

SECTION 9 - DESIGNED DISTRICTS

9.A. R-D DESIGNED RESIDENTIAL DISTRICT

9.A.1. [Purpose]

The Zoning Board, upon application in the manner prescribed herein, may designate a specific area now designated for single family *Development* as R-D Designed Residential District. The intent of such designation shall be to provide possible alternatives to residential *Development* presently permitted under existing zoning. Zoning Board approval shall be based upon a determination that such a designation will be consistent with the objectives of the Comprehensive Plan of Zoning and the *Master Plan* and accomplishes all of the following purposes where applicable: (81-032)

- a. Preserves and protects exceptional terrain, natural beauty, or sites of historic interest from the insensitive placement of homes, roadways, utilities and appurtenances.
- b. Preserves streams, rivers and ponds as natural resources and prevents flooding, erosion and water pollution.
- c. Preserves wetlands, aquifers, topographical or soil features, marine and wildlife habitats and other features having conservation values.
- d. Preserves significant land area for open space and recreational purposes in perpetuity.
- e. Encourages the more efficient *Development* of the land so that resulting economies may inure to the benefit of those who need homes.

9.A.2. [Standards]

The following standards shall apply to all property designated as R-D Designed Residential Districts:

- a. **Size and *Development* of Zone.** The minimum acreage required for designation as R-D Designed Residential District shall be not less than twenty-five (25) acres when situated in an RA-3 One Family Residence District; not less than fifteen (15) acres when situated in RA-2 One Family Residence District; not less than ten (10) acres when situated in RA-1 One Family Residence District; or not less than eight (8) acres when situated in R-20 or R-10 One Family Residence Districts. Said minimum acreages shall have been held as a single contiguous parcel of land, whether by one or successive owners, for at least three years prior to an application for a zone change to an R-D District. The foregoing sentence shall not, however, prohibit any parcel or parcels smaller than said minimum acreage being added to, and qualifying for R-D District designation, with a parcel possessing such minimum acreage. The total size of any R-D District, beyond the minimum required acreage, shall be determined at the discretion of the Zoning Board on an individual basis. All R-D Designed Residential district sites are to be

comprehensively planned and developed. Land zoned R-7^{1/2} One Family Residence District shall not be eligible for designation as R-D Designed Residential District. (81-032; 82-029; 85-011; 88-011)

b. Use Regulations:

(1) **Principal Permitted Uses.** The principal *Permitted Uses* in any R-D Designed Residential District shall be those permitted in the zone in which the land was located prior to its conversion to a Designed Residential District except that Dwelling Units may be attached in groups of three (3) units or less. (81-032).

(2) **Accessory Permitted Uses.** The *Accessory Uses* permitted shall be:

(a) Those permitted in the zone in which the land was located prior to its conversion to an R-D Designed Residential District;

(b) Recreational facilities such as tennis courts, swimming pools and club houses to be used solely by residents of the proposed *Development*.

(3) **Special Permit Permitted Uses.** Notwithstanding standards contained elsewhere in these regulations, Senior Housing and Nursing Home Facility Complexes may be allowed pursuant to the standards contained in Section 5. and Section 9.A.2.f.

c. **Density Standards.** The maximum number of Dwelling Units permissible in the R-D Designed Residential District shall not exceed ninety percent (90%) of the number obtained by dividing the gross acreage by the minimum *Lot* size permitted in the pre-existing zone, and may be less where a determination is made by the Zoning Board that physical and topographical features of the land would preclude attainment of such density under prior existing zoning. (81-032; 203-04; 220-13)

d. **Maximum Building Area and Height Requirements.** The maximum *Building Area* and height requirements in the R-D Designed Residential District shall be the same as those in the zone in which the land was located prior to its conversion to an R-D Designed Residential District, except that if such land is contiguous to a more restricted zone for more than twenty-five percent (25%) of the total distance of its boundary lines, the requirements in such more restricted zone shall be adhered to.

e. Area and Yard Requirements - Location and Structures

(1) The placement of all Principal Buildings shall provide for a safe, efficient and harmonious grouping as well as adequate privacy by providing adequate front, side and *Rear Yards* subject to the approval of the Zoning Board. Every Dwelling Unit shall have direct vehicular access to a highway, right-of-way, or service drive, giving access to a public highway. Named service drives may be designated on the site plan, provided that all units are fully detached, and the names of such service drives be submitted for review and approval by the Planning Board, and associated addresses be assigned by the Director of Operations or designee and are recorded on the Stamford Land Records. (208-12)

- (2) Structures shall be placed so as to fulfill the objectives of Subsection 9.A.1 to minimize adverse effect on the environment, and so as to take advantage of meteorological and ecological conditions.
- (3) No Building built on any Lot which is contiguous to residentially used property in RA-3, RA-2 and RA-1 One Family Residence Districts shall be erected nearer than eighty feet (80') to said contiguous property line nor nearer than fifty feet (50') to said contiguous property in the case of R-20 and R-10 One Family Residence Districts. "Building" shall include only the Principal Building and shall not include *Accessory Buildings* but no such *Accessory Building* shall be nearer than fifty feet (50') to any Lot used for residential purposes in RA-3, RA-2 and RA-1 One Family Residence Districts, nor nearer than thirty feet (30') to any Lot used for residential purposes in R-20 and R-10 One Family Residence Districts. (81-032; 85-011)
- (4) No attached Dwelling Unit Buildings built on any Lot which is contiguous to residentially used or residentially zoned property in RA-3, RA-2 and RA-1 One Family Residence Districts shall be erected nearer than one hundred fifty feet (150') to said contiguous property line nor nearer than eighty feet (80') to said contiguous property line in the case of R-20 and R-10 One Family Residence Districts. "Buildings" shall include only Principal Buildings and shall not include *Accessory Buildings* but no such *Accessory Building* shall be nearer than fifty feet (50') to any property used or zoned for residential purposes in RA-3, RA-2 and RA-1 One Family Residence Districts, nor nearer than thirty feet (30') to any property used or zoned for residential purposes in R-20 or R-10 One Family Residence Districts. (81-032; 85-011)

f. Open Space Requirements

- (1) **Area of Open Space Preserve.** Comprehensive site development plans for R-D Designed Residential District shall provide for open space preservation equal to thirty percent (30%) of the district when changed from RA-3, RA-2 and RA-1 One Family Residence Districts, and twenty percent (20%) of the district when changed from R-20 or R-10 One Family Residence Districts. When comprehensive site development plans specify attached Dwelling Units, such plans shall provide for open space preservation equal to fifty percent (50%) of the district when changed from RA-3, RA-2 and RA-1 One Family Residence Districts, and forty percent (40%) of the district when changed from R-20 or R-10 One Family Residence Districts. (81-032; 85-011)
- (2) **Character of Open Space Preserve.** Such areas shall encompass land having meaningful ecological, aesthetic and recreational characteristics, with access, shape, dimensions, locations, topography and nature and extent of improvements thereon suitable in the opinion of the Zoning Board to insure the conservation purposes specified in Subsection 9.A.1. above.
- (3) **Use of Open Space Preserve.** Portions of open space preserves improved for active

recreational purposes, including tennis courts, pools, club house, paved trails or play areas shall not exceed seven and one-half percent (7¹/₂%) of the area changed from R-D Designed Residential District from RA-3, RA-2 or RA-1 One Family Residence Districts and shall not exceed five percent (5%) of the area changed to R-D Designed Residential District from R-20 and R-10 One Family Residence District. (85-011)

- (4) **Disposition and Preservation of Open Space.** The open space land shall be preserved and maintained solely for the purposes specified in Subsection A-1 above and in such a manner as may be acceptable to the Zoning Board. The method for effectuating such preservation and maintenance of open space land shall be limited to one of the following:
- (a) Establishment of a mandatory homeowner's association to own and maintain the land in common for the open space purposes intended; or
 - (b) Transfer of the land to a conservation trust or an institution, person, organization or other conservation oriented entity together with the requisite requirements for maintenance of the land for the open space purposes intended; or
 - (c) Dedication of the land to the City of Stamford subject to acceptance by the City of such dedication.

The Zoning Board shall require the owner or owners of the open space land to execute, acknowledge and file in the Land Records of the City of Stamford such maps and documents as, in the opinion of the Corporation Counsel, will effectively create a trust, easement or covenant running with the land, for the benefit of the abutting Dwelling Unit owners and of the City, which:

- will be binding on all future owners of the open space land;
- will not be affected by any subsequent changes in zoning;
- may be enforced by adjoining property owners or the City by appropriate action
- in court for damage or equitable relief;
- will be perpetual;
- will assure appropriate maintenance of the open space land to the satisfaction of the Zoning Board;
- shall provide that if maintenance, preservation and/or use of the open space land no longer complies with the provisions of the trust, easement or covenant, the City may take all necessary action to effect compliance and assess the costs against the owners in default;
- shall provide that such trust, easement or covenant may not be modified, altered, amended or changed without written approval of the Zoning Board, and all
- beneficiary property owners in the R-D Designed Residential District except in the case

of city-owned land in which case Charter provisions shall apply.

g. **Application Procedure.** The application for R-D Designed Residential District designation shall include the following:

- (1) A written statement describing how the designation to R-D Designed Residential District will accomplish the purposes under Subsection A-1 above; the proposed method of property ownership; a generalized time schedule for staging and completion of the *Development*; and the method of preservation and maintenance of intended open space portions of the land.
- (2) Application contents shall include all of the plans and information as specified by Section 19.D.3. of these Regulations. (88-025)
- (3) Community Septic Systems
 - (a) At the discretion of the Zoning Board, for projects without access to public sanitary sewers that propose the use of community septic systems, applications for designation as R-D Designed Residential District may elect to follow the General Plan procedure outlined in Section 9.D.7. and 9.D.8, except that references to DW-D shall be construed as references to R-D and no pre-application review shall be required.
 - (b) The applicant shall submit written confirmation from the Connecticut Department of Environmental Protection, Water Compliance Division, that the proposed conceptual design of the community septic system(s) is capable of satisfying all applicable technical requirements and standards for construction, installation and maintenance as established by Connecticut Department of Environmental Protection, Water Compliance Division, including confirmation that on-site septic load testing has demonstrated adequate hydraulic capacity to support the proposed R-D *Development*.
 - (c) The applicant shall provide written confirmation from the Stamford Water Pollution Control Authority indicating approval of a preliminary management plan with sufficient legal and financial authority to insure the effective operation, maintenance and repair of the proposed community septic system.
 - (d) The applicant shall be required to reimburse the City of Stamford for the cost of a peer review of the site testing and design of the community septic system by an independent consulting engineers reporting to the Zoning Board. The applicant shall pay the City of Stamford for the full cost of this peer review prior to the Zoning Board acting on the application. (204-06)

All of the requirements set forth above shall be contained in site and architectural plans which shall be submitted to and be subject to the approval of the Zoning Board in accordance with the specific objectives of the R-D District, the procedures and review standards of Section 19.D. Site Plan Review, and the general purposes and other applicable standards of these Regulations, who shall not approve same until after a public hearing. Prior to the public

hearing, the Zoning Board shall refer all plans to the Environmental Protection Board for review and comments. Subsequent to approval, proposed additions or modifications to *Principal Buildings*, or *Accessory Buildings*, shall also be subject to approval by the Zoning Board who shall require the applicant to notify abutting Dwelling Unit owners via certified mailing not less than fourteen (14) days prior to the next regular meeting of the Zoning Board at which time the applicant's plans and written comments (if any) of those persons notified shall be considered and a determination made whether a public hearing is required. (77-016; 81-032; 88-025)

- h. **Below Market Rate Dwelling Units Requirement.** *Below Market Rate* Requirements: *Below Market Rate* Housing shall be provided pursuant to Section 7.4 of these Regulations (203-04; 220-13)

9.B. P-D PLANNED DEVELOPMENT DISTRICT

9.B.1. [Purpose]

Any parcel of land or aggregation of parcels of land to be developed, redeveloped or rehabilitated principally for housing, and where the excellence of the overall design in accordance with the criteria listed below is such as to warrant special consideration for modification of standards contained elsewhere in these regulations may be designated by the Zoning Board, upon application the manner described herein, as a P-D PLANNED DEVELOPMENT DISTRICT where a determination is made that the following objectives are met:

- a. The proposed *Development* is consistent with the *Master Plan* and the objectives of comprehensive plans for *Redevelopment*, renewal or neighborhood preservation and rehabilitation by the City of Stamford.
- b. The proposed *Development* consists of such uses and such proportions as are most appropriate to its functional integration into the neighborhood.
- c. The proposed *Development* site plan is so designed in its space allocation, orientation, materials, landscaping and other features as to produce a stable and desirable character, complementary to the surrounding neighborhood.
- d. The proposed *Development* includes or supports the production of Dwelling Units available at less than market rates.

9.B.2. Minimum Area

The minimum site to be designated a P-D PLANNED DEVELOPMENT DISTRICT shall be 30,000 square feet in area and shall be so situated wholly or partially within the following boundary: beginning at a point on the intersection of West North Street and the Rippowam River, traveling south along the Rippowam River; east along Interstate 95; north along Clarks Hill Avenue; west along Broad Street, north along Grove Street; west along Hoyt Street and Linden Place; south along West Washington Avenue; and west along West North Street, to the point of beginning. (220-17)

9.B.3. Permitted Uses

The following *Permitted Uses* in the P-D PLANNED DEVELOPMENT DISTRICT shall be subject Zoning Board authorization for each as a part of its site plan review and approval:

- a. Hotel, Extended Stay; Apartment House or Dwelling; (223-30)
- b. Neighborhood Commercial and/or professional office uses, provided that such uses shall be located only on the ground floor and shall not, in the aggregate, exceed 5% of the *Gross Floor Area* of the *Building(s)*. For purposes of this section, neighborhood commercial uses shall

include the following uses:

Apparel Shops; Art & Antique Shops; Banks and Financial Institutions; Bakery, Retail; Barber; Book, Stationary Stores; Camera Shop; Churches & Religious Institutions; Child Day Care Center; Churches and Religious Institutions; Clothing Store; Clubs & Lodges; Confectionery Stores; Copy and Communications Center; Custom Tailor; Drug Stores; Dry Goods Store; Florist; Food Shop, Retail; Gift Shops; Group Day Care Home; Hardware Store; Interior Decorating Shop; Jewelry Store; Laundry and Dry Cleaning, Retail; Offices, Business & Professional; Optician; Package Liquor Store; Personal Wireless Service Facility; Pharmacy; Photographic Studio; Public and Charitable Agencies; Restaurant, Standard; Schools; Shoe Store; Shoe Repair; Sporting Goods, Retail; Textile, Retail; and Variety Store. (203-03; 223-10)

9.B.4. Standards

In connection with uses set forth in Subsection 9.B.3.a. above, the following standards shall also apply:

- a. The maximum residential density permitted in the P-D PLANNED DEVELOPMENT DISTRICT shall be seventy-five (75) Dwelling Units per acre (minimum 580 square feet of *Lot Area* per Dwelling Unit) on sites less than one acre. On sites of one acre (43,560 sq. ft.) or larger, the maximum density shall be one hundred and eight (108) Dwelling Units per acre (minimum of 400 square feet of *Lot Area* per Dwelling Unit).
- b. The maximum *Building Height* permitted in the P-D PLANNED DEVELOPMENT DISTRICT shall be one hundred and ten (110) feet for sites under one acre and one hundred and seventy (170) feet for sites one acre or larger. Requirements found elsewhere in these Regulations regarding *Building Height* in the C-C Center City District shall apply in areas redesignated from the C-C District.
- c. For the purpose of these regulations, *Accessory Use* of the basement or ground floor, or portions thereof, or of independent *Structures* on the site for retail or other non-residential uses set forth herein shall be permitted subject to a limit of five percent (5%) of the *Gross Floor Area* planned for the *Development*.
- d. [*deleted*] (223-08)
- e. The total area occupied by principal *Structures* in the P-D PLANNED DEVELOPMENT DISTRICT may not exceed forty percent (40%) of the site. *Accessory Structures* may occupy an additional forty percent (40%) of the site, provided that site coverage of all *Structures* shall not exceed seventy percent (70%) and that accessory parking *Structures* do not exceed twenty feet (20') in height above the average grade excluding parapet walls, and include a landscaped roof with direct *Structured* access for the benefit of the residents of the *Development* as *Usable*

Open Space. Notwithstanding the above, where the total area occupied by all *Structures* including accessory parking *Structures* does not exceed 55% and all parking floors are suitably screened from sensitive public views, the Zoning Board may authorize increased height of accessory parking *Structures* not to exceed thirty-five (35) feet, may exempt the coverage of one-*Story* porches, porte cocheres, and balconies not to exceed three percent (3%), and may, on the roof of accessory parking *Structures*, approve the location of one-*Story* active recreation *Structures* which shall be exempt from height limitations. (87-018; 204-12)

- f. The restrictions of the R-MF Multiple Family Residence District, pertaining to *Front Yards*, *Side Yards* and *Rear Yards*, shall apply, provided that the Zoning Board may authorize a reduction in *Front Yard* setback for porches, porte cocheres, balconies and similar architectural features not exceeding a height of twenty feet above finished grade measured at the foundation. (204-12)
- g. There shall be a minimum residential off- street parking requirement of one space for each unit of one bedroom or less, one and one-quarter space for each two-bedroom unit and one and two-thirds space for each unit of three bedrooms or larger. Required parking for non-residential uses shall be as stipulated elsewhere in these regulations. The Zoning Board may grant a *Special Permit* to provide for a shared parking plan, or to authorize use of a valet parking system using vehicular elevator access and/or use of tandem *Parking Spaces*. All *Parking Spaces* to be provided pursuant to such *Special Permit* shall be provided at or prior to the issuance of Certificate of Occupancy. (84-043; 204-12, 220-17)
- h. *Below Market Rate (BMR) Dwelling Unit Standard.* *Below Market Rate Requirements:* *Below Market Rate* Housing shall be provided pursuant to Section 7.4 of these Regulations. (203-16; 220-13)
- i. In the case of an *Extended Stay Hotel* where the usable area of the rooms intended for occupancy does not exceed an average of three hundred (300) net square feet each, and 24-hour on-site management services are provided, the Zoning Board may allow the following special standards in whole or in part as alternates to those listed above: (223-30)

(1) *Floor Area Ratio (FAR)* shall not exceed three (3.0).

(2) The total area occupied by principal *Structures* shall not exceed sixty percent (60%) provided the *Principal Building* not exceed five (5) *Stories* and all parking be at or below grade with its roof elevation less than five (5) feet above grade and adequately screened and hidden from view. Accessory parking *Structures*(s) satisfying this standard shall be exempt from coverage and *FAR* standards.

(3) Open space of fifty (50) square feet per room intended for occupancy shall be provided at grade as specified in 3(d) above or in combination with adjacent accessible open space or parkland.

(4) Provided the *Building* is limited to five (5) residential *Stories*, the minimum *Yard* requirements shall be ten feet (10') for each front and *Side Yard*, and fifteen feet (15') for

Rear Yards.

- (5) As a minimum, one (1) *Parking Space* shall be provided per five rooms intended for occupancy subject to final determination by the Zoning Board after consultation with the Department of Traffic and Parking. (92-002)

9.B.5. Procedure

The procedure to be followed in connection with applications for designation of P-D PLANNED DEVELOPMENT DISTRICT shall be as follows:

- a. Application and General Plans. Each application shall be accompanied by general site and architectural plans of the exterior of *Structures*, showing the intended *Development, Redevelopment* and/or rehabilitation of the land and *Structures* within the area to be redesignated; shall include a comparative analysis of specific characteristics of the proposed *Development* as they may differ from Appendix B, SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF *BUILDINGS* for the existing zone classification for the property; and shall include a request for authorization for specific uses intended for the *Development* in accordance with Subsection 9.B.3.a. of this Section; The application and general plans shall be sufficient in scope and character to determine that the objectives of the P-D PLANNED DEVELOPMENT DISTRICT will be met. Any proposed division of the site into separately-owned and operated units shall be indicated.
- b. The Zoning Board shall render a decision within ninety (90) days of receipt of the application unless an extension of time is agreed to by the applicant. An approval shall be construed to amend the requirements of these regulations insofar (and only insofar) as specific deletions, additions and changes are permitted which are related to the land and *Structures* proposed for the P-D PLANNED DEVELOPMENT DISTRICT.
- c. After the approval of the P-D zone change application and general plans, the applicant shall file final site and architectural plans with the Zoning Board, containing all of the plans and information as specified by Section 19.D. C of these Regulations. No *Building* permit for the proposed *Development* or any part thereof shall be issued until the Zoning Board has determined that final plans are in accordance with the application and general plans previously approved, and with the standards of Section 19.D. Site Plan Review and the general purposes and other applicable standards of these Regulations. Final site and architectural plans shall be acted upon by the Zoning Board within ninety (90) days after they are submitted to the Zoning Board unless an extension of time is agreed to by the applicant.

9.B.6. Performance

The applicant(s) shall secure a *Building* permit within one (1) year of the effective date of Zoning Board approval under Subsection 9.B.5.c. above. Upon failure to secure said permit, the

modifications or amendments provided for in Subsection 9.B.5.a. as they pertain to the subject application shall become null and void, and the area zoning district classification shall revert to the zoning district classification previously existing. No Certificate of Occupancy shall be issued until a written certificate of completion has been submitted by the applicant and accepted by the Zoning Board.

9.B.7. Effectiveness

Upon the effective date of Appl. 88-004 establishing Subsection 9.B.4.h - "*Below Market Rate Dwelling Unit Standard*", property already zoned P-D and holding a valid general site plan approval shall be entitled to secure final site and architectural plan approval and to complete the improvements and establish the uses authorized, consistent with the general site plan approval, without otherwise complying with the requirements of Subsection 9.B.4.h, provided that final site and architectural plan approval shall be secured within a period of three (3) years from the effective date of this amendment.

9.C. MX-D MIXED-USE DEVELOPMENT DISTRICT (213-06)**9.C.1. [Objectives]**

Any parcel of land or aggregation of parcels of land contiguous to or within the Downtown Land Use Categories as delineated on the *Master Plan*, now zoned residential and commercial, and which is proposed to be developed, redeveloped or rehabilitated principally for residential uses and where the excellence of the overall design and residential amenities are such as to warrant special consideration for modification of the standards contained elsewhere in these regulations may be designated by the Zoning Board upon application and in the manner prescribed herein, as a MX-D MIXED USE DEVELOPMENT DISTRICT where a determination is made that the following objectives and minimum standards are met (213-06, 215-37):

- a. The proposed *Development* is consistent with the *Master Plan* and the objectives of comprehensive municipal plans for *Redevelopment*, renewal, or neighborhood preservation and rehabilitation.
- b. The proposed *Development* consists of housing and such other uses as will be supportive of and contribute to the vitality of the Downtown Land Use Category.
- c. The proposed *Development* consists of such proportions as are most appropriate to its functional integration into the neighborhood.
- d. The proposed *Development* site plan is so designed in its space allocation, orientation, materials, landscaping and other features as to produce a stable and desirable character, complementary to the surrounding neighborhood.
- e. The proposed *Development* includes active or passive recreational amenities that will provide a superior living and working environment for the residents and employees therein.

9.C.2. Minimum Area

The minimum site to be designated a MX-D MIXED USE DEVELOPMENT DISTRICT shall be two acres (87,120 square feet) in area and not less than twenty-five percent (25%) of the site shall have been zoned for commercial *Development* prior to the redesignation. The site may be in single or multiple ownership, however all owners, contract purchasers, or their authorized agents shall be signatories to the application for redesignation. The site shall be contiguous to or within the boundary of the Downtown Land Use Category as delineated on the *Master Plan* and may be separated by a *Street* so long as the *Street* right-of-way width does not exceed fifty (50) feet, and at least one acre (43,560 square feet) of land exists on each side of such *Street*, and at least one hundred (100) feet of the frontage of each parcel is directly opposite. (201-03, 205-18, 215-37).

Subsequent to the initial designation of a MX-D site, additional land may be designated and incorporated as an integral part of the MX-D *Development* at the discretion of the Zoning Board, provided that the additional land is contiguous, regardless of its size, or is not less than thirty

thousand (30,000) square feet in area and separated by a *Street* right of way not exceeding fifty (50) feet in width, and that the incorporation and *Development* of said property is consistent with the standards and objectives of the MX-D District. (93-015, 213-06)

9.C.3. Permitted Uses

The following *Permitted Uses* in a MX-D MIXED USE DEVELOPMENT DISTRICT shall be subject to Zoning Board authorization for each use as a part of site plan review and approval (213-06):

- a. Agencies; Apartment House or Dwelling; Dwelling, Two Family; Apparel Shops; Art and Antique Shops; Assisted Living Facility ; Bakery; Banks; Barber, Beauty Shops; Book, Stationery Stores; Cafe; Camera Shop; Child Day Care Centers; Churches and Religious Institutions; Clubs and Lodges; Colleges & Universities; Confectionery Stores; Custom Tailor, Dressmaker; Drug Stores; Florist; Food Shops, Retail; Gift Shops; Hardware; Laundry; Multiple Dwellings; News stand, Variety; Offices, Business and Professional; Package Store; Photo Studio; Restaurant, Standard; Safe Deposit Facility; Shoe Repair. (201-03, 215-37, 216-04)

9.C.4. Standards

In connection with the uses set forth in Section 9.C.3.a. above, the following standards shall apply:

- a. The maximum residential density permitted in the MX-D MIXED USE DEVELOPMENT DISTRICT shall be governed by the maximum residential floor area permitted on the site.
- b. The maximum *Building Height* permitted in the MX-D MIXED USE DEVELOPMENT DISTRICT shall be one hundred and fifty (150) feet.
- c. The floor/area ratio definition found elsewhere in these regulations shall not be applicable to the MX-D MIXED USE DEVELOPMENT DISTRICT. The floor/area ratio of all uses permitted in the MX-D MIXED USE DEVELOPMENT DISTRICT shall not exceed three (3.0), except that portions of floors housing mechanical or central heating/air conditioning equipment, and *Structures* for parking either integrated into the *Building* and therefore hidden from view or with a roof not exceeding one *Story* or eleven (11) feet in height above grade and having only accessible landscaped *Usable Open Space* on their roof shall be exempt from the floor/area calculations. (213-06)
- d. Residential uses shall in the aggregate, constitute not less than two-thirds ($2/3$) of the floor area of the *Development*, except in the case of infill developments sites where there shall be no prescribed ratio.
- e. Non-residential uses shall be so located on the site to relate to uses of the Downtown Core and Downtown Corridor to the greatest extent possible, and shall not be so located as to

unnecessarily intrude upon or adversely impact adjacent residential uses. New parking *Structures* above grade shall be situated behind other street front uses, or be so located to permit substantial landscaping to mitigate adverse visual impacts. (205-18)

- f. *[deleted]* (213-06, 223-08)
- g. Above grade site coverage by major *Structures* shall not exceed forty (40) percent. The maximum permitted coverage by all *Structures* shall be fifty (50) percent except that only underground parking *Structures* with a roof a maximum of eleven (11) feet above grade pursuant to Section 3.c. above may cover an additional portion of the site, however the combined coverage shall not exceed seventy (70) percent.

Above grade site coverage by all major *Structures* shall not exceed sixty percent (60%), when all proposed major *Structures* do not exceed five (5) *Stories* in height, and all parking is provided at or below grade with a parking deck roof elevation less than six (6') feet above average grade and landscaped as useable open space or adequately screened and hidden from view. Parking *Structures* satisfying this standard shall be exempt from coverage standards set forth elsewhere in this Section. (93-015)

- h. In general, non-residential *Structures* shall be governed by the requirements of the C-C District for front, side, and *Rear Yards* and residential *Structures* shall be governed by the requirements of the R-H District for front, side, and *Rear Yards*. However, the Zoning Board may approve, on a site specific basis the appropriate relationship of *Yard* requirements and separation of *Structures* on the site to each other with the objective of assuring adequate light, open space, screening, landscape, safety and privacy for existing and proposed *Dwelling Units*, and overall urban design considerations. The requirements of, Section 7.K of these Regulations shall not apply. (87-020, 93-015)
- i. There shall be a minimum residential off-street parking requirement of one and one-quarter stalls for each unit of one bedroom or less and one and one-half spaces for each unit of 2 bedrooms or larger, provided that upon *Special Permit* approval by the Zoning Board, parking may be provided at one and one-quarter spaces for each 2 bedroom unit. Parking for office use shall not be more than three (3) stalls per one thousand (1,000) gross square feet of *Development* but may be not less than 2.5 stalls per one thousand (1,000) gross square feet of *Development*, subject to approval by the Zoning Board in accordance with the procedures and criteria of Section 12.K of these regulations excluding the fee-in-lieu payment provision of Section 12.K. The potential for shared use of parking stalls shall constitute an additional standard for consideration of parking reduction. Parking for retail use shall not be required, except that parking standards under Section 12.D of these regulations shall apply for retail uses which exceed ten percent (10%) of the total floor area of the *Development*. Parking for other uses, where the hours of the use of stalls would not be in conflict, may be shared subject to review and approval by the Zoning Board. A minimum of $\frac{2}{3}$ (two-thirds) of all required parking shall be situated below grade or integrated into the *Building* and entirely hidden from view. (209-016)

- j. **Below Market Rate Requirements.** Below Market Rate Housing shall be provided pursuant to Section 7.4 of these Regulations. (201-03; 203-17; 205-18; 213-06; 220-13)
- k. **Historic Preservation:** In order to encourage the preservation and/or rehabilitation of historic *Buildings* as defined in Section 7.3.C.1 of these Regulations, where such *Buildings* are used by religious institutions and are located in the Downtown Core as defined in the Stamford *Master Plan*, the Zoning Board, by *Special Permit*, may authorize the following alternate standards, provided that the Board finds that said standards achieve the purpose of protecting and enhancing such historic *Buildings*:
- (1) **Building Height.** Where the subject property is located within five hundred (500') feet of the C-C Zoning District, maximum *Building Height* shall be two hundred sixty (260') feet.
 - (2) **Floor Area.** The maximum Floor Area shall comply with Section 9.C.4.c above; however, the following uses shall be exempt from said limitations: historic *Buildings* as defined in Section 7.3.C.1 of these Regulations; *Buildings* used for religious institutions, together not to exceed 0.15 *FAR*; *Structured* parking floors, satisfying Section 3, Definition 39.2 of these Regulations; and any required *Below Market Rate* housing units located within the project.
 - (3) **Parking.** Parking standards shall comply with Section 9.C.4.i above, except that the requirement may be met by valet parking, car elevators, tandem parking, or so-called “stacker parking” or any combination thereof, provided that there shall be not less than one (1) freely accessible self-parked space assigned to each *Dwelling Unit*.
 - (4) **Additional Uses.** In addition to the uses permitted pursuant to Section 9.C.3.a, the following additional use shall be permitted: Cemetery.
 - (5) A condition of any *Special Permit* granted pursuant to this Subsection 9.C.4.k, shall be that the applicant provide and record on the Land Records a historic preservation façade easement for all historic *Buildings* and such easement shall continue for so long as the benefit of the *Special Permit* remains in effect and shall be an obligation of all owners of the property.
 - (6) [*deleted*] (207-60; 220-13)

9.C.5. Infill Development

These MX-D regulations may also be applied in special circumstances to parcels of less than two acres located within or contiguous to the Downtown and Urban Mixed-Use Land Use Categories as delineated on the *Master Plan*. Such sites shall be considered Infill Development sites and shall be subject to the special standards contained herein. In the absence of a special Infill Development standard, the standards of the MX-D District shall apply. Application of these special Infill Development standards shall be used for the creation of new residential *Dwelling Units* in under-utilized areas of the downtown and may include the residential conversion of existing

commercial *Buildings* including *Buildings* that do not conform to the standards of these Infill Development standards (213-06, 215-37).

a. **Designation Criteria.** A parcel or parcels of land, to be eligible for designation as a MX-D Infill Development site, shall satisfy all of the following minimum criteria (213-06, 216-07):

- (1) At least twenty-five percent (25%) of the area of the site shall have been legally used for commercial purposes or vacant at the time of application for redesignation; Office *Buildings* previously converted to residential use shall also satisfy this requirement. (217-42)
- (2) Site area of at least 20,000 square feet; Site area of at least 10,000 square feet may be allowed in the Downtown when contiguous to existing MX-D zoned land, provided that such sites shall be limited to a *Floor Area Ratio* of one and one-quarter (1.25) as further described in b-ii below. (216-07)
- (3) At least fifty (50) linear feet of street frontage;
- (4) At least fifty percent (50%) of the site frontage shall be either vacant or used for parking at the time of the application, provided that the Zoning Board may waive such requirement when the proposed Infill Development requires the preservation and enhancement of existing housing and/or historic *Buildings* and diminishes the effect of commercial uses on the residential character of the site and surrounding *Streets*. Office *Buildings* previously converted to residential use shall also satisfy this requirement. (217-42)

b. **Standards.**

- (1) *Building Height.* For sites within the Downtown land use Category 11 or within the Urban Mixed Use land use Category 9 and within South End as delineated in the 2015 *Master Plan*, *Building Height* shall not exceed one-hundred and sixty-five (165) feet. For all other sites within the Urban Mixed Use land use category, *Building Height* shall not exceed ninety (90) feet except where existing commercial *Buildings* are adaptively reused for residential purposes and no increase in existing maximum *Building Height* occurs. (213-06, 215-37, 218-06)
- (2) *Floor Area Ratio.* The *Floor Area Ratio* of all uses, including non-conforming uses, shall not exceed two and one-half (2.5) and there shall be no net increase in commercial uses. The *Floor Area Ratio* definition of Section 9.C.4.c. shall apply except that parking *Structures* not exceeding one *Story* or eleven (11) feet in height above grade shall not require landscaped *Usable Open Space* on their roof. Resident amenity space (which shall be deed restricted), areas used for community/nonprofit space (which shall be deed restricted) and on-site BMR floor area shall be exempt from these *FAR* limitations. At the discretion of the Zoning Board, street-front parking garage floors converted to active floor area may also be exempt if such converted garage area does not exceed 0.2 *FAR* and serves to enhance the streetscape and pedestrian oriented frontage. (213-06, 218-06)

- (3) [*deleted*] (213-06, 223-08)
- (4) **Building Coverage** of all *Structures* shall not exceed eighty percent (80%) provided that the deed restricted areas used for community/nonprofit space shall be exempt from such calculations. (213-06, 218-06)
- (5) All uses on the site shall satisfy the parking requirements of the Section 9.C4.i, provided that only required new residential parking shall be subject to the requirement that a minimum of $\frac{2}{3}$ (two-thirds) of parking shall be either (a) situated below grade or (b) integrated into the *Building* and/or screened from sensitive views to the satisfaction of the Zoning Board. Notwithstanding the requirements of Section 9.C.4.i, pursuant to *Special Permit* approval of the Zoning Board, residential parking may be provided in conformance with Section 12.D.1c. (213-06)
- (6) **Below Market Rate Requirement.** *Below Market Rate* Housing shall be provided pursuant to Section 7.4 of these Regulations. (213-06, 218-06; 220-13)
- (7) Signage shall be governed by the standards of the C-N District. Provided however, blade type Signs up to 30 square feet in size each and limited to one (1) sign per fifty (50) linear feet of Building frontage, mounted perpendicular to the front Building façade are permitted, within the property boundaries, subject to the standards of Section 13.F.1. Upon issuance of a *Special Permit* from the Zoning Board, the Zoning Board (i) may permit more than one (1) sign per fifty (50) linear feet of Building frontage and (ii) may permit such blade type Signs to extend over a public sidewalk and/or beyond the property boundaries, provided they extend not more than thirty (30) inches from the front Building façade, are non-illuminated, and are made of durable material. Such blade Signs shall be located not less than nine (9) feet and not more than thirty (30) feet above the sidewalk. (213-06, 221-31)

9.C.6. [*deleted*] (223-18)

9.C.7. [*deleted*] (223-18)

9.D. DW-D DESIGNED WATERFRONT DEVELOPMENT DISTRICT

9.D.1. Purpose

The Designed Waterfront Development District (DW-D) is a flexible design district, subject to special standards and review procedures, intended to provide for and encourage the most appropriate use and development of waterfront property, giving highest priority and preference to water dependent uses on sites that are physically suited for such uses and for which there is a reasonable demand, consistent with the policies of the Connecticut Coastal Area Management Act. Application of the Designed Waterfront Development District is intended to promote the following objectives:

- a. Protection and encouragement of existing and new water-dependent uses and their essential supporting uses;
- b. Conservation of significant resources;
- c. Promotion of those uses which maximize the opportunity for public access to and enjoyment of waterfront areas without conflicting with viable existing water-dependent uses or sites highly suitable for other water-dependent uses;
- d. Encouragement of harbor revitalization measures that emphasize the waterfront as a public pedestrian district connecting the shorefront with the adjacent neighborhoods and the Central Business District;
- e. Protection of key public vistas and development of visual access to coastal landscapes;
- f. Provide for new uses which are compatible with the seasonal cycle of water-based activities and those environmental hazards unique to the coastal area;
- g. Promotion of architecture and site development of design merit that makes best use of natural features, that harmonizes with the pattern and scale of the coastline, and that remains compatible with the surrounding architecture and pattern of development, and that preserves significant *Structures* and features representing the historic pattern and scale of Stamford's waterfront heritage;
- h. Control of the type and intensity of *Development* to insure a positive impact on adjacent neighborhoods and the Central Business District, to encourage the retention of employment opportunity associated with water-dependent uses, and to prevent adverse impact on municipal services and infrastructure capacities and capabilities.

9.D.2. Criteria for Designation of a Designed Waterfront Development District

In order to qualify for consideration as DW-D-Designed Waterfront Development District, a tract of land must satisfy all of the following requirements:

- a. **Zoning District.** The proposed site shall be located within the C-WD district.

- b. **Minimum Acreage.** The proposed site shall be equal to or greater than two (2.0) acres in area, contiguous and undivided by public *Streets*, and owned in common. (209-033)
- c. **Parcel Configuration.** The tract of land shall be bounded for a distance of one-hundred (100) feet or more by navigable water or waters which access a federal navigation channel, and shall have a minimum of fifty (50) feet of frontage on a public *Street* or an unobstructed fifty (50) foot wide right-of-way of adequate capacity to service the vehicle access requirements of the site. The site shall be contiguous, or may be connected by an easement or right-of-way, provided; said easement or right-of-way is a minimum of twenty-five (25) feet wide and a maximum of one hundred and fifty (150) feet in length; both parcels are bordered by navigable water or waters which access a federal navigation channel; the overall goals and policies of the Coastal Area Management Program are advanced by the project in that existing water dependent uses are preserved or enhanced and public access is improved or expanded; a determination is made by the Zoning Board that adequate automobile, pedestrian, and utility access is achieved; and a notice, approved by the Director of Legal Affairs prior to the issuance of a *Building Permit*, is recorded on the Stamford Land Records affecting the title to each parcel evidencing the fact that the *Development* on each parcel is regulated in relationship to *Development* on the other parcel. (201-21)
- d. **Infrastructure Impact.** The site shall be served by *Streets*, municipal services and public utilities of adequate capacity to service the requirements of the site. Where infrastructure capacity is judged not to be adequate, the Board may accept a binding agreement insuring that suitable improvements are scheduled to occur or will be performed by the applicant in a timely manner. No *Building* permit shall be issued until such agreement has been accepted by the Zoning Board.
- e. **Land Use Objectives.** The intended use and location of the DW-D tract shall be consistent with the purposes and objectives of the District as set forth in subsection 1 above, and shall be consistent with the *Master Plan* designation of the site, and compatible with the land use planning policies and goals articulated for adjacent affected areas.

9.D.3. Permitted Uses

In the DW-D District, the following uses may be approved by issuance of a *Special Permit* when the Board, in its sole discretion, determines such uses to be appropriate:

- a. Uses permitted within the C-WD Coastal Water-Dependent District.
- b. The following additional uses (219-26):
 - Adult Use Cannabis Retailer (223-17(MOD))
 - Agencies – Real Estate, Insurance, Employment
 - Amusements – Outdoor Temporary, Circus, Fairs, etc.
 - Amusements – Outdoor, Theater, Pool, Arena

- Apartment – Garden Type
- Apartment House or Dwelling
- Assembly of Parts, Retail only
- Assisted Living Facility
- Auto Parking Area, Commercial and Municipal
- Automotive Equipment and Service Stores
- Bakeries, Commercial and Wholesale
- Bakeries, Retail
- Bank and Financial Institutions
- Barber, Beauty Shops
- Bed & Breakfast
- Boarding House, Rooming House
- Boat Storage and Repair
- Boat, Marine Accessories, Outboard Motor Sales and Repairs
- Bottling Plant
- Building Materials, Sale and Storage
- Café, excludes Entertainment but includes Liquor
- Café, includes Entertainment and Liquor
- Camp, Summer Day
- Canvas Products Manufacturing
- Carpentry, Woodworking Shop
- Child Day Care Center
- Christmas Trees, Holly Wreaths and Similar Christmas Items, Sale thereof
- Clinics
- Clubs – Country, Golf
- Clubs and Lodges, Non-Profit
- Colleges and Universities
- Color Scanning Shop
- Commercial Apartment Building
- Community Center
- Contractor’s Material and Equipment Storage Yard
- Drug Store
- Dwelling, Group or Town Houses
- Dwelling, Multiple
- Electronics Scientific Instrument Manufacturing
- Family Day Care Home
- Food Catering, including preparation of all foods for off-premises consumption provided that the number of persons working in any one location shall not exceed 5.
- Food Shops, Retail
- Garages, Bus and Taxi Service

- Garage, Accessory
- Garage, Public
- Glass Fabricators and Installation
- Golf Course, Miniature or Simulated
- Group Day Care Home (223-10)
- Hardware Store
- *Historic Site*
- Home Occupation
- Hotel, Extended Stay (223-30)
- Houses of Worship
- Ice Dispensing Service, Retail
- Ice Manufacturing and Storage
- Jewelry Manufacturing
- Laboratories, Research
- Laundry, Cleaning and Dyeing Agency
- Laundry, Cleaning and Dyeing Establishment
- Laundry, Self Service, Dry Cleaning, Self Service
- Manufacture and Assembly 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 and Sporting Goods; Mattresses; Models, Tools and Appliances; Musical Instruments; Novelties; Paper Products; Perfumes; Playground Equipment; *Signs*; Staging; Stationery; Store and Office Equipment; Synthetic and Plastics Products; Textiles; Toilet Preparations; Toys
- Marijuana or Cannabis Delivery Facility (223-17(MOD))
- Marijuana or Cannabis Delivery Service (223-17(MOD))
- Marijuana or Cannabis Transport Facility (223-17(MOD))
- Millwork, Cabinet Work
- Newsstand, Variety Store
- Nursing Home
- Offices, Business and Professional
- Optical and Scientific Instruments Manufacturing
- Package Liquor Stores
- Paint Store, Retail
- Paint Stores, including Wholesale Paint Stores for Resale off Premises
- Passenger Terminals and Stations
- Pawn Shop, Second-Hand Store, Auction Store
- Personal Wireless Communication, Retail
- Personal Wireless Service Facility
- Photo Engraving
- Plumbing and Heating Shop

- Printing, Job Shop, Publisher
 - Professional Offices, Accessory Use
 - Professional Offices, Medical
 - Professional Offices, Principal Use
 - Professional Pharmacy
 - Public and Charitable Agencies Institutions
 - Public Library or Branch thereof
 - Public Utility Buildings
 - Public Utility Service Yards
 - Public Utility Transformer and Pump Stations
 - Rag, Bag and Carpet Cleaning
 - Restaurant, Carry Out
 - Restaurant, excludes Entertainment but includes Liquors
 - Restaurant, Fast Food
 - Restaurant, includes Entertainment and Liquors
 - Sand and Gravel Bank, no Crushing
 - School, Non-Public
 - School, Public
 - Schools, Vocational and Secretarial
 - Ship and Boat Building
 - Shoe Repair Store
 - Sign Painting
 - Social Hall
 - Stone and Monument Works, Manufacturing, Display and Sale
 - Surgery Center/Out Patient
 - Taxidermist
 - Truck and Terminal, Classification *Building* or Yard
 - Upholsterer, 5 or less persons working on premises
 - Veterinary, Dog and Cat Hospital, Kennel
 - Wearing Apparel Fabrication and Processing
 - Welding Supplies and Equipment, including Welding Gases, Storage and Sale
 - Wholesale, Closed Storage *Building* and Warehouse
 - Yacht Club
- c. In approving a proposed use, the Board shall encourage the *Development* of marina facilities for recreational and commercial boating, when not in conflict with navigation requirements or significant natural resources. Preference shall also be given to those uses that encourage public access, and provide public waterfront amenities, and attractive walkways of general utility.
- d. Except as provided for below, if a site contains an existing, viable water-dependent use, as defined in the C-WD District regulations, such use shall be retained. No proposed use shall be approved that would adversely impact a water-dependent use either through encroachment,

relocation, interference, or the juxtaposition of incompatible activities.

The Board may authorize the modification reduction or elimination of an existing water dependent use provided that:

- (1) the Board considers comments from the State Coastal Management Office before such a decision is made;
- (2) the applicant can demonstrate to the satisfaction of the Board that such use is no longer economically viable under the existing zoning; any such claim to be supported by full disclosure of all pertinent information including but not limited to financial data regarding the water dependent use;
- (3) the applicant submits a professionally-prepared market study and economic analysis of the site's potential to support a water dependent use under the existing zoning;
- (4) the applicant can demonstrate to the satisfaction of the Board that alternatives to the existing type or location of the water dependent use will allow an appropriate level of service or activity to continue in accordance with the objectives of this district and Stamford's Municipal Coastal Program.

9.D.4. Development Standards

The following standards shall apply to the *Development* of property within the Designed Waterfront Development District:

- a. **Minimum Lot Size:** 10,000 sq. ft.
- b. **Minimum Frontage** or Right-of-Way Width: 50 feet
- c. **Maximum Building Coverage:** 30%

Building Coverage is defined to be the percent of *Lot Area* covered by *Buildings* or *Structures*, excluding for purposes of this calculation one *Story* public amenity *Buildings* not to exceed 3% of *Lot Area*, and floating docks, boardwalks, canopies and similar special *Structures* designed to encourage public access to the waterfront, and also excluding for purposes of this calculation the coverage of *Buildings* used exclusively for water dependent uses, not to exceed six percent (6%) of *Lot Area*. (206-28, 215-04)

- d. **Maximum Building Height:** 6 *Stories*, not to exceed 70 feet
- e. **Maximum Ground Coverage:** 60% Ground Coverage is defined to be the percent of *Lot Area* covered by *Buildings*, *Structures*, paved *Parking Areas* and other ground areas designed to accommodate vehicles (including but not limited to concrete, asphalt, stone or gravel), excluding for purposes of this calculation one *Story* public amenity *Buildings* not to exceed 3% of *Lot Area*, and floating docks, boardwalks, canopies and similar special *Structures* designed to encourage public access to the waterfront, and also excluding *Parking Spaces*

dedicated to the general public and access solely thereto, and also excluding parking *Structures* not exceeding one *Story* above average grade that are suitably landscaped and screened from view and substantially covered with landscaped *Usable Open Space* to the satisfaction of the Zoning Board, and also excluding for purposes of this calculation the coverage of impervious areas used principally for water dependent uses, not to exceed twenty percent (20%) of *Lot Area*. (206-28, 214-12, 215-04)

- f. **Maximum Floor Area Ratio:** 0.60. *Floor Area Ratio* as used in the DW-D District shall consist of the total *Gross Floor Area* of *Permitted Uses* contained within *Buildings*, including *Dwelling Unit* area but excluding the *Gross Floor Area* of water-dependent uses and the floor area of parking *Structures* suitably enclosed and landscaped to the satisfaction of the Board, divided by the area of the *Lot*. Excluded from the calculation of *Floor Area Ratio* shall be the area of the *Lot* with elevation below the mean high water mark, the floor area of public amenity *Buildings*, the floor area of *Below Market Rate (BMR)* units provided in satisfaction of the minimum requirement of Section 4.i, below, and four times the floor area of any additional *BMR Units* provided to earn bonus residential density.

The Zoning Board, by issuance of a *Special Permit*, may authorize premiums of floor area, subject to the following standards:

- (1) **Brownfields.** To encourage the *Redevelopment* and re-use of property impacted by the presence of hazardous substances, contaminants or pollutants of the air, soil or ground waters, the Board may grant a premium of 1 square foot of *Structure* floor area for each \$100 remediation expenses, not to exceed 0.10 *FAR*.
- (2) **Off-Site Public Infrastructure and Public Access Improvements.** To encourage and facilitate the construction of needed improvements of public infrastructure systems, including public parks and facilities, public access to the waterfront, and roadways and rights-of-way, the Board may grant a premium of five square feet of *Structure* floor area for each \$100 of contributed funds or documented construction costs, not to exceed 0.50 *FAR*. (214-12)

In no case shall the *Gross Floor Area* of all uses, including *BMR Units* but excluding public amenity *Buildings* and parking *Structures* suitably landscaped and screened from view to the satisfaction of the Board, exceed an *FAR* of 1.25. (206-28)

- g. **Minimum Yards:** Front: 15 feet, provided however, that all parts of a *Building*, including balconies, shall be set back an amount equal to $\frac{1}{2}$ their height, but not to exceed 25 feet.

Rear - same as *Front Yard*

Side - 10 feet (216-03)

- h. **Waterfront Setback.** In addition to satisfying other *Yard* requirements, no *Building* shall be located less than thirty (30) feet from the waterfront (mean high water mark), provided further, however, that all parts of a *Building* shall be set back from the waterfront by an amount equal

to 1.5 times their height. This requirement may be modified by the Board based on a finding that the special function, use or design of a *Structure* requires placement closer to the waterfront and is consistent with the purposes of the DW-D District.

All *Structures* existing at the time a property is zoned DW-D shall be permitted to remain in their existing locations and the Zoning Board may grant a reduction of the thirty (30) foot easement requirement of Section 9.D.5.b provided any such *Structure* does not conflict with the provision of meaningful public access along the waterfront. (215-04)

- i. **Below Market Rate Housing Requirement.** *Below Market Rate* Housing shall be provided pursuant to Section 7.4 of these Regulations.

On all DW-D sites, when all required *BMR Units* are provided on-site, a Premium Density Bonus not to exceed a total of 44 *Dwelling Units* per acre may be permitted with Zoning Board approval by *Special Permit*. (201-21; 203-18; 206-28; 214-12)

9.D.5. Site Design and Architectural Criteria

Development within the DW-D Designed Waterfront District shall conform to the site plan review standards of Section 19.D. and the coastal site plan review standards and policies of Section 15.A. of these Regulations, and the following additional standards:

- a. **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 Board authorizes encroachment or removal of any intertidal habitat, inland wetland or other natural resource, a suitable on-site or off-site habitat replacement program or alternative mitigation effort shall be provided.
- b. **Public Access to the Waterfront.** The design of waterfront improvements shall expressly encourage and invite public access through the development of uses, amenities, signage, and attractive walkways with general utility. Private use areas and vehicular traffic and parking shall be designed accordingly with preference to public pedestrian traffic. Public access shall be insured through the dedication of a permanent easement area encompassing the area of land extending from the mean high water mark, or limit of any walkway provided, to a point thirty (30) feet inland. The public access easement shall connect to any access easements on adjacent property and shall also be extended to a public *Street* or right-of-way in a manner providing safe and convenient public access. Access improvements shall provide for the efficient movement of future pedestrian traffic, shall provide for public safety and tenant security, shall logically connect site uses and activities, and shall link smoothly with existing public access facilities on adjacent property or terminate safely at the point where continuation of such facilities cannot be reasonably anticipated. Changes of paving materials and textures within public access areas should be well considered and provide a clear transition. (214-12)

- c. **Preservation and Enhancement of Visual Resources.** The design, placement, arrangement, setback, height and bulk of *Buildings* and *Structures* and related site improvements shall serve to protect and enhance visual access to the harbor from public rights-of-way, views along the water's edge, and the quality of principal public views of the overall site. No more than seventy (70) percent of the site length, measured parallel to the shoreline, shall be occupied by *Structures*. (214-12)
- d. **Attainment of Purposes and Objectives of the DW-D District.** Proposed site design, architecture and uses shall be fully consistent with the purposes and objectives of the DW-D District.
- e. **Parking Requirements.** The standards of Section 12 of these Regulations shall apply. The number of residential off-street spaces provided shall not be less than one and one quarter ($1\frac{1}{4}$) spaces for each unit of one bedroom or less, one and one half ($1\frac{1}{2}$) spaces for each two bedroom unit, or two (2) spaces for each unit of three bedrooms or more. However, when a mixed use *Development* is proposed, the Board may in its sole discretion authorize the reduction of parking standards, including the potential for shared spaces and off-site parking, pursuant to an approved *Parking Management Plan*. Boat slips reserved exclusively for use by residents of the project shall have no parking requirement. (206-28, 214-12)
- f. **Signage.** Signage shall be governed by the standards of the in Section 13.G. of these Regulations.
- g. **Lighting.** The location, height, design and arrangement of outside lighting shall be such as to avoid glare on any other *Lot*, to avoid hazards to traffic on any *Street*, and to prevent confusion to navigation.
- h. **Landscaping.** All areas of the tract not devoted to *Buildings*, *Structures* or other designed uses shall be suitably landscaped to the satisfaction of the Board. As a minimum, a ten (10) foot landscaped buffer area shall be provided for *Front Yards* and for not less than 75% of the site perimeter along *Side Yards*, provided those areas not meeting the ten (10) foot standard shall be suitably screened with fences and/or walls. Such buffers may include walls or fencing. Additionally, not less than 20% of the area within thirty (30) feet of the waterfront shall consist of landscaped area. Landscaping shall be designed, provided and permanently maintained consistent with the design and visual quality criteria of the DW-D District and the protection of adjacent uses and neighborhoods. (214-12)
- i. Public and private areas of the site may be enhanced with works of art appropriate to their setting.
- j. **Other Governmental Approvals.** When site improvements or uses require separate approval by other municipal, state or federal units of government, evidence shall be submitted to the satisfaction of the Board demonstrating the capacity to attain such approvals in a timely manner. When issuance of any significant approvals is in question, the Board in its sole discretion may determine the application to be incomplete and may require evidence of such

approval to accompany the application.

9.D.6. Historic Preservation.

In order to permit and encourage the preservation and adaptive re-use of historic *Structures* listed or eligible for listing on the National Register of Historic Places or the State Register of Historic Places, such *Structures* may be allowed to remain and shall be exempt from *Building Height* and *Building* setback standards. Such *Structures* shall be substantially preserved or restored in conformance with the Secretary of the Interior’s standards for the rehabilitation of historic *Buildings*. Where eligibility has not been determined by the State Historic Preservation Officer or the Director of the Connecticut Historical Commission, the Zoning Board may determine eligibility based on the recommendations of at least two independent, qualified historic preservation experts as provided by the applicant. (Alternate Standards deleted 214-12; Historic Preservation added 214-12)

9.D.7. [*deleted*] (223-18)

9.D.8. [*deleted*] (223-18)

9.E. B-D DESIGNED BUSINESS DISTRICT

Areas of land whether under single ownership or not may be converted to a B-D DESIGNED BUSINESS DISTRICT, under the following conditions:

9.E.1. [Designation Criteria]

The minimum area and qualifying standards for such a B-D DESIGNED BUSINESS DISTRICT shall be as follows:

- a. When contiguous to an RA-2, RA-1 or R-20 One Family Residence District for not less than twenty-five percent (25%) of the total distance of the boundary line of a parcel of land proposed for conversion to a Designed District: twenty (20) acres exclusive of public highways passing through said area.
- b. When contiguous to an RA-1 or R-20 One Family Residence District south of the Merritt Parkway for not less than twenty-five percent (25%) of the total distance of the boundary line of a parcel of land proposed for conversion to a Designed District: fifteen (15) acres exclusive of public highways passing through said area.
- c. When contiguous to an R-10 One Family Residence District for not less than twenty-five percent (25%) of the total distance of the boundary line of a parcel of land proposed for conversion to a Designed District: ten (10) acres exclusive of public highways passing through said area.
- d. When contiguous to an R-7¹/₂ One Family Residence District or R-5 Multiple Family Residence District for not less than twenty-five percent (25%) of the total distance of the boundary line of a parcel of land proposed for conversion to a Designed District: eight (8) acres exclusive of public highways passing through said area.
- e. In the case of more than one (1) district abutting any area proposed for conversion to a B-D DESIGNED BUSINESS DISTRICT, the most restrictive contiguous district or districts as set forth under (a), (b), (c) and (d) above shall apply in determining the minimum area that may be converted to such B-D DESIGNED BUSINESS DISTRICT.
- f. When contiguous to a C-D DESIGNED COMMERCIAL DISTRICT and/or land owned by the State of Connecticut for not less than one hundred percent (100%) of the total distance of the boundary line of a parcel of land proposed for conversion to a Designed District; and having frontage of not less than one hundred feet (100') along a state highway: three-quarter (³/₄) acres (80-023)

9.E.2. [Permitted Uses]

The following uses are permitted in a B-D DESIGNED BUSINESS DISTRICT: (See also Subsection G of this Section)

Agencies, Real Estate, Insurance, Employment; Apparel Shops; Art & Antique Shops; Auto Service Stations; Automotive Equipment and Service Stores, restricted to the retail sale and service of new automotive tires; Bakeries, Retail; Banks; Barber, Beauty Shops; Book, Stationary Stores; Carpet and Floor Covering Sales, Retail; Child Day Care Services, Christmas Trees, Wreaths; Clothing Stores; Confectionery Stores; Copy and Communication Centers; Custom Tailor, Dressmaker, Milliner; Drug Stores; Dry Goods, Notions Store; Electrical and Manual Household Appliances (small) repair and service; Equipment Rental Store (residential); Feed & Seed Store, Retail; Financial Institutions; Florist; Food Shops, Retail; Food Catering, including preparation of all foods for off-premises consumption provided the number of persons working shall not exceed five (5); Furniture Display; Garden Center; Gift Shops; hardware, Electrical Appliances; Home Furnishings & Decorating; Ice Dispensing, Retail; Jewelry Stores; Laundry & Dry Cleaning Establishments, Retail, as defined in Section 3; Laundry, Cleaning, Dry Cleaning and Dyeing Agency; Laundry, Self-Service; Music Stores; Newsstand Variety Store; Offices, Business & Professional; Opticians, Repairs; Package Liquor Stores; Paint Store, Retail; Party Rental Store; Pawn Shop, Second Hand Store; Auction Store; Pet Store, including food and accessories; Photographic Studios, Camera Shops; Public Libraries or branches thereof, Redemption Center for Trading Stamps where merchandise and supplies are held for display, storage and distribution; Residential apartments, subject to the standards of subsection 3(f); Restaurant -- excludes entertainment but includes liquors; Safe Deposit Facility; Screen and Storm Doors; Windows, Porch Enclosures, Awnings (retail, sale, repair and installation); Shoe Stores, Shoe Repair Shop; Sporting Goods Stores; Tailor Shops; Textile Goods, Retail, provided the total *Gross Floor Area* devoted to such use does not exceed fifteen hundred (1,500) square feet; Wig Salon. (222-31)

9.E.3. [Standards]

In connection with the uses set forth in Subsection 9.E.2, the following standards shall apply:

- a. In general, *Parking Facilities* for patrons' cars should be provided at a ratio of three (3) or more square feet of off-street *Parking Space* for each square foot of the aggregate floor area of the *Buildings* in the project; where applicable, the provisions under Section 12 – Mobility may be applied.
- b. Merchandise or products shall not be stored or displayed outside any *Building*, except plants, shrubs and other growing products customarily sold in a nursery.
- c. All *Signs* shall conform with the sign regulations under Section 13.A through D subject to the following standards:
 - (1) The total area of any *Signs* placed on a *Building* shall not exceed two (2) square feet in area for each lineal foot of *Building* frontage on the front wall of a *Building*, and thirty (30) square feet on each side or rear wall of a *Building*.

- (2) Signage may be permitted on one (1) freestanding canopy, provided such canopy is located not less than twenty-five (25) feet from a front property line and not more than twenty (20) feet in height and such signage is limited to thirty (30) square feet in aggregate.
 - (3) *Ground or Pole Signs* not more than thirty (30) square feet in area and ten (10) feet in height may be allowed, not to exceed one (1) such *Sign* per street frontage.
 - (4) *Ground or Pole Signs* not more than fifty (50) square feet in area and twenty-one (21) feet in height may be allowed, not to exceed one (1) such *Sign* per street frontage, provided that no side of the sign face shall exceed ten (10) feet in length.
 - (5) All *Signs* shall be placed to the rear of the front setback line.
 - (6) Any legally nonconforming *Sign* existing at the time of the adoption of these regulations, which does not meet the dimensional requirements stated herein may be updated and/or replaced provided no such nonconformities are exacerbated. (217-10)
- d. No *Building* shall exceed two and one-half (2^{1/2}) *Stories* in height.
 - e. *Lot size and Yard space* shall be governed by the requirements for the C-N Neighborhood Business District in the SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF *BUILDINGS* of these Regulations.
 - f. Subject to approval by the Zoning Board, residential apartments may be permitted on the second floor above commercial uses, on *Lots* not to exceed 20,000 square feet in area. (99-029)

9.E.4. [Procedure]

Within any B-D Designed District, applications requesting approval of any *Permitted Uses* or approval of site and architectural plans shall include all of the plans and information as specified by Section 19.D.3. of these Regulations. Such applications shall be submitted to and be subject to the approval of the Zoning Board in accordance with the specific standards and objectives of the District, the procedures and review standards of Section 19.D. Site Plan Review, and the general purposes and other applicable standards of these Regulations, who shall not approve same until after a public hearing.

No *Buildings* contiguous to property in other districts shall have a *Front Yard* or *Side Yard* less than specified in the SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT, AND BULK OF *BUILDINGS*, for the contiguous district. In no case shall a *Side Yard* measure less than one-half (^{1/2}) the height of the *Building*. In the event that any Designed District is contiguous to more than one (1) district, the *Yard* requirements of the more restrictive district shall apply. Notwithstanding the above, the Zoning Board may by *Special Permit* grant a waiver of the requirements of this section and section 7.K, only for *Corner Lots* less than 10,000 square feet in area, provided that no *Building* shall be located within fifty (50) feet of any *Lot* within a more restrictive district. (97-007, 99-001)

9.F. TCD-D TRANSPORTATION CENTER DESIGN DISTRICT (222-30)**9.F.1. Purpose (222-30)**

The Transportation Center Design District (TCD-D) is intended to encourage high-density mixed-use development, provision of amenities for commuters, residents and employees, connectivity between Downtown and the South End and excellence in sustainable urban design in the vicinity of the Stamford Transportation Center (STC).

9.F.2. Zoning Tract (222-30)

The Zoning Board may designate a property or contiguous properties one acre or larger within *Master Plan Categories* 11 (Downtown) or 16 (Special Transit Oriented Development Area) as a TCD District. A parcel or parcels less than one acre located within *Master Plan Categories* 11 or 16 may only be designated a TCD District if abutting an already existing TCD District.

9.F.3. Permitted Uses (222-30)

In any TCD 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:

- Agencies, Real Estate, Insurance, Employment
- Ambulance Facility, Non-Profit
- Apartment Building for Supportive Housing
- Art and Antique Shops
- Auto Rental Service Facility
- Auto Service Station
- Bakeries, Retail
- Bank and Financial Institutions
- Barber and Beauty Shops
- Book Store
- Boutique Fitness Studio
- Café, excludes Entertainment but includes Liquor
- Café, includes Entertainment and Liquors
- Camera Shop
- Child Day Care Center
- Christmas Trees, Temporary Sale
- Clinic
- Clinic, Community Health Center
- Colleges and Universities
- Community Center
- Confectionary Store
- Copy and Communication Center
- Day Spa

- Drug Store
- Dwelling Multiple
- Dwelling - Group or Town Houses
- Family Day Care Home
- Florist Shop
- Food Processing, Retail on Premises
- Food Shops, Retail
- Garage, Accessory
- Garages, Public
- Gift Shop
- Group Day Care Home
- Gymnasium or Physical Culture Establishment
- Hardware Store
- Historic Site
- Home Occupation
- Hotel, Inn (excluding a convention center/banquet facility as an accessory use)
- House of Worship
- Ice Dispensing Service, Retail
- Jewelry Store, Repairs
- Laboratories, Research
- Laundry and Dry-Cleaning Establishment, Retail
- Medical Marijuana Dispensary
- Music Store
- Museum
- Newsstand, Variety Store
- Nursing Home
- Offices, Business and Professional
- Optician, Repairs
- Package Liquor Store
- Personal Wireless Communication, Retail
- Personal Wireless Service Facility
- Pet Store and Pet Daycare
- Professional Office – Medical
- Professional Office – Principal Use
- Professional Pharmacy
- Photographic Studio
- Public and Charitable Institutions
- Public Library or any Branch thereof
- Public Utility Building
- Public Utility Transformer and Pump Station
- Residential Recreational Area
- Restaurant, Carry Out
- Restaurant, excludes Entertainment but includes Liquor
- Restaurant, includes Entertainment and Liquors

- Restaurant, Standard
- School, Non-Public
- School, Public
- School, Vocational and Secretarial
- Senior Housing and Nursing Home Facility Complex (without any limitation as to minimum parcel size)
- Shoe Repair Shop
- Social Hall
- Sporting Goods Store, Retail
- Stationary Store
- Surgery Center / Outpatient
- Tailor Shop
- Veterinary Office

[The following Uses shall require a Special Permit approval by the Zoning Board]

- Adult Use Cannabis Retailer (223-17(MOD))

9.F.4. Standards (222-30)

The following standards shall apply to all *Buildings* and *Structures* within the TCD District

	Zoning Lots less than one acre	Zoning Lots one acre and more
a. Minimum <i>Lot</i> size	none	43,560 sf
b. Minimum <i>Lot</i> Frontage	40 ft	100 ft
c. <i>Density</i>		
<i>FAR</i> Commercial only	3.0	6.0
<i>FAR</i> Residential only and Mixed-Use residential – non-residential ¹⁾	4.0 (<i>Premium FAR</i> 0.75)	7.5 (<i>Premium FAR</i> 1.5)
<i>Residential Density Divider</i> ²⁾ / market rate	700 sf	800 sf
<i>Residential Density Divider</i> / affordable housing, housing for the Elderly ²⁾	550 sf	550 sf
d. <i>Building Coverage</i>	70% (80% <i>Corner Lots</i>) 50% above a height of the lesser of 8 <i>Stories</i> or 85 feet	80% (90% <i>Corner Lots</i>) 65% above a height of 8 <i>Stories</i> or 85 feet
e. Max. <i>Building Height</i> ³⁾	Lesser of 15 <i>Stories</i> or 175 feet	Lesser of 15 <i>Stories</i> or 175 feet, Towers permitted pursuant to Subsection 9.F.5.
f. Front setback ³⁾ , measured from <i>Curb Line</i>	Minimum: 10 feet (15 feet on <i>Transit Center Access Streets</i>); Maximum: 20 feet (25 feet on <i>Transit Center Access Streets</i>)	Minimum: 10 feet (15 feet on <i>Transit Center Access Streets</i>); Maximum: 25 feet (30 feet on <i>Transit Center Access Streets</i>)
g. Setbacks from Property Lines ²⁾	None required within 75 feet of <i>Street Line</i> ; if provided at least	None required within 75 feet of <i>Street Line</i> ; if provided at least

	15 feet Minimum 15 feet beyond 75 feet of the <i>Street Line</i> (30 feet beyond 75 feet of the <i>Street Line</i> above a height of the lesser of 8 <i>Stories</i> or 85 feet	15 feet Minimum 15 feet beyond 75 feet of the <i>Street Line</i> (30 feet beyond 75 feet of the <i>Street Line</i> above a height of the lesser of 8 <i>Stories</i> or 85 feet
h. <i>Lot Coverage</i>	Maximum 90%	Maximum 95%
i. <i>Usable Open Space</i>	75sf per unit, but no less than a total of 500sf	

- 1) In order to qualify for the Mixed-Use *FAR* at least 40% of the *Gross Floor Area* on the *Zoning Lot* must be used for residential uses.
- 2) Applied to *Gross Residential Floor Area*.
- 3) Any part of a *Building* exceeding a height of eighty-five (85) feet or eight (8) *Stories*, whichever is less, shall be setback at least thirty feet (30') from the category boundary when abutting land in *Master Plan Categories* 1, 2, 3, 4, 6, 7, 8 and 15.

1. For the purposes of this Section 9.F., the following shall be considered *Transit Center Access Streets* and Other Streets within the TCD district:

Transit Center Access Streets

- Atlantic Street
- Washington Boulevard
- Station Place
- Dock Street (aka the Urban Transit Way)
- Pacific Street, south of Dock Street (aka the Urban Transit Way)

Other Streets

All other streets within the TCD District

9.F.5. Tower Regulations (222-30)

On lots one acre and larger, *Buildings* and portions of *Buildings* may exceed the maximum *Building Height* (“Towers”) established under Subsection 9.F.4.e. above, provided that the following requirements are met:

- a. The parcel has at least one frontage on a Transit Center Access Street, and the Tower is located within 500 feet of such Street, measured perpendicularly from the *Street Line*.
- b. The minimum distance between *Buildings* and portions of *Buildings* exceeding the maximum *Building Height* shall be no less in horizontal distance than 60 feet unless they are separated by a public street.
- c. *Buildings* or portions of *Buildings* exceeding the maximum *Building Height* shall be setback at least thirty (30) feet from any interior property line.
- d. *Buildings* or portions of *Buildings* exceeding the maximum *Building Height* shall not cover more than 30% of the *Zoning Lot* they are located on.

- e. All *Buildings* or portions of *Buildings* exceeding the maximum *Building Height* shall fit within a square measuring 200' by 200' below a height of 275 feet, and within a square measuring 175' by 175' for a height of 275 feet or more.

9.F.6. Parking (222-30)

- a. Parking shall be provided pursuant to Section 12 of these Regulations.
- b. In addition to the Regulations in Section 12, the following standards shall apply:
 - (1) **Transportation Demand Management Plan required.** A Transportation Demand Management Plan (TMP) pursuant to Section 19.G. is required for *Developments on Zoning Lots* 20,000 sf or more to effectively reduce the demand for *Parking Spaces* by at least twenty five percent (25%) and promote alternative means of transportation including, but not limited to, biking, walking, micro mobility measures, mass transit, carpooling, or car share. Shared Parking pursuant to Section 12.I., may be used to meet this requirement.
 - (2) **Support for Alternate Modes of Transportation.**
 - (a) For all residential uses within the TCD-D, parking shall be provided unbundled, except where bundled parking is required pursuant to Section 7.4. The monthly parking fee per space shall be no less than the cost of a monthly parking pass at the State-owned Stamford Transit Center garage.
 - (b) For all non-residential uses, either: (i) employees shall be provided with support for using alternate modes of transportation in an amount set forth in subsection (c) below, including but not limited to transit (such as TransitChek or similar programs), car or bike share, micro mobility initiatives, pedestrian or bike infrastructure or a combination thereof; or (ii) the landlord shall make a payment to the City in the amount set forth in subsection (d) below.
 - (c) The monthly total of such support provided to employees shall be not less than 50% of the then cost of a monthly parking pass at the State-owned Stamford Transit Center garage multiplied by the total number of *Parking Spaces* provided for the development, including parking provided off-site (the “Base Amount”). Independently owned retail establishments with a Gross Floor Area of 5,000 sf or less shall be excluded from this requirement.
 - (d) Each January 15, as part of their TDMP reporting, landlord shall provide information and documentation detailing the amount of support provided to employees for alternate modes of transportation during the immediately preceding calendar year. Such information and documentation shall include a certified statement signed by an authorized representative of each tenant whose support amount is included in the report, detailing the amount of such support broken down by type (e.g., TransitChek, car sharing, etc.) If the Base Amount less the total amount of such documented support for the prior year is a positive number, then the landlord shall pay to the City, by check included with such January 15th report, an amount equal to such difference plus 10%. Such amount shall be paid to a City of Stamford account

dedicated to pedestrian, bicycle, or transit improvements, as determined by the Director of Administration.

- (3) **Parking Requirements for Small Retail Establishments, Cafes, and Restaurants.** Establishments with a gross floor area of 2,500 sf or less shall be exempt from the parking requirement established pursuant to Section 12.
- (4) For **Buildings on Zoning Lots with 10,000 sf in Area or Less**, the Zoning Board may, by *Special Permit*, reduce or waive the parking requirement if it finds that
 - (a) such lot is located fully or partially within one thousand-foot (1,000’) radius of a municipal or publicly accessible *Parking Garage*, as measured between the nearest point of the property and the primary entrance of said *Parking Garage*;
 - (b) is a Mixed-Use Development; and
 - (c) reduction or waiver of such requirements would not negatively interfere with traffic, on-street or off-street parking on or in the vicinity of such lot.

9.F.7. Signage (222-30)

All Signage shall comply with the standards of Subsections 7.6.D.1-8 and 13.H. (210-14, 217-48)

9.F.8. Below Market Rate Housing Requirement (222-30)

- a. Below Market Rate Housing shall be provided pursuant to Section 7.4 of these Regulations.
- b. For proposed developments without residential *Floor Area* in the TCD District, *BMR Units* shall be provided by way of off-site construction of *BMR Units* and/or a fee-in-lieu payment, in accordance with the standards, definitions and procedures contained within Section 7.4.C.4.c and Section 7.4.C.4.d of these Regulations, pursuant to the following formula:

$$(\text{Gross SF of all Buildings} \times 15\% / 1,000 \text{ SF}) \times 12\% \quad (210-14, 219-01)$$

9.F.9. Site and Architectural Design (222-30)

- a. Design Requirements for *Transit Center Access Streets* and other Streets within the TCD-D:

	<i>Transit Center Access Streets</i>	Other Streets within the TCD-D
Ground floor Residences	Not permitted	Permitted
Non-residential ground floor uses, including residential amenity space	Required	Permitted
Screening of parking in buildings, ground floor	Must be fully wrapped by active uses ¹⁾	Must be fully screened
Screening of parking in buildings above the ground floor	Must be fully wrapped by active uses ¹⁾	Must be fully screened

Parking permitted in Side Yard	No	Yes
Access to Parking Facilities	Permitted only if no other Streets provide access to the property	Permitted
Access to Loading Spaces and other curb cuts	Permitted only if no other Streets provide access to the property	Permitted

¹⁾ At least 90% of the frontage must be wrapped; provided, however, that no more than 25’ of Building frontage may be unwrapped.

- b. **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.
- c. **Exterior Lighting.** All exterior lighting shall meet the requirements of the City of Stamford Code.
- d. **Fencing.** Chain link fencing shall not be permitted. Fencing materials along public streets and other public right-of-ways shall be limited to tubular steel or wrought-iron-type milled steel pickets. Fencing along the side or *Rear Yards* or within a lot may be wood, steel pickets or any other fence types approved by the Zoning Board.
- e. **Contextuality.** The architectural design of new *Buildings* or *Structures*, 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*. Architectural design shall be subject to approval by the Zoning Board.
- f. **Building Elements.** *Buildings* shall be designed to have a clear base, middle and top.
- g. **Building Height.** Coordination of the height of new *Buildings* or *Structures*, or *Substantial Renovations or Alterations* projects, with the actual and apparent height of adjacent structures is required, 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*.
- h. **Building Volume.** *Buildings* shall be designed to reduce their perceived height and bulk by incorporating architectural strategies including, but not limited to, dividing the building mass into smaller-scale components and providing articulation of all facades. Architectural strategies which create the appearance of a series of side-by-side buildings or bays are required 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.

- i. **Materials.** On facades visible from the public right-of-way, only high-quality materials shall be used, and the use of vinyl and aluminum siding as well as Exterior Insulation and Finish System (EIFS) or any similar system are prohibited. 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.”
- j. **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 facades shall 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. Large scale retail stores with building frontages exceeding fifty feet (50’) shall 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.
- k. **Screening of Roof Top Mechanicals.** 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 facades, and effectively screened from view from street level.
- l. **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 shall have its principal entrance facing the primary street. Where parking is located to the side or rear of a building, or above-ground but below a building, a secondary building entrance may be provided for direct access to the parking area or a walkway should lead to the primary entrance. All entries shall be well lit and shall include architectural treatment that heightens their visibility.
- m. **Storefronts.** Storefronts and architectural facades 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. Any portion of the ground floor used for non-residential uses shall have a floor-to-ceiling height of at least twelve feet (12’). Storefront windows shall be kept as large as reasonably possible and glazing shall be of clear vision glass only. Tinted and reflective glass shall not be permitted. Storefront windows shall: (a) have a minimum height of six feet (6’) with a window sill of not more than three feet (3’) above grade, and (b) occupy seventy-five percent (75%) or more of the building frontage on the street on the ground floor between the heights of three feet (3’)

and ten feet (10'). Primary store entrances shall open to the street except if not possible. Where storefronts do not open to the street, building facades should be highly articulated with projections, recessions, windows, and other design elements to enliven the street and provide a continuous "border of interest".

- n. **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.
- o. **Ground Floor Residences on Non-Transit Center Access Streets.** Ground floor Dwelling Units shall be permitted on *Non-Transit Center Access Street*. Privacy measures shall be employed for ground floor Dwelling Units along public sidewalks including, but not limited to, elevating the finished first floor a minimum of 24 inches above curb level, 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 ground floor dwelling.
- p. **Ground Floors on Transit Center Access Streets.** No Dwelling Units shall be permitted on ground floors on *Transit Center Access Streets*. Residential amenity space, however, may be permitted. All *Buildings* or portions thereof fronting on a *Transit Center Access Street* must meet the requirements of Subsection 9.F.10.m. "Storefronts". At least 70% of the street frontage shall be occupied by active uses including residential amenity space. When a site is located on both a *Transit Center Access Street* and a non-Transit Center Access Street, all vehicular access for parking, loading and other "back of house" operations shall be located on the non-Transit Center Access Street unless deemed infeasible by the Zoning Board.

9.F.11. Sustainability (222-30)

All buildings shall achieve at least a B rating on the City of Stamford Sustainability Scorecard.

9.F.12. Publicly Accessible Amenity Space Requirement (222-30, 223-31)

Publicly Accessible Amenity Space (PAAS) shall be provided pursuant to Section 6 of these Regulations.

9.F.13. Bonus for Publicly Accessible Amenity Space (222-30)

If an applicant provides more amenity space than required pursuant to Subsection 9.F.12. above, *Bonus Floor Area*, in addition to the *Floor Area Ratios* specified in Subsection 9.F.4.c. above, may be awarded at the following rates:

- a. *Publicly Accessible Amenity Space (PAAS)* consisting of open space at ground level, pursuant

to the standards of Section 6:

- (1) Lots less than 20,000 sf in area: 2 sf *Bonus Floor Area* for every 1 sf of *PAAS* up to 2,000sf of *Bonus Floor Area*;
 - (2) Lots at least 20,000 sf in area but less than one acre: 2 sf *Bonus Floor Area* for every 1 sf of *PAAS*, up to 4,000sf of *Bonus Floor Area*; or
 - (3) Lots one acre or larger: 2 sf *Bonus Floor Area* for every 1 sf of *PAAS*, up to 10,000sf of *Bonus Floor Area*.
- b. *Publicly Accessible Amenity Space* consisting of Community Space, pursuant to the standards of Section 6:
- (1) Lots less than 20,000sf in area: 4 sf *Bonus Floor Area* for every 1 sf of Community Space, up to 2,000 sf of *Bonus Floor Area*;
 - (2) Lots at least 20,000sf in area but less than one acre: 4 sf *Bonus Floor Area* for every 1 sf of Community Space, up to 4,000 sf of *Bonus Floor Area*; or
 - (3) Lots one acre or larger: 4 sf *Bonus Floor Area* for every 1 sf of Community Space, up to 20,000sf of *Bonus Floor Area*.
- c. *Publicly Accessible Amenity Space* consisting of commuter facility space.
- (1) Lots less than 20,000sf in area: 5 sf *Bonus Floor Area* for every 1 sf of commuter facility space, up to 5,000 sf of *Bonus Floor Area*;
 - (2) Lots at least 20,000sf in area but less than one acre: 5 sf *Bonus Floor Area* for every 1 sf of commuter facility space, up to 10,000 sf of *Bonus Floor Area*; or
 - (3) Lots one acre or larger: 5 sf *Bonus Floor Area* for every 1 sf of commuter facility space, up to 25,000sf of *Bonus Floor Area*.

Qualifying commuter facility space includes direct pedestrian connections to train platforms or the Transportation Center, public parking areas and areas for bus and shuttle operations, retail space serving commuters, lobby or circulation space, or other amenities as determined by the Zoning Board.

9.F.14. Application and Review Procedure (222-30)

- a. Applications for phased *Development* of property within the TCD District shall be accompanied by and subject to the approval of a *General Development Plan (GDP)*.
- b. Pursuant to *Special Permit* approval, the Zoning Board may modify the requirements of the following subsections of this Section, based on the findings of Section 19.C. and the following additional findings:
 - (3) Subsection 9.F.4.f. (Front Setback)

The Zoning Board may modify the maximum front setback if it finds that such modification:

 - (a) allows for better alignment with existing *Buildings* and *Structures*, or for design

- features that improve the overall quality of the *Building*;
 - (b) allows for landscaped exterior courts or other *Publicly Accessible Amenity Space* features that enhance the streetscape;
 - (c) allows for drives or access to required off-street parking or pick-up and drop-off for building residents or their guests; or
 - (d) allows for the more rational development of the site because of site-specific conditions and constraints.
- (4) Subsection 9.F.4.g. (Setback from interior property lines)
- The Zoning Board may reduce the Setbacks from interior property lines beyond 75 feet of *the Street Line* for a shared property line for *Buildings* or portions of *Buildings* not exceeding one *Story* or 20 feet, whichever is less, if it makes all the following additional findings:
- (a) The adjoining property is located in *Master Plan Categories* 5, 9, 11 or 16;
 - (b) The proposed Setback from the *Interior Lot Line* does not infringe on *Light and Air* requirements of any *Building* on adjacent properties; and
 - (c) The ground floor is used exclusively for non-residential uses (including residential amenity space).
- (5) Subsection 9.F.4.h. (*Lot Coverage*)
- The Zoning Board may modify or waive pervious surface requirements if soil conditions, such as bedrock or contamination, make the provision of such pervious areas infeasible.
- (6) Subsection 9.F.5.e. (Tower Geometry)
- The Zoning Board may modify the shape of footprint of a *Building* or portion of a *Building* exceeding the maximum *Building Height*; provided that the proposed design is superior to an as-of-right design and that all other requirements of Subsection 9.F.5. are met.
- (7) Subsection 9.F.9.a. Access to Parking
- The Zoning Board may permit access to a *Parking Facility* from a Transit Center Access Street even if the site has access to a non-Transit Center Access Street if it finds that site conditions constrict access from the non-Transit Center Access Street of that it leads to a superior site plan.
- c. **Exemptions.** The following projects and activities shall be exempt from Zoning Board review and approval under this Section, as determined by the Land Use Bureau Chief, or designee:
- (1) 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;
 - (2) Minor exterior architectural modifications that do not substantially alter the existing height, bulk or facade of an existing building or structure and do not increase building floor area; or

(3) Interior modifications with no or insignificant increase in *Floor Area*.

9.G. C-D DESIGNED COMMERCIAL DISTRICT (221-20).¹⁶**9.G.1. Designation Criteria**

Where the excellence of the overall design in accordance with the criteria listed below warrants special consideration for modification of standards of the existing zoning district for the *Lot*, any *Development* or *Redevelopment of Lots*, or where a building is being restored, repaired, or remodeled principally for uses listed herein, a property may be designated by the Zoning Board as a C-D DESIGNED COMMERCIAL DISTRICT provided that the following objectives are met.

1. The proposed *Development* or *Redevelopment* is consistent with the *Master Plan*.
2. The proposed *Development* or *Redevelopment* consists of such uses and such proportions as are most appropriate to its functional integration into the neighborhood.
3. The proposed *Development* or *Redevelopment* site plan is so designed in its space allocation, orientation, materials, and to be complementary to the surrounding neighborhood.
4. The proposed *Development* or *Redevelopment* is south of the Merritt Parkway.

9.G.2. Minimum Area

The minimum area to be designated a C-D DESIGNED COMMERCIAL DISTRICT shall be fifteen (15) acres. Any parcel smaller than said minimum acreage may be added to existing C-D Districts. No land may be removed from the C-D District if it results in such C-D parcel no longer meeting the minimum area size or any other zoning requirement. Land zoned C-D may be subdivided and internal property lines may be established where the resulting individual *Lots* do not conform to the *Coverage*, *Yard*, or *Floor Area Ratio* limitations of these Regulations, provided that the overall C-D zoned land being subdivided remains compliant. Prior to obtaining a building permit, the site plan depicting the new property lines with notes referencing the Zoning Board approval and an accompanying Zoning Data Chart, subject to approval of Land Use Bureau staff, shall be filed on the Stamford Land Records. (218-45)

9.G.3. Permitted Uses

The following are the uses permitted within the C-D DESIGNED COMMERCIAL DISTRICT. Any use in the C-D District shall be permitted only by *Special Permit*.

- a. Professional Offices; Professional Offices, Medical; Administrative Offices; Scientific Offices; Educational Offices; Statistical Offices; Executive Offices;

¹⁶ Appl. 217-01, permitting Gymnasium and Physical Culture Establishments by Special Permit in the C-D zoning district, was approved by the Zoning Board on May 22, 2018 and is currently under judicial review. If the Zoning Board's approval is affirmed by the court, the approved text will be inserted herein.

Executive Home Offices; Engineering Offices; Sales Offices; Offices for Drafting Rooms; Experimental Engineering Research Laboratories; Experimental and Research Laboratories; Research and Development Laboratories.(206-11)

- b. School, Public.
- c. Single-Family, Two-Family and Multi-Family Dwellings in contiguous C-D districts with more than 50 acres, regardless of the size of the individual parcels.
- d. Assisted Living Facility.
- e. Senior Housing and Nursing Home Facility Complex.
- f. School, Non-Public.
- g. Colleges and Universities.
- h. Child Care Center.
- i. Group Day Care Home(223-10)
- j. *Accessory Structures* and *Accessory Uses* accessory to all the uses referred to in this section may include storage space for equipment, supplies, materials and motor vehicles; central heating systems; air-conditioning systems; power plants; water tanks or towers; refuse disposal system; training schools for employees; cafeterias; clinics; club houses or guest lodges for the use of residents, tenants and employees of the Buildings; such retail trade and service uses as are incidental to, and necessary for the comfort and convenience of, the residents, tenants and employees in the Buildings; assembly hall for meetings incidental to the business of the principal use or for civic meetings; playground for Child Care Center. (206-11)

There shall be no commercial manufacture or fabrication of products for sale except with respect to limited quantities of test or trial products or such models or prototypes as may be created and used on the premises in pursuit of the research, experimentation or development conducted in any laboratory.

9.G.4. Standards

In connection with the *Special Permit* uses set forth in Subsection 9.G.3. the following standards shall apply:

	Non-Residential Uses and Mixed Uses (Non-Residential and Residential,)	Residential Uses³⁾
a. <i>Building Coverage</i>	12% three story Development 10% four story Development	25%
b. <i>Lot Coverage¹⁾</i>	40% three-story development	40%

	35% four-story development	
c. <i>Density</i>	0.40 <i>FAR</i>	12 units / 14 units per acre if all required <i>BMR Units</i> are provided on-site
d. <i>Building Height</i>	Lesser of 4 <i>Stories</i> or 60 feet	Lesser of 3 <i>Stories</i> or 35 feet
e. <i>Setback from Street Line</i>	50 feet	50 feet
f. <i>Setback from property lines, except Street Line</i>	100 feet if adjacent to single and two-family districts ²⁾ , 50 feet if adjacent to any other districts	Same as the <i>Rear Yard</i> requirement for each adjacent district but not less than 50 feet

¹⁾ Stone walls, sidewalks, pedestrian walkways, bike lanes and at grade patios, which in total do not exceed 5% of the total *Lot Area* shall be exempt.

²⁾ RA-3, RA-2, RA-1, R-20, R-10, R-7¹/₂, R-6.

³⁾ See Section 9.G.4.h for standards relating to Senior Housing and Nursing Home Facility Complex use.

g. Parking.

(1) Parking shall be provided pursuant to Section 12 of these Regulations. *Parking Structures* shall only be permitted on lots of thirty (30) acres or larger. New *Parking Structures* shall be set back at least 100 feet from any property line or *Street Line*;

(2) The Zoning Board, by *Special Permit* approval, may exempt freestanding *Parking Structures* from *Building Coverage* and *Density* calculations only when all of the following conditions are met:

- (a) *Parking Structures* shall not cover more than five percent (5%) of the *Lot Area*;
- (b) *Lot Coverage* shall not exceed thirty-five percent (35%);
- (c) *Floor Area Ratio* of all *Buildings*, exclusive of *Parking Structures*, shall not exceed 0.35;
- (d) The height of the *Parking Structure* shall not exceed thirty feet (30') above average grade; and
- (e) All *Parking Structures* shall be appropriately screened from view by Principal *Buildings*, topography, and/or landscaping to the satisfaction of the Zoning Board.

h. Senior Housing and Nursing Home Facility Complex as a single use shall not exceed: seventeen percent (17%) *Building Coverage*; thirty-five percent (35%) *Lot Coverage*; the lesser of four (4) stories or 60' where 4-story elements are set back not less than 200' from the *Street Line* and 250' from residential districts, otherwise the lesser of three (3) stories or forty (40) feet; density of fourteen (14) units per acre where the required *BMR Units*

are provided on-site, density of twelve (12) units per acre if the BMR requirement is satisfied by a fee-in-lieu payment based on 5% of the gross floor area (less any permitted exclusions), provided however density of fourteen (14) units per acre if the BMR requirement is satisfied by a fee-in-lieu payment based on 5.5% of the gross floor area (less any permitted exclusions) and the Applicant is a 501 (c) (3) nonprofit corporation. (222-08)

i. Signage. All Signs shall comply with Subsections 13.A. – 13.D. of these Regulations, and the City of Stamford Code of Ordinances. In addition, the following regulations shall apply:

(1) **Building Signs.** One (1) *Sign* may be affixed to each *Building* wall facing each *Street* on which the *Lot* abuts. Each such *Sign* may not exceed sixty (60) square feet in area. *Signs* shall be placed either between (a) the top of the top floor row of windows and the top of the roof line or parapet wall, or (b) the top of the ground floor row of windows and the bottom of the second floor row of windows. *Signs* shall not extend above the roof line or parapet wall of the *Building*; provided, however that *Signs* are permitted on roof structures such as mechanical penthouses and bulkheads as long as they do not extend beyond the height or width of said roof structure. Where there are fully transparent curtain walls or no windows, the Zoning Enforcement Officer shall determine the location of the *Sign*.

(2) **Ground Signs.** There shall be one *Ground Sign* permitted for each curb cut. *Ground Signs* shall not exceed ten feet (10') in length or eight feet (8') in height. Directional signs not exceeding twelve (12) square feet in area or eight feet (8') in height shall be permitted as-of-right. The Zoning Board may, at its sole discretion as part of the Site and Architectural Plan Approval, allow an Applicant to substitute *Building Signs* for *Ground Signs*, provided that no *Ground Sign* shall exceed the dimensional parameters established as set forth above.

(3) **Flags.** Flags may be displayed on vertical or mast-arm flagpoles provided that no flag shall exceed twenty-four (24) square feet in area and twenty-five feet (25') in height. Where there is more than one flag per *Lot*, the aggregate square footage of the flags combined shall not exceed seventy-two (72) square feet in area (200-32, 218-45)

j. Below Market Rate Housing Requirement. All Below Market Rate Housing shall be provided pursuant to Section 7.4 of these Regulations.

k. Public Amenity Requirement. *Publicly Accessible Amenity Space (PAAS)* shall be provided pursuant to Section 6 of these Regulations. (223-31)

9.G.5. Procedure

All *Development* and *Redevelopment* within the C-D District, shall be subject to a *General Development Plan*, pursuant to Subsections 9.D.7.b, c, d and 9.D.8.f., and to the Site Plan Review requirements pursuant to Section 19.D, unless Final Site and Architectural Plan Approval is granted for the entirety of the *Development* or *Redevelopment* at the time of the *Special Permit* approval.

Senior Housing and Nursing Home Facility Complex shall be subject to a *General Development Plan*, pursuant to Subsections 9.D.7.b, c, d and 9.D.8.f., and to the Site Plan Review requirements pursuant to Section 19.D, unless Final Site and Architectural Plan Approval is granted for the entirety of the *Development* or *Redevelopment* at the time of the *Special Permit* approval. (222-08)

9.H. M-D DESIGNED INDUSTRIAL DISTRICT

Areas of land whether under single ownership or not may be converted to a M-D DESIGNED INDUSTRIAL DISTRICT, under the following conditions.

9.H.1. [Minimum Area]

The minimum area and qualifying standards for such a M-D DESIGNED INDUSTRIAL DISTRICT shall be as follows:

- a. When contiguous to an RA-2, RA-1 or R-20 One Family Residence District for not less than twenty-five percent (25%) of the total distance of the boundary line of a parcel of land proposed for conversion to a Designed District: twenty (20) acres exclusive of public highways passing through said area.
- b. When contiguous to an RA-1 or R-20 One Family Residence District south of the Merritt Parkway for not less than twenty-five percent (25%) of the total distance of the boundary line of a parcel of land proposed for conversion to a Designed District: fifteen (15) acres exclusive of public highways passing through said area.
- c. When contiguous to an R-10 One Family Residence District for not less than twenty-five percent (25%) of the total distance of the boundary line of a parcel of land proposed for conversion to a Designed District: ten (10) acres exclusive of public highways passing through said area.
- d. When contiguous to an R-7¹/₂ One Family Residence District or R-5 Multiple Family Residence District for not less than twenty-five percent (25%) of the total distance of the boundary line of a parcel of land proposed for conversion to a Designed District: eight (8) acres exclusive of public highways passing through said area.
- e. When contiguous to any other District except as otherwise provided for under (a), (b), (c) and (d): one (1) acre.
- f. When contiguous to any other District except as otherwise provided for under (a), (b), (c) or (d) of this subsection, and when the property is designated as Category 12 on the *Master Plan* at the time such M-D is designated, and when the property abuts on not less than sixty percent (60%) of its boundaries land in the M-D Designed Industrial District, M-G General Industrial District or M-L Light Industrial District: one (1) acre minimum.
- g. In the case of more than one (1) district abutting any area proposed for conversion to a M-D DESIGNED INDUSTRIAL DISTRICT, the most restrictive contiguous district or districts as set forth under (a), (b), (c) and (d) above shall apply in determining the minimum area that may be converted to such M-D DESIGNED INDUSTRIAL DISTRICT.
- h. When contiguous to a C-D DESIGNED COMMERCIAL DISTRICT and/or land owned by the State of Connecticut for not less than one hundred percent (100%) of the total distance of the

boundary line of a parcel of land proposed for conversion to a Designed District; and having frontage of not less than one hundred feet (100') along a state highway: three-quarter ($\frac{3}{4}$) acres. (80-023)

9.H.2. [Permitted Uses]

The following uses are permitted in a M-D DESIGNED INDUSTRIAL DISTRICT: (See also Subsection J of this Section)

- a. Experimental Electronic Laboratories for the research, design, development, storage, servicing and assembly of light electronic and electrical mechanical equipment shall be permitted in the M-D Designed Industrial District.
- b. Professional Offices; Administrative Offices; Scientific Offices; Educational Offices; Statistical Offices; Executive Offices; Executive Home Offices; Engineering Offices; Sales Offices; Offices for Drafting Rooms; Experimental Engineering Research Laboratories; Experimental and Research Laboratories; Research and Development Laboratories.
- c. Supplemental and *Accessory Buildings* and Uses accessory to all the uses referred to in Subsection BBBB,2 may include storage space for equipment, supplies, materials and motor vehicles; central heating systems; air-conditioning systems; power plants; water tanks or towers; refuse disposal system; training schools for employees; cafeterias; clinics; club houses or guest lodges for the use of tenants and employees of the *Buildings*; such retail trade and service uses as are necessary for the comfort and convenience of the tenants and employees in the *Buildings*; assembly hall for meetings incident to the business or the principal use or for civic meetings; enclosed pedestrian walkways; Group Day Care Home and Child Day Care Center; and Playground for Child Day Care Center. (205-06; 223-10)
- d. Public School. (205-06)

[The following Uses shall be permitted in the M-D District by Zoning Board Special Permit approval only:]

- Adult Use Cannabis Retailer (223-17(MOD))
- Marijuana or Cannabis Cultivator (223-17(MOD))
- Marijuana or Cannabis Delivery Facility (223-17(MOD))
- Marijuana or Cannabis Delivery Service (223-17(MOD))
- Marijuana or Cannabis Micro-Cultivator (223-17(MOD))
- Marijuana or Cannabis Processing Facility (223-17(MOD))
- Marijuana or Cannabis Transport Facility (223-17(MOD))
- Marijuana Producer (223-17(MOD))

9.H.3. [Standards]

In connection with the uses set forth in Subsection 9.H.2 the following standards shall apply:

- a. Except for the uses set forth in Subsection 9.H.2.a herein, there shall be no commercial manufacture or fabrication of products for sale except with respect to limited quantities of test or trial products or such models or prototypes as may be created and used on the premises in pursuit of the research, experimentation or development conducted in any laboratory.
- b. *On-site Signs* are authorized on each *Plot* under the following conditions (200-32; 211-45):
 - (1) The total area of any *Signs* placed on the wall of a *Building* with a *Yard* abutting a public *Street* providing vehicular access to the site shall not exceed two (2) square feet in area for each linear foot of *Building* façade. The total area of *Signs* placed on all remaining façades shall not exceed one (1) square foot in area for each linear foot of *Building* façade.
 - (2) Signage permitted under subsection one (1) above may be erected on top of a *Building* entrance canopy provided said signage does not project over the *Building* parapet or roof.
 - (3) Fabric, vinyl or metal banners projecting from the *Building* façade, not to exceed 30 square feet each with the number of banners not to exceed one for every twenty-five (25) linear feet of *Building* façade, are permitted and shall be excluded from the calculation in subsection one (1) above.
 - (4) One (1) *Ground Sign*, not exceeding fifty (50) square feet in area and eight (8) feet in height may be displayed at each vehicular entrance to the site. Up to two (2) additional *Ground Signs* subject to the same size restrictions may be placed at other locations within the site.
 - (5) Flags, each not to exceed twenty-four (24) square feet in area and twenty-five (25) feet in height, may be displayed on vertical or mast-arm flagpoles.
 - (6) Directional and wayfinding *Signs*, including *Ground Signs*, not exceeding fifteen (15) square feet and eight (8) feet in height are permitted and shall be exempt from any limitation.
 - (7) All signage, except for directional and wayfinding signage, shall be subject to administrative approval by the Zoning Board.
- c. *Parking Space* shall be provided on the *Lot* to accommodate company, employee and visitor motor vehicles; with at least one (1) car space for each three (3) employees or occupants for which the *Buildings* on the *Lot* are designed, or three (3) spaces per one thousand (1,000) square feet of net usable floor area, which *Parking Space* requirements shall be determined by the Zoning Board. The computation of "net usable floor area" as used in this subsection shall exclude from *Gross Floor Area* the following:
 - (1) areas used for the storage or housing of mechanical or central heating and air conditioning equipment of the *Building*, and
 - (2) areas within the *Building* used for parking or pedestrian access.

Parking Areas shall be permanently improved and suitably screened with planting and shall be set back from all boundaries at least fifty feet (50') or in the case of any M-D Designed Industrial District described in Subsection 9.H.1.f herein, at least ten (10') feet.

- d. *Building Coverage* shall not exceed twenty-five percent (25%) in those M-D Designed Industrial Districts described in Subsection 9.H.1.a through e herein, and no *Building* shall exceed three and one-half (3^{1/2}) *Stories* in height in an M-D Designed Industrial District; except that on any *Lot* in an M-D Designed Industrial District, having an area of thirty (30) acres or more, *Building Coverage* of not more than fifty percent (50%) of the *Lot Area* shall be permitted provided no *Building* erected thereon shall exceed two (2) *Stories* in height. No *Principal Building* shall be located at a distance of less than fifty feet (50') from any *Street* on which the *Lot* fronts nor less than one hundred feet (100') from a property line or from the boundary line of a Residential District. *Parking Structures* not exceeding twenty (20) feet in height above the average grade and set back not less than fifty (50) feet from any property line may be allowed, provided that they are suitably screened to the satisfaction of the Zoning Board from abutting residential properties. In an M-D Designed Industrial District described in Subsection 9.H.1.f herein, *Building Coverage*, *Floor Area Ratio*, *Building Height*, *Lot* size and front and *Rear Yard* space shall be governed by the requirements of the M-G General Industrial District as set forth in Appendix B of these Regulations except in the case of a self-storage facility that does not provide direct accessible ground floor storage units and where its total coverage is less than thirty percent (30%), a *Floor Area Ratio* of up to 1.25 shall be permitted. In addition, *Side Yards* shall be provided and shall measure not less than the highest point of the *Building* adjacent to such *Side Yard* or twenty feet (20'), whichever is less. (211-39, 216-26)

The above-described, self-storage facilities that do not provide any direct accessible ground floor storage units, shall have one (1) *Parking Space* for every employee plus one (1) *Parking Space* for every 100 units provided at a point not more than 500 feet distant in a direct line from the nearest part of the *Building* served, and one *Loading Space* for every 1,000 units. (216-50)

- e. The uses permitted in this Subsection may be combined and carried on in the same *Building*.
- f. Notwithstanding the above, *Accessory Structures* (i.e. guard houses) to facilitate security and traffic control and internal new *Lot Lines* created within an approved M-D District shall be governed by requirements of the M-G General Industrial District as set forth in Appendix B of these regulations. (205-06)

9.H.4. [Additional Permitted Uses]

In addition to those uses specified in Subsection 9.H.2 herein, and notwithstanding the limitations contained in Subsection 9.H.3 herein, the following uses are permitted in a M-D DESIGNED INDUSTRIAL DISTRICT: (See also Subsection J of this Section).

- a. Any use conducted entirely within a *Building*, consisting of the sale of goods, the providing of

professional, personal or commercial services, non-ferrous metal storage, or the manufacture, fabrication, assembling or other handling of products.

- b. Any use consisting of or related to the manufacture, production, processing, sale, distribution or other handling of concrete, including ready-mix concrete, and bituminous concrete.
- c. In the case of any M-D Designed Industrial District described in Subsection 9.H.1 herein, the Zoning Board in its sole discretion may authorize residential use consistent with R-5 standards or in the case of any M-D Designed Industrial District described in Subsection 9.H.1.f herein, the Zoning Board in its sole discretion may authorize any further uses listed as permitted by right in the M-G District in Appendix A LAND USE SCHEDULE of these any further uses listed as permitted by right in the M-G District in Appendix A LAND USE SCHEDULE of these Regulations, upon a finding that the nature, proportion and arrangement of requested uses are appropriate for the integrated functioning of the planned *Development* and the surrounding neighborhood, and satisfy the review standards of Section 19.D. Site Plan Review and Section 19-3.2 Standards and Conditions (for *Special Permit* Uses). (205-06)

9.H.5. [Application Procedure]

Within any M-D Designed District, applications requesting approval of any *Permitted Uses* or approval of site and architectural plans shall include all of the plans and information as specified by Section 19.D.3. of these Regulations. Such applications shall be submitted to and be subject to the approval of the Zoning Board in accordance with the specific standards and objectives of the District, the procedures and review standards of Section 19.D. Site Plan Review, and the general purposes and other applicable standards of these Regulations, who shall not approve same until after a public hearing. A proposed public school use, on a separately subdivided parcel devoted exclusively to such use, shall be subject only to review and approval by the *Zoning Enforcement Officer* in accordance with applicable standards of the M-D District and these Regulations. (205-06)

No *Buildings* contiguous to property in other districts shall have a *Front Yard* or *Side Yard* less than specified in the SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT, AND BULK OF *BUILDINGS*, for the contiguous district. In no case shall a *Side Yard* measure less than one-half ($1/2$) the height of the *Building*. In the event that any Designed District is contiguous to more than one (1) district, the *Yard* requirements of the more restrictive district shall apply. (97-007)

9.I. IP-D DESIGNED INDUSTRIAL PARK DISTRICT

Areas of land whether under single ownership or not may be converted to an IP-D DESIGNED INDUSTRIAL PARK DISTRICT under the following conditions:

9.I.1. Minimum Area

The minimum area for such an IP-D DESIGNED INDUSTRIAL PARK DISTRICT shall be twenty (20) acres, exclusive of public highways passing through said area.

9.I.2. Non-contiguous with RA-2 and RA-1 Districts

No portion of the area sought to be converted to an IP-D DESIGNED INDUSTRIAL PARK DISTRICT shall be contiguous to an RA-2 or RA-1 One Family Residence District.

9.I.3. Permitted Uses

The following uses are permitted in an IP-D DESIGNED INDUSTRIAL PARK DISTRICT: (See also Subsection M of this Section). (215-12)

- a. Experimental Electronic Laboratories for the research, design, development, storage (as an *Accessory Use* only), servicing and assembly of light electronic and electrical mechanical equipment.
- b. Experimental Engineering Research Laboratories; Experimental and Research Laboratories; Research and Development Laboratories; Administrative Offices; Offices for Drafting Rooms; Educational Offices; Engineering Offices; Executive Offices; Executive Home Offices; Professional Offices; Sales Offices; Scientific Offices; Statistical Offices; Child Day Care Center. (95-021)
- c. Any use conducted entirely within a *Building* consisting of the non-retail sale of goods; the providing of professional, personal or commercial services; or the fabrication, assembling or other handling of the following products: cosmetic, pharmaceutical and related preparations; electrical, electronic and scientific instruments and related accessories; light synthetic and plastic products; models; optical instruments.
- d. Supplemental and *Accessory Buildings* and Uses accessory to all the uses referred to in Subsection C,3,(a),(b), and (c) above, which may include: assembly hall for meetings incidental to the business of the principal use or for civic meetings; cafeterias; central heating systems and air-conditioning systems, power and equipment required for their proper functioning; clinics; storage space for equipment, supplies, materials and motor vehicles; training schools for employees; enclosed pedestrian walkways; Group Day Care Home Playground for Child Day Care Center. (94-024; 95-021; 223-10)

- e. Schools (without dormitories): Public, Non-Public, Secretarial & Vocational, and Colleges; (214-38)
- f. Colleges and Universities. (216-04)

9.I.4. [*deleted*] (88-025)

9.I.5. Signage

In connection with the uses set forth in Subsection 9.I.3 above, one (1) *Sign* may be displayed for each *Building*, facing each *Street* on which the *Lot* abuts. Each such *Sign* may not exceed sixty (60) square feet in area, nor extend above the roof level of the *Building*. If a ground or *Pole Sign*, no side of the *Sign* face may exceed ten feet (10') in length, nor may any part thereof exceed twelve feet (12') in height. Such *Sign* shall not be illuminated by exposed tubes, bulbs or similar exposed light sources. There shall be no exterior spot-lighting or other illumination of any such *Sign* that would cause any glare observable within a Residential District. Where a *Parking Area* is provided on a *Plot*, additional *Signs* may be erected at the entrances and exits of such *Parking Area* provided the total surface area of all such *Signs* does not exceed twelve (12) square feet in area and no such *Sign* exceeds eight (8) feet in height. One (1) additional *Ground Sign* or *Wall Sign*, not exceeding sixteen (16) square feet in area and ten (10) feet in height when ground mounted, may be displayed on any *Plot*. This *Sign* may be erected on a temporary protective fence on a property in the process of construction, demolition, remodeling or repair. Flags, each not to exceed twenty-four (24) square feet in area and twenty-five (25) feet in height, and in the aggregate not exceeding seventy-two (72) square feet in area, may be displayed on vertical or mast-arm flagpoles. (200-32)

9.I.6. Parking

Parking Space shall be provided on the *Lot* to accommodate company, employee and visitor motor vehicles, with at least one (1) car space for each two (2) employees or occupants for which the *Buildings* on the *Lot* are designed. *Parking Areas* shall be permanently improved and suitably screened with plantings, and shall be set back at least fifty feet (50') from all *Streets* located outside of the boundaries of a *Lot* and from all property lines outside of the Designed District area or from the boundary line of a Residential District. Required parking for school uses shall be determined by the standards of Section 12 of the Zoning Regulations. (79-005; 214-38, 216-20)

9.I.7. Floor Area

- a. *Floor Area Ratio*, shall not exceed a maximum of 0.25, except that portion of basements used for supplemental and *Accessory Uses* as described in Section 9-C-3.d shall be excluded from the floor area calculations, and *Building Coverage* shall not exceed a maximum of twenty-five

percent (25%). Such calculations shall be based only on the area of the *Lot* zoned IP-D, exclusive of land dedicated as public *Street* right-of-way and exclusive of land with elevation below the mean high water line. The site shall be contiguous, or, at the sole discretion of the Zoning Board, may be separated by a *Street* so long as the *Street* right of way width does not exceed 50 feet, the *Street* is not an accepted city *Street*, at least one and one-half acres of the site exists on each side of such *Street*, some portion of the frontage of each parcel is directly opposite the other, and the parcel which will incur less *Development* is bordered by waters or estuaries of Long Island Sound. In the event the Zoning Board shall allow the site to be separated by a *Street*, a notice shall be recorded on the Land Records evidencing the fact that *Development* shall be precluded on the affected parcel. Such notice shall be approved by the Director of Legal Affairs, and shall be recorded on the Stamford Land Records prior to the issuance of a *Building* permit. No *Building* shall exceed two (2) *Stories* in height or forty feet (40') in height. No *Building* shall be located at a distance less than fifty feet (50') from any *Street* on which the *Lot* fronts, nor less than one hundred feet (100') from a property line outside of the Designed District area or from the boundary line of a Residential District. Provided; however, by *Special Permit* approval of the Zoning Board, the setback requirement from any *Street* may be reduced to twelve feet (12') for any single *Story Building*, not exceeding twenty feet (20') in height, with a maximum *Floor Area Ratio* of 0.02. (76-002; 86-041; 95-003; 98-022; 99-032; 215-12)

- b. Enclosed or covered pedestrian walkways, not more than fifteen (15) feet in width at grade or elevated in areas necessary to maintain a level grade, solely for the purpose of pedestrian passage connecting to and facilitating access between separate *Buildings* on the same *Lot* or contiguous *Lots* in the I-PD District shall be exempt from the floor area calculations and *Building Coverage* provided all other provisions of Subsection 9.I.7 above are met. (94-024, 216-20)
- c. Notwithstanding the *Floor Area Ratio (FAR)* limitation stated above, when a principal *Structure* which is legally nonconforming as to *FAR* is to be demolished and replaced with a principal *Structure* designed to conform to Section 15.B Flood Prone Area Regulations, the *Floor Area Ratio* for the entire site shall not exceed the existing Floor Area to be demolished. (216-20)

9.I.8. Multiple Uses in Buildings

The uses permitted in this Subsection may be combined and carried on in the same *Building*.

9.I.9. Application Procedures

All applications for *Development* and *Redevelopment* within the IP-D District, shall be accompanied by and subject to approval of a *General Development Plan (GDP)* pursuant to Section 19.J. of these Regulations. (78-22; 223-18)

9.J. HT-D HIGH TECHNOLOGY DISTRICT

The Zoning Board, upon application in the manner prescribed herein, may designate any parcel and/or aggregation of parcels of land as an HT-D High-Technology District subject to the following requirements in this Section.

9.J.1. Purpose

The HT-D High-Technology District is intended to promote and maintain high technology and research uses in industrially zoned areas, which high technology and research uses require specialized infrastructure, technology and communications facilities and are dependent upon special structural features.

9.J.2. Criteria for Designation

To qualify for designation as an HT-D District, any parcel of land or aggregation of parcels must satisfy all of the following requirements:

- a. The proposed HT-D area must be comprised exclusively of land zoned M-L or M-G and consist of not less than five (5) acres, undivided by *City Streets*;
- b. The proposed HT-D area may be in single or multiple ownership, but must be developed and/or managed under a common *Development* or management scheme, as approved administratively by the principal planner or other designated representative of the Land Use Bureau, and all owners, contract purchasers or their authorized agents shall be signatories to the application for re-designation;
- c. The proposed HT-D area must be capable of supporting industrially used *Building(s)* containing not less than 200,000 square feet of aggregate space to be used in accordance with Subsection 3 below;
- d. The proposed HT-D area must be served by *Streets* and other municipal services and utilities of sufficient capacity to accommodate the existing and proposed *Development*; and
- e. The use and location of the proposed HT-D area shall be consistent with all of the stated purposes and objectives of the HT-D District, and shall be compatible with the land use policies and goals which have been articulated for the adjacent areas.

9.J.3. Permitted Uses

The following uses are permitted in the HT-D District:

- a. Industrial Uses. Industrial Uses are all uses currently permitted, in the same manner permitted, either as-of-right or by *Special Permit* in the M-G and M-L Districts except for the following

uses which shall be prohibited in the HT-District: Sand & Gravel Banks; Auto Wrecking Areas, Junk Yards; Brick, Tile, Terra Cotta, Cement Block, Cast Stone Manufacturing; Casting, Foundry; Crematory; Meat Processing; Sand and Gravel Pits.

- b. Research and development uses: Colleges and Universities; Experimental Electronic Laboratories for the research, design, development, storage (as an *Accessory Use* only), servicing and assembly of light electronic and electrical mechanical equipment; Experimental Engineering Research Laboratories; Experimental and Research Laboratories; Research and Development Laboratories. (216-04)
- c. Child Day Care Services. (222-31)

9.J.4. Development Standards

The following standards shall apply to all new and existing *Buildings, Structures* and uses within the HT-D District:

- a. **Minimum size of a single Lot within an HT-D area:** 0.5 acres
- b. **Minimum frontage** or right of way width: 25 feet
- c. **Minimum Yards:**
 - Front: 10 feet
 - Rear: 15 feet
 - Side: None required but if provided must be at least 4 feet
- d. **Maximum Building Height:** 60 feet / 4 *Stories*
- e. **Maximum Building Coverage:** 60%
- f. **Maximum Floor Area:** 1.0 *FAR*, but the total floor area devoted to business and professional office use in the HT-D District shall not exceed one-half ($\frac{1}{2}$) the total area designated as an HT-D District and shall not exceed one-half ($\frac{1}{2}$) the land area of any separately owned and controlled *Lot*.

Nothing contained herein shall preclude the ownership and conveyance of separately owned parcels in an HT-D designation area, provided that each such separately owned parcel(s) satisfies the development standards and architectural criteria in this Section 9.

Notwithstanding the provisions in the Development Standards, any parcel or aggregation of parcels with legal non-conformities with respect to *Lot Frontage, Building setbacks* or location of *Parking Spaces*, which existed in the underlying M-G or M-L zones, may be designated as an HT-D District, and such legal non-conformities shall be permitted to continue in said HT-D District. (203-32)

9.J.5. Site Design and Architectural Criteria

Site and architectural plans shall conform to the application requirements and review standards of Section 19.D. of these Regulations and to the following additional standards and criteria:

- a. An HT-D designation area shall have:
 - (1) redundant access to at least one fiber optic loop;
 - (2) not less than one back-up generator on the site, having a minimum size of 480 volts, 3 phase, 300 amp;
 - (3) Not less than ten percent (10%) of the *Lot Area* (exclusive of parking *Lot* islands and *Building* fringe landscaping) as open space;
 - (4) *Parking Facilities* and *Building(s)* which are landscaped in an attractive manner so as to enhance the appearance of the site from adjacent and nearby properties.
- b. Not less than fifty percent (50%) of the total square footage of the *Buildings* on the HT-D designation area shall:
 - (1) have access to multiple fiber optic telecommunication services;
 - (2) provide expanded electrical service exceeding standard office electrical service (e.g. exceeding 480 volt, 3 phase, 1600 amp service);
 - (3) be adaptable to accommodate live floor loads of not less than 125 pounds per square foot;
 - (4) have ceiling heights (measured floor to deck) of at least fourteen feet (14');
 - (5) have access to a loading dock.

9.J.6. Parking Requirements

Off-street parking shall be provided as follows:

- a. Parking for 2 vehicles for each one thousand (1,000) square feet or portion thereof of total floor area within an HT-D district;
- b. The location and dimensions of off-street parking shall comply with all other applicable requirements of Section 12.A;
- c. In no event shall parking exceed 3 spaces for each one thousand (1,000) square feet or portion thereof of total floor area within an HT-D district;
- d. In no event shall more than fifty percent (50%) of parking provided be within Structured parking; and any such *Structured* parking constructed within an HT-D district shall count against the non-office *FAR* permitted on site.

9.J.7. Review Procedures.

a. The application for HT-D High-Technology District designation shall include the following:

- (1) A written statement describing how the designation to HT-D High-Technology District will accomplish the purposes in Subsection 9.J.1 and a generalized time schedule for staging and completion of the *Development*;
- (2) Application contents shall include all of the plans and information as specified by Section 19.D.3. of these Regulations.

All of the requirements set forth above shall be contained in site and architectural plans which shall be submitted to and be subject to the approval of the Zoning Board in accordance with the specific objectives of the HT-D District, the procedures and review standards of Section 19.D. Site Plan Review, and the general purposes and other applicable standards of these Regulations, which shall not approve same until after a public hearing.

- b. Within any HT-D High-Technology District, applications requesting approval of site and architectural plans shall include all of the plans and information as specified by Section 19.D.3. of these Regulations. Such applications shall be submitted to and be subject to the approval of the Zoning Board in accordance with the specific standards and objectives of the District, the procedures and review standards of Section 19.D. Site Plan Review, and the general purposes and other applicable standards of these Regulations.
- c. Subsequent to designation of a HT-D District, the establishment or change of uses of *Buildings* and the minor alteration of site and architectural plans or permitted *Signs* shall be subject to review and approval by the *Zoning Enforcement Officer*, provided that any establishment or change of use involving more than 10,000 square feet of *Building* floor area that would potentially exceed the 0.50 *FAR* of office use shall be subject to administrative review and approval by the Zoning Board. (201-04)

9.K. R-H MULTIPLE FAMILY DESIGN DISTRICT, HIGH DENSITY

9.K.1. Purpose

The purpose of this multi-family design district is to set aside areas which have been and may be developed predominantly for high density high-rise *Dwellings*. It is intended that *Development* in these districts provide an attractive living environment and include open space for the use and enjoyment of tenants. The regulations are designed to insure that the highest intensity uses have a *Lot Area* adequate to meet the parking and open space requirements of these regulations.

In addition to *Dwellings*, the Zoning Board may by *Special Permit* authorize a limited amount of professional office and/or neighborhood retail space in certain *Buildings*. These uses are compatible with high density housing and are intended to provide relatively small spaces for individual businesses serving the local community.

9.K.2. Procedure

Applications for approval pursuant to the standards of paragraph 9.K.5.c of this subsection and all applications for R-H *Special Permit* uses shall be subject to approval of site and architectural plans by the Zoning Board in accordance with the standards and procedures of Section 19.D. of these Regulations. All other R-H applications shall be subject to review and approval by the *Zoning Enforcement Officer*.

9.K.3. Authorized Uses

In any R-H district a *Building* or other *Structure* may be erected, altered, arranged, designed or used, and a *Lot* or *Structure* may be used for all of the uses permitted as-of-right in the R-MF district.

9.K.4. Special Permit Uses

At the discretion of the Zoning Board, the following *Special Permit* uses may be authorized upon a finding that the use is consistent with the purposes of the R-H Design District and these Regulations, and with the standards of Section 19.C.2:

- a. All uses permitted by *Special Permit* in the R-MF district.
- b. Neighborhood Commercial - On *Lots* over 43,560 square feet, neighborhood commercial and/or Professional Office uses may be approved on the ground floor only. In no case shall permitted professional office and neighborhood commercial *Development* in the aggregate exceed 10% of the *Gross Floor Area* of the *Building(s)*. For the purposes of this Section, neighborhood commercial shall include all uses permitted in the C-N zone. (86-040, 88-025, 89-019)
- c. The design, location and size of signage for such neighborhood commercial and residential uses

shall be approved by the Zoning Board, as it deems appropriate to the project design, location and use, subject to the following standards. Not more than two (2) ground mounted *Signs* (dedicated to neighborhood commercial or residential use), each not to exceed thirty (30) square feet in area and eight (8) feet in height, may be erected on any *Plot*. Wall signage placed on the ground floor commercial façade shall not exceed two square feet in area for each lineal foot of *Building* frontage occupied by commercial use, and notwithstanding Section 13-E in these regulations, on *Lots* over 43,560 square feet, residential signage will be allowed on the front wall of the *Building* only and shall not exceed twenty (20) square feet. This residential signage on the front wall of the *Building* shall not be illuminated and shall be located below the second floor of the *Building*. (205-43, 213-28)

9.K.5. Building Regulations

- a. Standards for all *Lots* containing less than 20,000 square feet are the same as R-MF regulations for *Lots* less than 20,000 square feet including regulations pertaining to Apartment Buildings for the Elderly.
- b. On *Lots* containing 20,000 square feet to 43,559 square feet the following regulations shall apply:
 - (1) **Minimum Lot Area:** 20,000 square feet
 - (2) **Minimum Lot Area per dwelling unit:** 1,250 square feet
 - (3) **Minimum Lot Area per dwelling unit, Apartment Buildings for the Elderly:** 833 sq.ft.
 - (4) **Minimum Frontage:** 100 feet
 - (5) **Maximum Building Coverage, all Buildings:** 35 percent
 - (6) **Maximum Building Height:** 4 *Stories*, may not exceed 40 ft.
 - (7) **Minimum Yards:** Front: 15 feet
Rear: 30 feet
Side: One-half the height of the *Building* but need not exceed 15 feet each side.
- c. On *Lots* one acre or more (43,560 square feet) the following regulations shall apply:
 - (1) **Minimum Lot Area:** One acre (43,560 square feet)
 - (2) **Minimum Lot Area per dwelling unit:** 725 square feet
 - (3) **Minimum Lot Area per dwelling unit, Buildings exclusively for the elderly or consisting of one-room units, 484 square feet, subject to the issuance of a *Special Permit* by the Zoning Board; provided further, that where one room units are proposed said units shall**

not exceed 750 square feet of living space. (86-040)

- (4) **Minimum Frontage:** 150 feet
- (5) **Maximum Building Coverage, all Buildings:** 35 percent
- (6) **Maximum Building Height:** 125 feet except that no accessory parking *Structure* or part of a *Principal Building* devoted to parking shall exceed ten feet in height. (92-009)
- (7) **Minimum Yards:** Front - 20 feet from *Street Line* and 45 feet from street center, except where a *Special Permit* is granted by the Zoning Board to permit neighborhood commercial uses, and where such uses occupy 50% or more of a *Building* linear frontage, minimum setback may be reduced by the Zoning Board to 10 feet from *Street Line* and 35 feet from street center to encourage increased interaction with pedestrian traffic, notwithstanding any other requirements in these regulations. All side and *Rear Yards* shall be no less than one-third the height of the *Building* and in no case less than 10 feet. (86-040, 213-28)
- (8) **Parking** shall be provided as stipulated elsewhere in these Regulations; provided, however:
 - (a) the Zoning Board may grant a *Special Permit* pursuant to Section 12.D.1.b. to reduce the minimum number of residential spaces required, and where *Special Permit* is granted by the Zoning Board to permit and encourage neighborhood commercial uses, the Zoning Board may also authorize required parking for commercial uses to be satisfied completely, or in part, by the sharing of residential spaces. The general methodology entitled “Shared Parking”, published by the Urban Land Institute in 1983, as amended, may be used to determine the appropriateness of sharing, with additional consideration given to established patterns of uses of individual establishments. A *Parking Management Plan* (PMP) shall be submitted to and approved by the Zoning Board as a component of approval of any parking reduction submitted pursuant to Section 12.D.1.b. and/or any shared parking proposal. Said PMP shall demonstrate that the proposed parking ratio and/or shared parking arrangement adequately meet the needs of the *Development*, and there will be no adverse impact on adjacent properties or city *Streets*. Any future change of neighborhood commercial use shall require further administrative approval by the Zoning Board; and (213-28)
 - (b) parking for permitted restaurant uses may be reduced to the rate of no less than 4 spaces per 1,000 square feet subject to administrative approval by the Zoning Board. A *Parking Management Plan* (PMP) shall be submitted to the Zoning Board as a component of approval of any reduction. Any change of use shall require further administrative approval by the Zoning Board. (84-043, 211-37)
- (9) **Five and One-Half Story Development.** In the case of proposed *Development* not exceeding a maximum of five and one-half ($5\frac{1}{2}$) residential *Stories*, where granted by

Special Permit by the Zoning Board, the following modifications of R-H standards may be awarded:

- (a) *Building Coverage* may be increased to forty (40%) percent plus an additional five (5%) percent coverage may be permitted for one-*Story* open carports, open unscreened covered porches, gazebos, storage facilities and other one-*Story Accessory Structures* contributing to the residential character of the *Development*.
 - (b) Front setbacks may be reduced to not less than ten (10) feet on the ground floor and fifteen (15) feet on upper floors where such reductions will encourage diverse architectural articulation.
 - (c) Side and *Rear Yard* requirements may be reduced, unless within the scope of Section 7.K, but in no case shall be less than ten (10) feet.
 - (d) The requirements of Section 7.K may be waived, subject to a finding by the Board that the proposed arrangement of *Building Height*, setback and other relevant site features will better achieve the intent to protect adjacent residential *Development*. (89-019)
 - (e) Where proposed *Development* is within a *Downtown Master Plan Category*, the Zoning Board, by issuance of a *Special Permit*, may authorize *Building Coverage* to be increased to sixty percent (60%) and may exempt from the calculation of *Building Coverage* landscaped roof areas that are above parking *Structures* and/or ground floor uses and that are accessible to residents as *Usable Open Space*. (205-17)
- (10) **Below Market Rate Requirement:** *Below Market Rate Requirement: Below Market Rate* Housing shall be provided pursuant to Section 7.4 of these Regulations. A premium density bonus not to exceed 80 *Dwelling Units* per acre on lots with an area of 43,560 square feet or more, may be permitted with Zoning Board approval by *Special Permit*, provided that all required *BMR Units*, except fractional units, are provided on site. (220-13)
- (11) On *Lots* with an area of 43,560 square feet or more utilizing the bonus density set forth in subsection (10) above, the Zoning Board may approve the following modifications of R-H development standards:
- (a) front setback from street center may be reduced or waived.
 - (b) useable open space shall be provided on-site, with the amount, location and design of such open space subject to determination and approval of the Zoning Board.
 - (c) *Building Coverage* may be increased up to five percent (5%).
 - (d) side and rear setbacks shall be not less than one-third the height of the *Building*, but need not exceed fifteen (15) feet.
 - (e) the requirements of Section 7.K may be reduced or waived. (203-11)

9.K.6. Screening of Parking.

- a. At least two-thirds of the total number of *Parking Spaces* provided for any *Building* constructed pursuant to Subsection 5.c of this Section shall be located below grade or enclosed within a *Building* or screened from pedestrian level views to the satisfaction of the Board. This requirement shall not apply to an *Apartment Building for the Elderly*. (210-47)
- b. The following requirements shall apply to all *Parking Areas* for more than five (5) cars on any *Lot* of 20,000 square feet or more in the R-H District:
 - (1) There shall be a buffer strip of land on the same *Lot* as the *Parking Area* located between the *Parking Area* and the property line. The buffer strip shall be at least three feet wide and shall not be encroached on or over by any part of a parked car.
 - (2) Said buffer strip shall be landscaped with dense evergreen planting of a species which normally grows to a height of at least four feet, at least two feet high at planting, designed to screen noises, odors, visibility and headlight glare in the *Parking Area* from the adjacent property. A suitable opaque fence or wall at least five feet high may be substituted for the evergreen planting. In cases where a fence or wall is provided, such wall or fence shall be supplemented by landscaping. Landscaping shall consist of hedges or other ornamental plants supplemented by shade or flowering trees. There shall be at least one tree for each twenty-five linear feet of buffer area.
 - (3) All trees and plants required by this section shall be maintained in a healthy growing condition. Plant materials which do not meet this requirement shall be replaced by the property owner.

9.L. RM-1 MULTI-FAMILY, LOW DENSITY DESIGN DISTRICT

9.L.1. Purpose

The purpose of this multi-family design district is to set aside and protect areas which have been or may be developed predominantly for low density multi-family *Dwellings* of various types. These districts may be located adjacent to single family districts and provide for a logical transition in density between such districts and higher intensity zones. Certain non-residential uses are permitted as-of-right or by *Special Permit* by the Zoning Board, subject to adequate conditions and safeguards. It is intended that new *Development* permitted in this district be compatible and harmonious with existing *Buildings*. 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.

9.L.2. Procedure

All projects located on *Lots* of 30,000 square feet or more, and all applications for RM-1 *Special Permit* uses shall be subject to approval of site and architectural plans by the Zoning Board. RM-1 projects located on *Lots* of less than 30,000 square feet shall be subject to review and approval by the *Zoning Enforcement Officer*.

9.L.3. Authorized Uses

In any RM-1 district a *Building* or other *Structure* may be erected, altered, arranged, designed or used, and a *Lot* or *Structure* may be used for any of the following purposes and no other:

- a. *Dwellings* - single family, two family and multi-family.
- b. Public parks and playgrounds.
- c. Public schools.
- d. Family day care homes.
- e. Child Day Care Center. (222-31)
- f. Group Day Care Home (223-10)

9.L.4. Special Permit Uses

At the discretion of the Zoning Board, the following *Special Permit* uses may be authorized upon a finding that the use is consistent with the purposes of the RM-1 Design District and these Regulations, and with the standards of Section 19-3.2:

- a. the same uses authorized by *Special Permit* in the R-6 District.

- b. Hospital Complex.
- c. Nursing Homes.

9.L.5. Building Standards:

- a. **Minimum Lot Area:** 5000 sq. ft.
- b. **Minimum Lot Area per Dwelling Unit:** 3750 sq. ft.
- c. **Minimum Frontage:** 50 ft.
- d. **Maximum *Building Coverage*, all *Buildings*:** 25%
- e. **Maximum Building Height:** 2¹/₂ *Stories*, not to exceed 30 ft.
- f. **Minimum *Yards*:**
 - Front: 25 feet
 - Rear: 30 feet
 - Side: at least 10 feet each side (88-025)

9.L.6. Single Family Detached Units

Notwithstanding the above and *Yard* requirements contained elsewhere in these Regulations, for parcels proposed to be used exclusively for single family detached *Dwellings* and which parcels exceed 30,000 square feet in area and abut commercial or industrial zoned property, the Zoning Board in its sole discretion may approve a reduced *Front Yard* standard of not less than twenty (20) feet, a *Side Yard* standard of not less than six (6) feet, and a *Rear Yard* standard of not less than ten (10) feet for those portions of the property that directly abut commercial or industrial zoned land. Such approval shall only be granted based on a finding that the resulting plan is superior to one conforming to the conventional zoning standards, and that it will not impair the future *Development* of adjacent property. (93-006)

9.L.7. Accessory Buildings

on *Lots* of 10 acres or more, the Zoning Board may by *Special Permit* approve the appropriate relationship of *Building* setbacks, required parking, and separation from other *Structures* for *Accessory Buildings* limited to one *Story* and intended primarily to provide support services, community facilities and other similar *Accessory Uses* incidental to a residential *Development*. (99-022)

9.L.8. Below Market Rate Requirement

Below Market Rate Housing shall be provided pursuant to Section 7.4 of these Regulations. A

premium density bonus not to exceed 15 Dwelling Units per acre on lots with an area of 30,000 square feet or more, may be permitted with Zoning Board approval by *Special Permit*, provided that all required *BMR Units*, except fractional units, are provided on site. (220-13)

9.L.9. [Special Standards for Large Lots using Bonus Density]

On *Lots* with an area of 30,000 square feet or more utilizing the bonus density set forth in subsection 8 above, the Zoning Board may approve the following modifications of RM-1 development standards:

- a. front setback from street center may be reduced or waived.
- b. useable open space shall be provided on-site, with the amount, location and design of such open space subject to determination and approval of the Zoning Board.
- c. the requirements of Section 7.K may be reduced or waived. (203-09)

9.M. R-5 MULTI-FAMILY, MEDIUM DENSITY DESIGN DISTRICT**9.M.1. Purpose**

The purpose of this district is to set aside and protect areas which have been or may be developed predominantly for medium density multi-family *Dwellings* of various types. 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 *Buildings*. 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.

9.M.2. Procedure

All projects located on *Lots* of 30,000 square feet or more, and all applications for R-5 *Special Permit* uses shall be subject to approval of site and architectural plans by the Zoning Board. R-5 projects located on *Lots* of less than 30,000 square feet shall be subject to review and approval by the *Zoning Enforcement Officer*.

9.M.3. Permitted Uses, as-of-right

In any R-5 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:

- a. Dwelling - single family, two family and multifamily.
- b. Public parks and playgrounds.
- c. Public schools.
- d. Passenger terminals and stations.
- e. Family day care homes.
- d. Group Day Care Home (223-10)

9.M.4. Permitted Uses, Special Permit

The following uses shall be permitted by *Special Permit*; the same uses and in the same manner as are permitted by *Special Permit* in the R-6 district and in addition:

- a. Colleges and Dormitories.
- b. *Historic Site*.
- c. Public and Charitable Agencies.

- d. Radio and Television Broadcasting Stations and Masts.
- e. Hospital Complex

9.M.5. Building Regulations

- a. **Minimum Lot Area:**
 - One Family Dwelling: 5000 sq. ft.
 - Two Family Dwelling: 6000 sq. ft.
 - Multi-family Dwelling: 9000 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.

- b. **Minimum Frontage:**
 - One or Two Family Dwelling: 50 ft.
 - Multi-family dwelling,
Lot Area less than 30,000 sf.: 60 ft.
 - Lot Area* 30,000 sf. or more: 150 ft.
- c. **Maximum Building Coverage**, all *Buildings*: 30%
- d. **Maximum Building Height:**
 - 1 or 2 Family Dwelling: 2¹/₂ *Stories*, may not exceed 30'
 - Multi-family Dwellings: 3 *Stories*, may not exceed 40'
- e. **Minimum Yards:**
 - Front: 20 ft.
 - Rear: 30 ft.
 - Side - 1 or 2 family dwelling: at least 6 ft. each side. Multi-family dwelling: Six feet (6') plus 6 inches (6") for each foot of length of an individual *Building* over forty-five (45'), measured parallel to the side *Lot Line*, not to exceed fifteen (15') feet. (99-004).

f. **Minimum Lot Area per Dwelling Unit:**

For all *Lots* 30,000 square feet or more there shall be at least 2,500 square feet of *Lot Area* per dwelling.

For all *Lots* less than 30,000 square feet there shall be at least 3,000 square feet of *Lot Area* per Dwelling Unit.

g. **Below Market Rate Requirement.** *Below Market Rate* Requirements: *Below Market Rate* Housing shall be provided pursuant to Section 7.4 of these Regulations. A premium density bonus not to exceed 22 Dwelling Units per acre on lots with an area of 30,000 square feet or more may be permitted with Zoning Board approval by *Special Permit*, if all required *BMR Units*, except for fractional units, are provided on-site. (220-13)

h. On lots with an area of 30,000 square feet or more utilizing the premium ~~bonus~~ density bonus set forth in Subsection 9.M.5.g above, the Zoning Board may approve the following modifications of R-5 development standards:

(1) useable open space shall be provided on-site, with the amount, location and design of such open space subject to determination and approval of the Zoning Board.

(2) maximum building coverage percentage may be increased to 33% if a one-car enclosed garage is provided for each unit or increased to 35% if a two-car enclosed garage is provided for each unit. (203-10; 220-13)

9.N. R-MF MULTI-FAMILY RESIDENCE DESIGN DISTRICT

9.N.1. Purpose

The purpose of this district is to set aside and protect areas which have been or may be developed predominantly for high middle density housing in low rise *Buildings*. Certain other uses are 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 *Buildings*. It is hereby found and declared 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.

9.N.2. Procedure

All projects located on *Lots* of 20,000 square feet or more, and all applications for R-MF *Special Permit* uses shall be subject to approval of site and architectural plans by the Zoning Board. R-MF projects located on *Lots* of less than 20,000 square feet shall be subject to review and approval by the *Zoning Enforcement Officer*.

9.N.3. Permitted Uses, As-of-Right

In any R-MF district a *Building* or other *Structure* may be erected, altered, arranged, designed or used, and a *Lot* of *Structure* may be used as-of-right for any of the following purposes and no other:

- a. Apartment Building for the Elderly provided increase over as-of-right density does not exceed fifty percent (50%)
- b. Apartment - Garden Type
- c. Apartment House
- d. Child Day Care Services. (222-31)
- e. Dwelling - Single Family, Two-Family, Multiple
- f. Garage, Accessory
- f. Home Occupation
- g. Professional Offices, Accessory Use
- h. School, Public

9.N.4. Permitted Uses, Special Permit

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

- a. Boarding House, Rooming House
- b. Camp, Summer Day
- c. Cemeteries and Mausoleums
- d. Christmas Trees, etc., Temporary Sale
- e. Churches & Religious Institutions
- f. Clubs and Lodges, Non-Profit
- g. Colleges and Dormitories
- h. Community Center
- i. *Historic Site*
- j. Hospital Complex
- k. Nursing Home
- l. Public and Charitable Agencies
- m. Public Library or Branch thereof
- n. Public Utility Transformer and Pump Stations
- o. Radio and Television Broadcasting Stations and Masts
- p. School, Non-Public
- q. Accessory on-grade parking for Surgical Center/Outpatient, provided such parking shall not exceed 20 spaces, is physically adjacent to the principal use, and the reviewing board shall find that at the time of the application it is unlikely or impractical for residential uses to occur on site. (95-017)
- r. Apartment Building for Supportive Housing. (95-014)
- s. Auto Rental Service Facility. (See Section 7.N) (97-014)
- t. Clinic, Community Health Center (201-20)

9.N.5. A. Permitted Uses, Administrative Zoning Board Review.

- a. Social Hall

9.N.6. Building Regulations

a. **Minimum Lot Area:** 5,000 square feet

b. **Minimum Lot Area per dwelling unit:** For all *Lots* less than 20,000 square feet there shall be at least 2000 square feet of *Lot Area* per *Dwelling Unit*.

On *Lots* of at least 5000 square feet but less than 6000 square feet there may be located by conversion a third *Dwelling Unit* in a *Building* existing as of September 1, 1983. Such *Dwelling Unit* shall be limited to one bedroom. No increase in *Building Coverage* shall be permitted except for exterior stairways required by the *Building Code*.

For *Lots* 20,000 square feet or more there shall be at least 1,500 square feet of *Lot Area* per *Dwelling Unit*.

c. **Minimum Lot Area per dwelling unit, Apartment Building for the Elderly:** An *Apartment Building for the Elderly* may be built on any *Lot* consisting of 8,000 square feet or more. Because these units tend to be smaller and require less parking, the density for such *Buildings* may be increased. The minimum *Lot Area* per *Dwelling Unit* may be as follows:

For all *Lots* of at least 8,000 square feet but less than 20,000 square feet there shall be at least 1,333 square feet of *Lot Area* per *Dwelling Unit*.

For *Lots* 20,000 square feet or more there shall be at least 1000 feet of *Lot Area* per *Dwelling Unit*.

The provisions of this paragraph 9.N.6.c shall apply only to *Apartment Buildings for the Elderly*.

d. **Minimum Frontage:** *Lots* less than 20,000 square feet: 50 feet

Lots 20,000 square feet or more: 100 feet

e. **Maximum Building Coverage, all Buildings:** *Lots* less than 20,000 square feet: 30 percent

Lots 20,000 square feet or more: 35 percent

f. **Maximum Building Height:** 4 *Stories*, may not exceed 40'

g. **Minimum Yards:** Front: 15 feet

Rear: 30 feet

Side: *Lots* less than 20,000 square feet or 20,000 square feet or more utilizing the bonus density set forth in subsection (h) below: one side 8 feet, both sides 18 feet.

Lots 20,000 square feet or more not utilizing the bonus density set forth in subsection (h) below: one-half the height of the *Building* but need not exceed 15 feet each side.

- h. **Below Market Rate Requirement:** *Below Market Rate* Housing shall be provided pursuant to Section 7.4 of these Regulations. On lots with an area greater than 20,000 square feet, a premium density bonus not to exceed 40 Dwelling Units per acre may be permitted with Zoning Board approval by *Special Permit*, if all required *BMR Units*, except for fractional units, are provided on-site. (201-23; 203-14; 220-13)
- i. On lots with an area of 20,000 square feet or more utilizing the premium density bonus set forth in Subsection 9.G.5.h above, the Zoning Board may require useable open space to be provided on-site, with the amount, location and design of such open space subject to determination and approval of the Zoning Board. (201-23; 203-14; 220-13)

9.N.7. Screening of Parking.

- a. The following requirements shall apply to all *Parking Areas* for more than five (5) cars on any *Lot* of 20,000 square feet or more in the R-MF District:
 - (1) There shall be a buffer strip of land on the same *Lot* as the *Parking Area* located between the *Parking Area* and the property line. The buffer strip shall be at least three feet wide and shall not be encroached on or over by any part of a parked car.
 - (2) Said buffer strip shall be landscaped with dense evergreen planting of a species which normally grows to a height of at least four feet, at least two feet high at planting, designed to screen noise, odors, visibility and headlight glare in the *Parking Area* from adjacent property. A suitable opaque fence or wall at least five feet high may be substituted for the evergreen planting. In cases where a fence or wall is provided, such wall or fence shall be supplemented by landscaping. Landscaping shall consist of hedges or other ornamental plants supplemented by shade or flowering trees. There shall be at least one tree for each twenty-five linear feet of buffer area.
 - (3) All trees and plants required by this section shall be maintained in a healthy growing condition. Plant materials which do not meet this requirement shall be replaced by the property owner. (99-004)

9.N.8. Office Use

Legally nonconforming Professional Office uses, established between December 31, 1950 and January 1, 1985, within *Buildings* designed and constructed as office *Buildings* consisting of not less than 10,000 square feet in *Gross Floor Area* and on *Lots* of not less than 10,000 square feet, may be used for “Offices, Business & Professional” provided that no residential use exists within the *Building*, business operations generally take place during normal business hours, and that any service/commercial vehicles, which shall not exceed three-quarter ($3/4$) tons in capacity, are covered by a *Building* or garage and suitably screened from a public *Street* and occupy not more than 20% of the required or provided parking, whichever is less. (215-08).

9.O. CSC-D COMMUNITY SHOPPING CENTER DISTRICT, DESIGNED

9.O.1. Purpose

The Community Shopping Center (CSC) District is intended to promote the rehabilitation, reconfiguration, and modernization of existing large Shopping Centers essential to the neighborhood and community shopping needs of the City of Stamford, with design controls to insure a compatible relationship to adjacent residential neighborhoods, and assurance that infrastructure impacts will be mitigated. The CSC District is intended to be applied to older Shopping Centers of unusual size which have been rendered legally non-conforming by virtue of a zoning change, and which are experiencing continuing decline due to outmoded configurations or architectural forms that require substantial reinvestment, and whose loss or further deterioration would adversely impact the public interest and economic vitality of the City. To this end the CSC District is hereby enacted, with the additional objectives as set forth below:

- a. To promote the protection and enhancement of existing retail Shopping Centers which are significant to the city's development as centers outside of the central business district; and
- b. To encourage the rehabilitation and modernization of existing Shopping Centers providing essential shopping and personal services; and
- c. To encourage existing retail Shopping Centers to undertake a comprehensive effort to upgrade and unify their visual and architectural character, to improve landscaping and lighting systems to reduce impacts to adjoining residential *Development*, to improve the function, safety and convenience of vehicular and pedestrian circulation systems and parking, and to mitigate external traffic impacts and improve public infrastructure systems; and
- d. To provide improved site and architectural review standards and procedures to ensure that major changes in the intensity, function, occupancy, or appearance of such retail Shopping Centers are consistent with established land use policies of the area, are responsive to the needs of the community, and are sensitive to their impact on existing residential neighborhoods in the vicinity of the site; and
- e. To promote the reduction of zoning non-conformities.

9.O.2. Criteria for Designation

To qualify for designation as a CSC District, a tract of land must satisfy all of the following requirements:

- a. The proposed CSC site must contain a commercially zoned land area of not less than ten (10) acres, contiguous and undivided by City *Streets* and shall be owned in common by a single entity;
- b. The proposed CSC site must support an existing legally non-conforming commercial Shopping Center containing not less than 100,000 square feet of active retail floor area, and not less than

ten (10) contiguous stores;

- c. The proposed CSC site must be served by bounding *Streets* and other municipal services and utilities of sufficient capacity to safely accommodate the existing and proposed *Development*;
- d. The use and location of the proposed CSC site shall be consistent with all of the stated purposes and objectives of the CSC-D District, and shall be compatible with the land use policies and goals which have been articulated for adjacent areas.

9.O.3. Permitted Uses

All uses permitted in the C-L District shall be authorized within the Designed Community Shopping Center District, except the following uses shall be specifically prohibited: Auto Sales; Bed & Breakfast, Boarding, Rooming House; Summer Day Camp; Camp Ground; Car Wash; Clubs and Lodges; Clubs - Country Golf, Yacht or Beach; Colleges and Universities; Crematory; Funeral Home; Fire Station, Volunteer; all residential uses; Garage, Accessory; Garages; Public; Nursing Home; Public Utility Service Yards; Public Utility *Buildings*; Restaurant - Drive-in; Sand and Gravel Bank; Tennis Courts, Indoor.

Although not permitted in the C-L District, health and fitness clubs, gymnasiums, and physical culture establishments may be permitted in the CSC-D District by issuance of a *Special Permit* from the Zoning Board. The total amount of floor area devoted to office use shall not exceed the amount of office floor area existing at the time of the initial application for CSC zone change. New floor area created in excess of the total retail floor area existing at the time of the initial CSC zone change shall be initially occupied for retail purposes only, provided further that not less than 50% of such new floor area shall initially be devoted to retail food uses. The term retail, as used in this paragraph shall also include restaurants, banks, photo processing shops, photographic studio, beauty shops, shoe repair, copy centers, travel agencies, interior decorating shop, laundry and dry cleaners, party rental store, video rental stores, and other similar personal service uses. The term retail, as used in this paragraph, shall not include health and fitness clubs, gymnasiums, and physical culture establishments. (203-36; 216-04)

9.O.4. Development Standards

The following standards shall apply to all *Buildings*, *Structures* and uses within the CSC District, including existing *Structures*, provided that the requirements of Section 7.K of these Regulations shall not apply and that existing *Structures* shall not be required to comply with the CSC District *Yard* standards but shall be modified to comply with the CSC District height standards.

- a. **Minimum Lot size:** 10 acres
- b. **Minimum frontage:** 100 feet
- c. **Minimum Yards:** Front: 10 feet

Rear: 30 feet

Side: 10 feet, from residential district: 30 feet

- d. **Maximum Building Height:** 55 feet, as measured from the average established grade of the curb of adjoining *Streets*, provided that no less than 50% of the perimeter of the property directly abuts public *Streets*. Where less than 50% directly abuts public *Streets*, *Building Height* shall be measured from the average level of the finished ground surface adjacent to the exterior walls of the *Building*.
- e. **Maximum Building Coverage:** 45%, provided that canopies and other roof coverings over walkways and *Streets* shall not be included, and also parking *Structures*, suitably screened and landscaped, with roof or upper deck elevation not exceeding five (5) feet above average street grade shall not be included in the calculation of *Building Coverage*.
- f. **Maximum Floor Area:** total commercial *Floor Area* (exclusive of parking floors) shall not exceed the amount of *Floor Area* existing at the time of initial CSC District designation, provided that retail uses in the aggregate shall not exceed 80% of total *Floor Area*, and provided that individual retail food uses shall not exceed a *Gross Floor Area* of 60,000 square feet.

9.O.5. Site Design and Architectural Criteria

Site and architectural plans shall conform to the application requirements and review standards of Section 19.D. of these Regulations and to the following additional standards and criteria:

- a. Access to and egress from a site shall be arranged for the free flow of vehicles at all times, so as to prevent the blocking or endangering of vehicular or pedestrian traffic through the stopping or standing of vehicles on crosswalks or in intersections.
- b. *Parking Facilities* shall be arranged for the convenience and the safety of pedestrians and vehicles and shall be landscaped in an attractive manner so as to enhance the appearance of the site from adjacent and nearby properties and *Streets*. Subject to determination by the Zoning Board, any portion of a parking *Structure* whose elevation is above adjoining street grade, measured directly opposite the *Structure*, may be required to be set back up to one hundred and fifty (150) feet from that *Street Line*.
- c. If a CSC-D District is adjacent to a Residence District or a residential use, all facilities and *Buildings* shall be screened by appropriate fences, walls and landscaping treatment. Subject to determination by the Zoning Board, all new *Buildings*, exclusive of parking *Structures*, may be required to be set back up to two hundred (200) feet from any *Street Line* which is bounded in its entirety by residentially zoned property.
- d. Not more than 15% of total retail floor area, in the aggregate, and no retail food use shall be accessed by principal pedestrian entrances facing any *Street Line* which is bounded in its

entirety by residentially zoned property.

- e. Signage shall conform to the standards of the C-L District, except that one ground *Sign* or pole *Sign* may be located on each street frontage, and building wall signage may be aggregated among levels of the same façade and/or may be allocated to the face or parapet of a parking structure provided such allocated signage is:
 - (1) facing a public street;
 - (2) located not less than fifty (50) feet from a property line; and
 - (3) either facing the same street as the building façade from which signage rights are being derived or situated between said façade and the applicable street frontage; (200-32, 220-49)
- f. All site lighting shall be directed onto the site and shall be shielded from adjacent residential uses or zones and from the adjoining *Street*.
- g. Roof *Structures* and machinery shall be integrated into the design of the *Buildings*.
- h. New or additional *Buildings* shall be coordinated with the existing center by use of colors, materials and linear emphasis so as to constitute a single, coordinated whole recognizable as a unit.
- i. Consideration shall be given to maximizing retail uses at street or ground level in such a way as to promote an attractive pedestrian environment.
- j. Where public infrastructure systems, including but not limited to *Streets*, traffic signals and public utilities, are judged inadequate to service the requirements of the proposed *Development*, the Board may accept a bond or other binding agreement ensuring that such facilities will be improved in a timely manner, as determined by the Zoning Board.

9.O.6. Parking Requirements

Parking requirements shall be determined by the Zoning Board in accordance with the standards of Section 12 of these regulations, provided that the Board in its discretion may require a retail parking standard not to exceed six (6.0) spaces per 1000 sq. ft. of floor area. Where a finding is made by the Zoning Board that individual uses such as theater, general office and others will experience peak parking demand at different times than the peak retail parking demand, the Zoning Board may authorize a reduction in parking by recognizing the opportunity for such uses to share common *Parking Spaces*. The general methodology entitled "Shared Parking", published by the Urban Land Institute in 1983 as amended may be used to determine such parking reductions, with additional consideration given to established patterns of uses of individual establishments. Off-site *Parking Facilities* on land within 100 feet of and in the same ownership as the proposed CSC-D zone may be used to meet required parking.

9.O.7. Review Procedures

All applications for the designation and *Development* of property within the CSC-D District shall conform to the review and application procedures of Section 9.D.7. and 9.D.8., except that references to water-dependent uses shall apply only within the Coastal Area. Significant modifications of an approved CSC-D site plan shall only be considered by petitioning the Zoning Board to rezone the property to the original underlying zone, coupled with a separate request to rezone the property to CSC-D and approve the amended site plan. (93-008)

9.P. MRD-D MILL RIVER DISTRICT

9.P.1 [Purpose]

The Mill River District (MRD) is a flexible, planned residential design district, subject to special standards and review procedures, intended to provide for and encourage the most appropriate use and *Development* of property, the preservation and enhancement of significant public open spaces and the expansion of public amenities and public access within the Mill River Greenbelt Corridor as defined in the *Master Plan*. The Mill River District is intended to implement the land use goals, development concepts and design recommendations as described in reports prepared by Sasaki Associates Inc. entitled "Stamford Mill River Corridor", dated January 1998 and "Stamford Mill River Corridor Design Guidelines", dated June 1999. The Mill River District is intended to promote the following objectives:

- a. Consistency with the *Master Plan* and the objectives of comprehensive municipal plans for *Redevelopment*, renewal, or neighborhood preservation and rehabilitation.
- b. Provision of housing and such other uses that will be supportive of and contribute to the vitality of the Central Business District and the West Side neighborhood.
- c. Protection and expansion of public access to the waterfront, and public open space amenities including attractive walkways of general utility.
- d. Conservation of significant natural resources and consistency with the policies of the Connecticut Coastal Area Management Act.
- e. Establishment of a public pedestrian district connecting the Mill River and harbor with the downtown and adjacent neighborhoods.
- f. Promotion of architecture and site development of design merit that makes best use of natural features, harmonizes with the pattern and scale of the Mill River Greenbelt Corridor, remains compatible with the surrounding architecture and pattern of development, and is generally consistent with the Mill River Greenbelt Corridor Design Guidelines.
- g. Provision of Dwelling Units at below market rates.

9.P.2. Criteria for Designation of a Mill River District

In order to qualify for consideration as a MRD Mill River District, the proposed site shall be within the Mill River Corridor boundary as referenced on the Zoning Map and the area generally described below, with a minimum of fifty (50) feet of frontage on a public *Street*, and shall be comprised of land zoned R-5, R-MF, R-H, C-N, C-L or C-G. (202-15)

General Boundary Description: The Mill River District is generally bounded to the south by I-95, to the east by Washington Boulevard, to the west by Greenwich Avenue, West Main Street, Mill River Street, Schuyler Avenue and Adams Avenue, and to the north by West Broad Street. The northerly boundary extends to the northerly limit of the UCONN parking garage and the limit of

Master Plan Category 5 immediately north of West Broad Street and those properties included within *Master Plan Amendment #381*. The westerly boundary extends to those properties included within *Master Plan Amendment #368* and *#370*. (205-36)

9.P.3. Permitted Uses

In the Mill River Design District, the following uses may be approved when the Board determines such uses to be appropriate:

- a. All uses permitted as-of-right or by *Special Permit* in the R-MF district.
- b. Neighborhood Commercial – neighborhood commercial and/or Professional Office uses may be approved on the ground floor only. For the purposes of this Section, neighborhood commercial shall include all uses permitted in the C-N zone.

9.P.4. Development Standards

Unless otherwise provided in Subsection 9.P.7. below, the following standards shall apply to the *Development* of property within the Mill River Design District: (214-27)

- a. **Residential Density.** The maximum residential density in the MRD District shall be determined by the Zoning Board based on the size, dimensions, topography and physical features of the land and the required dedication of waterfront public access and the desirable orientation and height of proposed *Buildings*. Residential density shall not exceed seventy-five (75) Dwelling Units per acre (580 square feet of *Lot Area* per Dwelling Unit) prior to disposition of open space, provided that on parcels intended for *Redevelopment* by, for, or in cooperation with the Stamford Housing Authority, non-profit housing developers and/or the City of Stamford (the “City”) as residences for low or moderate income elderly and/or disabled persons, residential density shall not exceed one hundred and twenty-five (125) units per acre (350 square feet of *Lot Area* per Dwelling Unit). (205-29; 205-53)
- b. **Below Market Rate Dwelling Units.** *Below Market Rate* Housing shall be provided pursuant to Section 7.4 of these Regulations (220-13).
- c. **Non-Residential Uses.** Non-residential uses shall not exceed a Floor/Area Ratio of 0.30 and shall not unnecessarily intrude upon or adversely impact adjacent residential uses.
- d. [*deleted*] (214-27, 223-08)
- e. **Building Coverage.** The total area occupied by principal *Structures* shall not exceed sixty percent (60%) of the site. Portions of parking *Structures* and other *Accessory Structures*, whether attached or free-standing, may cover an additional twenty-five percent (25%) of the site provided such *Structures* do not exceed twenty-five (25) feet above average grade (excluding parapet walls) and are suitably screened from pedestrian views. Above-grade parking floors and parking *Structures* shall be screened from pedestrian view by a suitable

combination of active uses, landscaping and architectural screens or solid panels, and shall be setback from adjacent waterfront public access areas a distance not less than the height of the parking *Structures*.

- f. **Building Setbacks.** *Building setbacks shall satisfy the following standards: Front Yard setback: 5 feet; Side Yard setback: 10 feet; Rear Yard setback: 20 feet. (214-27)*
- g. **Parking Requirements.** *The parking standards of Section 12.D of the Regulations shall apply, except as otherwise provided for herein. There shall be a minimum residential off-street parking requirement of one and one-quarter (1.25) spaces for each residential unit, or one space for every three (3) Dwelling Units reserved for occupancy primarily for elderly, special needs, handicapped or disabled persons with income less than 50% of the Area Median Income. Parking for non-residential uses shall be subject to determination by the Zoning Board and may be shared where the hours of the use of stalls would not be in conflict. The potential for shared use of parking stalls shall constitute an additional standard for consideration of parking reduction. Required parking may be provided off-site provided a determination is made by the Zoning Board that the location and availability of said parking is satisfactory. (202-15)*
- h. **Building Height.** *Building Height in the MRD District shall be determined by the Zoning Board based on the location, size, dimensions, and topography of the land, the proximity to waterfront public access, and the existing and planned architectural scale of other Buildings within the immediate vicinity. Building Height shall not exceed eight (8) Stories or ninety (90) feet, and shall be limited to three (3) Stories or forty (40) feet for that portion of any Building immediately adjacent to dedicated public open space along the Mill River. Building Height shall be consistent with the Stamford Mill River Corridor study and the Stamford Mill River Corridor Design Guidelines which recommend generally that Building Height not exceed six Stories fronting on the east side of Clinton Avenue, four Stories fronting on the west side of Clinton Avenue, and five Stories to the west of the Mill River. Special Building Height standards for C-G zoned sites are provided in Subsection 9.P.7.*

9.P.5. Site Design and Architectural Criteria

Development within the MRD District shall conform to the site plan review standards of Section 19.D. and the coastal site plan review standards and policies of Section 15.A. of these Regulations, Stamford Mill River Greenbelt Corridor Design Guidelines, and the following additional standards:

- a. **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*
- b. **Public Access to the Waterfront.** *Public access shall be insured through the dedication of real property or a permanent easement area encompassing the area of land necessary to*

accommodate the Mill River Park Riverwalk improvements as shown on the Mill River Park Middle Corridor Plan also known as The Mill River Collaborative Project Plan provided however that the easement area shall not be wider than 70 feet measured from the mean high water mark. Said dedication or easement shall be executed and delivered prior to issuance of a *Building* Permit. The limits of the public access area shall be subject to final determination by the Zoning Board to insure that the land is suitable and usable for its intended purpose. Within the dedicated public access area, improvements shall be designed and constructed to provide for passive recreation and enjoyment by the general public, with due consideration of public safety and the efficient movement of anticipated pedestrian traffic. Public access improvements shall be designed in conformance with standards and specifications as adopted by the Zoning Board establishing the required dimensions and materials of public walkways and approved lighting fixtures, benches, trash receptacles, landscape materials, and related fixtures and improvements. Improvements within the public access area shall be designed to link smoothly with existing and/or planned public access facilities on adjoining property or terminate safely at the point where continuation of such facilities cannot be reasonably anticipated. Private use areas and vehicular traffic and parking adjacent to the waterfront public access area shall be sensitively designed to minimize disruption or adverse impact. (216-24)

- c. **Preservation and Enhancement of Visual Resources.** The design, placement, arrangement, setback, height and bulk of *Buildings* and *Structures* and related site improvements shall serve to protect and enhance the quality of principal public views of the Mill River and associated public open spaces and establish attractive streetscapes within all public and private rights-of-way.
- d. **Signage.** Signage for non-residential uses shall be determined by the Zoning Board, as deemed appropriate to the project design, location and uses, and shall not exceed the standards of the C-N District set forth in Section 13-F of these Regulations. Signage for residential uses shall be limited to wall signage and shall not exceed a total of 60 square feet, subject to review by the Zoning Board. (214-27)
- e. **Lighting.** The intensity, location, height, design and arrangement of outside lighting shall be appropriate to the use and the needs for safety and security while avoiding direct glare on any other *Lot* and avoiding hazards to traffic on any *Street*. Streetscape lighting and lighting within public access areas shall be consistent with adopted City standards.
- f. **Landscaping.** All areas of the tract not devoted to *Buildings*, *Structures* or other designed uses shall be suitably landscaped to the satisfaction of the Board. Landscaping shall be designed, provided and permanently maintained, consistent with the Stamford Mill River Corridor Design Guidelines and the protection of adjacent uses and neighborhoods.
- g. **Other Governmental Approvals.** When site improvements or uses require separate approval by other municipal, state or federal units of government, evidence shall be submitted to the satisfaction of the Board demonstrating the capacity to attain such approvals in a timely

manner. When issuance of any significant approvals is in question, the Board, in its sole discretion, may determine the application to be incomplete and may require evidence of such approval to accompany the application. Any approval outside the jurisdiction of the Zoning Board that becomes a condition of approval shall be subject to the performance condition set forth in Subsection 9.P.7. below.

9.P.6. Non-Contiguous Land Parcels

Within the MRD District, the Zoning Board may, in its sole discretion, authorize two or more non-contiguous parcels of land, separated only by a *Street*, that are owned in common to be considered merged for purposes of determining permitted residential density, *Floor Area Ratio* and *Building Coverage*. In the aggregate, the parcels of land shall be not less than 30,000 square feet in area. A joint application for MRD District designation and joint application for approval of site and architectural plans and requested uses shall be filed for all affected parcels and reviewed concurrently, subject to approval by the Zoning Board pursuant to the standards and procedures of the MRD District. In approving such applications, the Zoning Board shall make a finding that the proposal is consistent with the *Master Plan* for the Mill River Greenbelt Corridor, provided that total residential density, including density permitted in accordance with subsection 9.P.7.a. below, shall not exceed 108 units per acre and Floor Area and *Building Coverage* shall not be increased by more than fifteen percent (15%) over what would otherwise be permitted on any individual parcel. Any approval providing for the joint *Development* of separate sites shall be implemented with a suitable easement or covenant, enforceable by the City of Stamford and filed on the City of Stamford Land Records. (216-24)

9.P.7. Special Residential Development Standards (216-24)

In order to encourage the *Redevelopment* of land within the Mill River Corridor for residential purposes and the expeditious construction of public access improvements, the special standards set forth in (b) below shall apply to parcels that meet at least one of the following criteria in (a):

- a. Parcels that are (i) zoned C-G for at least 50% of their development site area or (ii) directly adjacent to the Rippowam River and jointly developed with a non-contiguous site (separated only by a *Street*) that is zoned C-G for at least 50% of its development site area or (iii) where at least 75% of the site is currently used for nonconforming commercial purposes and will be brought into conformity with the proposed *Development*.
- b. Special Standards:
 - (1) Commercial use shall not exceed a *Floor Area Ratio* of 0.30 and shall be limited to ground floor retail and service uses accessible to the general public.
 - (2) The total *Floor Area Ratio* for all uses shall not exceed three and one-half (3.5) for C-G zoned sites and jointly developed sites defined under subsection 6 above, and two (2.0) for

sites with a nonconforming commercial use that will be brought into conformity with the proposed *Development*, excluding ground floor retail and service uses and resident amenity space and excluding portions of parking *Structures* that do not exceed twenty-five (25) feet above grade (excluding parapet walls) or are fully integrated within the principal *Structure* and are suitably screened from pedestrian views.

- (3) *Building Height* shall not exceed 125 feet.
- (4) The total area occupied by principal *Structures* shall not exceed sixty-five percent (65%) of the site. Portions of parking *Structures* and other *Accessory Structures* may cover up to an additional twenty percent (20%) of the site, as described in subsection 9.P.4.e above. When parking *Structures* are fully integrated within the principal *Structure* and suitably screened from pedestrian views, the total area occupied by all *Structures* shall not exceed eighty-five percent (85%).
- (5) Following *Special Permit* approval from the Zoning Board, the residential off-street parking requirement may be reduced to one (1) *Parking Space* for each residential unit of two bedrooms or less and one and one-quarter (1.25) spaces for each residential unit of three bedrooms or more. Any application for this *Special Permit* shall include a *Parking Management Plan* and may include parking management strategies including, but not limited to, valet, tandem, vehicle elevator, and/or stacked vehicles. (214-27)

On sites that are within 500 feet of open space/public parks in the Mill River Corridor Boundary, no additional open space is required on the *Lot*. (214-27)

- (6) There shall be no required *Front Yard* or *Side Yard* setback provided the average sidewalk width for all street frontages is a minimum of 10 feet. However, on a site specific basis, the Zoning Board may increase the required setbacks to 5 feet in the *Front Yard* and 10 feet in the *Side Yard* for sites within the ARD after considering the relationship of *Yard* requirements and separation of *Structures* on the site to each other with the objective of assuring adequate light, open space, screening, landscape, safety and privacy for existing and proposed *Dwelling Units*, and overall urban design considerations. The requirements of Section 7.K. of these Regulations shall not apply. (214-27)

9.P.8 [*deleted*] (223-18)

9.Q. SRD-S South End Redevelopment, South

9.Q.1. Purpose

The South End Redevelopment District, South (SRD-S) is a flexible design district, subject to special standards and review procedures, intended to provide for and encourage the land use planning and coordinated development of large-scale mixed-use *Developments* that include the revitalization of industrial brown fields sites and the appropriate *Redevelopment* of significant waterfront properties, while giving highest priority and preference to water-dependent uses and meaningful public access on waterfront sites, consistent with the policies of the Connecticut Coastal Area Management Act. Application of the SRD-S Zoning District will be considered where a proposal meets the objectives and criteria set forth below, and where the mix of uses, architectural design, public amenities, and pedestrian oriented spaces are judged to be superior to a *Development* conforming to the standards of the underlying zoning district(s). The SRD-S District is intended to permit flexibility in the design and phased *Development* of large tracts of property over time, with the review and approval of final site and architectural plans and requested uses for each phase of *Development* controlled and coordinated by a *General Development Plan* serving as the master plan for the overall *Development* of the SRD-S designated area.

9.Q.2. Objectives

The Zoning Board may designate properties as a SRD-S Tract provided that the *General Development Plan* for the property is consistent with the following objectives:

- a. The purposes and goals of Land Use Categories 5, 9 and 10 of the 2015 *Master Plan*; (220-28)
- b. An integrated mixed-use *Development* consisting of a variety of housing types, styles and costs to promote housing choice and economic opportunity, with appropriate neighborhood retail and convenience services, office, hotel and other such uses that will contribute to the vitality of the South End;
- c. Architecture and site *Development* of design merit that makes best use of natural features, that harmonizes with the pattern and scale of the coastline and with the architecture scale and character of surrounding *Development*, and provides appropriate transition and functional integration into the surrounding neighborhood including extensions of existing roadways;
- d. Protection and encouragement of existing and new water-dependent uses and their essential supporting uses;
- e. Provision of publicly accessible open space with significant opportunity for public access to and enjoyment of waterfront areas without conflicting with viable existing water-dependent uses or sites highly suitable for other water-dependent uses;
- f. Incorporation of smart growth principles including “green” *Building* design, energy efficient development patterns, sustainability, and transit-oriented development that emphasize a

mixture of uses and densities, active storefronts, collector support transit systems (jitneys, buses), pedestrian friendly design, the easy use of bicycles and scooters and reduced, shared and managed parking.

- g. *Street* and sidewalk networks designed to enhance pedestrian safety, lessen congestion, control speeding, and provide attractive and convenient streetscapes connecting to the Transportation Center and Downtown;
- h. Protection and enhancement of environmentally sensitive areas, key public vistas and visual access to coastal landscapes, and areas of natural beauty.
- i. Harbor revitalization measures that emphasize the waterfront as a public pedestrian district connecting the shorefront with the adjacent neighborhoods and the Downtown and Mill River Greenbelt;
- j. Control of the type and intensity of *Development* to insure a positive impact on adjacent neighborhoods and the Downtown, and to prevent adverse impact on the Downtown, municipal services, available traffic capacities and infrastructure systems.

9.Q.3. Criteria for Designation

In order to qualify for designation as a SRD-S Zoning Tract, the proposed designation area must satisfy the following requirements:

- a. **Location.** The proposed Zoning Tract shall be located within the South End Neighborhood, defined as that area of land bounded by the Metro North Railroad tracks to the north, the East Branch of Stamford Harbor to the east, the West Branch of Stamford Harbor to the west, and Long Island Sound to the south.
- b. **Minimum Acreage.** The proposed Zoning Tract shall be in single ownership or control, not less than twenty (20) acres in area, comprised of one or more parcels separated by public *Streets*, provided that no individual parcel shall be less than 0.5 acres in area and one or more parcels shall be a minimum of twenty (20) acres. At the discretion of the Zoning Board, the Zoning Tract may also include other waterfront property connected by an easement or right-of-way, provided; said easement or right-of-way is a minimum of twenty-five (25) feet wide and a maximum of one hundred and fifty (150) feet in length. Private property to be deed restricted or conveyed for public purposes (i.e. parks, public and private schools, *Streets*, bike paths, clinics, firehouses, police substations, or similar public amenities) shall be included in the total land area.
- c. **Infrastructure Impact.** The site shall be served by *Streets*, municipal services and public utilities of adequate capacity to service the requirements of the site. Where infrastructure capacity is judged not to be adequate, the Board may accept a binding agreement insuring that suitable improvements are scheduled to occur or will be performed by the applicant in a timely manner. No *Building* permit shall be issued until such agreement has been accepted by the

Zoning Board.

- d. **Land Use Objectives.** The intended use and location of the SRD-S Zoning Tract shall be consistent with the purposes and objectives of the District as set forth in subsection 1 above, and shall be consistent with the *Master Plan* designation of the site, and compatible with the land use planning policies and goals articulated for adjacent affected areas.

9.Q.4. Permitted Uses:

- a. The following uses shall be allowed: Agencies - Real Estate, Insurance, Employment; Ambulance Facility, Non-Profit; Amusements - Outdoor Temporary, Circus, Fairs, etc; Amusements - Dance Hall, Billiard Parlor (Indoor); Amusements - Theatre, Pools, Arena (Outdoor); Apartment Building for the Elderly (Private, Municipally owned, or Non-Profit); Apartment Building for Supportive Housing; Apartment - Garden Type; Apartment Hotel; Apartment Hotel for the Elderly; Apartment House; Art & Antique Shops; Auto Parking Area, Commercial & Municipal; Auto Sales Agency, New with Used; Bank & Financial Institutions; Boat, Marine Accessories; Outboard Motor Sales and Repairs; Boat Storage & Repair; Bowling Alleys; Brewery, Distillery; Cafe, includes Entertainment & Liquors; Cafe, excludes Entertainment but includes Liquors; Camp, Summer Day; Canvas Products Mfg; Carpentry, Woodworking Shop; Child Day Care Center; Churches & Religious Institutions; Clinics; Clubs -Country, Golf, Yacht, Beach; Clinic, Community Health Center; Clubs & Lodges Non-Profit; Club - Swim and/or Tennis; Color Scanning Shop; Community Center; Copy and Communication Center; Drug Store; Dwelling - Single Family; Dwelling - Two Family; Dwelling-Group or Town Houses; Dwelling, Multiple; Emergency Shelter; Family Day Care Home; Fire Station Volunteer; Food Catering; Food Processing, Retail on Premises; Food Shops, Retail; Garage, Accessory; Garages, Public; Garages, Bus & Taxi Service; Gardening Supplies, Retail; Golf Course, Miniature or Simulated; Group Day Care Home; Home Occupation; Gymnasium or Physical Culture Establishment; Hotel (excluding a convention center/banquet facility as an Accessory Use); Inn; Ice Skating Rink – Indoor; Laundry, Cleaning & Dyeing Agency; Laundry, Cleaning & Dyeing Establishment; Laundry & Dry Cleaning Establishment, Retail; Laundry, Self-Service; Dry Cleaning, Self-Service; Museum, Non-Profit; Nursing Home; Offices, Business & Professional; Paint Stores including Wholesale Paint Stores for Resale off Premises; Passenger Terminals & Stations; Personal Wireless Service Facility; Plumbing & Heating Shop; Prenatal Care & Transitional Residence; Professional Offices, Accessory Use; Professional Offices, Medical; Professional Offices, Principal Use; Professional Pharmacy; Public & Charitable Agencies; Public Libraries or Branch thereof; Public Utility Buildings; Public Utility Generating

Plant, Public Utility Service Yards; Public Utility Transformer & Pump Station; Racquetball Facility; Radio & Television Broadcasting Stations and Masts; Rag, Bag & Carpet Cleaning; Residential Recreational Area; Restaurant, includes Entertainment & Liquors; Restaurant, excludes Entertainment but includes Liquors; Restaurant, Carry-Out; Restaurant, Drive-In; Restaurant, Fast-Food; Roller Skating Rink; School, Non-Public; School, Public; Schools, Vocational & Secretarial; Senior Housing and Nursing Home Facility Complex; Ship & Boat Building; Shoe Repair Shop; Sign Painting; Surgery Center/Out Patient; Tennis Court, Indoor; Veterinary Office; Water-dependent uses, as defined in CGS Section 22a-93(16). (22-31)

- b. The following uses are authorized provided that each such separate retail establishment shall not exceed 5,000 square feet of *Gross Floor Area*: Bakeries, Retail; Barber, Beauty Shops; Confectionery Store; Florist Shop; Hardware Store; Newsstand, Variety Store; Package Liquor Stores, such Package Liquor Store located within the SRD-S District shall be exempt from any separate distance contained in Section 14 of these Regulations. Such establishment shall not be within a thousand foot (1,000') radius of any other establishment being used for the sale of alcoholic liquor, under a package store permit; Optician, Repairs; Paint Stores, Retail; Photographic Studio; Sunglass Store; Tailor Shop. (217-38)
- c. The following uses are authorized provided that each such separate retail establishment shall not exceed 1,500 square feet of *Gross Floor Area*: Camera Shop; Gift shop; Jewelry Store; Stationery Store.
- d. Preservation of Water-Dependent Uses. Except as provided for below, if a site contains an existing, viable water-dependent use, such use shall be retained. No proposed use shall be approved that would adversely impact a water-dependent use. The Board may authorize the modification of an existing water-dependent use provided that:
 - (1) the Board considers comments from the Office of Long Island Sound Programs, Connecticut Dept. of Environmental Protection before such a decision is made;
 - (2) the applicant can demonstrate to the satisfaction of the Board that the modification of such use is warranted under pertinent sections of the Connecticut Coastal Area Management Act; any such claim to be supported by full disclosure of all pertinent information including but not limited to financial data regarding the water-dependent use;
 - (3) the applicant can demonstrate to the satisfaction of the Board that alternatives to the existing type or location of the water-dependent use will allow an appropriate level of service or activity to continue in accordance with the objectives of the SRD-S zoning district and Stamford's Municipal Coastal Program; and,
 - (4) the applicant submits a professionally-prepared market study and needs analyses of the site's potential to support a water-dependent use under the existing zoning. The applicant shall be required to reimburse the City of Stamford for the cost of a peer review of the

market study and analyses by an independent consultant reporting to the Zoning Board. The applicant shall pay the City of Stamford for the full cost of this peer review prior to the Zoning Board acting on the request to modify the existing water-dependent uses.

9.Q.5. Standards

The following standards shall apply to the overall SRD-S Zoning Tract as a whole. Subject to approval by the Zoning Board, individual parcels may exceed the standards and limitations contained herein provided the SRD-S Zoning Tract is in compliance with all standards.

- a. **Residential Density.** fifty (50) Dwelling Units per acre, provided that total residential floor area shall not exceed an amount equal to 1,300 square feet times the maximum number of allowable Dwelling Units. Subject to Final Site Plan Approval by the Zoning Board, and notwithstanding any other provision of these regulations to the contrary, a hotel use approved as part of a *General Development Plan* may be converted to, or replaced by, a residential use, provided that the number and square footage of residential units does not exceed the number and square footage of hotel rooms previously approved pursuant to a *General Development Plan*. (213-35)
- b. **Non-Residential Floor Area.** Non-residential uses, in the aggregate, shall not exceed 0.23 FAR, provided that: (215-02)
 - (1) Retail uses shall not exceed 0.03 FAR.
 - (2) Water-dependent uses located in *Master Plan Category 10* shall be exempt from FAR calculations.
 - (3) Restaurant uses shall comprise a minimum of 10,000 square feet of floor area in the aggregate.
 - (4) Neighborhood retail and convenience services shall comprise a minimum of 20,000 square feet of floor area in the aggregate.
 - (5) Cultural institutions, facilities and organizations, including public galleries, artist studios and display space, shall comprise a minimum of 10,000 square feet of floor area in the aggregate, and shall be located within the Zoning Tract or outside the Zoning Tract within the South End, subject to Zoning Board approval.
 - (6) Above-grade *Structured* parking floors serving commercial or residential uses may be excluded from the calculation of permitted non-residential FAR, based on a finding by the Zoning Board that the garage *Structure* is covered and integrated into the *Development* behind active uses at the pedestrian level or screened from sensitive pedestrian level views to the satisfaction of the Board.
 - (7) The floor area of *Structures* used for public purposes (i.e. accessory park *Structures*, public and private schools, clinics, museums, cultural institutions, firehouses, police substations,

or similar public facilities) may be exempt from the calculation of permitted non-residential Floor Area, subject to determination by the Zoning Board.

- c. **Building Height.** *Building Height* shall not exceed one hundred and fifty five feet (155') as measured from average finished grade; provided however, that one *Building* up to two-hundred and twenty-five feet (225') in height may be permitted for every 10 acres of SRD-S Zoning Tract area. *Building Height* shall be limited to fifty (50) feet on portions of the Zoning Tract within *Master Plan Category 10*. *Building* floors between one hundred and twenty-five (125) feet and one hundred and fifty-five (155) feet shall be limited to a maximum individual floor plate of 15,000 square feet and *Building* floors above a height of one hundred and fifty-five (155) feet shall be limited to a maximum individual floor plate of 12,000 square feet. (211-09)
- d. **Building Setbacks.** All *Buildings* shall be setback not less than five (5) feet from any public street right-of-way or not less than fifteen (15) feet from any established curb line as designated on the *General Development Plan*, whichever is greater, provided the Zoning Board may reduce or waive this requirement based on sound urban design principles. Setbacks from internal property lines or parcel boundaries along private *Street* networks shall be determined by the Zoning Board consistent with sound urban design principles and where adequate light, open space, screening, landscape, safety and privacy of residential uses is maintained. *Buildings* adjacent to coastal waters shall be set back a minimum of thirty (30) from the Mean High Water line, provided the Zoning Board may reduce or waive such requirement based on a finding that the special function, use or design of a *Building* or *Structure* requires placement closer to the waterfront and is consistent with the purposes of the SRD-S District. The requirements of Section 7.K. of these Regulations shall not apply.
- e. **Building Coverage.** *Building Coverage*, in the aggregate, shall not exceed forty percent (40%), provided that parking *Structures* exempt from *FAR* calculations pursuant to subsection 5.b.5 above may cover an additional 20% of the Zoning Tract. *Building Coverage* is defined to be the percent of Zoning Tract covered by *Buildings* or *Structures*, excluding for purposes of this calculation piers, docks, boardwalks, canopies, incidental open space *Structures* and similar special *Structures* designed to enhance open space areas or encourage public access to the waterfront. Water-dependent uses located in Category 10 may be exempted from *Building Coverage* calculations.
- f. **Open Space.** Fifteen percent (15%) of the Zoning Tract area shall be improved and dedicated as publicly accessible pedestrian-level open space, with the location and design of said open space subject to determination and approval by the Zoning Board. Said open space shall exclude any area used for vehicle circulation or parking, but may include other pedestrian ways, boardwalks, publicly accessible sidewalks, and other publicly accessible at grade areas, hurricane barriers, and landscaped areas adjacent to Mean High Water. All open space shall be unobstructed between the finished street level of such space and the sky, except that not more than ten percent (10%) of the total open space proposed in the SRD-S district may be roofed. Design shall encourage uses that are compatible with the public enjoyment of such

open space, such as a bike and boat rental facility, public restrooms, drinking fountains, picnic facilities and shelters, and food kiosks and vendors. Required open space shall include play areas suitable for pre-school children equal to not less than 10 square feet per Dwelling Unit. Such play areas may be located at the pedestrian-level on site or off-site within the South End in existing public parks, or on a roof, however, when located off-site or on the roof, such play areas shall not count toward the 15% at grade requirement.

- g. **Parking.** The standards of Section 12 shall apply, provided the Zoning Board may authorize a reduction of parking and loading, based on a finding that the proposed mix of uses will be adequately parked at all times, subject to the follow minimum standards: 1.25 spaces per Dwelling Unit; 2.0 spaces per 1,000 square feet of office and/or retail floor area; 0.75 spaces per hotel room; and 0.5 spaces per boat slip. Required parking may be satisfied on adjacent parcels within the Zoning Tract. The Board may, pursuant to approval of a *Parking Management Plan*, approve the use of shared parking, tandem parking or valet parking.
- h. **Public Parking.** In addition to the parking standards of subsection 5.g above, public surface parking shall be conveniently located to encourage public access to the waterfront and to ground floor commercial uses. Public parking shall be reserved for public use and provided at a rate of one quarter (0.25) space per 1,000 square feet of ground floor retail use plus one (1.0) space for every twenty (20) feet of frontage on the Stamford Harbor within *Master Plan Category 9*. On-street parking within existing public street right-of-ways may be used to satisfy the public parking requirement for ground floor retail uses.
- i. **Public Transportation.** The applicant shall implement and insure the ongoing maintenance and operation of a jitney transit system providing convenient service to the Transportation Center and downtown shopping and entertainment locations, to encourage and support the reduction of on-site parking, consistent with Transit Oriented Development principles.
- j. **Below Market Rate Requirement.** *Below Market Rate* Housing shall be provided pursuant to Section 7.4 of these Regulations. (209-09; 220-13)
- k. **Signage.** Signage shall comply with the standards of the C-N Zoning District except as modified and adopted by the Zoning Board in the SRD-S design guidelines, provided that a *Wall Sign* may be mounted above the established roof line on a parapet façade so long as said *Sign* does not extend above the parapet façade. (211-11)

9.Q.6. Site Design and Architectural Criteria

All *Development* within the SRD-S District shall conform to the site plan review standards of Section 19.D.3. and the coastal site plan review standards and policies of Section 15.A. of these Regulations, and the following additional standards:

- a. **Mitigation of Environmental Impact.** Appropriate measures shall be taken to mitigate environmental impacts to coastal resources through sensitive design and implementation of

best management technologies and methods for controlling pollutant discharges from the site. Where the Board authorizes encroachment or removal of any intertidal habitat, 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.

- b. **Public Access to the Waterfront.** The design of waterfront improvements shall expressly encourage and invite public access through the development of uses, amenities, signage, and attractive walkways with general utility. Private use areas and vehicular traffic and parking shall be designed accordingly with preference to public pedestrian traffic. Unless waived or modified by the Board, public access shall be insured through the dedication of a permanent easement area encompassing the area of land extending from the mean high water mark to a point thirty (30) feet inland or to the extent of any public access facilities and improvements, whichever is greater. The public access easement shall connect to any access easements on adjacent property and shall also be extended to a public *Street* or right-of-way in a manner providing safe and convenient public access. Access improvements shall provide for the efficient movement of future pedestrian traffic, shall provide for public safety and tenant security, shall logically connect site uses and activities, and shall link smoothly with existing public access facilities on adjacent property or terminate safely at the point where continuation of such facilities cannot be reasonably anticipated. Changes of paving materials and textures within public access areas should be well considered and provide a clear transition.
- c. **Landscaping.** All areas of the tract not devoted to *Buildings, Structures* or other designed uses shall be suitably landscaped to the satisfaction of the Board. As a minimum, 20% of the area within thirty (30) feet of the mean high water mark shall consist of landscaped area unless otherwise reduced or waived by the Board. Landscaping shall be designed, provided and permanently maintained consistent with the design and visual quality criteria of the SRD-S District and the protection of adjacent uses and neighborhoods.
- d. **Public Art.** Enhancement of public and private areas of the site with works of art appropriate to their setting is encouraged.
- e. **Other Governmental Approvals.** When site improvements or uses require separate approval by other municipal, state or federal units of government, evidence shall be submitted to the satisfaction of the Board demonstrating the capacity to attain such approvals in a timely manner. When issuance of any significant approvals is in question prior to the issuance of a *Building* permit, the Zoning Board may determine that temporary mitigation and/or bonding may be required.
- f. **Architectural Design Principles.**
 - (1) Major public corridors shall be designed to reinforce their importance to the neighborhood by nature of *Building* façades , main entrances, streetscape, tree planting, and minimizing curb cuts, as well as to accommodate the bulk of pedestrian, bike, and vehicular travel.

- (2) The *Development* shall have a continuous *Street* and sidewalk network with street trees that connects to the existing *Street* system and the waterfront. All publicly accessible open spaces shall also connect to the *Street* system.
- (3) New *Buildings* and alterations of existing *Structures* shall be sensitive to the pedestrian scale, as well as to the surrounding neighborhood character and streetscape.
- (4) New *Buildings* shall have major frontages and entrances on major *Streets* and open spaces. These frontages shall meet the sidewalk and shall not have publicly inaccessible spaces between the façade and the sidewalk. Large at-grade setbacks are discouraged except for the creation of special publicly accessible places and urban features identified within the *General Development Plan*.
- (5) New *Buildings* and, to the extent possible, existing *Buildings* shall have significant amount of transparent glass on the ground floor for non-residential uses fronting on public and publicly accessible spaces. The ground level shall be designed to enliven the *Street* and promote the pedestrian scale of the overall *Development*.
- (6) Large expanses of blank walls shall be avoided on the exterior walls of all new *Buildings* and renovated *Structures* visible from public and publicly accessible places.
- (7) All parking *Structures* should be covered and integrated into the *Development* behind active uses at the pedestrian level or screened from sensitive pedestrian level views to the satisfaction of the Board.
- (8) The façades of all *Buildings* shall be constructed of high quality durable materials.

9.Q.7. Review Procedures (223-18)

All applications for designation of, and/or *Development* of property within, the South End Redevelopment District, South District (SRD-S) shall conform to the following procedures.

- a. **Application to Amend Zoning Map for SRD-S Designation and Approval of General Development Plan.** All applications to amend the Zoning Map to SRD-S shall be accompanied by and subject to approval of a *General Development Plan (GDP)* application pursuant to Section 19.J. [*Former Subsections b-c to be deleted*]
- b. **Conveyance of Property:** Prior to conveyance of any Block, the Applicant shall file a written certification with the Land Use Bureau, executed by the Applicant, that the Block to be conveyed, as well as all remaining Blocks in the Zoning Tract, will remain in compliance with the *GDP* approval and conditions and these Regulations. Further, the Applicant shall identify the party responsible for completing construction of all public improvements and necessary infrastructure and providing required public services. This obligation shall cease to apply for any Block which has received final site plan approval.

9.Q.8. Application Contents:

- a. **Application For SRD-S Designation and Approval of General Development Plan.** A petition for SRD-S designation and approval of *General Development Plan* and Coastal Site Plan Review shall include, as a minimum, fifteen (15) copies of the following information:
- (1) **Written Application.** Written application on forms as prescribed by the Board including a project narrative describing the intended manner of *Development* of the site including the types of uses and the principal *Structures* and facilities to be established, a declaration and supporting data demonstrating generally how the project conforms with the purposes and criteria of the SRD-S District, and a declaration of other agency permits required.
 - (2) **Existing Conditions Survey.** An accurate survey of the site including the boundaries, dimensions and acreage of the site; the location and dimensions of *Buildings* and *Structures*, existing uses of *Structures* and land areas; existing site utilities and vehicle access; property ownership, *Structures*, uses and street elevations within 200 feet of the site; land contours at a maximum of two-foot intervals and critical spot elevations; flood elevation data; the location of any easements of record; and the location of coastal resource areas based on accepted field mapping methods. Mapping accuracy of the existing conditions survey shall meet or exceeding the standards for a Class A-2 survey.
 - (3) **General Site Plans.** Site plans, on one or more sheets, drawn at a scale of not less than one inch = 50 feet, unless otherwise authorized by staff, and showing, at a minimum, the following information:
 - (a) the proposed location, Floor Area and uses of *Structures*;
 - (b) the proposed location and area of principal land uses and facilities;
 - (c) existing and proposed land contours;
 - (d) the general location and character of landscaped areas;
 - (e) vehicle parking and loading areas, vehicle access and transportation systems;
 - (f) public access amenities, facilities and services;
 - (g) the boundaries of any *Streets*, open spaces, public access areas or other easements or land rights to be conveyed to the City;
 - (h) tabulation of all applicable standards of Section 5, *Building* standards
 - (4) **General Architectural Plans.** Preliminary architectural drawings including general plan diagrams, exterior elevations, perspective drawings and renderings for general illustration of *Building* character and to generally establish the intended height, bulk, arrangement, setback and general character of *Principal Buildings* and *Structures*.
 - (5) **Design Guidelines.** Design information and specifications addressing conformance of the plans with the architectural design guidelines of Subsection 9.Q.6.f, above, to be

incorporated as conditions of Final Site and Architectural Plans & Requested Uses or prior to the conveyance of any property, whichever comes first.

- (6) **Utilities Report.** Preliminary plans and written report prepared by a qualified professional engineer specifying the means by which sewage disposal, water supply, storm water disposal, traffic and access requirements, and related services will be provided for the proposed *Development*. The level of information, data, and scope of analysis shall be sufficient to demonstrate the ability to comply with the requirements of these Regulations and the standards and criteria of other units of government having separate jurisdiction. Where feasibility of the proposed *Development* depends upon off-site improvements in infrastructure systems, a suitable improvement plan shall be provided.
 - (7) **Schedule of Improvements.** A proposed phasing plan and timetable shall be provided indicating the completion of major site improvements, the establishment of uses, and the general sequence of construction.
- b. **Final Plan Submission.** An application for approval of final Site and Architectural Plans & Requested Uses shall be submitted in conformance with and including all of the information required by the approved *General Development Plan*. Fifteen (15) copies of all final plan materials shall be submitted and shall include at least the following:
- (1) **Final Site Plan.** Plans, design details, and specifications satisfying the standards of Section 19.D.3. of these Regulations.
 - (2) **Architectural Plans.** Full floor plans and final exterior architectural designs, elevations, perspective renderings, and the materials, finishes and colors of proposed *Structures*.
 - (3) **Utilities Plans.** Engineering design plans and specifications showing provisions for storm water drainage, water supply, sewage disposal, and traffic management, including the details of any improvements proposed within any public right-of-way or off-site.
 - (4) **Landscaping, Grading and Erosion Control Plans.** Detailed plans showing the extent of any proposed excavation, dredging, grading or filling activities, including the intended timetable and sequence of such work and the means proposed to control erosion and sedimentation. Erosion controls shall conform to Section IV, Subsection 4.18 of the Subdivision Regulations. Final stabilization and landscaping plans shall include materials, specifications, plant design, and a suitable maintenance agreement.
 - (5) **Legal Documentation.** Legal documentation, easements, covenants, guarantee agreements and assurances as required to implement the intent and purpose of the SRD-S District and the approved *General Development Plan*, including any provisions for public access and the protection of water-dependent uses.

9.Q.9. Performance

The components of the *General Development Plan* shall be constructed in a timely fashion consistent with any approved phasing plan and timetable. The permit holder shall have two years from the approval of *General Development Plan* to submit application for approval of final Site and Architectural Plan & Requested Uses for the first phase of *Development*, subject to one-year extensions by the Zoning Board. Failure to submit acceptable final plans shall be sufficient grounds for the Board to revoke the *General Development Plan* approval and to restore the original zoning district designation(s) to the subject property. The permit holder shall have two years after Final Plan approval for any phase to obtain a *Building* permit, subject to one-year extensions by the Zoning Board. *Building* permits for all *Structures* and improvements shown on the *General Development Plan* approval shall be obtained within fifteen years of said approval. (206-59)

9.R. SRD-N SOUTH END REDEVELOPMENT DISTRICT, NORTH

9.R.1. Purpose

The South End Redevelopment District, North (SRD-N) is a flexible design district, subject to special standards and review procedures, intended to provide for and encourage the land use planning and coordinated *Development* of large-scale mixed-use *Developments* that include the revitalization of industrial brown fields sites for properties located in the South End that are within, contiguous to, or separated by a street right-of-way from, a Downtown *Master Plan Category*. Application of the SRD-N Zoning District will be considered where a proposal meets the objectives and criteria set forth below, and where the mix of uses, architectural design, public amenities, and pedestrian oriented spaces are judged to be superior to a *Development* conforming to the standards of the underlying Zoning District(s).

9.R.2. Objectives

The Zoning Board may designate properties as a SRD-N Tract provided that the *General Development Plan* for the property is consistent with the following objectives:

- a. The purposes and goals of Land Use Category 9 of the 2015 *Master Plan*;
- b. An integrated mixed-use *Development* consisting of a variety of housing types, styles and costs to promote housing choice and economic opportunity, with appropriate neighborhood retail and convenience services, office, hotel and other such uses that will contribute to the vitality of the South End;
- c. Incorporation of smart growth principles including “green” *Building* design, energy efficient development patterns, sustainability, and transit-oriented development that emphasizes a mixture of uses and densities, active storefronts, collector support transit systems (including but not limited to jitneys, buses), pedestrian friendly design, the easy use of bicycles and scooters and reduced, shared and managed parking.
- d. *Street* and sidewalk networks designed to enhance pedestrian safety, lessen congestion, control speeding, and provide attractive and convenient streetscapes connecting to the Transportation Center and Downtown;
- e. Protection and enhancement of environmentally sensitive areas with due consideration to the preservation of significant *Historic Sites*;
- f. Control of the type and intensity of *Development* to insure a positive impact on adjacent neighborhoods and the Downtown, and to prevent unacceptable adverse impact on the Downtown, municipal services, available traffic capacities and infrastructure systems.

9.R.3. Criteria for Designation of a SRD-N

In order to qualify as a SRD-N Zoning Tract, the land area must satisfy the following requirements:

- a. **Location.** The Zoning Tract shall be located within the South End Neighborhood, defined as that area of land bounded by the Metro North Railroad tracks to the north, the East Branch of Stamford Harbor to the east, the West Branch of Stamford Harbor to the west, and Long Island Sound to the south and shall be within, contiguous to, or separated by a street right-of-way from, a Downtown *Master Plan Category*.
- b. **Minimum Acreage.** The Zoning Tract shall be in single ownership at the time of the application, not less than twenty (20) contiguous acres in area not separated by existing Public *Streets*. Additional parcels may not be added to the Zoning Tract.
- c. **Infrastructure Impact.** The site shall be served by *Streets*, municipal services and public utilities of adequate capacity to service the requirements of the site. Where infrastructure capacity is judged not to be adequate, the Board may accept a binding agreement insuring that suitable improvements are scheduled to occur or will be performed by the applicant in a timely manner. No *Building* permit shall be issued until such agreement has been accepted by the Zoning Board.
- d. **Land Use Objectives.** The intended use and location of the SRD-N Zoning Tract shall be consistent with the purposes and objectives of the District as set forth in subsection 1 above, and shall be consistent with the *Master Plan* designation of the site, and compatible with the land use planning policies and goals articulated for adjacent affected areas.

9.R.4. Uses In the SRD-N District:

- a. Uses permitted within the SRD-S District with the same Floor Area limitations contained therein; provided, however that a Package Liquor Store, when located in the same *Building* as a Food Shop, Retail, may be exempt from the 5,000 square foot Floor Area limitation when approved by the Zoning Board as part of a Final Site Plan Application. (208-37)
- b. **Large Format Retail.** A large format retail use is defined as a single retail tenant occupying not less than 40,000 square feet of floor area. Permitted large format retail uses are limited to: Drug Store; Electrical Appliances Store, Retail; Feed Stores, Hay, Grain; Food Shop, Retail; Gardening Supplies, Retail; Hardware Store; Home Center; Home Furnishings, Retail; Music Store; Office Supply Store, Retail; Pet Stores, Including Food & Accessories; and Sporting Goods Store, Retail (with not more than 40% apparel).
- c. **Prohibited Uses.** Department Stores; stores selling primarily apparel; Entertainment Centers; Theaters (live and movie); Home Furnishings, Retail (less than 60,000 sf); and specialty retailers carrying more than 10% jewelry.

9.R.5. Standards

The following standards shall apply to the overall SRD-N Zoning Tract as a whole. Subject to approval by the Zoning Board, individual parcels may exceed the standards and limitations contained herein provided the SRD-N Zoning Tract is in compliance with all standards.

- a. **Residential Density.** Fifty (50) Dwelling Units per acre, provided that total residential floor area shall not exceed an amount equal to 1,300 square feet times the maximum number of allowable Dwelling Units.
- b. **Non-Residential Floor Area.** Non-residential uses, in the aggregate, shall not exceed a 0.5 FAR, provided that:
 - (1) Retail uses shall not exceed a maximum of 0.375 FAR.
 - (2) The SRD-N shall include a Food Shop, Retail that is not less than 40,000 square feet.
 - (3) A maximum of five (5) Large Format Retail uses (excluding the Food Shop, Retail) shall not exceed a maximum of 0.25 FAR.
 - (4) Any Home Furnishings, Retail use shall be a minimum of 60,000 square feet.
 - (5) Up to 30,000 square feet of the outdoor area of a Garden Supplies, Retail use shall be exempt from the floor area limitations of this subsection.
 - (6) Office and/or hotel use shall not exceed a maximum of 0.15 FAR. Subject to Final Site Plan Approval by the Zoning Board, and notwithstanding any other provision of these regulations to the contrary, a hotel use approved as part of a *General Development Plan* may be converted to, or replaced by, a residential use, provided that the number and square footage of residential units proposed does not exceed the number and square footage of hotel rooms previously approved pursuant to a *General Development Plan*. (212-16)
 - (7) The floor area of *Structures* used for public purposes (i.e. accessory park *Structures*, public and private schools, clinics, firehouses, police substations, or similar public facilities) shall be included in all applicable zoning calculations; provided, however, that the floor area of said uses may be exempt from the calculation of permitted non-residential FAR, subject to determination by the Zoning Board.
 - (8) Above-grade *Structured* parking floors serving commercial or residential uses may be excluded from the calculation of permitted non-residential FAR, based on a finding by the Zoning Board that the garage *Structure* is covered and integrated into the *Development* behind active uses at the pedestrian level or screened from sensitive pedestrian level views to the satisfaction of the Board.
 - (9) For every one (1) square foot of Large Format Retail use, three (3) square feet of residential use shall be provided concurrently within the South End Redevelopment District (North and South combined).

- (10) Cultural institutions, facilities and organizations, including public galleries, artist studios and display space, shall comprise a minimum of 5,000 square feet of floor area in the aggregate, and shall be located within the Zoning Tract or outside the Zoning Tract subject to Zoning Board approval.
- c. **Building Height.** *Building Height* shall not exceed one hundred and fifty five feet (155') as measured from average finished grade; provided however, that one *Building* up to two-hundred and twenty-five feet (225') in height may be permitted for every 10 acres of SRD-N Zoning Tract area. *Building* floors between one hundred and twenty-five (125) feet and one hundred and fifty-five (155) feet shall be limited to a maximum individual floor plate of 15,000 square feet and *Building* floors above a height of one hundred and fifty-five (155) feet shall be limited to a maximum individual floor plate of 12,000 square feet. (211-09)
- d. **Building Setbacks.** All *Buildings* shall be setback not less than five (5) feet from any public street right-of-way or not less than fifteen (15) feet from any established curb line as designated on the *General Development Plan*, whichever is greater, provided the Zoning Board may reduce or waive this requirement based on sound urban design principles. Setbacks from internal property lines or parcel boundaries along private street networks shall be determined by the Zoning Board consistent with sound urban design principles and where adequate light, open space, screening, landscape, safety and privacy of residential uses is maintained. The requirements of Section 7.K of these Regulations shall not apply.
- e. **Building Coverage.** *Building Coverage*, in the aggregate, shall not exceed fifty percent (50%) of the Zoning Tract provided that parking *Structures* exempt from *FAR* calculations pursuant to subsection 5.b.8 above may cover an additional 20% of the Zoning Tract.
- f. **Open Space.** Ten percent (10%) of the Zoning Tract area shall be improved and dedicated as publicly accessible pedestrian-level open space, with the location and design of said open space subject to determination and approval by the Zoning Board. Said open space shall exclude any area used for vehicle circulation or parking, but may include other pedestrian ways, publicly accessible sidewalks on private land, and other publicly accessible at grade areas. All open space shall be unobstructed between the finished street level of such space and the sky, except that not more than ten percent (10%) of the total open space proposed in the SRD-N district may be roofed. Design shall encourage uses that are compatible with the public enjoyment of such open space, such as a bike rental facility, public restrooms, drinking fountains, picnic facilities and shelters, and food kiosks and vendors. Required open space shall include play areas suitable for pre-school children equal to not less than 10 square feet per *Dwelling Unit*. Such play areas may be located at the pedestrian-level on site or off-site within the South End in existing public parks, or on a roof, however, when located off-site or on the roof, such play areas shall not count toward the 10% at grade requirement.
- g. **Parking.** The standards of Section 12 shall apply, provided the Zoning Board may authorize a reduction of parking and loading, based on a finding that the proposed mix of uses will be adequately parked at all times, subject to the following minimum standards: 1.25 spaces per

Dwelling Unit; 2.0 spaces per 1,000 square feet of office and/or retail floor area; and 0.75 spaces per hotel room. Required parking may be satisfied on adjacent parcels within the Zoning Tract. The Board may, pursuant to approval of a *Parking Management Plan*, approve the use of shared parking, tandem parking or valet parking.

- h. **Public Transportation.** The applicant shall implement and insure the ongoing maintenance and operation of a jitney transit system providing convenient service to the Transportation Center and downtown shopping and entertainment locations, to encourage and support the reduction of on-site parking, consistent with Transit Oriented Development principles.
- i. **Below Market Rate Requirement.** *Below Market Rate* Housing shall be provided pursuant to Section 7.4 of these Regulations. (209-09; 220-13)
- j. **Signage.** Signage shall comply with the standards of the C-N Zoning District except as modified and adopted by the Zoning Board in the SRD-N design guidelines, provided that a *Wall Sign* may be mounted above the established roof line on a parapet façade so long as said *Sign* does not extend above the parapet façade. (211-11)

9.R.6. Site Design and Architectural Criteria

All *Development* within the SRD-N District shall conform to the site plan review standards of Section 19.D.4. and the coastal site plan review standards and policies of Section 15.A. of these Regulations, and the following additional standards:

- a. **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 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.
- b. **Landscaping.** All areas of the tract not devoted to *Buildings, Structures* or other designed uses shall be suitably landscaped to the satisfaction of the Board. Landscaping shall be designed, provided and permanently maintained consistent with the design and visual quality criteria of the SRD-N District and the protection of adjacent uses and neighborhoods.
- c. **Other Governmental Approvals.** When site improvements or uses require separate approval by other municipal, state or federal units of government, evidence shall be submitted to the satisfaction of the Board demonstrating the capacity to attain such approvals in a timely manner. When issuance of any significant approvals is in question prior to the issuance of a *Building* permit, the Zoning Board may determine that temporary mitigation and/or bonding may be required.

d. Architectural Design Principles.

- (1) Major public corridors shall be designed to reinforce their importance to the neighborhood by nature of *Building* façades, main entrances, streetscape, tree planting, and minimizing curb cuts, as well as to accommodate the bulk of pedestrian, bike, and vehicular travel.
- (2) The *Development* shall have a continuous street and sidewalk network with street trees that connects to the existing street system. All publicly accessible open spaces shall also connect to the street system.
- (3) New *Buildings* and alterations of existing *Structures* shall be sensitive to the pedestrian scale, as well as to the surrounding neighborhood character and streetscape.
- (4) New *Buildings* shall have major frontages and entrances on major *Streets* and open spaces. These frontages shall meet the sidewalk and shall not have publicly inaccessible spaces between the façade and the sidewalk. Large at-grade setbacks are discouraged except for the creation of special publicly accessible places and urban features identified within the *General Development Plan*.
- (5) The ground level of new *Buildings* and, to the extent possible, existing *Buildings* shall be designed to enliven the *Street* and promote the pedestrian scale of the overall *Development*.
- (6) Large expanses of blank walls shall be avoided on the exterior walls of all new *Buildings* and renovated *Structures* visible from public and publicly accessible places.
- (7) All parking *Structures* should be covered and integrated into the *Development* behind active uses at the pedestrian level or screened from sensitive pedestrian level views to the satisfaction of the Board.
- (8) The façades of all *Buildings* shall be constructed of high quality durable materials.

9.R.7. Procedures, Application Contents and Performance

Development within the SRD-N shall conform to the Review Procedures, Application Contents and Performance requirements and standards of the SRD-S South End Redevelopment District, South zoning district. (206-60)

9.S. HCD-D - HOSPITAL COMPLEX DESIGN (210-27)

9.S.1. Purpose

Hospital Complex Design District (“HCD-D”) is a flexible design district, subject to special standards and review procedures, intended to provide for and encourage the coordinated and phased *Development* of large scale Hospitals and related uses and facilities.

9.S.2. Objectives

The Zoning Board may designate properties as a HCD-D provided that the *General Development Plan* is consistent with the following objectives:

- a. the purposes and goals of the underlying *Master Plan* Land Use Categories in which the properties are located;
- b. architectural and site development of design merit;
- c. principals of sustainable *Building* design and features appropriate for hospitals and the site;
- d. street and sidewalk networks designed to enhance pedestrian safety, minimize traffic impacts and provide attractive and convenient streetscapes within the HCD-D and on its borders; and
- e. adequacy of infrastructure.

9.S.3. Criteria for Designation

In order to qualify for HCD-D designation the proposed designated area must satisfy the following requirements:

- a. **Eligible Zoning Districts.** The subject property shall be located in one of the following zones at the time of redesignation to HCD-D: R-5, R-6, R-7^{1/2}, R-MF, R-H, and/or RM-1.
- b. **Eligible Master Plan Categories.** The subject property shall be located in *Master Plan* Land Use Category #3 (Residential – Low Density Multifamily), Land Use Category #4 (Residential – Medium Density Multifamily) and/or Land Use Category #5 (High Density Multifamily).
- c. **Minimum Acreage.** Eight (8) acres not separated by public *Streets* or public rights of way.
- d. **Land Ownership.** The site may be in single or multiple ownerships, however all owners shall be signatories to the application (see sub-section 6.d below).

9.S.4. Permitted Uses (all by Special Permit):

- a. **Hospital.** A minimum of seventy five percent (75%) of the total floor area shall be a facility licensed by the State of Connecticut Department of Health as a hospital and having the facilities

and medical staff to provide for the prevention, diagnosis, care, research and treatment of a wide-range of acute conditions, chronic diseases or injuries.

- b. **Related and Supportive Uses.** Medical Professional Offices; Professional Pharmacy; Nursing Home; Residential Uses; Faculty and Staff Housing; Child Daycare Center; Physical Culture Establishment.
- c. **Accessory, Convenience Service Uses** (no single use shall exceed 2,500 square feet of *Gross Floor Area*). Churches & Religious Institutions; Bank & Financial Institutions; Barber, Beauty Shops; Book Store; Confectionery Store; Copy and Communication Center; Drug Store; Dry Goods, Notions Store; Florist Shop; Food Shops, Retail; Gift Shop; Laundry & Dry Cleaning Establishment, Retail; Newsstand, Variety Store; Optician, Repairs; Restaurant, excludes Entertainment & Liquor.
- d. **Helicopter Landing Facility.** A maximum of one (1) Helicopter Landing Facility may be located in the HCD-D for the restricted purpose of a medical emergency. As defined in section 68-1 of the Code of Ordinances of the City of Stamford, a medical emergency means an individual suffering from a bona fide life or limb threatening medical emergency. This use shall only be permitted on HCD-D sites greater than or equal to sixteen (16) acres. Said facility shall be located on the roof of a *Building* with a height of at least 90 feet above grade and the Helicopter Landing Facility shall be setback a minimum of 300 feet from all adjoining residential properties. Said authority shall be limited to landing and take-off attributed to a medical emergency and shall not extend to the permanent stationing of a helicopter in any HCD-D zoning district.

9.S.5. Standards

The following standards shall apply to the overall HCD-D Zoning Tract:

- a. **Minimum Lot Size.** Eight (8) acres of contiguous land. After the time of designation to HCD-D, additional parcels that are smaller than the minimum acreage that are contiguous to or, at the sole discretion of the Zoning Board, separated by a *Street* so long as the street right-of-way width does not exceed fifty (50) feet and some portion of the frontage of each parcel is directly opposite.
- b. **Floor Area Ratio (FAR).** The maximum allowed *Floor Area Ratio* shall be 1.25. In the HCD-D, *FAR* shall be defined as the total floor area of the *Building(s)* on any *Lot* including space used for Faculty and Staff Housing, divided by the total area of such *Lot*. Faculty and Staff Housing means *Dwelling Units* limited to occupancy by the Hospital employees and/or their immediate family members. The following shall be exempt from *FAR* calculations:
 - (1) The first four (4) floors above grade of any *Structured Parking Facility*, provided that the Zoning Board finds that the *Structured Parking Facility* is satisfactorily screened from public pedestrian views and adjacent residential properties.

- (1) Areas of any *Building* used for the storage or housing of utility, mechanical, central heating, air conditioning, or ventilation equipment of the *Building*.
- c. **Building Coverage.** Maximum *Building Coverage* shall not exceed 30%.
- d. **Building Height.** No *Building* shall exceed 75 feet provided; however, that in any HCD-D zoning district which is greater than sixteen (16) acres, one *Building* may be allowed up to 210 feet and one additional *Building* may be allowed up to 100 feet. Where multiple *Buildings* are connected, said height shall be measured from the perimeter of the individual *Building*. Mechanical space located on the roof, including elevator shafts or helicopter landing facilities, shall be excluded from this height calculation. (213-26)
- e. **Parking.** The following parking standards shall apply in the HCD-D Zone: one (1) *Parking Space* for every hospital bed, one (1) *Parking Space* for every hospital employee on campus during the peak shift. Parking for other uses in excess of 2,500 square feet shall be subject to the requirements of Section 12. The Zoning Board may in its sole discretion authorize the reduction or addition of parking based upon an analysis of the proposed uses, activities and hours of operation. The applicant may demonstrate utilization of techniques such as, but not limited to, valet parking, shared and off-site parking, shared automobiles, vans, jitneys, buses and bicycle transportation to satisfy any reduction in parking. The use of tandem parking and automobile stacking devices shall also be permitted in staff *Parking Areas* and *Parking Areas* used for valet parking services.
- f. **Setbacks.** All new *Buildings* or additions to existing *Buildings* constructed after January 1, 2010 shall be setback a minimum of fifty (50) feet from all arterial roads as identified in the *Master Plan* and a minimum of twenty five (25) feet from any other public *Street* or HCD-D property boundary; provided however, the Zoning Board may reduce said setback to not less than ten (10) feet from any side or *Rear Lot Line* for *Buildings* which do not exceed 45 feet in height. Any portion of a *Building* taller than 75 feet shall be setback a minimum of 100 feet from any boundary abutting a property zoned residential. Setbacks from internal property lines or parcel boundaries along private *Street* networks or internal lines shall not be required. Notwithstanding the above, the Zoning Board may approve, on a site-specific basis, the appropriate relationship of *Yard* requirements and separation of *Structures* on the site to each other with the object of assuring adequate light, open space, screening, landscape, safety and privacy for existing and proposed *Dwelling Units*, and overall urban design considerations. The requirements of, Section 7.K and 7.M of these Regulations shall not apply.
- g. **Signage.** Wall signage shall be permitted on all *Building* façades provided; however, aggregate signage shall not exceed one square foot in area for each lineal foot of *Lot Frontage* (1:1) in the HCD-D located along a public *Street*. Directional, wayfinding and emergency *Signs* including *Ground Signs*, not exceeding 60 square feet in area and 20 feet in height limited to one per driveway entrance and at key turning points inside the HCD-D as determined by the Zoning Board shall be exempt from said limitation. Signage shall be approved by the Zoning Board administratively during or following Final Site Plan review.

- h. **Landscape Standards.** The following landscape standards shall apply to all improvements constructed in a HCD-D after the adoption of this regulation:
- (1) Not less than 25% of the HCD-D zoning district at grade shall be improved as landscaped buffer areas. For purposes of this subsection 5.h, landscaped buffer areas may include bike lanes, pedestrian walkways, pedestrian oriented hardscape and other similar improvements as approved by the Zoning Board.
 - (2) Landscaped buffer areas along all arterial *Streets* shall have a minimum width of twenty five (25) feet and a minimum width of ten (10) feet along all other boundaries. Required buffer areas shall be maintained as unoccupied landscaped open space and shall not be used for parking, driveways, or *Accessory Structures*, other than mechanical equipment, required curb cuts necessary to access the site, pedestrian walkways and similar improvements as approved by the Zoning Board.
 - (3) Vehicle *Parking Areas* shall be landscaped with islands, buffers and/or perimeter landscaping which shall be planted to the satisfaction of the Zoning Board.
 - (4) Notwithstanding any of the above, the Zoning Board may reduce, waive or, increase any standard contained in this subsection 5.h. with the objective of assuring adequate light, open space, screening, landscape, safety and privacy for existing and proposed *Dwelling Units*, and overall urban design considerations.
- i. **Environmentally Sustainable Designs.** All *Buildings* constructed in a HCD-D after the adoption of this regulation shall be designed and constructed to meet Leadership in Energy and Environmental Design (LEED) basic certification standards established by the United States Green *Building Council* or a recognized equivalent industry standard.
- j. **Infrastructure Capabilities/Impact.** The site shall be served by *Streets*, public services and public utilities of adequate capacity to service the requirements of the site and use. Where infrastructure capacity is judged to not be adequate at the time of any application of HCD-D approval, the Board may place a condition on any approval requiring that suitable improvements be performed in connection with work authorized by such approval.

9.S.6. Review Procedures

All applications for designation and *Development* of property within the HCD-D shall conform to the following procedures:

- a. **Application Procedures.** Upon receipt of an application, the Zoning Board and its staff shall review the submission for completeness and determine whether further information is required. The Zoning Board and/or its staff shall refer the application to the Planning Board and any other board, commission, department or official deemed appropriate. The Zoning Board may convene such technical staff at its discretion and confer with the applicant as necessary to develop information for a complete review of the application at a public hearing.

Except as described in Subsection 9.S.6.b below, no *Building* permit shall be issued for any improvement in an HCD-D zoning district pursuant to this regulation until the Zoning Board has approved an application requesting the following:

- (1) Designation of the property to the HCD-D zone;
- (2) Approval of a *General Development Plan*;
- (3) Approval of a *Special Permit* for all requested uses; and
- (4) Approval of a Final Site Plan.

Following a public hearing on an application for HCD-D designation, *General Development Plan* approval, *Special Permit* approval, and Final Site Plan approval, the Zoning Board shall act to approve, approve with modifications, or disapprove the subject application. The Zoning Board shall require that an approved *General Development Plan* and Certificate of *Special Permit* approval be recorded on the Stamford Land Records.

- b. **Administrative Review.** Notwithstanding anything provided above, once a property has been designated HCD-D and a Final Site Development Plan is approved, the following activities shall be subject to review of the Land Use Bureau Chief or his or her designee to ensure compliance with the HCD-D zone standards:

- (1) Interior alterations to any *Buildings*.
- (2) Minor repairs and/or minor alterations, maintenance or replacement of portions of an existing *Building, Structure, Sign* or other site feature that would result in no significant impact on the design, character or visual appearance of the property.
- (3) Reorganization or relocation of existing uses.

- c. The following activities shall be subject to Administrative Review by the Zoning Board provided that the Zoning Board may require an application and public hearing if it deems same necessary:

- (1) The exterior modifications of any *Building* which has the effect of adding less than 5,000 square feet of Floor Area to the *Building* and meets required setback standards.
- (2) Signage.
- (3) Subdivision of the HCD-D zoning tract.

- d. **Modification of General Development Plan.** Subsequent to the approval and recording of the *General Development Plan*, a request to make a significant modification of any approved *General Development Plan* shall be reviewed and acted upon by the Zoning Board following the procedures specified in subsection 6.a above, provided that the Board, in its sole discretion, may waive the public hearing and notice requirement for minor modifications of a *General Development Plan*.

- e. **Subdivision of Property.** Prior to the subdivision of any part of the HCD-D zoning tract, the Applicant shall file a written certification with the Zoning Board, executed by the Applicant, that the *Lot(s)* to be created, as well as all remaining *Lots* in the zoning tract, will remain in compliance with the *GDP* approval and conditions and these Regulations. Further, the Applicant shall identify in the written certification the party responsible for completing construction of all public improvements and necessary infrastructure and providing required public services.

9.S.7. Application Contents (223-18)

Application to Amend Zoning Map for Designation as HCD-D. All applications for designation as HCD-D District shall be accompanied by and subject to the approval of a *General Development Plan (GDP)* pursuant to Section 19.J. of these Regulations.

9.S.8. [*deleted*] (223-18)

9.T. [*deleted*] (223-07)