

**WEB VERSION**

**FOR PUBLICATION: THE ADVOCATE – ONE INSERTION – FRI, MAR 31, 2023**

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

**Application 223-08-** Notice is hereby given that the Zoning Board of the City of Stamford, CT at its regular meeting held on Monday, March 27, 2023 **UNANIMOUSLY APPROVED AS MODIFIED** the application of the City of Stamford Zoning Board for a Text change to Amend the Usable Open Space and Indoor Amenity Space.

**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**

Effective date of this Decision: April 12, 2023.

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

Dated at the City of Stamford this 31<sup>th</sup> day of March 2023.