

WEB VERSION

**FOR PUBLICATION: THE ADVOCATE – TWO INSERTIONS – WED, MAR 15, 2023
WED, MAR 22, 2023**

**LEGAL NOTICE
ZONING BOARD – CITY OF STAMFORD**

Proposed Text Amendment to add new and modify existing Zoning Definitions

Application 223-06- Notice is hereby given that the Zoning Board of the City of Stamford, CT will conduct a Public Hearing on **Monday, March 27, 2023 at 6:30pm** through a web and phone meeting to consider the application of the City of Stamford Zoning Board for a Text change to Amend Section 3.B. Defined Terms by adding and clarifying definitions.

AMEND Section 3.B. – Defined Terms “Accessory Structure” as follows:

Accessory Structure

Any *Structure* including an *Accessory Building*, whether decorative or functional, that is located on the same *Lot* as a principal use and which is clearly incidental and customarily subordinate to the principal use and that is not a *Permitted Obstruction* or a *Sign*. *Accessory Structures* include ~~without limitation, but are not limited to~~ *Structures* used to store goods and materials, ~~trellises, gates, gate posts including sheds and containers,~~ solid waste and recycling containers, or antennae *Structures*.

[Remainder of Definition unchanged]

AMEND Definition “Accessway Lot” in Section 3.B., Defined Terms, as follows:

~~A *Lot* shown on an approved subdivision map that does not satisfy the *Lot Frontage* requirement at the *Street Line* and that is served by an *Accessway* and otherwise conforms to the standards of Section 7.0~~

SEE: *Lot, Accessway.*

ADD Definition for “Breezeway” to Section 3.B., Defined Terms

A *Breezeway* is a roofed unenclosed *Passageway* connecting two or more *Buildings*.

CHANGE all references of “Arterial Street” to “Commercial Street” and AMEND Section 3.B. Defined Terms – “Street, Commercial”, as follows:

Street, Commercial

[...]

“On a *Commercial Street*” or “along a *Commercial Street*” (or similar phrase) shall mean within ~~400~~ 125 feet of said *Street*, measured perpendicularly from the *Street Line* fronting on said *Commercial Street*. (219-26)

ADD “Bedford Street between Broad Street and North Street” to the list of Commercial Streets in Section 3.B., definitions, Street, Commercial

ADD Section 3.B. Defined Terms – “Commercial Street”, as follows:

Commercial Street

SEE: *Street, Commercial*

ADD Definition “Corner Lot” to Section 3.B., Defined Terms

Corner Lot

SEE: *Lot, Corner*

AMEND Section 3.B., definitions “Density, Permitted” as follows:

Density, Permitted (221-11)

For purposes of compliance with these Regulations, the *Permitted Density* for development on a *Lot* in any given Zoning District within the City of Stamford shall be determined as follows:

[...]

3. In mixed-use Zoning Districts where the *Permitted Density* is defined by *Floor Area Ratio* for non-residential uses and by square feet per Family for residential uses, the maximum aggregate number of Dwelling Units shall be calculated by adding (i) the *Residential Density* in number of Dwelling Units to (ii) the number of Dwelling Units resulting from conversion of non-residential *Density* to Dwelling Units. Conversion of non-residential *Density* into Dwelling Units, where permitted, ~~is determined (x) by applying the conversion factors as defined in the respective Zoning Districts or the bonus provisions in Section 7.S. of these Regulations, or (y) if no such conversion factors are provided, by dividing the non-residential floor area (in square feet) by 1,500.~~ is determined by dividing the *Floor Area* permitted for non-residential uses by 1,000 in the CC Center City District and by 1,500

in all other applicable districts. No conversions of *Residential Density* into non-residential *Density* shall be permitted unless otherwise provided in these Regulations.

[Remainder of Definition unchanged]

ADD Definition “Hallway” to Section 3.B., Defined Terms

A *Hallway* is an entrance-hall or a passage between rooms in a *Dwelling* or other *Building*.

AMEND Section 3.B Light and Air as follows:

Light and Air (219-26)

In the R-6, R-5, V-C, MX-D Infill, NX-D, RM-1 and R-MF Zoning Districts, all rooms in residential units, ~~with the exception of~~ except for kitchens and bathrooms, ~~hallways and mezzanines~~, shall have at least one window measuring not less than 12 square feet which shall (a) front on a public right-of-way or public park or (b) have at least 20 feet of exterior *Unobstructed Space* in front of them it, measured perpendicularly from the building façade where such window is located.

In all other Zoning Districts allowing multifamily housing, all rooms in residential units, except for kitchens and bathrooms, ~~hallways and mezzanines~~ shall have at least one window measuring not less than 12 square feet which shall (a) front on a public right-of-way or public park, or (b) have at least 30 feet of exterior *Unobstructed Space* in front of it, measured perpendicularly from the building façade where such window is located.

Conversions of non-residential *Floor Area* into residential *Floor Area*, where existing conditions preclude the ability to meet the *Light and Air* requirements of this Definition, shall not be subject to the *Unobstructed Space* requirement.

ADD Definition “Mixed-Use Building” to Section 3.B., Defined Terms

Mixed-Use Building

A *Mixed-Use Building* is a *Building* with residential and non-residential uses where at least forty percent (40%) of the *Gross Floor Area*, excluding *Parking Areas*, is used for residential uses, including residential *Indoor Amenity Space*.

ADD Definition “Mural” to Section 3.B., Defined Terms

Mural

A *Mural* is a work of art, image or photograph painted on, applied to, affixed on, or otherwise displayed on a *Building*, wall or other structure that is partially or fully visible from any public right of way or adjoining real property.

Standards

Murals shall be permitted as-of-right in all Zoning Districts provided, however, that (1) *Murals* advertising or promoting any business, product, living person or commercial service shall be subject to the *Sign Regulations* in Section 13 of these Regulations and (2) meet the following requirements:

- a. *Murals* shall not extend beyond the limits of the wall or *Structure* they are applied to or affixed or displayed on;
- b. *Murals* shall not block or interfere with any windows or doors or inhibit or prevent the use of emergency exits or other building or life safety features required by the building or other codes or regulations;
- c. *Murals* shall meet the requirements of the City of Stamford Lighting Ordinance, *Murals* shall not depict lewd or obscene content;
- d. *Murals* shall not depict content glorifying, trivializing; promoting or inciting violence or unlawful behavior; and
- e. *Murals* shall at all times be maintained in good condition.
- f. The owner or lessee of the property where the *Mural* is to be located must apply for and obtain a zoning permit prior to locating any *Mural* on the subject property. No permit shall be issued unless the *Mural* complies with the requirements of Sections 13.C and 13. D. of these Regulations.
- g. This Regulation shall not be construed in derogation of the right of free speech under federal, state or local law.

ADD Definition PAAS to Section 3.B., Defined Terms

PAAS

SEE: *Publicly Accessible Amenity Space*

ADD Definition “Passageway” to Section 3.B., Defined Terms

A *Passageway* is a way that allows access between *Buildings* or different rooms within a *Building*. *Passageways* include *Hallways*, *Walkways* and *Breezeways*.

ADD Definition “Retaining Wall” to Section 3.B. “Defined Terms”

Retaining Wall

A *Retaining Wall* is a *Structure* that holds back any material, such as earth, soil, or water, and prevents it from sliding, flowing or eroding. It is designed to resist the lateral pressure of the material that it is holding back.

ADD Definition for “Walkway” to Section 3.B Defined Terms

A *Walkway* is a passage or path for walking within or outside of a *Building*.

AMEND Section 3.B. Defined Term “Zoning Lot” as follows:

[...]

- d. Unused *Floor Area*, *Density*, *Building* and *Lot Coverage* (including open space), and required off-street parking for all uses within the Zoning Lot (the “Transferrable Rights”) may be transferred, distributed or allocated throughout the Tax Lots comprising the Zoning Lot as agreed upon by all of the property owners; provided, however, that: (i) a proposed Building or Structure must meet all other ~~bulk~~ zoning requirements, including but not limited to *Height*, *Setback*, *Light and Air* and use requirements of the Zoning District in which it is located; and (ii) any Development remains compliant with Subsection b above.

[...]

Details regarding how to access the meeting will be posted on the City of Stamford Zoning Board webpage (www.stamfordct.gov/zoning) in advance of the Public Hearing.

At the above time and place all interested persons shall be given an opportunity to be heard. The hearing may be continued to such time and place as will be announced by the Zoning Board. Hearing impaired persons wishing to attend this meeting that require an interpreter may make arrangements by contacting the Department of Social Services administration office at 977-4050 at least five (5) working days prior to the meeting.

ATTEST: DAVID STEIN
CHAIRMAN, ZONING BOARD
CITY OF STAMFORD, CT

Dated at the City of Stamford, CT, this 15th day of March 2023