50% reduction of the setback to a minimum of 30ft, 30ft and 20ft. The purpose for the reduction is to allow lots which are constrained by environmental factors such as flood zones, inland wetlands, steep slopes or natural resources to achieve a functional layout while maintaining adequate separation from such sensitive resources.

Allowing flexibility in the front setback requirement will result in the following benefits:

- Furthers several Master Plan Policies which encourage allowing flexibility in land use regulations to protect the environment. The proposed text addresses the expansive front setback requirement for single family zoning regulations in the limited context of subdivisions with private roads. Prioritizing natural resources for the purpose of climate resiliency is clearly stated in the following Master Plan policies:
 - Policy 7L.2-c - Land Use Regulations (Further identify critical natural areas)
 - Policy 7N.1 - Protect natural flood barriers
 - Policy 7.P - Prepare flood mitigation strategy
 - Policy 7P.3 - Adapting building regulations
 - Policy 7P.6 - Natural protective features
- Limits the impact to natural resources from development such as runoff or disturbance by facilitating larger rear setback.
- Incentivizes designing around natural resources which are otherwise unprotected such as steep slopes and trees.
- Reduction in the length of driveways and thus the amount of new impervious surface created while retaining sufficient length to park in driveways. Current parking requirement of 3 parking spaces for every single family unit ensures no impact on on-street parking.
- Benefit residents by creation of more usable backyards.
- Incentivizes private roads, thus limiting burden on City services.
- Results in larger setbacks from public streets for through lots by reducing front setback on private roads.

- Retains oversight of site plans through the subdivision review process by the Planning Board and referral to Engineering Bureau and Environmental Protection Board staff. All Building Permits for dwellings part of a subdivision approval are further reviewed by Land Use staff during Building Permit process.
- Limited applicability of the new standard given the small number of subdivision requests. Over the course of last 10 years, the Planning Board approved only 13 two lot subdivisions and 10 subdivisions with more than two lots.
- Retention of a sufficient front setback standard (30ft for RA-3, RA-2 and 20ft for RA-1 zoning district) for lots subject to the new standard. Given that the lots will include a Right of Way easement beyond the front setback, the actual distance of the building from the built road will be greater than the minimum setback as shown on the two demonstration plans submitted.

The proposed regulation would not affect any other requirements in respective districts such as lot coverage, maximum building height or rear and side setbacks

Amend Section 4.B.2. (R-20, R-10, R-7 ½ Single Family Districts, Low Density) subsection “d” (Building Regulations) by adding new paragraph (4) to read as follows:

(4) On Lots created by subdivision 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 natural resources, the minimum Front Yard along such private rights-of-way shall 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.

This text allows the same flexibility for the R-20, R-10 and R-7 ½ zoning districts as discussed above for RA-3, RA-2 and RA-1 zoning districts. The minimum required setback would be 20 ft. for each of the three Zoning Districts. It follows the same rationale and planning considerations as outlined above.

Amend Appendix B, Table III by adding Footnote (6) to the Front Street Line and Front Street Corner requirements in all single-family zones (RA-3, RA-2, RA-1, R-20, R-10 AND R-7 ½).

Amend Appendix B, Footnote 6 to read as follow:

See Sections 4.B.1 and 4.B.2 for reduced Front Yard requirements along private roads in certain subdivisions.

This is a cross-reference from Appendix B - Schedule of requirements for area, height and bulk of buildings to the District Regulations in Section 4.

Referral Comments

Stamford Planning Board

The Stamford Planning Board, during its regularly scheduled meeting held on November 22, 2022 recommended approval of the application for Zoning Text Change and found the request to be consistent with the Master Plan which emphasizes sustainability detailed in the following Master Plan policies.

Policy 7L.2-c - Land Use Regulations (Further identify critical natural areas)

Policy 7N.1 - Protect natural flood barriers

Policy 7.P - Prepare flood mitigation strategy

Policy 7P.3 - Adapting building regulations

Policy 7P.6 - Natural protective features

Engineering Bureau

In a letter dated December 12, Willetta Cappelle, Coordinator of Site Plan Reviews and Inspections provided comments on the text amendment and noted their concerns related to the text amendment including how the text would ensure protection of the resources, impact on on-street parking, clarification regarding natural features among other issues. The applicant provided a response to these comments in a letter dated January 3, 2023.

Environmental Protection Board

Robert Clausi, Executive Director of Environmental Protection Board in a letter dated December 6, 2022 stated that staff supported the additional setbacks from inland wetlands, watercourses and FEMA flood zones and asked for clarification regarding natural features. In a subsequent letter dated December 13, 2022 he stated that comments #1, #4 & #5 made by the Engineering Bureau are of EPB's concern as well.

Traffic Transportation and Parking Bureau

Luke Bittenwieser, in an email dated Friday December 9, 2022 stated that the department did not anticipate any traffic or parking issues resulting from this text amendment.

WESTCOG

Kristen Floberg in an email dated November 10, 2022 stated that the proposal is of local interest and with minimal intermunicipal impact and therefore, it is not being forwarded to adjacent municipalities and the regional staff is making no comment.

Summary

Staff believes that the proposed text amendment will facilitate improved site plans for future subdivisions and recommends approval of the application. The proposal meets several Master Plan Policies and ensures that subdivision layouts minimize impacts to the environment. The proposed amendment also maintains the minimum width of required right of ways (50') pursuant to the Subdivision Regulations and the Stamford Code of Ordinances and still allows for a sufficient front setback of at least 20 feet. The flexibility in the front setback single family homes in private subdivisions is not anticipated to have any negative impact to the development itself or the surrounding neighborhoods. Reduced front yard setbacks could potentially lead to lesser lot coverage by allowing shorter driveways without reducing the overall off-street parking requirement and protect natural features more effectively. Further, the subdivision process allows for a more comprehensive review of such developments where the environmental factors could span across lots, compared to other means of relief such as the Variance process which considers each lot in isolation. As part of the subdivision process urban design considerations such as uniform or coordinated setbacks can be effectively addressed.