

SECTION 4 - USE REGULATIONS AND STANDARDS¹⁸

4.A. PERMITTED USES

4.A.1. Uses Permitted in Zoning Districts (223-30)

Permitted uses in the various districts are indicated in the LAND USE SCHEDULE under APPENDIX A and/or the district regulations in Sections 4 and 9 of these Regulations. APPENDIX A and the district regulations also indicate uses that are permitted subject to certain additional provisions, including, but not limited to, *Special Permits* or size restrictions.

In case of a conflict between the district regulations and APPENDIX A, the district regulations shall prevail.

4.A.2. Uses Operating Without Licenses (223-30)

Uses requiring State or other licenses or approvals (in addition to approvals required under these Regulations) shall be considered Non-Permitted Uses if they are operating without such licenses or approvals. Uses operating without licenses or approvals shall be considered a zoning violation, and any Use or Zoning Permit shall be immediately revoked.

4.B. NON-PERMITTED USES

A Non-Permitted Use is a use not specifically listed or classified in this table the Land Use Schedule under Appendix A. A Non-Permitted Use shall not be permitted in any district until the Zoning Board, after an application followed by a hearing, shall approve such use in such district.

4.C. DEFINED USES

Certain uses are defined in Section 4.E Use Regulations, below, and marked in these Regulations with spaced lettering.

4.D. PERMITTED USES IN PARKS AND OTHER RECREATIONAL AREAS

Nothing in these Regulations shall be deemed to prohibit customary recreational, refreshment, and service uses and *Buildings* in any public park, reservation, playground, or other recreational area, incidental to the recreational use of such area.

¹⁸ Formerly Section 5 (224-07).

4.E. USE REGULATIONS

Accessory Dwelling Unit (ADU)(222-28)

SEE: Dwelling Unit, Accessory (ADU)

Accessory Use

SEE: *Use, Accessory*

ADU (222-28)

SEE: Dwelling Unit, Accessory (ADU)

Adult Establishment

A commercial establishment where a substantial portion of the premises includes an adult bookstore, adult eating or drinking establishment, adult theater, or adult commercial establishment, or any combination thereof, as defined below:

1. An “**adult bookstore**” is a bookstore that has as a substantial portion of its stock-in-trade any one or more of the following:
 - a. books, magazines, periodicals or other printed matter which are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.
 - b. photographs, films, motion pictures, videocassettes, slides or other visual representations which are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.
2. An “**adult eating or drinking establishment**” is a cafe, restaurant, cabaret, club or other similar establishment that regularly features any one or more of the following:
 - a. live performances which are characterized by an emphasis on specified anatomical areas or specified sexual activities; or
 - b. films, motion pictures, videocassettes, slides or other photographic reproductions which are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas; or
 - c. employees who, as part of their employment, regularly expose to patrons specified anatomical areas; and
 - d. which is not customarily open to the general public during such features because it excludes minors by reason of age.
3. An “**adult theater**” is a theater that regularly features one or more of the following:

- a. films, motion pictures, videocassettes, slides or similar photographic reproductions characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas; or
 - b. live performances characterized by an emphasis on specified anatomical areas or specified sexual activities;
 - c. and which is not customarily open to the general public during such features because it excludes minors by reason of age. An adult theater shall also include commercial establishments where such materials or performances are viewed from individual enclosures.
4. An “**adult commercial establishment**” is a facility - other than an adult book store, adult eating or drinking establishment, adult theater, commercial studio, or business or trade school - which features employees who as part of their employment, regularly expose to patrons specified anatomical areas and which is not customarily open to the general public during such features because it excludes minors by reason of age.

For the purpose of defining adult establishments, “specified sexual activities” are:

- a. human genitals in a state of sexual stimulation or arousal;
- b. actual or simulated acts of human masturbation, sexual intercourse or sodomy; or
- c. fondling or other erotic touching of human genitals, pubic region, buttock, anus or female breast.

For the purpose of defining adult establishments, “specified anatomical areas” are:

- a. less than completely and opaquely concealed: (i) human genitals, pubic region, (ii) human buttock, anus, or (iii) female breast below a point immediately above the top of the areola; or
- b. human male genitals in a discernibly turgid state, even if completely and opaquely concealed.

For the purpose of determining whether a “substantial portion” of an establishment includes an adult bookstore, adult eating or drinking establishment, adult theater, or adult commercial establishment, or combination thereof, the following factors shall be considered:

- a. the amount of *Floor Area* accessible to customers and allocated to such uses; and
- b. the amount of *Floor Area* accessible to customers and allocated to such uses as compared to the total *Floor Area* accessible to customers in the establishment; and
- c. the gross receipts allocated to such uses as compared to the total gross receipts of the establishment.

For the purpose of determining whether a bookstore has a “substantial portion” of its stock in materials defined in paragraphs 1.a or 1.b hereof, the following factors shall be considered:

- a. the amount of such stock accessible to customers as compared to the total stock accessible to customers in the establishment; and
- b. the amount of *Floor Area* accessible to customers containing such stock;

- c. the amount of *Floor Area* accessible to customers containing such stock as compared to the total *Floor Area* accessible to customers in the establishment; and
- d. the gross receipts allocated to such stock as compared to the total gross receipts of the establishment.

For the purpose of defining an adult establishment, the term "regularly features" means a consistent and substantial course of conduct, such that the sexually explicit films or semi-nude performances exhibited constitute an ongoing and intentional objective of the business and are promoted as such.

For purposes of determining whether a proposed commercial establishment is an "adult establishment", the *Zoning Enforcement Officer* may review, inter alia, the layout, design, square footage, signage and window display area of the proposed use.

5. **Adult physical culture establishments.** An adult physical culture establishment is any establishment, club or business by whatever name designated which offers or advertises or is equipped or arranged so as to provide as part of its services, massages, body rubs, oil rubs, alcohol rubs, baths or other similar treatment, except for activities which are excluded below:
- a. treatment under the direction of a licensed physician, a licensed chiropractor, a licensed osteopath, a Connecticut licensed masseur or masseuse, a licensed physical therapist, a licensed practical nurse or a registered professional nurse; treatment by masseur or masseuse provided each person providing treatment is licensed by the State of Connecticut.
 - b. electrolysis treatment by a licensed operator of electrolysis equipment;
 - c. hospitals, nursing homes, medical clinics or medical offices;
 - d. barbershops or beauty parlors which offer massage to the scalp, the face, the neck, the shoulders, the feet or back only; and
 - e. athletic facilities of an educational institution or of a philanthropic or charitable institution.
- “Adult physical culture establishments” are not permitted in any District.

6. **Standards.** Adult Establishments shall conform to all of the following standards and provisions:
- a. An Adult Establishment shall be located a minimum of 1,000 feet from another Adult Establishment and a minimum of 500 feet from any religious institution, school, community center, public park, municipal boundary, property zoned for residential use or property zoned for mixed residential/ commercial use where not less than 50% of total *Building Floor Area* is committed to residential use. Such distances shall be determined as the nearest horizontal distance between any portion of any *Lot* or parcel of land supporting a proposed Adult Establishment and any portion of any residentially zoned property, mixed residential/commercial property, municipal boundary or property supporting any religious institution, school, community center, public park or another Adult Establishment.

- b. Signage shall be governed by the standards of the C-N Neighborhood Commercial District, provided that no display, device or *Sign* that depicts or describes specified sexual activities or specified anatomical areas shall be visible from any public way or surrounding property.
- c. Not more than one Adult Establishment permitted under this section shall be located on a *Zoning Lot*.
- d. An Adult Establishment shall not exceed a total of 5,000 square feet of *Gross Floor Area*.
- e. An Adult Establishment shall be permitted by right within the M-L Light Industrial and M-G General Industrial districts, provided the *Gross Floor Area* of the adult establishment shall not exceed 2,000 square feet and the Adult Establishment shall be located not less than 1,500 feet from another Adult Establishment and satisfies all other standards of these Regulations. An Adult Establishment exceeding a *Gross Floor Area* of 2,000 square feet or located less than 1,500 feet from another Adult Establishment may be located within the M-L and M-G Industrial Districts, subject to issuance of a *Special Permit* by the Zoning Board of Appeals pursuant to the criteria and standards of Section 2.C.2 and Section 2.D. of these Regulations. (93-002; 202-02; 223-10)

Adult-Use Cannabis Retailer, including Hybrid Retailers (223-17(MOD))

Adult-Use Cannabis Retailer means a place of business licensed by the State of Connecticut where Adult-Use Cannabis may be sold at retail directly to qualifying customers. The regulations for Adult-Use Cannabis Retailer shall also apply to Hybrid Retail facilities where both Medical Marijuana and Adult-Use Cannabis products are sold at retail directly to qualifying customers and/or patients.

Standards

Adult-Use Cannabis Retailers are allowed by *Special Permit* approval of the Zoning Board only within certain commercial and manufacturing Zoning Districts of the City of Stamford, as shown in Appendix A, Table I of these Regulations. Such uses must comply with the requirements of the Zoning Regulations and meet the following additional standards:

- a. In Stamford there shall be no more than one Adult - Use Cannabis Retailer for every 25,000 residents.
- b. Adult - Use Cannabis Retailers must possess a current license from the State of Connecticut Department of Consumer Protection. Evidence of proper licenses must be provided in connection with a Building Permit application. Failure to maintain proper licenses shall be deemed an immediate violation of the City of Stamford Zoning Regulations.
- c. No Adult-Use Cannabis Retailers shall be located within a 3,000 feet radius of any other Dispensary, or within 1,000 feet of public or non-public schools.

- d. Signage for Adult-Use Cannabis Retailers shall be the more restrictive of either (1) the requirements of the State of Connecticut relating to signage for Adult-Use Cannabis Retailers or (2) the sign regulations for the respective zoning district as prescribed in Section 13 of these regulations. In addition, the following limitations shall apply:
- (1) There shall be no illumination of a *Sign* advertising adult-use cannabis products at any time;
 - (2) There shall be no signage that advertises adult use cannabis brand names or utilizes graphics related to marijuana or paraphernalia on the exterior of the Dispensary or the *Building* in which the Dispensary is located;
 - (3) There shall be no display of adult use cannabis or paraphernalia within the facility which is clearly visible from the exterior of the facility; and
 - (4) There shall be no signage on the exterior of the facility which advertises the price of its adult-use cannabis.
- e. Parking shall be provided according to Section 12 of the Zoning Regulations, following the parking standard for Retail Store.

SEE also: Medical Marijuana Dispensary Facility

Alcoholic Beverages (219-25)

Alcoholic Beverages include wine, beer and liquor as further defined here; “absolute alcohol” means dehydrated alcohol containing not less than ninety-nine percent by weight of ethyl alcohol; “beer” means any beverage obtained by the alcoholic fermentation of an infusion or decoction of barley, malt and hops in drinking water and containing more than one-half of one per cent of absolute alcohol by volume; “wine” means any Alcoholic Beverage obtained by the fermentation of natural sugar contents of fruits or other agricultural products containing sugar; “still wine” means any wine that contains not more than three hundred ninety-two one-thousandths (0.392) of a gram of carbon dioxide per hundred milliliters of wine, and shall include any fortified wine, cider that is made from the alcoholic fermentation of the juice of apples, vermouth and any artificial or imitation wine or compound sold as “still wine” containing not less than three and two-tenths per cent of absolute alcohol by volume; “sparkling wine” means champagne and any other effervescent wine charged with more than three hundred ninety-two one thousandths (0.392) of a gram of carbon dioxide per hundred milliliters of wine, whether artificially or as a result of secondary fermentation of the wine within the container; “fortified wine” means any wine, the alcoholic contents of which have been increased, by whatever process, beyond that produced by natural fermentation; “liquor” means any beverage which contains alcohol obtained by distillation mixed with drinkable water and other substances in solution; “liquor cooler” means any liquid combined with liquor, as defined here, containing not more than seven per cent of alcohol by volume.

The sale of Alcoholic Beverages as defined in Subsection 4.E, Definitions of these Regulations, shall be permitted, subject to all required local and State permitting and licensing

requirements, including, but not limited to CGS Chapter 545 and City of Stamford Code Chapter 72.

Ambulance Facility, Non-Profit (assisted by federal, state and/or municipal funding)

A *Building* or *Buildings* containing facilities necessary to the operation of public ambulance service which may contain but is not limited to CPR (cardiovascular, pulmonary, resuscitation) Room, garage space for ambulances or other rescue vehicles and associated offices and dormitory facilities. A for-profit ambulance service that is wholly owned by non-profit entities may occupy and operate from said facility as an *Accessory Use*. (80-041, 98-005)

Antique Center

Any *Building* with a minimum square footage of fifteen thousand square feet or part thereof with a minimum square footage of fifteen thousand square feet used for the sale of any old and authentic objects of personal property which were made, fabricated or manufactured generally fifty (50) or more years earlier and which have a unique appeal and enhanced value because of age, artistry, beauty, or period of origin. (207-29)

Apartment Building for the Elderly [deleted (224-06)]

Apartment Building for the Elderly - Municipally Owned [deleted (224-

Apartment Building for the Elderly – Nonprofit [deleted (224-06)]

Apartment Hotel

Deleted (223-30).

Apartment Hotel for the Elderly

Deleted (71-012; 223-30).

Apartment Building

SEE: Dwelling, Multi-Family (223-30)

Appliances, Electrical and Manual Household, (small), Repair and Service.

A facility used for the repair and servicing of small, portable electrical and manual household appliances, except that in the C-N Neighborhood Business District the employees in any one such operation shall be limited to a total of five (5). The word portable is hereby defined as pertaining to items that can be carried easily by only one person.

Assisted Living Facility

A managed residential community, licensed by the State of Connecticut pursuant to Sec. 19a-490 through Sec. 19a-503 of the Connecticut General Statutes, as may be amended from time to time, as an “assisted living services agency” providing support and care for seniors or disabled individuals with or without a memory care program, which may include food services, recreation services, personal care, and necessary assistance with the activities of daily living, and may serve as a transition between independent living and skilled nursing care. Individual assisted living quarters may include provisions for eating and cooking, such as a cook top, microwave, and refrigerator, but shall not include a range or oven. (215-37)

Automobile Court, Motel

A *Building* or a group of two (2) or more detached or semi-detached *Buildings*; (including immobile trailers) containing rooms or apartments with automobile parking or storage space serving such rooms or apartments provided directly or closely in connection therewith, which *Building* or group of *Buildings* is designed, intended, or used primarily for the providing of sleeping accommodations for automobile travelers; including groups designated as auto cabins, motels, motor lodges, and by similar designations.

Auto Rental Service Facility

Buildings and premises used to store, clean, refuel and perform incidental servicing to vehicles associated with an automobile rental facility. No servicing of vehicles shall be offered to the general public. (97-014)

Automotive Equipment and Service Stores

Buildings or premises used for the wholesale and retail sale and service of new automotive equipment, accessories, parts and supplies.

Bakeries, Retail

A *Building* used for the baking and/or direct sale on the premises to the consumer of baked food products.

Bakeries, Wholesale and Commercial

A *Building* used for the baking, wholesale storage and/or sale of baked food products to retail outlets or sale to consumer off the premises.

Beach Club

A shorefront voluntary or corporate association whose objectives, pursuits and purposes are social or recreational, maintained on land owned or leased by it for the following activities: shore swimming area. *Accessory Uses* permitted for all of above: Tennis courts, swimming pools and other recreational facilities usually afforded by any such club. *Buildings* and accessory accommodations necessary or desirable for the exercise of the club's objectives, pursuits and purposes may be maintained. Clubs shall operate without profit, or division of any revenues to its members, except as reasonable compensation for special services actually rendered; devoting all revenues received to supporting the purposes and objectives or to eleemosynary uses. Existing *Buildings* and *Structures* within setbacks may remain or be modified provided that any such modification does not exacerbate or create a new nonconformity. No certificate of occupancy may be issued on any *Building* or *Structure* until the principal use is operational.

Bed & Breakfast

A *Building* of residential character offering lodging with or without meals to transients for compensation, and not to accommodate more than five (5) guests. (223-30)

Boarding House

A *Building* with not more than three (3) guest rooms where lodging and meals are provided for compensation.

SEE: Rooming House.

Boutique Fitness Studio

A gymnasium or other physical cultural establishment focusing on individual and/or group exercise and occupying not more than 3,500 square feet in a *Building* or portion of a *Building*. (218-44)

Building Material, Sales and Storage

Buildings or premises used for the sales and/or storage of all types of building materials including lumber, masons' supplies, road-building materials (excluding asphalt or other similar materials) and open yard material storage.

Café

A suitable and permanent *Building*, kept, used, maintained, advertised and held out to the public to be a place where all alcoholic liquors and food are served for sale at retail for consumption on the premises but which does not necessarily serve hot meals. (86-011)

Camp, Summer Day

Any place, area, or tract of land used between July 1 and September 1 as a location of a Day Camp between 8:00 AM and 6:00 PM for children between the ages of four (4) to sixteen (16) inclusive.

Camp Grounds

Any place, area, or tract of land upon which there is placed, located or maintained any tent, camp car and/or trailer which is utilized, arranged, intended, designed, to be used or used for sleeping, living or resident quarters, by other than the owner of the property.

Car Wash Establishment (223-30)

A Car Wash Establishment is a facility used to clean the exterior, and in some cases the interior of motor vehicles. Car Wash Establishments may be self-service, full-service (with attendants who wash the vehicle), or fully automated.

For Automatic Car Wash Establishments, the following standards shall apply:

1. There shall be no more than two (2) curb cuts for any automatic Car Wash Establishment. Each curb cut shall not be more than twenty-five feet (25') wide.
2. There shall be no curb cuts less than thirty feet (30') from any intersection and less than ten feet (10') from any *Interior Lot Line*.
3. All driveways, *Parking Areas*, and automobile service areas shall be permanently improved with a paved surface.
4. The minimum distance between any *Street Line* and the nearest part of any *Principal* or *Accessory Building* or *Structure* used in connection with the operations (e.g., washing, waxing and drying cars) shall not be less than forty feet (40').
5. No vehicle shall be parked or left standing within ten feet (10') of any *Lot Line*.

6. All *Buildings* and *Structures* on site shall be set back at least thirty feet (30') from any *Interior Lot Line* abutting on a *Lot* in a residential zoning district and no less than ten feet (10') from any *Interior Lot Line* in any other zoning district.
7. A solid *Fence* at least six feet (6') in height and a landscaped area of at least ten feet (10') in depth containing a dense screen of evergreens at least six feet (6') in height shall be provided for the full length of the *Lot Line* between any *Car Wash Establishment* and any *Lot* abutting a residential zoning district. Such *Fence* and planted area shall always be well maintained in a state of good repair.
8. The minimum *Lot Area* for the location of a *Car Wash Establishment* shall be not less than 30,000 square feet.

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

Cemetery

Any land used for interment of dead people, below ground.

Child Day Care Center (222-31)

SEE: Child Day Care Services

Child Day Care Services

1. Child Day Care Center - a place licensed by the State which offers or provides a program of supplementary care to more than twelve related or unrelated children outside their own homes on a regular basis for a part of the twenty-four hours in one or more days in the week.
2. Group Day Care Home - a place licensed by the State which offers or provides a program of supplementary care to not less than seven nor more that twelve related or unrelated children on a regular basis for a part of the twenty-four hours in one or more days in the week.
3. Family Day Care Home - a private family home licensed by the State caring for not more than six children, including the provider's own children not in school full time, where the children are cared for not less than three nor more than twelve hours during a twenty-four hour period and where care is given on a regularly recurring basis. During the regular school year, a maximum of three additional children who are in school full time, including the provider's own children, shall be permitted, except that if the provider has more than three children who are in school full time, all of the provider's children shall be permitted. (93-013)

Church

SEE: House of Worship

Clinic

A single legal entity formed for the diagnosis and treatment of out-patients in which at least two medical professionals, licensed by the State of Connecticut having related specialties, practice cooperatively. For the purpose of this Section, medical professionals shall only mean medical doctors, dentists, clinical psychologists, osteopaths, podiatrists, chiropractors or physiotherapists so licensed by the State of Connecticut. A clinic shall provide only out-patient services and shall not provide rental services. No dormitory facilities shall be permitted. Parking shall be off-street and screened from adjoining residential properties by suitable landscaping. (89-015)

Clinic, Community Health Center

A non-profit health care facility constructed and/or operated with federal or state assistance, staffed with medical professionals including but not limited to physicians, nurse practitioners, and patient care assistants providing out-patient pediatric and adult medical care. Community health services may also include social and substance abuse services and educational classes focusing on childbirth, childcare and other health care subjects. No dormitory facilities shall be permitted. When located in the R-MF Multiple Family Residence Design District, notwithstanding standards contained elsewhere in these regulations, the following special standards shall apply: minimum *Lot Area* shall be 30,000 square feet; *Building Height* shall not exceed two (2) *Stories* or thirty-five (35) feet; *Building Area* shall not exceed twenty-five percent (25%); and the Zoning Board may waive the requirement for *Front Yard* setback from street center and may authorize a reduction in required *Side Yard* to not less than ten (10) feet. (201-20)

Clubs and Lodges

A voluntary or corporate association owning or occupying a room, rooms, or *Building* or land, whose objects, purposes and pursuits are social, fraternal, religious, political, educational, recreational, or charitable, operating without profit or division of any revenues to its members, except as reasonable compensation for special services actually rendered and devoting all revenues received to supporting its purposes and objectives or to eleemosynary uses. The designations shall not include the right to maintain bowling *Alleys*. No club or lodge may be approved in a residential zone if *Alcoholic Beverages* are dispensed or consumed unless under a temporary permit. (85-052)

Club, Swim or Tennis

A *Swim or Tennis Club* is a voluntary or corporate association owned solely by its members, the objectives, pursuits and purposes of which are social or recreational, operating or formed for the purposes of operating a club on a membership basis and not operated for profit. The principal facilities of a *Swim or Tennis Club* shall be a swimming ~~pool~~ or pools and/or

tennis courts owned by it and maintained on land owned or leased by the Club, A Swim or Tennis Club may maintain and operate on the same premises accessory facilities except as set forth below. (222-34)

Standards (222-34)

The following standards shall apply to all Swim or Tennis Clubs:

- a. Swim or Tennis Clubs shall be permitted by *Special Permit* only in the zoning districts specified in Appendix A;
- b. The minimum size of a Swim or Tennis Club shall be at least five (5) acres;
- c. Any *Building* whether principal or accessory and any lounging area or other area designed for active use shall be not less than one hundred feet (100') from the nearest *Property Line* of abutting residential property, and no part of any *Parking Area* shall be less than fifty feet (50') from any such *Property Line*;
- d. The minimum *Front Yard* setback shall be governed by the regulations applicable to the district or districts in which such use is to be located;
- e. There shall be no facilities for over-night accommodations except for employee's quarters;
- f. All outdoor noise-making and amplifying devices except for a public address system are prohibited. Such system may only be permitted with speakers not nearer than three hundred feet (300') to any *Street* or *Property Line*, and the volume of sound shall be so regulated as to be inaudible beyond a point two hundred feet (200') away from the sound amplifying equipment;
- g. Live or amplified music shall only be permitted indoors with closed doors and windows, and the volume of sound shall be so regulated as to be inaudible beyond a point two hundred feet (200') away from the sound amplifying equipment; and
- h. The Zoning Board may permit by *Administrative Approval* the rental of the club facilities to an outside organization or to an individual for a particular function.
- i. Parking shall be provided pursuant to Section 12.

Colleges and Universities

Any *Building*, *Structure* and/ or land principally and regularly used by teachers and students for instructional and educational purposes, at the post- secondary level, which is not under the direct supervision and control of the Stamford Board of Education and which is licensed by the State of Connecticut, or which is administered by an accredited educational institution or a bona fide religious institution. "Colleges and Universities" shall include land used for recreational purposes as an adjunct to the principal instructional or educational use and any dormitories connected with such schools, but excluding fraternities and sororities and excluding vocational or secretarial schools.

Color Scanning

A photographic process whereby color transparencies are analyzed into primary color and black negatives, subject to the provision that a business or reception office is maintained in the front of the premises, and provided further that the processing phase of such use is partitioned or screened from public view when such use is in any Commercial District.

Congregate Living

Means use of community dining rooms and kitchens in lieu of housekeeping facilities. (71-012).

Continuing Care Retirement Community (224-06)

SEE: Senior Housing and Nursing Home Facility Complex

Contractor's Material Storage Yard (219-09)

A parcel of land, with or without *Structures*, a minimum of 4,000 square feet in size, used for the storage of equipment and materials used in the Construction, Landscaping, Landscape Nursery, Masonry or Arborist Trade; including, but not limited to, trucks, vans, excavators, backhoes and other similar equipment and/or stockpiles of construction or property improvement materials, such as soil, concrete, gravel, woodchips, logs, plant stock, masonry, plumbing or electrical supplies, and other similar materials. All such material and equipment shall be limited to a maximum height of twenty feet (20') and shall be effectively screened from view from adjacent properties or the public right of way with a six foot (6') tall opaque *Fence*. All such material and equipment shall be stored in an environmentally safe manner no closer than five feet (5') from any *Property Line*. Where a Contractor's Material Storage Yard abuts a residential district, no material or equipment shall be stored or parked closer to the abutting residential *Property Lines* than the greater of (a) fifteen feet (15'), or (b) the side or *Rear Yard* setback in the abutting residential district. All loading and unloading must occur on-site and no parking or storage of trucks or other heavy equipment shall be permitted on-street. The parking requirement shall be the same as for Wholesale House or Industrial Plants pursuant to Sec. 12.D.10 of these Regulations. For the purposes of this Definition the following definitions apply:

Arborist trade: Any work done for hire to improve the condition of fruit, shade or ornamental trees by feeding or fertilizing, or by pruning, trimming, bracing, treating cavities or other methods of improving tree conditions, or protecting trees from damage from insects or disease or curing these conditions by spraying or any other method. Arborist trade shall also include Landscaping as defined herein.

Construction: To build, form or devise by fitting parts or elements systematically.

Contractor: Any person regularly offering goods or services to the general public that are customarily or incidental to construction, landscaping, landscape nursery, masonry or arborist trade as defined herein.

Landscape nursery: An area where plants are grown for transplanting, for use as stocks for budding and grafting, or for sale and shall include garden centers.

Landscaping: Activities to improve the appearance of an area of land or a highway by planting trees, shrubs, grass, or other vegetation, or altering the contours of the ground, feeding or fertilizing, or by pruning, trimming, removing, bracing, or other methods of improving conditions of trees, shrubs, grass, or other vegetation, or protecting such plants from damage from insects or disease or curing these conditions by spraying or any other method.

Masonry: Anything constructed of materials customarily used by masons, including but not limited to stone or brick, to build by laying units of such materials.

Copy and Communication Center

An establishment used for making copies from an original document; binding of pages into book form; electronic mailing of documents; duplicating from an original document, enlarged or decreased, by printing without the setting of type; sale of stationary supplies, rubber stamps and computer services; microfilming of documents, and sale of small display *Signs* not made on the premises. (77-020, 95-024)

Corporate Retreat

A parcel of land containing a *Building* or *Buildings* of residential character, owned and operated by a corporation for the principal purpose of providing to its employees and/or guests, without remuneration, conferencing, training, recreational and lodging facilities, with or without meals. The following special standards shall apply:

1. **Minimum Acreage**: a minimum of thirty (30) contiguous acres in a single ownership at the time of the adoption of these regulations.
2. **Existing Structures**: Existing *Structures* that exceed the height or *Yard* limitations may be retained and such existing *Structures* may be extended, expanded, or changed subject to approval of the Zoning Board.
3. **Density Standards**: Subsequent to the disposition of open space as outlined below, the number of lodged guests and live-in staff shall not exceed twice the number of acres of land associated with the use provided that the *Floor Area Ratio* shall not exceed 0.05.
4. **Height**: Primary and *Accessory Structures* shall be limited to three (3) *Stories* and thirty-five (35) feet except as noted in 2 above.
5. **Yard Requirements**: Except as noted in (b) above, the front, side, and *Rear Yard* setback requirements for primary and *Accessory Buildings* shall be consistent with the RA-2 standards,

provided that the Zoning Board may impose greater setbacks, up to seventy (70) feet, where a determination is made that the appropriate relationship of *Yard* requirements and separation of *Structures* on the site to each other and the bounding *Property Lines* after open space disposition warrants such additional setbacks. *Accessory Buildings* in a *Rear Yard* exceeding a height of one *Story* and fifteen feet shall conform to the *Yard* requirements of a *Principal Building*.

6. Open Space: Not less than fifty percent (50%) of the site area shall be preserved as Open Space in perpetuity. Disposition of Open Space shall be via transfer of fee ownership to a local, state, and/or national public and/or non-profit organization with the requisite requirements for maintenance as open space subject to the approval of the Zoning Board and the Director of Legal Affairs.
7. *Building Area*: Two and one-half (2^{1/2}) percent of the total site area after open space disposition.
8. Expansions: Subsequent to the initial establishment as a Corporate Retreat and subject to the 0.05 *FAR* limitation, minor changes, new *Structures* and expansions of existing conforming *Structures*, not to exceed an additional 7,500 square feet of *Floor Area*, may be allowed, subject to review and approval of the Land Use Bureau Chief only after consultation with the Zoning Board. All other changes, additions and expansions shall be subject to review and approval of the Zoning Board.
9. Surrender: Surrender of this use shall require written notification to the *Zoning Enforcement Officer* with accompanying notice filed on the Stamford Land Records. In the event of surrender, unless otherwise authorized by the Zoning Board, premises shall only be used for uses allowed in the RA-2 single family district, and shall be eligible to register as a *F a m i l y E s t a t e* without additional open space disposition.
10. Parking: *Parking Space* for one (1) vehicle shall be provided for each guest room designed for sleeping purposes. (201-18)

Country Clubs or Golf Clubs

Principal Use: *C o u n t r y C l u b* or *G o l f C l u b*, Professional size golf course of at least nine (9) holes.

Accessory Uses permitted: Tennis courts, swimming pools and other recreational facilities usually afforded by any such club, excluding bowling *Alleys*. *Buildings* and accessory accommodations necessary or desirable for the exercise of the club's objectives, pursuits and purposes may be maintained. Clubs shall operate without profit, or division of any revenues to its members, except as reasonable compensation for special services actually rendered; devoting all revenues received to supporting the purposes and objectives or to eleemosynary uses. No certificate of occupancy may be issued on any *Building* or *Structure* until the principal use is operational.

Such Clubs may be developed, expanded and/or redeveloped in phases, pursuant to a public hearing and *General Development Plan* approval by the Zoning Board, subject to the following

standards:

Such **C**ountry **C**lubs or **G**olf **C**lubs shall comply with the standards of Section 2.C.2.e, except that:

1. Existing nonconforming *Buildings, Structures*, parking, recreational amenities, and signage may remain or be modified provided that any such modification does not exacerbate a nonconformity or create a new nonconformity and is part of an approved *GDP*.
2. Proposed unlighted tennis courts shall be setback a minimum of ten (10) feet from all *Property Lines*.
3. The 75% building perimeter buffer requirement of 2.C.2.e.(5) shall not apply to *Buildings* located at least 100' from the nearest *Property Line*.

Where any proposed *GDP* activity requires approval from the Environmental Protection Board, Engineering Bureau and/or Health Department, said approvals shall be obtained prior to the start of site activity or the issuance of a Building Permit for said activities. (219-16; 223-18)

Crematory, except in cemetery

A facility for the disposal by incineration of the bodies of dead people, located on a *Plot* of land other than any land used for interment of dead people below ground. This use is subject to approval by the Zoning Board in accordance with Section 19-165 of the Connecticut General Statutes. (81-013)

Demolition Materials Recycling

The process of recycling and reclaiming demolition materials from construction sites, which is limited to the collecting, breaking up, compacting, crushing, sorting, screening, separating and consolidating of demolition materials into a reusable construction product for the use, sale, or transfer to construction sites. Demolition materials shall be limited to soil, silt, rocks four (4) inches or less in diameter, gravel, concrete, bricks, and bituminous concrete (asphalt) and shall exclude all other materials, including but not limited to the following: organic materials, wood, metal, plastics, tires, asphalt shingles, rags, glass, newspapers, paper and cardboard materials. No crushing of rock larger than four (4) inches in diameter shall be permitted and there shall be no reprocessing, conversion or change of form of demolition materials on the premises. (215-33)

Demolition Materials Recycling Facility

Eligible Property: An eligible site shall be within the M-G General Industrial District in the South End neighborhood as delineated in Figure 16 of the 2015 *Master Plan* and shall have been used as a “Contractor’s Material & Equipment Storage Yard & Building” at the time of the adoption of this regulation and for not less than five (5) years preceding the filing of an application for this

use. The Zoning Board may allow adjacent vacant land to be included as part of the eligible site. The application shall require no displacement of residential use and no residential *Buildings* shall have been demolished on the property within the five (5) years preceding the filing of the application.

Special Standards: A Demolition Materials Recycling Facility shall be subject to the following special standards in addition to all other applicable standards of these Regulations:

1. Said use shall be approved by *Special Permit* of the Zoning Board only as an interim use, for an initial period not to exceed five (5) years, subject to extensions by the Zoning Board pursuant to a public hearing, each extension not to exceed three (3) years. During the authorized time period, and while the Demolition Materials Recycling Facility is in use, it shall be the exclusive use on the property except as noted in 7 below. In considering a request for time extension of this interim use, the Zoning Board shall consider:
 - a. Any violations of the special standards of this regulation and conditions of approval of the *Special Permit*;
 - b. Demonstration by the applicant that an extension is warranted;
 - c. Demonstration by the applicant that the use is truly interim, and how applicant plans to abandon the use upon expiration of extensions; and
 - d. Whether in the judgment of the Board continuation of the use would discourage or impair the orderly *Redevelopment* and improvement of surrounding residential and commercial properties.

Upon termination, expiration or abandonment of this *Special Permit* use, applicant shall cease crushing and thereafter the property may be used for all other uses allowed in the M-G District.

2. No garbage, putrescent, toxic, biomedical, hazardous or other waste, including demolition material that contains asbestos or other hazardous material, shall be allowed on the premises. No incineration, heating, washing or chemical treatment of demolition materials shall be permitted on the premises.
3. Any stockpiling or storage of any demolition materials or recycled materials shall be allowed on the premises only in a fully enclosed *Building*.
4. All equipment and machinery used in the recycling and reclamation of demolition materials, including any crushing and/or processing equipment and machinery, shall be located and operated only within a fully enclosed *Building*. Any new *Building* shall be constructed in a manner that enables it to be disassembled. Where the proposed *Building* is adjacent to residentially zoned property, there shall be no operable windows or doors facing such residentially zoned property, except as may be required for emergency fire egress of building occupants. Building plans shall be accompanied by an Operations Management Plan specifying, to the satisfaction of the Zoning Board, the method of noise, vibration and dust management, ventilation, vehicular circulation, truck idling, street cleaning, and any other matters requested by the Zoning Board. Any part of a machine used to crush or break up material shall be mounted on rubber tires or a vibration absorbing platform. The use of a jaw

crushing machine, such as a Zenith, shall not be permitted on the premises.

5. The *Building* and equipment shall be designed and operated to comply with the City of Stamford Noise Control Ordinance, and any other federal, state and local requirements (including but not limited to those applicable for a commercial emitter and residential receptor (55 dBA), as may be amended from time to time. All vehicles and equipment with a backup warning device shall use an OSHA approved “white noise” device.
6. All equipment, machinery and vehicles used in connection with the unloading, loading, transport, reclamation or recycling of materials shall operate only between the hours of 8 a.m. and 5 p.m., Monday through Friday, excluding weekends and holidays. Said hours shall be posted at all vehicular entrances and exits with phone numbers for one onsite and one City of Stamford contact to call with questions or issues relating to noise, dust, vibration, hours of operation, or other conditions of approval.
7. Notwithstanding the above, in the case of State and/or municipal snow removal or infrastructure emergencies, vehicles may enter and exit the site outside of the time periods outlined in 6 above; however, no other activities shall take place on the site during these hours. (215-33)

Dormitory

A Dormitory is a *Building* or portion thereof, arranged, intended, designed or converted to be used as a place of temporary residence for persons whose permanent residents is elsewhere, who occupy common sleeping rooms and share related facilities and are enrolled at a private or public accredited school, college, university, boarding school, theological school or comparable educational institution; provided that said dormitory is controlled or managed by said educational institution. A dormitory shall not include residences utilized by fraternities or sororities or clubs and lodges. Dormitories shall be located on the same *Lot* or within one half-mile of the campus of the institution it serves. Dormitories serving students of primary and secondary Institutions of Learning shall be permitted in all Zoning Districts where such institutions are permitted. Dormitories serving students of post-secondary Institutions of Learning, such as colleges and universities, shall only be permitted in the C-C, C-D, C-G, MX-D, MR-D, NX-D, R-H, R-HD or R-MF districts. In Zoning Districts where densities are regulated by Dwelling Units per acre, four (4) Dormitory beds shall be considered one (1) Dwelling Unit. (216-04, 221-11)

Drive-through, Drive-Thru

A facility where retail and service transactions are conducted without the necessity of the customer or client leaving the vehicle. Drive-throughs shall not be permitted in the following Districts: RA-1, RA-2, RA-3, R-20, R-10, R-7^{1/2}, R-6, R-5, RM-1, R-MF, R-H, R-D, C-D, C-C, CSC-D, C-WD, B-D, MX-D, MR-D, NX-D, SRD-S, SRD-N, HC-DD, P-D, IP-D, DW-D, TCD-D, ARD-D, HTD-D, V-C and P. All drive-throughs shall be permitted by *Special Permit* in the M-G, M-L an M-D

districts and shall be subject to review and approval by the Transportation, Traffic and Parking Bureau (TTPB) after consideration of traffic safety on site or on adjacent *Streets*, the potential to create or aggravate congestion on adjacent *Streets*, and such other factors, as determined by TTPB. Drive-through banks and pharmacies shall be permitted by *Special Permit* only in the C-N, C-B, C-I, C-L, C-G and NX-D only if approved by the TTPB and if they are integrated in a *Development* compatible with the general character of the neighborhood. This definition shall not be applicable to Gasoline Filling Stations and car wash establishments.

All drive-through facilities shall have a pedestrian entrance on a public *street*. *Buildings* shall be oriented along the public *Streets*. All parking, queuing and the drive through window shall be located behind the *Principal Building*, and suitably screened from the *Street* and neighbors by *Fences* and plantings. (218-58)

Dwelling

The terms "Dwelling", "One-Family Dwelling", "Two-Family Dwelling", "Multiple-Family Dwelling" or "Dwelling Group" shall not be deemed to include Automobile Court, Camp Ground, Rooming House, Bed & Breakfast, Inns or Hotels. Parked recreational vehicles, camping trailers or other *Structures* not permanently affixed to the site shall not be considered Dwellings and shall not be used for habitation.

1. Dwelling, Single-Family or One-Family: A detached *Building* containing a single (1) Dwelling Unit. In addition to a single Dwelling Unit, a One-Family Dwelling may contain an attached, integrated, or detached Accessory Dwelling Unit, as defined herein.
2. Dwelling, Two-Family: A detached *Building* containing two (2) Dwelling Units.
3. Dwelling, Multiple-Family: A *Building* containing three (3) or more Dwelling Units.
4. Dwelling, Group or Town Houses: A group of not less than three (3) nor more than ten (10) attached or semi-detached Dwelling Units, erected as a single *Building*, and each or all *Buildings* may be constructed on one (1) *Lot* in single ownership or each Dwelling Unit in each *Building* may be in separate ownership. Each Dwelling Unit shall be separated from any adjoining Dwelling Unit by masonry party walls in accordance with the Building Code of the City of Stamford and which wall shall extend from the *Basement* or cellar floor to the roof along the dividing *Lot Line*, if there be such line, and such party walls shall project not less than six inches (6") above the roof of each Dwelling Unit. Each *Building* shall be separated from any other *Building* by a dimension not less than twice the height of opposing building walls, except as otherwise provided for under APPENDIX B, SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF BUILDINGS. Each Dwelling Unit shall be no greater in depth than thirty-five feet (35') measured from the main front wall to the main rear wall of the Dwelling Unit. (99-004,

222-28)

Dwelling Unit

A *Building* or portion thereof providing complete housekeeping facilities, including, but not limited to sleeping accommodations, kitchen and bathroom facilities, for one Family that can be accessed without entering from any other Dwelling Unit. (222-28)

Dwelling Unit, Accessory (ADU) (222-28)

An Accessory Dwelling Unit (ADU) is a Dwelling Unit that is located on the same *Lot* as a Principal Dwelling Unit of greater square footage. Such ADU either shall be attached to or within the Principal Dwelling Unit or detached from the Principal Dwelling Unit. The Principal Dwelling Unit and the ADU must remain under common ownership.

Accessory Dwelling Units may only be permitted by *Zoning Permit* and only under the following conditions:

1. The property owner must reside on the premises. At the time of application for a Building Permit for an ADU, owner shall submit an affidavit stating that the owner resides on premises;
2. Attached ADUs or ADUs within the Principal Dwelling shall meet all of the requirements of the respective zoning district;
3. Detached ADUs shall meet either (i) the standards for *Accessory Buildings* or (ii) the standards of Single-Family Dwelling, in the respective zoning district;
4. ADUs shall only be permitted on *Lots* containing no more than one (1) Single-Family Dwelling and which have a *Lot Area* of at least 10,000sf;
5. Occupancy of an ADU shall be limited to no more than three persons;
6. The size of the ADU shall not exceed eight hundred (800) sf in *Gross Floor Area*;
7. No more than one ADU shall be permitted per Single-Family Dwelling;
8. One (1) off-street *Parking Space* shall be provided for an ADU in addition to the parking required for the Principal Dwelling Unit. Such *Parking Space* shall not have its access obstructed by the *Parking Spaces* required for the Principal Dwelling Unit. No additional curb cuts shall be permitted. All parking must comply with the Zoning Regulations, including but not limited to Section 12;
9. No Multiple-Family Dwelling, including but not limited to legally non-conforming two- and three-family Dwellings, shall be eligible for Accessory Dwelling Units;
10. ADUs shall not be used as Short-Term Rentals; and
11. Where an ADU is not connected to the public sewer system, no *Zoning Permit* shall be issued prior to review and a finding by the Department of Health and EPB that (i) the existing septic system is sufficient for both the Principal Dwelling Unit and the ADU or (ii) proposed upgrades in connection with the proposed ADU will be sufficient to serve both the

Principal Dwelling Unit and the ADU. No ADUs shall be added to any *Lot* where the septic system is insufficient for both the Principal Dwelling Unit and the ADU.

Dwelling Unit, Principal (222-28)

For *Lots* containing an Accessory Dwelling Unit (ADU), the Principal Dwelling Unit is the Dwelling Unit that has a larger *Gross Floor Area* than the Accessory Dwelling Unit on the same *Lot*.

Elderly [deleted (224-06)]

Emergency Shelter

A public or non-profit facility providing temporary housing, and social, health and related services for families and/or individuals eighteen (18) years of age or older, who are without resources and access to shelter. The design, operation, arrangement, capacity and location of such facilities shall be approved on an individual basis. However, in no case shall permitted capacity exceed a maximum of one hundred (100) persons, exclusive of staff, and shall be operated and staffed in accordance with the administrative regulations of the Department of Human Resources of the State of Connecticut, Section 17-31v-1, 2 and 3 of the General Statutes, as may be amended. To encourage central location of such facilities, sites to be approved shall be located within the Central Business District or not more than 2,000 feet from the boundary of the CBD as shown on the *Master Plan*. (87-002)

Equipment Rental, General

A facility used for the sale, rental and/or storage of all types of residential necessities including camping supplies, sanders, scrapers, drills, tools, linens, chairs and other items normally associated with such installations and contractor-industrial equipment including air compressors, space heaters, pumps, compactors, scaffolding, moving equipment and hauling trailers, and all other items normally associated with such installations. Said facility shall be situated on a site not less than one-half acre (21,780 square feet); include a *Building* of not less than 4,000 square feet for office and indoor merchandise display; and all exterior storage area must be permanently paved and screened so as not to be visible from the street frontage. (76-004)

Equipment Rental Store, Residential

A facility used for the sale, rental and/or storage of all types of residential necessities, including camping supplies, sanders, scrapers, drills, tools, linens, chairs and other items normally associated with such installations, except that in the case of any such residential equipment rental store located

in a C-G General Commercial District or a C-I Intermediate Commercial District there shall be no outside display or storage of merchandise; and with the further exception that in the case of any such residential equipment rental store located in a C-N Neighborhood Business District there shall be no outside display or storage of merchandise and the *Gross Floor Area* of any *Building* devoted to such use in a C-N Neighborhood Business District shall not exceed eighteen hundred square feet (1800 sq. ft.), provided that articles for sale, rental and/or storage shall be similar in character to the customary inventory of merchandise carried by a hardware store, provided further that large equipment customarily referred to as contractor's equipment shall not be sold, rented or stored on or from the premises of any residential equipment rental store in the C-N Neighborhood Business District.

F a m i l y

One or more persons closely related by blood, marriage or adoption, occupying a *Dwelling Unit* and living together as a single housekeeping unit, or a maximum of four (4) unrelated individuals living together as a single housekeeping unit and sharing in the use of any conveniences available, provided further that within a single-family detached dwelling owned and occupied by a family closely related by blood, marriage or adoption this provision shall be construed so as not to prohibit the renting of rooms without housekeeping facilities for use by not more than two (2) unrelated persons. (99-028)

F a m i l y D a y C a r e H o m e (222-31)

SEE: Child Day Care Services

F a m i l y E s t a t e

A contiguous tract of land, in single or multiple parcels, owned by one or more members of the same family related by blood, adoption, or marriage, and developed and managed for use as residences and permitted *Accessory Uses* by the estate owners, guests and employees in service to the estate. In order to encourage the preservation enhancement, or creation of Family Estates and permanent open space, the following standards shall apply and shall supersede standards contained elsewhere in these regulations that may be in conflict:

1. **Minimum Acreage:** A minimum of twenty-five (25) contiguous acres in the RA-3 and ten (10) contiguous acres in the RA-2 or RA-1 District shall be required and shall constitute one minimum *Zoning Lot Area* for purposes of these regulations. The total size of any *F a m i l y E s t a t e* is not limited and additional parcels smaller than the required minimum may be added to qualifying parcels. Existing *F a m i l y E s t a t e s* may be divided by an existing public road provided the total acreage of the more restrictive zone is met in total and at least 15 acres exist on either side. (220-41)

2. **Existing Structures:** Existing non-conforming *Buildings* and *Structures* shall be allowed to remain but may be extended, expanded or changed, subject to approval by the Zoning Board, by issuance of a *Special Permit* in accordance with the standards of Section 2.
3. **Density Standards:** Garages, barns, silos, cottages, guest houses, employee quarters, and residences for family members may be used as Permitted Use residences with Kitchen facilities provided there shall be one minimum *Zoning Lot Area* unit, per section a. above, prior to open space disposition for each such residence and provided the Estate is registered with the Zoning Enforcement Officer per Section h. below. Residences in excess of this limitation shall be approved by the Zoning Board pursuant to a *Special Permit* in accordance with Section 2. Notwithstanding these limitations, all registered Family Estates shall be permitted up to 2.5 Permitted Use residences by right. Family Estates shall be allowed to continue to maintain the existing *Residential Density* uses for the Estate prior to registration per Section h. below provided there shall be at least one unit of the minimum lot size of the underlying zone for each such residence. Expanded Family Estates shall not exceed a *Density* of one half (50%) of the gross acreage prior to open space disposition divided by the minimum Lot size of the underlying zone. The maximum *Density* may be less where a determination is made by the Zoning Board that physical and topographical features of the land would preclude attainment of such *Density*. (220-41)

For purposes of the density standard of these regulations, living quarters occupied by family members or employees of the Family Estate that are equipped with separate housekeeping facilities and less than one thousand square feet in *Gross Residential Floor Area*, may be considered equal to one fourth ($\frac{1}{4}$) of a *Dwelling Unit*, limited to not more than four such smaller units, unless approved by the Zoning Board.

4. **Height:** *Accessory Structures* shall be subject to the same *Building Height* and *Stories* limitations as principal residential *Structures*. Where setbacks from street frontage or adjacent property prior to open space disposition are in excess of five hundred (500') feet, estate residences shall not exceed forty-five (45') feet in height. (220-41)
5. **Yard Requirements:** Except as noted above, the front, side and *Rear Yard* setback requirements for primary and *Accessory Buildings* shall be a minimum of one hundred (100') feet prior to open space disposition. However, the Zoning Board may approve under special circumstances, on a site specific basis, the appropriate relationship of *Yard* requirements and separation of *Structures* on the site to each other and the bounding *Property Lines* with the objective of assuring adequate screening, privacy, safety, architectural compatibility with existing *Buildings* and functional integration with the overall Estate.
6. **Open Space:** Upon registration of a *Family Estate* pursuant to Section 8. below not less than thirty (30%) percent of the site area shall be preserved as open space in perpetuity. The location of Open Space is subject to the review of the Director of the Land Use Bureau. Said open space may be: a Conservation Easement Area in a form approved by the Zoning Board filed on the Stamford Land Records; conveyed to the Stamford Land Conservation Trust or similar organization with the requisite requirements for maintenance as open space; or

conveyed to the City of Stamford subject to acceptance by the City of such conveyance; or a combination of the above. Land appropriately donated or set aside as permanent open space prior to registration as a Family Estate may be included in the overall land area calculation, provided said land was donated by the same registering family and does not exceed 15% of the total land area of the Estate. Where practicable, Open Space is to be contiguous and no area of Open Space shall be less than the minimum lot size of the Zoning District. Subsequent to the open space disposition, *Residential Density* and building setbacks shall conform to the underlying zoning district requirements. Outdoor areas used for passive activities such as horse paddocks and pasture areas may be excluded from any limitations of recreational use of open space subject to determination by the Zoning Board that such use will not significantly alter the natural character of the open space area.

7. **Building Area:** Two and one-half percent (2¹/₂%) of the total site area prior to open space disposition.
8. **Registration:** In order to qualify as a Family Estate, the property owner shall register this designation by submitting a legally binding agreement subject to the review and approval of the City of Stamford Department of Legal Affairs and a plan conforming to Section 2.D.3. of these regulations. Such designation shall be approved by the *Zoning Enforcement Officer* or Zoning Board as required by these regulations. Said site plan shall be filed on the Stamford Land Records and shall note thereon that said property is a registered Family Estate. (97-015)

Farm Uses

The following Farm Uses may be conducted in any district, without the necessity of obtaining any *Special Permit* therefor, and subject to the following conditions:

1. The raising of field and garden crops, vineyard and orchard farming, the maintenance of nurseries and greenhouses, and the keeping of livestock that are incidental and auxiliary to any such use and necessary thereto.
2. The keeping of livestock incidental to the domestic establishment of a residential use of the parcel of land on which such livestock are kept.
3. Temporary stands, not exceeding 400 square feet in total area, for the sale of products produced on the premises, provided that space shall be provided on the premises for all parking of vehicles in connection with the use of such stand.
4. Keeping of homing pigeons as an *Accessory Use*. The foregoing permitted use shall not, however, be construed so as to permit the keeping of pigeons of any species other than homing pigeons.
5. On all parcels of 50 acres or more, used for residential purposes and where the remainder of the property is used exclusively as farm land, all *Buildings* used for farm purposes shall be considered *Principal Buildings* under these Regulations and therefore the standards for *Accessory Buildings or Structures* shall not apply, provided such farm *Buildings* are located a

minimum of one and one-half (1.5) times the minimum setback requirements of Appendix B for the Zoning District in which the property is located, and further provided when located within a *Front Yard* that they are located a minimum of 100 feet from all *Property Lines* and shall not exceed a height of two (2) stories and a height of thirty-five (35) feet measured to the peak of the roof, whichever is less. Total *Building Area* of all *Buildings* shall not exceed fifty percent (50%) of the Maximum *Building Area* requirements of Appendix B for the Zoning District in which the property is located. (214-40, 219-26)

6. In the RA-3, RA-2 and RA-1 districts, the keeping of horses as an *Accessory Use* shall be permitted, provided there shall be at least 30,000 sq. ft. of *Lot Area* for each horse aged six months or older. The storage of manure or soil fertilizer shall be located not less than 150 feet from any street or *Lot Line* and no animals shall be allowed to roam at large. The keeping of animals shall not include commercial kennels or veterinary hospitals or other facilities. (94-035, 219-26)

Fire Station – Volunteer

A *Building*, or *Buildings*, housing firefighting equipment, related facilities and emergency apparatus to serve the public. (84-019)

Floor Covering Shop, Retail

Storage and retail sale of carpeting, rugs, linoleum, vinyl and asphalt tile, and similar kinds of floor covering; floor waxes, floor cleaners; floor finishers and related products; but not including terrazzo, ceramic tile or other masonry products. Storage to be limited to the normal needs of the retail operation on the same premises.

Food Shops, Retail

A retail establishment engaged in the sale of food primarily for offsite consumption including, but not limited to, establishments commonly known as markets, supermarkets, delicatessens, grocers, etc., engaged primarily in the sale of groceries including perishable and non-perishable food items and food related items. In such stores, non-food items and services such as household, health and beauty goods and other miscellaneous wares and services may also be offered but the supply of such items and services must be clearly incidental and secondary to the primary purpose of the store which is the retail sale of groceries directly to the consumer for offsite consumption. Nothing in this definition is intended to include a restaurant of any variety as a principal use. (205-05)

Gardening Supplies, Retail (219-19)

A parcel of land not exceeding 10,000 square feet in size used for the sale of gardening plants,

tools and landscaping materials primarily for retail customers and open to the public for at least 30 hours per week during March 1 through November 30. There shall be no storage of loose or bulk materials such as top soil, fill, mulch, gravel, fertilizer and other landscaping or building material, and no hazardous material shall be stored on site. Plant material for sale shall not exceed eight feet (8') in height nor shall planting containers exceed five (5) gallons or larger.

There shall be no storage or parking of motorized excavating or other heavy equipment or trucks exceeding one ton rated capacity or having more than two axles. There shall be no landscaping equipment or tools for sale that are not hand-held. The parking requirement shall be the same as for Retail Stores pursuant to Subsection 12.D.9 of these regulations. For purposes of calculating parking requirements, open, unenclosed areas used for sale shall be counted as *Floor Area*. All loading and unloading shall occur on-site.

Sites exceeding 10,000 square feet in size shall be considered CONTRACTOR'S MATERIAL STORAGE YARD.

Garage – Community (deleted 223-30)

Garage, Accessory (223-30)

A detached *Accessory Building* or a portion of a *Principal Building* for the parking and storage only of automobiles belonging to the occupants of the premises. One commercial vehicle which does not exceed three-quarters ($3/4$) tons in capacity and is used solely by the occupants may be stored in a private garage.

Garage, Public

A *Building* or part thereof, other than an *Accessory Garage*, used for parking or the storage of motor vehicles for remuneration. (223-30)

Gasoline Filling Station (223-30)

A *Gasoline Filling Station* is a facility for the retail sale of fuel and engine lubricants for motor vehicles. *Accessory Uses* may include repair facilities for cars and trucks, sale of automotive parts and accessories, and a convenience store, pursuant to the standards below.

Gasoline Filling Stations shall be subject to the following standards:

1. General Provisions applicable to all *Gasoline Filling Stations*:
 - a. The sale of new or used vehicles shall not be permitted unless such use is specifically permitted in the zoning district the *Gasoline Filling Station* is located in.
 - b. The rental or lease of vehicles including trailers shall not be permitted unless such use is

- specifically permitted in the zoning district the Gasoline Filling Station is located in.
- c. Car Wash facilities shall not be permitted unless such use is specifically permitted in the zoning district the Gasoline Filling Station is located in.
 - d. The site of a Gasoline Filling Station shall have a frontage on one (1) *Street* of at least one hundred feet (100') and shall have a minimum area of at least ten thousand (10,000) square feet.
 - e. Gasoline pumps and other service equipment shall be set back from any *Street Line* at least twenty feet (20') and not less than twenty-five feet (25') from any *Interior Lot Line*.
 - f. All other *Buildings* and *Structures* on site shall be set back at least thirty feet (30') from any *Interior Lot Line* abutting on a *Lot* in a Residence District and no less than 10 feet (10') from any *Interior Lot Line* in any other zoning district.
 - g. A solid *Fence* at least six feet (6') in height and a landscaped area of at least ten feet (10') in depth containing a dense screen of evergreens at least six feet (6') in height shall be provided for the full length of the *Interior Lot Line* between any Gasoline Filling Station and any *Lot* in a Residence District. Such *Fence* and planted area shall always be well maintained and in a state of good repair.
 - h. There shall be no more than two (2) curb cuts for any Gasoline Filling Station. Such curb cuts shall not be more than twenty-five feet (25') wide.
 - i. There shall be no curb cuts less than thirty feet (30') from any intersection and less than ten feet (10') from any *Interior Lot Line*.
 - j. All driveways, *Parking Areas* and automobile service areas shall be permanently improved with a paved surface.
 - k. There shall not be more than two (2) pump islands with no more than two (2) pumps per island for every ten thousand (10,000) square feet of *Lot Area*.
 - l. Storage tanks for gasoline or other motor vehicle fuels shall be located underground at least sixteen inches (16") below finished grade, with a six inch (6") reinforced cover. The amount of fuel stored shall be limited to thirty thousand (30,000) gallons, and storage tanks shall be set back at least thirty feet (30') from the *Interior Lot Line* of any *Lot* abutting a residential zoning district, and fifteen feet (15') from any other *Lot Line* and unless greater distances are required under any other law or regulation.
 - m. Parking shall be provided pursuant to Section 12 of these Regulations.
 - n. All repair and service activities shall be conducted entirely within a *Building*.
 - o. There shall be no outdoor storage of partially dismantled or non-operational motor vehicles except for temporary parking not exceeding one week before and after servicing.
2. Standards for Gasoline Filling Stations with four (4) pumps or fewer
 - a. If provided, there shall be no more than two (2) repair bays.
 - b. If provided, the retail area shall not exceed 1,500 square feet.
 - c. The storage or sale of diesel fuel shall not be permitted.

3. Standards for Gasoline Filling Stations with more than four (4) pumps
 - a. If provided, the retail area shall not exceed 2,500 square feet.
 - b. The storage and sale of diesel fuel is permitted.
 - c. If provided, all repair and service activities may be permitted.

Golf Course or Club

SEE: Country Club.

Group Day Care Home (222-31)

SEE: Child Day Care Services

Home Center

A retail facility having in excess of 80,000 square feet and not more than 130,000 square feet of *Floor Area* which offers for sale a wide variety of products used in the construction, maintenance, repair, improvement, enjoyment or use of land, homes, offices and other types of real property and appurtenant facilities. The interior sales *Floor Area* of such facility shall be primarily utilized for the sale of building materials and supplies, including, lumber, millwork, flooring, roofing, foundation, hardware, electrical, plumbing, heating and ventilation materials and supplies. Other merchandise offered for sale may include, but is not limited to, garden and landscape supplies and equipment, tools, floor and wall coverings, home fashion and decorating accessories, house wares and home furnishings, paint supplies, appliances, wild and domestic pet supplies, limited snack foods and beverages and work-related apparel and accessories. In addition to *Floor Area*, outdoor space, not to exceed 30,000 square feet, may be used as a garden center. Products and merchandise may also be displayed and sold from interior private sidewalks and in designated areas of the parking *Lot* provided these areas are clearly delineated on a site plan approved by the Zoning Board. A minimum *Lot* size of fifteen (15) acres shall be required for this Home Center use. (96-023, 215-29)

Home Furnishings, Retail

Stores engaged primarily in selling the following products and related services, including, but not limited to: draperies, floor coverings, furniture, glass and chinaware, home appliances, home furnishings, and interior decorating materials. (206-56)

Home Occupation

Any use customarily conducted for remuneration entirely within a dwelling and carried on solely

by the inhabitants thereof, which use is clearly incidental and customarily subordinate to the principal use of the dwelling. Activities requiring a State of Connecticut Cottage Food license pursuant to PA 18-141 shall be considered a Home Occupation. The conducting of a clinic, hospital, retail store or any similar use shall not be deemed to be a Home Occupation.

Hospital Complex

The Principal Use shall be a hospital licensed by the State of Connecticut Department of Health, and having facilities and medical staff to provide diagnosis, care and treatment of a wide-range of acute conditions or chronic diseases, including injuries. *Accessory Uses* permitted within the hospital complex shall include, but not be limited to the following: Medical Professional Offices, Professional Pharmacy, Nursing Home, Convent and Dwellings for Health Complex Staff. A Hospital Complex Site shall contain a minimum area of eight (8) acres. Any parcel or parcels of land smaller than said minimum acreage, owned by a non-profit medical corporation, may be added to a Hospital Complex Site. Such parcels must directly abut such Hospital Complex Site and may not be separated by a city *Street*. A Hospital Complex may be subdivided into *Lots* of not less than one (1) acre in area, by issuance of a *Special Permit* to insure that all *Lots, Buildings* and improvements thereon comply with applicable standards of the Hospital Complex definition and any conditions of previous *Special Permits* in effect at the time of the subdivision. No *Building* within a Hospital Complex may exceed a height of fifty (50) feet above grade; provided, however, that any *Building* located more than one hundred (100) feet from the nearest boundary of the Hospital Complex Site may exceed a height of fifty (50) feet above grade by an amount equal to one (1) foot for each one (1) foot in excess of one hundred (100) feet said *Building* is removed from the nearest boundary of the subject Hospital Complex Site, to a maximum of ninety (90) feet above grade. Off-street parking shall be provided in accordance with Section 12 of these Regulations and shall be screened from adjoining properties by suitable landscaping. (84-012, 96-006; 206-32)

Hotel (223-30)

A *Hotel* is a *Building* used as an abiding place providing seven (7) or more guestrooms in which lodging is provided for compensation, with or without meals.

Hotel, Boutique (223-30)

A *Boutique Hotel* is a *Hotel* with no more than 100 guestrooms and no conferencing and banqueting facilities.

Hotel, Extended Stay

An Extended Stay Hotel is a *Building* used as a Hotel, generally intended to accommodate longer lengths of stay, where all guest rooms are fully furnished and have a full kitchen. (213-09, 223-30)

House Trailer

Any portable or mobile vehicle used or designed to be used for living purposes and with its wheels, rollers, or skids in place.

House of Worship (221-11)

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

Housing for People with Disabilities (224-06)

Housing for *People with Disabilities* shall follow the same standards as for *Senior Housing*.

Hybrid Retailer for Marijuana or Cannabis (223-17(MOD))

A Hybrid Marijuana or Cannabis Retailer means a place of business licensed by the State of Connecticut where medical marijuana and adult-use cannabis are sold at retail to directly qualifying customers and patients. For Hybrid Marijuana or Cannabis Retailer the same regulations as for Adult-Use Cannabis Retailer shall apply.

SEE: Adult-Use Cannabis Retailer

Ice Skating Studio, Private

A *Building* or portion of a *Building* used solely for the instruction of students; such ice skating studio shall be an indoor establishment with not more than forty-five hundred (4500) square feet of skating surface, operated privately to provide ice skating instructions for individual or groups of individuals not exceeding at any one time, one (1) for each twenty-five (25) square feet of skating area. (70-020)

Independent Living Facility (224-06)

An Independent Living Facility is single, two- or multi-family Senior Housing that may or may not provide assistance and services to residents of such facility but where the services provided are less than those provided in an Assisted Living Facility or Nursing Home.

Independent Living Facilities shall follow the residential development standards of the underlying zoning district, unless otherwise provided for in these Regulations.

Standards

The following standards shall apply to Independent Living Facilities:

- a. An Independent Living Facility that exceeds the base *Residential Density* of the zoning district it is located in shall only be permitted when connected to public sewers.
- b. An Independent Living Facility that exceeds the base *Density* of the zoning district it is located in shall be permanently deed-restricted as an Independent Living Facility.
- c. **Bulk Regulations.** The following bulk regulations shall apply to Independent Living Facilities. Unless otherwise specified below, all other applicable regulations of the respective zoning district shall apply, including, but not limited to *Building Height* and *Setbacks* shall apply. Properties located partially or fully within both a *Historic District* and a Single- or Two-Family Zoning District (RA-3, RA-2, RA-1, R-20, R-10, R-7¹/₂ and R-6) shall comply with the base standards, without any *Bonuses* or *Premiums*, of the underlying zoning district for single-family (or two-family in an R-6 zoning District) residential *Development*.

District	Minimum Lot Size		Permitted Density
RA-3, RA-2,	3 acres		<i>FAR</i> 0.15 <i>RDD</i> : 2,000 sf
RA-1, R-20	2 acre		0.225 <i>FAR</i> <i>RDD</i> : 2,000 sf
R-10	1 acre		0.3 <i>FAR</i> <i>RDD</i> : 2,000 sf
R-7 ¹ / ₂	½ acre		0.375 <i>FAR</i> <i>RDD</i> : 2,000 sf
All other districts where Single - Two - or Multifamily Dwellings are permitted	Twice the minimum <i>Lot Area</i> for the respective zoning district	<i>Building Coverage</i> and <i>Lot Coverage</i> may be increased by up to 10%	Unless otherwise specified in the respective district, 25% greater than the <i>Residential Density</i> permitted in the district.

d. **Parking.** Parking shall be provided pursuant to Section 12.D.3.

e. **Below Market-Rate Housing Requirement.** *Below Market-Rate Housing* shall be provided

pursuant to Section 7.4. Independent Living Facilities taking advantage of the development standards in Subsection c. above, shall set aside at least twelve percent (12%) of the Dwelling Units as *Below Market Rate Units*.

- f. **ADA Accessibility.** One floor of all Dwelling Units in Independent Living Facilities must be fully *ADA* accessible and have the kitchen, one bedroom and a full bathroom on that level.
- g. **Limitation of Number of Bedrooms.** Dwelling Units in Independent Living Facilities shall not have more than three (3) bedrooms.
- h. **Occupancy Requirements.** All occupancy requirements shall be filed on the Stamford Land Records prior to issuance of a Certificate of Occupancy. Each Dwelling Unit of an Independent Living Facility must be inhabited full-time by at least one person who:
 - (1) is a *Senior*, or
 - (2) has a *Proven Disability*.
- i. **Short-Term Rentals Prohibited.** An Independent Living Facility shall not be used for Short-Term Rentals.
- j. **ADUs not Permitted.** Independent Living Facilities shall not qualify for Accessory Dwelling Units.
- k. **Incentives for Ownership Units.** If Independent Living Facilities are provided as homeownership units, the *Density* may be increased by one (1) unit for every four (4) units provided as of right. Such *Bonus Units* shall not exceed 2,000 sf in area and meet all zoning requirements of the underlying district. Prior to issuance of a Building Permit, a note shall be put on the land records limiting all units for which a *Bonus* is sought to ownership.
- l. **Design Requirements.** In single-and two-family districts, Independent Living Facilities utilizing the provisions of this Subsection shall be provided as detached or semi-detached *Buildings* or townhouses with no more than three *Buildings* attached. *Buildings* shall be clustered to maximize open space and distance from neighboring properties. Materials and architectural forms shall relate to the neighborhood context.

In n (223-30)

An In n is a *Building* used as a temporary abiding place providing more than three (3) but no more than six (6) guestrooms in which lodging is provided for compensation, with or without meals and where the proprietor or operator lives on premises.

Junk Yard

The use of: (a) more than two-hundred (200) square feet of the area of any *Lot* in an M-G District, or (b) more than fifty (50) square feet of any *Lot* in all other Zoning Districts, whether inside or outside of a *Building*, or (c) any portion of that half of any *Lot*, except in the M-G District, that adjoins the *Street*. For this definition, “Use” means the storage, keeping or abandonment of debris,

junk, including scrap metals or other scrap material, or for the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery or parts thereof. No garbage, putrescent, toxic, biomedical, hazardous or other waste, including demolition material that contains asbestos or other hazardous material, shall be permitted in a Junk Yard. (221-11)

Laundry and Dry-Cleaning Establishment, Retail

A neighborhood retail establishment engaged in laundry and dry-cleaning operations, dealing directly with ultimate consumers at the same premises. (81-001)

Marijuana or Cannabis Cultivator (223-17(MOD))

Marijuana or Cannabis Cultivator means a facility licensed by the State of Connecticut where marijuana or cannabis is grown for medical or adult-use and which exceeds an area of 15,000 sf of grow space. A Marijuana or Cannabis Cultivator shall not sell product directly or through a delivery service to consumers.

Marijuana or Cannabis Delivery Facility (223-17(MOD))

Marijuana or Cannabis Delivery Facility means a facility licensed by the State of Connecticut where an entity that delivers medical marijuana, adult-use cannabis, or products containing marijuana or cannabis directly to where consumer is located. A Marijuana or Cannabis Delivery Facility may be located within the same facility as other Cannabis Establishments.

Marijuana or Cannabis Delivery Service (223-17(MOD))

A Marijuana or Cannabis Delivery Service means a business licensed by the State of Connecticut that is permitted to deliver medical marijuana, adult-use cannabis or products containing marijuana or cannabis directly to patients or consumers. A Marijuana or Cannabis Delivery Service shall only deliver cannabis between cannabis establishments and end consumers, and each individual delivery order of cannabis must be delivered (or returned to the originating establishment) within a 24-hour period. A Marijuana or Cannabis Delivery Service can be located within the same facility as other Cannabis Establishments.

Marijuana or Cannabis Micro-Cultivator (223-17(MOD))

Marijuana or Cannabis Micro-Cultivator means a facility licensed by the State of Connecticut where marijuana is grown for medical or adult-use with an area of at least 2,000 sf but no more than 25,000 sf of grow space, provided that any expansion beyond 10,000 sf up to

25,000 sf shall require administrative approval by the Zoning Board. A Marijuana or Cannabis Micro-Cultivator may sell product to consumers only through a delivery service.

Marijuana or Cannabis Processing Facility (223-17(MOD))

Marijuana or Cannabis Processing Facility means a facility licensed by the State of Connecticut where products derived from marijuana plants are produced through extraction, chemical synthesis and other processes. Marijuana or Cannabis Processing Facility shall also include facilities where products derived from marijuana plants are added to foods or beverage for human consumption or other products. Marijuana or Cannabis Processing Facility shall also include facilities where marijuana products are packaged. A Marijuana or Cannabis Processing Facility shall not sell product directly or through a delivery service to consumers. A Marijuana or Cannabis Processing Facility may be located within the same facility as other Cannabis Establishments.

Marijuana Producer (223-17(MOD))

Marijuana Producer means a facility licensed by the State of Connecticut where marijuana is grown exclusively for medical purposes for sale and distribution of product to qualified medical patients at Dispensaries and/or Hybrid Retail facilities.

Marijuana or Cannabis Transport Facility (223-17(MOD))

Marijuana or Cannabis Transport Facility means a facility licensed by the State of Connecticut where an entity that transports medical marijuana, adult-use cannabis or products containing marijuana or cannabis between state approved cannabis licensed entities, including Marijuana or Cannabis Cultivators, Marijuana or Cannabis Micro-Cultivator, Marijuana or Cannabis Processing Facilities, Marijuana Producer and Medical Marijuana Dispensaries, Adult-Use Cannabis Retailers or Hybrid Retailers. Direct sale or distribution to consumers or patients shall not be permitted from a Transport Facility.

Mausoleum

A *Building* for interment of the dead above ground.

Medical Marijuana Dispensary Facility

Medical Marijuana Dispensary Facility means a place of business where marijuana may be dispensed or sold at retail to qualifying patients and primary caregivers, and for which the

Connecticut Department of Consumer Protection has issued a dispensary facility permit to an applicant in accordance with Section 21a-408-14 of the Regulations of Connecticut State Agencies. (214-02)

Purpose

The Zoning Board acknowledges the enactment of Public Act #12-55 and adoption of regulations concerning the “Palliative Use of Marijuana”. This Public Act and the associated regulations establish the local regulatory framework for the palliative use of marijuana pursuant to Chapter 420f of the Connecticut General Statutes. It helps to guide the appropriate location and operation of Medical Marijuana Dispensaries (“Dispensaries”) in the City of Stamford. The purpose of this Section U is to minimize the impact of Dispensaries on neighbors, while at the same time recognizing the essential services these Dispensaries will provide to the citizens of Stamford.

Standards

Medical Marijuana Dispensaries are allowed by *Special Permit* approval of the Zoning Board only within certain commercial and manufacturing Zoning Districts of the City of Stamford, as shown in Appendix A, Table I of these Regulations. Such uses must comply with the requirements of the Zoning Regulations and meet the following additional standards:

- a. Medical Marijuana Dispensaries must possess a current license from the State of Connecticut Department of Consumer Protection and comply with the Regulations of the State of Connecticut Department of Consumer Protection Concerning the Palliative Use of Marijuana, per the Connecticut General Statutes, Section 21a-408-1 to 21a-408-70, inclusive, as may be amended from time to time. Failure to maintain proper licenses shall be deemed an immediate violation of the City of Stamford Zoning Regulations.
- b. No Medical Marijuana Dispensaries shall be located within a 3,000 feet radius of any other Dispensary;
- c. Signage for Dispensaries must comply with the following standards: (221-15)
 - (1) Signage on the Dispensary facility *Building* shall be limited to a single Sign no larger than sixteen inches in height by eighteen inches in width;
 - (2) In addition to a Sign on the facility *Building*, a Dispensary may install one (1) additional Ground Sign or Pole Sign, where such signs are permitted, not exceeding lesser of (i) what is permitted in the underlying zoning district, or (ii) ten (10) square feet in area and ten (10) feet in height when ground mounted;
 - (3) Dispensaries may use the words “medical marijuana dispensary facility” on the facility’s signage;
 - (4) There shall be no illumination of a Sign advertising a marijuana product at any time;
 - (5) There shall be no signage that advertises marijuana brand names or utilizes graphics related to marijuana or paraphernalia on the exterior of the Dispensary or the *Building* in which the Dispensary is located;

- (6) There shall be no display of marijuana or paraphernalia within the Dispensary which is clearly visible from the exterior of the Dispensary; and
 - (7) There shall be no signage which advertises the price of its marijuana.
- d. Parking shall be provided according to Section 12 of the Zoning Regulations, as follows: A Dispensary shall meet the parking standard for Retail Store.

Medical Marijuana Production Facility

[*deleted*] (223-17(MOD))

Motel

A *Building* or group of *Buildings* containing one (1) or more guest rooms having separate outside entrances for each such room or suite of rooms and for each of which rooms or suites of rooms automobile *Parking Space* is provided on the premises. (223-30)

Museum

A non-profit institution, which is exempt under Section 501(c)(3) of the Internal Revenue Code, that is essentially educational in nature, devoted to the procurement, care, and display of objects of lasting interest, open to the public a minimum of three days a week year-round. (82-018, 214-02, 215-31)

Museum Complex

A parcel of land not less than 50 acres, in single ownership at the time of adoption of these regulations, containing multiple existing museum *Buildings*, which may be expanded, developed and/or redeveloped in phases, pursuant to a *General Development Plan* approval by the Zoning Board, subject to the following standards. (215-31)

1. *Permitted Uses: Permitted Uses* may include educational programming related to matters of natural history, agriculture, animal husbandry, astronomical studies, marine biology, and art history; cafe; Day Care; summer day camp; Retail Food Shop; picnic pavilions; trails; nature center; gift shop; playground; temporary community retail booth (e.g. bake sales, farmers market, etc.); recreation area; camp grounds; parking of vehicles for educational and community programs; and onsite housing for museum staff.
2. Existing Non-Conforming *Structures*: Existing *Buildings* and *Structures* that do not conform to the *Yard* requirements shall be allowed to remain and may be extended, expanded or changed, subject to approval of the Zoning Board provided that such changes do not result in

any nonconforming setback being further reduced and are part of an approved *General Development Plan*.

3. Improvements: Minor changes and minor expansions of existing *Structures, Parking Areas, paddocks, gardens, or similar approved uses, including new Structures or driveways*, may be allowed, subject to review and approval of the Land Use Bureau Chief or designee, or administrative review of the Zoning Board, provided that said improvements are consistent with an approved *General Development Plan* or set back at least 100' from any *Street* or residential property, and result in no substantial increased impact to parking or traffic demand or other public infrastructure.
4. Accessory *Structures: Accessory Buildings and Structures* shall be subject to the same *Building Height Story*, and setback limitations as principle *Structures*.

Notwithstanding special standards of this Definition 67.5 herein, any Museum Complex shall comply with the standards of Section 2.C.2.e, subsections (2) and (3) for *Floor Area Ratio* and ground coverage.

5. Signage: A Museum Complex shall be permitted to provide the following signage:
 - a. One (1) *Ground/Wall Sign* within the *Front Yard* setback at the primary entrance to the Museum Complex to ensure visibility from the *Street* not to exceed forty (40) square feet in area and one (1) secondary entrance *Sign* not to exceed twenty (20) square feet in area.
 - b. At the primary entrance to the complex up to seventy-two (72) square feet of temporary banners announcing specific seasonal or special activities open to the general public, not to exceed ten (10) feet in height or width, may be allowed onsite within the *Front Yard* setback, provided any such *Sign* location is consistent with an approved *General Development Plan*.
 - c. Way-finding, directional, educational, exhibit, temporary tent *Signs*, and/or individual building *Signs*, provided said signage is suitably screened from exterior *Streets*, shall be approved by the Land Use Bureau Chief, or designee, or as part of an approved *General Development Plan*.
6. Where any proposed *General Development Plan* activity requires approval from the Environmental Protection Board, Engineering Bureau and/or Health Department, said approvals shall be obtained prior to the start of site activity or the issuance of a Building Permit for said activities. (223-18)

Non-Conforming Use

The use of a *Building* or of land that does not conform to the regulations as to use for the district in which it is situated.

Nursing Home

An establishment, licensed by the State of Connecticut pursuant to Sec. 19a-490 through Sec. 19a-503 of the Connecticut General Statutes, as amended, as a "home for the aged", "nursing home" or "rest home", which furnishes food, shelter, nursing care, simple non-surgical medical care and other personal services to two or more persons, unrelated to the proprietor, who are suffering from chronic or incurable illness, abnormal physical condition, developmental or physical disabilities, or the infirmities of old age, but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis, treatment or care of the sick or injured, nor institutions of a penal or correctional nature or for the care of insane or feebleminded patients or the care of drug or alcohol addiction. Nursing home shall also include a hospice facility as defined under Section 19a-122b, C G S , as amended. (93-013)

Office Supply Store, Retail

Stores engaged primarily in selling, renting or servicing materials used in offices and businesses. (206-56)

Offices - Housing Authorities

Offices used exclusively by a "Housing Authority" created and existing by the authority of Chapter 128 of the Connecticut General Statutes and located within a residential *Structure* operated by said Authority, provided that such use shall not exceed 20% of the total *Floor Area* of the *Structure* and shall not extend outside the *Structure* other than for the parking of non-commercial vehicles. (86-026)

Official Emissions Inspection Station

An Official Emissions Inspection Station means a facility for the purpose of conducting exhaust emission inspections of motor vehicles pursuant to an agreement as authorized by Section 14-164b, et seq., of the Connecticut General Statutes, as said section may be amended from time to time. Servicing and repair of motor vehicles, sale of gasoline, petroleum and automobile products, and other types of inspections are expressly excluded. (82-007)

Package Liquor Store (219-25, 220-42, 221-11)

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

Categories 9 (Urban Mixed Use) and 11 (Downtown) where a Package Liquor Store is permitted pursuant to these Regulations, the minimum distance between Package Liquor Stores shall be 750 feet. Separation distances shall be measured “as the crow flies” from the entrance of each establishment.

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

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

Notwithstanding the above, any Package Liquor Store which was in existence prior to June 7, 1982 or which is being taken or threatened to be taken in the exercise of eminent domain, shall be allowed to move said Package Liquor Store to any location in the City of Stamford provided that the new location is not closer than 750 feet to an existing Package Liquor Store and is in a zone where such use is permitted under these Regulations.

Party Rental Store

A facility used for the sale, rental and/or storage of all types of party rental equipment, including silver service, hat and coat racks, glassware, tables, chairs, linens and other items normally associated with food service equipment.

Passenger Way Stations, Right-of-Way

This shall include passenger or waiting stations for railroads, buses or other forms of transportation, including accessory service therein and right-of-way, but not including switching, storage, freight yards or industrial sidings, provided that bus passenger shelters or waiting areas as herein defined including related seating equipment, signage, display holders and illumination shall be a *Permitted Use* at rail stations. Bus shelters shall be permitted by-right within the public right-of-way when conforming to the Guidelines of the Stamford Transit District, in commercial, industrial and multi-family residential zones. Bus shelters shall be permitted by a Zoning Board *Special Permit* in all other zoning districts. (85-045)

Personal Wireless Services (PWS)

The provision of personal wireless services as that term is defined by Section 332 (c)(7) of the communications Act of 1934, U.S.C. section 151-613, as may be amended, which services are regulated by the Federal Communications Commission ("FCC") and include commercial mobile services, unlicensed wireless services, common carrier wireless exchange access services, cellular services, personal communications services (PCS), Specialized Mobile Radio Services (SMR), paging services, and other similar communications services.

Personal Wireless Service Facility

All equipment, *Structures* and mountings used for the provision of Personal Wireless Service including transmitters, repeaters, antennas, antenna support *Structures* and associated communications equipment, but specifically excluding new towers or monopoles whether attached to an existing *Building* or *Structure* or freestanding on the ground.

1. Application for approval of a PWS facility attached, supported by, or mounted on an existing tower shall be subject to the issuance of a *Special Permit* by the Zoning Board in conformance with the requirements and standards of this section and Section 2. Application for approval of a PWS facility attached, supported by, or mounted on an existing *Building* and/or *Structure*, excluding a tower, shall be subject to initial review and determination by the Land Use Bureau Chief or designee, who shall within 60 days of receipt of a complete application and supporting information, authorize the *Zoning Enforcement Officer* to issue a *Zoning Permit* for a proposed Personal Wireless Service Facility, upon a finding that all of the following requirements and standards have been fully satisfied:
 - a. No PWS facility shall be attached to any *Building* designed for occupancy by four families or less nor to any *Accessory Building* located on a *Lot* containing such a residential *Building*.
 - b. The PWS antennas shall be sited to minimize visibility from surrounding public *Streets* and adjacent properties, and shall be designed, finished and mounted with materials, colors, dimensions and techniques to blend into the architecture of the existing *Structure* to the maximum extent practical, in a manner which aesthetically minimizes visual impact.
 - c. Antennas mounted on the façade of a *Building* shall match the color of the *Building* and shall project not more than two (2) feet horizontally from the wall or façade of the *Building* and project not more than five (5) feet vertically above the cornice line of the *Building* or wall to which attached; antennas mounted on the roof of a *Building* or attached to other existing *Structures* shall extend not more than 5 feet above the highest point of the existing *Building* or *Structure*.
 - d. Any roof mounted equipment associated with the PWS Facility shall be enclosed to blend with existing roof-mounted mechanical equipment and combined in a common enclosure with other PWS equipment whenever feasible. Any PWS Facility equipment located at ground level shall not exceed a height of fifteen (15) feet and shall be surrounded by adequate screening from adjacent properties and public rights-of-way with appropriate fencing and/or landscape screening of sufficient height, depth and proximity to provide a year round visual barrier. Signage shall also be provided to provide notice of necessary safety precautions.
 - e. As evidence of compliance with the radio frequency emission standards adopted by the FCC, a proposed PWS Facility shall have received the approval of the Stamford Director of Health under Chapter 160 of the Code of the City of Stamford. A copy of the full record

of the proceedings of the Director of Health in approving the PWS facility shall be provided.

- f. More than one PWS Facility may co-locate on the same *Structure, Building* or existing tower, based on a finding that multiple installations will not alter the character of the *Structure* or *Building* and will not intensify any adverse visual impact on surrounding properties, provided further that all existing PWS facilities shall be operating in full compliance with a permit issued by the Director of Health and pursuant to the requirements of this section. The existence of any legally non-conforming PWS facilities shall serve to preclude the approval of any additional PWS facilities pursuant to this section.
- g. Application for approval under this section shall be submitted jointly by the PWS provider and the property owner, and shall include an analysis of the providers existing antenna locations, coverage and capacity calculations, and a justification of need for the proposed new facility.
- h. Removal Requirement: Any PWS facility which ceases to operate for a period of one year shall be removed, and at the time of removal the site shall be fully remediated. The PWS provider and property owner shall be separately responsible for compliance with this requirement. (97-020)

Pet Stores

Including Food & Accessories: means a retail business where domestic pets, pet supplies and pet accessories are sold to the public. (217-50)

Pet Daycare

A facility that regularly provides daily care for dogs, cats or other household domestic animals, along with retail sale of pet products and food, grooming, boarding, and training. The facility shall be soundproofed and equipped with odor control devices to prevent animal noises and odors to reach adjoining properties. Overnight boarding area shall not exceed 25% of the *Gross Floor Area* of the pet day care facility. Pet daycare facilities shall have a separate entrance, when co-located with other uses. Outdoor dog runs accessory to such facility shall only be permitted in the M-G and M-L districts and shall not be located adjacent to residential uses or residential zoning districts. Such outdoor facilities shall be fenced and shall be required to install storm-water treatment system. Pet daycare shall be completely indoors in all other districts. (219-18)

Personal Wireless Communication – Retail

A retail Establishment not exceeding 4,000 square feet of retail floor space, whose primary purpose is the sale, rental and service of personal and corporate communication services and products including, but not limited to, cell phones, tablets and other voice, data, imaging, internet, and

information devices and related accessories that are capable of being used on any wireless communication network and the lawful activities ancillary thereto. There shall be no tower or transition facilities on the premises. (215-24)

Prenatal Care Residence

A dwelling licensed by the State wherein not more than ten pregnant women reside which is supervised and operated by a non-profit organization and is located on land adjacent to land on which a convalescent or nursing home is located; and a minimum of 3 *Parking Spaces* are provided. (88-027)

Principal Dwelling Unit (222-28)

SEE: Dwelling Unit, Principal

Professional Office – Medical

Offices of licensed physicians or licensed dentists, which do not have any hospital facilities.

Professional Office - Principal Use

An office of recognized professions such as doctors, dentists, lawyers, architects, engineers, real estate brokers, artists, musicians, designers, teachers, tutors and others, who through teaching are qualified to perform services of a professional nature and whose principal use is predominantly that of the profession in which such individual is engaged. (220-48)

Professional Office - Accessory Use

The office or studio of a resident professional person previously defined, in which not more than two (2) persons not resident of the premises are employed, provided that in the case of physician, surgeon or dentist there are no hospital facilities in connection therewith.

Professional Pharmacy

An establishment located in a medical/dental professional *Building*, having as its primary function the dispensing of drugs and medication, and whose stock in trade does not include merchandise other than pharmaceuticals, orthopedic appliances, sick room needs, and medications for internal and external use dispensed by prescription or otherwise. Such pharmacy may be conducted only as part of a professional *Building* containing no less than five (5) offices occupied by medical doctors and used for no use other than a professional *Building*; provided that there be no direct outside public access to such pharmacy, and provided further that there be no identifying *Signs* or advertising directed toward the outside of said *Building*.

Public Charitable Institutions

Non-profit philanthropic or charitable institutions providing out-patient counseling, consulting, advisory services or related social services to the public, but not including hospitals, medical clinics, nursing homes, or residential dormitories, and not including institutions of a penal or correctional nature or for the care of insane or feebleminded patients or the care of drug or alcohol addiction. (93-013)

Public Utility Buildings (No Service Yard)

Public Utility Buildings or uses may be permitted in Residential Zones, provided they do not include incidental service and storage yards.

Public Utilities

Electric Generating Plant: Any equipment used for the making or generation of electric power for sale.

Public Youth Services Agency

An organization with a minimum of ten (10) years of established collaboration with the Stamford Board of Education and/or Stamford Parks and Recreation Commission serving preschool to high school students by providing facilities and programming for extra-curricular education, recreation, and skill-building activities. The following Special Standards may be allowed by *Special Permit* of the Zoning Board:

1. Parking requirements shall be determined by the Zoning Board based upon operational need and may be satisfied by offsite lease on land owned by the City of Stamford, provided said lease is for not less than 25 years;
2. *Building* setbacks shall be not less than 10' to any residence zone or street frontage;

3. *Building Coverage* shall not exceed 50% of the site, inclusive of any area leased from the City of Stamford. (213-25)

Racquetball Facility

An indoor facility used primarily for racquetball, squash racquets and/or handball, including other health facilities collateral thereto and such other facilities incidental thereto, including a pro shop and health/snack bar. Said facility to require four (4) *Parking Spaces* for each court. (78-016)

Radio-Controlled Miniature Car Facility

An indoor facility used primarily for the racing of radio-controlled miniature cars and such other activities incidental thereto, including but not limited to the sale of miniature cars and parts, the repair of miniature cars, instructions in use and a snack bar. (88-033)

Radio & Television Broadcasting Station

Any radio or television broadcasting station, including masts, operated as a public service, including studios and an auditorium which shall not have a seating capacity in excess of fifty (50) persons.

Recycling Preparation Operation

1. An operation of a recycling/transfer facility solely for the collection, compacting, crushing, shredding, baling, pulverizing, separation, sorting and consolidation of solid waste materials, including newspapers, paper and cardboard materials, construction materials, demolition materials, wood products, plastics, tires, rags and similar materials for reclamation and volume reduction purposes and for transfer to other sites for final reprocessing, reclamation, conversion or change of form.
2. No garbage, putrescent, toxic, biomedical or hazardous waste shall be allowed on the premises. No incineration shall be permitted on the premises and no stockpiling or storage of any materials shall be allowed outside of the enclosed *Building*. There shall be no reprocessing, conversion or change of form of such materials on the premises and all separated and sorted materials shall be transferred to other sites for final reprocessing, reclamation, conversion, incineration or other disposition.
3. All activities shall be conducted within an enclosed *Building* for which the plan, size design and method of operation have been approved under a permit issued by the Commissioner of Environmental Protection of Connecticut in accordance with the provisions of Section 22a-208a of the Connecticut General Statutes.

4. Within the M-G General Industrial District the site shall be not less than one and one-half acres if used for multiple purposes and not less than three fourths of an acre if used for a single use, shall have access and entry from two or more *Streets* not more than 1 mile from an entrance to the Connecticut Turnpike.
5. Within the M-L Light Industrial District the site shall be not less than two and one half acres; adjacent to railroad property; not less than one hundred feet (100') from a residence district; and not more than one (1) mile from an entrance to the Connecticut Turnpike. (90-012; 96-020)

Religious Institutions (221-11)

SEE: House of Worship

Research Laboratories

Research Laboratories shall be a *Building* or *Buildings* designed, intended or used for scientific, literary, antiquarian, commercial or medical research or experiments, provided, the use thereof is not noxious, offensive or detrimental to the neighborhood by reason of odors, fumes, dust, smoke, vibration, noise or other objectionable characteristics.

Residence for End-of-Life Care (222-38)

A *Building* under 501C-3 non-profit ownership with occupancy by up to eight (8) persons receiving licensed palliative or hospice care, aimed at optimizing quality of life and mitigating suffering from predominantly terminal illnesses provided:

1. The *Building* and use were constructed consistent with Section 8-3.e of the Connecticut General Statutes.
2. There shall be no increase in *Floor Area* to the existing *Building*.

Residential Care Facility (224-06)

Residential Care Facility is housing for *Seniors* or *Disabled Persons* in private homes for six or fewer people with daily life assistance, meals, laundry, housekeeping assistance, personal care, and planned activities from 24-hour staff and operated by a State-licensed Assisted Living Services Agency. Residential Care Facilities shall be permitted in all zoning districts where Single-Family Dwellings are permitted and shall follow the zoning standards for Single-Family Dwellings.

Residential Recreational Area

A *Lot* or tract of land located within a single-family residential zone and utilized for recreational activities for the benefit of persons dwelling in single-family *Dwellings* located in a single-family residential zone; provided that the land to be designated as *Residential Recreational Area* is owned in common by the owners of the single-family *Dwellings* legally entitled to use such *Residential Recreational Area* or by an association of such owners; and provided, further, that in the case of any area designated *Residential Recreational Area* necessary covenants and agreements shall be submitted to and reviewed by the City's Corporation Counsel to ensure proper maintenance of said area and to insure that the interests of the City and of neighboring property owners will be protected. The use of such facilities shall be restricted to those persons living in the contiguous residential area or in an approved subdivision in which such *Residential Recreational Area* is located. No use or *Structures* shall be permitted in a *Residential Recreational Area* except those related to recreational use and any such area shall be properly surfaced, planted and maintained by the owner. All facilities, lighting, drives and *Parking Areas* shall be located, set back and landscaped so as not to disturb adjacent residential properties. Conditions regarding hours of use, increased *Yards* and additional landscaping shall be imposed when necessary to achieve this objective. (84-048)

Residential Rehabilitation Center, Non-Profit (federal, state or municipal assisted programs)

A *Building* owned or operated for non-profit purposes which contains rooms for a maximum of fifty (50) patients, and has a common dining facility, common bathroom facilities, common recreational facilities, and common therapeutic facilities in which persons who have a medically recognized addiction to drugs or alcohol shall receive care and attention to eliminate said addiction through the use of psychiatric counseling, work therapy, vocational rehabilitation and other similar means, provided that no facility may be located within a one and one-half mile (1^{1/2}) radius of a like facility, and any new C-G zones that do not now exist would have to be covered by approval of the Zoning Board of Appeals for a *Special Permit*. (73-002)

Restaurant, Standard

An establishment whose principal business is the sale of foods, frozen desserts, or beverages to the customer in a ready-to-consume state served by a restaurant employee at the same table or counter at which said items are consumed, and subject to the restriction that not more than forty-five percent (45%) of the *Gross Floor Area* may be devoted to food preparation related activities and other space not accessible to the public. (77-018)

Restaurant, Carry-Out

An establishment whose principal business is the sale of foods, frozen desserts, or beverages to the customer in a ready-to-consume state either in edible containers or in paper, plastic or other disposable containers for consumption off the premises. The consumption of foods, frozen desserts, or beverages within a motor vehicle parked upon the premises or at other facilities on the *premises* outside the restaurant *Building* is expressly prohibited, and the premises shall be properly posted with *Signs* stating that such consumption is unlawful. Such *Signs* shall be posted both inside the *Building* near the checkout counter and outside the *Building* in the *Parking Area*. (77-018)

Restaurant, Fast-Food

An establishment whose principal business is the sale of foods, frozen desserts, or beverages to the customer in edible containers or in paper, plastic or other disposable containers in a ready-to-consume state for consumption either within the restaurant *Building* or for carry-out with consumption off the premises, including cafeteria-type operations where food, frozen desserts or beverages are consumed within the restaurant *Building*. The consumption of foods, frozen desserts, or beverages within a motor vehicle parked upon the premises or at other facilities on the premises outside the restaurant *Building* is expressly prohibited, and the premises shall be properly posted with *Signs* stating that such consumption is unlawful. Such *Signs* shall be posted inside the *Building* near the check-out counter and outside the *Building* in the *Parking Area*. (77-018)

For the purpose of regulating these activities, definitions Restaurant, Standard, Restaurant, Carry Out and Restaurant, Fast-Food shall be mutually exclusive. (77-018)

Restaurant, Carry-Out; Restaurant, Drive-In; and Restaurant, Fast-Food outside the Downtown Boundary, as delineated in the *Master Plan*, shall be subject to the further restrictions that such *Permitted Uses* shall not be situated on any *Plot* having a frontage on a highway of less than one hundred feet (100'). *Structures* or *Buildings* thereon shall not be less than fifty feet (50') from a *Street* or highway line, nor less than forty feet (40') from a *Property Line* nor less than seventy-five feet (75') from the boundary line of a Residence District. The aforementioned restrictions shall not apply to these uses when such use is located in the M-L, M-G, or M-D districts so long as said property on which the use is located is surrounded on all sides by property also located in the M-L, M-G, or M-D districts. (77-018, 90-002, 220-04)

Retail Store, Discount

A facility of more than seven thousand five hundred (7,500) square feet of *Floor Area* which advertises by newspaper or radio, posts *Signs* or banners visible to the general public, or in any similar manner informs the general public that it sells goods generally and regularly at prices below

a regular or list price charged in other retail establishments for comparable merchandise. (79-021)

Riding Academy

Any establishment where horses are kept for riding, driving or stabling for compensation.

Roller Skating Rink

A *Building* or portion of a *Building* used solely for roller skating; incidental uses shall be limited to skate shop and snack bar and no *Alcoholic Beverages* shall be permitted on the premises. Such roller skating rink shall be an indoor facility having not less than twelve thousand (12,000) square feet of *Gross Floor Area*. (80-004)

Rooming House

Any *Building* or portion thereof containing more than four (4) and less than ten (10) rooms that are used, rented, or hired out to be occupied, or which are occupied for sleeping purposes by more than four (4) and less than ten (10) guests, other than members of the family of the proprietor for compensation, whether the compensation be paid directly or indirectly. The term "*Rooming House*" shall be deemed to include lodging house and boarding school house, but not *Bed & Breakfast* or *Motel*.

Safe Deposit Facility

A *Building* or premises used for the renting of safe deposit boxes, vaults or other receptacles for storage of personal property. (82-014)

School, Non-Public

Any *Building*, *Structure* and/or land principally and regularly used by teachers and students for instructional and educational purposes, at the nursery, primary and secondary levels only, which is not under the direct supervision and control of the Stamford Board of Education and which is licensed by the State of Connecticut, or which is administered by an accredited educational institution or a bona fide religious institution. "School, Non-Public" shall include land used for recreational purposes as an adjunct to the principal instructional or educational use and any dormitories connected with such schools, but excluding fraternities and sororities. "School, Non-Public" shall not include vocational or secretarial schools. (214-09)

School, Public

Any *Building, Structure* and/or land principally and regularly used by teachers and students for instructional or educational purposes, which is under the direct supervision and control of the Stamford Board of Education.

School, Vocational or Secretarial or Language

Any *Building, Structure* and/or land principally and regularly used by teachers and students for instructional or educational purposes, at the post-secondary level (excluding colleges and universities), which is licensed by the State of Connecticut or administered by an accredited educational institution or an accredited language school.

Self-Storage Facility

A self-service, controlled-access facility occupying a *Building* or portion of a *Building* or consisting of a group of *Buildings* in a controlled-access compound, providing individual, compartmentalized stalls or lockers for the dead storage of customers business, personal and/or household goods. When approved by *Special Permit* in accordance with Appendix A, Table I, use 164.1, such facility shall be an *Adaptive Reuse* of existing *Floor Area* within an existing office *Building*, and shall be subject to the following standards: (214-10)

1. *Floor Area* shall not exceed a 0.5 *Floor Area Ratio*;
2. Said use shall be fully enclosed within the basement of the *Building*; and
3. Signage shall be subject to Zoning Board approval; and
4. Other than approved signage, there shall be no external evidence of the use.

Senior or Disabled Day Program (224-06)

A Senior or Disabled Day Program is a space dedicated for *Seniors* or *Disabled Persons* to receive meals, peer-engagement, limited care and programming during the day. This Use is intended to provide an alternative or supplemental solution to assisted living or nursing home care and allow program participants to socialize and *Seniors* to age-in-place. A Senior or Disabled Day Program may be run by a for-profit or non-profit entity. Transportation may be provided. Nothing contained herein shall prohibit participants from using outdoor space on the property.

Senior Housing (224-06)

Senior Housing is all single-, two-, multi-family or congregate housing which is restricted to *Seniors* or the *Disabled*. Except as otherwise set forth in these Regulations, Senior Housing shall include the following:

- Assisted Living Facility
- Independent Living Facility
- Memory Care
- Nursing Home
- Residential Care Facility
- Senior Housing and Nursing Home Facility Complex

Senior Housing and Nursing Home Facility Complex

An integrated *Senior* housing facility, designed and managed in common, which may include a nursing home, rest home, assisted living residence, *Senior* housing facilities, progressive levels of support services, nursing care, related medical and/or ancillary support services in such proportions deemed appropriate by the Zoning Board. Not less than 90% of the units within the premises shall be occupied by at least one *Senior* resident as defined in Section 3.A, paragraph 4.3 (b) of these Regulations. Within multi-family districts area, height and bulk of *Buildings* shall be in accordance with the standards of Appendix B. Within single family districts served by public sewers and public water, minimum size of *Plot* shall be eight (8.0) acres, *Principal Buildings* shall not exceed a height of three *Stories* with a maximum height determined by the Zoning Board, all *Buildings* shall be setback from *Property Lines* a distance not less than seventy (70) feet from all residentially used property and all *Street Lines*, and at the discretion of the Zoning Board thirty-five (35) feet from all other *Property Lines*, *Building Coverage* shall be in accordance with Appendix B, and *Floor Area Ratio* (including housing) shall not exceed 0.4 in the R-10 Zone and 0.25 in the R-20 or RA-1 Zone. Where redeveloping existing non-residential *Special Permit* uses, the minimum site area shall be three (3) acres, provided that for any site less than 8 acres in area the maximum *Building Height* shall not exceed 2.5 *Stories*. Where a property is currently not connected to public sewers, the applicant shall provide evidence of the ability to connect to the public sewer at the time of *Special Permit* application and the Zoning Board may require contribution in kind/cash or bond to ensure appropriate public sewer connection and appropriate operation of the sewer system as a result of such connection. Parking requirements shall be determined based on the mixed use, operational characteristics and potential shared use of parking of said project. Said complex may at the discretion of the Zoning Board also include such other uses allowed by right or by *Special Permit* within the underlying zoning district. When located within the R-H District, said complex may at the discretion of the Zoning Board be combined with other uses allowed by right or *Special Permit*, may be situated on contiguous parcels of land, any may be approved within existing *Buildings* that are nonconforming with respect to Appendix B. The application and review standards of Section 2.D. Site Plan Review and Section 2.C.2 Standards and Conditions for *Special Permit* shall apply. (90-031; 95-029; 213-13, 217-17)

Shooting Range Facility

Shooting Range Facility means an indoor facility used primarily for the safe and supervised practice and use of firearms, by both civilians and law enforcement, which may include but not be limited to such ancillary uses incident thereto, e.g. classroom and educational instruction, manufacturing, retail sale, and a snack bar. Such a facility shall: (a) possess and maintain required Federal Firearms and State Commercial Firearms licenses; (b) comply with the Stamford Noise Ordinance found at Chapter 164 of the Stamford Code of Ordinances; (c) incorporate air quality mitigation mechanisms as approved by the Health Department; and (d) have received a favorable recommendation from the Director of Public Safety and the Chief Law Enforcement Officer prior to the approval of a *Special Permit* by the Zoning Board. (220-32)

Shopping Center

A group of not less than fifteen (15) contiguous retail stores, originally planned and developed as a single unit, having a total ground floor *Building Area* of not less than sixty thousand (60,000) square feet, with immediate adjoining off-street *Parking Facilities* for not less than two hundred and fifty (250) automobiles. (78-005)

Short-Term Rental

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

In the RA-3, RA-2, RA-1, R-20, R-10, R-7½ or R-6 Zoning Districts no Short-Term Rentals shall be permitted, unless the Short-Term Rental Operator resides in such Short-Term Rental Property at all times when guests occupy such property and such property is the Short-Term Rental Operator's primary residence.

There shall be no more than two short-term renters on premises at any time. Short-term renters must be accommodated within the Principal Dwelling without separate housekeeping facilities. Accessory Dwelling Units (ADUs) shall not be used for Short-Term Rentals.

In all other Zoning Districts where residential uses are permitted, Short-Term Rentals shall be permitted unless prohibited by private agreements between owner and tenant of the Short-Term Rental Property.

Short-Term Rentals shall be prohibited on any non-residential property.

Short-Term Rental Operator shall mean the owner, lessee, sub-lessee or other provider of a Short-Term Rental Property who offers the Short-Term Rental Property for occupancy pursuant to a Short-Term Rental Transaction.

Short-Term Rental Property means a Dwelling Unit, or any portion thereof, that is (1) a

property designed for residential use (commercial and industrial spaces are not eligible), (2) the subject of a Short-Term Rental Transaction, and (3) not a hotel, lodging house, bed and breakfast establishment, any other commercial residential establishment, below market rate unit, a public housing unit or a homeless shelter.

Short-Term Rental Transaction shall mean a Short-Term Rental for a period of one (1) to 27 consecutive days but for no more than 90 days per calendar year in total. (223-10)

Smoke Shop, Tobacco Store (223-17(MOD))

A Smoke Shop or Tobacco Store is a retail establishment where 50% or more of the retail area is dedicated to the sale of tobacco and products containing tobacco or nicotine (including “e-cigarettes”) and paraphernalia, and areas for the consumption of any smokeable products. The sale of Cannabis and Marijuana and products derived therefrom shall be explicitly excluded from sale in Smoke Shops or Tobacco Stores unless licensed to do so by the State of Connecticut.

Smoke Shops or Tobacco Stores are allowed by *Special Permit* approval of the Zoning Board only within certain commercial and manufacturing Zoning Districts of the City of Stamford, as shown in Appendix A, Table I of these Regulations. Such uses must comply with the requirements of the Zoning Regulations and meet the following additional standards:

1. No Smoke Shop or Tobacco Store shall be located within a 3,000 feet radius of any other such store or any Medical Marijuana Dispensary, Adult Use Cannabis Retailer or Hybrid Retailer, or within 1,000 feet of a public or non-public school;
2. Signage for Smoke Shops or Tobacco Stores shall meet all sign regulations for the respective zoning district as prescribed in Section 13 of these Regulations. In addition, the following regulations shall apply:
 - a. There shall be no illumination of a *Sign* advertising tobacco or other products containing nicotine at any time;
 - b. There shall be no signage that advertises tobacco or other products containing nicotine brand names or utilizes graphics related to tobacco, other products containing nicotine or paraphernalia on the exterior of the *Building* in which the store is located;
 - c. There shall be no display of tobacco, other products containing nicotine or paraphernalia within the facility which is clearly visible from the exterior of the facility; and
 - d. There shall be no signage on the exterior of the facility which advertises the price of tobacco or other products containing nicotine.

Social Hall

A multifunctional *Building* used for at least three of the following uses: business, educational, social activities and programming including but not limited to food and beverage service

(including alcohol), collaborative workspace, research and development and incubator /maker space. Parking shall be determined in accordance with Section 12 based upon the mixture of uses within the operation and subject to confirmation by the reviewing authority or a designee. Where permitted in the R-MF District, the following restrictions shall apply:

1. The serving/sale of *Alcoholic Beverages* shall only be permitted when part of, or accessory to, an operation under any *Manufacturer Permit* as described in Section 30-16 of the Connecticut General Statutes;
2. Said use shall be limited to the *Adaptive Reuse* of nonconforming commercial and/or industrial *Buildings* within *Master Plan Categories* 9 (Urban Mixed-Use) and 11 (Downtown); and
3. Said use shall be limited to 10,000 sf or less. (219-04)

Sunglass Store

Stores engaged primarily in selling sunglasses and eyeglasses. (206-56)

Supportive Housing (224-06)

Supportive Housing is housing under single ownership specifically designed to provide affordable, independent residential accommodations and supportive services for tenants with special needs.

The following standards shall apply to *Supportive Housing*:

1. All *Supportive Housing* shall be subject to *Special Permit* approval by the Zoning Board. In approving *Supportive Housing*, the Zoning Board shall make a finding that there is no undue concentration of such housing.
2. All *Supportive Housing* must be operated by *Qualified Service Providers* for Traditional *Supportive Housing* as determined by the Connecticut Department of Mental Health and Addiction Services.
3. No *Supportive Housing* facility shall consist of more than 50 supportive housing units. (204-36). A *Supportive Housing* unit shall not be occupied by more than one family or four unrelated adults.
4. All *Supportive Housing* shall meet the requirements of the underlying zoning district for residential uses; provided, however, that as part of the *Special Permit* approval, the Zoning Board may permit an increase in *Density* by up to 25% compared to the base *Density* in the respective zoning district.

Surgery Center/Out Patient

A licensed outpatient surgical facility which provides ambulatory surgical care in addition to the provision of medical care for diagnosis and treatment of persons with acute or chronic conditions

or to the provision of surgical care to well persons. Such facility requires a medical environment exceeding that normally found in a physician's office, but no surgical procedure that is performed can require an overnight stay. Facilities shall conform with the standards established by the State of Connecticut Public Health Code, Sec. 19-13-D56. Facilities exceeding 15,000 square feet of *Gross Floor Area* shall be approved only pursuant to a *Special Permit* issued by the Zoning Board of Appeals. (88-034)

Swim Club

SEE: Club, Swim or Tennis (222-34)

Tavern

A place where beer is sold under a tavern permit.

[This use has been deleted from Appendix A Table 1-Land Use Schedule.]

Tennis Club

SEE: Club, Swim or Tennis (222-34)

Theater, Non-Profit: A company organized for non-profit purposes which is an exempt organization under Section 501(c)(3) of the Internal Revenue Code, and which carries on a program of performing arts for the general public at a theater located on premises owned or leased by said company (84-005)

Theater

A *Building* where the primary use is for movies and/or performing arts for the general public. Notwithstanding standards provided elsewhere in these regulations, when located in the Historic Conservation Area of the Downtown, as indicated on the *Master Plan*, within a *Building* used as a theatre at the time of the initial enactment of these Regulations, the following special standards shall apply: Incidental and ancillary uses including café, restaurant, entertainment, and liquors are permitted by right on the ground floor, and other uses allowed by right or *Special Permit* shall be allowed on other floors provided there are a minimum of 200 theater seats with a minimum of 150 fixed seats on the ground floor and theatre related uses constitute at least fifty percent (50%) of the *Building Floor Area*; *Building Coverage* may be 90% with no yard setbacks, provided expansions of existing *Building Coverage* is allowed only for theatre purposes; the *Floor Area Ratio* in the C-L district shall not exceed 1.5; all such uses shall be considered “Retail” for purposes of Section 12.D.9.a and no parking shall be required; building façade, marquee, canopy, access

and egress, and signage designs shall be generally consistent with the standards set forth in the first sentence of Section 8.D.4, subject to review and approval by the Land Use Bureau Chief. Night Club/Dance Hall uses shall not be allowed in the C-L district. (201-01)

Tobacco Store

SEE: Smoke Shop, Tobacco Store

Trailers

A vehicle on wheels designed to be towed or propelled on highways by another vehicle which is self-propelled and may or may not be equipped to afford sleeping and cooking accommodations or for the transportation of goods, wares, or merchandise.

Trailer Camp

A parcel of land on which there is located or intended one or more trailer homes occupied for living purposes.

Trailer Homes

A vehicle without motive power designed to be drawn by a motor vehicle and to be used for human habitation or for the carrying of persons.

Upholsterer

Repairing and reconditioning of furniture but excluding manufacturing or sale thereof and further providing that the number of persons working in any one location shall not exceed five (5).

Use

The specified purpose for which land or a *Building* is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "*Permitted Use*" or its equivalent shall not be deemed to include any non-conforming use.

Use, Accessory

A use which is customarily incidental and subordinate to the principal use of a *Lot* or a *Building* and located on the same *Lot* therewith.

Used Car Lot

Any place outside a *Building* where two (2) or more motor vehicles in operating condition are offered for sale or are displayed.

Veterinary Office or Clinic (221-11)

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

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

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

Warehouse

Structures used solely for the reception, interior storage and bulk distribution of goods and merchandise; any accessory office area shall not be greater than 500 square feet. (87-040)

Warehouse Store

A retail facility having in excess of 80,000 square feet and not more than 130,000 square feet of *Floor Area* which offers for sale a wide variety but limited selection of consumer products; including but not limited to office supplies and equipment, consumer appliances, electronic equipment, furniture, house wares and home furnishings, tools, hardware, recreational and leisure products, automotive equipment and supplies, food and apparel. Distinguishing features of such a facility are that food, beverages, health and beauty products and other products are primarily sold in bulk quantities larger than normally offered by conventional retailers and a restricted selection of other goods and products are offered. The sale of soft goods shall be limited to 20% of the *Floor Area* of the store, of which not more than 50% of said soft goods area shall offer apparel for sale. Not less than 25% of the *Floor Area* of such facility shall be utilized for the sale of food and beverages. (96-023)

Wholesale Storage Buildings and Warehouses

Buildings or premises used for the sale and storage of materials including building materials, but excluding mason materials and supplies, lumber, open yard material storage and other uses specifically classified elsewhere in the LAND USE SCHEDULE in APPENDIX A.

Yacht Club

A waterfront voluntary or corporate association whose objectives, pursuits and purposes are social or recreational, for the following activities: docks, anchorage and mooring spaces, shore and/or pool swimming, tennis courts, and other recreational facilities usually afforded by any such club. *Buildings* and accessory accommodations necessary or desirable for the exercise of the club's objectives, pursuits and purposes may be maintained. Single family *Dwellings*, staff living quarters and overnight guest accommodations are permitted. Clubs shall operate without profit, or division of any revenues to its members, except as reasonable compensation for special services actually rendered; devoting all revenues received to supporting the purposes and objectives or to eleemosynary uses. (216-13)

Where a *Yacht Club* is permitted in a Single Family zone, the following standards apply:

1. Minimum *Lot Acreage*: required shall be not less than five (5) acres inclusive of parcels adjacent to and/or directly across a public right-of-way.
2. Open Space: Minimum of twenty-five percent (25%) shall be beach, lawn, piers, or other landscaped area.
3. Maximum *Floor Area Ratio*: 0.25
4. *Building Height*: The allowable height shall be measured from the Base Flood Elevation.
5. Setbacks:
 - a. All *Structures* greater than one (1) *Story* or one thousand (1000) square feet in *Floor Area* shall conform to the required setbacks of Appendix B for principal *Structures*.
 - b. All uncovered recreational amenities (i.e. pool, tennis, platform tennis, etc.) and, *Accessory Structures* less than one thousand (1,000) square feet in *Floor Area* shall be setback a minimum of ten (10) feet from all *Property Lines*.
 - c. Existing nonconforming *Buildings* and *Structures* may remain or be modified provided that any such modification does not exacerbate a nonconformity or create a new nonconformity.
6. Parking:
 - a. There shall be at least one (1) off-street *Parking Space* for each employee and for every four (4) memberships.
 - b. Where the existing design, size and location of *Parking Spaces* and access thereto is nonconforming, the Zoning Board may allow such nonconformities to remain, or approve

- an alternate design that does not exacerbate a nonconformity or create a new nonconformity.
- c. Seasonal boat storage of vessels may be permitted and may occupy up to ten percent (10%) of required *Parking Spaces*, provided there is no boat trailer or boat storage within any public right-of-way.
7. Screening: Zoning Board may require reasonable screening to be maintained where a determination is made that such screening is warranted to buffer proposed uses.