

MAYOR
CAROLINE SIMMONS



DIRECTOR OF OPERATIONS
MATTHEW QUIÑONES

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

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

RECEIVED

FEB 14 2023

February 14, 2023

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

PLANNING BOARD

RE: Application 223-09- City of Stamford – Zoning Board, 888 Washington Boulevard, Stamford, CT, - Text Change, -Proposing amendments to the V-C (Section 4.B.7), NX-D (Section 4.B.10) and R-HD (Section 4.B.11) district regulations to streamline the regulations by referring to existing regulations and improve access to Light and Air.

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 21, 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 filing 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 amendments to the V-C (Section 4.B.7), NX-D (Section 4.B.10) and R-HD (Section 4.B.11) district regulations to streamline the regulations by referring to existing regulations and improve access to Light and Air.

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 14th DAY OF February 20 23

SIGNED: Ralph Blessing

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

STATE OF CONNECTICUT
 COUNTY OF FAIRFIELD ss STAMFORD February 14 20 23

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

Mary Judge
 MARY JUDGE
 Notary Public, State of Connecticut
 Notary Public - Commissioner of the Superior Court
 My Commission Expires 9/30/2023

FOR OFFICE USE ONLY

APPL. #: 223-09 Received in the office of the Zoning Board: Date: _____

By: _____

**Narrative: Proposed Text Change to Amend Section 4 District Regulations for the V-C,
NX-D and R-HD Districts**

(2/8/2023)

1. Purpose

This text change proposes amendments to the V-C (Section 4.B.7), NX-D (Section 4.B.10) and R-HD (Section 4.B.11) district regulations to streamline the regulations by referring to existing regulations and improve access to Light and Air.

2. Proposed Changes

a. Changes to the V-C regulations

The first change would correct an inconsistency in the regulations by uniformly establishing a setback of 125 feet from a Commercial Street where commercial uses would be permitted (changed from 100 feet). Secondly, it would refer to Section 12 for parking requirements instead of establishing separate parking regulations for the V-C district (the applicable regulations in Section 12 are the same as in the V-C district regulations). Thirdly, it would add a side yard requirement beyond 70 feet of a Street Line. This would make it easier to meet light and air requirements in the V-C district. In addition, it would add a line for Lot Coverage in Section 4.B.7.c. which would replace the 15% requirement for pervious open space – and would increase the pervious surface requirements in most instances in order to better address stormwater run-off.

b. Changes to the NX-D Regulations

The proposed text change would modify the permitted uses in the NX-D district by replacing “Veterinary, Domestic Cats only” with “Veterinary Office”. The “Veterinary, Domestic Cats only”- use was eliminated in a previous text change when the Veterinary Office and -Clinic uses were introduced. This change is intended to correct this oversight.

Also proposed are a number of changes to the development standards in the NX-D district with the goal to make requirements more uniform. Proposed changes include:

- Uniformly set the minimum lot size for mixed use, commercial and industrial developments to 10,000 sf and eliminate the minimum lot size for 1-2 family dwellings.
- Unify the additional setbacks required when a building exceeds a height of 45 feet (+ 10 feet from the required setbacks at grade, where a setback is required).
- Establish a uniform FAR for multi-family and mixed-use buildings of 1.5 and 1.0 for commercial or industrial buildings.
- Introduce a Premium FAR of .25 if all affordable units are provided on site – most districts have FAR Premiums for on-site BMRs to incentivize the creation of affordable units.
- Increase the side yard requirement for single- and two-family structures from 8 feet on one and 12 feet on both sides to 10 feet on either side. For multi-family, mixed-use, commercial or industrial buildings, a side yard setback requirement of 10 feet would be introduced beyond 70

feet of the street line. This would make it easier to meet light and air requirements in the NX-D district.

- Rear Yard requirements for multi-family residential and mixed-use structures would be uniformly set at 20 feet and 10 feet for industrial or commercial buildings.
- Maximum building coverage would be increased but Lot coverage reduced (i.e., pervious surface requirements increase) in order to better address stormwater run-off.
- The Usable Open Space requirement for single- and two-family structures would be eliminated (no other district has a usable open space requirement for these building types).
- Footnotes with information contained elsewhere in the regulations would be deleted as well.

c. Changes to the R-HD District

The changes proposed for the R-HD district would clarify that land in Master Plan Category 16 would be eligible to be zoned for R-HD. Master Plan Category 16 did not exist at the time of adoption of the R-HD but is intended for high density residential development (among other uses). The side- and the rear-yard setbacks would be combined to a uniform 10 foot setback from any interior property line and 70 feet from any street line. This would make it easier to determine setback requirements for irregularly shaped lots.

Another proposed change would eliminate the Special Transit District Area (STDA) which had special parking requirements. With the introduction of residential parking categories as part of a previous text change the STDA is no longer needed.

Proposed Text Change to Amend Section 4 District Regulations for the V-C, NX-D and R-HD Districts

02/13/2023

AMEND Section 4.B.7.b(1) (V-C Village Commercial District), as follows:

(1) In the V-C Districts in Glenbrook and Springdale, on land within ~~400~~ 125 feet of *Commercial Streets*, a *Lot* or *Building* may be altered, arranged, designed, erected or used for any use permitted within the C-N Neighborhood Commercial District, [...] [*remainder of Section unchanged*]

AMEND Section 4.B.7.b(2) (V-C Village Commercial District), as follows:

(2) In all V-C Districts, on land beyond ~~400~~ 125 feet of *Commercial Streets*, the same uses as in the R-MF District shall be permitted.

AMEND Section 4.B.7.c (V-C Village Commercial District), as follows:

	V-C Commercial Street¹⁾ Glenbrook / Springdale	V-C Side Street²⁾ Glenbrook / Springdale	V-C Commercial Street¹⁾ all other V-C Districts	V-C Side Street²⁾ all other V-C Districts
[...]				
Side	<u>none required within 70 feet of a Street Line if not abutting a single family district⁴⁾</u> <u>10' beyond 70 feet of a Street Line;</u> 15' when abutting a single-family district ⁴⁾ with a planted buffer of at least 5'; none required if abutting any other district; if provided, no less than 10'.	<u>none required within 70 feet of a Street Line if not abutting a single family district⁴⁾</u> <u>10' beyond 70 feet of a Street Line;</u> 15' when abutting a single family district ⁴⁾ with a planted buffer of at least 5'; none required if abutting any other district; if provided, no less than 10'.	<u>none required within 70 feet of a Street Line if not abutting a single family district⁴⁾</u> <u>10' beyond 70 feet of a Street Line;</u> 15' when abutting a single family district ⁴⁾ with a planted buffer of at least 5' none required if abutting any other district; if provided, no less than 10'.	<u>none required within 70 feet of a Street Line if not abutting a single family district⁴⁾</u> <u>10' beyond 70 feet of a Street Line;</u> 15' when abutting a single family district ⁴⁾ with a planted buffer of at least 5' none required if abutting any other district if provided, no less than 10'.
[...]				
(5) Coverage (a) <i>Building Coverage</i> ⁵⁾	55%	45%	65%	55%

<u>(b) Lot Coverage</u>	<u>75%</u>	<u>70%</u>	<u>85%</u>	<u>80%</u>
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AMEND Section 4.B.7.c(9) (V-C Village Commercial District), as follows:

(9) **Parking, Loading and Vehicle Access.** Parking and Loading Spaces shall be provided pursuant to Section 12, except that for retail or personal service establishments the first 2,000sf of each establishment may be excluded from the parking requirements established in Section 12.

[Remainder of Section 4.B.7.c(9) to be deleted]

AMEND Section 4.B.7.c., footnotes 1 and 2 (V-C Village Commercial District), as follows:

- 1) Standards apply in all V-C districts for development parcels and parts thereof within 125' of a *Commercial Street*, ~~as defined in Subsection 4.B.7.c(12).~~
- 2) Standards apply in all V-C districts for development parcels and parts thereof on *Side Streets* more than 125' from a *Commercial Street*, ~~as defined in Subsection 4.B.7.c(12) below.~~

AMEND Section 4.B.7.c(11) (V-C Village Commercial District) as follows:

(11) **Buffer Area Open Space.** ~~At least 15% of the Lot shall be landscaped and have pervious surface.~~ If a *Lot* line abuts a single family residential district, a planted buffer of at least 5' in width shall be provided along said property line. For the purposes of this Subsection, RA-3, RA-2, RA-1, R-20, R-10, R-7¹/₂, R-6, and R-5 districts are considered single family districts. Street trees and other landscaping located on private property shall count towards this requirement.

DELETE Section 4.B.7.c(12) (V-C Village Commercial District).

DELETE Section 4.B.7.d(2)(o) (V-C Village Commercial District) and REPLACE with the following:

(o) Sidewalks and Street Trees shall be provided pursuant to Section 12.K.

AMEND Section 4.B.10.b. (NX-D Neighborhood Mixed Use District) by replacing “Veterinary, Domestic Cats only” with “Veterinary Office”.

AMEND Section 4.B.10.c. (NX-D Neighborhood Mixed Use District) as follows:

c. Development Standards

Standard	Residential Uses		Mixed-Use ⁺ (residential and commercial or industrial)	Commercial Uses <u>and Industrial Uses</u> (no residential)	
	<i>1 and 2 family Dwellings</i>	<i>Multi (3+) family Dwellings</i>			
<i>Minimum Lot Size</i>	5,000 square feet	6,000 square feet	10,000 square feet	5,000 square feet 10,000 square feet	10,000 square feet feet**
<i>Minimum Frontage</i>	50 feet	50 feet	40 feet 50 feet	40 feet 50 feet	40 feet 50 feet
<i>Residential Density Divider</i>	Maximum of 2 families per Lot	<u>1,000</u> N/A	<u>1,000</u> Determined by the maximum <i>Floor Area</i> permitted; provided the average <i>Gross Floor Area</i> of <i>Dwelling Units</i> shall not be less than 1,500 square feet.	N/A	N/A
<i>Maximum Building Height</i>	35 feet or 3 <i>Stories</i> , whichever is less	60 feet or 4 <i>Stories</i> , whichever is less, and provided that after 45 feet of height, the remaining portion of the <i>Building</i> is setback 10 feet 60 feet or 5 <i>Stories</i> , whichever is less, and provided that after 45 feet of height, the remaining portion of the <i>Building</i> is setback an additional 10 feet from any required setback	45 feet or 4 <i>Stories</i> , whichever is less 60 feet or 5 <i>Stories</i> , whichever is less, and provided that after 45 feet of height, the remaining portion of the <i>Building</i> is setback an additional 10 feet from any required setback	60 feet or 4 <i>Stories</i> , whichever is less, and provided that after 45 feet of height, the remaining portion of the <i>Building</i> is setback an additional 10 feet from any required setback	60 feet or 4 <i>Stories</i> , whichever is less 60 feet or 4 <i>Stories</i> , whichever is less, and provided that after 45 feet of height, the remaining portion of the <i>Building</i> is setback an additional 10 feet from any required setback

<i>Maximum Floor Area Ratio</i> ²	0.75 N/A determined by Building Coverage and Building Height	For mixed use Buildings with only commercial and residential uses, 1.5 total, with no more than 1.0 for commercial uses. For mixed use Buildings with industrial and commercial or residential uses, 1.5 total, with no more than 0.5 for industrial uses. 1.5	1.5	1.5 1.0	1.0
<i>Additional Premium FAR</i>	N/A	0.25	0.25	N/A	N/A
<i>Front Yard Setback, measured from curb line</i>	No less than 15 feet, which must include a 5-foot planted buffer	No less than 15 feet, which must include a 5-foot planted buffer No less than 10 feet. However, if there is no active ground floor use, the <i>Front Yard</i> setback shall be no less than 15 feet and shall include a 5-foot planted buffer.	No less than 15 feet, which must include a 5-foot planted buffer No less than 10 feet. However, if there is no active ground floor use, the <i>Front Yard</i> setback shall be no less than 15 feet and include a 5-foot planted buffer.	No less than 10 feet. However, if there is no active ground floor use, the <i>Front Yard</i> setback shall be no less than 15 feet and include a 5-foot planted buffer	No less than 10 feet. However, if there is no active ground floor use, the <i>Front Yard</i> setback shall be no less than 15 feet and shall include a 5-foot planted buffer.
<i>Minimum Side Yard Setback From curb line</i>	No less than 10-8 feet on one side and 12 feet on both sides	No <i>Side Yard</i> required within 70 feet of a Street Line; 10 feet beyond 70 feet of Street Line; setback is required, but if provided shall be no less than 10-8 feet.	No less than 8 feet on one side and 18 feet on both sides No <i>Side Yard</i> required within 70 feet of a Street Line; 10 feet beyond 70 feet of Street Line; if provided no less than 10 feet.	No <i>Side Yard</i> setback is required, but if provided shall be no less than 8 feet. No <i>Side Yard</i> required within 70 feet of a Street Line; 10 feet beyond 70 feet of Street Line; if provided no less than 10 feet.	No <i>Side Yard</i> setback is required, but if provided shall be no less than 8 feet No <i>Side Yard</i> required within 70 feet of a Street Line; 10 feet beyond 70 feet of Street Line; if provided no less than 10 feet.

<u>Minimum Rear Yard Setback</u>	A minimum of 30 feet	A minimum of 20 feet	A minimum of <u>20</u> 30 feet	A minimum of 20 <u>10</u> feet	A minimum of <u>10</u> 15 feet
<u>Pervious Ground Cover Maximum Lot Coverage</u>	A minimum of 15% of total <i>Lot Area</i> <u>70%</u>	A minimum of 5% of total <i>Lot Area</i> <u>85%</u>	A minimum of 15% of total <i>Lot Area</i> <u>85%</u>	A minimum of 5% of total <i>Lot Area</i> <u>90%</u>	A minimum of 5% of total <i>Lot Area</i> <u>90%</u>
<u>Maximum Building Coverage</u>	30%	<u>50%</u> <u>60%</u> <u>70% on Corner Lots</u>	<u>40%</u> <u>60%</u> <u>70% on Corner Lots</u>	<u>50%</u> <u>70%</u> <u>80% on Corner Lots</u>	<u>80% for Interior Lots; 90% for Corner Lots</u> <u>70%</u> <u>80% on Corner Lots</u>
<u>Usable Open Space</u>	<u>N/A</u> A minimum of 200 square feet per Dwelling Unit	A minimum of 75 square feet per Dwelling Unit	A minimum of 75 square feet per Dwelling Unit	N/A	N/A

† As used in this Section 4.B.10, mixed use standards shall apply to any *Development* that utilizes two (2) or more categories of uses (residential, commercial, industrial), in which the additional use or uses constitutes at least 25% of the total *Development*.

* *Floor Area Ratio*, as used herein is defined as the total *Gross Floor Area* of all uses including Dwelling Unit area contained within *Buildings*, divided by the area of the *Lot*, but excluding from such calculation (1) portions of a *Building* housing mechanical equipment, (2) bicycle parking areas, (3) the *Gross Floor Area* of parking *Structures* below grade or parking *Structures* above grade that are incorporated within the *Building* and suitably screened, or with roof or upper deck not more than five (5) feet above average finished grade measured at the perimeter of the parking *Structure*, suitably enclosed and/or landscaped to the satisfaction of the Zoning Board or Land Use Bureau Staff, as applicable, (4) Basement levels that are more than 50% below grade.

** For purposes of determining compliance with the development standards herein for Industrial Uses, any parcel of land smaller than said minimum *Lot* size may be added to an existing adjacent parcel used for industrial purposes, if such parcels are commonly owned, and once developed, maintained in common ownership. Thus, for purposes of determining compliance with the development standards herein, the parcels shall be treated as a single *Lot* notwithstanding that it may be in fact composed of two or more different *Lots*.

AMEND Section 4.B.10.d(4) (NX-D Neighborhood Mixed Use District) as follows:

(4) **Street Edge, Sidewalks and Landscaping Street Trees.** Sidewalks and Street trees shall be provided pursuant to Section 12.K. [*Remainder of Subsection to be deleted*]

AMEND Section 4.B.11.b, d and e (R-HD RESIDENTIAL DISTRICT, HIGH DENSITY) as follows:

4.B.11.b. Criteria for Designation as Residential High Density District

(4) The Zoning Board may map a parcel, or contiguous parcels of 40,000 sf or larger within the appropriate Master Plan Category, as a R-HD Zoning District. A parcel or parcels less than 40,000

sf, but located within *Master Plan Categories 5, 9, and 11 and 16* may only be designated a R-HD Zoning District if it is abutting an already existing R-HD Zoning District.

[4.B.11.b.(2) to be deleted]

4.B.11.d. Building Regulations

	Lots less than one acre	Lots one acre or more
[...]		
(5) Max. <i>Building Height</i> ^{3), 4)}	The lesser of 7 stories or 80 feet	The lesser of 12 stories or 135 feet (when located in Master Plan Category 5, and when located outside the Parking Category 1 in Master Plan Category 9). The lesser of 25 stories or 275 feet (when located within the Parking Category 1 in Master Plan Categories 9, 11 and 16) ⁴⁾
[...]		
(9) <u>Side and Rear Setbacks</u> ³⁾	None required within 70 feet of <i>Street Line</i> ; if provided at least 15 feet Minimum: 15 feet beyond 70 feet of the <i>Street Line</i>	None required within 70 feet of <i>Street Line</i> ; if provided at least 15 feet Minimum: 15 feet beyond 70 feet of the <i>Street Line</i> (30 feet beyond 70 feet of the <i>Street Line</i> above a height of the lesser of 5 stories or 60 feet)
(10) (deleted) Rear Setback ³⁾	Minimum: 30 feet	Minimum: 30 feet (30 feet above a height of the lesser of 5 stories or 60 feet)
(11) <u>Pervious Surface Lot Coverage</u>	Minimum: 15% Maximum: 85% ¹⁾	Minimum: 10% Maximum 90% ¹⁾

1) ~~Pervious pavers and other storm water management techniques, as determined by the City’s Environmental Protection Board staff and Engineering Bureau, may qualify as suitable alternatives when proposed in conjunction with planted areas. May be increased by up to 100% if additional coverage in excess of maximum Lot Coverage is provided either as pervious surface, such as permeable pavers, or green roof.~~

2) [...]

3) Any part of a *Building* exceeding a height of 85’ or eight (8) stories, whichever is less, shall be set back at least 30’ from the *Master Plan Category Boundary* when abutting land in *Master Plan Categories 1, 2, 3, 4, 6, 7, 8, 14 and 15 within the STDA within Parking Category 1*. Any part of a *Building* exceeding a height of 60’ or five (5) stories, whichever is less, shall be set back at least 30’ from the *Master Plan Category Boundary* when abutting land in *Master Plan Categories 1, 2, 3, 4, 6, 7, 8, 14 and 15 outside the STDA Parking Category 1*. (221-11)

- 4) Within Parking Category 1 in Master Plan Categories 9, ~~and 11~~ and 16, every portion of a *Building* exceeding a height of the lesser of 12 stories or 135' above the average finished grade shall be considered a "Tower". The minimum distance between individual Towers shall be no less in horizontal distance than 100', unless they are separated by a public street. Towers shall be set back at least 50' from any *Interior Property Lot Line*. Under no circumstances shall Towers cover more than 30% of the Zoning Lot area. The floor plate of an individual Tower shall not exceed 15,000 sf up to a height of the lesser of 20 stories or 225' and 12,000 sf for portions above the lesser of 20 stories or 225'. No Tower floor plate shall be less than 7,500 sf, except for mechanical penthouses.

[...]

- ~~6) When located in Master Plan Category 5, must not exceed the density stipulated in the Master Plan. [DELETED]~~

4.B.11.e. Parking

The standards of Section 12 shall apply; provided, however, that within ~~the STDA Parking Category 1~~ for any non-residential use permitted in Subsection 4.B.11.c above or approved by the Zoning Board in accordance with Subsection 4.B.11.m.(4)(c)i below, the parking requirement is 2.0 spaces per 1,000 sf of *Gross Floor Area*. The first 2,500 sf of each establishment shall be excluded from this requirement.