



**APPLICATION FOR TEXT CHANGE OF THE STAMFORD ZONING REGULATIONS**

Complete, notarize, and forward **thirteen (13) hard copies and (1) electronic copy in PDF format** to Clerk of the Zoning Board with a **\$1,000.00 Public Hearing Fee** and the required application filing fee (**see Fee Schedule below**), payable to the City of Stamford.

**NOTE:** Cost of required Public Hearing advertisements are payable by the Applicant and performance of mailing of required property owners is the sole responsibility of the applicant. **LAND RECORDS RECORDING FEE:** \$60.00 for First page - \$5.00 for each additional page)

**Fee Schedule**

Minor Text Change	\$1,060.00
Major Text Change	\$5,060.00

APPLICANT NAME (S): CITY OF STAMFORD ZONING BOARD

APPLICANT ADDRESS: 888 WASHINGTON BOULEVARD, STAMFORD, CT -06901

APPLICANT PHONE #203-977-4711

IS APPLICANT AN OWNER OF PROPERTY IN THE CITY OF STAMFORD? NO

LOCATION OF PROPERTY IN STAMFORD OWNED BY APPLICANT (S): N/A

PROPOSED TEXT CHANGE: Proposing to Amend the Usable Open Space and Indoor Amenity Space Regulations.

DOES ANY PORTION OF THE PREMISES AFFECTED BY THIS APPLICATION LIE WITHIN 500 FEET OF THE BORDER LINE WITH GREENWICH, DARIEN OR NEW CANAAN? NO (If yes, notification must be sent to Town Clerk of neighboring community by registered mail within 7 days of receipt of application – PA 87-307).

DATED AT STAMFORD, CONNECTICUT, THIS 6<sup>th</sup> DAY OF February 2023

SIGNED: Ralph Blasing

**NOTE:** Application cannot be scheduled for Public Hearing until 35 days have elapsed from the date of referral to the Stamford Planning Board. If applicant wishes to withdraw application, please notify the Zoning Board at least three (3) days prior to Public Hearing so that the Board may have sufficient time to publicize the withdrawal.

STATE OF CONNECTICUT  
 ss STAMFORD February 6, 2023  
 COUNTY OF FAIRFIELD

Personally appeared Ralph Blasing, signer of the foregoing application, who made oath to the truth of the contents thereof, before me.

[Signature]  
 Notary Public — Commission Expires 3/31/27  
 Commissioner of the Superior Court

**FOR OFFICE USE ONLY**

APPL. #: 223-08 Received in the office of the Zoning Board: Date: \_\_\_\_\_

By: \_\_\_\_\_

# **Narrative: Proposed Zoning Text Amendment of the “Usable Open Space” Requirements**

02/03/2023

## **1. Purpose**

Usable Open Space requirements, i.e. recreational space exclusively for building occupants, was added to different zoning districts incrementally leading to different requirements in different districts. The proposed amendment would rationalize the Usable Open Space requirements for all districts where residential uses are permitted and add design guidelines for such spaces.

## **2. Proposed changes**

Currently, Usable Open Space requirements are contained in various sections of the regulations (sections 3.B. and 7.Q.) as well as in some district regulations, e.g., the NX-D and the R-HD districts. All regulations would be moved to the Usable Open Space definition in Section 3.B. and requirements in other sections deleted.

In addition, the proposed changes would:

- Clarify the relationship between Usable Open Space and Publicly Accessible Amenity Space (PAAS) – PAAS cannot be counted as Usable Open Space
- Establish uniform requirements for Usable Open Space for multifamily buildings (3 or more units) in lower density residential districts (RM-1, R-5, R-MF, R-H) of 150 sf per unit and 75 sf for multifamily buildings in all other districts. Currently, requirements vary between 50 and 200 sf
- Add additional design requirements
- Clarify when indoor, roof-top amenity and private balcony space may be counted as Usable Open Space

The proposed text change would also add a definition for Indoor Amenity Space to Section 3.B.

**Proposed Text Change to Amend the Usable Open Space and Indoor Amenity Space Regulations**

**01/20/2023**

**ADD Definition “Indoor Amenity Space”, “Amenity Space, Indoor”, “Outdoor Amenity Space”, “Amenity Space, Outdoor” to Section 3.B., Defined Terms**

**Indoor Amenity Space**

Indoor Amenity Space is the portion of a Building dedicated exclusively to recreational activities and relaxation of the Building’s occupants. Circulation areas, lobbies, leasing offices, mechanical space or similar areas, and areas not open to all Building occupants, shall not be considered Indoor Amenity Space.

SEE also: Open Space, Usable.

**Amenity Space, Indoor**

SEE: Indoor Amenity Space

**Outdoor Amenity Space**

SEE: Open Space, Usable

**Amenity Space, Outdoor**

SEE: Open Space, Usable

**REPLACE Section 3.B., Defined Terms – “Open Space, Usable” as follows and ADD definition “Usable Open Space”**

**Open Space, Usable**

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

The following minimum standards shall apply for Usable Open Space:

1. All Usable Open Space shall be unobstructed to the sky (except for qualifying balconies and terraces) unless provided otherwise below. Tree canopy shall not be considered an obstruction;
2. No more than 20% of the area of the Usable Open Space shall be permanently roofed (except pergolas or other decorative features and retractable or movable covers);
3. No more than 50% of the perimeter of the Usable Open Space, in aggregate, shall be permanently enclosed above a height of six feet (6') (unless required by the Building Code) unless at least 50% of the Usable Open Space is unshaded for at least five (5) consecutive hours on December 21;
4. All Usable Open Space, except for qualifying balconies, patios and terraces, shall have a minimum contiguous area of the lesser of 750sf or the total required Usable Open Space, with a minimum dimension on each side of no less than 20 feet;
5. All Usable Open Space shall be structurally safe, adequately surfaced with high quality materials (asphalt shall not be permitted), protected and suitably maintained by the owner or management;
6. Chain link fencing shall be prohibited;
7. Usable Open Space shall be screened towards neighbors and designed to minimize noise and light impacts on both residents and neighbors;
8. At least 25% of the area of the Usable Open Space shall be landscaped with living plants or grass;
9. Usable Open Space shall be utilized for managing stormwater, and the Best Management Practices outlined in the Stamford Drainage Manual, as amended, shall be employed;
10. All Usable Open Space shall be ADA compliant and provide safe crossings of parking areas and driveways;
11. Except for housing restricted to certain adult populations (e.g., senior housing), the lesser of 1,000sf or 25% of the area of the Usable Open Space shall be provided indoors or outdoors as play area for children up to the age of 12;
12. Usable Open Space shall not be counted as or be substituted for required Publicly Accessible Amenity Space (PAAS);
13. Publicly Accessible Amenity Space (PAAS) shall not be counted as or be substituted for required Usable Open Space;
14. Within 500 feet of a publicly accessible park, up to 75% of Usable Open Space may be substituted with Indoor Amenity Space. In all other areas, up to 50% of Usable Open Space may be substituted with Indoor Amenity Space;
15. Sidewalks, including public sidewalks on private property, shall not be counted as Usable Open Space; and
16. For new Development and redevelopments Usable Open Space shall be required as follows:

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

(71-012, 99-004)

SEE also *Indoor Amenity Space*

**Usable Open Space**

SEE: *Open Space, Usable*

- DELETE last row of Table 4.B.10.c. (Usable Open Space)**
- DELETE Section 4.B.11.d(12) and footnote 2 of the accompanying table.**
- DELETE Section 7.Q.**
- DELETE Section 9.B.4.d**
- DELETE Section 9.C.4.f and 9.C.5.b.3**
- DELETE Section 9.P.4.d**