



**APPLICATION FOR TEXT CHANGE OF THE STAMFORD ZONING REGULATIONS**

Complete, notarize, and forward **thirteen (13) hard copies and (1) electronic copy in PDF format** to Clerk of the Zoning Board with a **\$1,000.00 Public Hearing Fee** and the required application filling fee (**see Fee Schedule below**), payable to the City of Stamford.

**NOTE:** Cost of required Public Hearing advertisements are payable by the Applicant and performance of mailing of required property owners is the sole responsibility of the applicant. **LAND RECORDS RECORDING FEE:** \$60.00 for First page - \$5.00 for each additional page)

**Fee Schedule**

Minor Text Change	\$1,060.00
Major Text Change	\$5,060.00

APPLICANT NAME (S): CITY OF STAMFORD ZONING BOARD

APPLICANT ADDRESS: 888 WASHINGTON BOULEVARD, STAMFORD, CT 06901

APPLICANT PHONE 203-977-4711

IS APPLICANT AN OWNER OF PROPERTY IN THE CITY OF STAMFORD? NO

LOCATION OF PROPERTY IN STAMFORD OWNED BY APPLICANT (S): N/A

PROPOSED TEXT CHANGE: Proposed Text Change seeks to better align the Purpose Section of the City of Stamford Zoning Regulations with the updated regulations of Section 8-2 of the Connecticut General Statutes. Section 8-2 was amended by Public Act 21-29, which was approved on June 10, 2021.

DOES ANY PORTION OF THE PREMISES AFFECTED BY THIS APPLICATION LIE WITHIN 500 FEET OF THE BORDER LINE WITH GREENWICH, DARIEN OR NEW CANAAN? NO (If yes, notification must be sent to Town Clerk of neighboring community by registered mail within 7 days of receipt of application – PA 87-307).

DATED AT STAMFORD, CONNECTICUT, THIS 15<sup>th</sup> DAY OF February 20 24

SIGNED: Ralph Bessing

**NOTE:** Application cannot be scheduled for Public Hearing until 35 days have elapsed from the date of referral to the Stamford Planning Board. If applicant wishes to withdraw application, please notify the Zoning Board at least three (3) days prior to Public Hearing so that the Board may have sufficient time to publicize the withdrawal.

STATE OF CONNECTICUT  
 COUNTY OF FAIRFIELD ss STAMFORD February 15, 20 24

Personally appeared Ralph Bessing, signer of the foregoing application, who made oath to the truth of the contents thereof, before me.

Mary Judge  
 Notary Public - Commissioner of the Superior Court

**FOR OFFICE USE ONLY** RECEIVED MARY JUDGE Notary Public, State of Connecticut My Commission Expires 9/30/2028

APPL. #: 224-05 Received in the office of the Zoning Board: Date: \_\_\_\_\_

FEB 15 2024

By: \_\_\_\_\_

## Narrative: Proposed Changes to Section 1.A., Purpose, of the Stamford Zoning Regulations

(2/12/2024)

### 1. Purpose

The purpose of this text change is to better align the Purpose Section of the City of Stamford Zoning Regulations with the updated regulations of Section 8-2 of the Connecticut General Statutes. Section 8-2 was amended by Public Act 21-29, which was approved on June 10, 2021.

### 2. Proposed Changes

Changes in the State Statute included the addition of energy efficiency, protection of historic, cultural and environmental resources and the provision of housing to address equity issues. It deleted references to neighborhood character and property values which have been used in the past to justify exclusionary zoning practices and perpetuated inequities. Section 1.A. was updated accordingly.

For reference, Section 8-2 is Listed below:

**Sec. 8-2. Regulations.** (a)(1) The zoning commission of each city, town or borough is authorized to regulate, within the limits of such municipality: (A) The height, number of stories and size of buildings and other structures; (B) the percentage of the area of the lot that may be occupied; (C) the size of yards, courts and other open spaces; (D) the density of population and the location and use of buildings, structures and land for trade, industry, residence or other purposes, including water-dependent uses, as defined in section [22a-93](#); and (E) the height, size, location, brightness and illumination of advertising signs and billboards, except as provided in subsection (f) of this section.

(2) Such zoning commission may divide the municipality into districts of such number, shape and area as may be best suited to carry out the purposes of this chapter; and, within such districts, it may regulate the erection, construction, reconstruction, alteration or use of buildings or structures and the use of land. All zoning regulations shall be uniform for each class or kind of buildings, structures or use of land throughout each district, but the regulations in one district may differ from those in another district.

(3) Such zoning regulations may provide that certain classes or kinds of buildings, structures or use of land are permitted only after obtaining a special permit or special exception from a zoning commission, planning commission, combined planning and zoning commission or zoning board of appeals, whichever commission or board the regulations may, notwithstanding any special act to the contrary, designate, subject to standards set forth in the regulations and to conditions necessary to protect the public health, safety, convenience and property values.

(b) Zoning regulations adopted pursuant to subsection (a) of this section shall:

(1) Be made in accordance with a comprehensive plan and in consideration of the plan of conservation and development adopted under section [8-23](#);

(2) Be designed to (A) lessen congestion in the streets; (B) secure safety from fire, panic, flood and other dangers; (C) promote health and the general welfare; (D) provide adequate light and air; (E) protect the state's historic, tribal, cultural and environmental resources; (F) facilitate the adequate provision for

transportation, water, sewerage, schools, parks and other public requirements; (G) consider the impact of permitted land uses on contiguous municipalities and on the planning region, as defined in section [4-124i](#), in which such municipality is located; (H) address significant disparities in housing needs and access to educational, occupational and other opportunities; (I) promote efficient review of proposals and applications; and (J) affirmatively further the purposes of the federal Fair Housing Act, 42 USC 3601 et seq., as amended from time to time;

(3) Be drafted with reasonable consideration as to the physical site characteristics of the district and its peculiar suitability for particular uses and with a view to encouraging the most appropriate use of land throughout a municipality;

(4) Provide for the development of housing opportunities, including opportunities for multifamily dwellings, consistent with soil types, terrain and infrastructure capacity, for all residents of the municipality and the planning region in which the municipality is located, as designated by the Secretary of the Office of Policy and Management under section [16a-4a](#);

(5) Promote housing choice and economic diversity in housing, including housing for both low and moderate income households;

(6) Expressly allow the development of housing which will meet the housing needs identified in the state's consolidated plan for housing and community development prepared pursuant to section [8-37t](#) and in the housing component and the other components of the state plan of conservation and development prepared pursuant to section [16a-26](#);

(7) Be made with reasonable consideration for the impact of such regulations on agriculture, as defined in subsection (q) of section [1-1](#);

(8) Provide that proper provisions be made for soil erosion and sediment control pursuant to section [22a-329](#);

(9) Be made with reasonable consideration for the protection of existing and potential public surface and ground drinking water supplies; and

(10) In any municipality that is contiguous to or on a navigable waterway draining to Long Island Sound, (A) be made with reasonable consideration for the restoration and protection of the ecosystem and habitat of Long Island Sound; (B) be designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris on Long Island Sound; and (C) provide that such municipality's zoning commission consider the environmental impact on Long Island Sound coastal resources, as defined in section [22a-93](#), of any proposal for development.

(c) Zoning regulations adopted pursuant to subsection (a) of this section may:

(1) To the extent consistent with soil types, terrain and water, sewer and traffic infrastructure capacity for the community, provide for or require cluster development, as defined in section [8-18](#);

(2) Be made with reasonable consideration for the protection of historic factors;

(3) Require or promote (A) energy-efficient patterns of development; (B) the use of distributed generation or freestanding solar, wind and other renewable forms of energy; (C) combined heat and power; and (D) energy conservation;

(4) Provide for incentives for developers who use (A) solar and other renewable forms of energy; (B) combined heat and power; (C) water conservation, including demand offsets; and (D) energy conservation techniques, including, but not limited to, cluster development, higher density development and performance standards for roads, sidewalks and underground facilities in the subdivision;

(5) Provide for a municipal system for the creation of development rights and the permanent transfer of such development rights, which may include a system for the variance of density limits in connection with any such transfer;

(6) Provide for notice requirements in addition to those required by this chapter;

(7) Provide for conditions on operations to collect spring water or well water, as defined in section [21a-150](#), including the time, place and manner of such operations;

(8) Provide for floating zones, overlay zones and planned development districts;

(9) Require estimates of vehicle miles traveled and vehicle trips generated in lieu of, or in addition to, level of service traffic calculations to assess (A) the anticipated traffic impact of proposed developments; and (B) potential mitigation strategies such as reducing the amount of required parking for a development or requiring public sidewalks, crosswalks, bicycle paths, bicycle racks or bus shelters, including off-site; and

(10) In any municipality where a traprock ridge or an amphibolite ridge is located, (A) provide for development restrictions in ridgeline setback areas; and (B) restrict quarrying and clear cutting, except that the following operations and uses shall be permitted in ridgeline setback areas, as of right: (i) Emergency work necessary to protect life and property; (ii) any nonconforming uses that were in existence and that were approved on or before the effective date of regulations adopted pursuant to this section; and (iii) selective timbering, grazing of domesticated animals and passive recreation.

(d) Zoning regulations adopted pursuant to subsection (a) of this section shall not:

(1) Prohibit the operation of any family child care home or group child care home in a residential zone;

(2) (A) Prohibit the use of receptacles for the storage of items designated for recycling in accordance with section [22a-241b](#) or require that such receptacles comply with provisions for bulk or lot area, or similar provisions, except provisions for side yards, rear yards and front yards; or (B) unreasonably restrict access to or the size of such receptacles for businesses, given the nature of the business and the volume of items designated for recycling in accordance with section [22a-241b](#), that such business produces in its normal course of business, provided nothing in this section shall be construed to prohibit such regulations from requiring the screening or buffering of such receptacles for aesthetic reasons;

(3) Impose conditions and requirements on manufactured homes, including mobile manufactured homes, having as their narrowest dimension twenty-two feet or more and built in accordance with federal manufactured home construction and safety standards or on lots containing such manufactured homes, including mobile manufactured home parks, if those conditions and requirements are substantially different from conditions and requirements imposed on (A) single-family dwellings; (B) lots containing single-family dwellings; or (C) multifamily dwellings, lots containing multifamily dwellings, cluster developments or planned unit developments;

(4) (A) Prohibit the continuance of any nonconforming use, building or structure existing at the time of the adoption of such regulations; (B) require a special permit or special exception for any such continuance;

(C) provide for the termination of any nonconforming use solely as a result of nonuse for a specified period of time without regard to the intent of the property owner to maintain that use; or (D) terminate or deem abandoned a nonconforming use, building or structure unless the property owner of such use, building or structure voluntarily discontinues such use, building or structure and such discontinuance is accompanied by an intent to not reestablish such use, building or structure. The demolition or deconstruction of a nonconforming use, building or structure shall not by itself be evidence of such property owner's intent to not reestablish such use, building or structure;

(5) Prohibit the installation, in accordance with the provisions of section [8-1bb](#), of temporary health care structures for use by mentally or physically impaired persons if such structures comply with the provisions of said section, unless the municipality opts out in accordance with the provisions of subsection (j) of said section;

(6) Prohibit the operation in a residential zone of any cottage food operation, as defined in section [21a-62b](#);

(7) Establish for any dwelling unit a minimum floor area that is greater than the minimum floor area set forth in the applicable building, housing or other code;

(8) Place a fixed numerical or percentage cap on the number of dwelling units that constitute multifamily housing over four units, middle housing or mixed-use development that may be permitted in the municipality;

(9) Require more than one parking space for each studio or one-bedroom dwelling unit or more than two parking spaces for each dwelling unit with two or more bedrooms, unless the municipality opts out in accordance with the provisions of section [8-2p](#); or

(10) Be applied to deny any land use application, including for any site plan approval, special permit, special exception or other zoning approval, on the basis of (A) a district's character, unless such character is expressly articulated in such regulations by clear and explicit physical standards for site work and structures, or (B) the immutable characteristics, source of income or income level of any applicant or end user, other than age or disability whenever age-restricted or disability-restricted housing may be permitted.

(e) Any city, town or borough which adopts the provisions of this chapter may, by vote of its legislative body, exempt municipal property from the regulations prescribed by the zoning commission of such city, town or borough, but unless it is so voted, municipal property shall be subject to such regulations.

(f) Any advertising sign or billboard that is not equipped with the ability to calibrate brightness or illumination shall be exempt from any municipal ordinance or regulation regulating such brightness or illumination that is adopted by a city, town or borough, pursuant to subsection (a) of this section, after the date of installation of such advertising sign or billboard.

Dated: February 12, 2024

AMEND Section 1 – General Provisions of the Stamford Zoning Regulations as follows:

## SECTION 1 – GENERAL PROVISIONS

### SECTION 1.A. PURPOSE

1. The purpose of ~~this~~ these Zoning ~~Code~~ Regulations is to encourage the most appropriate use of land in accordance with the City’s Master or Comprehensive Plan and Section 8-2 of the Connecticut General Statutes. The goals of these Regulations are to:
  - a. regulate (i) the height, number of stories and size of Buildings and other Structures; (ii) the percentage of the area of the Lot that may be occupied; (iii) the size of yards, courts and other open spaces; (iv) the density of population and the location and use of Buildings, Structures and land for trade, industry, residence or any other purposes; and (v) the height, size, location, brightness and illumination of advertising signs and billboards;
  - ~~a. conserve and stabilize the value of property;~~
  - ~~b. provide adequate open spaces for Light and Air;~~
  - ~~c. to prevent secure safety from fire, panic, flood and other dangers including climate change; and fight fires; to prevent undue concentration of population;~~
  - ~~d. to lessen congestion on Streets and support all modes of transportation;~~
  - ~~e. to facilitate the adequate provisions for community utilities and facilities such as transportation, water, sewerage, schools, parks and other public requirements;~~
  - ~~f. to promote health, safety and the general welfare;~~
  - g. consider the impact of permitted land uses on contiguous municipalities and on the planning region;
  - h. protect the City’s historic, tribal, cultural and environmental resources;
  - i. address significant disparities in housing needs and equal access to educational, occupational and other opportunities;
  - j. promote efficient review of proposals and applications;
  - k. require or promote energy-efficient patterns of development and energy conservation; and
  - l. affirmatively further the purposes of the federal Fair Housing Act.
2. Guiding principles of these Regulations shall be:
  - a. the consideration of physical site characteristics and its peculiar suitability for particular uses and with a view to encouraging the most appropriate use of land throughout a municipality;
  - b. the development of housing opportunities, including opportunities for multifamily dwellings, to promote housing choice and economic diversity in housing, including for low and moderate income households;
  - c. the consideration for the impact of such regulations on agriculture;

- d. the proper provision for drainage, soil erosion, and sediment control;
- e. the protection of existing and potential public surface and ground drinking water supplies;
- f. the restoration and protection of the natural environment including the ecosystem and habitat of Long Island Sound; and
- g. promotion of sustainable development practices.

~~;~~ and to that end to designate, regulate and restrict the location and use of *Buildings, Structures* and land for agriculture, residence, commerce, trade, industry or other purposes; to regulate and limit the height, number of *Stories* and size of *Buildings* and other *Structures* hereafter erected or altered; to regulate and determine the size of *Yards* and other open spaces; and to regulate and limit the density of population; and for said purposes to divide the city into zoning districts of such number, shape and area as may be deemed best suited to carry out these Regulations and provide for their enforcement, all in accordance with Chapter 29 of the 1947 Supplement to the General Statutes as amended and supplemented and other applicable Special Acts of the General Assembly.

3. ~~This code and t~~ These Regulations are further authorized, promulgated and adopted under Special Act No. 312 of the General Assembly being the Stamford Charter consolidating the Town and City of Stamford, Connecticut, as amended by Special Act No. 440 adopted by the 1951 Session of the General Assembly, as further amended by Special Act 619 adopted by the 1953 Session of the General Assembly, and as further amended by Special Act No. 10 adopted by the 1955 Special Session of the General Assembly.