

Web Version

FOR PUBLICATION: THE ADVOCATE – ONE INSERTION – THURS, APR 6, 2023

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

Application 223-06- Notice is hereby given that the Zoning Board of the City of Stamford, CT at its regular meeting held on Monday, March 27, 2023 **APPROVED AS MODIFIED** 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.

Text Amendment to add new and modify existing Zoning 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 ~~100~~ 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.

In case of a conflict between the Light and Air regulations and the Building, Fire, or other public health or safety codes, the requirements of such codes shall prevail.

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 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.

[...]

Effective date of this Decision: April 18, 2023.

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

Dated at the City of Stamford this 6th day of April 2023.