

# CITY OF STAMFORD 19<sup>TH</sup> CHARTER REVISION COMMISSION

Members

JEANETTE BILICZNIANSKI

CYNTHIA BOWSER

KAREN CAMPOREALE

SUE HALPERN

FRANCES LANE

MICHAEL LAROBINA

Members

STEVEN LOEB

ALEX MARTINEZ

J.R. MCMULLEN

SHELLEY MICHELSON

ANTHONY PRAMBERGER, JR.

CLEMON WILLIAMS

Thomas Lombardo, Chair  
Michael Larobina, Vice Chair  
Jackie Pioli, Clerk

## MEETING REPORT Saturday, March 25, 2023 9:00 a.m.

Meeting Held in the Democratic Caucus Room,  
4<sup>th</sup> Floor Stamford Government Center,  
888 Washington Boulevard, Stamford, CT and Remotely

This meeting was held as indicated above. In attendance in person were Chair Lombardo, and Commissioners Bilicznianski, Bowser, Camporeale, Halpern, Lane, Loeb, Pioli, and Williams. In attendance remotely was Commissioner Martinez. Commissioners Larobina, Kolenberg, McMullen Michelson, and Pramberger were excused. Also present were Attorneys Mednick and Roberts.

**Call to Order** - Chair Lombardo called the meeting to order at 9:11 a.m.

**Roll Call** - In attendance in person were Chair Lombardo, and Commissioners Bilicznianski, Bowser, Camporeale, Halpern, Lane, Loeb, Pioli, and Williams. In attendance remotely was Commissioner Martinez. Commissioners Larobina, Kolenberg, McMullen Michelson, and Pramberger were excused. Also present were Attorneys Mednick and Roberts. Chair Lombardo confirmed that a quorum was present.

**Pledge of Allegiance** - Commissioner Lane led the Pledge of Allegiance.

**Public Comments** - There were no members of the public present wishing to speak.

**Communications and Correspondence** – Chair Lombardo reported that attorney Mednick sent documents to the Commission.

**Appointed Boards and Commission Committee Report.** There was no report

**City Departments Committee Report.** Commissioner Williams stated that there was no report. They are working on language with Attorney Mednick

**Elected Officials Committee Report.** Commissioner Pioli reported that the following proposed changes to the current language regarding the temporary absence of the Mayor, was being recommended by the Committee.

### **Sec. C3-10-4. - Temporary Absence or Disability of the Mayor.**

In the event the Mayor is or intends to be absent from the City for a period of forty-eight (48) hours or more, the Mayor shall give written notice to that effect to the President and/or the Clerk of the Board of Representatives, and/or the Town Clerk. In the event of absence from the City or temporary disability of the Mayor, the President of the Board of

Representatives, or in the President's absence or disability, the Board of Representative's Majority Leader, followed by the Minority Leader in the absence or disability of the Majority Leader, or such member as the Board of Representatives shall designate, shall exercise the power of the Mayor, except that until such absence or disability of the Mayor has continued for thirty (30) days, the Acting Mayor shall not have power to appoint or remove officers or employees. The financial compensation for the Acting Mayor shall be determined by the Board of Representatives but shall in no case exceed in proportion the salary of the Mayor. Said compensation will begin on the first day the Acting Mayor assumes the duties of the role, and end when the Mayor returns to duty.

A motion to table this proposed item was made, seconded, and approved by unanimous vote.

**Land Use Committee Report.** – Commissioner Loeb reported that the Committee had various proposals, which would be reviewed by Attorney Roberts.

Attorney Roberts reviewed the revisions contained in Attachment 1 [Charge Nos. 48-65, and 100-108, Proposed Revisions to Land Use Sections]. He noted that:

- one of the most significant changes is the definition of owner and landowner to include condo owners and specify that each of multiple owners are counted as individual owners.
- Electronic signatures will be permitted as authorized by state or federal law
- The Town Clerk will evaluate whether the petition is valid
- The Town Clerk will provide the names and addresses of all owners of privately-owned property within the area included in any proposed amendment and the privately-owned land located within 500 feet of the borders of any such area
- The Town Clerk must provide a written explanation of any defects in an invalid petition and post the explanation on the City website – It will be made clear that the Town Clerk must do this concurrently with the decision
- Additional notice requirements are added regarding land use applications and proceedings. The EPB and Harbor Commission could be added to this
- Other changes clarify language, e.g. specifying which Board is references, clarifying application vs. petition
- Requiring neighborhood outreach prior to filing an application for an amendment to the Master Plan or the Zoning Map
- The signature requirements for a petition by opponents of an amendment to the Master Plan, the Zoning Map, or the Zoning Regulations have been modified to 20% or more of the Owners of the privately-owned land in the area included in any proposed amendment to the Master Plan, or the Owners of 20% or more of the privately-owned land located within five hundred (500) feet of the borders of such area, whichever is less and adds the opportunity to have the petition signed by 300 landowners from anywhere within the City (other than for amendments to Zoning Regulations, which would be 300 owners within the geographic area). The number of signatures for a petition regarding by proponents of an amendment to the Master Plan, the Zoning Map or the Zoning Regulations is 750. [It was discussed in committee that the BOR will be more responsive to a lower number of people who are opposed to an amendment than those in support of an amendment]
- The language “at a minimum” regarding public outreach should be removed

A motion to approve the changes in Attachment 1 with changes recommended during the Committee discussion, was made, seconded, and approved by a vote of 10-0-0 (Comms).

Lombardo, Bilicznianski, Bowser, Camporeale, Halpern, Lane, Loeb, Martinez, Pioli, and Williams in favor)

Attorney Roberts discussed the following proposed change to provide for neighborhood outreach prior to any project which has a development of 5 or more residential units as noted below. As in the provision discussed above, “at a minimum” will be removed. This is modeled loosely after a policy statement in West Hartford. This is new language.

**Sec. C6-40-XX. Additional Requirements Applicable to Developments Consisting of Five (5) or More Residential Units**

Prior to submitting any application to the Zoning Board for an Amendment to the Zoning Map, an Amendment to the Zoning Regulations or Site and Architectural Plans and/or Requested Uses for any project which proposes the development of five (5) or more residential units, the property owner or applicant shall engage in neighborhood engagement and outreach. The Zoning Board shall establish standards for the required neighborhood engagement and outreach but, at a minimum, such standards shall include (i) written notification of members of the Board of Representatives for the district(s) in which such project is proposed, (ii) posting on the City website, and (iii) placement of a sign at the Property indicating that a development is proposed at that location and identifying a contact person or website where additional information may be obtained. Such applicants shall document all neighborhood outreach methods and contacts, identify neighborhood reaction and feedback, and report their findings accordingly to the Zoning Board at the time any such application is filed.

Committee members discussed whether this provision belongs in the Charter or the regulations. Attorney Roberts noted that HUD and FHA use 1-4 families as a category.

A motion to approve the language above, with the removal of the words “at a minimum” was made, seconded, and approved by a vote of 9-1-0 (Comms. Lombardo, Bowser, Camporeale, Halpern, Lane, Loeb, Martinez, Pioli, and Williams in favor; Comm. Bilicznianski opposed.)

Attorney Roberts reviewed the following proposed revisions to Section C6-120-3 regarding the disposition of land used for park purposes (Charge No. 67). He noted that as of now property consisting of more than 20,000 square feet owned by the City and used for park purposes may be sold or otherwise transferred except after approval for such sale or transfer by public referendum and property under 20,000 square feet owned by the City and used for park purposes may only be transferred after approval of the Mayor, the Planning Board, the Board of Finance and by a two-thirds' (2/3rds) vote of the entire membership of the Board of Representatives.

**Sec. C6-120-3. To Restrict Disposition of Land Used for Park Purposes.**

- (a) **Disposition of Park Property in Excess of 10,000 Square Feet.** No property consisting of more than ~~20,000~~10,000 square feet owned by the City and used for park purposes may be sold or otherwise transferred except after approval for such sale or transfer by public referendum. Such proposed disposition shall also be subject to written approval of the Mayor, a two-thirds' (2/3<sup>rds</sup>) vote of the entire membership of the Planning Board, a two-thirds' (2/3<sup>rds</sup>) vote of the entire membership of the Board of Finance and by a two-thirds' (2/3<sup>rds</sup>) vote of the

entire membership of the Board of Representatives.

- (b) **Disposition of Park Property Less than 10,000 Square Feet.** Property consisting of ~~20,000~~ 10,000 square feet or less, owned by the City and used for park purposes may be sold or otherwise transferred after written approval of the Mayor, a two-thirds' (2/3<sup>rd</sup>s) vote of the entire membership of the Planning Board, a two-thirds' (2/3<sup>rd</sup>s) vote of the entire membership of the Board of Finance and by a two-thirds' (2/3<sup>rd</sup>s) vote of the entire membership of the Board of Representatives.
- (c) **Public Hearing and Notification Provisions.** In the event of any proposed disposition of park property, the governmental agency, Department, Board or Official of the City proposing such disposition hold at least one public hearing and shall also engage in neighborhood engagement and outreach which shall include, at a minimum, (i) written notification of members of the Board of Representatives for the district(s) in which such park property is located, (ii) posting on the City website, and (iii) placement of a sign at the park property indicating that the disposition of such property is proposed and identifying a contact person or website where additional information may be obtained.
- (d) **Definition of Transfer includes Long-Term Lease.** For purposes of this section, "transfer" shall include a lease of property for a term of ten (10) years or more.
- (e) **Additional Provisions.** No ~~adjacent~~ land adjacent to any park property that shall have been disposed of in accordance with the provisions of this Section can be similarly sold or otherwise transferred within fifteen years ~~thereafter~~ after such disposition except by a vote of referendum as may be set forth in the General Statutes.
- (f) **City Taking Park Land for Highway Purposes.** If the City takes any land for highway or other purposes, which land was purchased for park or other recreational or open space purposes, or for which bonds were issued for such purposes, or which had been dedicated for such purposes, the City shall provide comparable replacement land at least equal in value and per unit area size to the value and per unit area size of the land taken, provided before such land is taken for highway or other purposes a public hearing shall be held in the manner provided by the General Statutes.

Attorney Roberts noted that the proposed changes include changing the threshold to 10,000 square feet, requiring a 2/3 vote of the all of the Boards and adds a provision that there must be a public hearing and neighborhood outreach, and includes a lease with a term of 10 years or more in the definition of a transfer.

A motion to approve the language above, removing the phrase "at a minimum," was made, seconded, and approved by a vote of 10-0-0 (Comms. Lombardo, Bilicznianski, Bowser, Camporeale, Halpern, Lane, Loeb, Martinez, Pioli, and Williams in favor.)

#### **Invitation from Board of Finance to Attend Special Meeting of the Board of Finance –**

Commission members discussed inviting the Board of Finance to a meeting of the Finance Committee on the entire budget process. A motion to reject the invitation from the Board of

Finance was made, seconded, and approved by a vote of 9-0-1 (Comms. Lombardo, Bilicznianski, Bowser, Camporeale, Halpern, Lane, Loeb, Martinez, and Williams in favor; Comm. Pioli abstaining.)

A motion to approve the February 25<sup>th</sup> minutes was made, seconded, and approved by unanimous voice vote.

A motion to approve the March 8<sup>th</sup> minutes was made, seconded, and approved by unanimous voice vote.

A motion to adjourn the meeting at 12:20 pm was made, seconded, and approved by unanimous voice vote.

*This meeting is available on [video](#).*

# Attachment 1

## ACTION ITEM #0000-0

Proposed Revisions to Land Use Sections

(BRC 7.h-p, ; CRC #48-65, 100-108)

Recommended by the Land Use Committee

Draft 3/23/2023

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### **DIVISION 3. BOARDS AND COMMISSIONS WITH STATUTORY SIGNIFICANCE**

#### **SUBDIVISION A. DEFINITIONS; PROVISIONS APPLICABLE TO PETITIONS; ADDITIONAL NOTICE AND PUBLICATION REQUIREMENTS**

##### **Sec. C6-30-001. Definitions.<sup>1</sup>**

(a) Whenever used in this Division 3:

(1) "Owner" and "Landowner" shall mean, as applied to a building or land, includes any part owner, joint owner in survivorship, tenant in common or joint tenant of the whole or of a part of such building or land, which shall include ownership in whole or in part of a unit in a common interest community or condominium, all as it appears on the Land Records<sup>2</sup> of the City,.

(2)

"Subdivision" shall mean the division of a tract or parcel of land into two or more lots for the purpose, whether immediate or future, of sale or building development, expressly excluding development for agricultural purposes, and shall include resubdivision.<sup>3</sup>

##### **Sec. C6-30-002. Petition Requirements**

The provisions of this subsection shall apply to all petitions circulated and filed pursuant to Sections C6-30-7, C6-30-8, C6-40-5, C6-40-6 and C6-40-9 of this Charter.

(1) Petitions may be signed by a duly authorized representative, officer or agent of any entity owning such building or land. In the event the land is owned in trust, a petition may be signed by the trustee(s) authorized to act on behalf of the trust.

(2) Petitions may be signed by electronic signatures in accordance with verification standards as authorized by Law using secure and commercially recognized

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<sup>1</sup> 2024 (NEW)

<sup>2</sup> Note that the Land Use Department currently refers to Tax Records of the City

<sup>3</sup> Moved from C6-30-19 (2024)

protocols and technologies such as DocuSign, Adobe Acrobat or Dropbox or similar programs.

(3) Petition signatures shall be accompanied by the printed name and address of any signatory thereof and the date such signature was added to the petition.

(4) The Town and City Clerk shall provide, at any time upon request, the names and addresses of all owners of privately-owned property within the area included in the proposed amendment to the Master Plan, the Zoning Map or Zoning Regulations and the privately-owned land located within five hundred (500) feet of the borders of any such area.

(5) Such petitions shall be filed simultaneously with the Town and City Clerk and the Planning Board or Zoning Board, as applicable, and the signatures shall be verified by the Town and City Clerk. In the event the Town and City Clerk determines that the petition does not contain sufficient signatures or is otherwise invalid, the Town and City Clerk shall provide a written explanation of any deficiencies to the person(s) submitting such petition and shall post the same on the City website.

(6) Such petitions shall be verified within ten (10) days of filing.

### **Sec. C6-30-003. Additional Notice and Publication Requirements.**

(a) Notwithstanding anything herein or in any regulation of the Planning Board, the Zoning Board or the Zoning Board of Appeals to the contrary, all applications and supporting materials submitted to any such agency, a copy of the Master Plan and any proposed amendment thereto, a copy of the Zoning Map and any proposed amendment thereto, and a copy of the Zoning Regulations and any proposed amendment thereto shall be posted on the applicable page of the City website.

(b) Whenever any provision contained in this Division 3 requires the publication of notice of any application, public hearing, public meeting, application or decision, such notice shall be given in compliance with the requirements of C1-10-4(i) and C1-10-4(ii) of this Charter, including without limitation posting on the City website and dissemination through any existing or future email or other registries that may be established by the City from time to time, and any additional specific requirements contained herein. Such notices shall include, without limitation, the street address(es) of the parcel(s) or zone(s) of any property that is the subject of an application or which may be affected by any such proposed amendment, shall provide a clear and concise narrative description of the substance of the application, amendment or decision that is the subject of such notice. The foregoing notice provisions shall be in addition to and not in lieu of any additional notice requirements that may be set forth in the Zoning Regulations or any other Law.

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**Sec. C6-30-1. Powers and Duties of Planning Board<sup>4</sup>.**

The Planning Board shall:

- (1) Keep and from time to time revise the official map of Stamford;
- (2) Prepare, adopt and amend the Master Plan;
- (3) Have the power of approval or disapproval of the Subdivision of land;
- (4) Make detailed plans for the improvement, reconditioning or redevelopment of areas which, in its judgment, contain special problems or show a trend toward lower land values;
- (5) Prepare each year lists of desirable capital improvements together with financial programs for their execution, one covering the next fiscal year and the other covering the next six (6) years, which lists shall be forwarded to the Mayor for submission to the Board of Finance and the Board of Representatives;
- (6) Review and report on Public Works proposals;
- (7) Prepare an annual report and file a copy thereof with the Connecticut Development Commission.

**Sec. C6-30-2. Establishment of the Official Map<sup>5</sup>.**

Following public hearing, the Planning Board shall, by resolution, establish and from time to time revise a map of the City showing the existing streets and parks, theretofore laid out, adopted and established by law, which map shall be known as the Official Map. Said map shall also show all the voting districts, and shall have delineated thereon the zones established by the Zoning regulations. Such map shall be filed with the Town and City Clerk and an adequate number of copies thereof shall be printed for sale and distribution to the public.

**Sec. C6-30-3. The Master Plan<sup>6</sup>.**

The Master Plan shall be the general land use Plan for the physical development of the City. The Plan shall show the division of Stamford into land use categories such as, but not restricted to, the following:

**Category**

**Description**

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<sup>4</sup> S.A. No. 619, 1953.

<sup>5</sup> S.A. No. 619, 1953; Referendum 11-7-1995

<sup>6</sup> S.A. No. 619, 1953; Referendum 11-7-1995; 2024



- 1 Residential—single family plots one acre or more.
- 2 Residential—single family plots less than one acre.
- 3 Residential—multi-family—low density.
- 4 Residential—multi-family—medium density.
- 5 Commercial—local or neighborhood business.
- 6 Commercial—general business.
- 7 Industrial

The land use categories indicated on the Master Plan shall be defined by the Planning Board and made a part of such Plan. The Plan shall also show the Planning Board's recommendation for the following: streets, sewers, bridges, parkways, and other public ways; airports, parks, playgrounds and other public grounds; the general location, relocation and improvement of schools and other public buildings; the general location and extent of public utilities and terminals, whether publicly or privately-owned, for water, light, power, transit, and other purposes; the extent and location of public housing and neighborhood development projects. Such other recommendations may be made by ~~the~~ said Board and included in the Plan as will, in its judgment, be beneficial to the City. Such Plan shall be based on studies of physical, social, economic, and governmental conditions and trends and shall be designed to promote with the greatest efficiency and economy, the coordinated development of the City and the general welfare, health and safety of its people.

#### **Sec. C6-30-4. Adoption of Master Plan<sup>7</sup>.**

The Master Plan, ~~as previously adopted~~ shall be prepared by the Planning Board and adopted after at least one public hearing thereon, upon notice as hereinafter provided in Section C6-30-9. When so adopted, said Plan shall constitute become the Master Plan of Stamford superseding any such Plan which may theretofore have been adopted, ~~in total or in part, by the Planning Board~~. Such Plan shall be a public record, a copy of which shall be kept on file in the office of the Town and City Clerk of Stamford and shall be posted on the City website.

#### **Sec. C6-30-5. Amendments to Master Plan<sup>8</sup>.**

The Master Plan may be amended by the Planning Board provided, prior to such action, the Planning Board shall hold at least one (1) public hearing, notice of which shall be given as hereinafter provided in Section C6-30-9, which notice shall include a clear and accurate map showing the bounds of any area affected together with the Planning Board's reasons therefor.

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<sup>7</sup> S.A. No. 619, 1953; 2024

<sup>8</sup> S.A. No. 619, 1953; 2024.

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**Sec. C6-30-6. Applications~~Petitions~~ for Amendment to Master Plan<sup>9</sup>.**

**(a) Amendments to the Master Plan.** Any Stamford property ~~e~~Owner or governmental agency, Department, Board or Official may file a written application ~~petition~~ with the Planning Board for an amendment to the Master Plan. Such application~~petition~~ shall be scheduled for at least one (1) public hearing to be held within sixty (60) days from the date said ~~petition~~application was filed, upon notice as hereinafter provided in Section C6-30-~~96~~ which notice shall be accompanied by a clear and accurate map showing the bounds of any area affected. Each ~~petitioner~~applicant, upon filing an application~~petition~~ pursuant to this Section, shall pay a filing fee in such amount as may be prescribed by the Planning Board and shall leave his or her name and address with the Secretary of the Planning Board. A copy of the decision of the Planning Board in such matter, signed by the Secretary or Chairperson of the Planning Board, shall be sent to the ~~petitioner~~applicant by registered mail at the time of the official publication of such decision.

**(a)(b) Additional Requirements for Amendments to the Master Plan Proposed by City Agencies.** Prior to submitting any application to the Planning Board for an Amendment to the Master Plan, if the applicant or proponent of the application is the Planning Board or any governmental agency, Department, Board or Official of the City, such applicant shall engage in neighborhood engagement and outreach. The Planning Board shall establish standards for the required neighborhood engagement and outreach but, at a minimum, such standards shall include written notification of members of the Board of Representatives for the district(s) in which such Amendment to the Master Plan is proposed. Such applicants shall document all neighborhood outreach methods and contacts, identify neighborhood reaction and feedback, and report their findings accordingly to the Planning Board at the time any such application is filed.

**Sec. C6-30-7. Referral to Board of Representatives by Opponents of Proposed Amendments<sup>10</sup>.**

**(a) Signatures Required on Petition for Referral to Board of Representatives.** If (i) twenty percent (20%) percent~~percent~~ or more of the Owners (as defined above) of the privately-owned land in the area included in any proposed amendment to the Master Plan, or (ii) the Owners of twenty percent (20%) percent~~percent~~ or more of the privately-owned land located within five hundred (500) feet of the borders of such area, whichever is less, or (iii) three hundred (300) Landowners from anywhere within the City file a signed petition ~~with the Planning Board as provided in C6-30-002~~ within ten (10) days after the official publication of the decision thereon, objecting to the proposed amendment, then said decision shall have no force or

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<sup>9</sup> S.A. No. 619, 1953; Referendum 11-3-1987; 2024.

<sup>10</sup> S.A. No. 619, 1953; Referendum 11-4-1969; Referendum 11-3-1987; 2024

effect but the matter shall be referred by the Planning Board to the Board of Representatives within twenty (20) days after such official publication, together with written findings, recommendations and reasons.

~~(a)~~(b) **Board of Representatives Action.** The Board of Representatives shall approve or reject such proposed amendment at or before its second ~~regularly-scheduled~~regularly scheduled meeting following such referral. When acting upon such matters the Board of Representatives shall be guided by the same standards as are prescribed for the Planning Board in Section C6-30-3 of this Charter. The failure of the Board of Representatives either to approve or reject said amendment within the above time limit shall be deemed as approval of the Planning Board's decision.

### **Sec. C6-30-8. Referral to Board of Representatives by Proponents of Proposed Amendments<sup>11</sup>.**

#### **(a) Signatures Required on Petition for Referral to Board of Representatives**

If (i) more than fifty percent (50%) ~~percent~~ of the Owners of the privately-owned land in the area included in the proposed amendment to the Master Plan, or (ii) if the Owners of more than fifty percent (50%) ~~percent~~ of the privately-owned land located within five hundred (500) feet of the borders of such area, whichever is less, or (iii) if seven hundred fifty (750) Landowners from anywhere within the City file a signed petition favoring such amendment with the Planning Board as provided in C6-30-002 within ten (10) days after the official publication of contrary decision thereon, said decision shall have no force or effect but the matter shall be referred by the Planning Board to the Board of Representatives within twenty (20) days after such official publication, together with its written findings, recommendations and reasons.

~~(a)~~(b) **Board of Representatives Action.** The Board of Representatives shall approve or reject such proposed amendment at or before its second ~~regularly-scheduled~~regularly scheduled meeting following such referral. When acting upon such matters the Board of Representatives shall be guided by the same standards as are prescribed for the Planning Board in Section C6-30-3 of this Charter. The failure of the Board of Representatives either to adopt or reject said amendment within the above time limit shall be deemed as approval of the Planning Board's decision.

### **Sec. C6-30-9. Notice of Public Hearings<sup>12</sup>.**

Notice of each public hearing held with respect to the ~~adoption or~~ amendment of the Master Plan shall be given in compliance with the requirements of C1-10-4(i) and C1-10-4(ii) and also by publishing in an official newspaper the time, place and purpose of such hearing, together with a clear and accurate map showing the bounds of any area or areas affected. Said notice shall include the street address of the parcel(s) or zone(s) affected by such proposed amendment and shall provide a clear and concise narrative

<sup>11</sup> S.A. No. 619, 1953; Referendum 11-4-1969; Referendum 11-3-1987; 2024.

<sup>12</sup> S.A. No. 619, 1953; Referendum 11-3-1987; 2024.

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description of the substance of the proposed amendment. Said notice shall be published at least twice, the first not more than fifteen (15) nor less than ten (10) days before such hearing, and the last not less than two (2) days before such hearing; and a copy of such proposed Plan or amendment shall be filed in the Office of the Town and City Clerk at least ten (10) days before such hearing.

**Sec. C6-30-10. Hearings<sup>13</sup>.**

If more than one (1) public hearing is considered by the Planning Board to be necessary or advisable, additional hearings may be held upon due notice, as herein above set forth in Section C6-30-9; provided no more than ninety (90) days shall elapse between the first and last hearings on any one application~~petition~~, unless the applicant~~petitioner~~ agrees in writing to an extension of such period.

**Sec. C6-30-11. Decisions<sup>14</sup>.**

The Planning Board shall render a decision on all petitions~~applications~~ for amendment to the Master Plan within sixty (60) days after the last public hearing thereon. No such decision shall become effective until at least ten (10) days have elapsed following the official publication of such decision in the manner provided in Section C6-30-12 of this Charter. A copy of each such decision, signed by the Secretary or Chairperson of said Board, shall be filed with the Town and City Clerk at the time of such official publication. If any decision of the Planning Board is not referred to the Board of Representatives within ten (10) days of the official publication of such decision as herein above provided, such decision shall forthwith become effective and the Secretary or Chairperson of the Planning Board shall file a Certificate, attesting to such fact, with the Town and City Clerk. If any decision of the Planning Board is referred to the Board of Representatives as herein above provided, the President or Clerk of the Board of Representatives shall file a Certificate with the Town and City Clerk immediately following the decision of the Board of Representatives on such matter or, if such Board fails to act on the matter within the time herein above prescribed, said certificate shall be filed immediately following the expiration of such period, attesting to such decision or failure to decide.

**Sec. C6-30-12. Publication of Decisions<sup>15</sup>.**

Official notice of decisions made by the Planning Board with respect to proposed amendments adopted to the Master Plan shall be given by publishing each such decision, or a summary thereof, together with a clear and accurate map showing the bounds of the area or areas affected thereby, in compliance with the requirements of C1-10-4(i) and C1-10-4(ii) and also in an official newspaper within five (5) days after such decision has been made. Official publication of each decision shall be deemed to have been made upon the date of the appearance of such official notice as provided above.

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<sup>13</sup> S.A. No. 619, 1953.

<sup>14</sup> S.A. No. 619, 1953; Referendum 11-3-1987.

<sup>15</sup> S.A. No. 619, 1953; S.A. No. 9, Sp. Ss., 1955; Referendum 11-3-1987.

### **Sec. C6-30-13. Procedure for Reviewing Public Works Proposals<sup>16</sup>.**

No action shall be taken by the City on any proposal involving the location, acceptance, widening, narrowing or extension of streets, bridges, parkways and other public ways; the location, relocation, acquisition of land for, abandonment, sale or lease of airports, parks, playgrounds and other municipally-owned properties, schools and other public buildings; the extent and location of public utilities and terminals, whether publicly or privately owned, for light, water, power, transit and other purposes; and the extent and location of public housing projects and the redevelopment, reconditioning or improvement of specific areas as defined herein above until it has been referred to the Planning Board for a report. The failure of said Board to report within sixty (60) days after the date of official submission to it shall be taken as approval of the proposal. In case of the disapproval of the proposal by said Board, the reasons for disapproval shall be recorded and transmitted to the Board of Representatives. A proposal disapproved by the Planning Board shall thereafter only be adopted by a two-thirds (2/3<sup>rds</sup>) vote of entire membership of the Board of Representatives.

### **Sec. C6-30-14. Procedure for Reviewing Subdivision Proposals, Description of Content of Subdivision Regulations, Provision for Penalties<sup>17</sup>.**

All plans of a Subdivision of land shall be submitted to the Planning Board. No such plan shall be recorded by the Town and City Clerk or other officer duly authorized to record plans until the fact that it has been approved by said Board has been endorsed thereon. Any official recorder of plans violating this requirement shall be guilty of a misdemeanor and shall be fined not less than one hundred (\$100.00) dollars. The filing or recording of a Subdivision plan without the approval of the Planning Board as required by this Section shall be void. Before exercising the powers granted in this Section said Board shall adopt regulations covering the Subdivision of land and make them available to the public. Such regulations shall provide that the land to be subdivided shall be of such character that it can be used for building purposes without danger to health; that the streets shall be so arranged and of such width as to provide an adequate and convenient system for present and prospective traffic needs; that in places deemed proper by the Planning Board open spaces for parks or playgrounds shall be shown on the Subdivision plan. Said Board may also prescribe the extent to which and the manner in which streets shall be graded and improved and public utilities and services provided and, in lieu of the completion of such work and installations previous to the final approval of a plat, said Board may accept a bond of an established surety company in an amount and with surety and conditions satisfactory to its securing to the City the actual construction and installation of such improvements and utilities within a period specified in the bond. The City may enforce such bonds by all appropriate legal and equitable remedies. Such regulations may provide, in lieu of the completion of the work and installations above referred to, previous to the final approval of a plat, for an assessment or other method whereby the City is put in an assured position to do said work and make said installations at the cost of the owners of the property within the Subdivision. Said Board shall be guided, in its decisions on these and other matters to be included in such Subdivision

<sup>16</sup> S.A. No. 619, 1953; Referendum 11-7-1995; 2024.

<sup>17</sup> S.A. No. 619, 1953; Referendum 11-7-1995; 2024.

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regulations, by the Master Plan and by the prospective character of the development of the land in the proposed Subdivision, and such decisions shall conform to the zoning regulations concerning the area affected.

**Sec. C6-30-15. Requirements of Hearings; Approval or Disapproval of Subdivision Proposals<sup>18</sup>.**

All plans of Subdivisions submitted to the Planning Board shall contain the name and address of the person to whom notice of hearing may be sent, and no Subdivision plan shall be acted upon by said Board without a public hearing, notice of which shall be given in compliance with the requirements of C1-10-4(i) and C1-10-4(ii) and also published once in an official paper and shall be sent by registered mail to the address shown in the Subdivision plan, except that in the case of a proposed Subdivision of land into not more than two lots not involving a new street, a public hearing need not be held, but public notice

shall be required and all other requirements shall be met as set forth in this Section. Both the publication and the mailing of notice shall be made no less than seven (7) days before the date fixed for the hearing. The Planning Board shall approve, modify and approve, or disapprove a Subdivision plan within sixty (60) days after the submission thereof, otherwise such plan shall be considered approved and a Certificate to that effect shall be issued by said Board on demand, provided an extension of this period may be had with the consent of the applicant. The grounds for disapproval shall be stated in the records of the Planning Board. Notice of the decision of the Planning Board shall be published in an official newspaper within ten (10) days after said decision has been rendered.

**Sec. C6-30-16. Filing of Decisions Affecting Subdivisions<sup>19</sup>.**

The Planning Board shall prepare, after its decision on any Subdivision over which it has jurisdiction and upon which a hearing has been held, a Certificate signed by the chair of the Planning Board~~its Planning Director~~, setting forth the name or names of the property owner or owners, the names of the street or streets on which the property is located, the title of any map submitted with the application, the date of the hearing and statement of its findings and approval, which certificates shall be recorded in the Office of the Town and City Clerk, indexed under the name or names of such property owner or owners, and no action of the Planning Board shall be final until the filing of this public record in the Office of the Town and City Clerk.

**Sec. C6-30-17. Proposals to Accept Platted or Opened Streets; Certificate of Municipal-City Engineer<sup>20</sup>.**

No street, platted or opened by any private person, firm or corporation shall be accepted by the City unless the application-petition for the same shall be accompanied

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<sup>18</sup> S.A. No. 619, 1953; Referendum 11-4-1969; Referendum 11-3-1987; Referendum 11-7-1995; 2024.

<sup>19</sup> S.A. No. 619, 1953; 2024.

<sup>20</sup> S.A. No. 619, 1953; Referendum 11-7-1995.

by a Certificate from the ~~Municipal~~City Engineer certifying its correctness as to grade and construction specifications.

**Sec. C6-30-18. Building on Unaccepted Streets or Unapproved Subdivisions<sup>21</sup>.**

No building permit shall be issued and no building shall be erected in an unapproved subdivision or on an unaccepted street except in the case of lots of record in the office of the Town and City Clerk or other officer authorized to record plans, or in the case of streets which are open for vehicular travel at the time of adoption of this ~~Act~~Charter by the City. Any building erected in violation of this ~~Act~~Charter shall be deemed an unlawful structure, and the City through the appropriate officer may bring action to enjoin the erection of such structure or to cause it to be vacated or removed.

**Sec. C6-30-19. Definitions<sup>22</sup>.**

~~(For the purpose of this Act, "subdivision" shall mean the division of a tract or parcel of land into two or more lots for the purpose, whether immediate or future, of sale or building development, expressly excluding development for agricultural purposes, and shall include resubdivision. [intentionally omitted])~~

**Sec. C6-30-20. Appeals<sup>23</sup>.**

Except in those situations where a decision of the Planning Board is referred to the Board of Representatives for action pursuant to Section C6-30-7 or C6-30-8 of this Charter, any person aggrieved by an official decision of the Planning Board may appeal therefrom to the Superior Court, Judicial District of Stamford/Norwalk at Stamford within fifteen (15) days of the official publication of a decision affecting the Master Plan; or, in the case of a decision affecting a Subdivision, within fifteen (15) days after official publication of said decision. Any person aggrieved by a decision of the Board of Representatives, or by a failure of said Board to decide a matter referred to it within the prescribed time, pursuant to Section C6-30-7 or C6-30-8 of this Charter, may appeal therefrom within fifteen (15) days of such decision or such expiration of prescribed time, whichever first occurs, to the Superior Court, Judicial District of Stamford/Norwalk at Stamford.

**Sec. C6-30-21. Vote Required by Board of Representatives<sup>24</sup>.**

Except as provided in Section C6-30-13 hereof, in deciding all matters referred to the Board of Representatives pursuant to this Chapter, the affirmative vote of a majority of the entire membership of said Board shall be required.

<sup>21</sup> S.A. No. 619, 1953; Referendum 11-7-1995; 2024.

<sup>22</sup> S.A. No. 619, 1953; 2024.

<sup>23</sup> S.A. No. 619, 1953; Referendum 11-4-1969; Referendum 11-3-1987; Referendum 11-7-1995; 2024.

<sup>24</sup> S.A. No. 619, 1953.

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**Sec. C6-30-22. Appointment of Panel of Alternates to Planning, Zoning and Board of Appeals<sup>25</sup>.**

~~The Mayor in office in December, 1961, shall submit to the Board of Representatives at its first meeting after December first nominations of three (3) alternate members for each of the following Boards: The Planning Board, the Zoning Board, and the Zoning Board of Appeals; one alternate member of each such Board to serve for three (3) years; one for four (4) years and one for five (5) years; and thereafter each new alternate member shall be appointed to serve for five (5) years. [intentionally omitted]~~

**Sec. C6-30-23. Saving Clause<sup>26</sup>.**

The Subdivision Regulations, including all amendments thereto, legally adopted prior to the effective date of this ~~Act~~Charter, are hereby validated and continued in full force and effect until amended by action taken under the authority of this Chapter.

**SUBDIVISION CB. ZONING BOARD**

**Sec. C6-40-1. Powers and Duties of Zoning Board<sup>27</sup>.**

The Zoning Board is authorized to regulate the height, number of stories and size of buildings and other structures; the percentage of the area of the lot that may be occupied; the size of yards, courts and other open spaces; the density of population and the location and use of buildings, structures and land or trade, industry, residence or other purposes; and the height, size, location and character of advertising signs and billboards. Said Board may divide the City into districts of such number, shape and area as may be best suited to carry out the purposes of this Chapter; and, within such districts, it may regulate the erection, construction, reconstruction, alteration or use of buildings or structures and the use of land. All such regulations shall be uniform for each class or kind of buildings or structures throughout each district, but the regulations in one district may differ from those in another district, shall be made in accordance with a comprehensive plan and shall be designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population and to facilitate the adequate provision for transportation, water, sewerage, schools, parks and other public requirements. Such regulation shall be made with reasonable consideration as to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City.

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<sup>25</sup> Referendum 11-7-1961; Referendum 11-3-1987; Superseded by C6-00-2(c) (2024).

<sup>26</sup> S.A. No. 619, 1953; 2024,

<sup>27</sup> S.A. No. 619, 1953; Referendum 11-7-1995.



**Sec. C6-40-2. Amendments to Zoning Regulations and Map Prior to the Effective Date of the Master Plan<sup>28</sup>.**

~~Prior to the effective date of the Master Plan, the Zoning Regulations and Map may, from time to time, be amended by the Zoning Board provided, prior to any such action, the Board shall hold at least one (1) public hearing thereon, notice of which shall be given as hereinafter provided. If a protest is filed at such hearing with said Board against any Zoning Map amendment signed by the owners of twenty (20%) percent or more of the area of the privately owned land included in such proposed amendment, or of the privately owned land within five hundred (500') feet of the borders of such area, such amendment shall not be adopted except by a vote of four-fifths (4/5<sup>ths</sup>) of all the members of said Board~~[intentionally omitted].

**Sec. C6-40-3. Amendments to Zoning Map ~~After the Effective Date of the Master Plan<sup>29</sup>.~~**

~~After the effective date of the Master Plan~~The Zoning Map may, from time to time, be amended by the Zoning Board provided, prior to any such action, the Zoning Board shall hold at least one public hearing thereon, notice of which shall be given as hereinafter provided. If said Board or any governmental agency, Department, Board or Official of the City is the proponent of any such change said notice shall contain the ~~Board's~~ reasons for such proposed change. The Zoning Map shall not be amended by said Board to permit a use in any area which is contrary to the general land use established for such area by the Master Plan.

**Sec. C6-40-4. Applications for Amendments to the Zoning Map ~~After Effective Date of the Master Plan<sup>30</sup>.~~**

**(a) Amendments to the Zoning Map.** ~~After the effective date of the Master Plan,~~aAny Stamford property owner or governmental agency, department, board or official, may file a written application with the Zoning Board for an amendment to the Zoning Map. Such application shall be scheduled for at least one public hearing to be held within sixty (60) days from the date said application was filed. The Zoning Board shall not hear any application or applications relating to the same amendment, or substantially the same amendment, more than once in a period of ~~twelve (12)~~twenty-four (24) months, unless withdrawn on request of the Zoning Board on its terms and conditions. If any applicant or applicants either withdraws or postpones an application or applications to the Zoning Board before the scheduled date or public hearing, said application or applications shall not be re-scheduled for public hearing within ninety (90) days following the public hearing date from which said application or applications were withdrawn or postponed. Each applicant, upon filing an application pursuant to this Section, shall pay a filing fee in such amount as may be prescribed by the Zoning Board and shall leave name and address with the Secretary of the Zoning Board. A copy of the decision of the Zoning Board in such application, signed by the Secretary or Chairperson

<sup>28</sup> S.A. No. 619, 1953; 2024.

<sup>29</sup> S.A. No. 619, 1953; 2024.

<sup>30</sup> S.A. No. 619, 1953; Referendum 11-4-1969 (Subsections A and B passed, one by Proposal No. 21; the other by Proposal No. 59.); Referendum 11-3-1987; Referendum 11-7-1995; 2024

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of the Zoning Board, shall be sent to the applicant by registered mail at the time of the official publication of such decision.

**(b) Additional Requirements for Amendments to the Zoning Map Proposed by City Agencies.** Prior to submitting any application to the Zoning Board for an Amendment to the Zoning Map, if the proponent of such application is the Zoning Board or any governmental agency, Department, Board or Official of the City, such applicant shall engage in neighborhood engagement and outreach. The Zoning Board shall establish standards for the required neighborhood engagement and outreach but, at a minimum, such standards shall include written notification of members of the Board of Representatives for the district(s) in which such Amendment to the Zoning Map is proposed. Such applicants shall document all neighborhood outreach methods and contacts, identify neighborhood reaction and feedback, and report their findings accordingly to the Zoning Board at the time any such application is filed.

~~(a) — After the effective date of the Master Plan, any Stamford property owner or governmental agency, department, board, or official, may file a written application with the Zoning Board for an amendment to the Zoning Map. Such application shall be scheduled for at least one public hearing to be held within sixty (60) days from the date said application was filed. Each applicant upon filing an application pursuant to this Section, shall pay a filing fee in such amount as may be prescribed by the Zoning Board and shall leave name and address with the Secretary of the Board. A copy of the decision of the Board in such application, signed by the Secretary or Chairperson of the Board, shall be sent to the applicant by registered mail at the time of the official publication of such decision.~~

**Sec. C6-40-5. Referral to Board of Representatives by Opponents of Proposed Amendment to Zoning Map ~~After the Effective Date of the Master Plan~~<sup>31</sup>.**

~~After the effective date of the Master Plan, i~~

**(a) Signatures Required on Petition for Referral to Board of Representatives.** If (i) twenty percent (20%) ~~percent~~ or more of the Owners of the privately-owned land in the area included in any proposed amendment to the Zoning Map, or (ii) if the Owners of twenty percent (20%) ~~percent~~ or more of the privately-owned land located within five hundred (500') feet of the borders of such area(s), whichever is less, or (iii) if three hundred (300) Landowners from anywhere within the City file a signed petition as provided in C6-30-002~~with the Zoning Board~~, within ten (10) days after the official publication of the decision thereon, objecting to the proposed amendment, said decision shall have no force or effect but the matter shall be referred by the Zoning Board to the Board of Representatives within twenty (20) days after such official publication, together with written findings, recommendations and reasons.

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<sup>31</sup> S.A. No. 619,1953; Referendum 11-4-1969; Referendum 11-3-1987; 2024.

~~(a)~~**(b) Board of Representatives Action.** The Board of Representatives shall approve or reject such proposed amendment at or before its second (2<sup>nd</sup>) ~~regularly scheduled~~regularly scheduled meeting following such referral. When acting upon such matters the Board of Representatives shall be guided by the same standards as are prescribed for the Zoning Board in Section C6-40-1 of this Charter. The failure of the Board of Representatives either to approve or reject said amendment within the above time limit shall be deemed as approval of the Zoning Board's decision.

**Sec. C6-40-6. Referral to Board of Representatives by Proponents of Proposed Amendments to Zoning Map ~~After the Effective Date of the Master Plan~~<sup>32</sup>.**

~~After the effective date of the Master Plan, I~~

**(a) Signatures Required on Petition for Referral to Board of Representatives** if (i) more than fifty percent (50%) percent of the Owners of the privately-owned land in the area included in the proposed amendment to the Zoning Map, or (ii) if the Owners of more than fifty percent (50%) percent of the privately-owned land located within five hundred (500') feet of the borders of such area, whichever is less or (iii) if seven hundred fifty (750) Landowners from anywhere within the City file a signed petition favoring such amendment as provided in C6-30-002 with the Zoning Board within ten (10) days after the official publication of a contrary decision thereon, said decision shall have no force or effect but the matter shall be referred by the Zoning Board to the Board of Representatives within twenty (20) days after such official publication, together with its written findings, recommendations and reasons.

~~(a)~~**(b) Board of Representatives Action.** The Board of Representatives shall approve or reject such proposed amendment at or before its second ~~regularly scheduled~~regularly scheduled meeting following such referral. When acting upon such matters the Board of Representatives shall be guided by the same standards as are prescribed for the Zoning Board in Section C6-40-1 of this Charter. The failure of the Board of Representatives either to approve or reject said amendment within the above time limit shall be deemed as approval of the Zoning Board's decision.

**Sec. C6-40-7. Amendments to Zoning Regulations, Other Than the Zoning Map, ~~After the Effective Date of the Master Plan~~<sup>33</sup>.**

~~After the effective date of the Master Plan, t~~The Zoning Regulations, other than the Zoning Map, shall not be amended by the Zoning Board until at least one public hearing has been held thereon, notice of which shall be given as hereinafter provided. If the Zoning Board or any governmental agency, Department, Board or Official of the City is the proponent of any such change, said notice shall contain the Board's reasons for such proposed change. Such Zoning Regulations shall not be amended by said Board to permit a use in any area which is contrary to the general land use established for such area by the Master Plan.

<sup>32</sup> S.A. 619, 1953; Referendum 11-4-1969; Referendum 11-3-1987; 2024.

<sup>33</sup> S.A. No. 619, 1953; Referendum 11-6-1962; 2024.

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**Sec. C6-40-8. Applications for Amendments to Zoning Regulations, Other Than Zoning Map, ~~After Effective Date of the Master Plan~~<sup>34</sup>.**

~~After the effective date of the Master Plan, a(a)~~ **Amendments to the Zoning Regulations.** Any Stamford property owner or environmental agency, Department, Board or official may file a written application with the Zoning Board for an amendment to the Zoning Regulations, other than the Zoning Map. Such application shall be scheduled for at least one public hearing to be held within sixty (60) days from the date said application was filed, upon notice as hereinafter provided. The Zoning Board shall not hear any application or applications relating to the same amendment, or substantially the same amendment, more than once in a period of ~~twelve (12)~~**twenty-four (24)** months unless withdrawn on request of the Zoning Board on its terms and conditions. If any applicant or applicants either withdraws or postpones an application or applications to the Zoning Board before the scheduled date of public hearing, said application or applications shall not be rescheduled for public hearing within ninety (90) days following the public hearing date from which said application or applications were withdrawn or postponed. Each applicant, upon filing an application pursuant to this Section, shall pay a filing fee in such amount as may be prescribed by the Zoning Board and shall leave name and address with the Secretary of the Zoning Board. A copy of the decision of the Zoning Board, signed by the Secretary or Chairperson of the Zoning Board, shall be sent to the applicant by registered mail at the time of the official publication of such decision.

**(b) Additional Requirements for Amendments to the Zoning Regulations Proposed by City Agencies.** Prior to submitting any application to the Zoning Board for an Amendment to the Zoning Regulations, if the proponent of such application is the Zoning Board or any governmental agency, Department, Board or Official of the City, such petitioner shall engage in neighborhood engagement and outreach. The Zoning Board shall establish standards for the required neighborhood engagement and outreach but, at a minimum, such standards shall include written notification of members of the Board of Representatives for the district(s) which may be affected by such Amendment to the Zoning Regulations as are proposed. Such applicants shall document all neighborhood outreach methods and contacts, identify neighborhood reaction and feedback, and report their findings accordingly to the Zoning Board at the time any such application is filed.

**Sec. C6-40-9. Referral to Board of Representatives by Opponents or Proponents of Amendments to the Zoning Regulations, Other Than the Zoning Map, ~~After the Effective Date of the Master Plan~~<sup>35</sup>.**

~~After the effective date of the Master Plan, i(a)~~ **Petition to Refer Amendments to the Zoning Regulations to the Board of Representatives.** If following a public hearing

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<sup>34</sup> S.A. No. 619, 1953; Referendum 11-4-1969; Referendum 11-3-1987; 2024.

<sup>35</sup> S.A. No. 619, 1953; Referendum 11-3-1995; Referendum 11-6-1962; Referendum 11-3-1987; Referendum 11-7-1995; 2024.

at which a proposed amendment to the Zoning Regulations, other than the Zoning Map was considered, a petition is filed as provided in C6-30-002 with the Zoning Board within ten (10) days after the official publication of the Zoning Board's decision thereon opposing such decision, such decision with respect to such amendment shall have no force or effect, but the matter shall be referred by the Zoning Board to the Board of Representatives within twenty (20) days after such official publication, together with written findings, recommendations, and reasons.

**(b) Review by Board of Representatives.** The Board of Representatives shall approve or reject any such proposed amendment at or before its second (2<sup>nd</sup>) regularly scheduled meeting following such referral. When acting upon such matters, the Board of Representatives shall be guided by the same standards as are prescribed for the Zoning Board in Section C6-40-1 of this Charter. The failure by the Board of Representatives either to approve or reject said amendment within the above time limit shall be deemed as approval of the Zoning Board's decision.

**(c) Required Signatures on Petition.** The number of signatures required on any such written petition shall be either (i) one hundred (100) hundred, or (ii) twenty percent (20%) percent of the Owners of privately-owned land within five hundred (500') feet of the area so zoned, whichever is least, or (iii) three hundred (300) Landowners from anywhere within the City if the proposed amendment applies to only one zone. All signers must be Landowners in any areas so zoned, or in areas located within five hundred (500') feet of any areas so zoned. If any such proposed amendment applies only to a specific geographic area, the signature requirements shall be based solely on that specific geographic area notwithstanding the fact that other properties located within the City may have the same Zoning Map designation. If any such amendment applies to two or more zones, or the entire City, the signatures of at least three hundred (300) hundred Landowners shall be required, and such signers may be Landowners anywhere in the City.

#### **Sec. C6-40-10. Referral of Proposed Amendments to the Zoning Regulations or Zoning Map ~~Zone Boundaries~~ to Planning Board<sup>36</sup>.**

Any proposed amendments to the Zoning Regulations or ~~zone boundaries~~ Zoning Map or changes thereof shall be referred to the Planning Board for a report at least thirty (30) days prior to the date assigned for a public hearing to be held thereon. The failure of the Planning Board to report prior to or at the hearing shall be taken as approval of such proposals. A statement of the vote of the Planning Board, approving, disapproving, or proposing a modification of such proposal shall be publicly read at any public hearing held thereon. The full report of the Planning Board regarding such proposal shall include the reasons for the Planning Board's vote thereon and shall be incorporated into the records of any public hearing held thereon. A proposal disapproved by the Planning Board may be adopted by the Zoning Board by a two-thirds (2/3<sup>rds</sup>) vote of the entire membership of the Zoning Board. Upon request to the Planning Board by either the applicant or the opponent, a meeting shall be held by the Planning Board with such applicant and/or opponent before it shall render a decision.

<sup>36</sup> Referendum 11-4-1969; 2024.

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**Sec. C6-40-11. Notice of Public Hearings<sup>37</sup>.**

Notice of each public hearing held with respect to amendments of the Zoning Regulations and Zoning Map or applications for approval of site and architectural plans and/or requested uses shall be given in compliance with the requirements of C1-10-4(i) and C1-10-4(ii) and also by publishing in an official newspaper the time, place and purpose of such hearing. If any such hearing is to be held with respect to an amendment to the Zoning Map, such notice shall include a clear and accurate map showing the bounds of any area or areas affected. In addition, said notice shall include the street address of the parcel(s) or zone(s) affected by such proposed amendment and shall provide a clear and concise narrative description of the substance of the proposed amendment. Said notice shall be published at least twice, the first not more than fifteen (15) nor less than ten (10) days before such hearing, and the last not less than two (2) days before such hearing; and a copy of such proposed amendment or a copy of such application for approval of site and architectural plans and/or requested uses shall be filed in the office of the Town and City Clerk at least ten (10) days before such hearing.

**Sec. C6-40-12. Hearings<sup>38</sup>.**

If more than one public hearing is considered by the Zoning Board to be necessary or advisable, additional hearings may be held upon due notice, as herein above set forth, provided no more than ninety (90) days shall elapse between the first and last hearing on any one applicationpetition, unless the applicantpetitioner agrees in writing to an extension of such period.

**Sec. C6-40-13. Approval of Site and Architectural Plans and/or Requested Uses<sup>39</sup>.**

In any Designed District, except in the IP-D Designed Industrial Park District, the design and location of all buildings on the lot, the height and bulk of buildings, the provision for off-street parking and loading spaces, and the use of the property shall be submitted to and be subject to the approval of the Zoning Board, who shall not approve same for a building permit until after a public hearing, notice of which shall be given as hereinafter provided. In the IP-D Designed Industrial Park District, the exterior architectural design and the proposed use or uses of the initial building, and the site plan, including screening from adjacent residential areas, shall be submitted to and be subject to the approval of the Zoning Board, who shall not approve same for a building permit until after a public hearing, notice of which shall be given as hereinabove provided.

**Sec. C6-40-14. Applications for Approval of Site and Architectural Plans and/or Requested Uses<sup>40</sup>.**

In any Designed District, any Stamford property owner or governmental agency, Department, Board or official must file an application with the Zoning Board for approval

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<sup>37</sup> S.A. No. 619, 1953; Referendum 11-4-1969; Referendum 11-3-1987; 2024.

<sup>38</sup> S.A. No. 619, 1953.

<sup>39</sup> Referendum 11-4-1969; Referendum 11-7-1995.

<sup>40</sup> Referendum 11-4-1969; Referendum 11-3-1987; 2024.

of site and architectural plans and/or requested uses. Such application shall be scheduled for at least one public hearing to be held within sixty (60) days from the date said application was filed, upon notice as hereinafter provided. The Zoning Board shall not ~~be required to~~ hear any application or applications relating to the same request or substantially the same request, more than once in a period of ~~twelve (12)~~twenty-four (24) months. If any applicant or applicants either withdraws or postpones an application or applications to the Zoning Board before the scheduled date of public hearing, said application or applications shall not be rescheduled for public hearing within ninety (90) days following the public hearing date from which said application or applications were withdrawn or postponed. Each applicant, upon filing an application pursuant to this section, shall pay a filing fee in such amount as may be prescribed by the Zoning Board and shall leave name and address with the Secretary of the Zoning Board. A copy of the decision of the Zoning Board, signed by the Secretary or Chairperson of the Zoning Board, shall be sent to the applicant by registered mail at the time of the official publication of such decision.

#### **Sec. C6-40-15. Decisions<sup>41</sup>.**

The Zoning Board shall render a decision on all applications~~petitions~~ for amendments to the zoning regulations and map within sixty (60) days after the last public hearing thereon. No such decision shall become effective until at least ten (10) days have elapsed following the official publication of such decision in the manner hereinafter provided. A copy of each such decision, signed by the Secretary or Chairperson of the Zoning Board, shall be filed with the Town and City Clerk at the time of such official publication. If any decision of the Zoning Board is not referred to the Board of Representatives within ten (10) days of the official publication of such decision as herein above provided, such decision shall forthwith become effective and the Secretary or Chairperson of the Zoning Board shall file a certificate attesting to such fact with the Town and City Clerk. If any decision of the Zoning Board is referred to the Board of Representatives as herein above provided, the President or Clerk of the Board of Representatives shall file a certificate with the Town and City Clerk immediately following the decision of the Board of Representatives on such matter or, in the event that such Board fails to act on the matter within the time herein above prescribed, said certificate shall be filed immediately following the expiration of such period, attesting to such decision or failure to decide.

#### **Sec. C6-40-16. Publication of Decisions<sup>42</sup>.**

Official notice of decisions made by the Zoning Board with respect to all applications that are either adopted or denied to the zoning regulations and map shall be given by publishing each such decision or a summary thereof, together with, in the case of a zoning map amendment, a clear and accurate map showing the bounds of the area or areas affected thereby, in compliance with the requirements of C1-10-4(i) and C1-10-4(ii) and also in an official newspaper for at least one (1) day within five (5) days after such decision has been made. Official publication of each decision shall be deemed to have been made upon the date of the appearance of such official notice as provided above.

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<sup>41</sup> S.A. No. 619, 1953; Referendum 11-3-1987; Referendum 11-7-1995).

<sup>42</sup> S.A. No. 619, 1953; S.A. No. 10, Sp. Ss., 1955; Referendum 11-4-1969; Referendum 11-3-1987.

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**Sec. C6-40-17. Appeals<sup>43</sup>.**

Except in those situations where a decision of the Zoning Board is referred to the Board of Representatives for action pursuant to Section C6-40-5, C6-40-6, or C6-40-9 of this Charter, any person aggrieved by any such decision may appeal therefrom, within fifteen (15) days of the official publication of such decision, to the Superior Court, Judicial District of Stamford/Norwalk at Stamford. Any person aggrieved by a decision of the Board of Representatives or by a failure of that Board to decide a matter referred to it within the prescribed time pursuant to Section C6-40-5, C6-40-6 or C6-40-9 of this Charter may appeal therefrom within fifteen (15) days of such decision or such expiration of prescribed time, whichever first occurs, to the Superior Court, Judicial District of Stamford/Norwalk at Stamford.

**Sec. C6-40-18. Vote Required by Board of Representatives<sup>44</sup>.**

In deciding all matters referred to the Board of Representatives pursuant to this Chapter, the affirmative vote of a majority of the entire membership of said Board shall be required.

**Sec. C6-40-19. Enforcement of Planning and Zoning Regulations; Zoning Board of Appeals Decisions<sup>45</sup>.**

The Zoning Board shall appoint a Zoning Enforcement Officer who shall not be the Building Official and who shall be in the classified service. The provisions of the General Statutes, as amended, pertaining to the duties of Zoning Enforcement Officer shall apply to Stamford. The Zoning Enforcement Officer shall:

- (a) enforce all planning and zoning ~~ordinances and~~ regulations;
- (b) review building construction and development plans to assure that there are no violations of prescribed conditions set by the Commission prior to issuance of building permits;
- (c) perform follow-up inspections in the field after construction has started;
- (d) initiate, respond to, and investigate alleged zoning violations and violations of decisions of the Zoning Board of Appeals; and to issue cease and desist orders for any such violations;
- (e) prepare such data as required by the Zoning Board of Appeals, attend all of the meetings of that Board and enforce its decisions;

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<sup>43</sup> S.A. No. 619, 1953; Referendum 11-4-1969; Referendum 11-3-1987; Referendum 11-7-1995.

<sup>44</sup> S.A. No. 619, 1953.

<sup>45</sup> S.A. No. 619, 1953; Referendum 11-3-1987; 2024.



(f) perform all other duties required by the ~~Commission~~ Zoning Board or required by law as it applies to the ~~Commission~~ Zoning Board;

(g) issue an occupancy permit only after approval of the Zoning Board of Appeals if the permit to proceed is found to have been issued erroneously.

**Sec. C6-40-20. Authority of Zoning Enforcement Officer<sup>46</sup>.**

The provisions of Section C6-40-19 of this Charter are intended to extend the powers of the Zoning Enforcement Officer of the Zoning Board to the limits of the City.

**Sec. C6-40-21. Procedure When Regulations are Violated<sup>47</sup>.**

The provisions of Section 846 of the General Statutes shall apply to the enforcement of the Zoning Regulations of the City of Stamford. (Now General Statutes Sec. 8-12.)

**Sec. C6-40-22. Controlling Requirement in Case of Variation<sup>48</sup>.**

The provisions of Section 847 of the General Statutes shall continue to be applicable to the City. (Now General Statutes 8-13.)

**Sec. C6-40-23. Saving Clauses<sup>49</sup>.**

The Zoning Regulations and Map, including all amendments thereto, legally adopted prior to the effective date of this ~~Act~~ Charter, are hereby validated and continued in full force and effect until amended by action taken under the authority of this Chapter. Upon the effective date of the Master Plan the Zoning Regulations and Map theretofore in effect shall remain in full force and effect, provided on and after such date no amendments thereto shall be made except in the manner, and subject to the conditions herein above set forth.

**SUBDIVISION ~~DC~~ ZONING BOARD OF APPEALS**

**Sec. C6-50-1. Powers and Duties of the Zoning Board of Appeals<sup>50</sup>.**

The provisions of the General Statutes pertaining to zoning appeals shall apply to the City, except so far as inconsistent with the specific provisions of this Charter. The Zoning Board of Appeals is also empowered to grant the permits provided for in Section C6-40-19(g). The Zoning Board of Appeals of the City shall prepare, after its decision on any applications before it, a certificate signed by the Zoning Enforcement Officer setting forth the name or names of the property owner or owners of the land affected, the name or names of the streets on which the property is located, the date of the hearing and a statement of its findings and approval or rejection, which certificate shall be recorded in the office of the Town and City Clerk, indexed under the name or names of such property owner or owners, and no variance shall be permitted or building permit issued until such

<sup>46</sup> S.A. No. 619, 1953; Referendum 11-6-1962; Referendum 11-3-1987; Referendum 11-7-1995

<sup>47</sup> S.A. No. 619, 1953; Referendum 11-7-1995.

<sup>48</sup> S.A. No. 619, 1953; Referendum 11-7-1995

<sup>49</sup> S.A. No. 619, 1953; 2024.

<sup>50</sup> S.A. No. 379, 1951; S.A. No. 280, 1957; Referendum 11-8-1977; Referendum 11-3-1987; Referendum 11-7-1995.

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certificate of the Zoning Board of Appeals is filed in the public records in the office of the Town and City Clerk.

**Sec. C6-50-2. Reversal of Decision of Zoning Officer<sup>51</sup>.**

The concurring vote of four (4) members of the Zoning Board of Appeals shall be necessary to reverse any order, requirement or decision of the Zoning Enforcement Officer on any appeal taken therefrom.

**Sec. C6-50-3. Limitation on Jurisdiction of Zoning Board of Appeals<sup>52</sup>.**

The Zoning Board of Appeals shall have no direct appellate jurisdiction from the determinations of the Zoning Board.

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<sup>51</sup> Referendum 11-4-1969; Referendum 11-3-1987.

<sup>52</sup> **NO CITATION IN CURRENT CHARTER.**