

**WEB VERSION**

**FOR PUBLICATION: THE ADVOCATE – ONE INSERTION – THURS, MAY 25, 2023**

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

**Application 223-09-** Notice is hereby given that the Zoning Board of the City of Stamford, CT at a special meeting held on Thursday, May 18, 2023 **APPROVED AS MODIFIED** the application of the City of Stamford Zoning Board for a Text change to the V-C (Section 4.B.7), NX-D (Section 4.B.10) and R-HD (Section 4.B.11) district regulations to streamline the regulations by referring to existing regulations and improve access to Light and Air.

**AMEND Section 4.B.7.b(1) (V-C Village Commercial District), as follows:**

(1) In the V-C Districts in Glenbrook and Springdale, on land within ~~400~~ 125 feet of *Commercial Streets*, a *Lot* or *Building* may be altered, arranged, designed, erected or used for any use permitted within the C-N Neighborhood Commercial District, [...] [*remainder of Section unchanged*]

**AMEND Section 4.B.7.b(2) (V-C Village Commercial District), as follows:**

(2) In all V-C Districts, on land beyond ~~400~~ 125 feet of *Commercial Streets*, the same uses as in the R-MF District shall be permitted.

**AMEND Section 4.B.7.c (V-C Village Commercial District), as follows:**

	<b>V-C Commercial Street<sup>1)</sup> Glenbrook / Springdale</b>	<b>V-C Side Street<sup>2)</sup> Glenbrook / Springdale</b>	<b>V-C Commercial Street<sup>1)</sup> all other V-C Districts</b>	<b>V-C Side Street<sup>2)</sup> all other V-C Districts</b>
[...]				
Side	<u>none required within 70 feet of a Street Line if not abutting a single family district<sup>4)</sup></u> <u>10' beyond 70 feet of a Street Line;</u> 15' when abutting a single-family district <sup>4)</sup> with a planted buffer of at least 5';	<u>none required within 70 feet of a Street Line if not abutting a single family district<sup>4)</sup></u> <u>10' beyond 70 feet of a Street Line;</u> 15' when abutting a single family district <sup>4)</sup> with a planted buffer of at least 5';	<u>none required within 70 feet of a Street Line if not abutting a single family district<sup>4)</sup></u> <u>10' beyond 70 feet of a Street Line;</u> 15' when abutting a single family district <sup>4)</sup> with a planted buffer of at least 5'	<u>none required within 70 feet of a Street Line if not abutting a single family district<sup>4)</sup></u> <u>10' beyond 70 feet of a Street Line;</u> 15' when abutting a single family district <sup>4)</sup> with a planted buffer of at least 5'

	none required if abutting any other district; if provided, no less than 10'.	none required if abutting any other district; if provided, no less than 10'.	none required if abutting any other district; if provided, no less than 10'.	none required if abutting any other district if provided, no less than 10'.
[...]				
(5) Coverage				
(a) <i>Building Coverage</i> <sup>5)</sup>	55%	45%	65%	55%
(b) <i>Lot Coverage</i>	<u>75%</u>	<u>70%</u>	<u>85%</u>	<u>80%</u>

**AMEND Section 4.B.7.c(9) (V-C Village Commercial District), as follows:**

(9) **Parking, Loading and Vehicle Access.** Parking and Loading Spaces shall be provided pursuant to Section 12, except that for retail or personal service establishments the first 2,000sf of each establishment may be excluded from the parking requirements established in Section 12.

*[Remainder of Section 4.B.7.c(9) to be deleted]*

**AMEND Section 4.B.7.c., footnotes 1 and 2 (V-C Village Commercial District), as follows:**

- 1) Standards apply in all V-C districts for development parcels and parts thereof within 125' of a *Commercial Street*, ~~as defined in Subsection 4.B.7.c(12).~~
- 2) Standards apply in all V-C districts for development parcels and parts thereof on *Side Streets* more than 125' from a *Commercial Street*, ~~as defined in Subsection 4.B.7.c(12) below.~~

**AMEND Section 4.B.7.c(11) (V-C Village Commercial District) as follows:**

(11) **Buffer Area Open Space.** ~~At least 15% of the Lot shall be landscaped and have pervious surface.~~ If a *Lot* line abuts a single family residential district, a planted buffer of at least 5' in width shall be provided along said property line. For the purposes of this Subsection, RA-3, RA-2, RA-1, R-20, R-10, R-7<sup>1</sup>/<sub>2</sub>, R-6, and R-5 districts are considered single family districts. Street trees and other landscaping located on private property shall count towards this requirement.

**DELETE Section 4.B.7.c(12) (V-C Village Commercial District).**

**DELETE Section 4.B.7.d(2)(o) (V-C Village Commercial District) and REPLACE with the following:**

(o) Sidewalks and Street Trees shall be provided pursuant to Section 12.K.

AMEND Section 4.B.10.b. (NX-D Neighborhood Mixed Use District) by replacing “Veterinary, Domestic Cats only” with “Veterinary Office”.

AMEND Section 4.B.10.c. (NX-D Neighborhood Mixed Use District) as follows:

c. Development Standards

Standard	Residential Uses		Mixed-Use <sup>‡</sup> (residential and commercial or industrial)	Commercial Uses <u>and Industrial Uses</u> (no residential)	
	1 and 2 family Dwellings	Multi (3+) family Dwellings			
<i>Minimum Lot Size</i>	5,000 square feet	6,000 square feet	10,000 square feet	<del>5,000 square feet</del> <u>10,000 square feet</u>	<del>10,000 square feet</del> <u>feet**</u>
<i>Minimum Frontage</i>	50 feet	50 feet	<del>40 feet</del> 50 feet	<del>40 feet</del> 50 feet	<del>40 feet</del> 50 feet
<i>Residential Density Divider</i>	Maximum of 2 families per Lot	<u>1,000</u> N/A	<u>1,000</u> Determined by the maximum Floor Area permitted, provided the average Gross Floor Area of Dwelling Units shall not be less than 1,500 square feet.	N/A	N/A
<i>Maximum Building Height</i>	35 feet or 3 Stories, whichever is less	<del>60 feet or 4 Stories, whichever is less, and provided that after 45 feet of height, the remaining portion of the Building is setback 10 feet</del> <u>60 feet or 5 Stories, whichever is less, and provided that after 45 feet of height, the remaining</u>	<del>45 feet or 4 Stories, whichever is less</del> <u>60 feet or 5 Stories, whichever is less, and provided that after 45 feet of height, the remaining portion of the Building is setback an additional 10 feet from any required setback</u>	60 feet or 4 Stories, whichever is less, and provided that after 45 feet of height, the remaining portion of the Building is setback <u>an additional 10 feet from any required setback</u>	<del>60 feet or 4 Stories, whichever is less</del> <u>60 feet or 4 Stories, whichever is less, and provided that after 45 feet of height, the remaining portion of the Building is setback an additional 10 feet from any required setback</u>

		<u>portion of the Building is setback an additional 10 feet from any required setback</u>			
<i>Maximum Floor Area Ratio</i> <sup>±</sup>	0.75 N/A determined by Building Coverage and Building Height	For mixed use Buildings with only commercial and residential uses, 1.5 total, with no more than 1.0 for commercial uses. For mixed use Buildings with industrial and commercial or residential uses, 1.5 total, with no more than 0.5 for industrial uses. 1.5	1.5	<del>1.5</del> 1.0	1.0
<i>Additional Premium FAR</i>	N/A	0.25	0.25	N/A	N/A
<i>Front Yard Setback, measured from curb line</i>	No less than 15 feet, which must include a 5-foot planted buffer	<u>No less than 15 feet, which must include a 5-foot planted buffer</u> <del>No less than 10 feet. However, if there is no active ground floor use, the Front Yard setback shall be no less than 15 feet and shall include a 5-foot planted buffer.</del>	<del>No less than 15 feet, which must include a 5-foot planted buffer</del> <u>No less than 10 feet. However, if there is no active ground floor use, the Front Yard setback shall be no less than 15 feet and include a 5-foot planted buffer</u>	No less than 10 feet. However, if there is no active ground floor use, the Front Yard setback shall be no less than 15 feet and include a 5-foot planted buffer	No less than 10 feet. However, if there is no active ground floor use, the Front Yard setback shall be no less than 15 feet and shall include a 5-foot planted buffer.
<i>Minimum Side Yard Setback From curb line</i>	No less than 10-8 feet on one side and 12 feet on both sides	<u>No Side Yard required within 70 feet of a Street Line; 10 feet beyond 70 feet of Street Line; setback is required, but if provided</u>	<u>No less than 8 feet on one side and 18 feet on both sides</u> <u>No Side Yard required within 70 feet of a Street Line; 10</u>	<u>No Side Yard setback is required, but if provided shall be no less than 8 feet.</u> <u>No Side Yard required within 70 feet of a Street Line; 10 feet beyond 70 feet of Street Line; if</u>	<u>No Side Yard setback is required, but if provided shall be no less than 8 feet</u> <u>No Side Yard required within 70 feet of a</u>

		<del>shall be no less than 10 8 feet.</del>	<del>feet beyond 70 feet of Street Line; if provided no less than 10 feet.</del>	<del>provided no less than 10 feet.</del>	<del>Street Line; 10 feet beyond 70 feet of Street Line; if provided no less than 10 feet.</del>
<i>Minimum Rear Yard Setback</i>	A minimum of 30 feet	A minimum of 20 feet	A minimum of 20 30 feet	A minimum of 20 10 feet	A minimum of 10 45 feet
<i>Pervious Ground Cover</i> <i>Maximum Lot Coverage</i>	A minimum of 15% of total <i>Lot Area</i> 70%	A minimum of 5% of total <i>Lot Area</i> 85%	A minimum of 15% of total <i>Lot Area</i> 85%	A minimum of 5% of total <i>Lot Area</i> 90%	A minimum of 5% of total <i>Lot Area</i> 90%
<i>Maximum Building Coverage</i>	30%	50% 60% 70% on Corner Lots	40% 60% 70% on Corner Lots	50% 70% 80% on Corner Lots	80% for <i>Interior Lots</i> ; 90% for <i>Corner Lots</i> 70% 80% on Corner Lots
<i>Usable Open Space</i>	N/A A minimum of 200 square feet per Dwelling Unit	A minimum of 75 square feet per Dwelling Unit	A minimum of 75 square feet per Dwelling Unit	N/A	N/A

† As used in this Section 4.B.10, mixed use standards shall apply to any *Development* that utilizes two (2) or more categories of uses (residential, commercial, industrial), in which the additional use or uses constitutes at least 25% of the total *Development*.

\* *Floor Area Ratio*, as used herein is defined as the total *Gross Floor Area* of all uses including *Dwelling Unit* area contained within *Buildings*, divided by the area of the *Lot*, but excluding from such calculation (1) portions of a *Building* housing mechanical equipment, (2) bicycle parking areas, (3) the *Gross Floor Area* of parking *Structures* below grade or parking *Structures* above grade that are incorporated within the *Building* and suitably screened, or with roof or upper deck not more than five (5) feet above average finished grade measured at the perimeter of the parking *Structure*, suitably enclosed and/or landscaped to the satisfaction of the Zoning Board or Land Use Bureau Staff, as applicable, (4) Basement levels that are more than 50% below grade.

\*\* For purposes of determining compliance with the development standards herein for Industrial Uses, any parcel of land smaller than said minimum *Lot* size may be added to an existing adjacent parcel used for industrial purposes, if such parcels are commonly owned, and once developed, maintained in common ownership. Thus, for purposes of determining compliance with the development standards herein, the parcels shall be treated as a single *Lot* notwithstanding that it may be in fact composed of two or more different *Lots*.

**AMEND Section 4.B.10.d(4) (NX-D Neighborhood Mixed Use District) as follows:**

(4) **Street Edge, Sidewalks and Landscaping Street Trees.** Sidewalks and Street trees shall be provided pursuant to Section 12.K. [*Remainder of Subsection to be deleted*]

**AMEND Section 4.B.11.b, d and e (R-HD RESIDENTIAL DISTRICT, HIGH DENSITY) as follows:**

**4.B.11.b. Criteria for Designation as Residential High Density District**

(+) The Zoning Board may map a parcel, or contiguous parcels of 40,000 sf or larger within the appropriate Master Plan Category, as a R-HD Zoning District. A parcel or parcels less than 40,000 sf, but located within *Master Plan Categories 5, 9, ~~and 11~~ and 16* may only be designated a R-HD Zoning District if ~~it is~~ abutting an already existing R-HD Zoning District.

**[4.B.11.b.(2) to be deleted]**

**4.B.11.d. Building Regulations**

	<b>Lots less than one acre</b>	<b>Lots one acre or more</b>
[...]		
(5) Max. <i>Building Height</i> <sup>3), 4)</sup>	The lesser of 7 stories or 80 feet	The lesser of 12 stories or 135 feet (when located in Master Plan Category 5, and when located outside <del>the</del> Parking Category 1 in Master Plan Category 9). The lesser of 25 stories or 275 feet (when located within <del>the</del> Parking Category 1 in Master Plan Categories 9, 11 and 16) <sup>4)</sup>
[...]		
<b>(9) <del>Side and Rear</del> Setbacks<sup>3)</sup></b>	None required within 70 feet of <i>Street Line</i> ; if provided at least 15 feet Minimum: 15 feet beyond 70 feet of the <i>Street Line</i>	None required within 70 feet of <i>Street Line</i> ; if provided at least 15 feet Minimum: 15 feet beyond 70 feet of the <i>Street Line</i> (30 feet beyond 70 feet of the <i>Street Line</i> above a height of the lesser of 5 stories or 60 feet)
<b>(10) <del>(deleted) Rear</del> Setback<sup>3)</sup></b>	<del>Minimum: 30 feet</del>	<del>Minimum: 30 feet (30 feet above a height of the lesser of 5 stories or 60 feet)</del>
<b>(11) <del>Pervious Surface</del> <u>Lot Coverage</u></b>	<del>Minimum: 15%</del> <del>Maximum: 85%</del> <sup>1)</sup>	<del>Minimum: 10%</del> <del>Maximum 90%</del> <sup>1)</sup>

<sup>1)</sup> ~~Pervious pavers and other storm water management techniques, as determined by the City's Environmental Protection Board staff and Engineering Bureau, may qualify as suitable alternatives when proposed in conjunction with planted areas. May be increased by up to 100% if additional coverage in excess of maximum *Lot Coverage* is provided either as pervious surface, such as permeable pavers, or green roof.~~

- 2) [...]
- 3) Any part of a *Building* exceeding a height of 85’ or eight (8) stories, whichever is less, shall be set back at least 30’ from the *Master Plan Category Boundary* when abutting land in *Master Plan Categories* 1, 2, 3, 4, 6, 7, 8, 14 and 15 ~~within the STDA~~ within Parking Category 1. Any part of a *Building* exceeding a height of 60’ or five (5) stories, whichever is less, shall be set back at least 30’ from the *Master Plan Category Boundary* when abutting land in *Master Plan Categories* 1, 2, 3, 4, 6, 7, 8, 14 and 15 ~~outside the STDA~~ Parking Category 1. (221-11)
- 4) Within Parking Category 1 in Master Plan Categories 9, ~~and 11 and 16~~, every portion of a *Building* exceeding a height of the lesser of 12 stories or 135’ above the average finished grade shall be considered a “Tower”. The minimum distance between individual Towers shall be no less in horizontal distance than 100’, unless they are separated by a public street. Towers shall be set back at least 50’ from any *Interior Property Lot Line*. Under no circumstances shall Towers cover more than 30% of the Zoning Lot area. The floor plate of an individual Tower shall not exceed 15,000 sf up to a height of the lesser of 20 stories or 225’ and 12,000 sf for portions above the lesser of 20 stories or 225’. No Tower floor plate shall be less than 7,500 sf, except for mechanical penthouses.

[...]

~~6) When located in Master Plan Category 5, must not exceed the density stipulated in the Master Plan. [DELETED]~~

#### **4.B.11.e. Parking**

The standards of Section 12 shall apply; provided, however, that within ~~the STDA~~ Parking Category 1 for any non-residential use permitted in Subsection 4.B.11.c above or approved by the Zoning Board in accordance with Subsection 4.B.11.m.(4)(c)i below, the parking requirement is 2.0 spaces per 1,000 sf of *Gross Floor Area*. The first 2,500 sf of each establishment shall be excluded from this requirement.

Effective date of this Decision: June 9, 2023.

DAVID STEIN, CHAIRMAN

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ZONING BOARD, CITY OF STAMFORD, CT

Dated at the City of Stamford this 25<sup>th</sup> day of May 2023.