## 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



February 6, 2023

Ms. Theresa Dell, Chair, Planning Board Land Use Bureau, City of Stamford 888 Washington Blvd. Stamford, CT 06904 FEB 6 2023

PLANNING BOARD

RE: Application 223-08- City of Stamford – Zoning Board, 888 Washington

Boulevard, Stamford, CT, - Text Change, - Proposing to Amend the Usable Open
Space and Indoor Amenity Space.

Dear Ms. Dell:

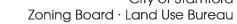
In accordance with Section C6-40-10 of the Charter of the City of Stamford, the above captioned Application for a Text Amendment is hereby referred to the Planning Board of the City of Stamford for its advisory report.

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

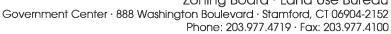
If you have any questions, please feel free to contact me at (203) 977-4716.

Sincerely,

Vineeta Mathur Principal Planner



\$1,060.00





Fee Schedule

Minor Text Change

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

Complete, notorize, 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)

	Major Text Change	\$5,060.00	l <sub>0</sub>
APPLICAN	NT NAME (S): <u>CITY OF STAMFORD ZONING BOARD</u>		
APPLICAN	NT ADDRESS: 888 WASHINGTON BOULEVARD, STAMFORD, CT -06901		
APPLICAN	NT PHONE <u>#203-977-4711</u>		
IS APPLIC	CANT AN OWNER OF PROPERTY IN THE CITY OF STAMFORD? NO		
LOCATION	N OF PROPERTY IN STAMFORD OWNED BY APPLICANT (S): N/A		
PROPOSE Regulat	ED TEXT CHANGE: Proposing to Amend the Usable Open Space and Indoor A ions.	menity Sp	ace
WITH GRE	Y PORTION OF THE PREMISES AFFECTED BY THIS APPLICATION LIE WITHIN 500 FEET OF EENWICH, DARIEN OR NEW CANAAN?NO(If yes, notification must be sent to y by registered mail within 7 days of receipt of application – PA 87-307).		
	SIGNED: DAY OF Felomany	20_73	3
Stamford	oplication cannot be scheduled for Public Hearing until 35 days have elapsed from the date Planning Board. If applicant wishes to withdraw application, please notify the Zoning Board ublic Hearing so that the Board may have sufficient time to publicize the withdrawal.		
STATE OF	CONNECTICUT FORD FORD AND (0)	13	
COUNTY	of Fairfield ss Stamford 20	<i>a</i>	-,
Personally the truth o	appeared, signer of the foregoing app f the contents thereof, before me.	lication, who	made oath to
	Notary Public — Gemmissioner of the	Superior G	ourt
FOR OFFI	CE USE ONLY		
APPL. #:	Received in the office of the Zoning Board: Date:		
	Ву:		

### Narrative: Proposed Zoning Text Amendment of the "Usable Open Space" Requirements

02/03/2023

#### 1. Purpose

Usable Open Space requirements, i.e. recreational space exclusively for building occupants, was added to different zoning districts incrementally leading to different requirements in different districts. The proposed amendment would rationalize the Usable Open Space requirements for all districts where residential uses are permitted and add design guidelines for such spaces.

#### 2. Proposed changes

Currently, Usable Open Space requirements are contained in various sections of the regulations (sections 3.B. and 7.Q.) as well as in some district regulations, e.g., the NX-D and the R-HD districts. All regulations would be moved to the Usable Open Space definition in Section 3.B. and requirements in other sections deleted.

In addition, the proposed changes would:

- Clarify the relationship between Usable Open Space and Publicly Accessible Amenity Space (PAAS) – PAAS cannot be counted as Usable Open Space
- Establish uniform requirements for Usable Open Space for multifamily buildings (3 or more units) in lower density residential districts (RM-1, R-5, R-MF, R-H) of 150 sf per unit and 75 sf for multifamily buildings in all other districts. Currently, requirements vary between 50 and 200 sf
- Add additional design requirements
- Clarify when indoor, roof-top amenity and private balcony space may be counted as Usable Open Space

The proposed text change would also add a definition for Indoor Amenity Space to Section 3.B.

# Proposed Text Change to Amend the Usable Open Space and Indoor Amenity Space Regulations

#### 01/20/2023

ADD Definition "Indoor Amenity Space", "Amenity Space, Indoor", "Outdoor Amenity Space", "Amenity Space, Outdoor" to Section 3.B., Defined Terms

#### **Indoor Amenity Space**

<u>Indoor Amenity Space</u> is the portion of a <u>Building</u> dedicated exclusively to recreational activities and relaxation of the <u>Building</u>'s occupants. Circulation areas, lobbies, leasing offices, mechanical space or similar areas, and areas not open to all <u>Building</u> occupants, shall not be considered <u>Indoor Amenity Space</u>.

SEE also: Open Space, Usable.

#### Amenity Space, Indoor

SEE: *Indoor Amenity Space* 

#### **Outdoor Amenity Space**

SEE: Open Space, Usable

#### Amenity Space, Outdoor

SEE: Open Space, Usable

REPLACE Section 3.B., Defined Terms – "Open Space, Usable" as follows and ADD definition "Usable Open Space"

#### Open Space, Usable

<u>Usable Open Space</u> is that portion of a <u>Lot</u> used exclusively for recreational and relaxation activities which are customarily carried out outdoors by the owners or occupants of a property. <u>Usable Open Space</u> shall not be encroached upon by roadways open to vehicular traffic, public sidewalks, off-street <u>Parking Space</u> or <u>Loading</u> berths. <u>Usable Open Space</u> may include private balconies, patios or terraces (if the minimum dimension of each side of the balcony, patio or terrace is at least 54 inches and at least 80% of units have such balconies, patios or terraces), but not to exceed 30% of the <u>Usable Open Space</u>.

The following minimum standards shall apply for *Usable Open Space*:

- 1. <u>All Usable Open Space</u> shall be unobstructed to the sky (except for qualifying balconies and terraces) unless provided otherwise below. Tree canopy shall not be considered an obstruction;
- 2. No more than 20% of the area of the *Usable Open Space* shall be permanently roofed (except pergolas or other decorative features and retractable or movable covers);
- 3. No more than 50% of the perimeter of the *Usable Open Space*, in aggregate, shall be permanently enclosed above a height of six feet (6') (unless required by the Building Code) unless at least 50% of the *Usable Open Space* is unshaded for at least five (5) consecutive hours on December 21;
- 4. All *Usable Open Space*, except for qualifying balconies, patios and terraces, shall have a minimum contiguous area of the lesser of 750sf or the total required *Usable Open Space*, with a minimum dimension on each side of no less than 20 feet;
- 5. All *Usable Open Space* shall be structurally safe, adequately surfaced with high quality materials (asphalt shall not be permitted), protected and suitably maintained by the owner or management;
- 6. Chain link fencing shall be prohibited;
- 7. <u>Usable Open Space</u> shall be screened towards neighbors and designed to minimize noise and light impacts on both residents and neighbors;
- 8. At least 25% of the area of the *Usable Open Space* shall be landscaped with living plants or grass;
- 9. <u>Usable Open Space</u> shall be utilized for managing stormwater, and the Best Management Practices outlined in the Stamford Drainage Manual, as amended, shall be employed;
- 10. <u>All Usable Open Space</u> shall be ADA compliant and provide safe crossings of parking areas and driveways;
- 11. Except for housing restricted to certain adult populations (e.g., senior housing), the lesser of 1,000sf or 25% of the area of the *Usable Open Space* shall be provided indoors or outdoors as play area for children up to the age of 12;
- 12. <u>Usable Open Space</u> shall not be counted as or be substituted for required <u>Publicly Accessible</u> <u>Amenity Space (PAAS)</u>:
- 13. <u>Publicly Accessible Amenity Space</u> (PAAS) shall not be counted as or be substituted for required <u>Usable Open Space</u>;
- 14. Within 500 feet of a publicly accessible park, up to 75% of *Usable Open Space* may be substituted with *Indoor Amenity Space*. In all other areas, up to 50% of *Usable Open Space* may be substituted with *Indoor Amenity Space*;
- 15. <u>Sidewalks</u>, including public sidewalks on private property, shall not be counted as *Usable Open Space*; and
- 16. For new Development and redevelopments Usable Open Space shall be required as follows:

Zoning District	Required Usable Open Space per Dwelling Unit
RA-3, RA-2, RA-1, R-20, R-10, R-7 1/2	None required
All other Districts - for single- or two-family <u>Dwellings</u>	None required
RM-1, R-5, R-MF, R-H – for Buildings of three (3) Dwelling Units or more	<u>150sf</u>
All other Districts - for <i>Buildings</i> of three (3) <i>Dwelling Units</i> or more	75sf, but no less than a total of 500sf

(71-012, 99-004)

SEE also Indoor Amenity Space

#### Usable Open Space

SEE: Open Space, Usable

**DELETE last row of Table 4.B.10.c.** (Usable Open Space)

DELETE Section 4.B.11.d(12) and footnote 2 of the accompanying table.

**DELETE Section 7.Q.** 

**DELETE Section 9.B.4.d** 

**DELETE Section 9.C.4.f and 9.C.5.b.3** 

**DELETE Section 9.P.4.d**