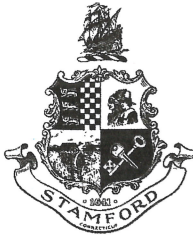


MAYOR
CAROLINE SIMMONS



CITY OF STAMFORD
ZONING BOARD
LAND USE BUREAU
888 WASHINGTON BOULEVARD
P.O. Box 10152
STAMFORD, CT 06904-2152

DIRECTOR OF OPERATIONS
MATTHEW QUIÑONES

LAND USE BUREAU CHIEF
RALPH BLESSING
(203) 977-4714

RECEIVED

February 6, 2023

FEB 6 2023

Ms. Theresa Dell, Chair, Planning Board
Land Use Bureau, City of Stamford
888 Washington Blvd.
Stamford, CT 06904

PLANNING BOARD

RE: Application 223-06- City of Stamford – Zoning Board, 888 Washington Boulevard, Stamford, CT, - Text Change, - Proposing to Amend Section 3.B. Defined Terms by adding and clarifying definitions.

Dear Ms. Dell:

In accordance with Section C6-40-10 of the Charter of the City of Stamford, the above captioned Application for a Text Amendment is hereby referred to the Planning Board of the City of Stamford for its advisory report.

A public hearing has not yet been scheduled. Referral comments should be filed with the Zoning Board Office by **March 13, 2023**.

If you have any questions, please feel free to contact me at (203) 977-4716.

Sincerely,


Vineeta Mathur
Principal Planner



APPLICATION FOR TEXT CHANGE OF THE STAMFORD ZONING REGULATIONS

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

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

Fee Schedule

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

APPLICANT NAME (S): CITY OF STAMFORD ZONING BOARD

APPLICANT ADDRESS: 888 WASHINGTON BOULEVARD, STAMFORD, CT -06901

APPLICANT PHONE #203-977-4711

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

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

PROPOSED TEXT CHANGE: Proposing to Amend Section 3.B. Defined Terms by adding and clarifying definitions.

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

DATED AT STAMFORD, CONNECTICUT, THIS 6th DAY OF February 20 23

SIGNED: Ralph Blossing

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

STATE OF CONNECTICUT ss STAMFORD February 6 20 23
 COUNTY OF FAIRFIELD

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

Jessy Ann App Notary Public - Commissioner of the Superior Court
 Commission Expires 3/31/27

FOR OFFICE USE ONLY

APPL. #: 223-06 Received in the office of the Zoning Board: Date: _____

By: _____

Narrative: Proposed Changes to Section 3.B., Defined Terms, of the Stamford Zoning Regulations

02/02/2023

1. Purpose

The City of Stamford Zoning Board is proposing to amend Section 3.B. Defined Terms by adding and clarifying definitions.

2. Proposed Changes

The proposed changes fall into three categories:

- a. Adding a number of cross references to Section 3.B. Defined Terms. The defined terms themselves would not be changed
- b. Addition of new definitions. These would include definitions for Breezeway, Hallway, Mixed-Use Building, Mural, Passageway, Retaining Wall and Walkway. A Mixed-Use Building would be defined as a building with more than one use (commercial, residential or industrial) where at least 40% of the floor area is dedicated to residential uses. The definition for Mural would add standards for murals as well as procedural requirements for the approval of a mural.
- c. Changes to existing definitions. The definition for Accessory Structure would be clarified to state that signs or permitted obstructions (already defined in Section 3.B.) are not accessory structures. The definition for Commercial Streets would be corrected to state that land within 125 feet (not 100 feet) of a Commercial Street is subject to the Commercial Street regulations in certain districts such as the V-C Village Commercial (the V-C district regulations already state the 125-foot-limitation). The Permitted Density definition would be amended to add a conversion factor of non-residential floor area to dwelling units which is currently contained in Section 7.S.3.b. of the regulations. The Light and Air definition would be amended to clarify that a window fronting on a street meets the light and air requirements and add the MX-D Infill district to the list of district where the light and air requirement is 20 feet of unobstructed space in front of a required window. The Zoning Lot definition amendment would clarify that a building benefitting from additional development rights must meet all the zoning requirements (including use requirements) and not just the bulk requirements.

Proposed Text Amendment to add new and modify existing Zoning Definitions

02/02/2023

AMEND Section 3.B. – Defined Terms “Accessory Structure” as follows:

Accessory Structure

Any *Structure* including an *Accessory Building*, whether decorative or functional, that is located on the same *Lot* as a principal use and which is clearly incidental and customarily subordinate to the principal use and that is not a *Permitted Obstruction* or a *Sign*. *Accessory Structures* include ~~without limitation,~~ but are not limited to *Structures* used to store goods and materials, ~~trellises, gates, gate posts~~ including sheds and containers, solid waste and recycling containers, or antennae *Structures*.

[Remainder of Definition unchanged]

AMEND Definition “Accessway Lot” in Section 3.B., Defined Terms, as follows:

~~A *Lot* shown on an approved subdivision map that does not satisfy the *Lot Frontage* requirement at the *Street Line* and that is served by an *Accessway* and otherwise conforms to the standards of Section 7.0~~

SEE: *Lot, Accessway*.

ADD Definition for “Breezeway” to Section 3.B., Defined Terms

A *Breezeway* is a roofed unenclosed *Passageway* connecting two or more *Buildings*.

CHANGE all references of “Arterial Street” to “Commercial Street” and AMEND Section 3.B. Defined Terms – “Street, Commercial”, as follows:

Street, Commercial

[...]

“On a *Commercial Street*” or “along a *Commercial Street*” (or similar phrase) shall mean within ~~100~~ 125 feet of said *Street*, measured perpendicularly from the *Street Line* fronting on said *Commercial Street*. (219-26)

ADD Section 3.B. Defined Terms – “Commercial Street”, as follows:

Commercial Street

SEE: Street, Commercial

ADD Definition “Corner Lot” to Section 3.B., Defined Terms

Corner Lot

SEE: Lot, Corner

AMEND Section 3.B., definitions “Density, Permitted” as follows:

***Density, Permitted* (221-11)**

For purposes of compliance with these Regulations, the *Permitted Density* for development on a *Lot* in any given Zoning District within the City of Stamford shall be determined as follows:

[...]

3. In mixed-use Zoning Districts where the *Permitted Density* is defined by *Floor Area Ratio* for non-residential uses and by square feet per Family for residential uses, the maximum aggregate number of Dwelling Units shall be calculated by adding (i) the *Residential Density* in number of Dwelling Units to (ii) the number of Dwelling Units resulting from conversion of non-residential *Density* to Dwelling Units. Conversion of non-residential *Density* into Dwelling Units, where permitted, ~~is determined (x) by applying the conversion factors as defined in the respective Zoning Districts or the bonus provisions in Section 7.S. of these Regulations, or (y) if no such conversion factors are provided, by dividing the non-residential floor area (in square feet) by 1,500.~~ is determined by dividing the *Floor Area* permitted for non-residential uses by 1,000 in the CC Center City District and by 1,500 in all other applicable districts. No conversions of *Residential Density* into non-residential *Density* shall be permitted unless otherwise provided in these Regulations.

[Remainder of Definition unchanged]

ADD Definition “Hallway” to Section 3.B., Defined Terms

A *Hallway* is an entrance-hall or a passage between rooms in a *Dwelling* or other *Building*.

AMEND Section 3.B Light and Air as follows:

Light and Air (219-26)

In the R-6, R-5, V-C, MX-D Infill, NX-D, RM-1 and R-MF Zoning Districts, all rooms in residential units, ~~with the exception of~~ except for kitchens and bathrooms, ~~hallways and mezzanines~~, shall have at least one window measuring not less than 12 square feet which shall (a) front on a public right-of-way or (b) have at least 20 feet of exterior *Unobstructed Space* in front of ~~them~~it, measured perpendicularly from the building façade where such window is located.

In all other Zoning Districts allowing multifamily housing, all rooms in residential units, except for kitchens and bathrooms, ~~hallways and mezzanines~~ shall have at least one window measuring not less than 12 square feet which shall (a) front on a public right-of-way, or (b) have at least 30 feet of exterior *Unobstructed Space* in front of it, measured perpendicularly from the building façade where such window is located.

Conversions of non-residential *Floor Area* into residential *Floor Area*, where existing conditions preclude the ability to meet the *Light and Air* requirements of this Definition, shall not be subject to the *Unobstructed Space* requirement.

ADD Definition “Mixed-Use Building” to Section 3.B, Defined Terms

Mixed-Use Building

A Mixed-Use Building is a Building with residential and non-residential uses where at least forty percent (40%) of the Gross Floor Area, excluding Parking Areas, is used for residential uses, including residential Indoor Amenity Space.

ADD Definition “Mural” to Section 3.B., Defined Terms

Mural

A Mural is a work of art, image or photograph painted on, applied to, affixed on, or otherwise displayed on a Building, wall or other structure that is partially or fully visible from any public right of way or adjoining real property.

Standards

1. Murals shall be permitted as-of-right in all Zoning Districts provided that:
 - a. Murals advertising or promoting any business, product, living person or commercial service shall be subject to the Sign Regulations in Section 13 of these Regulations; and
 - b. no Murals are permitted in the RA-3, RA-2, RA-1, R-20, R-10, R-7¹/₂ and R-6 districts.
2. Where permitted-as-of right, Murals must meet the following requirements:

- a. Murals shall not extend beyond the limits of the wall or Structure they are applied to or affixed or displayed on;
 - b. Murals shall not block or interfere with any windows or doors or inhibit or prevent the use of emergency exits or other building or life safety features required by the building or other codes or regulations;
 - c. Murals shall meet the requirements of the City of Stamford Lighting Ordinance, Murals shall not depict lewd or obscene content;
 - d. Murals shall not depict content glorifying, trivializing; promoting or inciting violence or unlawful behavior; and
 - e. Murals shall at all times be maintained in good condition.
3. The owner or lessee of the property where the Mural is to be located must apply for and obtain a zoning permit prior to locating any Mural on the subject property. No permit shall be issued unless the Mural complies with the requirements of Sections 13.C and 13. D. of these Regulations.
 4. This Regulation shall not be construed in derogation of the right of free speech under federal, state or local law.

ADD Definition PAAS to Section 3.B., Defined Terms

PAAS

SEE: Publicly Accessible Amenity Space

ADD Definition “Passageway” to Section 3.B., Defined Terms

A Passageway is a way that allows access between Buildings or different rooms within a Building. Passageways include Hallways, Walkways and Breezeways.

ADD Definition “Retaining Wall” to Section 3.B. “Defined Terms”

Retaining Wall

A Retaining Wall is a Structure that holds back any material, such as earth, soil, or water, and prevents it from sliding, flowing or eroding. It is designed to resist the lateral pressure of the material that it is holding back.

ADD Definition for “Walkway” to Section 3.B Defined Terms

A Walkway is a passage or path for walking within or outside of a Building.

AMEND Section 3.B. Defined Term “Zoning Lot” as follows:

[...]

- d. Unused *Floor Area, Density, Building* and *Lot Coverage*, and required off-street parking for all uses within the Zoning Lot (the “Transferrable Rights”) may be transferred, distributed or allocated throughout the Tax Lots comprising the Zoning Lot as agreed upon by all of the property owners; provided, however, that: (i) a proposed Building or Structure must meet all other ~~bulk~~ zoning requirements, including but not limited to *Height, Setback, Light and Air* and use requirements of the Zoning District in which it is located; and (ii) any Development remains compliant with Subsection b above.

[...]