

**PROPOSED TEXT AMENDMENT**  
**TRANSPORTATION CENTER DESIGN DISTRICT**  
**DATED – AUGUST 20, 2021**

**AMEND Section 9.F. TCD-D Transportation Center Design District as follows:**

**9.F. TCD-D TRANSPORTATION CENTER DESIGN DISTRICT**

**9.F.1. Purpose**

The Transportation Center Design District (TCD-D) is intended to encourage high-density mixed-use development, provision of amenities for commuters, residents and employees, connectivity between Downtown and the South End and excellence in sustainable urban design in the vicinity of the Stamford Transportation Center (STC). ~~Application of the TCD District will be considered where a proposal meets all of the objectives and criteria set forth below, and where the excellence of the proposed uses, architectural design, public amenities, and pedestrian-oriented spaces are in the opinion of the Zoning Board clearly superior to a project conforming to the standards of the underlying zoning.~~

**9.F.2. Objectives Zoning Tract**

The Zoning Board may designate a property or contiguous properties one acre or larger within Master Plan Categories 11 (Downtown) or 16 (Special Transit Oriented Development Area) as a TCD District. A parcel or parcels less than one acre located within Master Plan Categories 11 or 16 may only be designated a TCD District if abutting an already existing TCD District.

~~The Zoning Board may designate a site as a TCD District provided that the proposed site and urban design plans for the development fully achieve all of the following objectives:~~

~~Except as provided in Subsection 5.a below, an integrated mixed-use development containing three or more principal uses, one of which must be housing and one of which must be retail (including but not limited to service-oriented or transportation-related businesses), which serves the District and the surrounding neighborhood. (219-01)~~

~~b. Consistency with the Stamford Master Plan ensuring a compatible and functional relationship to the Downtown, the Stamford Transportation Center and adjacent residential neighborhoods.~~

~~c. Site features, uses, public amenities and aesthetic characteristics that encourage public pedestrian activity, vitality, convenience and safety in and around the STC.~~

~~d. A coherent plan that provides both a physical and functional integration of the site components to each other, to the STC and the balance of the Downtown, and urban design features that will~~

~~assure an appropriate transition of uses, building heights, architectural massing and spatial relationships respecting adjacent neighborhoods.~~

~~e. The TCD site shall be served by streets, municipal services and public utilities of adequate capacity to service the requirements of the site. Where infrastructure capacity is judged not to be adequate, the Board may accept a binding agreement insuring that suitable improvements are scheduled to occur or will be performed by the applicant in a timely manner. No building permit shall be issued until such an agreement has been accepted by the Zoning Board.~~

### **3. Minimum Area.**

~~To be eligible for designation as a TCD District, a site shall contain a minimum of one and one-half acres (65,340 square feet) of property and shall be located within the area bounded as follows: Commencing at the Mill River and proceeding easterly along Pulaski Street to Washington Boulevard, northerly to Henry Street, easterly to Atlantic Street, northerly to a point 500 feet north of the intersection of Henry Street and Atlantic Street, easterly to Pacific Street, northerly to the center of Jefferson Street (aka Stamford Urban Transitway), westerly to Atlantic Street, northerly to Federal Street, westerly to Guernsey Street, northerly to the end of Guernsey Street, thence westerly in a line parallel with Tresser Boulevard to Washington Boulevard, southerly to Richmond Hill, westerly to the Mill River, southerly to the point of beginning. Notwithstanding the above, a TCD District Site may be separated by a street, so long as the street right-of-way width does not exceed fifty (50) feet, not less than 43,560 square feet (1 acre) of land exists on one side of such street, not less than 25,000 square feet of land exists on the opposite side of such street, and a portion of the frontage of each parcel is directly opposite from that of the other parcel. (210-14, 215-40)~~

### **9.F.3. Permitted Uses**

~~All uses permitted in the C-G District, all restaurant uses, all amusement, entertainment and cultural uses, and colleges and dormitory uses shall be eligible for approval within the TCD District. With respect to the sale of alcoholic beverages at an establishment satisfying the definition of "Restaurant, Standard," Number 85 of these Regulations, a TCD District shall be governed by the same standards as a site within Master Plan Category 10 or Category 11.~~

In any TCD District, a *Building* or other *Structure* may be erected, altered, arranged, designed or used, and a *Lot* may be used for any of the following uses:

- Agencies, Real Estate, Insurance, Employment
- Ambulance Facility, Non-Profit
- Apartment – Garden Type
- Apartment Building for Supportive Housing

- Apartment Building for the Elderly (Private, Municipally-owned, or Non-Profit)
- Apartment Hotel
- Apartment Hotel for the Elderly
- Apartment House
- Art and Antique Shops
- Auto Rental Service Facility
- Auto Service Station
- Bakeries, Retail
- Bank and Financial Institutions
- Barber and Beauty Shops
- Book Store
- Boutique Fitness Studio
- Café, excludes Entertainment but includes Liquor
- Café, includes Entertainment and Liquors
- Camera Shop
- Child Day Care Center
- Christmas Trees, Temporary Sale
- Clinics
- Clinic, Community Health Center
- Colleges and Universities
- Commercial Apartment Building
- Community Center
- Confectionary Store
- Copy and Communication Center
- Day Care Facility
- Day Spa
- Drug Store
- Dwelling Multiple
- Dwelling - Group or Town Houses
- Family Day Care Home
- Fire Station, Volunteer
- Florist Shop
- Food Processing, Retail on Premises
- Food Shops, Retail
- Garages, Public
- Garages, Private
- Gift Shop
- Group Day Care Home

- Gymnasium or Physical Culture Establishment
- Historic Site
- Home Occupation
- Hotel, Inn (excluding a convention center/banquet facility as an accessory use)
- Hotel or Inn, Extended Stay
- House of Worship
- Ice Dispensing Service, Retail
- Jewelry Store, Repairs
- Laboratories, Research
- Laundry and Dry Cleaning Establishment, Retail
- Medical Marijuana Dispensary
- Music Store
- Museum
- Newsstand, Variety Store
- Nursing Home
- Offices, Business and Professional
- Optician, Repairs
- Package Liquor Store
- Personal Wireless Communication, Retail
- Personal Wireless Service Facility
- Pet Store and Pet Daycare
- Professional Office – Medical
- Professional Office – Principal Use
- Professional Pharmacy
- Photographic Studio
- Public and Charitable Agencies
- Public Library or any Branch thereof
- Public Utility Building
- Public Utility Transformer and Pump Station
- Residential Recreational Area
- Restaurant, Carry Out
- Restaurant, excludes Entertainment but includes Liquor
- Restaurant, Fast Food
- Restaurant, includes Entertainment and Liquors
- Restaurant, Standard
- School, Non-Public
- School, Public
- School, Vocational and Secretarial

- Senior Housing and Nursing Home Facility Complex (without any limitation as to minimum parcel size)
- Shoe Repair Shop
- Social Hall
- Sporting Goods Store, Retail
- Stationary Store
- Surgery Center / Out Patient
- Tailor Shop
- Tavern
- Veterinary Office

#### 9.F.4. Standards

The following standards shall apply to all *Buildings* and *Structures* within the TCD District

	<b><u>Zoning Lots less than one acre</u></b>	<b><u>Zoning Lots one acre and more</u></b>
a. <u>Minimum Lot size</u>	<u>none</u>	<u>43,560 sf</u>
b. <u>Minimum Lot Frontage</u>	<u>40 ft</u>	<u>100 ft</u>
c. <u>Density</u>		
<u>FAR Commercial only</u>	<u>3.0</u>	<u>6.0</u>
<u>FAR Residential and Mixed-Use</u>	<u>4.0 (Premium FAR 0.75)</u>	<u>7.5 (Premium FAR 1.5)</u>
<u>Residential Density Divider<sup>1)</sup> / market rate</u>	<u>700 sf</u>	<u>800 sf</u>
<u>Residential Density Divider / affordable housing, housing for the Elderly<sup>1)</sup></u>	<u>550 sf</u>	<u>550 sf</u>
d. <u>Building Coverage</u>	<u>70% (80% Corner Lots) 50% above a height of the lesser of 8 Stories or 85 feet</u>	<u>80% (90% Corner Lots) 65% above a height of 8 Stories or 85 feet</u>
e. <u>Max. Building Height<sup>2)</sup></u>	<u>Lesser of 15 Stories or 175 feet</u>	<u>Lesser of 15 Stories or 175 feet, Towers permitted pursuant to Subsection 9.F.5.</u>
f. <u>Base Height<sup>2)</sup></u>	<u>Minimum: The greater of 3 Stories or 35 feet; Maximum: The lesser of 10 Stories or 125 feet</u>	<u>Minimum: The greater of 5 Stories or 75 feet; Maximum: The lesser of 12 Stories or 150 feet</u>
g. <u>Street Wall Setback<sup>2)</sup>, above Base, measured from Street Line</u>	<u>10 feet</u>	<u>15 feet</u>
h. <u>Front setback<sup>2)</sup>, measured from Curb Line</u>	<u>Minimum: 10 feet (15 feet on Transit Center Access Streets); Maximum: 20 feet (25 feet on Transit Center Access Streets)</u>	<u>Minimum: 10 feet (15 feet on Transit Center Access Streets); Maximum: 25 feet (30 feet on Transit Center Access Streets)</u>
i. <u>Setbacks from Property Lines<sup>2)</sup></u>	<u>None required within 75 feet of Street Line; if provided at least 15 feet</u>	<u>None required within 75 feet of Street Line; if provided at least 15 feet</u>

	<u>Minimum 15 feet beyond 75 feet of the Street Line</u> <u>(30 feet beyond 75 feet of the Street Line above a height of the lesser of 8 Stories or 85 feet</u>	<u>Minimum 15 feet beyond 75 feet of the Street Line</u> <u>(30 feet beyond 75 feet of the Street Line above a height of the lesser of 8 Stories or 85 feet</u>
<u>j. Pervious Surface<sup>3)</sup></u>	<u>Minimum 10%</u>	<u>Minimum 5%</u>
<u>k. Amenity Space</u>	<u>Minimum 25 sf / Dwelling</u>	<u>Minimum 50 sf / Dwelling</u>

<sup>1)</sup> Applied to Gross Residential Floor Area.

<sup>2)</sup> Any part of a Building exceeding a height of eighty-five (85) feet or eight (8) Stories, whichever is less, shall be setback at least thirty feet (30') from the category boundary when abutting land in Master Plan Categories 1, 2, 3, 4, 6, 7, 8 and 15.

<sup>3)</sup> Pervious pavers and other storm water management techniques, as determined by the City's Environmental Protection Board staff and Engineering Bureau may qualify as suitable alternatives when proposed in conjunction with planted areas.

l. For the purposes of this Section 9.F., the following shall be considered Transit Center Access Streets and Other Streets within the TCD district

**Transit Center Access Streets**

Atlantic Street

Washington Boulevard

Station Place

Dock Street (aka the Urban Transit Way)

**Other Streets**

All other streets within the TCD District

~~The standards for the TCD District shall be as provided in Subsections a. through k. below:~~

~~— Floor Area Ratio (FAR). The combined floor areas of all structures within a TCD development divided by the area of the lot shall not exceed a ratio of three (3.0). Residential floor area shall comprise not less than forty percent (40%) of the combined floor area within a TCD District development. In no instance shall residential density exceed the density permitted in the underlying Master Plan category. Notwithstanding the foregoing, projects with a direct pedestrian connection to the STC platform may be permitted without a residential component, subject to approval by the Zoning Board. The computation of allowable maximum FAR and minimum residential FAR may further exempt the following floor areas, as determined by the Zoning Board: (210-14, 215-40, 219-01)~~

~~(1) Hallways, lobbies and similar common floor areas serving residential structures, not to exceed 0.1 FAR;~~

~~(2) Parking floors for the development below average grade or integrated within the TCD development so as to be appropriately screened from sensitive views from any public street, residential property or public pedestrian way, such parking floors to be (a) enclosed beneath active uses of buildings or the site with no more than 40% of the parking garage roof dedicated to parking and vehicular circulation; (b) covered with a roof that is fully landscaped and improved and accessible as usable open space to the extent feasible and desirable; or (c) covered by a garage deck that achieves a minimum solar reflective index (SRI) of 29 and is served by a rainwater harvesting system that, for the median annual rainfall, achieves a 25% greater reduction in stormwater runoff volume than a typical 5" depth green roof would be able to achieve; (211-31, 219-01)~~

~~(3) Portions of buildings used solely for mechanical, heating, ventilating or air conditioning purposes;~~

~~(4) The floor areas of existing, legally non-conforming improvements, including buildings, landscaping, parking and other uses, incorporated into the TCD District development where permitted by the Zoning Board to facilitate the fullest attainment of the objectives of the TCD District, provided that the area of the original lot that supported such non-conforming uses shall not be included in any calculations of permitted or required FAR within the TCD District; and~~

~~(5) Floors for the parking or loading of motor vehicles provided shall be beneath landscaped areas or roofs or below active uses of buildings, and all walls of any parking floors facing any public street, pedestrian way or sensitive residential view shall, to the satisfaction of the Zoning Board, be treated with landscaping or architectural features;~~

~~(6) Areas principally intended to serve Stamford Transportation Center commuters, including publicly accessible lobbies, food and convenience services, ticket counters, and covered bicycle storage, provided said amenities do not exceed 0.1 FAR;. (210-14) and~~

~~(7) Floor Area, not exceeding 1.0 FAR, devoted to on-site permanently deed-restricted, affordable Below Market Rate housing units affordable to families earning not more than 80% of the Area Median Income. (210-14) (219-01)~~

~~——— Height. Building height shall not exceed two hundred and twenty five feet (225') measured from the lowest pedestrian entrance at grade. Subject to the award of bonus height in accordance with Ssubsection 6.b below, building height may be increased to a maximum of two hundred and seventy five feet (275'). Parapet walls, rooftop penthouses and other architectural features may extend above the maximum building height provided they contribute to the overall architectural character of the building and shall contain only mechanical or other apparatus necessary for the operation of the building. (210-14, 219-01)~~

~~——— Setbacks. Setbacks from streets shall be ten feet (10') except that the Zoning Board may approve a lesser amount to accommodate lobbies or vestibules adjacent to or across from the Transportation Center or where land is deeded to the City for road widening purposes. There shall be no side yards or rear yards required and there shall be no setbacks for buildings from lot lines~~

within the TCD District. The provisions set forth in Article III, Section 7 K shall not apply to the TCD District.

~~Open Space. Open space area shall be not less than five percent (5%) of the total project floor area as calculated for FAR purposes (see Subsection 5.a above), with not less than twenty-five percent (25%) of the minimum requirement to be at the ground level. Open space shall be provided in such character, location and amount as determined by the Zoning Board to meet the needs of project residents, tenants and visitors and to support the public pedestrian objectives of the TCD District. Enclosed plazas, atriums and other significant pedestrian spaces open to the public with a minimum of twenty foot (20') high ceilings may qualify for consideration. Vehicular circulation and parking areas shall not qualify. When a lot is adjacent to the Mill River, there shall be a contiguous corridor of public open space along the entire river frontage. This public open space shall be not less than fifty feet (50') wide, in the form of dedication of land or a public access easement recorded on the land records, improved for passive or active recreational uses including, but not limited to, planting, landscaping, walkways and sitting areas, and shall be maintained by the owner. Open space within the Lot Area is not required to be redesignated TCD District but shall be included in the calculation of Lot Area for purposes of satisfying building and site design requirements. (219-01)~~

~~e. Coverage. The Building Coverage of all buildings shall not exceed 90% on corner lots or 80% on exterior lots. (219-01)~~

### **9.F.5. Tower Regulations**

On lots one acre and larger, *Buildings* and portions of *Buildings* may exceed the maximum *Building Height* (“Towers”) established under Subsection 9.F.4.e. above, provided that the following requirements are met:

- a. The parcel has at least one frontage on a Transit Center Access Street, and the Tower is located within 500 feet of such Street, measured perpendicularly from the *Street Line*.
- b. The minimum distance between *Buildings* and portions of *Buildings* exceeding the maximum *Building Height* shall be no less in horizontal distance than 60 feet, unless they are separated by a public street.
- c. *Buildings* or portions of *Buildings* exceeding the maximum *Building Height* shall be setback at least thirty (30) feet from any interior property line.
- d. *Buildings* or portions of *Buildings* exceeding the maximum *Building Height* shall not cover more than 30% of the Zoning Lot they are located on.
- e. All *Buildings* or portions of *Buildings* exceeding the maximum *Building Height* shall fit within a square measuring 200' by 200' below a height of 275 feet, and within a square measuring 175' by 175' for a height of 275 feet or more.



## 9.F.6. Parking

a. Parking shall be provided pursuant to Section 12 of these Regulations.

b. In addition to the Regulations in Section 12, the following standards shall apply:

~~There shall be a minimum residential off street parking requirement of 1.25 spaces for each residential unit with two bedrooms or more and 1 space for each residential unit with one bedroom or less. Parking for office use shall not be more than 2.5 spaces per one thousand (1,000) gross square feet, but may not be less than 2.0 spaces per one thousand (1,000) gross square feet. Parking for retail use shall not be required, except that the standards of Section 12-D shall apply to retail floor area exceeding five percent (5%) of total project floor area. Parking standards for all other uses will be determined by the Zoning Board, using the standards of Section 12-D as a guide. The potential for shared use of parking on site shall constitute an additional standard for further reduction of required parking, subject to demonstration that there will be adequate parking available for all uses and Zoning Board approval. (210-01, 212-25)~~

(1) **Transportation Demand Management Plan required.** A effective Transportation Demand Management Plan (TMP) pursuant to Section 19.G. is required for developments on zoning lots 20,000 sf or more to effectively reduce the demand for parking spaces by at least twenty percent (20%) and promote alternative means of transportation including, but not limited to, biking, walking, mass transit, carpooling, or car share. Shared Parking pursuant to Section 12.I., may be used to meet this requirement., etc. ~~By the time of submission of a Site and Architectural Plan application and subject to review and approval by the Transportation, Traffic and Parking Bureau and the Zoning Board, Applicants shall submit details of the techniques to be used which are designed to achieve at least twenty percent (20%) of employees or residents commuting to work by means other than a single occupied car. The building manager or tenant shall report annually by January 15 in writing to the Zoning Board on parking usage and mode split of commuters. Should fewer than 20% of the building occupants use means of transportation other than a single occupied car, the building manager or tenant shall by March 31st of such year submit proposals for increasing that share to the Transportation, Traffic and Parking Bureau and Land Use Bureau for comments. The Transportation, Traffic and Parking Bureau Chief, or a designee, will advise the Zoning Board on the adequacy of the techniques proposed to reduce parking demand and shall suggest additional methods to be employed. (219-01)~~

(2) **Stamford Transportation Center and Other Non-Occupant Parking.** In addition to the parking requirements of Section 12 Subsection 5.f. above and unless otherwise satisfied by issuance of a *Special Permit* under this Subsection pursuant to the standards and calculations as contained in Section 12.H.4 of these Regulations, Stamford Transportation Center and other “non-occupant parking” shall be provided on-site on Zoning Lots one acre or larger in an amount not less than ten twenty percent (20% 40%) of the minimum number of spaces required

for the proposed non-residential office use, subject to Zoning Board approval. ~~and not more than forty percent (40%) of the maximum number allowed for the proposed office use.~~ The Stamford Transportation Center and other “non-occupant parking” spaces to be provided shall be for the use of the Stamford Transportation Center, Mill River Park visitors and area residents and businesses, all of which shall be included in a Transportation Demand Management Plan and Parking Management Plan pursuant to Sections 19.F. and 19.G. ~~which is subject to approval by the Zoning Board prior to the issuance of a Building Permit.~~ Subject to issuance of a *Special Permit*, the non-occupant parking requirement may be satisfied by a payment pursuant to Section 12.H.3. of these Regulations if the Zoning Board finds that the number of commuter or other non-occupant parking spaces within the TCD District is sufficient. (219-01)

**(3) Parking Requirements for Small Retail Establishments, Cafes, Restaurants and Taverns.**

Establishments with a gross floor area of 2,500 sf or less shall be exempt from the parking requirement established pursuant to Section 12.

**(4) For Buildings on Zoning Lots with 10,000 sf in Area or Less, the Zoning Board may, by Special Permit, reduce or waive the parking requirement if it finds that**

(a) such lot is located fully or partially within one thousand-foot (1,000’) radius of a municipal or publicly accessible *Parking Garage*, as measured between the nearest point of the property and the primary entrance of said *Parking Garage*;

(b) is a *Mixed-Use Development*; and

(c) reduction or waiver of such requirements would not negatively interfere with traffic, on-street or off-street parking. on or in the vicinity of such lot.

**9.F.7. Signage**

All Signage shall comply with the standards of Subsections 7.6.D.1-8 and 13.

~~Signage shall be governed by the standards of the C-G District except that the total area of signage allowed may be reallocated to any wall of the building or buildings, as approved by the Zoning Board at the time of designation as a TCDD, or administratively by the Zoning Board thereafter. A wall sign may be mounted above the established roof line on a parapet façade so long as said sign does not extend above the parapet façade. (210-14, 217-48)~~

**9.F.8. Below Market Rate Housing Requirement**

a. Below Market Rate Housing shall be provided pursuant to Section 7.4 of these Regulations.

~~All TCD District developments shall provide Below Market Rate (BMR) units in an amount not less than twelve percent (12%) of the total number of dwelling units contained within the development. Required Below Market Rate units shall be affordable to households earning not more than fifty percent (50%) of the Stamford SMSA Median income and shall be provided in~~

accordance with the standards, definitions and procedures contained within Article III, Section 7.4 of these Regulations. The BMR requirement may be satisfied with any of the options provided in Article III, Section 7.4 of these Regulations, and shall not require the separate issuance of a Special Exception if approved at the time of site plan approval. Where residential development is proposed in phases, the Zoning Board may require all BMR units be provided in the first phase of development, not to exceed 25% of the total units proposed in said phase.

b. For proposed developments without residential *Floor Area* in the TCD District, BMR units shall be provided by way of off-site construction of BMR units and/or a fee-in-lieu payment, in accordance with the standards, definitions and procedures contained within ~~Article III~~, Section 7.4.C.4.c and Section 7.4.C.4.d of these Regulations, pursuant to the following formula:

$$((\text{Gross SF of all Buildings} \times 15\%) / 1,000 \text{ SF}) \times 12\% \quad (210-14, 219-01)$$

**9.F.9. Site and Architectural Design**

a. Design Requirements for Transit Center Access Streets, and other Streets within the TCD-D

	<u>Transit Center Access Streets</u>	<u>Other Streets within the TCD-D</u>
<u>Ground floor Residences</u>	<u>Not permitted</u>	<u>Permitted</u>
<u>Non-residential ground floor uses, including residential amenity space</u>	<u>Required</u>	<u>Permitted</u>
<u>Screening of parking in buildings, ground floor</u>	<u>Must be fully wrapped</u>	<u>Must be fully screened</u>
<u>Screening of parking in buildings above the ground floor</u>	<u>Must be fully wrapped</u>	<u>Must be fully screened</u>
<u>Parking permitted in side yard</u>	<u>No</u>	<u>Yes</u>
<u>Access to Parking Facilities</u>	<u>Permitted only if no other Streets provide access to the property</u>	<u>Permitted</u>
<u>Access to Loading Spaces and other curb cuts</u>	<u>Permitted only if no other Streets provide access to the property</u>	<u>Permitted</u>

b. **Landscaping.** All areas of the site not devoted to *Buildings, Structures* or other designed uses shall be suitably landscaped to the satisfaction of the Zoning Board. Landscaping shall be designed, provided and permanently maintained consistently with the design and visual quality criteria of adjacent uses and neighborhoods. Use of native plants and plants requiring little or no irrigation is strongly encouraged.

- c. **Exterior Lighting.** All exterior lighting shall meet the requirements of the City of Stamford Code.
- d. **Fencing.** Chain link fencing shall not be permitted. Fencing materials along public streets and other public right-of-ways shall be limited to tubular steel or wrought-iron-type milled steel pickets. Fencing along the side or rear yards or within a lot may be wood, steel pickets or any other fence types approved by the Zoning Board.
- e. **Contextuality.** The architectural design of new *Buildings* or *Structures*, or substantial reconstruction or renovation projects, shall be coordinated and compatible with the architectural context of the site and prevailing character of the surrounding areas. Design compatibility includes complementary building style, form, size, colors and materials. Multiple buildings on the same site shall be designed to create a cohesive visual relationship between the *Buildings*. Architectural design shall be subject to approval by the Zoning Board.
- f. **Building Elements.** *Buildings* shall be designed to have a clear base, middle and top.
- g. **Building Height.** Coordination of the height of new *Buildings* or *Structures*, or substantial reconstruction or renovation projects, with the actual and apparent height of adjacent structures is required, especially where buildings will adjoin or be close to each other. Coordination of *Building Height* can often be achieved by adjusting the height of a wall, cornice or parapet line to match that of the adjacent *Building*. Similar design linkages can be achieved to adjust apparent height by placing window lines, belt courses, and other horizontal elements in a pattern that generally reflects the same elements on neighboring *Buildings*.
- h. **Building Volume.** Buildings shall be designed to reduce their perceived height and bulk by incorporating architectural strategies including, but not limited to, dividing the building mass into smaller-scale components and providing articulation of all facades. Architectural strategies which create the appearance of a series of side-by-side buildings or bays are required on longer buildings. Rooflines may be emphasized, for example, with a variety of roof forms, parapets, balustrades, and/or cornices. Where side elevations of buildings are prominently exposed to pedestrian view from public streets, architectural strategies shall be employed to provide articulation of the façade and to diminish perceived height.
- i. **Materials.** On facades visible from the public right-of-way, only high-quality materials shall be used, and the use of vinyl and aluminum siding as well as Exterior Insulation and Finish System (EIFS) or any similar system are prohibited. Changes in façade treatment from lower to upper levels shall occur along a horizontal line, with the visually heavier treatment below the visually lighter treatment. Paneling materials applied to one façade only, such as brick paneling, shall be extended around building corners to a logical break in plane, so as to look substantial rather than “pasted-on.”
- j. **Façades.** Building façades shall 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 shall be broken up into manageable lengths

with sufficient building articulation and architectural features such as reveals and piers and landscaping in limited instances, to avoid a monotonous or overpowering institutional appearance. Large scale retail stores with building frontages exceeding fifty feet (50') shall include architectural details and design elements to create the appearance of multiple storefronts. Building façades and site improvements significantly exposed to public view shall be constructed with high quality, durable exterior materials. This paragraph is not intended to discourage the use of high quality, durable and innovative materials.

**k. Screening of Roof Top Mechanicals.** Rooftop mechanical equipment shall be integrated into the design of the building and set back at least ten feet (10') from all upper-level building façades, and effectively screened from view from street level.

**l. Building Entrances.** The principal building entrance and front building façade shall be prominently located and visible from the street and shall not be oriented toward a parking lot. A building on a corner lot shall have its principal entrance facing the primary street. Where parking is located to the side or rear of a building, or above-ground but below a building, a secondary building entrance may be provided for direct access to the parking area or a walkway should lead to the primary entrance. All entries shall be well lit and shall include architectural treatment that heightens their visibility.

**m. Storefronts.** Storefronts and architectural façades shall serve to enliven the street and provide a continuous “border of interest” by maintaining storefronts and window displays close to the outermost edge of the building façade and by avoiding deep setbacks and dark alcoves. Any portion of the ground floor used for non-residential uses shall have a floor-to-ceiling height of at least twelve feet (12'). Storefront windows shall be kept as large as reasonably possible and glazing shall be of clear vision glass only. Tinted and reflective glass shall not be permitted. Storefront windows shall: (a) have a minimum height of six feet (6') with a window sill of not more than three feet (3') above grade, and (b) occupy seventy-five percent (75%) or more of the building frontage on the street on the ground floor between the heights of three feet (3') and ten feet (10'). Primary store entrances shall open to the street except if not possible. Where storefronts do not open to the street, building façades should be highly articulated with projections, recessions, windows, and other design elements to enliven the street and provide a continuous “border of interest”.

**n. Security Systems.** Preferred security systems are glass shock, breaker sensors or electronic alarms. Open grill gates when used shall be mounted within the store interior behind the window display with the gate housing hidden from view. Solid slat rolling gates or shutters, barbed wire and razor wire are prohibited.

**o. Ground Floor Residences on Non-Transit Center Access Streets.** Ground floor Dwelling Units shall be permitted on Non-Transit Center Access Street. Privacy measures shall be employed for ground floor Dwelling Units along public sidewalks including, but not limited to, elevating the finished first floor a minimum of 24 inches above curb level, installing reverse shades, introducing landscaped private terraces or implementing other screening

measures. There shall be at least a five foot (5') wide planting strip between the sidewalk and ground floor dwelling.

**p. Ground Floors on Transit Center Access Streets.** No Dwelling Units shall be permitted on ground floors on Transit Center Access Streets. Residential amenity space, however, may be permitted. All Buildings or portions thereof fronting on a Transit Center Access Street must meet the requirements of Subsection 9.F.10.m. "Storefronts". At least 70% of the street frontage shall be occupied by active uses including residential amenity space. When a site is located on both a Transit Center Access Street and a non-Transit Center Access Street, all vehicular access for parking, loading and other "back of house" operations shall be located on the non-Transit Center Access Street unless deemed infeasible by the Zoning Board.

### **9.F.11. Sustainability**

All buildings shall achieve a rating of at least 65% on the City of Stamford Sustainability Scorecard.

### **9.F.12. Publicly Accessible Amenity Space Requirement**

a. On Zoning Lots one acre or larger, at least five percent (5%) of the lot area shall be provided as a Publicly Accessible Amenity Space. Those portions of the public sidewalk located on Applicant's property shall count towards this requirement, pursuant to the design requirements in Section 6 of these Regulations.

b. Applicant may request, per Special Permit from the Zoning Board, to buy-out fully or in part from this requirement under the following conditions:

(1) The Zoning Board finds that site constraints limit the provision of high-quality Publicly Accessible Amenity Space; or

(2) The Zoning Board finds that the fee-in-lieu would serve to provide better streetscape and public amenities if deployed elsewhere in the public realm within the TCD District.

c. Such fee in-lieu payment shall be calculated as follows:

$$\text{Sf for which a buy-out is sought} * \$300.00 = \text{buy-out amount}$$

The buy-out amount shall be adjusted annually (and be effective January 1<sup>st</sup> of that year) by the Consumer Price Index, as calculated by the U.S. Bureau of Labor Statistics for the Northeast Region, starting in 2021.

d. The full buy-out amount shall be paid into a City of Stamford account dedicated to such streetscape improvements in the TCD District as designated by the Director of Operations or designee prior to issuance of a building permit.

### **9.F.13. Bonus for Publicly Accessible Amenity Space**

If an applicant provides more amenity space than required pursuant to Subsection 9.F.12. above, Bonus Floor Area, in addition to the Floor Area Ratios specified in Subsection 9.F.4.c. above, may be awarded at the following rates:

a. Publicly Accessible Amenity Space (PAAS) consisting of open space at ground level, pursuant to the standards of Section 6:

(1) Lots less than 20,000 sf in area: 2 sf Bonus Floor Area for every 1 sf of PAAS up to 2,000sf of Bonus Floor Area;

(2) Lots at least 20,000 sf in area but less than one acre: 2 sf Bonus Floor Area for every 1 sf of PAAS, up to 4,000sf of Bonus Floor Area; or

(3) Lots one acre or larger: 2 sf Bonus Floor Area for every 1 sf of PAAS, up to 10,000sf of Bonus Floor Area.

b. Publicly Accessible Amenity Space consisting of Community Space, pursuant to the standards of Section 6:

(1) Lots less than 20,000sf in area: 4 sf Bonus Floor Area for every 1 sf of Community Space, up to 2,000 sf of Bonus Floor Area;

(2) Lots at least 20,000sf in area but less than one acre: 4 sf Bonus Floor Area for every 1 sf of Community Space, up to 4,000 sf of Bonus Floor Area; or

(3) Lots one acre or larger: 4 sf Bonus Floor Area for every 1 sf of Community Space, up to 20,000sf of Bonus Floor Area.

c. Publicly Accessible Amenity Space consisting of commuter facility space.

(1) Lots less than 20,000sf in area: 5 sf Bonus Floor Area for every 1 sf of commuter facility space, up to 5,000 sf of Bonus Floor Area;

(2) Lots at least 20,000sf in area but less than one acre: 5 sf Bonus Floor Area for every 1 sf of commuter facility space, up to 10,000 sf of Bonus Floor Area; or

(3) Lots one acre or larger: 5 sf Bonus Floor Area for every 1 sf of commuter facility space, up to 25,000sf of Bonus Floor Area.

Qualifying commuter facility space includes direct pedestrian connections to train platforms or the Transportation Center, public parking areas and areas for bus and shuttle operations, retail space serving commuters, lobby or circulation space.

### **9.F.14. Application and Review Procedure**

a. Phased Development or phased Redevelopment on Zoning Lots 20,000sf and larger: For phased Development (including infill) or phased Redevelopment on Zoning Lots 20,000 sf and larger,

General Development Plan and Final Site and Architectural Plan review and approval pursuant to Sections 19.H. and 19.D., respectively, shall be required.

b. Non-phased Development or non-phased Redevelopment on Zoning Lots 20,000sf and larger: : For all Development (including infill) or Redevelopment on Zoning Lots 20,000 sf and larger, Final Site and Architectural Plan review and approval pursuant to Section 19.D shall be required.

c. Development or Redevelopment on Zoning Lots less than 20,000sf: On Zoning Lots less than 20,000sf the Zoning Board shall review and determine compliance with the standards of the TCD District by issuance of administrative Site Plan approval pursuant to Section 19.D., for all new construction, alterations, expansion and rehabilitation..

d. Pursuant to Special Permit approval, the Zoning Board may modify the requirements of the following subsections of this Section, based on the findings of Section 19.C. and the following additional findings:

(1) Subsection 9.F.4.f. (Base Height)

The Zoning Board may modify the Base Height of a Building if such modification allows for better alignment with existing Buildings and Structures, or for design features that improve the overall quality of the Building.

(2) Subsection 9.F.4.g. (Street Wall Setback)

The Zoning Board may modify the Building Street Wall setback from the Base Height if such modification allows for better alignment with existing Buildings and Structures, or for design features that improve the overall quality of the Building.

(3) Subsection 9.F.4.h. (Front Setback)

The Zoning Board may modify the front setback if it finds that such modification:

(a) allows for better alignment with existing Buildings and Structures, or for design features that improve the overall quality of the Building;

(b) allows for landscaped exterior courts or other Publicly Accessible Amenity Space features that enhance the streetscape;

(c) allows for drives or access to required off-street parking or pick-up and drop-off for building residents or their guests; or

(d) allows for the more rational development of the site because of site-specific conditions and constraints.

(4) Subsection 9.F.4.i. (Setback from interior property lines)

The Zoning Board may reduce the Setbacks from interior property lines beyond 75 feet of the Street Line for a shared property line for Buildings or portions of Buildings not



exceeding one *Story* or 20 feet, whichever is less, if it makes all the following additional findings:

- (a) The adjoining property is located in Master Plan Categories 5, 9, 11 or 16;
- (b) The proposed Setback from the *Interior Lot Line* does not infringe on *Light and Air* requirements of any *Building* on adjacent properties; and
- (c) The ground floor is used exclusively for non-residential uses (including residential amenity space).

(5) Subsection 9.F.4.k. (Pervious Surface)

The Zoning Board may modify or waive pervious surface requirements if soil conditions, such as bedrock or contamination, make the provision of such pervious areas infeasible.

(6) Subsection 9.F.5.e. (Tower Geometry)

The Zoning Board may modify the shape of footprint of a *Building* or portion of a *Building* exceeding the maximum *Building Height*; provided that the proposed design is superior to an as-of-right design and that all other requirements of Subsection 9.F.5. are met.

e. **Exemptions.** The following projects and activities shall be exempt from Zoning Board review and approval under this Section, as determined by the Land Use Bureau Chief, or designee:

- (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) Minor 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;  
or
- (3) Interior modifications with no or insignificant increase in *Floor Area*..

~~k. Existing Development. The floor areas of existing legally non-conforming improvements, including buildings, landscaping, parking and other uses, may be incorporated into the TCD District development where permitted by the Zoning Board to facilitate the fullest attainment of the objectives of the TCD District. The area of the original lot supporting such non-conforming uses shall not be included in any calculations of permitted or required FAR within the TCD District. Existing, legally non-conforming improvements or lots may be modified in connection with the TCD development to achieve superior design, but shall not be expanded or extended. Any such modification shall not be deemed to render the improvements or lots more non-conforming.~~

## **8. Site Design Criteria**

~~To fulfill the purposes of these regulations, all TCD District development shall satisfy the following "Mandatory Site Design Criteria" and may request approval of additional "Bonusable Design Criteria" as set forth below: (210-14)~~

~~a. Mandatory Site Design Criteria. All TCD District development shall provide the following on-site and off-site improvements:~~

~~(1) Pedestrian Oriented Frontage. All TCD District developments shall provide Pedestrian Oriented Frontage which is defined as uses of buildings and/or design features that encourage pedestrian interaction at the street level. These include but are not limited to: retail and commercial shops, space designed to be adaptable to retail uses, and service businesses; establishments dealing directly with the general public; visually interesting features such as public art or building lobbies; display cases; accessible plazas; or similar landscaped open spaces for public use and congregation.~~

~~(2) Neighborhood Improvements. All TCD District developments shall provide off site improvements or contributions designed to enhance and upgrade the Transportation Center and surrounding vicinity, which may include (1) streetscape improvements (such as off site sidewalk, lighting, landscaping or other improvements serving to enhance the public streetscape), (2) infrastructure improvements (such as off site sewer, traffic, or other public infrastructure improvements), (3) neighborhood facilities improvements (such as off-site improvements intended to benefit publicly accessible facilities in and around the Transportation Center) and (4) other improvements (such as cultural, recreational, tenant, resident, and public services).~~

~~(3) Environmentally Sustainable Designs. All buildings in a TCD District development shall provide amenities that constitute elements for certification under the Leadership in Energy and Environmental Design ("LEED") standards established by the United States Green Building Council. All buildings constructed as part of a TCD District development shall be designed and built to qualify as LEED certified Silver with respect to the Core and Shell of the building (as defined by LEED). Prior to the issuance of a Certificate of Occupancy for each building approved herein, applicant's architect shall certify to the Zoning Board that the Core and Shell satisfy all of the requirements for LEED Silver certification, and submit the appropriate points accrued, categories satisfied and such other documentation as may be reasonably be required by Zoning Board staff. Actual LEED certification is not required. (219-01)~~

~~b. Bonus Height and Bonus Design Criteria. The Zoning Board in its sole discretion may award bonus height not to exceed two hundred seventy five feet (275') upon review of the proposed plan and satisfaction of all of the standards set forth below: (219-01)~~

~~(1) parking ratios for commercial office purposes do not exceed 2.35 spaces per 1,000 gross square feet of Floor Area;~~

~~(2) all required below market rate housing units are provided on site;~~

~~(3) All buildings are designed and built to meet a LEED standard for certification for Gold or greater for the building Core and Shell. Prior to the issuance of a Certificate of Occupancy for each new building approved herein, applicant's architect shall certify to the Zoning Board that the Core and Shell of the building satisfies all of the requirements for LEED Gold certification by submitting the appropriate points accrued, categories satisfied and such other documentation as may be reasonably be required by Zoning Board staff. Actual LEED certification is not required; (219-01) and~~

~~(4) The development shall include on site and off site transit oriented development features including pedestrian friendly design, improvements at transportation nodes, and other similar features likely to promote public transit.~~

## **7. Phasing of Development**

~~Notwithstanding anything in these zoning regulations to the contrary, the Zoning Board may, in its sole discretion, approve development in phases. A phase may consist of a single permitted use and/or building, and a Certificate of Occupancy may be issued after completion of each phase. Required Mill River improvements and their time schedule of implementation will be determined by the GDP. (217-48)~~

## **8. Procedure**

~~All applications for designation and development of property within the TCD District shall conform to the review and application procedures of the DWD District (Sect. 9.AAAA-7 and 8) except that all references to water dependent uses and the schedule set forth in Section 7 c.(2) shall not apply. An approved General Development Plan shall remain in effect for five (5) years with the opportunity for two (2) one year extensions at the discretion of the Zoning Board; provided, however, in the case of a multi-phased development where at least one certificate of occupancy is obtained for a principal structure within the initial five (5) years, the Zoning Board, at its discretion, may issue up to five (5) one year extensions of the initial five (5) year timeframe. For a General Development Plan approved prior to July 1, 2011, that has not expired prior to May 9, 2011, the Zoning Board, at its discretion, may issue up to nine (9) one year extensions of the initial five (5) year timeframe. Notwithstanding any other provision of these Regulations, any approved General Development Plan in the TCD District shall remain in effect so long as all building permits have been obtained during the applicable timeframe set forth above, and the Zoning Board, upon timely application, may for good cause shown grant extensions of related Final Site Plan, Special Exception and Coastal Site Plan approvals commensurate with the General Development Plan approval. (211-31, 215-20)~~

~~Applications for reclassification to TCD must include a statement of how the goals, objectives and specific criteria established herein will be satisfied. All proposals, including off-site improvements required by Section 6.a. & and b., shall include provisions to ensure long term continuity and an indication of easements or leases necessary for said improvements. Final plans for improvements required by Section 6.a shall include the location, type, minimum hours of operation or accessibility, exterior informative signage, and other information, as may be necessary or required by the Zoning Board. Improvements required by Section 6.a. &. and b. shall not be abandoned and shall be continuously operated and maintained for a period of not less than twenty five (25) years from the date of issuance of a Certificate of Occupancy. Upon expiration of the twenty five (25) year period, such an improvement may be discontinued subject to Zoning Board approval, which approval shall not be unreasonably withheld. Minor modifications, alterations or changes of use affecting the improvement may be approved by the Director of Planning and Zoning during the term of said improvements.~~

~~9. Performance. The subdivision of parcels or lots within the site redesignated a TCD District to segregate component structures or uses for financing, construction or operating purposes shall be permitted, subject to Zoning Board approval; provided however that notwithstanding such subdivision, it shall be the purpose of the redesignation to TCD District that all components be constructed as part of a master plan for the development. No Certificate of Occupancy shall be issued unless easements or land dedication for all public access and open space improvements have been granted and recorded on the Land Records and the BMR requirement has been satisfied. (90-004; 207-10, 210-14)~~

**ADD “Development Rights”, “Originating Site”, “Receiving Site”, “Transfer of Development Rights” and “Transfer of Development Rights Agreement” to Section 3.B. Defined Terms:**

**Development Rights**

When used in the context of *Transfer of Development Rights*, *Development Rights* refers to permitted unused *Density* or *Floor Area*.

**Originating Site**

SEE: *Transfer of Development Rights*

**Receiving Site**

SEE: *Transfer of Development Rights*

**TDR**

SEE: *Transfer of Development Rights*

**Transfer of Development Rights (“TDR”)**

*Transfer of Development Rights* (TDR) is the transfer of permitted unused *Floor Area* or *Density* from one *Lot* (*Originating Site*) to another *Lot* (*Receiving Site*) that is not contiguous to the *Originating Site*. Upon a transfer, the *Originating Site* permanently loses the transferred *Development Rights*.

All of the following requirements shall apply to the *Transfer of Development Rights*:

1. Both the *Originating Site* and *Receiving Site* must be located in any of the following districts:  
CC, R-HD, SRD-S, SRD-N or TCD-D;
2. *Floor Area* or *Density* transferred may only be used for uses permitted on the *Receiving Site*;
3. Only the following uses on the *Originating Site* may create transferable *Development Rights*
  - a. *Historic Buildings* and *Sites*, but only if the *Historic Building* or *Site* (i) maintains its historic integrity in perpetuity as determined by the *Zoning Board* in consultation with the *Historic Preservation Advisory Commission* (including the filing of an easement or other document on the *Stamford Land Records*), and (ii) is added to the *City of Stamford Cultural Resources Inventory*;
  - b. *Publicly Accessible Amenity Space* meeting the requirements of Section 6 of these Regulations and for which no *Bonus Floor Area* or *Density*, or any other bonus, has been

or will be granted. Each square foot of PAAS may create 1.5 square feet of *Development Rights*;

c. Houses of Worship;

d. Schools, Public and Non-public, Colleges and Universities, or community and cultural facilities; provided that the property is owned and operated by a non-profit organization; and

e. Land used exclusively for permanently deed-restricted *Affordable Housing*.

4. All transferred *Developments Rights* shall generate a BMR requirement as set forth in these Regulations. Such BMR requirement shall be calculated in accordance with the requirements of the *Receiving Site*.

5. Transferred Development Rights shall not generate any *Bonus* or *Premium Floor Area*.

6. The determination of the amount of *Development Rights* which may be transferred shall be based on the *Base Floor Area*.

7. All *Transfers of Development Rights* are subject to *Special Permit* Approval by the Zoning Board, which may approve or disapprove of such transfer in its sole discretion. The Zoning Board may deny approval for any reason including but not limited to:

a. The *Transfer of Development Rights* would allow for *Development* inconsistent with the *Master Plan*.

b. *Development* on the *Receiving Site* would create a significant adverse impact on neighboring properties or neighborhood character as compared to as-of-right *Development*.

8. A notice of transfer shall be recorded on the City of Stamford Land Records for both the *Originating* and *Receiving Sites* specifying: the total *Development Rights* on each Site as if each Site were undeveloped, the amount of *Development Rights* currently being used on each Site, the *Development Rights* transferred to the *Receiving Site* from the *Originating Site*; and the remaining unused *Development Rights* on each Site following the transfer.

9. *Developments* on *Receiving Sites* utilizing transferred *Floor Area* or *Density* shall comply with all the requirements of the underlying Zoning District; provided, however, that the Zoning Board, at its sole discretion, may modify by *Special Permit* the following Zoning requirements of the underlying district where the *Receiving Site* is located for the purpose of permitting the use of the *Development Rights* transferred:

a. Increase the maximum *Building Height* by no more than five (5) *Stories* in *Master Plan Categories* 11 and 16.

b. Increase the maximum *Building Height* by no more than three (3) *Stories* in all other *Master Plan Categories*.

c. Increase *Building* and *Lot Coverage* by up to 25% of the base *Building* or *Lot Coverage* but not to exceed a total *Lot Coverage* of 90% of the *Zoning Lot*.

SEE also *Zoning Lot*

### **Transfer of Development Rights Agreement**

An agreement between the owner of the *Originating Site* and the owner of the *Receiving Site* setting forth the transfer of *Development Rights* between the two properties.

A *Transfer of Development Rights Agreement* must meet all of the following requirements:

1. The *Originating Site* and *Receiving Site* must be in compliance with all requirements governing the *Transfer of Development Rights*.
2. The *Transfer of Development Rights Agreement*: (a) is subject to administrative review and approval by the *Zoning Board*; (b) shall specify the total *Development Rights* on each *Site* as if each *Site* were undeveloped, the amount of *Development Rights* currently being used on each *Site*, the *Development Rights* transferred to the *Receiving Site* from the *Originating Site* pursuant to the *Agreement* and the remaining unused *Development Rights* on each *Site* following the transfer; and (c) must be recorded on the *City of Stamford Land Records* of all affected properties.

The *Transfer of Development Rights Agreement* shall be subject to all existing legal rights, obligations and limitations (e.g., easements).

A *Transfer of Development Rights Agreement* may not be terminated unless *Originating* and *Receiving Sites* are in compliance and conformance with the regulations of the applicable *Zoning District*.

**At the end of the definition for *Zoning Lot*, add:**

SEE also *Transfer of Development Rights*

**AMEND Section 3.B. Definitions – Floor Area, Base, as follows:**

The *Floor Area* of a *Building* without any *Bonus* or *Premium Floor Area*, or *Transferred Development Rights*. (219-26)

**AMEND Section 7.4.D.2 – Off Site Construction of BMR Units as follows:**

### **7.4.D.2. Off-Site Construction of BMR Units**

A *BMR* requirement may be satisfied through the off-site construction or substantial rehabilitation (also known as a “gut rehab”) of market rate ~~BMR Units~~ within the *City of Stamford*, subject to the following standards:

- a. The location, architectural design and siting of such units shall be equivalent to the *Market Rate* units in the development;
- b. the *Building* fulfilling the BMR requirement shall be in the same Neighborhood Statistical Area as, as defined by the Stamford Land Use Bureau, or within 1500’feet of, the *Building* originating the BMR requirement;
- c. Such units shall not displace any existing subsidized or *Market Rate Affordable Housing* units;
- d. Such units shall be generally consistent with or superior to all applicable standards of this section, including but not limited to, affordability levels, unit size, value, quality finishes, amenities, unit mix, parking and size of the market rate units in the development; and
- e. Such units must be provided prior to the issuance of a Certificate of Occupancy for the market-rate units in the Development.

**ADD Definition Transit Center Access Street to Section 3.B., Defined terms**

A *Transit Center Access Street* is as *Street* located within the TCD District leading to the Stamford Transportation Center for which specific zoning criteria apply, as further defined in Section 9.F.4.I. Such Streets are:

- Atlantic Street
- Washington Boulevard
- Station Place
- Dock Street (aka the Urban Transit Way)

“On” or “along” a *Transit Center Access Street* shall mean within 250 feet of such *Street* measured perpendicularly from the *Street Line*, unless determined otherwise by the Zoning Board as part of a Site and Architectural Plan Approval pursuant to Section 19.D. of these Regulations.

**AMEND “Footnotes to Appendix B” as follows:**

**1. Amend Footnote 3.2 as follows:**

<sup>3.2</sup> Apartment Building for the Elderly as defined in Definition 4.2 and Apartment Building for the Elderly - Nonprofit as defined in Section 5.E. Use Regulations ~~Definition 4.4~~ may be erected in a C-G or CC district provided the lot area per Dwelling Unit is not less than 400 square feet. ~~or 300 square feet in the case of such Apartment Building for the Elderly-Nonprofit built on a lot 10,000 square feet or less in the CC-N district. An apartment building in which not less than 10% of the residential units are designed, constructed and set aside as apartments for the elderly and rented on an income-qualified basis may be erected in the CC-N district provided the lot area per dwelling unit is not less than 400 square feet.~~ (92-014; 94-013; 97-030)



**2. Amend Footnote 4 as follows:**

<sup>4</sup> Residential buildings in the CC and C-G Districts, when located within *Master Plan Category 11*, and subject to *Special Permit* approval by the Zoning Board pursuant to Section 7.S of these Regulations, shall have a minimum of 400 square feet of *Lot* area per family Dwelling Unit. BMR units shall be provided pursuant to Section 7.4 of these Regulations. ~~Where proposed development includes ten (10) or more dwelling units, not less than ten percent (10%) of the total number of dwelling units shall be offered for rent or sale as Below Market Rate (BMR) units. Required Below Market Rate units shall be affordable to households earning not more than fifty percent (50%) of the Stamford SMSA Median income and shall be provided in accordance with the standards, definitions and procedures contained within Article III, Section 7.4 of these Regulations.~~ For every BMR unit provided, including BMR units provided voluntarily within developments containing fewer than ten (10) Dwelling Units, a bonus of two additional Dwelling Units exempt from any BMR requirement shall be permitted, provided that as-of-right density shall not be increased by more than forty percent (40%). (81-018; 97-027; 200-27; 203-12, 207-61; 208-18; 213-43, 216-27)

**3. Delete Footnote 7 and replace with “DELETED”**

**AMEND Section 3.B. Definitions Open Space, Usable as follows:**

***Open Space, Usable***

That portion of a *Lot* devoted to outdoor recreational space or greenery, ~~or service space for household activities such as clothes drying which are normally carried on outdoors and which shall be reserved exclusively for building residents.~~ Such required space shall not be encroached upon, including but not limited to, by roadways open to vehicular traffic, off-street *Parking Space* or *Loading* berths. Required *Usable Open Space* shall be unobstructed between the grade level of such space and the sky, except that not more than twenty percent (20%) of the total *Usable Open Space* provided on any *Lot* may be roofed, and in such case not more than fifty percent (50%) of the perimeter of the roof section shall be enclosed, and shall be made structurally safe, adequately surfaced, and protected and suitably maintained by the owner or management. Sidewalks and Publicly Accessible Amenity Space shall not be considered *Usable Open Space*.

**Play Areas for Pre-School Children**. Except for uses restricted to the Elderly, not less than one-half ( $\frac{1}{2}$ ) of required *Usable Open Space* shall be provided for play areas suitable for pre-school children in the R-5 Multiple Family Residence Districts, and not less than one-third ( $\frac{1}{3}$ ) of required *Usable Open Space* shall be provided for play areas suitable for pre-school children in any ~~R-MF~~ other Multiple Family Residence District, Commercial District or Industrial District wherein residential use is permitted, provided further that in the case of co-operative or condominium ownership, such play areas shall be held in corporate ownership by the individual

owners of *Lots*, *Buildings* or *Dwelling Units*, and the developer shall include in the deeds to the separate owners of such *Lots*, *Buildings* or *Dwelling Units* the restrictions that no use or *Structures* shall be permitted on ~~required~~ play areas except those related to recreational use, nor shall such play areas be sold for any other use thereon.

All ~~required~~ play areas shall be properly surfaced, planted and maintained by the owners or management corporation, whichever the case may be, and no use or *Building* shall be permitted on ~~required~~ play areas except those related to recreational use, nor shall ~~required~~ play areas be sold for any other use than for recreation.

~~Said~~ All Usable Open Space shall be contained by fencing, adequate to prevent encroachment for the purpose of parking. Required *Usable Open Space* shall be accessible and available at least to all occupants of the *Dwelling Units* for whom such space is required and intended. (71-012, 99-004)