



**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 24, 2021, June 7, 2021 & June 21, 2021 Public Hearings were held by the ZONING BOARD on:

**Application 221-06 – Raymond Mazzeo (22-1<sup>st</sup> Corp), Stamford, CT – Text Change**

To Amend Section 3.B (Defined Terms) by adding “Tax Lot”, “Zoning Lot” and “Zoning Lot Development Agreement” of the Zoning Regulations, Amend Section 4.B.7 (V-C Village Commercial District) subsection 4.B.7.c. (Development Standards) by adding reference to footnote 1 to the heading titled “V-C Arterial Street all other V-C Districts and adding reference to footnote 2 to the heading titled “V-C Side Street all other V-C Districts”, Amend Section 4.B.7 (V-C Village Commercial District) subsection 4.B.7.c. (Development Standards) Footnotes 1 and 2 by changing “100” to “125” in each sentence and Amend Section 4.B.7. (V-C Village Commercial District) subsection 4.B.7.c. (Arterial Streets) by adding Pacific Street (from Dock Street to Ludlow Street)

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And that the following is a statement of its findings: APPROVED AS MODIFIED at its regular meeting held on June 21, 2021, and the regulations will now read as follows:

- I. **Amend Section 3.B. (Defined Terms) by adding “Tax Lot”, “Zoning Lot” and “Zoning Lot Development Agreement” to read as follows:**

***Tax Lot***

See: Lot, Tax

***Lot, Tax***

A *Tax Lot* is a tract of land identified as such on the City of Stamford Tax Assessor’s Records.

***Zoning Lot***

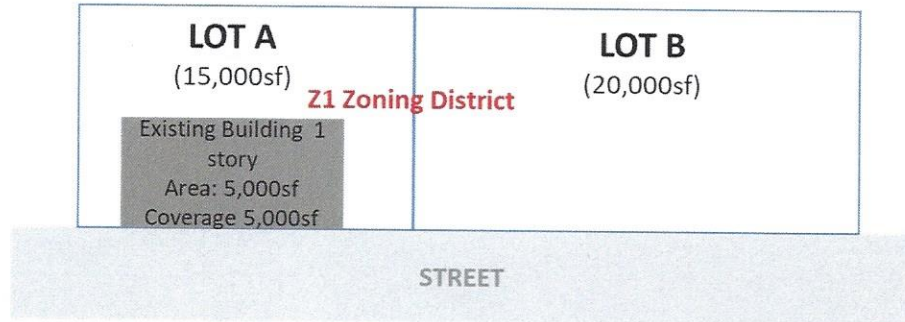
See: Lot, Zoning

***Lot, Zoning***

1. A *Zoning Lot* is (a) a full *Tax Lot* or (b) a tract of land subject to a *Zoning Lot Development Agreement*, which consists of two or more full *Tax Lots* under common or separate ownership that, for zoning purposes only, is treated as one Lot. If a *Building* or *Structure* is located on more than one *Tax Lot* under common ownership, such tax lots shall be consolidated. A *Zoning Lot* must meet all of the following requirements:

- a. Each *Tax Lot* that is part of the *Zoning Lot* must be contiguous to and share a lot line at least twenty feet (20') in length with at least one other of such *Tax Lots* and must not be separated by any public street.
- b. All *Buildings* and *Structures* on a single *Zoning Lot* must conform and comply with the requirements of the zoning district in which they are located except as otherwise provided for in Subsection d. below.

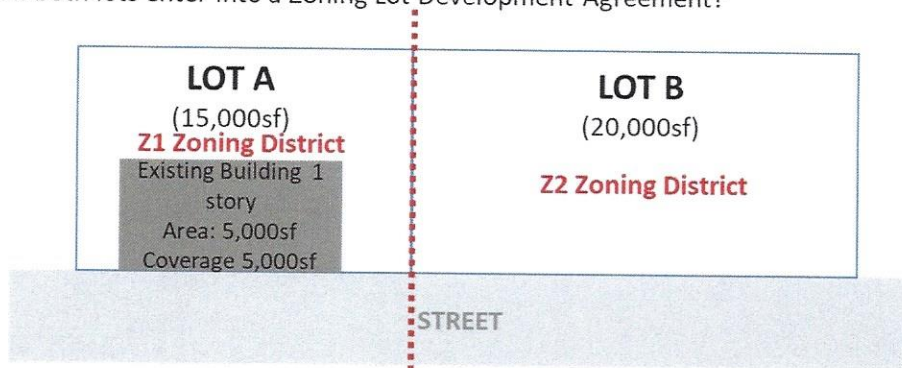
**Example 1:** Tax Lots A and B are in Zoning District Z1. What is the development potential for Lot B if both lots enter into a Zoning Lot Development Agreement?



	Z1 District	LOT A (w. existing Building)		Development Potential for LOT B <u>WITHOUT</u> Zoning Lot Agreement	LOT A+B Zoning Lot		Development Potential for LOT B <u>WITH</u> Zoning Lot Agreement
		Permitted	Actual		Permitted	Actual	
<b>Floor Area</b>	1.0 FAR	15,000 sf	5,000 sf	20,000 sf	35,000 sf	5,000 sf	30,000 sf
<b>Lot Coverage</b>	50%	7,500 sf	5,000 sf	10,000 sf	17,500 sf	5,000 sf	12,500 sf
<b>Building Height</b>	4 stories / 45'	4 stories / 45'	1 story / 15'	4 stories / 45'	4 stories / 45'	1 story / 15'	4 stories / 45'
<b>Setbacks</b>	0' (Front) 10' (Sides) 10' (Rear)	0' (Front) 10' (Sides) 10' (Rear)	0' (Front) 15' / 35' (Sides) 50' (Rear)	0' (Front) 10' (Sides) 10' (Rear)	0' (Front) 10' (Sides) 10' (Rear)		0' (Front) 10' (Sides) 10' (Rear)

- c. If a *Zoning Lot* is located in more than one Zoning District: (i) *Buildings* and *Structures* must meet all bulk requirements, except those set forth in Subsection d. below, including but not limited to *Height, Setback, Light and Air*, and use requirements of the respective Zoning District in which they are located, and (ii) *Floor Area and Density* calculations, and required off-street parking shall be based on the area of land in the respective Zoning District.

**Example 2:** Tax Lots A and B are in different Zoning Districts Z1 and Z2. What is the development potential for Lot B if both lots enter into a Zoning Lot Development Agreement?



	Z1 District	LOT A (w. existing Building)		Z2 District	Development Potential for LOT B WITHOUT Zoning Lot Agreement	LOT A+B Zoning Lot		Development Potential for LOT B WITH Zoning Lot Agreement
		Permitted	Actual			Permitted	Actual	
<b>Floor Area</b>	1.0 FAR	15,000 sf	5,000 sf	1.5 FAR	30,000 sf	45,000 sf	5,000 sf	40,000 sf
<b>Lot Coverage</b>	50%	7,500 sf	5,000 sf	75%	15,000 sf	22,500 sf	5,000 sf	17,500 sf
<b>Building Height</b>	4 stories / 45'	4 stories / 45'	1 story / 15'	5 stories / 55'	5 stories / 55'	4 stories / 45'	1 story / 15'	5 stories / 55'
<b>Setbacks</b>	0' (Front) 10' (Sides) 10' (Rear)	0' (Front) 10' (Sides) 10' (Rear)	0' (Front) 15' / 35' (Sides) 50' (Rear)	0' (Front) 0' (Sides) 10' (Rear)	0' (Front) 0' (Sides) 10' (Rear)	0' (Front) 10' (Sides) 10' (Rear)		0' (Front) 0' (Side) 10' (Rear)

- d. Unused *Floor Area, Density, Building and Lot Coverage*, 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 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.
- e. In no event may a *Building or Structure*, including but not limited to *Accessory Structures* or facilities serving such *Building or Structure*, be located on two or more separately owned *Tax Lots* in a *Zoning Lot* (i.e., a *Building or Structure* may not cross from one *Tax Lot* to another *Tax Lot* where such lots are under separate ownership.)
- f. The creation of a *Zoning Lot* shall be subject to administrative review and approval by the Zoning Board.
- g. Unless a public hearing is required to be held, all *Development* on a *Zoning Lot* regardless of the size of the *Zoning Lot* or whether the *Zoning Lot* is located in more than one Zoning District, shall be subject to administrative Site and Architectural Plan review and approval by the Zoning Board, pursuant to Section 7.2 of these Regulations.
- h. *Setbacks* along shared *Tax Lot Lines* interior to the *Zoning Lot* may be modified or waived as agreed upon by the property owners.

- i. Shared driveways and other features to reduce curb cuts and impervious surface are strongly encouraged.
  - j. *Zoning Lots* shall only be permitted if:
    - (1) All individual *Tax Lots* are located in one or more of the following Zoning Districts: C-D, CC, C-G, DW-D, MX-D, R-HD, and V-C (outside of Glenbrook and Springdale); or
    - (2) At least one of the *Tax Lots* contains a property listed on the *Cultural Resources Inventory*.
2. A *Zoning Lot* is a discretionary approval by the Zoning Board subject to a *Zoning Lot Development Agreement*. The Zoning Board may deny *Zoning Lot* approval for any reason including but not limited to:
- a. The *Zoning Lot* created would allow for development inconsistent with the *Master Plan*.
  - b. *Development* on a *Zoning Lot* would create a significant adverse impact on neighboring properties or neighborhood character as compared to as-of-right development.
3. Where two or more *Tax Lots* are required to be consolidated (e.g., pursuant to a condition of approval by the Zoning Board), they are not eligible to be a *Zoning Lot*.

### **Zoning Lot Development Agreement**

A *Zoning Lot Development Agreement* is a private, legally binding agreement between the owners of two or more adjoining individual *Tax Lots* under common or separate ownership that allow these *Tax Lots* to be considered as one *Zoning Lot* to permit the more rational development of said *Tax Lots*. *Tax Lots* which are required to be consolidated into a single *Tax Lot* (e.g., pursuant to a condition of approval by the Zoning Board) are not eligible for a *Zoning Lot Development Agreement*.

A *Zoning Lot Development Agreement* must meet all of the following requirements:

- 1. The property must meet the definition and requirements of a *Zoning Lot*.
- 2. The *Zoning Lot Development Agreement*: (a) is subject to administrative review and approval by the Zoning Board; (b) shall specify the total development rights of each *Tax Lot*, the amount of development rights currently being used on each *Tax Lot*, the remaining unused development rights on each *Tax Lot*, and which unused *Transferrable Rights* are transferred, distributed or allocated on each *Tax Lot*; and (c) must be recorded on the land records of all affected properties within 30 days of approval by the Zoning Board. The *Zoning Lot Development Agreement* shall be subject to all existing legal rights, obligations and limitations (e.g., easements).

A *Zoning Lot Development Agreement* shall not be terminated unless each of the individual *Tax Lots* comprising the *Zoning Lot* is in compliance and conformance with the regulations of the applicable Zoning District.

- II. **Amend Section 4.B.7 (V-C Village Commercial District) subsection 4.B.7.c. (Development Standards) by adding reference to footnote 1 to the heading titled "V-C Arterial Street all**

other V-C Districts and adding reference to footnote 2 to the heading titled "V-C Side Street all other V-C Districts".

**III. Amend Section 4.B.7 (V-C Village Commercial District) subsection 4.B.7.c. (Development Standards) Footnotes 1 and 2 by changing "100" to "125" in each sentence.**

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

**IV. Amend Section 4.B.7. (V-C Village Commercial District) subsection 4.B.7.c. (Arterial Streets) by adding the following language:**

Pacific Street (from Dock Street to Ludlow Street)

Effective date of this decision: July 8, 2021.

DAVID STEIN, CHAIRMAN

  
ZONING BOARD, CITY OF STAMFORD, CT

Dated at the City of Stamford, CT., this 3<sup>rd</sup> day of August, 2021.