

MAYOR
Caroline Simmons



**CITY OF STAMFORD
ZONING BOARD
LAND USE BUREAU
888 WASHINGTON BOULEVARD
STAMFORD, CT 06904 -2152**

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February 15, 2024

RECEIVED

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

FEB 15 2024

PLANNING BOARD

RE: Application 224-06- City of Stamford – Zoning Board, 888 Washington Boulevard, Stamford, CT, - Text Change, The Application proposes a change to the Stamford Zoning Regulations intended to increase the supply of housing for seniors and people with disabilities. In addition, the proposed change would allow senior and disabled day services and would update and streamline regulations.



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, 2024**.

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

Sincerely,


Vineeta Mathur
Principal Planner 



APPLICATION FOR TEXT CHANGE OF THE STAMFORD ZONING REGULATIONS

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

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

Fee Schedule

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

APPLICANT NAME (S): CITY OF STAMFORD ZONING BOARD

APPLICANT ADDRESS: 888 WASHINGTON BOULEVARD, STAMFORD, CT 06901

APPLICANT PHONE 203-977-4711

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

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

PROPOSED TEXT CHANGE: The City of Stamford Zoning Board proposes a change to the Stamford Zoning Regulations intended to increase the supply of housing for seniors and people with disabilities. In addition, the proposed change would allow senior and disabled day services and would update and streamline regulations. As the share and number of seniors increases nationwide¹, these changes are intended to assure that Stamford's seniors will have a variety of affordable housing and care options.

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 15th DAY OF February 20 24

SIGNED: Ralph Hessing

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 15 20 24

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

Mary Judge
 Notary Public, Commissioner of the Superior Court
 MARY JUDGE

FOR OFFICE USE ONLY
 Notary Public, State of Connecticut
 My Commission Expires 9/30/2028

APPL. #: 224-06 Received in the office of the Zoning Board: Date: _____

FEB 15 2024

By: _____

PROJECT DESCRIPTION

PROPOSED ZONING TEXT AMENDMENT – Senior Housing

01/08/2024

A. PURPOSE

The City of Stamford Zoning Board proposes a change to the Stamford Zoning Regulations intended to increase the supply of housing for seniors and people with disabilities. In addition, the proposed change would allow senior and disabled day services and would update and streamline regulations. As the share and number of seniors increases nationwide¹, these changes are intended to assure that Stamford’s seniors will have a variety of affordable housing and care options.

B. PROPOSED CHANGES

1. Add a New Definition for “Senior Housing” to Section 5.E

The new Senior Housing definition includes all single, two-, and multi-family housing that is deed-restricted to persons 55 years and older or people with disabilities. It would also include Assisted Living Facility, Memory Care, Nursing Home, Senior Housing and Nursing Home Facility Complex, and Independent Living Facility. These are uses already in the Regulations. No change to these uses are proposed.

This new definition would:

- a) Update the term “Elderly” to “Senior” and reduces the minimum age from 62 to 55, (matching the more inclusive State and Federal definitions) to both align better with potential government funding opportunities and increase flexibility; and
- b) Clarify the relationship between different types of senior housing and the services provided in these types of housing and other terminology used in the regulations.

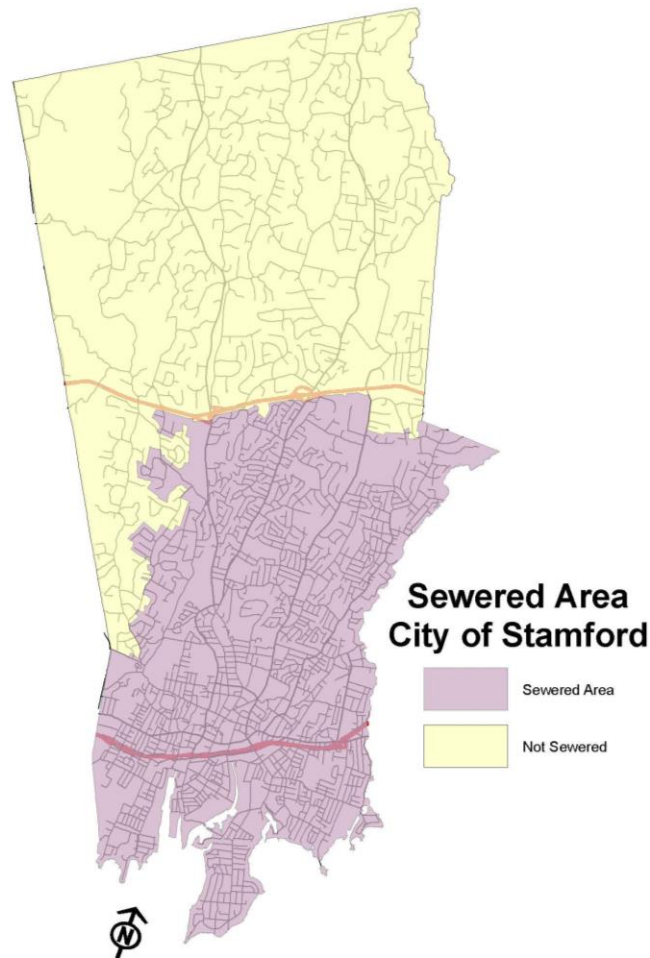
¹ US Census Bureau: [U.S. Older Population Grew From 2010 to 2020 at Fastest Rate Since 1880 to 1890](https://www.uscensus.gov/older-population-grew-from-2010-to-2020-at-fastest-rate-since-1880-to-1890), USCensus.gov (5/25/2023).

2. Develop standards for the “Senior Housing”

The goal of the new development standards is to make senior housing more financially feasible especially in lower density neighborhoods, while blending in with the built environment in these areas. This is intended to increase the supply of dedicated senior housing, and, therefore, to make it more affordable, which will allow more people to age in place.

The new development standards would:

- a) Allow more Senior Housing in single-family districts where public sewers are available; Generally, North Stamford and Westover are not connected to the City’s sewer system, as can be seen in the map below. These areas would not be eligible for the special Senior Housing development standards. Senior Housing benefitting from these special standards would also be required to meet minimum lot size requirements (2-4 times the minimum lot size) which would greatly reduce the number of eligible sites.



- b) Allow more density for Senior Housing in nearly all multi-family and mixed-use districts (with the exception of industrial districts). Staff strongly believes that these density increases

should be as of right and not by Special Permit approval, as the density increases are relatively small and senior housing generally has lesser development impacts (e.g., traffic and school children)

- c) Set minimum standards for ADA compliance.

While the proposed text would allow more units of Senior Housing, it would actually reduce the maximum amount of floor area being built, compared to a single-family development, by 50% as demonstrated in the following table:

District	Existing Regulations for Residential Uses (no changes proposed)				Proposed Regulations for Senior Housing only			
	Lot Coverage	Building Height (stories)	"FAR" ¹⁾	Units / Acre	Proposed FAR	Floor Area per acre	Proposed RDD	Units / acre
RA-3	0.1	3	0.3	0.33	0.15	6,534	2,000	3
RA-2	0.1	3	0.3	0.5	0.15	6,534	2,000	3
RA-1	0.15	3	0.45	1	0.225	9,801	2,000	4
R-20	0.15	2.5	0.45	2	0.225	9,801	2,000	4
R-10	0.2	2.5	0.6	4	0.3	13,068	2,000	6
R-7 ^{1/2}	0.25	2.5	0.75	5	0.375	16,335	2,000	8

¹⁾ Single family districts do not have FAR regulations for single family houses. The FAR is derived from multiplying the permitted building coverage with the maximum building height.

3. Add other new or updated definitions to Section 5.E.

In order to align different senior housing options better with State regulations the following definitions were added:

- a) Independent Living Facility, which was formerly not defined, to clarify its use in the current regulation and as it interacts with the new Senior Housing definition;
- b) Residential Care Facility, which was added to allow up to six seniors to live in a single-family home if the facility is operated by a State-licensed operator; and
- c) Continuing Care Retirement Community, which is a common term not currently in the regulations that is equivalent to the existing Senior Housing and Nursing Home Facility Complex.

4. Delete definitions and all references related to “Apartment Building for Elderly” and replace the terms “Elderly” in Section 5.E

The new Senior Housing definition captures a wider range of housing types and opportunities for seniors. Similarly, the term Elderly will be replaced by “Senior” or “Seniors” to align with the change to the term Senior Housing and targeted age range of 55 and older.

5. Add definitions for Disability and Proven Disability

To make sure that the amended regulations apply to people in need, definitions for disability and proven disability would be added to the Zoning Regulations. The Standards for Senior and Disabled housing would only apply to people with proven disabilities, i.e., people who receive disability benefits.

6. Amend Section 12.D.3 Mobility to reflect new definitions and reduce parking requirements.

In addition to minor updates to reflect new definitions, required parking is reduced for Assisted Living Facilities and Memory Care uses to ensure development of critical senior facilities are not inhibited by excessive parking requirements.

7. Rename “Apartment Building for Supportive Housing” to “Supportive Housing” throughout

This renaming streamlines the term and better reflects the different building types Supportive Housing may take.

8. Permit Day Programs for Seniors and the Disabled

As the share of seniors and the disabled increases there is a need for additional and alternative care options. A Senior or Disabled Day Program would allow Seniors or Disabled Persons to receive meals, peer-engagement, limited care and programming during the day as an alternative or supplemental solution to assisted living or nursing home care.

Senior and Disabled Day Care programs would be allowed as-of-right in multi-family and commercial districts. In single-family districts, these programs would be allowed as-of-right in existing houses of worship or would require a Zoning Board Special Permit.

**Proposed Text Amendment to Add Regulations for Senior Housing to the City of Stamford
Zoning Regulations**

02/06/2024

ADD NEW Definition for “Senior Housing” to Section 5.E., Use Regulations

Senior Housing

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

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

ADD NEW Definition “Independent Living Facility” to Section 5.E., Use Regulations

Independent Living Facility

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

Standards

The following standards shall apply to Independent Living Facilities:

- a. An Independent Living Facility that exceeds the base density of the zoning district it is located in shall only be permitted when connected to public sewers.
- b. An Independent Living Facility that exceeds the base density of the zoning district it is located in shall be permanently deed-restricted as an Independent Living Facility.
- c. **Bulk Regulations.** The following bulk regulations shall apply to Independent Living Facilities. Unless otherwise specified below, all other applicable regulations of the respective zoning district shall apply, including, but not limited to *Building Height* and

Setbacks shall apply.

<u>District</u>	<u>Minimum Lot Size</u>		<u>Permitted Density</u>
<u>RA-3, RA-2,</u>	<u>3 acres</u>		<u>FAR 0.15</u> <u>RDD: 2,000 sf</u>
<u>RA-1, R-20</u>	<u>2 acre</u>		<u>0.15 FAR</u> <u>RDD: 2,000 sf</u>
<u>R-10</u>	<u>1 acre</u>		<u>0.2 FAR</u> <u>RDD: 2,000 sf</u>
<u>R-7¹/₂</u>	<u>½ acre</u>		<u>0.25 FAR</u> <u>RDD: 2,000 sf</u>
<u>All other districts where Single - Two - or Multifamily Dwellings are permitted</u>	<u>Twice the minimum Lot Area for the respective zoning district</u>	<u>Building Coverage and Lot Coverage may be increased by up to 10%</u>	<u>Unless otherwise specified in the respective district, 25% greater than the residential density permitted in the district.</u>

- d. **Parking.** Parking shall be provided pursuant to Section 12.D.3.
- e. **Below Market Rate Housing Requirement.** *Below Market Rate Housing* shall be provided pursuant to Section 7.4.
- f. **ADA Accessibility.** One floor of all Dwelling Units in Independent Living Facilities must be fully ADA accessible and have the kitchen, one bedroom and a full bathroom on that level.
- g. **Limitation of Number of Bedrooms.** Dwelling Units in Independent Living Facilities shall not have more than three (3) bedrooms.
- h. **Occupancy Requirements.** All occupancy requirements shall be filed on the Stamford Land Records prior to issuance of a Certificate of Occupancy. Each Dwelling Unit of an Independent Living Facility must be inhabited full-time by at least one person who:
 - (1) is a *Senior*, or
 - (2) has a *Proven Disability*.
- i. **Short-Term Rentals Prohibited.** An Independent Living Facility shall not be used for Short-Term Rentals.
- j. **ADUs not Permitted.** Independent Living Facilities shall not qualify for Accessory Dwelling Units.

ADD “Independent Living Facility” as a new Use to Appendix A, Land Use Schedule, and append “√” to all districts in the table except for the C-I, M-L, and M-G districts, where a “-“ shall be added; [For consideration by ZB – as-of-right or Special Permit?]

ADD a footnote to the “√” in the columns for the RA-3, RA-2, RA-1, R-20, R-10, and R-7¹/₂

districts stating the following:

Only permitted when connected to public sewers.

ADD “Independent Living Facility” as a permitted as-of-right use to the districts listed below. In districts where all uses require Special Permit approval, add Senior Housing as a Special Permit use.

- V-C
- NX-D
- R-HD
- R-D
- P-D
- MX-D
- DW-D
- TCD-D
- C-D
- MRD-D
- SRD-S
- SRD-N

ADD Definition “Residential Care Facility” to Section 5.E., Use Regulations

Residential Care Facility

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

ADD “Residential Care Facility” to Appendix A, Land Use Schedule and append an “√” to all districts in which single-family dwellings are permitted. ADD “Residential Care Facility” as a permitted use to all district regulations in Sections 4 and 9 where single-family dwellings are permitted.

ADD new Definition “Continuing Care Retirement Community” to Section 5.E., Use Regulations and add as a cross reference in Appendix A.

Continuing Care Retirement Community

SEE: Senior Housing and Nursing Home Facility Complex

DELETE the following definitions from Section 5.E. Use Regulations, and DELETE the uses from Appendix A, and all District Regulations in Sections 4 and 9

- Apartment Building for the Elderly
- Apartment Building for the Elderly, Municipally-Owned
- Apartment Building for the Elderly, Nonprofit

AMEND Section 12.D.3. Mobility, as follows:

12.D.3. Parking Requirement for Senior Housing, and Supportive Housing, and Senior Day or Disabled Day Programs

For Senior Housing, Supportive Housing, and Senior and Disabled Day Programs, ~~including age-restricted housing for the Elderly, Senior Housing and Nursing Home Facility Complex,~~ parking shall be provided pursuant to Table 12.9 and shall include staff parking.

Table 12.9 Minimum Parking Requirements for Senior Housing, and Supportive Housing, and Senior and Disabled Day Programs

Assisted Living Facility	0.5- 33 spaces per Dwelling Unit
Memory Care	0.5- 33 spaces per bed
Independent Living <u>Facility</u> and all other housing for the Elderly	1 space per Dwelling Unit
Nursing Home	0.33 spaces per bed
Supportive Housing	0.33 spaces per unit + 2 spaces per 1,000 sf <u>of area</u> for space used for supportive services
Government, subsidized or deed-restricted Affordable Housing (50% of AMI or less) for <u>Seniors</u> the Elderly	0.33 spaces per Dwelling Unit
<u>All other Senior Housing</u>	<u>1 space per Dwelling Unit</u>
<u>Senior or Disabled Day Program</u>	<u>1 space per employee on the maximum shift, if transportation services are provided (i.e., pickup from home and drop off back at home);</u> <u>3 spaces per 1,000sf in all other instances</u>

DELETE Definition “Elderly” from Section 5.E., Use Regulations, and REPLACE with the following in Section 3.B., Definitions:

Senior

A Senior is a person who is 55 years of age or older.

REPLACE the term “Elderly” with “Senior” or “Seniors” throughout the Regulations.

ADD NEW Definition “Disabled or Disabled Person” to Section 3.B., Definitions:

Disability, Disabled Person, or People with Disabilities

A Disability is a physical, mental, intellectual, or sensory impairment, that make it more difficult or impossible for the person with the condition (the Disabled Person) to engage in certain activities or to interact with their environment. Unless otherwise specified in these Regulations a Disability refers to a Proven Disability and a Disabled Person is a person with a Proven Disability.

ADD NEW Definition “Proven Disability” to Section 3.B., Definitions:

Disability, Proven

For the purposes of these Regulations a Proven Disability is the determination of a government or other agency that a person is a Disabled Person and eligible to receive certain benefits, accommodations, or protections. Persons with Proven Disability include the following:

- Persons with an Accessibility Parking Permit issued by the State of Connecticut;
- Recipients of Social Security Disability Insurance Benefits; or
- Recipients of other Disability Benefits (e.g., for veterans).

ADD NEW Definition “Housing for People with Disabilities” to Section 5.E., Use Regulations:

Housing for People with Disabilities

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

ADD NEW Definition for “Senior or Disabled Day Program” to Section 5.E., Use Regulations:

Senior or Disabled Day Program

A Senior or Disabled Day Program is a space dedicated for Seniors or Disabled Persons to receive meals, peer-engagement, limited care and programming during the day. This Use is intended to provide an alternative or supplemental solution to assisted living or nursing

home care and allow program participants to socialize and *Seniors* to age-in-place. A *Senior or Disabled Day Program* may be run by a for-profit or non-profit entity. Transportation may be provided. Nothing contained herein shall prohibit participants from using outdoor space on the property.

ADD “Senior or Disabled Day Program” as a new Use to Appendix A, Land Use Schedule, and append “√” to all districts in the table except for the C-I, M-L, and M-G districts, where a “-“ shall be added;

ADD a footnote to the “√” in the columns for the RA-3, RA-2, RA-1, R-20, R-10, and R-7^{1/2} districts stating the following:

Permitted as-of-right in existing *Houses of Worship*. Hours of operations shall be limited to Monday through Friday, 7:00 am to 7:00 pm. The number of participants at any given time on the premises shall not exceed 50.

A *Zoning Board Special Permit* shall be required if (i) the *Use* is established in a *Building* other than a *House of Worship*, or (ii) in any new or enlarged *Building*, or (iii) there are more than 50 participants, or (iv) longer hours of operations are sought.

ADD “Senior or Disabled Day Program” as a permitted as-of-right use to the districts listed below. In districts where all uses require Special Permit approval, add Senior or Disabled Day Program as a Special Permit use.

- V-C
- NX-D
- R-HD
- R-D
- P-D
- MX-D
- DW-D
- TCD-D
- C-D
- MRD-D
- SRD-S
- SRD-N

AMEND Definition for “Apartment Building for Supportive Housing” as follows:

~~Apartment Building~~ for Supportive Housing

Supportive Housing is housing ~~A *Building*~~ under single ownership specifically designed to

provide affordable, independent residential accommodations and supportive services for tenants ~~with~~ of special needs, provided:

The following standards shall apply to Supportive Housing:

1. All Supportive Housing shall be subject to *Special Permit* approval by the Zoning Board. In approving Supportive Housing, the Zoning Board shall make a finding that there is no undue concentration of such housing.
2. All Supportive Housing must be operated by Qualified Service Providers for Traditional Supportive Housing as determined by the Connecticut Department of Mental Health and Addiction Services.
3. ~~The Structure is constructed with the use of mortgage assistance or financing insured, procured or guaranteed through local, state or federal housing assistance programs; or is owned by a nonprofit corporation which is exempt from taxation under Section 501(c)(3) of the U.S. Internal Revenue Code; or includes a 501(c)(3) organization as the managing general partner of the *Building's* owner.~~
4. ~~The *Building* shall provide appropriate on site supportive services for residents individuals with disabilities or individuals who otherwise are at risk of homelessness, as defined by the Connecticut Supportive Housing Demonstration Program guidelines, or other relevant State regulations.~~
3. ~~The *Building* No Supportive Housing facility shall consist of more than 50 supportive housing units. (204-36). A Supportive Housing unit shall not be occupied by more than one family or four unrelated adults.~~
4. All Supportive Housing shall meet the requirements of the underlying zoning district for residential uses; provided, however, that as part of the *Special Permit* approval, the Zoning Board may permit an increase in density by up to 25% compared to the base density in the respective zoning district.
5. ~~The *Building* shall not be located within a Special Flood Hazard Area unless dry access is provided;~~
6. ~~Notwithstanding the present standards for residential *Development* in zoning districts approved for this use, the Zoning Board may, on sites of at least 15,000 square feet but less than one acre, approve a *Special Permit* for this use under the following standards:~~
 - a. ~~The maximum permitted residential density permitted shall not exceed eighty three (83) Dwelling Units per acre, provided said units shall exclusively consist of studio and/or one bedroom units.~~
 - b. ~~The maximum height for such *Buildings* shall not exceed 50 feet.~~
7. ~~The Zoning Board shall not grant a *Special Permit* for sites exceeding two acres in area.~~
8. ~~*Special Permits* for this use may only be granted for sites which are completely within a one-~~

~~half mile radius of the intersection of Atlantic and Broad Street, or, if said site is south of I-95, within 1,500 feet of the CBD boundary. (204-36)~~

~~9. The application and review standards of Section 19.D., Site Plan Review and Subsection 19.C.2. Standards and Conditions for Special Permits, shall apply. (95-014)~~

~~10. The Zoning Board has the discretion to allow a maximum Building Coverage of 37 percent, for Lots of 15,000 square feet or more and *Buildings* not to exceed three stories, for Apartment Buildings for Supportive Housing. (96-002)~~

REPLACE “Apartment Building for Supportive Housing” with “Supportive Housing” throughout the Regulations.

AMEND the “Supportive Housing” use in Appendix A, Land Use Schedule by adding “B” to the columns for the C-N, C-L, C-G, and C-C districts.

ADD “Supportive Housing” as a Special Permit use to the districts listed below.

- **R-HD**
- **P-D**
- **MX-D**
- **DW-D**
- **TCD-D**
- **MRD-D**
- **SRD-S**
- **SRD-N**