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FOR PUBLICATION: THE ADVOCATE – ONE INSERTION – THURS, JUNE 27, 2024

LEGAL NOTICE
ZONING BOARD – CITY OF STAMFORD

Application 224-06- Notice is hereby given that the Zoning Board of the City of Stamford, CT at its regular meeting held on Monday, June 24, 2024 **Approved** the application of the City of Stamford’s Zoning Board for a Text 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.

**Proposed Text Amendment to Add Regulations for Senior Housing to the City of Stamford
Zoning Regulations
6/24/2024**

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.

Independent Living Facilities shall follow the residential development standards of the underlying zoning district, unless otherwise provided for in these Regulations.

Standards

The following standards shall apply to Independent Living Facilities:

- a. An Independent Living Facility that exceeds the base residential 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. Properties located partially or fully within both a *Historic District* and a *Single- or Two-Family Zoning District* (RA-3, RA-2, RA-1, R-20, R-10, R-7¹/₂ and R-6) shall comply with the base standards, without any *Bonuses* or *Premiums*, of the underlying zoning district for single-family (or two-family in an R-6 zoning District) residential development.

<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>0.225 FAR</u> <u>RDD: 2,000 sf</u>
<u>R-10</u>	<u>1 acre</u>		<u>0.3 FAR</u> <u>RDD: 2,000 sf</u>
<u>R-7¹/₂</u>	<u>½ acre</u>		<u>0.375 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. Independent Living Facilities taking advantage of the development standards in Subsection c. above, shall set aside at least twelve percent (12%) of the Dwelling Units as *Below Market Rate Units*.

- 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.
- k. Incentives for Ownership Units. If Independent Living Facilities are provided as homeownership units, the density may be increased by one (1) unit for every four (4) units provided as of right. Such *Bonus Units* shall not exceed 2,000 sf in area and meet all zoning requirements of the underlying district. Prior to issuance of a Building Permit, a note shall be put on the land records limiting all units for which a *Bonus* is sought to ownership.
- l. Design Requirements. In single-and two-family districts, Independent Living Facilities utilizing the provisions of this Subsection shall be provided as detached or semi-detached *Buildings* or townhouses with no more than three buildings attached. *Buildings* shall be clustered to maximize open space and distance from neighboring properties. Materials and architectural forms shall relate to the neighborhood context.

ADD “Independent Living Facility” as a new Use to Appendix A, Land Use Schedule, and append “B” 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 “B” in the columns for the RA-3, RA-2, RA-1, R-20, R-10, and R-7^{1/2} 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 Facility 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 of area for space used for supportive services
Government, subsidized or deed-restricted Affordable Housing (50% of AMI or less) for Seniors 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-7¹/₂ 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**

Effective date of this Decision: July 8, 2024.

ATTEST: DAVID STEIN
CHAIRMAN, ZONING BOARD
CITY OF STAMFORD, CT

Dated at the City of Stamford this 27th day of June 2024.