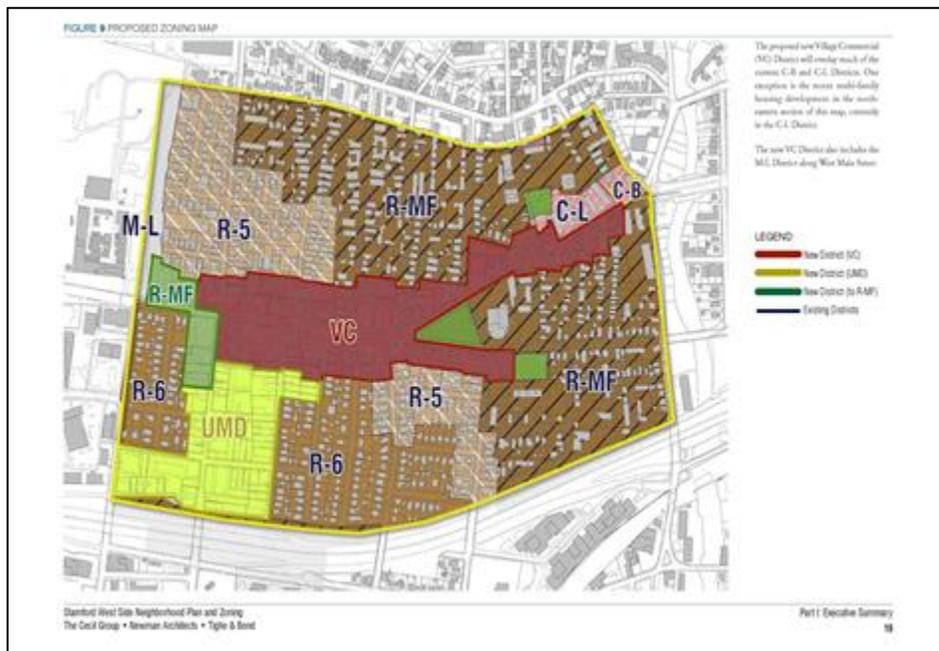


**Schedule A**  
**Application Narrative**

Background

The City of Stamford Zoning Board is requesting approval of a new zoning district to be added to the Stamford Zoning Regulations (the “Regulations”), which is proposed to be known as the Neighborhood Mixed Use Design District (NX-D). A companion Application for Change in the Zoning Map of Stamford, Connecticut (the “Map Change Application”) seeks to establish this new district for a certain portion of the West Side Neighborhood—along Diaz Street and portions of Victory Street to the east, Annie Place to the North, West Avenue and portions of Harvard Avenue to the West, and Grenhart Road to the south.

The Application for Text Change of the Stamford Zoning Regulations (“Text Amendment Application”) before the Zoning Board stems from the 2014 Stamford West Side Neighborhood Plan (commonly known, and referred to hereafter, as “the Cecil Plan”), which identified a new urban mixed use district (therein termed the “Urban Mixed Use District” (UMD)) to be created in the area that is the subject of the Map Change Application:



By way of background, the properties identified for the UMD are currently made up of a cacophony of historic, and largely non-conforming uses, which has created a zoning hodge-podge that does not serve the community well. In recognition that the current zoning in the subject area is not appropriate, the Cecil Plan recommended crafting a new zone, to create a tool



that would allow the historical mixture of use to be compatible on a case-by-case design review basis.

This district was proposed in the Cecil Plan “as a means to re-accommodate commercial and industrial uses that were previously permitted in certain commercial and industrial districts” which “existed earlier on the City’s Zoning Map but were changed to residential zoning districts in the mid 1980’s.”<sup>1</sup> The Cecil Plan explained that “[b]ecause of the potential conflicts the current mix of uses poses in ways that could affect the quality of the area, a change back to business zoning would allow for reinvestment for the previously permitted commercial and industrial uses.”<sup>2</sup> To accomplish this, the Cecil Plan suggested a new district that would be “designed to maintain and facilitate the growth and expansion of . . . general commercial service activities while protecting existing housing and encouraging the development of new businesses at a scale and density compatible with the surrounding blocks.”<sup>3</sup>

The City is now seeking approval of the NX-D draft regulation to bring this portion of the Cecil Plan to fruition. This will further the goals of the City’s Master Plan to “[i]mplement the recommendations of the West Side Neighborhood Plan [i.e. the Cecil Plan]” in order to “[p]reserve and enhance neighborhood character and quality-of-life” of the West Side.<sup>4</sup> Strategies articulated in the Master Plan to achieve this number one policy for the West Side Neighborhood include the following:

- “WS1.1: Promote infrastructure upgrades, including repair and maintenance of roads and sidewalks, improved street lighting, installation of street trees and other landscape elements along key corridors, and façade improvements along commercial corridors”;
- “WS1.3: Support the efforts of the West Side Neighborhood Revitalization Zone (NRZ) and other neighborhood associations working to improve the overall quality-of-life for the residents and workers of the West Side . . . neighborhood[]”; and
- “WS1.4: Promote industrial regulations and standards to make industry more compatible with it residential neighborhoods . . .”

The NX-D regulation is aimed directly at implementing these strategies by requiring thoughtful infrastructure, landscaping, and design considerations in connection with any applications for development in the new zone.

The area proposed for inclusion in the NX-D, as indicated in the Map Change Application, includes the majority of the area contemplated in the Cecil Plan for the UMD. After a site visit to the area, Staff carved out certain areas from the original contemplated zone change,

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<sup>1</sup> Stamford West Side Neighborhood Plan, Part III. Appendices (May 2013), at page 13.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> Stamford Master Plan 2015-2025, at 157.



in order to exclude certain parcels that do not appear appropriate for the new zone (namely blocks which were comprised of contiguous residential uses). Further, an additional area of approximately 1.2 acres located immediately north of Annie Place, encompassing properties known as 0, 12, & 18 Annie Place, 172 West Avenue, and 17 & 19 Diaz Street, have been included in the proposed zone change area. These additional properties are either owned or proposed to be owned by an affiliate of Accurate Lock & Hardware Co., LLC (“Accurate”), an architectural hardware manufacturing company, based in Stamford since 1972. The minor shift in the northerly boundary of the originally proposed new zone is intended to allow for the inclusion of the existing and expected future light industrial uses of the additional properties, which the new zone is designed to foster and regulate.

All of the properties that are the subject of the Map Change Application are located in Master Plan Category #13 (Industrial-General). This is an appropriate underlying category for the new zone, since it supports and promotes industrial, commercial, and residential uses, which are all contemplated for the NX-D. In particular, the purposes of Category #13 are to (1) “protect existing industrial development and preserve opportunities for new industrial uses,” (2) support compatible commercial uses including office and retail, and (3) acknowledge “the validity of the continuance of residential uses” and encourage residential development infilling.<sup>5</sup>

### The Application

The framework for the NX-D regulation originated directly from the Cecil Plan.<sup>6</sup> Staff has refined, enhanced, and further developed this template, to achieve the comprehensive regulation that is now before the Zoning Board.

As proposed, the NX-D zone is designed to support a complimentary array of commercial, light industrial, residential, service and retail establishments, and, thus, promote a vibrant and harmonious mixed-use environment in the subject area. Certain uses, including various light-industrial uses over 5,000 square feet, require Special Exception approval.

The area, height, and bulk requirements in the new zone are distinguished by the type of use—residential, commercial, industrial, or mixed—in order to achieve appropriate and tailored development standards. Additional requirements for pervious ground cover, usable open space, and window clearance (for residential uses), are designed to ensure that residents and the public in the new zone will enjoy a pleasing aesthetic environment.

Thorough design controls and performance standards will ensure a compatible relationship between commercial, light industrial, and residential areas, and work to enhance and improve the appearance of the existing neighborhood. This includes standards that will, among other things: prescribe the location of residential uses in mixed use buildings; minimize the

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<sup>5</sup> *Id.* at 196.

<sup>6</sup> Stamford West Side Neighborhood Plan, Part III. Appendices (May 2013), at pages 13-19.



location of any uses outdoors; require façade articulation and architectural features for certain new buildings; require sidewalks that include a landscaped buffer; require minimum ground floor transparency for certain buildings with active ground floor uses; require various landscape buffers such as between properties abutting residential uses; limit the location of loading areas; require bicycle parking; prohibit the use of any open-storage; limit site lighting to protect residential properties; allow for limitations on hours of operations for industrial and commercial uses; limit noise and the dissemination of vibration, dust, and odors; and control traffic and parking hazards and congestion.

Collectively, the detailed standards included in the draft NX-D regulation are designed to create and allow for balanced and appropriate mixed use development in the new zone, and lead to activated street frontages, where applicable, architecturally and aesthetically pleasing developments, and improved roadways and sidewalks.

Lastly, the review procedures provided in the draft regulation will afford the Zoning Board ample control to ensure the careful implementation of the various NX-D standards.



**Schedule B**  
**Text Amendment**

**Amend Article III, Section 4 AA of the Stamford Zoning Regulations to add a new Section 12 as follows:**

**12. NEIGHBORHOOD MIXED USE DESIGN DISTRICT (NX-D)**

**12.1 Purpose.**

The Neighborhood Mixed Use Design District (NX-D) is adopted pursuant to Section 8-2 of the Connecticut General Statutes, as amended, and is intended to implement the policies, goals, and urban design principles articulated in the Master Plan of the City of Stamford, as amended. The NX-D is designed to maintain and facilitate the growth and expansion of small-scale light industrial, home and business service, wholesale distribution, arts production and related activities, live/work use, and general commercial service activities, while protecting existing housing and encouraging the development of new businesses at a scale and density compatible with the surrounding blocks. The general goals served by these regulations are to (i) encourage investment in mixed residential, commercial, and industrial neighborhoods by permitting expansion and new development of a wide variety of uses in a manner ensuring the health and safety of people using the area, (ii) promote the opportunity for workers to live in the vicinity of their work, (iii) create new opportunities for mixed use neighborhoods, (iv) recognize and enhance the vitality and character of existing and potential mixed use neighborhoods, (v) promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and (vi) promote a vibrant commercial environment. Design controls, the establishment of use and design standards that apply to new and certain existing architectural facades, sites and buildings, and review procedures, will all ensure a compatible relationship between commercial, light industrial, and residential areas.

**12.2 Authorized Uses.**

In the NX-D, the following uses from Appendix A of these Regulations shall be allowed, as of right:

<b>NX-D – Permitted As of Right Uses</b>		<b>Use Category***</b>
1.1*	Apartment Building for the Elderly (4.2)**	R
1.4	Apartment Building for Supportive Housing	R
2	Apartment – Garden Type	R
3.1	Apartment Hotel for the Elderly (5.1)	R
4	Apartment House (6)	R
4.1	Auto Rental Service Facility (8.1)	I
9	Child Day Care Center	C
10	Christmas Trees, Holly Wreaths and similar Christmas Decorations; the temporary sale of, outdoors only, between the dates of Nov. 15 & Dec. 31	C
11	Churches & Religious Institutions (23)	C
13.1	Clinic, Community Health Center (23.2)	C
17	Community Center	C

18	Dwelling – Single Family (30)	R
19	Dwelling – Two Family (31)	R
19.1	Dwelling, Multiple (32)	R
20	Dwelling-Group or Town Houses (33)	R
20.5	Family Day Care Home (22)	C
24.1	Group Day Care Home (22)	C
24.2	Historic Site (45.1)	C
25	Home Occupation (46)	C
29	Nursing Home (69)	C
31	Professional Offices, Accessory Use	C
32	Professional Offices, Medical (75)	C
33	Professional Offices, Principal Use	C
34	Professional Pharmacy (78)	C
42.1	Senior Housing and Nursing Home Facility Complex (92.2)	R
44	Agencies – Real Estate, Insurance, Employment	C
49	Art & Antique Shops	C
60	Automotive Equipment & Service (9)	I
62	Bakeries	C
64	Barber, Beauty Shops	C
78	Carpentry, Woodworking Shop	I
81	Christmas Trees, Holly Wreaths & Similar Christmas Decorations, the sale of	C
84	Color Scanning Shop (26), except no limit on employees in Industrial Districts	I
86	Confectionary Store	C
	Consignment / Thrift Store – sale of used items including apparel, shoes, books and other non-perishable goods	C
87.1	Copy and Communication Center (26.2)	C
92	Drug Store	C
95	Electrical & Manual Household Appliances (small) repair & service (7)	I
96	Electronics Scientific Instrument Mfg smaller than 5,000 square feet	I
	Fabric Store	C
99	Floor Covering Shop, Retail (40)	C
100	Florist Shop	C
101	Food Catering, including preparation of all foods for off-premises consumption, providing the number of persons working in any one location shall not exceed 5 except no limit on employees in Industrial Districts	C
104	Food Processing, Wholesale, excludes Meat, Fish, Vinegar, Yeast, Fat	I
105	Food Shops, Retail (40.1)	C
111	Gardening Supplies, Retail	C
114	Glass Fabricators & Installation smaller than 5,000 square feet	I
117	Gymnasium or Physical Culture Establishment	C
118	Hardware Store	C
119	Ice Dispensing Service, Retail	C
123	Interior Decorating Services, no Retail	C
126	Laboratories, research (84) smaller than 5,000 square feet	I
127	Laundry, Cleaning & Dyeing Agency	I
129	Laundry & Dry Cleaning Establishment, Retail (53)	C
130	Laundry, Self-Service; Dry Cleaning, Self-Service	C
131	Machine Shop, Blacksmith Shop smaller than 5,000 square feet	I
132	Manufacture & Assembly, smaller than 5,000 square feet, of: Art Goods;	I

	Boxes; Candy; Clothing; Cosmetics; Drugs; Electrical Goods; Excelsior; Felt; Fibre; Firearms; Flavoring; Furniture; Glass Products; Hats; House, Office and Theatre Equipment; Ladders; Leather & Sporting Goods; Mattresses; Models, Tools & Appliances; Musical Instruments; Novelties; Paper Products; Perfumes; Playground Equipment; Signs; Staging; Stationery; Store & Office Equipment; Synthetic & Plastics Products; Textiles; Toilet Preparations; Toys	
134	Metal Fabrication of Light Sheet Metal Ducts, Gutters, Leaders smaller than 5,000 square feet	I
135	Millwork, Cabinet Work smaller than 5,000 square feet	I
137	Newsstand, Variety Store	C
138	Offices, Business & Professional	C
138.1	Official Emissions Inspection Station (69.1)	C
139	Optician, Repairs	C
140	Optical & Scientific Instrument Mfg	I
143	Paint Stores including Wholesale Paint Stores for Resale off Premises	C
145.1	Personal Wireless Communication – Retail (74.3)	C
148	Photo Engraving	C
151	Plumbing & Heating Shop	I
152	Printing; Industrial; Wall Paper	I
153	Printing; Job Shop, Publisher	I
157	Rag, Bag & Carpet Cleaning	I
158	Restaurant, includes Entertainment & Liquors (85), Subject to Section 14	C
159.1	Restaurant, Carry-Out (85.1)	C
164.1	Self-Storage Facility (92.1)	I†
167	Shoe Repair Shop	C
169	Sign Painting	C
172	Stone & Monument Works, Mfg., Display & Sale smaller than 5,000 square feet	I
175	Tailor Shop	C
177	Taxidermist	C
177.1	Tennis Courts, Indoor	C
180	Upholsterer (107) except no limitation on number of employees	I
181.1	Veterinary, Domestic Cats Only (111.1)	C
184	Wearing Apparel Fabrication & Processing	I
185	Welding Supplies & Equipment Including Welding Gases, Storage and Sale	I
186	Wholesale, Closed Storage Bldg. & Warehouses	I

\*Denotes designation in Appendix A, schedule of permitted uses.

\*\*Note, numbers in parenthesis “( )” after permitted use refers to Definition in Section 3 of these Regulations.

\*\*\*As used in this Article III, Section 4.AA.12, and for purposes of applying the development standards in subsections 12.3 and 12.4 below, the designation “R” shall mean a residential use, the designation “C” shall mean a commercial use, and the designation “I” shall mean an industrial use.

† Provided that the FAR standard provided in Section 12.3 below for Commercial uses shall be applicable to Self-Storage Facilities.

In the NX-D, the following uses from Appendix A of these Regulations shall be allowed, subject to Special Exception approval by the Zoning Board, in accordance with the procedures and standards as set forth under Section 9 and Section 19 of these Regulations:

<b>NX-D – Permitted Uses by Special Exception</b>		<b>Use Category***</b>
3	Apartment Hotel (5)	C
5	Boarding House, Rooming House (13) (90)	R
23	Garages, Community (41)	C
24	Garages, Private (42)	C
30	Passenger Terminals & Stations (74)	C
30.2	Personal Wireless Service Facility (74.2)	C
37	Public Utility Buildings (80)	I
38	Public Utility Transformer & Pump Stations	I
39	Radio & television Broadcasting Stations & Masts (82)	I
43	Tourist Home, Court (103) (102)	C
50	Assembly of Parts, Retail Only	C
53	Auto Parking Area, Commercial & Municipal	C
54	Auto Sales Agency, New with Used	I
55	Auto Sales Area, Used (110)	I
56	Auto Service Station (Gasoline Station) (44) (See Section 11)	I
57	Auto Truck Storage Area	I
59	Automatic Car Wash Establishments Subject to Section 11	I
68	Bottling Plant	I
72	Building Material, Sales & Storage (17)	I
77	Canvas Products Mfg.	I
79	Casting, Foundry	I
87	Contractor's Material & Equipment Storage Yard & Building	I
96	Electronics Scientific Instrument Mfg. greater than 5,000 square feet	I
96.1	Equipment Rental, General (35.2)	I
109	Garages, Public (43)(See Section 11)(subject to the standards of Sect. 11-C-2 and 11-C-3;	C
110	Garages, Bus & Taxi Service (43) (See Section 11)	C
114	Glass Fabricators & Installation greater than 5,000 square feet	I
126	Laboratories, research (84) greater than 5,000 square feet	I
131	Machine Shop, Blacksmith Shop greater than 5,000 square feet	I
132	Manufacture & Assembly, greater than 5,000 square feet, of: Art Goods; Boxes; Candy; Clothing; Cosmetics; Drugs; Electrical Goods; Excelsior; Felt; Fibre; Firearms; Flavoring; Furniture; Glass Products; Hats; House, Office and Theatre Equipment; Ladders; Leather & Sporting Goods; Mattresses; Models, Tools & Appliances; Musical Instruments; Novelties; Paper Products; Perfumes; Playground Equipment; Signs; Staging; Stationery; Store & Office Equipment; Synthetic & Plastics Products; Textiles; Toilet Preparations; Toys	I
133	Meat Processing excluding Slaughtering, Curing & Smoking	I
134	Metal Fabrication of Light Sheet Metal Ducts, Gutters, Leaders	I
134.5	Microwave Transmission Facilities, Commercial; Principal or Accessory Use greater than 5,000 square feet	I
135	Millwork, Cabinet Work greater than 5,000 square feet	I

150	Plating, Lacquering & Finishing of Metals	I
155	Public Utility Service Yards	I
159.2	Restaurant, Drive-In (85.2)	C
159.3	Restaurant, Fast-Food (85.3)	C
170	Sorting, Baling, Processing or Storage of Junk, Wood, Metal, Paper (52)	I
172	Stone & Monument Works, Mfg., Display & Sale greater than 5,000 square feet	I
179	Truck & Terminal, Classification Bldg. and/or Yard	I

\*Denotes designation in Appendix A, schedule of permitted uses.

\*\*Note, numbers in parenthesis “( )” after permitted use refers to Definition in Section 3 of these Regulations.

\*\*\*As used in this Article III, Section 4.AA.12, and for purposes of applying the development standards in subsections 12.3 and 12.4 below, the designation “R” shall mean a residential use, the designation “C” shall mean a commercial use, and the designation “I” shall mean an industrial use.

### 12.3 Development Standards

<i>Standard</i>	<i>Residential Uses</i>		<i>Commercial Uses</i>	<i>Industrial Uses</i>	<i>Mixed Uses</i> <sup>†</sup>
	<i>1 and 2 family dwellings</i>	<i>Multi (3+) family dwellings</i>			
<i>Minimum Lot Size</i>	5,000 square feet	6,000 square feet	5,000 square feet	10,000 square feet**	10,000 square feet
<i>Minimum Frontage</i>	50 feet	50 feet	40 feet	40 feet	40 feet
<i>Maximum Building Coverage</i>	30%	40%	50%	80% for interior lots; 90% for corner lots	50%
<i>Residential Density</i>	Maximum of 2 families per plot	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	N/A
<i>Maximum Building Height</i>	35 feet or 3 stories, whichever is less	45 feet or 4 stories, whichever is less	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	60 feet or 4 stories, whichever is less	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
<i>Maximum Floor Area Ratio*</i>	0.75	1.5	1.5	1.0	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.
<i>Front Yard Setback, measured from curb line</i>	No less than 15 feet, which must include a 5-foot planted buffer	No less than 15 feet, which must 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 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.	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>Side Yard Setback From curb line</i>	No less than 8 feet on one side and 12 feet on both sides	No less than 8 feet on one side and 18 feet on both sides	No side yard setback is required, but if provided shall be no less than 8 feet.	No side yard setback is required, but if provided shall be no less than 8 feet	No side yard setback is required, but if provided shall be no less than 8 feet.

<i>Rear Yard Setback</i>	A minimum of 30 feet	A minimum of 30 feet	A minimum of 20 feet	A minimum of 15 feet	A minimum of 20 feet
<i>Pervious Ground Cover</i>	A minimum of 15% of total lot area	A minimum of 15% of total lot area	A minimum of 5% of total lot area	A minimum of 5% of total lot area	A minimum of 5% of total lot area
<i>Usable Open Space</i>	A minimum of 200 square feet per dwelling unit	A minimum of 75 square feet per dwelling unit	N/A	N/A	A minimum of 75 square feet per dwelling unit
<i>Window Clearance</i>	Rear or side yard facing windows (not including windows in kitchens, hallways, corridors, bathrooms, or laundry rooms) shall have a minimum of 20 feet of unobstructed clearance in front thereof (which includes light, air, and/or landscaping)		N/A	N/A	Rear or side yard facing windows (not including windows in kitchens, hallways, corridors, bathrooms, or laundry rooms) shall have a minimum of 20 feet of unobstructed clearance in front thereof (which includes light, air, and/or landscaping)

† As used in this Article III, Section 4.AA.12, 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.

## 12.4 Additional Development Standards Applicable to Uses within the NX-D

### (a) *Additional Development Standards for mixed use buildings*

1. Location of uses in mixed use buildings – For new mixed use developments that include residential uses, and for buildings proposed to be converted to mixed use developments that include residential uses (“conversion buildings”), commercial and/or industrial uses may only be located on the story below the lowest story occupied by dwelling units, or on the same level as the lowest level story occupied by dwelling units provided that such commercial and/or industrial uses are located along a public street frontage, in front of any dwelling units. In no event may dwelling units be located below any commercial or industrial use in a new mixed use building or conversion building.
2. In any new mixed use buildings occupied by residential uses or in any conversion buildings, residential uses and commercial/industrial uses, shall have separate direct pedestrian entrances.

### (b) *Setback from Abutting Zones* – Where a lot line abuts a residential zoning boundary, a minimum setback of 10 feet shall be provided, and provisions of Section 7(K) of these regulations shall not apply.

### (c) *Building Use and Frontage* –

1. To the extent practical and consistent with the operational requirements of the intended use, the ground floor use shall be commercial use that is oriented toward its primary street frontage.
2. The ground level of any building shall be designed to promote the pedestrian scale of the overall development.
3. New buildings shall face the main street edge and include entrances, commercial storefronts, or lobbies, as applicable.
4. New buildings with ground floor residential uses shall be raised at least 2-feet above grade, and include screening of first floor residences.
5. All uses authorized in the NX-D District under section 12.2 above shall be located exclusively indoors, except for the following:
  - Automatic Car Wash Establishments Subject to Section 11
  - Auto Parking Area, Commercial & Municipal
  - Auto Rental Service Facility
  - Auto Sales Agency, New with Used
  - Auto Sales Area, Used (110)
  - Auto Service Station
  - Auto Truck Storage Area
  - Christmas Trees, Holly Wreaths & Similar Christmas Decorations, the sale of
  - Christmas Trees, Holly Wreaths and similar Christmas Decorations; the temporary sale of, outdoors only, between the dates of Nov. 15 & Dec. 31
  - Garages, Bus & Taxi Service (43)
  - Gardening Supplies, Retail

- Passenger Terminals & Stations (74)
- Restaurant, Drive-In
- Truck & Terminal, Classification Bldg. and/or Yard

(d) *Street Edge, Sidewalks, and Landscaping* – Any new development shall include a 10’ wide (or greater) sidewalk along its street frontage(s) measured from the curb, to consist of a minimum of six (6) feet of sidewalk and a four (4) foot wide (or greater) planting strip adjacent to the sidewalk. Such sidewalks shall be designed to enhance pedestrian safety and provide an attractive and convenient streetscape. One street tree (with a minimum size of 2½” caliper) shall be planted within the planting strip for every twenty-five (25) feet (or part thereof) of sidewalk length along the property frontage.

(e) *Façade Length and Articulation* – Any new buildings that have a façade length or width of more than 50 feet facing a public street or adjoining residential district shall be designed to break the façade design into smaller masses or length through the use of changes in the plane of the elevation, articulated entries or window bays or other design features to reduce the scale and perceived bulk of building masses. Building facades may be articulated by using color, arrangement, or change in materials to emphasize the façade elements. The planes of the exterior walls may be varied in height, depth or direction. Long building facades are encouraged to be broken up into lengths of approximately thirty feet (30’) with sufficient building articulation and architectural features such as reveals and piers and, and landscaping in limited instances, to avoid a monotonous or overpowering institutional appearance.

(f) *Transparency* –

1. New buildings with active ground floor commercial use(s), residential lobby or amenity space and having a front yard setback of less than 15 feet from the curb shall have a minimum of 70% transparent glass on the ground floor on the sides of the building that front public streets. This requirement shall not apply for new buildings that are setback 15 feet or more from the curb.
2. New buildings with active ground floor industrial use(s) and having a front yard setback of less than 15 feet from the curb shall have a minimum of 50% transparent glass on the ground floor on the sides of the building that front such public streets. This requirement shall not apply for new buildings that are setback 15 feet or more from the curb.
3. Where metal security gates are proposed along a street frontage for active ground floor uses mentioned above, open grille gates are encouraged in lieu of solid metal gates.

(g) *Landscaping and Buffers* –

1. A landscaped buffer at least 5 feet wide shall be maintained between properties with commercial or industrial improvements, and properties with residential improvements.
2. Required buffer areas shall be maintained as unoccupied landscaped open space and may include required curb cuts necessary to access the site and pedestrian walkways and similar improvements as approved by the reviewing body.

(h) *Parking and Loading* – The amount, location and dimensions of parking and loading and dimensions of driveways shall satisfy the standards of Section 12 of these Zoning Regulations, as modified by the following special standards applicable to development within the NX-D:

1. Parking shall not be permitted in a front yard or buffer area.
  2. All loading areas shall be incorporated into buildings, and/or suitably screened by means of solid fencing or landscaping, or a combination of both, to mitigate visual impacts to adjoining properties. Landscape screening materials should be maintained at a minimum height of four (4') feet.
  3. All parking abutting residential uses along the side and rear lot lines shall be buffered by a 5-foot wide planting strip.
  4. Shared Parking: The shared use of parking may be permitted, subject to Special Exception approval by the Zoning Board, where a finding is made that individual uses will experience peak parking demands at different times. In such cases, the Zoning Board may authorize a reduction in parking by recognizing the opportunity to share common parking spaces, including off-street public parking facilities, in accordance with the general methodology entitled "Shared Parking", published by the Urban Land Institute in 1983, as amended and updated. Shared parking may be considered for multiple uses on individual parcels as well as between two or more parcels, subject to Zoning Board approval of a suitable parking management plan and legal agreement, recorded on the land records, assuring the continued availability of the shared parking spaces on the affected properties for the life of the proposed development or use.
  5. Bicycle Parking: New buildings shall provide secure, safe and enclosed bicycle parking as follows:
    - i. Residential – 1 space per 4 dwelling units
    - ii. Commercial – 1 space per 7,500 square feet of floor area
    - iii. Industrial – 1 space per every three (3) employees of the building(s) on the lot.
 Bicycle Parking shall be either located at-grade or reachable by ramps.
- (i) *Curb Cuts* – The number and width of curb cuts leading to off-street parking and loading areas shall be minimized to enhance pedestrian safety and to preserve the opportunity for on-street parking. The consolidation and sharing of driveways and curb cuts between adjacent properties and interior connections between parking lots and/or the use of shared parking facilities is strongly encouraged. The Land Use Bureau Staff or Zoning Board, as applicable, may authorize a reduction in parking of up to ten percent (10%) if the use of shared curb cuts is implemented. Curb cuts shall be a minimum distance of 50 feet from street corners and 30 feet from other curb cuts.
  - (j) *Delivery and Storage Areas* – All service areas, trash receptacles, mechanical equipment, vehicles or equipment that are adjacent to other lots or a public street shall, to the extent practicable be located away from streets, or be hidden from street and pedestrian view by buildings, fences and landscape treatments, or a combination thereof. No such service area shall be located in the front yard.
  - (k) *Enclosed Storage* – Storage areas in the NX-D shall be fully enclosed. In no case shall solid waste storage as defined by state and local law be permitted on site.
  - (l) *Site Lighting* – Site lighting shall be limited to cut-off fixtures that do not create glare or extend light onto adjacent residential properties. All site lighting shall be directed onto the site and shall be shielded from adjacent residential uses or zones and from the adjoining street.

- (m) *Hours of Operation* –The Zoning Board may attach reasonable conditions to the hours of operation of commercial and light industrial businesses, deemed necessary to safeguard the surrounding neighborhood.
- (n) *Noise* – The proposed use must be shown to be in compliance with Stamford Code of Ordinances Chapter 164 - City of Stamford Noise Control Ordinance.
- (o) *Vibration, Dust, & Odors* – The dissemination of dust, smoke, observable gas or fumes, odor, or vibration shall be contained to the immediate site of the building in which such use is conducted, and the Zoning Board may attach such reasonable conditions and safeguards deemed necessary to ensure same.
- (p) *Traffic & Parking* – Development shall be designed to avoid unusual traffic hazards or congestion due to the type of vehicles required in the use or due to the manner in which traffic enters or leaves the site of the use, and the Zoning Board may attach such reasonable conditions and safeguards deemed necessary to ensure same.
- (q) *Signage* – The design, location and size of signage for uses in the NX-D shall be governed by the definitions of these Regulations and by the design criteria and signage rights permitted in the Architectural Review Design District (Section 7.6 of these regulations).
- (r) *Historic Buildings* – the standards of 7.3 of these Regulations shall apply to any buildings located in the NX-D that qualify as historic, as provided for under said section.

## **12.5 Application and Review Procedure.**

(a) Application shall be made on forms provided by the Zoning Board and shall contain the information required under Section 7.2 and, for applications requiring special exception approval, Section 19-3 of these Regulations, and scaled drawings and architectural design information indicating location, specification of materials, dimensions, colors, manner of fabrication and installation, and such other additional supporting facts and information as required by the Zoning Board or the Land Use Bureau Chief to fully review the proposal.

(b) Where approval is required pursuant to this Section, no zoning permit shall be issued by the Zoning Enforcement Officer and no building permit shall be issued by the Building Department except upon Site Plan and/or Special Exception approval by the Zoning Board or issuance of Site Plan approval by the Land Use Bureau Chief, or designee, as defined in subsection 12.5-e.

(c) Any Special Exception and/or Site Plan approval, for which a full building permit has not been issued within one (1) year from the approval date, shall become null and void unless the reviewing authority, upon timely application and good cause shown, grants not more than three (3) one (1) -year extensions of the expiration date.

(d) The Zoning Board and/or Land Use Bureau Chief may seek the recommendations of any town or regional agency or outside specialist with which it consults. Any reports or recommendations from such agencies or organizations shall be entered into the public hearing record.

(e) Reviewing Authority.

1. The Zoning Board shall review and determine compliance with the standards of the NX-D, for (i) all uses permitted by Special Exception, by issuance of Special Exception and Site Plan approval, and (ii) all uses permitted as-of-right with greater than 20,000 square feet of lot area, by issuance of Site Plan approval.
2. The Land Use Bureau Chief shall conduct an administrative site plan and architectural review and determine compliance with the standards of the NX-D, by issuance of Site Plan approval, for all uses permitted as-of-right having less than 20,000 square feet of lot area.
3. Minor modifications to Special Exception approvals or approved site and architectural plans hereunder shall be reviewed by Land Use Bureau Staff. All other modifications shall be subject to subparagraphs (1) and (2) of this subsection (e) above.

(f) Exemptions. Notwithstanding the above, the following projects and activities shall be exempt from site plan and/or special exception review under this Section, but must comply with all standards of this Section and all other provisions of these Regulations:

1. Minor repairs and/or minor alterations, maintenance or replacement of portions of an existing building, structure, sign, utility service or other minor structures and site features that would result in no significant impact on the design, function, architectural character or visual appearance of the building, structure or property.
2. Exterior architectural modifications that do not substantially alter the existing height, bulk or facade of an existing building or structure and do not increase building floor area.
3. New signage not exceeding five (5) square feet in area in the aggregate.
4. Interior modifications that do not result in a change in use of the building.



**Schedule C**  
**Qualitative Analysis of Proposed Text Amendment**

In order to assist the Zoning Board with its review, the Land Use Bureau Staff has conducted a qualitative analysis of the proposed Text Amendment Application, as follows:

**IMPACT ON OTHER DISTRICTS**

There are currently no NX-D districts in the City, and the current application together with the companion Map Change Application will establish the first of its kind.

Moreover, the new NX-D district is designed to fit with the City’s broader plan for re-zoning of the entire West Side Neighborhood, and thus, is not anticipated to have adverse impacts on any other zoning district, but rather integrate with surrounding districts to create cohesive and compatible neighborhoods.

**CONFORMANCE WITH MASTER PLAN OBJECTIVES**

All of the properties that are the subject of the Map Change Application, and that would be subject to the proposed NX-D regulations are located in Master Plan Category #13 (Industrial-General). This category is intended “to provide for and protect existing industrial development and preserve opportunities for new industrial uses, including the manufacture and assembly of products, wholesale storage and distribution, research and development and such other [ancillary] uses.”<sup>1</sup> This category further contemplates office and retail uses, and recognizes the validity of co-existing residential uses, encouraging “the adaptive reuse of older industrial structures for live/work and artists’ lofts/studios” and “[i]nfilling new residential development . . . to promote the maintenance and viability of existing industrial/flex type uses.”<sup>2</sup>

As the only Master Plan land use category that envisions the implementation of all three broad types of land uses—residential, commercial, and industrial— Category #13 is the ideal underlying category for the new zone, and the proposed text amendment has been crafted to specifically encourage and provide the tools to allow for the complementary intertwining of all of these types of uses.

Moreover, the new zone proposed with this text amendment is specifically aimed at achieving Policy WS1 for the West Side Neighborhood set forth in the Master Plan to “[p]reserve and enhance neighborhood character and quality of life.” The text amendment will achieve this goal by carrying out various of the specified implementation strategies to meet this policy outlined in the Master Plan, as follows:

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<sup>1</sup> Stamford Master Plan 2015-2025, at 196.

<sup>2</sup> *Id.*

- *“Promote infrastructure upgrades, including repair and maintenance of roads and sidewalks, improved street lighting, installation of street trees and other landscape elements along key corridors, and façade improvements along commercial corridors”*<sup>3</sup>: the text amendment will require new developments to include landscape buffers and sidewalks, and architectural façade features, designed precisely to promote these types of neighborhood improvements;
- *“Implement the recommendations of the West Side Neighborhood Plan”*<sup>4</sup>: the text amendment stems directly from this strategy, as said plan recommended instituting a new urban mixed use zone in the area that is the subject of the Map Change Application;
- *“Support the efforts of the West Side Neighborhood Revitalization Zone (NRZ) and other neighborhood associations working to improve the overall quality-of-life for the residents and workers of the West Side . . . neighborhood[.]”*<sup>5</sup>: Land Use Bureau staff has met with representatives of the NRZ and other neighborhood associations, which have indicated that they support the proposed text amendment and value the prospective improvements to the quality-of-life for residents and workers of the West Side that the new regulation is aimed at achieving;
- *“Promote industrial regulations and standards that make industry more compatible with its residential neighbors and to reduce adverse environmental impacts. Such regulations and standards should address hours of operation, setbacks, lighting, noise levels, landscaping and screening and outdoor storage.”*<sup>6</sup>: the text amendment has been designed to include performance standards for all of the indicated parameters, and more, and overall is aimed at making industrial uses and new industrial development in the new zone harmonious and appropriate in a mixed use environment. Requirements for ample landscaping, sidewalk improvements, and buffers are designed to minimize adverse environmental impacts.

In addition, the text amendment will further the other policy goals for the West Side Neighborhood set forth in the Master Plan:

- *“Policy WS2: Improve mobility and circulation”*<sup>7</sup>: the text amendment is intended to improve mobility and circulation in the new zone by requiring sidewalks and thoughtful site design; and
- *“Policy WS3: Retain existing and promote new affordable housing”*<sup>8</sup>: the text amendment provides development opportunities for a wide variety of housing in the area proposed to be included in the new zone.

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<sup>3</sup> *Id.* at 157.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *Id.* at 157-58.

<sup>8</sup> *Id.* at 158.

### IMPACT SUMMARY

The proposed text amendment provides the structure for remedying a historic cacophony of non-conforming uses in a portion of the West Side neighborhood, and creates a tool to allow a compatible neighborhood area and responsible development. Performance standards will protect residential uses and ensure commercial and industrial growth is properly managed.

No adverse impacts are anticipated, and, to the contrary, the text amendment can be expected to improve overall conditions (traffic, environmental, aesthetic, design, etc.) in the subject area.

### MOBILITY

Adequate provisions related to traffic and parking management have been proposed in the text amendment, which will control development and improve traffic circulation and sidewalk networks in the area over time. Mandatory bicycle parking standards are intended to reduce automobile congestion to lead to an overall improvement of traffic patterns in the subject area.

### HOUSING

The text amendment will allow for development opportunities for a wide variety of housing in the area proposed to be included in the new zone. Particularized residential standards in the text amendment will ensure housing is integrated well into the mixed-use neighborhood.

### SCHOOLS AND COMMUNITY FACILITIES

The proposed text amendment will have no adverse impact on City schools or community facilities. In fact, it will reduce the potential burden on City community facilities by providing additional commercial uses, and opportunities for new community amenities in the West Side neighborhood (such as gym/physical culture establishments, community health centers, or community centers).

### INFRASTRUCTURE

The proposed text amendment relates to a portion of the West Side Neighborhood that is currently comprised of a hodgepodge of existing uses, many of which currently have access to the City's sewer and water systems. By including limitations on floor area, building coverage and impervious coverage, the text amendment ensures that existing infrastructure will not be overburdened by potential development or redevelopment of properties in the new zone.

### PUBLIC SAFETY

The new NX-D zone will be located in a portion of the West Side neighborhood. Existing police and fire resources are sufficient to support development therein. Importantly, incorporating additional uses in the zone will discourage crime by creating activity in the area and reducing the amount of time the area is completely dormant. Transparency and active ground floor standards are designed to result in livened and active street frontages.

### PARKS AND OPEN SPACE

The text amendment includes requirements for meaningful usable open space for any developments that include a residential component. This amenity will be protected through limitations on impervious coverage for any developments that are subject to the application requirements of the new zone.

### ENVIRONMENTAL CONSIDERATIONS

New development in the proposed zone will result in new infrastructure, while redevelopment of older buildings will result in infrastructure upgrades, both of which will have a positive impact on the surrounding environment. Moreover, the proposed text amendment limits impervious coverage on the parcels in the zone subject to new or updated developments, and requires various landscape buffers on each such site and sidewalk networks, which are designed to enhance water quality. Mandatory bicycle parking standards are intended to reduce automobile congestion and associated carbon emissions and improve air quality.

### HISTORIC RESOURCES

Any existing buildings that qualify as historic will be subject to the requirements otherwise provided for in the City's zoning regulations.

### QUALITY OF LIFE

The new NX-D zone created by the proposed text amendment is precisely aimed at achieving the policy set forth the City's Master Plan for the West Side neighborhood: to enhance "quality of life" for residents and workers in that area.<sup>9</sup>

The text amendment will preserve and enhance quality of life in the West Side neighborhood by providing for control over hours of operation of commercial and industrial uses, lighting, noise levels, landscaping and screening; by prohibiting outdoor storage; by improving sidewalk networks and traffic issues; and by requiring architectural design considerations for new (and certain modified) buildings.

Moreover, any new improvements (and certain modifications of existing improvements) in the new zone would be subject to Site Plan and/or Special Exception approval, which will require conformance with the standards for such applications. For all uses permitted by Special Exception approval, the Zoning Board will be authorized to attach reasonable conditions and safeguards to protect the general health, safety, welfare and property values of the neighborhood.

### DEVELOPMENT BENEFITS

Any zoning applications to implement new uses, or modify existing uses in certain instances, will result in significant revenue to the City of Stamford via the various fees that will be incurred

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<sup>9</sup> Stamford Master Plan 2015-2025, at 157.

by prospective developers and property owners. This may include fees for: Zoning Text Change Application, Public Hearing, Site Plan Pre-Application Review, Special Exception Application, Zoning Permit, Building Permit, and sign permits, among others.

Furthermore, new developments or certain modifications to existing improvements in the area that will be subject to the new zone created by the proposed text amendment may result in the following additional development benefits:

- Increased property taxes;
- Reduction in sewer impacts;
- Improved stormwater management;
- New jobs;
- New corporate and light industrial citizens;
- New community amenities.

### CONVENIENCES

The proposed text amendment will allow for a variety of uses in the new zone that may increase conveniences in the area. In addition, the new zone will require improvements to or additions of sidewalks for any projects subject to the review requirements of the new zone, which will make pedestrian circulation easier over time. Mandatory bicycle parking standards will afford nearby residents more flexible transportation options.

### URBAN DESIGN

The proposed text amendment promotes design that will complement the scale of any overall development in the subject neighborhood, and include adequate façade and other urban design features.