

Omnibus Clean-Up 2 – Narrative

The purpose of this text change is correct inconsistencies between different sections of the Zoning Regulations that emerged as a result of the Omnibus Text changes. As the title suggests, the changes in most instances are minor.

1. UPDATE all references to Master Plan Categories to the current 2015 Master Plan categories

In some sections of the Regulations, references to the Master Plan reference the 2002 Master Plan categories, not current 2015 Master Plan categories. The intent is to have all Master Plan references refer to the correct category.

2. CHANGE numeration of tables in Appendices to Roman Numerals and update references throughout the Regulations.

This is intended to clarify references.

3. ADD Definition for “Density” to Section 3.B.

Stamford’s Regulations control density in two ways: in Dwelling units per acre or per the Floor Area Ratio. In some districts (e.g., the CC, C-G), density calculations are a hybrid between the two methods, i.e., residential densities are calculated in units per acre and non-residential densities in FAR. The proposed text clarifies how densities are calculated, in particular in the hybrid districts. The method of calculation remains unchanged, however during a previous text change the methods for calculating hybrid densities were deleted in anticipation of changing all density calculations to either a unit-per-acre or a FAR method.

4. AMEND Section 4.B.7.c(9)(d), V-C Village Commercial District as follows

This change deletes the shared parking option in V-C Districts as this is now covered in Section 12.L.

5. AMEND Section 4.B.7.c(13), V-C Village Commercial District as follows

This change deletes the Light and Air requirement for V-C Districts, as there is now a Light and Air Definition for all zoning districts in Section 3 – Definitions.

6. ADD Buffer Requirements between industrial and non-industrial uses in the M-G District (Subsection h. to Section 4.B.8) and M-L District (Subsection h. to Section 4.B.9.)

This is a new requirement to better protect non-industrial uses from industrial uses. Between lots in Manufacturing Districts and non-Manufacturing Districts, there must be

- A ten-foot planted buffer along the Zoning District boundary, and
- Industrial uses must be either fully enclosed or setback at least 30 feet from the Zoning District boundary (open employee parking in the setback area is permitted)

7. AMEND Section 4.B.10.c, Neighborhood Mixed-Use Design District (NX-D)

Delete the row “Window Clearance” from Section 4.B.10.c, Development Standards. This is now incorporated in the general Light and Air requirements in Section 3.

8. AMEND Section 4.B.11.a., 4.B.11.c. and 4.B.11.d. R-HD Residential District, High Density

This change makes land that is located in Master Plan Category 16 eligible for being rezoned to R-HD. When the R-HD district was introduced, Master Plan Category 16 (Transit-Oriented Development District) did not exist. The R-HD district, however, meets the requirements for this category.

The second change clarifies the definition for Neighborhood Commercial uses – the current text limits the size of establishments to 15,000 sf per establishment. The change would adopt the same size limitations as in the SRD-S district.

The third change would increase the height limitation for buildings in the R-HD bordering on a lower density Master Plan Category from 60 feet / 5 stories to 85 feet within the Stamford Transit District Area (generally speaking, Downtown and the South End).

9. AMEND “Accessory Use” in Section 5.E., Use Regulations

The definition is duplicative and covered under “Use, Accessory”.

10. AMEND “Church” and “Religious Institution” and ADD definition for “House of Worship” in Section 5.E., Use Regulations

Recognizes that in addition to churches there are other religions facilities (synagogues, temples, mosques, etc.)

11. AMEND Section 5.E. Use Regulations, “Dormitory”, and DELETE Section 7.8, “Dormitory Housing”

This consolidates all regulations pertaining to dormitories in Section 5.E.

12. AMEND “Junk Yard” in Section 5.E, Use Regulations, and ADD in APPENDIX A TABLE II “Junk Yard”

Reduces the area where “junk” can be stored in all districts, with the exception of the M-G District, from 200 to 50 square feet and add the Junk Yard use to the Appendix.

13. AMEND “Package Liquor Store” in Section 5.E, Use Regulations

Reduces the distance requirement between Package Liquor Stores in Master Plan Categories 9 (Urban Mixed Use), 11 (Downtown) and 16 (Transit-Oriented Development District) from 750 feet to 500 feet and from 1250 feet to 750 in all other Master Plan Categories.

14. ADD “Short-Term Rental” to Section 5.E, Use Regulations, and Amend Appendix A, Tables I and II

Introduces short term rentals, such as AirBnB and others, as a use to the Zoning Regulations. Short term rentals are rental agreements for 30 days or less. In single family districts they are only permitted if the owner continues to live on-site.

15. ADD “Tobacco Store” and “Smoke Shop, Tobacco Store” to Section 5.E., Use Regulations and Amend Appendix A, Table 2

Adds a definition for Tobacco Store which currently doesn’t exist and defines the Zoning Districts where this use would be permitted.

16. AMEND “Veterinary Clinic” and “Veterinary Clinic, Domestic Cats Only”, Section 5.E. Use Regulations, and AMEND APPENDIX A, TABLE II.

Deletes the definition of the use “Veterinary Clinic, Domestic Cats only” and amends the “Veterinary Clinic” use to “Veterinary Offices or Clinics”. Veterinary Offices are less than 2,500 sf in area and primarily for small pets. Veterinary Clinics are larger than 2,500 sf. Veterinary Offices are more widely permitted than Veterinary Clinics.

17. AMEND Section 7.K

Current Section 7.K requires that when properties in different Zoning Districts abut, the property in the less restrictive district must follow the front and side yard regulations of the more restrictive district. The revision requires that a property in a less restrictive district must follow the side and rear yard regulations of the abutting more restrictively zoned property.

18. MOVE Section 7.U. – Medical Marijuana Dispensaries, to Section 5.E., Use Definitions

No changes are proposed – section is moved to “Use Definitions”.

19. AMEND Table 7.4.2, Section 7.4, Below Market Rate Housing Program as follows:

Reduces the fee in-lieu payment per square foot for the Below Market Rate housing program. When Section 7.4. was amended the Zoning Board made it more difficult for developers to buy out by (1) stipulating that a zoning bonus is only available when units are provided on-site and (2) increasing the buy-out amount. The changes in the fee-in-lieu did not take into account that developments using the buy-out are no longer eligible for the bonus.

The amendment also adds the DW-D and the R-HD districts to the districts with higher fee-in-lieu payments per square feet – currently, they would be subject to a \$175 fee per sf. With this change, the fee increases to \$200 per sf.

Zoning District	Percentage of Gross Residential Floor Area subject to fee	Fee per square foot, 2020
MR-D, TCD-D	12%	\$250 <u>\$200</u>
CC, C-G, C-L, <u>DW-D</u> , MX-D, R-H, <u>R-</u>	10%	\$250 <u>\$200</u>

HD, SRD-N, SRD-S,		
V-C	12%	\$ 200 <u>\$175</u>
All other districts	10%	\$ 175 <u>\$150</u>
Rehab units	5%	\$125
Housing for the Elderly	6%	\$125

20. Amend Section 7.6.D. Architectural Review District, as follows

Adds the NX-D, RH-D and V-C zoning districts to the districts subject to the Architectural Review.

21. DELETE current Section 16, Enforcement and Penalties, and REPLACE with Section 16, Enforcement and Penalties

Clarifies that the Zoning Officer is also authorized to enforce violations of Zoning Board Conditions.

21. AMEND APPENDIX A, Table 1

Delete use 28 “Hotel Residential” (all Districts) and remove all references in the Zoning Regulations. The definition of this use is unclear and overlaps with definition for “Hotel or Inn, Extended Stay”.