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LYDA RUIJTER
CITY & TOWN CLERK STAMFORD CT
BLOCK ----

ZONING BOARD CERTIFICATE

I, David Stein, Chairman of the ZONING BOARD of the CITY OF STAMFORD, in compliance with Special Act No 619 of the 1953 General Assembly hereby certify that on May 10, 2021 a Public Hearing was held by the ZONING BOARD on:

Application 221-11 – City of Stamford – Zoning Board – Text Change

Proposed Omnibus Text Change, Cleanup 2. The purpose of this text change is to correct inconsistencies between different sections of the Zoning Regulations including use and term definitions, add new definitions for clarity and amend Section 7.4.2.

And that the following is a statement of its finding: UNANIMOUSLY APPROVED AS MODIFIED at its regular meeting held on May 10, 2021, and the regulations will now read as follows:

Note: Matter in underline is added and matter in strikethrough is deleted.

UPDATE all references to Master Plan Categories to the current 2015 Master Plan categories.

Change numeration of tables in Appendices to Roman Numerals and update references throughout the Regulations.

ADD Definition for “Density” to Section 3.B.

Density is the amount of floor area for non-residential structures and uses or the number of Dwelling Units for residential uses of any development on a given Lot. SEE also *Density, Residential*.

ADD Definition for “Density, Permitted” to Section 3.B.

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:

1. In Zoning Districts where the *Permitted Residential Density* is defined in “Square feet per Family” only, pursuant to Sections 4, 5, and 9, the *Permitted Residential Density* shall be determined by dividing the Lot Area (in square feet) by the “Square feet per Family” to determine the permitted number of Dwelling Units and, if applicable, the permitted number of “Families per Plot” pursuant to Appendix B, Table III. In such Districts, densities for permitted non-residential uses shall be determined by the *Floor Area Ratios* where specified for these non-residential uses. If no FAR for non-residential uses is provided, the maximum permitted non-residential *Density* (in square feet) shall be determined by multiplying the allowable Building Area (coverage in square feet) by 2.

2. In Zoning Districts where the *Permitted Density* is defined by *Floor Area Ratio* only, the permitted *Residential Density* shall be determined by multiplying the *Lot Area* (in square feet) by the *Floor Area Ratio* and dividing by the *Residential Density Divider (RDD)*. Where no *Residential Density Divider* is provided, a *RDD* of 1,500 shall be applied.
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. No conversions of *Residential Density* into non-residential *Density* shall be permitted unless otherwise provided in these Regulations.

Example:

Lot Area: 20,000 sf

Residential Density: 400 sf per Family of Lot Area = 50 Dwelling Units (20,000 / 400 =50)

Non-Residential Density: 2.5 FAR

Conversion Factor 1,000

Convert Non-Residential Density to Dwelling Units:

20,000sf * 2.5 = 50,000 divide by 1,000= 50,000 sf / 1,000 = 50 Dwelling Units

Total Permitted Units = 50 units (Residential Density) + 50 units (Converted Commercial Floor Area) = 100 units total

ADD Definition for “Density, Residential” to Section 3.B.

Residential Density is the number of *Dwelling Units*, excluding accessory dwelling units, on any given *Lot* within the City of Stamford.

ADD Definition for “Permitted Density” to Section 3.B.

Permitted Density

SEE: *Density, Permitted*

ADD Definition for “Residential Density” to Section 3.B.

Residential Density

SEE: *Density, Residential*

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

~~(d) Shared Parking: The shared use of parking may be permitted, subject to *Special Permit* approval by the Zoning Board, where a finding is made by the Zoning Board that individual uses such as residential, office, and retail will experience peak parking demand at different times, or would reduce the number of curb cuts. 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 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.~~

AMEND Section 4.B.7.c(13), V-C Village Commercial District as follows

~~(13) **Light and Air.** All rooms of residential units, with the exception of kitchens, bathrooms, hallways and mezzanines, shall have at least one window not measuring less than 12 square feet with at least 30 feet of unobstructed space open to the sky in front of them, measured perpendicularly from the building façade where such window is located.~~

ADD Section 4.B.8.h. to Section 4.B.8., M-G General Manufacturing District

h. Buffer Requirements for Non-Industrial Uses

Where a Lot in an M-G District abuts a Lot in any other District other than an M-D, M-G or M-L District, then, in addition to the requirements of Section 7.K. of these Regulations, the following buffer requirements shall apply to the common Lot Lines:

- (1) All industrial uses, including storage of vehicles (except as set forth below) and material, within thirty feet (30') of the common Lot Lines shall be fully enclosed. Open surface parking of passenger vehicles and light trucks of 10,000 pounds Gross Vehicle Weight Rating (GVWR) or less are permitted.
- (2) There shall be a ten foot (10') wide planted buffer designed to manage stormwater and to screen the uses located on the Lot in the M-G District. Such buffer shall be regularly maintained and meet at all times the requirements of the City of Stamford Anti-Blight regulations.
- (3) There shall be a fully opaque fence or wall not to exceed eight feet (8') in height in rear yards or six feet (6') in height in side yards. The fence or wall must be located either in the center or the inward edge of the planting strip.

ADD Section 4.B.9.h. to Section 4.B.9., M-L General Manufacturing District

h. Buffer Requirements for Non-Industrial Uses

Where a Lot in an M-L District abuts a Lot in any other District other than an M-D, M-G or M-L District, then, in addition to the requirements of Section 7.K. of these Regulations, the following buffer requirements shall apply to the common Lot Lines:

- (1) All industrial uses, including storage of vehicles (except as set forth below) and material, within thirty feet (30') of the common Lot Lines shall be fully enclosed. Open surface parking of passenger vehicles and light trucks of ¾ tons or less are permitted.
- (2) There shall be a ten foot (10') wide planted buffer designed to manage stormwater and to screen the uses located on the Lot in the M-L District. Such buffer shall be regularly maintained and meet at all times the requirements of the City of Stamford Anti-Blight regulations.
- (3) There shall be a fully opaque fence or wall not to exceed eight feet (8') in height in rear yards or six feet (6') in height in side yards. The fence or wall must be located either in the center or the inward edge of the planting strip.

AMEND Section 4.B.10.c, Neighborhood Mixed-Use Design District (NX-D)

Delete the row "Window Clearance" from Section 4.B.10.c, Development Standards.

AMEND Section 4.B.11.a., R-HD Residential District, High Density, as follows:

a. Definition

The Residential High-Density District (R-HD) is defined as an area for predominantly transit-oriented, high-density, high-rise residential development within *Master Plan Categories* 5 (High Density Residential), 9 (Urban Mixed-Use), and 11 (Downtown), and 16 (Transit-Oriented Development District), which is comprised of a parcel or contiguous parcels 40,000 sf or larger. It is intended that development in this district provides an attractive living environment and includes open space for the use and enjoyment of residents and visitors. [...]

AMEND Section 4.B.11.c., R-HD Residential District, High Density, as follows:

c. Authorized Uses

[...]

Neighborhood Commercial – along designated *Commercial Streets* only. For the purposes of this Section, Neighborhood Commercial shall mean include only (i) those uses permitted as-of-right in the SRD-S Zoning District zone (including applicable area limitations), ~~with such use limited to (i) 15,000 sf per establishment, and (ii) occupy~~ not more than 0.75 FAR, and (iii) be located exclusively on the ground floor. No standalone commercial *Buildings* shall be permitted; however existing commercial office

Buildings may be allowed to remain provided they are not expanded by more than 10% of the existing Floor Area at the time of designation.

[...]

AMEND Section 4.B.11.d., footnote 3, R-HD Residential District, High Density, as follows:

³⁾ Any part of a *Building* exceeding a height of 85' 60' or eight (8) 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 within the STDA. 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.*

AMEND "Accessory Use" in Section 5.E., Use Regulations

Accessory Use

~~SEE: Use, Accessory An Accessory Use is a use which is clearly incidental and customarily subordinate to the principal use of a Lot or a Building and located on the same Lot therewith.~~

AMEND "Church" and "Religious Institution" and ADD definition for "House of Worship" in Section 5.E., Use Regulations

Church

~~Any Building, maintained and operated by a recognized religious group used primarily for the worship of God. SEE: House of Worship~~

House of Worship

A House of Worship is a Building or Development owned or leased and used for by an entity recognized as a church or religious institution under IRC Section 501(c)(3) for the worship of a god or gods or other deities. Accessory Uses may include assembly facilities, schools dedicated to the teachings of a religion and housing for priests, ministers or other spiritual leaders.

Religious Institution

SEE: Church House of Worship

AMEND Section 5.E. Use Regulations, Dormitory, as follows:

Dormitory

A Dormitory is a Building or portion thereof, arranged, intended, designed or used as a place of temporary residence for persons whose permanent residence is elsewhere, who share related facilities

and are enrolled at a private or public accredited school, college, university, boarding school, theological school or comparable educational institution; provided that said Dormitory ~~is~~ shall be controlled or managed by said educational institution. ~~and complies with the standards of Article III, Section 7.8 of these Regulations.~~ A dormitory shall ~~does~~ not include residences utilized by fraternities or sororities, clubs or lodges. Dormitories shall be located on the same Lot or within one half-mile of the campus of the institution it serves. Dormitories serving students of primary and secondary Institutions of Learning shall be permitted in all Zoning Districts where such institutions are permitted. Dormitories serving students of post-secondary Institutions of Learning, such as colleges and universities, shall only be permitted in the CC, C-D, C-G, MX-D, MR-D, NX-D, R-H, R-HD or R-MF districts. In Zoning Districts where densities are regulated by Dwelling Units per acre, four (4) Dormitory beds shall be considered one (1) Dwelling Unit. (216-04)

DELETE Section 7.8, Dormitory Housing, and add "DELETED"

AMEND "Junk Yard" in Section 5.E, Use Regulations, and ADD in APPENDIX A TABLE II "Junk Yard"

The Use of: (a) more than two hundred (200) square feet of the area of any Lot in an M-G District, or (b) more than fifty (50) square feet of any Lot in all other Zoning Districts, whether inside or outside of a Building, or (c) any portion of that half of any Lot, except in the M-G District, that adjoins the Street. For this definition, "Use" means the storage, keeping or abandonment of debris, junk, including scrap metals or other scrap material, or the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery or parts thereof. No garbage, putrescent, toxic, biomedical, hazardous or other waste, including demolition material that contains asbestos or other hazardous material, shall be permitted in a Junk Yard.

APPENDIX A TABLE II

	C-N	C-B	C-L	C-G	CC	C-I	M-L	M-G
[...]								
Junk Yard	-	-	-	-	-	-	-	X
[...]								

AMEND "Package Liquor Store" in Section 5.E, Use Regulations,

Package Liquor Store (219-25)

A Package Liquor Store is a retail store which holds a package store permit pursuant to CGS §. 30-20. In all Districts that are located in *Master Plan Categories 9 (Urban Mixed Use), and 11 (Downtown) and 16 (Transit-Oriented Development District)* where a Package Liquor Store is permitted pursuant to these Regulations, the minimum distance between Package Liquor Stores shall be ~~750~~ 500 feet. In all Districts that are located outside of *Master Plan Categories 9 (Urban Mixed Use) and 11 (Downtown)* where a Package Liquor Store is permitted pursuant to these Regulations, the minimum distance between Package Liquor Stores shall be ~~1,250~~ 750 feet. Separation distances shall be measured "as the crow flies" from the entrance of each establishment.

Restaurants or cafés serving liquor for consumption on premises shall not be subject to separation distance limitations.

Nothing in these Regulations shall affect the issuance of a temporary permit which shall not exceed forty-eight (48) hours.

Notwithstanding the above, any Package Liquor Store which was in existence prior to June 7, 1982 or which is being taken or threatened to be taken in the exercise of eminent domain, shall be allowed to move to any location in the City of Stamford provided that the new location is not closer than 500 feet to an existing Package Liquor Store and is in a zone where such use is permitted under these Regulations.

~~Restaurants or cafés serving liquor for consumption on premises shall not be subject to separation distance limitations.~~

ADD "Short-Term Rental" to Section 5.E, Use Regulations, and Amend Appendix A, Tables I and II.

Short-Term Rental

A Short-Term Rental shall mean the offering for lease or sublease of, or otherwise providing, one or more rooms on a Short-Term Rental Property by a Short-Term Rental Operator pursuant to a Short-Term Rental Transaction.

Short-Term Rentals shall be permitted in all Zoning Districts where residential uses are permitted; provided, however, that no Short-Term Rentals shall be permitted in the RA-3, RA-2, RA-1, R-20, R-10, R-7½ or R-6 Zoning Districts, unless the Short-Term Rental Operator resides in such Short-Term Rental Property at all times when guests occupy such property.

Short-Term Rental Operator shall mean the owner, lessee, sublessee or other provider of a Short-Term Rental Property who resides at the property as their primary residence and offers the Short-Term Rental Property for occupancy pursuant to a Short-Term Rental Transaction.

Short-Term Rental Property means a dwelling unit, or any portion thereof, that is (1) a property designed for residential use (commercial and industrial spaces are not eligible), (2) the subject of a Short-Term Rental Transaction, and (3) not a hotel, lodging house, bed and breakfast establishment, any

other commercial residential establishment, below market rate unit, a public housing unit or a homeless shelter.

Short-Term Rental Transaction shall mean a Short-Term Rental for a period of one (1) to 27 consecutive days but for no more than 90 days per calendar year in total.

ADD to Note in Appendix A, Land Use Schedule:

“xo” shall mean that the Short-Term Rental Operator resides in such Short-Term Rental Property at all times when guests occupy such Short-Term Rental Property.

Amend APPENDIX A TABLE I as follows:

	RA-3	RA-2	RA-1	R-20	R-10	R7 ¹ / ₂	R6	R5	R-MF	R-H
<u>Short-Term Rental</u>	xo	xo	xo	xo	xo	xo	xo	xo	x	x

[Table I continued]

	C-N	C-B	C-L	C-G	CC	C-I	M-L	M-G
<u>Short-Term Rental</u>	x	x	x	x	x	x	-	-

ADD “Tobacco Store” and “Smoke Shop, Tobacco Store” to Section 5.E., Use Regulations and Amend Appendix A, Table 2.

Smoke Shop, Tobacco Store

A retail establishment where 50% or more of the retail area is dedicated to the sale of tobacco and products containing tobacco or nicotine (including “e-cigarettes”) and paraphernalia, and areas for the consumption of such and other smokeable products.

Tobacco Store

SEE: Smoke Shop, Tobacco Store

APPENDIX A TABLE II

C-N	C-B	C-L	C-G	CC	C-I	M-L	M-G
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[...]

Smoke Shop, X X X X X X XM XM
Tobacco Store

[...]

Tobacco Store

SEE: Smoke Shop, Tobacco Store

AMEND “Veterinary Clinic” and “Veterinary Clinic, Domestic Cats Only”, Section 5.E. Use Regulations, and AMEND APPENDIX A, TABLE II.

Veterinary Office or Clinic

Veterinary Offices or Clinics are establishments for the care and treatment of small animals, under the supervision of one or more professionals licensed pursuant to CGS Section 20-197. Such facilities shall be provided that all facilities for such care are completely enclosed and roofed and effectively soundproofed to meet at all times the requirements of the City of Stamford Noise Ordinance.

A Veterinary Office shall not exceed 5,000 sf in Gross Floor Area, typically for the treatment of domestic cats, dogs and other small animals. Accessory Uses may include pet grooming and the sale of pet supplies including food and medicine. Overnight boarding of animals shall be limited to no more than 25% of the Gross Floor Area of such facility.

A Veterinary Clinic may exceed 5,000 sf in Gross Floor Area, for the treatment of pets and larger animals. Accessory Uses may include pet and animal grooming and the sale of supplies including food and medicine. Overnight boarding of animals shall be limited to no more than 25% of the Gross Floor Area of such facility.

Veterinary Clinic, Domestic Cats Only

~~An establishment for the care and treatment of domestic cats to include surgery, dentistry, health care, boarding and grooming and the sale of retail items such as pet necessities, food, leashes, collars, flea products, vitamins and other incidental items. Said facility shall provide three (3) Parking Spaces for each one thousand (1,000) square feet of Gross Floor Area. (91-016)~~

APPENDIX A TABLE II

	C-N	C-B	C-L	C-G	CC	C-I	M-L	M-G
Veterinary, Dog and Cat						BA	x	x
Hospitals, Kennels								
[...]								

Veterinary Domestic Cats Only Office X X X X X X X X

Veterinary Clinic - - X X X

[...]

AMEND Section 7.K as follows

7.K. When a Lot adjoins a Lot in a more restricted district, any adjoining Side Yard of such Lot shall have minimum width equal to the required Side Yard in the more restricted district, and any adjoining ~~Front~~ Rear Yard shall have a minimum depth equal to the required depth of the Rear ~~Front~~ Yard in the more restricted district.

MOVE Section 7.U. – Medical Marijuana Dispensaries, to Section 5.E., Use Definitions

AMEND Table 7.4.2, Section 7.4, Below Market Rate Housing Program as follows:

Zoning District	Percentage of Gross Residential Floor Area subject to fee	Fee per square foot, 2020
MR-D, TCD-D	12%	\$250 <u>\$200</u>
CC, C-G, C-L, DW-D , MX-D, R-H, <u>R-HD</u> , SRD-N, SRD-S,	10%	\$250 <u>\$200</u>
V-C	12%	\$200 <u>\$175</u>
All other districts	10%	\$175 <u>\$150</u>
Rehab units	5%	\$125
Housing for the Elderly	6%	\$125

Amend Section 7.6.D. Architectural Review District, as follows

For property within the CC, C-G, ~~or~~ C-L, NX-D, RH-D and V-C zoning district, the following standards shall apply:

DELETE current Section 16, Enforcement and Penalties, and REPLACE with Section 16, Enforcement and Penalties, as follows:

16. A. It shall be the duty of the Zoning Enforcement Officer, or their designee, as authorized by the City Charter to enforce the provision of these Regulations (including but not limited to permits, decisions and conditions of approval) and to make such orders and decisions as may be necessary to carry out the intent thereof. Said Zoning Enforcement Officer, or their designee, shall be empowered to: (a) cause any

Building, Structure, place or premises to be inspected and examined in accordance with law and to order, in writing, the remedying of any conditions found to exist in violation of any provision of these Regulations, or any permit or approval issued hereunder; and (b) enforce any permit, condition of any zoning approval and decision, issued in connection with these Regulations.

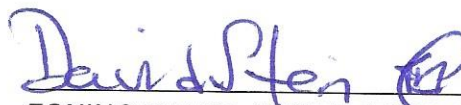
16.B. The Zoning Enforcement Officer, or their designee, as authorized, may institute any appropriate action or proceedings: (a) to prevent the unlawful erection, construction, reconstruction, alteration, repair or conversion of any *Building* or *Structure*, or the unlawful use of land, (b) to restrain, correct or abate such violations, (c) to prevent the occupancy of said *Building, Structure*, or land, (d) to prevent any illegal act, conduct, business or use in or about the premises, or (e) to prevent or correct a violation of any permit, decision or condition of any zoning approval. Whenever such acts shall be in contradiction to the provisions of these Regulations (including but not limited to a condition of zoning approval or decision), penalties shall be as provided by General Statutes and City Charter section 248, as the case may be.

AMEND APPENDIX A Table 1

Delete use 28 "Hotel Residential" (all Districts), and remove all references in the Zoning Regulations.

Effective date of this decision: May 25, 2021.

DAVID STEIN, CHAIRMAN



ZONING BOARD, CITY OF STAMFORD, CT

Dated at the City of Stamford, CT., this 1ST day of June, 2021.