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ZONING REGULATIONS

CITY OF STAMFORD CONNECTICUT

As adopted November 30, 1951
With subsequent amendments
To December 31, 2016

ZONING REGULATIONS
CITY OF STAMFORD, CONNECTICUT

Mayor David Martin

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As adopted November 30, 1951 with amendments through
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ZONING REGULATIONS

ARTICLE I - GENERAL

SECTION 1 - PURPOSE

A - The purpose of this Zoning Code is to encourage the most appropriate use of land; to conserve and stabilize the value of property; to provide adequate open spaces for light and air; to prevent and fight fires; to prevent undue concentration of population; to lessen congestion on streets; to facilitate adequate provisions for community utilities and facilities such as transportation, water, sewerage, schools, parks and other public requirements; to promote health, safety and the general welfare; and to that end to designate, regulate and restrict the location and use of buildings, structures and land for agriculture, residence, commerce, trade, industry or other purposes; to regulate and limit the height, number of stories and size of buildings and other structures hereafter erected or altered; to regulate and determine the size of yards and other open spaces; and to regulate and limit the density of population; and for said purposes to divide the city into zoning districts of such number, shape and area as may be deemed best suited to carry out these regulations and provide for their enforcement, all in accordance with Chapter 29 of the 1947 Supplement to the General Statutes as amended and supplemented and other applicable Special Acts of the General Assembly. This code and these regulations are further authorized, promulgated and adopted under Special Act No. 312 of the General Assembly being the Stamford Charter consolidating the Town and City of Stamford, Connecticut, as amended by Special Act No. 440 adopted by the 1951 Session of the General Assembly, as further amended by Special Act 619 adopted by the 1953 Session of the General Assembly, and as further amended by Special Act No. 10 by the 1955 Special Session of the General Assembly.

SECTION 2 - GENERAL REQUIREMENTS

A - No building or structure shall be erected, reconstructed, structurally altered, enlarged, moved, or maintained, nor shall any building, structure or land be used or be designed for any use other than is permitted in the district in which such building, structure or land is located. The erection of a single family dwelling shall not, however, be prohibited on a lot in a single ownership filed or recorded in the office of the Town and City Clerk prior to the effective date of these regulations or any subsequent amendment thereto, which is smaller than required, providing that the owner of any smaller lot did not own sufficient adjoining land at the time of adoption of these regulations to conform therewith, and provided further that all buildings on the lots are so designed and erected as to conform with the density district requirements in which such lot is situated.

B - In their interpretation and application, the provisions of these regulations shall be held to be adopted for the purposes stated herein. It is not intended by these regulations to repeal; abrogate, annul or in any way to impair or interfere with any existing provisions of law or regulation, or covenants or with any rules, regulations or permits previously adopted or issued pursuant to law relating to the use of buildings or premises; provided, however, that where these regulations impose a greater restriction upon the use of buildings or require larger yards, courts or other open spaces than are imposed or required by such existing provisions of law or ordinance or covenants, or by such rules, regulations or permits, the provisions of these regulations shall control.

ARTICLE II - DEFINITIONS

SECTION 3 - DEFINITIONS

A - For the purpose of these regulations certain words and terms used herein are defined as follows:

1. All words used in the present tense include the future tense; all words in the plural number include the singular number and all words in the singular number include the plural number, unless the natural construction of the wording indicates otherwise. The word "lot" includes the word "plot"; the word "building" includes the word "structure"; and the word "shall" is mandatory and not directory. The word "used" shall be deemed also to include "designed, intended, or arranged to be used". Unless otherwise specified, all distances shall be measured horizontally. The word "city" means the City of Stamford, State of Connecticut; the term "zoning board" means the Zoning Board of said City; the term "board of appeals" means the Board of Zoning Appeals of said City; the term "planning board" means the Planning Board of said City; and the term "building inspector" means the Building Inspector and/or Zoning Enforcement Officer of said City.

2. Accessory Building or Use: An accessory building or use is one which is subordinate and customarily incidental to the main building and use on the same lot providing that, except as provided in Section 6-D, such accessory building shall not exceed one story and not exceed fifteen (15) feet in height. No accessory building shall be within five (5) feet of any lot line, except in cases in which the main building is permitted to be closer. No accessory building shall be erected prior to the erection of the main building. (91-002, 204-41)

2.1 Accessway: An accessway is that portion of an accessway lot held in the same fee simple ownership as the accessway lot, beginning at the street line and ending at the point where the lot boundary lines diverge from each other at an angle of not less than thirty (30) degrees, provided that the accessway shall have a minimum width of twenty five feet (25') and, on any record map dated after August 1, 1959, a width not greater than forty-nine feet (49'). A physical or other obstruction to ingress or egress over any area designated as an "accessway" to satisfy the requirements of Article III, Section 7, Subsection O, shall not preclude the designation of such area as the necessary "accessway", provided there is some other suitable and legal access to the accessway lot. (210-43)

2.2 Accessway Lot: A lot shown on an approved subdivision map that does not satisfy the lot frontage requirement at the street line and that is served by an accessway and otherwise conforms to the standards of Section 7-O of these Regulations. (210-43)

2.3 Adult Establishment: A commercial establishment where a substantial portion of the premises includes an adult bookstore, adult eating or drinking establishment, adult theater, or adult commercial establishment, or any combination thereof, as defined below:

a. An "adult bookstore" is a bookstore that has as a substantial portion of its stock-in-trade any one or more of the following:

(1) books, magazines, periodicals or other printed matter which are characterized by an

emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

(2) photographs, films, motion pictures, videocassettes, slides or other visual representations which are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

b. An "adult eating or drinking establishment" is a cafe, restaurant, cabaret, tavern, club or other similar establishment that regularly features any one or more of the following:

(1) live performances which are characterized by an emphasis on specified anatomical areas or specified sexual activities; or

(2) films, motion pictures, videocassettes, slides or other photographic reproductions which are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas; or

(3) employees who, as part of their employment, regularly expose to patrons specified anatomical areas;

and which is not customarily open to the general public during such features because it excludes minors by reason of age.

c. An "adult theater" is a theater that regularly features one or more of the following:

(1) films, motion pictures, videocassettes, slides or similar photographic reproductions characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas; or

(2) live performances characterized by an emphasis on specified anatomical areas or specified sexual activities;

and which is not customarily open to the general public during such features because it excludes minors by reason of age. An adult theater shall also include commercial establishments where such materials or performances are viewed from individual enclosures.

d. An "adult commercial establishment" is a facility - other than an adult book store, adult eating or drinking establishment, adult theater, commercial studio, or business or trade school - which features employees who as part of their employment, regularly expose to patrons specified anatomical areas and which is not customarily open to the general public during such features because it excludes minors by reason of age.

e. For the purpose of defining adult establishments, "specified sexual activities" are: (1) human genitals in a state of sexual stimulation or arousal; (2) actual or simulated acts of human masturbation, sexual intercourse or sodomy; or (3) fondling or other erotic touching of human genitals, pubic region, buttock, anus or female breast.

For the purpose of defining adult establishments, "specified anatomical areas" are: (1) less than completely and opaquely concealed: (i) human genitals, pubic region, (ii) human buttock,

anus, or (iii) female breast below a point immediately above the top of the areola; or (2) human male genitals in a discernibly turgid state, even if completely and opaquely concealed.

For the purpose of determining whether a "substantial portion" of an establishment includes an adult bookstore, adult eating or drinking establishment, adult theater, or adult commercial establishment, or combination thereof, the following factors shall be considered: (1) the amount of floor area accessible to customers and allocated to such uses; and (2) the amount of floor area accessible to customers and allocated to such uses as compared to the total floor area accessible to customers in the establishment; and (3) the gross receipts allocated to such uses as compared to the total gross receipts of the establishment.

For the purpose of determining whether a bookstore has a "substantial portion" of its stock in materials defined in paragraphs (a) (1) or (a) (2) hereof, the following factors shall be considered: (1) the amount of such stock accessible to customers as compared to the total stock accessible to customers in the establishment; and (2) the amount of floor area accessible to customers containing such stock; (3) the amount of floor area accessible to customers containing such stock as compared to the total floor area accessible to customers in the establishment; and (4) the gross receipts allocated to such stock as compared to the total gross receipts of the establishment.

For the purpose of defining an adult establishment, the term "regularly features" means a consistent and substantial course of conduct, such that the sexually explicit films or semi-nude performances exhibited constitute an ongoing and intentional objective of the business and are promoted as such.

For purposes of determining whether a proposed commercial establishment is an "adult establishment", the Zoning Enforcement Officer may review, inter alia, the layout, design, square footage, signage and window display area of the proposed use.

f. Adult physical culture establishments. An adult physical culture establishment is any establishment, club or business by whatever name designated which offers or advertises or is equipped or arranged so as to provide as part of its services, massages, body rubs, oil rubs, alcohol rubs, baths or other similar treatment, except for activities which are excluded below:

(1) treatment under the direction of a licensed physician, a licensed chiropractor, a licensed osteopath, a Connecticut licensed masseur or masseuse, a licensed physical therapist, a licensed practical nurse or a registered professional nurse; treatment by masseur or masseuse provided each person providing treatment is licensed by the State of Connecticut.

(2) electrolysis treatment by a licensed operator of electrolysis equipment;

(3) hospitals, nursing homes, medical clinics or medical offices;

(4) barbershops or beauty parlors which offer massage to the scalp, the face, the neck, the shoulders, the feet or back only; and

(5) athletic facilities of an educational institution or of a philanthropic or charitable institution.

"Adult physical culture establishments" are not permitted in any District. (93-002; 202-02)

3. Alcoholic Liquors: The four varieties of Liquid, defined as alcoholic spirits, wine, beer and every Liquid containing alcohol, spirits, beer and wine capable of being consumed by a human being for beverage purposes. See SECTION 14 - DISPENSING OF ALCOHOLIC LIQUORS.

4. Alley: A passage or way, not over twenty (20) feet in width, open to public travel which affords generally a secondary means of vehicular access to abutting lots and is not intended for general traffic circulation.

4.1 Ambulance Facility, Non-Profit (assisted by federal, state and/or municipal funding): A building or buildings containing facilities necessary to the operation of public ambulance service which may contain but is not limited to CPR (cardiovascular, pulmonary, resuscitation) Room, garage space for ambulances or other rescue vehicles and associated offices and dormitory facilities. A for-profit ambulance service that is wholly owned by non-profit entities may occupy and operate from said facility as an accessory use.
(80-041) (98-005).

4.15 Antique Center: Any building with a minimum square footage of fifteen thousand square feet or part thereof with a minimum square footage of fifteen thousand square feet used for the sale of any old and authentic objects of personal property which were made, fabricated or manufactured generally fifty (50) or more years earlier and which have a unique appeal and enhanced value because of age, artistry, beauty, or period of origin. (207-29)

4.2 Apartment Building for the Elderly: A building under single ownership specifically designed for occupancy by elderly persons or families provided:

a. The occupants of such building shall be single persons or families who meet the criteria of elderly persons or families as set forth in Title 42, Section 1402 USCA or are under a disability as defined in Section 423, Title 42, USCA or are handicapped within the meaning of Section 1701 of Title 12, USCA, or such appropriate amendments thereto.

b. The structure is constructed with the use of mortgage assistance or financing, insured, procured or guaranteed through local, state or federal housing assistance programs.

c. The structure shall continue to be maintained and used for the purposes set forth in this definition and the owner thereof shall file with the Zoning Enforcement Office of the City of Stamford during the first month of each year an affidavit certifying the number of tenants by name, age and apartment number. (77-022).

4.3 Apartment Building for the Elderly - Municipally Owned: A building owned by the City of Stamford and rehabilitated specifically for occupancy by elderly persons or families provided:

a. The building shall have been owned by the City of Stamford for at least fifteen (15) years prior to the time of application for a Special Exception.

b. The occupants of such building shall be single persons or families who meet the criteria of elderly persons or families as set forth in 42 USCA 1437a, or are under a disability as defined

in 42 USCA 423, or are handicapped within the meaning of 12 USCA 1701 and any amendments thereto.

c. The municipally owned apartment building for the elderly shall be located on a lot containing not less than eight (8) acres.

d. The maximum number of dwelling units permitted in such apartment building for the elderly shall not exceed the number obtained by dividing the gross acreage of the lot by the minimum lot size permitted in the zone in which it is located.

e. New construction necessary in the rehabilitation of the building is permitted but is limited to interior modifications and such exterior modifications as are necessary to meet safety and health codes and are in conformity with the architectural character of the original building. (82-001).

4.4 Apartment Building for the Elderly - Nonprofit: a building under single ownership specifically designed for exclusive occupancy by elderly persons or families or other persons described below, which building may include central dining facilities, provided:

a. At least one of the occupants of the individual units within such building shall have attained the age of at least 62 years, and

b. 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.

c. Parking space for one (1) vehicle shall be required for each such units, provided such units do not contain more than 600 square feet, except that within the CC-N and C-I Districts such units shall be governed by the parking standard of Section 12-D-1(b). (211-18)

d. The building shall continue to be maintained and used for the purposes set forth in this definition and the owner thereof shall file with the Zoning Enforcement Officer of the City of Stamford during the first month of each year an affidavit certifying the number of tenants by name, age and apartment number.

e. When authorized by special exception in the R-7 1/2 district, in addition to satisfying the above standards, such use shall be limited to the conversion of all or part of existing church, school or nursing home facilities only, such facilities having been used in such manner for at least ten (10) years and currently authorized by a special exception from the Zoning Board of Appeals; residential density shall be specifically determined and approved by the Zoning Board of Appeals based on the character of the surrounding area and in consideration of site-specific factors including the scale and intensity of remaining institutional uses, parking, available open space, and separation from adjacent properties; provided residential density shall not exceed the "square feet per family" standard of Appendix B for the R-7 1/2 district. (87-016)

f. When authorized by special exception in the R-10 district, in addition to satisfying standards b through d (but not a) above, such use shall be limited to a facility on the grounds of

an existing church; the occupants of the individual units within such building shall have attained the age of at least 62 years or be unable to engage in a significant activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or can be expected to last for a continuous period of not less than 12 months which activity he has previously engaged with regularity; the occupants of the individual units within such building must be members or retired members of the priesthood. Parking standards shall be specifically determined and approved by the Zoning Board of Appeals. (97-016)

g. Usable open space shall be provided on site, with the amount, design, location, and dimensions subject to determination by the Zoning Board. (211-18)

4.5 Apartment Building For Supportive Housing: A building under single ownership specifically designed to provide affordable, independent residential accommodations for tenants of special needs, provided:

a) 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.

b) The building shall provide appropriate supportive services for 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.

c) The building shall not consist of more than 50 supportive housing units. (204-36)

d) The building shall not be located within a Special Flood Hazard Area unless dry access is provided;

e) 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 exception for this use under the following standards:

(1) 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.

(2) The maximum height for such buildings shall not exceed 50 feet.

f) The Zoning Board shall not grant a Special Exception for sites exceeding two acres in area. Special Exceptions 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)

g) Notwithstanding the standards of Section 12, parking requirements shall be limited to a minimum of one parking space for every three dwelling units and may extend to a permanently maintained easement area on property abutting the lot where the building is located. (96-002)

h) The application and review standards of Section 7.2, Site Plan Review and Section 19-3.2, Standards and Conditions for Special Exceptions, shall apply. (95-014)

i) 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)

5. Apartment Hotel: A building or portion thereof designed for or containing both individual guest rooms or suites of rooms or dwelling units, and such business as may be incidental thereto for the sole convenience of the occupants.

5.1 Apartment Hotel for the Elderly: A building or portion thereof designed for or containing at least 100 individual rooms or suites of rooms for congregate living for elderly persons. For the purposes of these Regulations, five (5) such rooms or suites shall be considered as one dwelling unit. (71-012).

6. Apartment House or Dwelling: A building with or without a common dining room used as living quarters by three (3) or more families, all units of which are retained under a single ownership.

7. Appliances, Electrical and Manual Household, (small), Repair and Service: A facility used for the repair and servicing of small, portable electrical and manual household appliances, except that in the C-N Neighborhood Business District the employees in any one such operation shall be limited to a total of five (5). The word portable is hereby defined as pertaining to items that can be carried easily by only one person.

7.5 Assisted Living Facility: A managed residential community, licensed by the State of Connecticut pursuant to Sec. 19a-490 through Sec. 19a-503 of the Connecticut General Statutes, as may be amended from time to time, as an "assisted living services agency" providing support and care for seniors or disabled individuals with or without a memory care program, which may include food services, recreation services, personal care, and necessary assistance with the activities of daily living, and may serve as a transition between independent living and skilled nursing care. Individual assisted living quarters may include provisions for eating and cooking, such as a cook top, microwave, and refrigerator, but shall not include a

range or oven. (215-37)

8. Automobile Court, Motel: A building or a group of two (2) or more detached or semi-detached buildings; (including immobile trailers) containing rooms or apartments with automobile parking or storage space serving such rooms or apartments provided directly or closely in connection therewith, which building or group of buildings is designed, intended, or used primarily for the providing of sleeping accommodations for automobile travelers; including groups designated as auto cabins, motels, motor lodges, and by similar designations.

8.1. Auto Rental Service Facility: Buildings and premises used to store, clean, refuel and perform incidental servicing to vehicles associated with an automobile rental facility. No servicing of vehicles shall be offered to the general public. (97-014)

9. Automotive Equipment and Service Stores: Buildings or premises used for the wholesale and retail sale and service of new automotive equipment, accessories, parts and supplies.

10. Bakeries, Retail: A building used for the baking and/or direct sale on the premises to the consumer of baked food products.

11. Bakeries, Wholesale and Commercial: A building used for the baking, wholesale storage and/or sale of baked food products to retail outlets or sale to consumer off the premises.

12. Basement: A portion of a building located partly below grade, that is not a crawl space, where the ceiling is less than five (5) feet above the level from which the height of the building is measured. (203-38)

12.5 Beach Club: A shorefront voluntary or corporate association whose objectives, pursuits and purposes are social or recreational, maintained on land owned or leased by it for the following activities: shore swimming area. Accessory uses permitted for all of above: Tennis courts, swimming pools and other recreational facilities usually afforded by any such club. Buildings and accessory accommodations necessary or desirable for the exercise of the club's objectives, pursuits and purposes may be maintained. Clubs shall operate without profit, or division of any revenues to its members, except as reasonable compensation for special services actually rendered; devoting all revenues received to supporting the purposes and objectives or to eleemosynary uses. Existing buildings and structures within setbacks may remain or be modified provided that any such modification does not exacerbate or create a new nonconformity. No certificate of occupancy may be issued on any building or structure until the principal use is operational.

13. Boarding House: A building with not more than three (3) guest rooms where lodging and meals are provided for compensation. See also Definition 90 - ROOMING HOUSE.

14. Building: A building is an independent structure having a roof supported by columns or walls resting on its own foundations and includes shed, garage, stable, green house or other accessory building. A detached building is one separated on all sides from adjacent buildings by open spaces from the ground up.

15. Building Area: Building area is the aggregate of the maximum horizontal cross section area of

all buildings including accessory buildings on a lot, excluding cornices, eaves, gutters or chimneys projecting not more than twenty four (24) inches, steps and one-story open porches, covered front porches (see Section 7-C.3), and balconies and terraces. Building area shall also exclude decks, terraces, patios, pools or similar structures not more than eight inches (8") above adjacent grade, and exclude such structures that exceed eight inches (8") above adjacent grade up to an amount equal to 200 square feet for each dwelling unit on the lot. (210-40)

16. Building, Height of: The vertical distance to the level of the highest point of the roof surface if the roof is flat or inclines not more than one inch (1") vertical in one-foot horizontal, or the mean level between the eaves and the highest points of the roof if the roof is of any other type, measured as follows:

a. If the building adjoins the front property line or is not more than ten feet (10') distant therefrom, measured at the center of the front wall of the building from the established grade of the curb; or if no grade has been officially established from the elevation of the existing curb; or if no grade has been officially established and no curb exists, measured from the average level of the finished ground surface across the front of the building.

b. If the building is more than ten feet (10') from the front property line, measured from the average level of the finished ground surface at a point three (3) feet from the exterior walls of the building. Where the finished ground surface is made by filling, the level of such finished ground surface for the purpose of this definition shall not be deemed to be more than three (3) feet above the average level of the existing ground surface at a point three (3) feet from the exterior walls of the building. Where a residential building is to be built, altered or reconstructed in order to comply with the Minimum Elevation Standard of Article III, Section 7.1 Flood Prone Area Regulations, and such building is located fully or partially within the Coastal Boundary as defined in Article III, Section 7(T) Coastal Area Management Regulations, building height may be measured from the Base Flood Elevation applicable to the residential building, provided that the resulting height of the building measured from average grade is not more than five (5) feet greater than the maximum building height permitted in the applicable Zoning District. (203-38, 214-06)

c. Accessory structures shall be measured from the average level of the ground surface adjacent to the exterior walls of the building to the highest point of the roof. (91-002)

17. Building Material, Sales and Storage: Buildings or premises used for the sales and/or storage of all types of building materials including lumber, masons' supplies, road-building materials (excluding asphalt or other similar materials) and open yard material storage.

18. Cafe: A suitable and permanent building, kept, used, maintained, advertised and held out to the public to be a place where all alcoholic liquors and food are served for sale at retail for consumption on the premises but which does not necessarily serve hot meals. (86-011).

19. Camp, Summer Day: Any place, area, or tract of land used between July 1 and September 1 as a location of a Day Camp between 8:00 AM and 6:00 PM for children between the ages of four (4) to sixteen (16) inclusive.

20. Camp Grounds: Any place, area, or tract of land upon which there is placed, located or

maintained any tent, camp car and/or trailer which is utilized, arranged, intended, designed, to be used or used for sleeping, living or resident quarters, by other than the owner of the property.

21. Cemetery: Any land used for interment of dead people, below ground.

22. Child Day Care Services:

a. Child Day Care Center - a place licensed by the State which offers or provides a program of supplementary care to more than twelve related or unrelated children outside their own homes on a regular basis for a part of the twenty-four hours in one or more days in the week.

b. Group Day Care Home - a place licensed by the State which offers or provides a program of supplementary care to not less than seven nor more that twelve related or unrelated children on a regular basis for a part of the twenty-four hours in one or more days in the week.

c. Family Day Care Home - a private family home licensed by the State caring for not more than six children, including the provider's own children not in school full time, where the children are cared for not less than three nor more than twelve hours during a twenty-four hour period and where care is given on a regularly recurring basis. During the regular school year, a maximum of three additional children who are in school full time, including the provider's own children, shall be permitted, except that if the provider has more than three children who are in school full time, all of the provider's children shall be permitted. (93-013)

23. Church: Any building maintained and operated by an organized religious group used primarily for the worship of God.

23.1 Clinic: A single legal entity formed for the diagnosis and treatment of out-patients in which at least two medical professionals, licensed by the State of Connecticut having related specialties, practice cooperatively. For the purpose of this Section, medical professionals shall only mean medical doctors, dentists, clinical psychologists, osteopaths, podiatrists, chiropractors or physiotherapists so licensed by the State of Connecticut. A clinic shall provide only out-patient services and shall not provide rental services. No dormitory facilities shall be permitted. Parking shall be off-street and screened from adjoining residential properties by suitable landscaping. (89-015)

23.2 Clinic, Community Health Center: A non-profit health care facility constructed and/or operated with federal or state assistance, staffed with medical professionals including but not limited to physicians, nurse practitioners, and patient care assistants providing out-patient pediatric and adult medical care. Community health services may also include social and substance abuse services and educational classes focusing on childbirth, childcare and other health care subjects. No dormitory facilities shall be permitted. When located in the R-MF Multiple Family Residence Design District, notwithstanding standards contained elsewhere in these regulations, the following special standards shall apply: minimum lot area shall be 30,000 square feet; building height shall not exceed two (2) stories or thirty-five (35) feet; building area shall not exceed twenty-five percent (25%); and the Zoning Board may waive the requirement for front yard setback from street center and may authorize a reduction in required side yard to not less than ten (10) feet. (201-20).

24. Clubs and Lodges: A voluntary or corporate association owning or occupying a room, rooms, or building or land, whose objects, purposes and pursuits are social, fraternal, religious, political, educational, recreational, or charitable, operating without profit or division of any revenues to its members, except as reasonable compensation for special services actually rendered and devoting all revenues received to supporting its purposes and objectives or to eleemosynary uses. The designations shall not include the right to maintain bowling alleys. No club or lodge may be approved in a residential zone if alcoholic beverages are dispensed or consumed unless under a temporary permit pursuant to Section 14(D). (85-052).

25. Colleges and Universities: Any building, structure and/ or land principally and regularly used by teachers and students for instructional and educational purposes, at the post- secondary level, which is not under the direct supervision and control of the Stamford Board of Education and which is licensed by the State of Connecticut, or which is administered by an accredited educational institution or a bona fide religious institution. "Colleges and Universities" shall include land used for recreational purposes as an adjunct to the principal instructional or educational use and any dormitories connected with such schools, but excluding fraternities and sororities and excluding vocational or secretarial schools.

26. Color Scanning: A photographic process whereby color transparencies are analyzed into primary color and black negatives, subject to the provision that a business or reception office is maintained in the front of the premises, and provided further that the processing phase of such use is partitioned or screened from public view when such use is in any Commercial District.

26.1 Congregate Living: Means use of community dining rooms and kitchens in lieu of housekeeping facilities. (71-012).

26.2 Copy and Communication Center: An establishment used for making copies from an original document; binding of pages into book form; electronic mailing of documents; duplicating from an original document, enlarged or decreased, by printing without the setting of type; sale of stationary supplies, rubber stamps and computer services; microfilming of documents, and sale of small display signs not made on the premises.
(77-020, 95-024)

26.3 Corporate Retreat: A parcel of land containing a building or buildings of residential character, owned and operated by a corporation for the principal purpose of providing to its employees and/or guests, without remuneration, conferencing, training, recreational and lodging facilities, with or without meals. The following special standards shall apply:

a. Minimum Acreage: a minimum of thirty (30) contiguous acres in a single ownership at the time of the adoption of these regulations.

b. Existing Structures: Existing structures that exceed the height or yard limitations may be retained and such existing structures may be extended, expanded, or changed subject to approval of the Zoning Board.

c. Density Standards: Subsequent to the disposition of open space as outlined below, the number of lodged guests and live-in staff shall not exceed twice the number of acres of land

associated with the use provided that the Floor Area Ratio shall not exceed 0.05.

d. Height: Primary and accessory structures shall be limited to three (3) stories and thirty-five (35) feet except as noted in (b) above.

e. Yard Requirements: Except as noted in (b) above, the front, side, and rear yard setback requirements for primary and accessory buildings shall be consistent with the RA-2 standards, provided that the Zoning Board may impose greater setbacks, up to seventy (70) feet, where a determination is made that the appropriate relationship of yard requirements and separation of structures on the site to each other and the bounding property lines after open space disposition warrants such additional setbacks. Accessory buildings in a rear yard exceeding a height of one story and fifteen feet shall conform to the yard requirements of a principal building.

f. Open Space: Not less than fifty percent (50%) of the site area shall be preserved as Open Space in perpetuity. Disposition of Open Space shall be via transfer of fee ownership to a local, state, and/or national public and/or non-profit organization with the requisite requirements for maintenance as open space subject to the approval of the Zoning Board and the Director of Legal Affairs.

g. Building Area: Two and one-half (2 1/2) percent of the total site area after open space disposition.

h. Expansions: Subsequent to the initial establishment as a Corporate Retreat and subject to the 0.05 F.A.R. limitation, minor changes, new structures and expansions of existing conforming structures, not to exceed an additional 7,500 square feet of floor area, may be allowed, subject to review and approval of the Land Use Bureau Chief only after consultation with the Zoning Board. All other changes, additions and expansions shall be subject to review and approval of the Zoning Board.

i. Surrender: Surrender of this use shall require written notification to the Zoning Enforcement Officer with accompanying notice filed on the Stamford Land Records. In the event of surrender, unless otherwise authorized by the Zoning Board, premises shall only be used for uses allowed in the RA-2 single family district, and shall be eligible to register as a Family Estate (Definition #38) without additional open space disposition.

j. Parking: parking space for one (1) vehicle shall be provided for each guest room designed for sleeping purposes. (201-18)

27. Country Clubs or Golf Clubs: A voluntary or corporate association, whose objectives, pursuits and purposes are social or recreational, maintained on land owned or leased by it for the following activities:

	Principal Use
Country Club or Golf Club…….…	Professional size golf course of at least nine (9) holes.

Accessory uses permitted for all of above: Tennis courts, swimming pools and other recreational facilities usually afforded by any such club, excluding bowling alleys. Buildings and accessory accommodations necessary or desirable for the exercise of the club's objectives, pursuits and purposes may be maintained. Clubs shall operate without profit, or division of any revenues to its members, except as reasonable compensation for special services actually

rendered; devoting all revenues received to supporting the purposes and objectives or to eleemosynary uses. No certificate of occupancy may be issued on any building or structure until the principal use is operational.

28. Court: A court is an unoccupied open space, other than a yard, on the same lot with a building, which is bounded on two (2) or more sides by the walls of such building. An outer court extends to a street line or opens upon a front, side or rear yard. An inner court is enclosed on all sides by the walls of a building or by lot lines on which building walls are permitted. The "least dimension" of a court or yard is the least of the horizontal dimensions of such a court or yard. The "length of an outer court" is the horizontal distance between the end opening on a street or a rear yard and the end opposite such street or rear yard.

28.1 Crematory, except in cemetery: A facility for the disposal by incineration of the bodies of dead people, located on a plot of land other than any land used for interment of dead people below ground. This use is subject to approval by the Zoning Board in accordance with Section 19-165 of the Connecticut General Statutes. (81-013).

28.5 Demolition Materials Recycling: The process of recycling and reclaiming demolition materials from construction sites, which is limited to the collecting, breaking up, compacting, crushing, sorting, screening, separating and consolidating of demolition materials into a reusable construction product for the use, sale, or transfer to construction sites. Demolition materials shall be limited to soil, silt, rocks four (4) inches or less in diameter, gravel, concrete, bricks, and bituminous concrete (asphalt) and shall exclude all other materials, including but not limited to the following: organic materials, wood, metal, plastics, tires, asphalt shingles, rags, glass, newspapers, paper and cardboard materials. No crushing of rock larger than four (4) inches in diameter shall be permitted and there shall be no reprocessing, conversion or change of form of demolition materials on the premises. (215-33)

28.6 Demolition Materials Recycling Facility:

Eligible Property: An eligible site shall be within the M-G General Industrial District in the South End neighborhood as delineated in Figure 16 of the 2014 Master Plan, and shall have been used as a “Contractor’s Material & Equipment Storage Yard & Building” at the time of the adoption of this regulation and for not less than five (5) years preceding the filing of an application for this use. The Zoning Board may allow adjacent vacant land to be included as part of the eligible site. The application shall require no displacement of residential use and no residential buildings shall have been demolished on the property within the five (5) years preceding the filing of the application.

Special Standards: A Demolition Materials Recycling Facility shall be subject to the following special standards in addition to all other applicable standards of these Regulations:

a. Said use shall be approved by Special Exception of the Zoning Board only as an interim use, for an initial period not to exceed five (5) years, subject to extensions by the Zoning Board pursuant to a public hearing, each extension not to exceed three (3) years. During the authorized time period, and while the Demolition Materials Recycling Facility is in use, it shall be the exclusive use on the property except as noted in (g) below. In considering a request for time extension of this interim use, the Zoning Board shall consider:

i. Any violations of the special standards of this regulation and conditions of approval of the Special Exception;
ii. Demonstration by the applicant that an extension is warranted;
iii. Demonstration by the applicant that the use is truly interim, and how applicant plans to abandon the use upon expiration of extensions; and
iv. Whether in the judgment of the Board continuation of the use would discourage or impair the orderly redevelopment and improvement of surrounding residential and commercial properties.

Upon termination, expiration or abandonment of this Special Exception use, applicant shall cease crushing and thereafter the property may be used for all other uses allowed in the M-G District.

b. No garbage, putrescent, toxic, biomedical, hazardous or other waste, including demolition material that contains asbestos or other hazardous material, shall be allowed on the premises. No incineration, heating, washing or chemical treatment of demolition materials shall be permitted on the premises.

c. Any stockpiling or storage of any demolition materials or recycled materials shall be allowed on the premises only in a fully enclosed building.

d. All equipment and machinery used in the recycling and reclamation of demolition materials, including any crushing and/or processing equipment and machinery, shall be located and operated only within a fully enclosed building. Any new building shall be constructed in a manner that enables it to be disassembled. Where the proposed building is adjacent to residentially zoned property, there shall be no operable windows or doors facing such residentially zoned property, except as may be required for emergency fire egress of building occupants. Building plans shall be accompanied by an Operations Management Plan specifying, to the satisfaction of the Zoning Board, the method of noise, vibration and dust management, ventilation, vehicular circulation, truck idling, street cleaning, and any other matters requested by the Zoning Board. Any part of a machine used to crush or break up material shall be mounted on rubber tires or a vibration absorbing platform. The use of a jaw crushing machine, such as a Zenith, shall not be permitted on the premises.

e. The building and equipment shall be designed and operated to comply with the City of Stamford Noise Control Ordinance, and any other federal, state and local requirements (including but not limited to those applicable for a commercial emitter and residential receptor (55 dBA), as may be amended from time to time. All vehicles and equipment with a backup warning device shall use an OSHA approved “white noise” device.

f. All equipment, machinery and vehicles used in connection with the unloading, loading, transport, reclamation or recycling of materials shall operate only between the hours of 8 a.m. and 5 p.m., Monday through Friday, excluding weekends and holidays. Said hours shall be posted at all vehicular entrances and exits with phone numbers for one onsite and one City of Stamford contact to call with questions or issues relating to noise, dust, vibration, hours of operation, or other conditions of approval.

g. Notwithstanding the above, in the case of State and/or municipal snow removal or infrastructure emergencies, vehicles may enter and exit the site outside of the time periods outlined in (f) above; however, no other activities shall take place on the site during these hours. (215-33)

28.7 Dormitory: Abuilding or portion thereof, arranged, intended, designed or converted to be used as a place of temporary residence for persons whose permanent residents is elsewhere, who occupy common sleeping rooms and share related facilities and are enrolled at an accredited college, university, boarding school, theological school or comparable educational institution; provided that said dormitory is controlled or managed by said educational institution and complies with the standards of Article III, Section 7.8 of these Regulations. A dormitory does not include residences utilized by fraternities or sororities or clubs and lodges. (216-04)

29. Dwelling: The terms "dwelling", "one-family dwelling", "two-family dwelling", "multiple dwelling" or "dwelling group" shall not be deemed to include automobile court, camp, rooming house, tourist home, inns or hotels.

30. Dwelling, One-Family: A detached building containing only one (1) dwelling unit.

31. Dwelling, Two-Family: A detached building containing two (2) dwelling units.

32. Dwelling, Multiple: A building or portion thereof containing three (3) or more dwelling units.

33. Dwellings: Group or Town House: A group of three (3) to not more than ten (10), attached or semi-detached one-family dwelling units, erected as a single building, and each or all buildings may be constructed on one (1) lot in single ownership or each dwelling unit in each building may be in separate ownership; each dwelling unit shall be separated from the adjoining dwelling unit or dwelling units by masonry party wall or walls in accordance with the Building Code of the City of Stamford and shall extend from the basement or cellar floor to the roof along the dividing lot line, if there be such line, and such party walls shall project not less than six inches (6") above the roof of each dwelling; each building shall be separated from any other building by a dimension not less than twice the height of opposing building walls, except as otherwise provided for under APPENDIX B, SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF BUILDINGS; and each such dwelling unit shall be no greater in depth than thirty-five feet (35') measured from the main front wall to the main rear wall of each dwelling unit.(99-004)

35. Dwelling Unit: A building or portion thereof providing complete housekeeping facilities for one family.

35.1 Elderly: Means a person who is 62 years of age or older. (71-012).

35.15 Emergency Shelter: A public or non-profit facility providing temporary housing, and social, health and related services for families and/or individuals eighteen (18) years of age or older, who are without resources and access to shelter. The design, operation, arrangement, capacity and location of such facilities shall be approved on an individual basis. However, in no case shall permitted capacity exceed a maximum of one hundred (100) persons, exclusive of staff, and shall be operated and staffed in accordance with the administrative regulations of the Department of Human Resources of the State of Connecticut, Section 17-31v-1, 2 and 3 of the General Statutes, as may be amended. To encourage central location of such facilities, sites to be approved shall be located within the Central Business District or not more than 2,000 feet from the boundary of the CBD as shown on the Master Plan. (87-002)

35.2 Equipment Rental, General: A facility used for the sale, rental and/or storage of all types of residential necessities including camping supplies, sanders, scrapers, drills, tools, linens, chairs and other items normally associated with such installations and contractor-industrial equipment including air compressors, space heaters, pumps, compactors, scaffolding, moving equipment and hauling trailers, and all other items normally associated with such installations. Said facility shall be situated on a site not less than one-half acre (21,780 square feet); include a building of not less than 4,000 square feet for office and indoor merchandise display; and all exterior storage area must be permanently paved and screened so as not to be visible from the street frontage. (76-004)

36. Equipment Rental Store, Residential: A facility used for the sale, rental and/or storage of all types of residential necessities, including camping supplies, sanders, scrapers, drills, tools, linens, chairs and other items normally associated with such installations, except that in the case of any such residential equipment rental store located in a C-G General Commercial District or a C-I Intermediate Commercial District there shall be no outside display or storage of merchandise; and with the further exception that in the case of any such residential equipment rental store located in a C-N Neighborhood Business District there shall be no outside display or storage of merchandise and the gross floor area of any building devoted to such use in a C-N Neighborhood Business District shall not exceed eighteen hundred square feet (1800 sq. ft.), provided that articles for sale, rental and/or storage shall be similar in character to the customary inventory of merchandise carried by a hardware store, provided further that large equipment customarily referred to as contractor's equipment shall not be sold, rented or stored on or from the premises of any residential equipment rental store in the C-N Neighborhood Business District.

37. Family: One or more persons closely related by blood, marriage or adoption, occupying a dwelling unit and living together as a single housekeeping unit, or a maximum of four (4) unrelated individuals living together as a single housekeeping unit and sharing in the use of any conveniences available, provided further that within a single-family detached dwelling owned and occupied by a family closely related by blood, marriage or adoption this provision shall be construed so as not to prohibit the renting of rooms without housekeeping facilities for use by not more than two (2) unrelated persons. (99-028)

38. Family Estate. A contiguous tract of land, in single or multiple parcels, owned by one or more members of the same family related by blood, adoption, or marriage, and developed and managed for use as residences and permitted accessory uses by the estate owners, guests and employees in service to the estate. In order to encourage the preservation enhancement, or creation of Family Estates and permanent open space, the following standards shall apply and shall supersede standards contained elsewhere in these regulations that may be in conflict:

a. Minimum Acreage: A minimum of twenty-five (25) contiguous acres in the RA-3 and fifteen (15) contiguous acres in the RA-2 or RA-1 District shall be required and shall constitute one minimum zoning lot area for purposes of these regulations. The total size of any Family Estate is not limited and additional parcels smaller than the required minimum may be added to qualifying parcels. Existing Family Estates may be divided by an existing public road provided the total acreage of the more restrictive zone is met in total and at

least 15 acres exist on either side.

b. Existing Structures: Existing non-conforming buildings and structures shall be allowed to remain but may be extended, expanded or changed, subject to approval by the Zoning Board, by issuance of a Special Exception in accordance with the standards of Section 19.

c. Density Standards: Garages, barns, silos, cottages, guest houses, employee quarters, and residences for family members may be used as permitted use residences with kitchen facilities provided there shall be one minimum zoning lot area unit, per section a. above, prior to open space disposition for each such residence and provided the Estate is registered with the Zoning Enforcement Officer per Section h. below. Residences in excess of this limitation shall be approved by the Zoning Board pursuant to a Special Exception in accordance with Section 19. Family Estates shall be allowed to continue to maintain the existing residential density uses of the Estate prior to registration per Section h. below provided there shall be at least one unit of the minimum lot size of the underlying zone for each such residence. Expanded Family Estates shall not exceed a density of one half (50%) of the gross acreage prior to open space disposition divided by the minimum lot size of the underlying zone. The maximum density may be less where a determination is made by the Zoning Board that physical and topographical features of the land would preclude attainment of such density.

For purposes of the density standard of these regulations, living quarters occupied by employees of the Family Estate that are equipped with separate housekeeping facilities and less than one thousand square feet in gross floor area, may be considered equal to one-fourth (1/4) of a dwelling unit, limited to not more than four such smaller units, unless approved by the Zoning Board.

d. Height: Accessory structures shall be subject to the same building height and stories limitations as principal residential structures. Where setbacks from street frontage or adjacent property prior to open space disposition are in excess of five hundred (500') feet, estate residences shall not exceed forty-five (45') feet in height.

e. Yard Requirements: Except as noted above, the front, side and rear yard setback requirements for primary and accessory buildings shall be a minimum of one hundred (100') feet prior to open space disposition. However, the Zoning Board may approve under special circumstances, on a site specific basis, the appropriate relationship of yard requirements and separation of structures on the site to each other and the bounding property lines with the objective of assuring adequate screening, privacy, safety, architectural compatibility with existing buildings and functional integration with the overall Estate.

f. Open Space: Upon registration of a Family Estate pursuant to Section h. below not less than thirty (30%) percent of the site area shall be preserved as open space in perpetuity. The location of Open Space is subject to the review of the Director of the Land Use Bureau. Said open space may be: a Conservation Easement Area in a form approved by the Zoning Board filed on the Stamford Land Records; conveyed to the Stamford Land Conservation Trust or similar organization with the requisite requirements for maintenance as open space; or conveyed to the City of Stamford subject to acceptance by the City of such conveyance; or a combination of the above. Land appropriately donated or set aside

as permanent open space prior to registration as a Family Estate may be included in the overall land area calculation, provided said land was donated by the same registering family and does not exceed 15% of the total land area of the Estate. Where practicable, Open Space is to be contiguous and no area of Open Space shall be less than the minimum lot size of the Zoning District. Subsequent to the open space disposition, residential density and building setbacks shall conform to the underlying zoning district requirements. Outdoor areas used for passive activities such as horse paddocks and pasture areas may be excluded from any limitations of recreational use of open space subject to determination by the Zoning Board that such use will not significantly alter the natural character of the open space area.

g. Building Area: Two and one-half (2 1/2%) percent of the total site area prior to open space disposition.

h. Registration: In order to qualify as a Family Estate, the property owner shall register this designation by submitting a legally binding agreement subject to the review and approval of the City of Stamford Department of Legal Affairs and a plan conforming to Section 7.2C of these regulations. Such designation shall be approved by the Zoning Enforcement Officer or Zoning Board as required by these regulations. Said site plan shall be filed on the Stamford Land Records and shall note thereon that said property is a registered Family Estate. (97-015)

39.1 Fire Station - Volunteer: a building, or buildings, housing fire fighting equipment, related facilities and emergency apparatus to serve the public. (84-019)

39.15 Flag: A sign made of fabric or other flexible material that is secured or mounted on one side only to allow movement caused by the atmosphere. (200-32)

39.2 Floor Area: The sum of the gross horizontal areas of the several floors of all buildings on the lot measured from the exterior faces of the exterior walls or from the centerline of the party walls. Floor area shall include the area of basements when used for custodial, commercial or industrial purposes, but shall not include a portion of a basement used for the storage or housing of mechanical or central heating equipment of the building. Portions of upper floors and/or penthouse areas housing mechanical equipment shall also be excluded from floor area calculations. In the case of free-standing garages for required parking, areas of parking floors shall not be included if the number of parking floors above the average grade does not exceed four (4) and the roof of the parking structure is totally landscaped and accessible to the building occupants as usable open space. In the case of free-standing garages for required parking exceeding four (4) floors, the area of parking floors above the fourth floor shall be included in the floor/area calculation and the roof shall be totally landscaped and accessible to the occupants of the principal building as usable open space. In the case of structured parking garages above grade but contained beneath floors used for other purposes above, a maximum of four (4) floors of parking shall be excluded from Floor/Area Ratio (F.A.R.) calculations, where landscaped usable open space is provided at ground level equivalent in area to not less than ten percent (10%) of the floor area of the building; such open space shall be in addition to any other open space provisions of these regulations except amenity numbers 2, 9, 10 and 11 in Article III, Section 7-S which may count as open space at ground level.

The Zoning Board, pursuant to a Special Exception application for any amenity in Section 7-S

or by issuance of a separate Special Exception, may reduce or waive the 10% usable open space at grade requirement of this paragraph and/or allow up to six levels of above-grade parking to be excluded from F.A.R., subject to the standards of Section 19 and Section 7.2 of these Regulations, and based on a finding that the proposed building and site plan are consistent with the Master Plan and the parking garage is suitably screened from sensitive pedestrian level views and adjacent residential buildings. In addition to the factors set forth in the preceding sentence, the Zoning Board must make the following findings when reviewing an application to exclude a fifth and sixth level of above-grade parking from F.A.R. - (1) required parking as set forth below in clause 2 can not be provided with one below-grade garage level and four above-grade garage levels due to two or more of the following: (a) unusual shape and/or size of the lot, (b) the location of existing structures to be preserved, (c) parking requirements of housing and/or retail uses, (d) the provision of at-grade public open space, (e) floodplain, groundwater, or ledge rock conditions, or (f) inclusion of a financial trading floor; (2) office use, if included, shall be provided with not more than 3.0 spaces per 1,000 square feet of commercial office floor area except where specialized uses warrant additional parking; and (3) the ground floor of the building shall be activated at the street with retail and/or other suitable uses. Shared hallways and stairwells in mixed use buildings, as determined by the Zoning Board, may be excluded from the floor area calculation, provided exempt floor area for retail and residential uses exceeds the non-exempt floor area for commercial uses. (78-002, 97-002, 97-017, 201-28; 206-07A; 208-27)

39.3 Floor/Area Ratio (F.A.R.): The permitted floor/area ratio of the building or buildings on any lot is the total floor area of the building or buildings on that lot as defined in Definition 39.2 above, divided by the area of such lot, except that space used for dwelling units shall not be included in the computation. (78-002; 80-019).

40. Floor Covering Shop, Retail: Storage and retail sale of carpeting, rugs, linoleum, vinyl and asphalt tile, and similar kinds of floor covering; floor waxes, floor cleaners; floor finishers and related products; but not including terrazzo, ceramic tile or other masonry products. Storage to be limited to the normal needs of the retail operation on the same premises.

40.1 Food Shops, Retail – A retail establishment engaged in the sale of food primarily for offsite consumption including, but not limited to, establishments commonly known as markets, supermarkets, delicatessens, grocers, etc., engaged primarily in the sale of groceries including perishable and non-perishable food items and food related items. In such stores, non-food items and services such as household, health and beauty goods and other miscellaneous wares and services may also be offered but the supply of such items and services must be clearly incidental and secondary to the primary purpose of the store which is the retail sale of groceries directly to the consumer for offsite consumption. Nothing in this definition is intended to include a restaurant of any variety as a principal use. (205-05)

41. Garage - Community: A structure or a series of structures for the storage of automobiles of the residents, businesses, and patrons of the neighborhood and not used for the making of repairs or long term storage. (210-30)

42. Garage - Private: A detached accessory building or a portion of a main building for the parking and storage only of automobiles belonging to the occupants of the premises. One commercial vehicle which does not exceed three-quarters (3/4) tons in capacity and is used

solely by the occupants may be stored in a private garage.

43. Garage - Public: A building or part thereof, other than a private garage, used for the storage, care, or repair of motor vehicles for remuneration, including any sale of motor vehicle accessories, or where any such vehicles are kept for hire.

44. Gasoline Station: Any area of land including structures thereon, that is used for the sale of gasoline or other motor vehicle fuel and oil and other lubricating substances, including any sale of motor vehicle accessories, and which may or may not include facilities for lubricating, washing, and otherwise servicing motor vehicles, but not including the painting thereof.

45. Golf Course or Club: See Definition 27 - COUNTRY CLUB.

45.1 Historic Site: Any site approved by the Connecticut State Historical Commission and listed on the National Register of Historic Places as maintained by the National Park Service of the Department of the Interior of the United States of America shall be classified as an historic site. Within the boundaries of any such historic site as hereinabove defined, there may be undertaken for the purpose of restoration, reconstruction or recreation the erection of any building, outbuilding, accessory building, fence, wall or any other structural feature incidental to the historical significance of the property and appropriate to its period and culture. (76-005).

45.2 Home Center: A retail facility having in excess of 80,000 square feet and not more than 130,000 square feet of floor area which offers for sale a wide variety of products used in the construction, maintenance, repair, improvement, enjoyment or use of land, homes, offices and other types of real property and appurtenant facilities. The interior sales floor area of such facility shall be primarily utilized for the sale of building materials and supplies, including, lumber, millwork, flooring, roofing, foundation, hardware, electrical, plumbing, heating and ventilation materials and supplies. Other merchandise offered for sale may include, but is not limited to, garden and landscape supplies and equipment, tools, floor and wall coverings, home fashion and decorating accessories, house wares and home furnishings, paint supplies, appliances, wild and domestic pet supplies, limited snack foods and beverages and work-related apparel and accessories. In addition to floor area, outdoor space, not to exceed 30,000 square feet, may be used as a garden center. Products and merchandise may also be displayed and sold from interior private sidewalks and in designated areas of the parking lot provided these areas are clearly delineated on a site plan approved by the Zoning Board. A minimum lot size of fifteen (15) acres shall be required for this Home Center Use. (96-023, 215-29)

45.3 Home Furnishings, Retail: Stores engaged primarily in selling the following products and related services, including, but not limited to: draperies, floor coverings, furniture, glass and chinaware, home appliances, home furnishings, and interior decorating materials. (206-56)

46. Home Occupation: Any use customarily conducted for remuneration entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. The conducting of a clinic, hospital, or any similar use shall not be deemed to be a home occupation.

47. Hospital Complex: The Principal Use shall be a hospital licensed by the State of Connecticut

Department of Health, and having facilities and medical staff to provide diagnosis, care and treatment of a wide-range of acute conditions or chronic diseases, including injuries. Accessory uses permitted within the hospital complex shall include, but not be limited to the following: Medical Professional Offices, Professional Pharmacy, Nursing Home, Convent and Dwellings for Health Complex Staff. A Hospital Complex Site shall contain a minimum area of eight (8) acres. Any parcel or parcels of land smaller than said minimum acreage, owned by a non-profit medical corporation, may be added to a Hospital Complex Site. Such parcels must directly abut such Hospital Complex Site and may not be separated by a city street. A Hospital Complex may be subdivided into lots of not less than one (1) acre in area, by issuance of a special exception to insure that all lots, buildings and improvements thereon comply with applicable standards of the Hospital Complex definition and any conditions of previous special exceptions in effect at the time of the subdivision. No building within a Hospital Complex may exceed a height of fifty (50) feet above grade; provided, however, that any building located more than one hundred (100) feet from the nearest boundary of the Hospital Complex Site may exceed a height of fifty (50) feet above grade by an amount equal to one (1) foot for each one (1) foot in excess of one hundred (100) feet said building is removed from the nearest boundary of the subject Hospital Complex Site, to a maximum of ninety (90) feet above grade. Off-street parking shall be provided in accordance with Section 12 of these Regulations and shall be screened from adjoining properties by suitable landscaping. (84-012, 96-006; 206-32)

48. Hotel or Inn: A building designed as the more or less temporary abiding place for more than twelve (12) persons or providing six (6) or more sleeping rooms in which lodging is provided for compensation with or without meals. The word "inn" shall be used as being synonymous with "hotel".

48.5 Hotel or Inn, Extended Stay: A building designed as a hotel, generally intended to accommodate longer lengths of stay, where all guest rooms are fully furnished and have a full kitchen. (213-09)

49. Hotel, Residential: A hotel wherein the rooms or suites are intended principally for more or less permanent occupancy by guest individuals and families, and in which any dining room or other commercial facilities are intended primarily for the accommodation of the occupants of the building and not to exceed fifty percent (50%) of the ground floor area, and having no entrance except from within the building and no sign visible outside the building.

50. House Trailer: Any portable or mobile vehicle used or designed to be used for living purposes and with its wheels, rollers, or skids in place.

51. Ice Skating Studio, Private: A building or portion of a building used solely for the instruction of students; such ice skating studio shall be an indoor establishment with not more than forty-five hundred (4500) square feet of skating surface, operated privately to provide ice skating instructions for individual or groups of individuals not exceeding at any one time, one (1) for each twenty-five (25) square feet of skating area. (70-020)

52. Junk Yard: The use of more than two-hundred (200) square feet of the area of any lot, whether inside or outside building, or the use of any portion of that half of any lot that adjoins the street, for the storage, keeping or abandonment of junk, including scrap metals or other scrap

materials, or for the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery or parts thereof.

53. Laundry and Dry Cleaning Establishment, Retail: A neighborhood retail establishment engaged in laundry and dry cleaning operations, dealing directly with ultimate consumers at the same premises. (81-001)

54. Loading Space: An off-street space available for the loading or unloading of goods; not less than fifteen (15') feet wide, twenty-five feet (25') long, and fourteen feet (14') high, and having direct usable access to a street or alley, except that where one such loading space has been provided, any additional loading space lying along side, contiguous to, and not separated from such first loading space need not be wider than twelve feet (12').

55. Lot: A parcel of land occupied or to be occupied by a building or a group of buildings and their accessory uses, or for storage space, including such open spaces as are required by these regulations and such other open spaces as are arranged, designed and/or used in connection with such buildings.

56. Lot, Accessway: An accessway lot is a lot which has less than the required minimum frontage but which complies with the provisions of Article III, Section 7, Subsection 0.

57. Lot Area: The total horizontal area included within the lot lines. One half (1/2) of any private right-of-way common to two (2) adjoining lots may be included in the lot area, in the lot frontage, and in the side yard requirements.

58. Lot, Corner: A lot situated at the intersection of two (2) or more streets having an interior angle of intersection of not more than 135 degrees. A lot abutting upon a curved street shall be deemed a corner lot if the tangents to the curve at its points of beginning within the lot or at the points of intersection of the side lot lines with the street line intersect at the interior angle of less than 135 degrees.

59. Lot Depth: The mean distance from the street line of the lot to its rear line measured in the average direction of the side lines of the lot.

60. Lot, Frontage: The distance between the side lines of a lot measured along the street line of the lot. Where at least fifty percent (50%) of the street line is along the circular terminus of a cul-de-sac, the distance may be measured at the required front street line setback distance along an arc concentric with the front lot line. Any property not having legal access to a street as defined below, but fronting thereon, shall be deemed to have Lot Frontage on such street and shall be obligated to meet all set back requirements from such street. (207-22, 210-43)

61. Lot - Front Yard: The lineal distance from the street line to the street wall or covered porch wall of the building, whichever is nearer. It shall be measured at right angles to the street line.

62. Lot, Interior: A lot other than a corner lot.

63. Lot Line: The property line bounding a lot.

64. Lot Line, Rear: The lot line which is generally opposite the front lot line; if the rear lot line is less than ten feet (10') in length, or if the lot comes to a point at the rear, the rear lot lines shall be deemed to be a line parallel to the front line not less than ten feet (10') long, lying wholly within the lot and farthest from the front lot line.

65. Lot Street Line: The dividing line between the street and the lot.

66. Lot, Through: A lot having both front and rear yards abutting on a street. Front yard requirements shall be maintained on both street frontages, when the minimum depth of the lot is greater than one hundred and twenty feet (120'). When the minimum depth of the lot is less than one hundred and twenty feet (120'), the total front yard requirements on both streets shall equal that specified in the SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF BUILDINGS for that of the more restricted district in which the property is located. A lot with a rear yard abutting on an alley or a private right-of-way is not considered a through lot.

67. Mausoleum: A building for interment of the dead above ground.

67.1 Medical marijuana dispensary facility means a place of business where marijuana may be dispensed or sold at retail to qualifying patients and primary caregivers, and for which the CT Department of Consumer Protection has issued a dispensary facility permit to an applicant in accordance with Section 21a-408-14 of the Regulations of Connecticut State Agencies. (214-02)

67.2 Medical marijuana production facility means a secure, indoor facility where the production of marijuana occurs, and that is operated by a person to whom the CT Department of Consumer Protection has issued a producer license in accordance with Section 21a-408-20 of the Regulations of Connecticut State Agencies. (214-02)

67.3 Museum: A non-profit institution, which is exempt under Section 501(c)(3) of the Internal Revenue Code, that is essentially educational in nature, devoted to the procurement, care, and display of objects of lasting interest, open to the public a minimum of three days a week year round. (82-018, 214-02, 215-31)

67.5 Museum Complex: A parcel of land not less than 50 acres, in single ownership at the time of adoption of these regulations, containing multiple existing museum buildings, which may be expanded, developed and/or redeveloped in phases, pursuant to a public hearing and General Development Plan approval by the Zoning Board, subject to the following standards (215-31):

a. For the purposes of this definition #67.5, a General Development Plan (GDP) shall mean a conceptual plan and accompanying information depicting the approximate size and location of all existing and proposed structures and site improvements, the construction of which may be implemented in phases over a period of up to twenty (20) years from the date of approval, and up to two (2) extensions of up to five (5) years each, subject to the approval of the Zoning Board. Each specific element of a GDP shall be subject to final review and approval by the Land Use Bureau Chief, or designee, or the administrative review of the Zoning Board, only after proposed improvements have received all necessary permits, approvals, and endorsements from other local, state, or federal agencies having regulatory jurisdiction over the proposed improvements. Plans and designs submitted as part of a GDP application and/or subsequent Building Permit review by the Land Use Bureau Chief, or designee, should adhere to the

application requirements of Section 7.2-C and the standards and conditions of Sections 19-3.2a through 19-3.2c.

b. Permitted Uses: Permitted uses may include educational programming related to matters of natural history, agriculture, animal husbandry, astronomical studies, marine biology, and art history; cafe; day care; summer day camp; retail food shop; picnic pavilions; trails; nature center; gift shop; playground; temporary community retail booth (e.g. bake sales, farmers market, etc.); recreation area; camp grounds; parking of vehicles for educational and community programs; and onsite housing for museum staff.

c. Existing Non-Conforming Structures: Existing buildings and structures that do not conform to the yard requirements shall be allowed to remain and may be extended, expanded or changed, subject to approval of the Zoning Board provided that such changes do not result in any nonconforming setback being further reduced and are part of an approved General Development Plan.

d. Improvements: Minor changes and minor expansions of existing structures, parking areas, paddocks, gardens, or similar approved uses, including new structures or driveways, may be allowed, subject to review and approval of the Land Use Bureau Chief or designee, or administrative review of the Zoning Board, provided that said improvements are consistent with an approved General Development Plan or set back at least 100' from any street or residential property, and result in no substantial increased impact to parking or traffic demand or other public infrastructure.

e. Accessory Structures: Accessory buildings and structures shall be subject to the same building height story, and setback limitations as principle structures.

f. Notwithstanding special standards of this Definition 67.5 herein, any Museum Complex shall comply with the standards of Section 19-3.2e, subsections (2) and (3) for floor area ratio and ground coverage.

g. Signage: A Museum Complex shall be permitted to provide the following signage:

   i. One (1) ground/wall sign within the front yard setback at the primary entrance to the Museum Complex to ensure visibility from the street not to exceed forty (40) square feet in area and one (1) secondary entrance sign not to exceed twenty (20) square feet in area.

   ii. At the primary entrance to the complex up to seventy-two (72) square feet of temporary banners announcing specific seasonal or special activities open to the general public, not to exceed ten (10) feet in height or width, may be allowed onsite within the front yard setback, provided any such sign location is consistent with an approved General Development Plan.

   iii. Way-finding, directional, educational, exhibit, temporary tent signs, and/or individual building signs, provided said signage is suitably screened from exterior streets, shall be approved by the Land Use Bureau Chief, or designee, or as part of an approved General Development Plan.

h. Where any proposed General Development Plan activity requires approval from the Environmental Protection Board, Engineering Bureau and/or Health Department, said approvals shall be obtained prior to the start of site activity or the issuance of a building permit for said activities.

68. Non-Conforming Use: The use of a building or of land that does not conform to the regulations as to use for the district in which it is situated.

69. Nursing Homes: An establishment, licensed by the State of Connecticut pursuant to Sec. 19a-490 through Sec. 19a-503 of the Connecticut General Statutes, as amended, as a "home for the aged", "nursing home" or "rest home", which furnishes food, shelter, nursing care, simple non-surgical medical care and other personal services to two or more persons, unrelated to the proprietor, who are suffering from chronic or incurable illness, abnormal physical condition, developmental or physical disabilities, or the infirmities of old age, but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis, treatment or care of the sick or injured, nor institutions of a penal or correctional nature or for the care of insane or feebleminded patients or the care of drug or alcohol addiction. Nursing home shall also include a hospice facility as defined under Section 19a-122b, C.G.S., as amended. (93-013)

69.05 Office Supply Store, Retail: Stores engaged primarily in selling, renting or servicing materials used in offices and businesses. (206-56)

69.1 Offices - Housing Authorities: Offices used exclusively by a "Housing Authority" created and existing by the authority of Chapter 128 of the Connecticut General Statutes, and located within a residential structure operated by said Authority, provided that such use shall not exceed 20% of the total floor area of the structure and shall not extend outside the structure other than for the parking of non-commercial vehicles. (86-026)

69.2 Official Emissions Inspection Station: An official emissions inspection station means a facility for the purpose of conducting exhaust emission inspections of motor vehicles pursuant to an agreement as authorized by Section 14-164b, et seq, of the Connecticut General Statutes, as said section may be amended from time to time. Servicing and repair of motor vehicles, sale of gasoline, petroleum and automobile products, and other types of inspections are expressly excluded. (82-007)

70. Open Space, Usable: That portion of a lot devoted to outdoor recreational space, greenery or service space for household activities such as clothes drying which are normally carried on outdoors, such required space shall not be encroached upon by roadways open to vehicular traffic, off-street parking space or loading berths. Required usable open space shall be unobstructed between the grade level of such space and the sky, except that not more than twenty percent (20%) of the total usable open space provided on any lot may be roofed, and in such case not more than fifty percent (50%) of the perimeter of the roof section shall be enclosed, and shall be made structurally safe, adequately surfaced, and protected and suitably maintained by the owner or management. Except for uses restricted to the elderly, not less than one-half (1/2) of required usable open space shall be provided for play areas suitable for pre-school children in the R-5 Multiple Family Residence Districts, and not less than one-third (1/3) of required usable open space shall be provided for play areas suitable for pre-school children in any R-MF Multiple Family Residence District, Commercial District or Industrial District wherein residential use is permitted, provided further that in the case of co-operative or condominium ownership, such play areas shall be held in corporate ownership by the individual owners of lots, buildings or dwelling units, and the developer shall include in the deeds to the separate owners of such lots, buildings or dwelling units the restrictions that no use or structures shall be permitted on required play areas except those related to recreational

use, nor shall such play areas be sold for any other use thereon. All required play areas shall be properly surfaced, planted and maintained by the owners or management corporation, whichever the case may be, and no use or building shall be permitted on required play areas except those related to recreational use, nor shall required play areas be sold for any other use than for recreation. Said usable open space shall be contained by fencing, adequate to prevent encroachment for the purpose of parking. Required usable open space shall be accessible and available at least to all occupants of the dwelling units for whom such space is required and intended. (71-012, 99-004)

71. Parking Area: An area other than a street used for the temporary parking of more than four (4) automobiles not for sale.

71.5 Parking Management Plan: A written document including a variety of strategies that encourage more efficient use of existing and/or proposed parking facilities, improve the quality of service provided to parking facility users, and improve parking facility design. Said plan shall, at a minimum, describe the number, size, location, access, and general operation and management of all required and proposed onsite and offsite parking and loading spaces. In addition, said plan shall describe transportation demand management strategies, including, but not limited to, available public transportation options, jitney services, bicycle parking, as well as facility design, operation, shared vehicle and/or parking strategies, enforcement and controls, overflow management strategies and shall include maps, drawings, and/or leases as deemed necessary. (211-36)

72. Parking Space: An off-street space available for the parking of one (1) motor vehicle and having an area of not less than two hundred (200) square feet per vehicle, exclusive of passageways and driveway appurtenant thereto and giving access thereto, and having direct access to a street or alley.

73. Party Rental Store: A facility used for the sale, rental and/or storage of all types of party rental equipment, including silver service, hat and coat racks, glassware, tables, chairs, linens and other items normally associated with food service equipment.

74. Passenger Way Stations, Right-of-Way: This shall include passenger or waiting stations for railroads, buses or other forms of transportation, including accessory service therein and right-of-way, but not including switching, storage, freight yards or industrial sidings, provided that bus passenger shelters or waiting areas as herein defined including related seating equipment, signage, display holders and illumination shall be a permitted use at rail stations. Bus shelters shall be permitted by-right within the public right-of-way when conforming to the Guidelines of the Stamford Transit District, in commercial, industrial and multi-family residential zones. Bus shelters shall be permitted by a Zoning Board special exception in all other zoning districts. (85-045).

74.1 Personal Wireless Services (PWS) - The provision of personal wireless services as that term is defined by Section 332 (c)(7) of the communications Act of 1934, U.S.C. section 151-613, as may be amended, which services are regulated by the Federal Communications Commission ("FCC") and include commercial mobile services, unlicensed wireless services, common carrier wireless exchange access services, cellular services, personal communications services (PCS), Specialized Mobile Radio Services (SMR), paging services, and other similar communications services.

74.2 Personal Wireless Service Facility - All equipment, structures and mountings used for the provision of Personal Wireless Service including transmitters, repeaters, antennas, antenna support structures and associated communications equipment, but specifically excluding new towers or monopoles whether attached to an existing building or structure or freestanding on the ground.

(1) Application for approval of a PWS facility attached, supported by, or mounted on an existing tower shall be subject to the issuance of a Special Exception by the Zoning Board in conformance with the requirements and standards of this section and Section 19. Application for approval of a PWS facility attached, supported by, or mounted on an existing building and/or structure, excluding a tower, shall be subject to initial review and determination by the Land Use Bureau Chief or designee, who shall within 60 days of receipt of a complete application and supporting information, authorize the Zoning Enforcement Officer to issue a Zoning Permit for a proposed Personal Wireless Service Facility, upon a finding that all of the following requirements and standards have been fully satisfied:

(a) No PWS facility shall be attached to any building designed for occupancy by four families or less nor to any accessory building located on a lot containing such a residential building.

(b) The PWS antennas shall be sited to minimize visibility from surrounding public streets and adjacent properties, and shall be designed, finished and mounted with materials, colors, dimensions and techniques to blend into the architecture of the existing structure to the maximum extent practical, in a manner which aesthetically minimizes visual impact.

(c) Antennas mounted on the facade of a building shall match the color of the building and shall project not more than two (2) feet horizontally from the wall or facade of the building and project not more than five (5) feet vertically above the cornice line of the building or wall to which attached; antennas mounted on the roof of a building or attached to other existing structures shall extend not more than 5 feet above the highest point of the existing building or structure.

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(d) Any roof mounted equipment associated with the PWS Facility shall be enclosed to blend with existing roof-mounted mechanical equipment and combined in a common enclosure with other PWS equipment whenever feasible. Any PWS Facility equipment located at ground level shall not exceed a height of fifteen (15) feet and shall be surrounded by adequate screening from adjacent properties and public rights-of-way with appropriate fencing and/or landscape screening of sufficient height, depth and proximity to provide a year round visual barrier. Signage shall also be provided to provide notice of necessary safety precautions.

(e) As evidence of compliance with the radio frequency emission standards adopted by the FCC, a proposed PWS Facility shall have received the approval of the Stamford Director of Health under Chapter 160 of the Code of the City of Stamford. A copy of the full record of the proceedings of the Director of Health in approving the PWS facility shall be provided.

(f) More than one PWS Facility may co-locate on the same structure, building or existing tower, based on a finding that multiple installations will not alter the character of the structure or building and will not intensify any adverse visual impact on surrounding properties, provided further that all existing PWS facilities shall be operating in full compliance with a permit issued by the Director of Health and pursuant to the requirements of this section. The existence of any legally non-conforming PWS facilities shall serve to preclude the approval of any additional PWS facilities pursuant to this section.

(g) Application for approval under this section shall be submitted jointly by the PWS provider and the property owner, and shall include an analysis of the providers existing antenna locations, coverage and capacity calculations, and a justification of need for the proposed new facility.

(h) Removal Requirement: Any PWS facility which ceases to operate for a period of one year shall be removed, and at the time of removal the site shall be fully remediated. The PWS provider and property owner shall be separately responsible for compliance with this requirement. (97-020)

74.3 Personal Wireless Communication – Retail – A retail Establishment not exceeding 4,000 square feet of retail floor space, whose primary purpose is the sale, rental and service of personal and corporate communication services and products including, but not limited to, cell phones, tablets and other voice, data, imaging, internet, and information devices and related accessories that are capable of being used on any wireless communication network and the lawful activities ancillary thereto. There shall be no tower or transition facilities on the premises. (215-24)

74.4 Plot, parcel: See "Lot." (200-32, 215-24)

74.5 Prenatal Care Residence: A dwelling licensed by the State wherein not more than ten pregnant women reside which is supervised and operated by a non-profit organization and is located on land adjacent to land on which a convalescent or nursing home is located; and a minimum of 3 parking spaces are provided. (88-027)

75. Professional Office - Medical: Offices of licensed physicians or licensed dentists, which do not have any hospital facilities.

76. Professional Office - Principal Use: An office of recognized professions such as doctors, dentists, lawyers, architects, engineers, real estate brokers, artists, musicians, designers, teachers and others, who through teaching are qualified to perform services of a professional nature and whose principal use is predominantly that of the profession in which such individual is engaged.

77. Professional Office - Accessory Use: The office or studio of a resident professional person previously defined, in which not more than two (2) persons not resident of the premises are employed, provided that in the case of physician, surgeon or dentist there are no hospital facilities in connection therewith.

78. Professional Pharmacy: An establishment located in a medical/dental professional building, having as its primary function the dispensing of drugs and medication, and whose stock in trade does not include merchandise other than pharmaceuticals, orthopedic appliances, sick room needs, and medications for internal and external use dispensed by prescription or otherwise. Such pharmacy may be conducted only as part of a professional building containing no less than five (5) offices occupied by medical doctors and used for no use other than a professional building; provided that there be no direct outside public access to such pharmacy, and provided further that there be no identifying signs or advertising directed toward the outside of said building.

79. Public Charitable Institutions: Non-profit philanthropic or charitable institutions providing out-patient counseling, consulting, advisory services or related social services to the public, but not including hospitals, medical clinics, nursing homes, or residential dormitories, and not including institutions of a penal or correctional nature or for the care of insane or feebleminded patients or the care of drug or alcohol addiction. (93-013)

80. Public Utility Buildings (No Service Yard): Public utility buildings or uses may be permitted in Residential Zones, provided they do not include incidental service and storage yards.

81. Public Utilities - Electric Generating Plant: Any equipment used for the making or generation of electric power for sale.

81.1 Public Youth Services Agency: An organization with a minimum of ten (10) years of established collaboration with the Stamford Board of Education and/or Stamford Parks and Recreation Commission serving preschool to high school students by providing facilities and programming for extra-curricular education, recreation, and skill-building activities. The following Special Standards may be allowed by Special Exception of the Zoning Board:

(a) Parking requirements shall be determined by the Zoning Board based upon operational need and may be satisfied by offsite lease on land owned by the City of Stamford, provided said lease is for not less than 25 years;

(b) Building setbacks shall be not less than 10' to any residence zone or street frontage;

(c) Building Coverage shall not exceed 50% of the site, inclusive of any area leased from the City of Stamford; (213-25)

81.2 Racquetball Facility: An indoor facility used primarily for racquetball, squash racquets and/or handball, including other health facilities collateral thereto and such other facilities incidental thereto, including a pro shop and health/snack bar. Said facility to require four (4) parking spaces for each court. (78-016)

81.5 Radio-Controlled Miniature Car Facility: An indoor facility used primarily for the racing of radio-controlled miniature cars and such other activities incidental thereto, including but not limited to the sale of miniature cars and parts, the repair of miniature cars, instructions in use and a snack bar. (88-033)

82. Radio & Television Broadcasting Station: Any radio or television broadcasting station, including masts, operated as a public service, including studios and an auditorium which shall not have a seating capacity in excess of fifty (50) persons.

82.1 Recycling Preparation Operation:

(a) An operation of a recycling/transfer facility solely for the collection, compacting, crushing, shredding, baling, pulverizing, separation, sorting and consolidation of solid waste materials, including newspapers, paper and cardboard materials, construction materials, demolition materials, wood products, plastics, tires, rags and similar materials for reclamation and volume reduction purposes and for transfer to other sites for final reprocessing, reclamation, conversion or change of form.

(b) No garbage, putrescent, toxic, biomedical or hazardous waste shall be allowed on the premises. No incineration shall be permitted on the premises and no stockpiling or storage of any materials shall be allowed outside of the enclosed building. There shall be no reprocessing, conversion or change of form of such materials on the premises and all separated and sorted materials shall be transferred to other sites for final reprocessing, reclamation, conversion, incineration or other disposition.

(c) All activities shall be conducted within an enclosed building for which the plan, size design and method of operation have been approved under a permit issued by the Commissioner of Environmental Protection of Connecticut in accordance with the provisions of Section 22a-208a of the Connecticut General Statutes.

(d) Within the M-G General Industrial District the site shall be not less than one and one-half acres if used for multiple purposes and not less than three fourths of an acre if used for a single use, shall have access and entry from two or more streets not more than 1 mile from an entrance to the Connecticut Turnpike.

(e) Within the M-L Light Industrial District the site shall be not less than two and one half acres; adjacent to railroad property; not less than one hundred feet (100') from a residence district; and not more than one (1) mile from an entrance to the Connecticut Turnpike.
(90-012; 96-020)

83. Religious Institutions: See Definition 23 - CHURCH

84. Research Laboratories: Research laboratories shall be a building or buildings designed, intended or used for scientific, literary, antiquarian, commercial or medical research or experiments, provided, the use thereof is not noxious, offensive or detrimental to the neighborhood by reason of odors, fumes, dust, smoke, vibration, noise or other objectionable characteristics.

84.1 Residential Recreational Area: A lot or tract of land located within a single-family residential zone and utilized for recreational activities for the benefit of persons dwelling in single-family dwellings located in a single-family residential zone; provided that the land to be designated as Residential Recreational Area is owned in common by the owners of the single-family dwellings legally entitled to use such Residential Recreational Area or by an association of such owners; and provided, further, that in the case of any area designated Residential Recreational Area necessary covenants and agreements shall be submitted to and reviewed by

the City's Corporation Counsel to ensure proper maintenance of said area and to insure that the interests of the City and of neighboring property owners will be protected. The use of such facilities shall be restricted to those persons living in the contiguous residential area or in an approved subdivision in which such Residential Recreational Area is located. No use or structures shall be permitted in a Residential Recreational Area except those related to recreational use and any such area shall be properly surfaced, planted and maintained by the owner. All facilities, lighting, drives and parking areas shall be located, set back and landscaped so as not to disturb adjacent residential properties. Conditions regarding hours of use, increased yards and additional landscaping shall be imposed when necessary to achieve this objective. (84-048)

84.2 Residential Rehabilitation Center, Non-Profit (federal, state or municipal assisted programs): A building owned or operated for non-profit purposes which contains rooms for a maximum of fifty (50) patients, and has a common dining facility, common bathroom facilities, common recreational facilities, and common therapeutic facilities in which persons who have a medically recognized addiction to drugs or alcohol shall receive care and attention to eliminate said addiction through the use of psychiatric counseling, work therapy, vocational rehabilitation and other similar means, provided that no facility may be located within a one and one-half mile (1 1/2) radius of a like facility, and any new C-G zones that do not now exist would have to be covered by approval of the Zoning Board of Appeals for a special exception. (73-002)

85. Restaurant, Standard: An establishment whose principal business is the sale of foods, frozen desserts, or beverages to the customer in a ready-to-consume state served by a restaurant employee at the same table or counter at which said items are consumed, and subject to the restriction that not more than forty-five percent (45%) of the gross floor area may be devoted to food preparation related activities and other space not accessible to the public. (77-018)

85.1 Restaurant, Carry-Out: An establishment whose principal business is the sale of foods, frozen desserts, or beverages to the customer in a ready-to-consume state either in edible containers or in paper, plastic or other disposable containers for consumption off the premises. The consumption of foods, frozen desserts, or beverages within a motor vehicle parked upon the premises or at other facilities on the premises outside the restaurant building is expressly prohibited, and the premises shall be properly posted with signs stating that such consumption is unlawful. Such signs shall be posted both inside the building near the checkout counter and outside the building in the parking area. (77-018)

85.2 Restaurant, Drive-In: An establishment whose principal business is the sale of foods, frozen desserts, or beverages to the customer in a ready-to-consume state and whose design or method of operation encourages consumption of foods, frozen desserts, or beverages within the restaurant, providing accommodations and seats for not less than ten (10) customers, or within a motor vehicle parked upon the premises or at other facilities on the premises outside the restaurant building. (77-018)

85.3 Restaurant, Fast-Food: An establishment whose principal business is the sale of foods, frozen desserts, or beverages to the customer in edible containers or in paper, plastic or other disposable containers in a ready-to-consume state for consumption either within the restaurant building or for carry-out with consumption off the premises, including cafeteria-type

operations where food, frozen desserts or beverages are consumed within the restaurant building. The consumption of foods, frozen desserts, or beverages within a motor vehicle parked upon the premises or at other facilities on the premises outside the restaurant building is expressly prohibited, and the premises shall be properly posted with signs stating that such consumption is unlawful. Such signs shall be posted inside the building near the check-out counter and outside the building in the parking area. (77-018)

For the purpose of regulating these activities, definitions 85 through 85.3 shall be mutually exclusive. (77-018)

Restaurant, Carry-Out; Restaurant, Drive-In; and Restaurant, Fast-Food outside the Downtown Boundary, as delineated in the Master Plan, shall be subject to the further restrictions that such permitted uses shall not be situated on any plot having a frontage on a highway of less than one hundred feet (100'). Structures or buildings thereon shall not be less than fifty feet (50') from a street or highway line, nor less than forty feet (40') from a property line nor less than seventy-five feet (75') from the boundary line of a Residence District. (77-018, 90-002)

87. Retail Store, Discount: A facility of more than seven thousand five hundred (7,500) square feet of floor area which advertises by newspaper or radio, posts signs or banners visible to the general public, or in any similar manner informs the general public that it sells goods generally and regularly at prices below a regular or list price charged in other retail establishments for comparable merchandise. (79-021)

88. Riding Academy: Any establishment where horses are kept for riding, driving or stabling for compensation.

89. Roller Skating Rink: A building or portion of a building used solely for roller skating; incidental uses shall be limited to skate shop and snack bar and no alcoholic beverages shall be permitted on the premises. Such roller skating rink shall be an indoor facility having not less than twelve thousand (12,000) square feet of gross floor area. (80-004)

90. Rooming House: Any building or portion thereof containing more than four (4) and less than ten (10) rooms that are used, rented, or hired out to be occupied, or which are occupied for sleeping purposes by more than four (4) and less than ten (10) guests, other than members of the family of the proprietor for compensation, whether the compensation be paid directly or indirectly. The term "Rooming House" shall be deemed to include lodging house and boarding school house, but not tourist home or tourist court.

90.1 Safe Deposit Facility: A building or premises used for the renting of safe deposit boxes, vaults or other receptacles for storage of personal property. (82-014)

91. School, Non-Public: Any building, structure and/or land principally and regularly used by teachers and students for instructional and educational purposes, at the nursery, primary and secondary levels only, which is not under the direct supervision and control of the Stamford Board of Education and which is licensed by the State of Connecticut, or which is administered by an accredited educational institution or a bona fide religious institution. “School, Non-Public” shall include land used for recreational purposes as an adjunct to the principal instructional or educational use and any dormitories connected with such schools, but excluding fraternities and sororities. “School, Non-Public” shall not include vocational or secretarial schools. (214-09)

92. School, Public: Any building, structure and/or land principally and regularly used by teachers and students for instructional or educational purposes, which is under the direct supervision and control of the Stamford Board of Education.

92.1 Self-Storage Facility – A self-service, controlled-access facility occupying a building or portion of a building or consisting of a group of buildings in a controlled-access compound, providing individual, compartmentalized stalls or lockers for the dead storage of customers business, personal and/or household goods. When approved by Special Exception in accordance with Appendix A, Table II, use 164.1, such facility shall be an adaptive reuse of existing floor area within an existing office building, and shall be subject to the following standards: (214-10)

1) Floor Area shall not exceed a 0.5 Floor Area Ratio;
2) Said use shall be fully enclosed within the basement of the building; and
3) Signage shall be subject to Zoning Board approval; and
4) Other than approved signage, there shall be no external evidence of the use.

92.2 Senior Housing and Nursing Home Facility Complex: An integrated elderly housing facility, designed and managed in common, which may include a nursing home, rest home, assisted living residence, elderly housing facilities, progressive levels of support services, nursing care, respite care, related medical and/or ancillary support services in such proportions deemed appropriate by the Zoning Board. Not less than 90% of the units within the premises shall be occupied by at least one elderly resident as defined in Section 3.A, paragraph 4.3 (b) of these Regulations. Within multi-family districts, area, height and bulk of buildings shall be in accordance with the standards of Appendix B. Within single family districts, minimum size of plot shall be eight (8.0) acres, principal buildings shall not exceed a height of three stories with a maximum height determined by the Zoning Board, all buildings shall be setback from property lines a distance not less than seventy (70) feet from all residentially used property and all street lines, and at the discretion of the Zoning Board thirty-five (35) feet from all other property lines, building coverage shall be in accordance with Appendix B, and floor area ratio (including housing) shall not exceed 0.4 in the R-10 Zone and 0.25 in the R-20 Zone. Parking requirements shall be determined based on the mixed use, operational characteristics and potential shared use of parking of said project. Said complex may at the discretion of the Zoning Board also include such other uses allowed by right or by special exception within the underlying zoning district. When located within the R-H District, said complex may at the discretion of the Zoning Board be combined with other uses allowed by right or special exception, may be situated on contiguous parcels of land, and may be approved within existing buildings that are nonconforming with respect to Appendix B. The application and review standards of Section 7.2 Site Plan Review and Section 19-3.2 Standards and Conditions for Special Exceptions shall apply. (90-031; 95-029, 213-13)

93. Shopping Center: A group of not less than fifteen (15) contiguous retail stores, originally planned and developed as a single unit, having a total ground floor building area of not less than sixty thousand (60,000) square feet, with immediate adjoining off-street parking facilities for not less than two hundred and fifty (250) automobiles. (78-005)

94. Sign: Any device, structure, writing, pictorial representation, emblem or any other figure of similar character used to announce, identify, advertise, or bring a subject to the attention of the

public, and which is attached to the exterior of a building or structure or upon the ground, or permanently applied or attached to the interior surface of a window and intended to be viewed from the outside. (200-32)

94.1 Sign, Area: The total square footage area of the continuous perimeter enclosing the limits of writing, representation, emblem or other display on a sign, together with any material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed, but not including any supporting framework, bracing or structures, provided that there is no written advertising copy on such framework, bracing or structures. When any ground sign permitted under this section has two (2) sign faces placed back to back against each other, or where the interior angle formed by two sign faces is sixty (60) degrees or less, and the sign faces are visible from opposite directions, the total surface area for such a sign is the surface area of only the largest of the two (2) sign faces. When any sign permitted under this section has more than two (2) sign faces, regardless of orientation, the total surface area for such a sign shall equal one-half the combined surface area of all sign faces. (200-32; 209-24)

94.2 Sign, Ground: A sign supported by uprights or braces which is placed on, near or at ground level, or resting upon a foundation on the ground, and which is not attached to any building. (200-32)

94.3 Sign, Height: The vertical distance measured from the highest point of the sign to the average finished ground surface beneath the sign, or to the grade of the adjacent street when the sign is not more than ten (10) feet from the street line, whichever is less. (200-32)

94.4 Sign, Off-Site Advertising: a sign identifying or directing attention to a commercial activity, product, service, business, establishment, commodity or entertainment that is conducted, sold, rented, offered, or provided elsewhere than upon the same zoning lot and is not accessory to a use located on the zoning lot. (200-32)

94.5 Sign, On-Site: a sign (1) identifying or directing attention to an activity, product, service, business, commercial establishment, commodity or entertainment that is conducted, sold, rented, offered, or provided on the same zoning lot and is accessory to a use located on the same zoning lot where the sign is located, or (2) displaying only noncommercial copy, or (3) any combination of the first two. (200-32)

94.6 Sign, Pole: A sign supported by at least one (1) upright pole, pylon or post which is secured to the ground, where the bottom of the sign is at least six (6) feet above grade.

94.7 Sign, Roof: A sign painted, applied, installed or erected on or above a roof where it meets the front wall of a building. (200-32)

94.8 Sign, Wall: A sign fastened, placed or painted on a wall, cupola, or parapet of a building or structure, in such a manner that only one side of the sign is visible. (200-32)

95. Story: That portion of a building between any floor and the ceiling or roof next above it, the ceiling of which is five feet (5') or more above the level from which the height of the building is measured, shall constitute a full story. A "half-story" is any habitable space which has a

stairway as a means of access and egress and in which the ceiling area at a height of 7 1/3 feet above the floor is not more than one-third the area of the next floor below. (91-002; 203-38)

96. Street: A public or private right-of-way including, without limitation, any road, highway, drive, lane, avenue, place, boulevard, and any other thoroughfare identified on the City of Stamford Engineering Bureau's list of Stamford Roads. (210-43)

97. Structure: Anything constructed or erected which requires location on the ground or attached to something having a location on the ground.

98. Structural Alteration: Any change in or addition to the structural or supporting members of a building such as bearing walls, columns, beams or girders.

98.05 Sunglass Store: Stores engaged primarily in selling sunglasses and eyeglasses. (206-56)

98.1 Surgery Center/Out Patient - A licensed outpatient surgical facility which provides ambulatory surgical care in addition to the provision of medical care for diagnosis and treatment of persons with acute or chronic conditions or to the provision of surgical care to well persons. Such facility requires a medical environment exceeding that normally found in a physician's office, but no surgical procedure that is performed can require an overnight stay. Facilities shall conform with the standards established by the State of Connecticut Public Health Code, Sec. 19-13-D56. Facilities exceeding 15,000 square feet of gross floor area shall be approved only pursuant to a Special Exception issued by the Zoning Board of Appeals. (88-034)

99. Swim or Tennis Club: A voluntary or corporate association owned solely by its members, the objectives, pursuits and purposes of which are social or recreational, operating or formed for the purposes of operating a club on a membership basis and not operated for profit, the principal facilities of which shall be a swimming pool or pools and/or tennis court or courts owned by it and maintained on land owned or leased by it, and which may maintain and operate on the same premises such accessory facilities owned by it as are usually provided by a swim or tennis club. Accessory facilities shall not include bowling alleys.

100. Tavern: A place where beer is sold under a tavern permit. See Section 14 - DISPENSING OF ALCOHOLIC LIQUORS.

101. Temporary Structure: A structure which by the type and materials of its construction is erected for not more than one (1) year. Such structures shall include tents, portable bandstands, bleachers not erected in conjunction with athletic fields, reviewing stands, or other structures of similar character.

101.1 Theatre, Non-Profit: A company organized for non-profit purposes which is an exempt organization under Section 501(c)(3) of the Internal Revenue Code, and which carries on a program of performing arts for the general public at a theater located on premises owned or leased by said company. See Section 14 - DISPENSING OF ALCOHOLIC LIQUORS. (84-005)

101.2 Theatre: A building where the primary use is for movies and/or performing arts for the general public. Notwithstanding standards provided elsewhere in these regulations, when located in the Historic Conservation Area of the Downtown, as indicated on the Master Plan, within a

building used as a theatre at the time of the initial enactment of these Regulations, the following special standards shall apply: Incidental and ancillary uses including café, restaurant, entertainment, and liquors are permitted by right on the ground floor, and other uses allowed by right or Special Exception shall be allowed on other floors provided there are a minimum of 200 theatre seats with a minimum of 150 fixed seats on the ground floor and theatre related uses constitute at least fifty percent (50%) of the building floor area; Building coverage may be 90% with no yard setbacks, provided expansions of existing building coverage is allowed only for theatre purposes; the Floor Area Ratio in the C-L district shall not exceed 1.5; all such uses shall be considered "Retail" for purposes of Section 12-D-9.a and no parking shall be required; building facade, marquee, canopy, access and egress, and signage designs shall be generally consistent with the standards set forth in the first sentence of Section 7.3-D.4, subject to review and approval by the Land Use Bureau Chief. Night Club/Dance Hall uses shall not be allowed in the C-L district. (201-01)

102. Tourist Court: A building or group of buildings containing one (1) or more guest rooms having separate outside entrances for each such room or suite of rooms and for each of which rooms or suites of rooms automobile parking space is provided on the premises.

103. Tourist Home: A building of residential character offering lodging with or without meals to transients for compensation, and not to accommodate more than five (5) guests.

104. Trailers: A vehicle on wheels designed to be towed or propelled on highways by another vehicle which is self-propelled and may or may not be equipped to afford sleeping and cooking accommodations or for the transportation of goods, wares, or merchandise.

105. Trailer Camp: A parcel of land on which there is located or intended one or more trailer homes occupied for living purposes.

106. Trailer Homes: A vehicle without motive power designed to be drawn by a motor vehicle and to be used for human habitation or for the carrying of persons.

107. Upholsterer: Repairing and reconditioning of furniture but excluding manufacturing or sale thereof and further providing that the number of persons working in any one location shall not exceed five (5).

108. Use: The specified purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any non-conforming use.

109. Use, Accessory: A use which is customarily incidental and subordinate to the principal use of a lot or a building and located on the same lot therewith.

110. Used Car Lot: Any place outside a building where two (2) or more motor vehicles in operating condition are offered for sale or are displayed.

111. Veterinary Clinic: An establishment for the care and treatment of small animals, provided that all facilities for such care are completely enclosed and roofed and effectively soundproofed.

111.1 Veterinary Clinic: Domestic Cats Only: An establishment for the care and treatment of domestic cats to include surgery, dentistry, health care, boarding and grooming and the sale of retail items such as pet necessities, food, leashes, collars, flea products, vitamins and other incidental items. Said facility shall provide three (3) parking spaces for each one thousand (1,000) square feet of gross floor area. (91-016)

112. Warehouse: Structures used solely for the reception, interior storage and bulk distribution of goods and merchandise; any accessory office area shall not be greater than 500 square feet. (87-040)

112.1 Warehouse Store: A retail facility having in excess of 80,000 square feet and not more than 130,000 square feet of floor area which offers for sale a wide variety but limited selection of consumer products; including but not limited to office supplies and equipment, consumer appliances, electronic equipment, furniture, house wares and home furnishings, tools, hardware, recreational and leisure products, automotive equipment and supplies, food and apparel. Distinguishing features of such a facility are that food, beverages, health and beauty products and other products are primarily sold in bulk quantities larger than normally offered by conventional retailers and a restricted selection of other goods and products are offered. The sale of soft goods shall be limited to 20% of the floor area of the store, of which not more than 50% of said soft goods area shall offer apparel for sale. Not less than 25% of the floor area of such facility shall be utilized for the sale of food and beverages. (96-023)

113. Wholesale Storage Buildings and Warehouses: Buildings or premises used for the sale and storage of materials including building materials, but excluding mason materials and supplies, lumber, open yard material storage and other uses specifically classified elsewhere in the LAND USE SCHEDULE in APPENDIX A.

113.5 Yacht Club: A waterfront voluntary or corporate association whose objectives, pursuits and purposes are social or recreational, for the following activities: docks, anchorage and mooring spaces, shore and/or pool swimming, tennis courts, and other recreational facilities usually afforded by any such club. Buildings and accessory accommodations necessary or desirable for the exercise of the club's objectives, pursuits and purposes may be maintained. Single family dwellings, staff living quarters and overnight guest accommodations are permitted. Clubs shall operate without profit, or division of any revenues to its members, except as reasonable compensation for special services actually rendered; devoting all revenues received to supporting the purposes and objectives or to eleemosynary uses. (216-13)

Where a Yacht Club is permitted in a Single Family zone, the following standards apply:

a. Minimum Lot Acreage: required shall be not less than five (5) acres inclusive of parcels adjacent to and/or directly across a public right-of-way.
b. Open Space: Minimum of twenty-five percent (25%) shall be beach, lawn, piers, or other landscaped area.
c. Maximum Floor Area Ratio: 0.25
d. Building Height: The allowable height shall be measured from the Base Flood Elevation.
e. Setbacks:
    1. All structures greater than one (1) story or one thousand (1000) square feet in floor area shall conform to the required setbacks of Appendix B for principal

structures.

2. All uncovered recreational amenities (i.e. pool, tennis, platform tennis, etc.) and, accessory structures less than one thousand (1000) square feet in floor area shall be setback a minimum of ten (10) feet from all property lines.
3. Existing nonconforming buildings and structures may remain or be modified provided that any such modification does not exacerbate a nonconformity or create a new nonconformity.

f. Parking:
1. There shall be at least one (1) off-street parking space for each employee and for every four (4) memberships.
2. Where the existing design, size and location of parking spaces and access thereto is nonconforming, the Zoning Board may allow such nonconformities to remain, or approve an alternate design that does not exacerbate a nonconformity or create a new nonconformity.
3. Seasonal boat storage of vessels may be permitted and may occupy up to ten percent (10%) of required parking spaces, provided there is no boat trailer or boat storage within any public right-of-way.

g. Screening: Zoning Board may require reasonable screening to be maintained where a determination is made that such screening is warranted to buffer proposed uses.

114. Yard, Front: An open, unoccupied space extending across the full width of the lot between the front wall of the principal building and the front lot line.

115. Yard, Rear: An open, unoccupied space extending across the full width of the lot between the most rear main building and the rear lot line. The depth of the required rear yard shall be measured horizontally from the nearest part of the rear lot line.

116. Yard, Side: An open, unoccupied space between a main building and the side lot line extending from the front yard or front lot line where no front yard is required, to the rear yard. The width of the required yard shall be measured horizontally from the nearest point of the side lot line toward the nearest part of the main building.

ARTICLE III - DISTRICTS AND DISTRICT REGULATIONS

SECTION 4 - LIST OF DISTRICTS

A - The territory of the City of Stamford is hereby divided into the following classes of districts:

RA-3	One Family Residence District
RA-2	One Family Residence District
RA-1	One Family Residence District
R-20	One Family Residence District
R-10	One Family Residence District
R-7-1/2	One Family Residence District
R-6	One Family, Two Family Residence District
*R-D	Designed Residence District
*R-H	Multiple Family Design District, High Density
*R-5	Multiple Family, Medium Density Design District
*R-MF	Multiple Family Residence Design District
*RM-1	Multiple Family, Low Density Design District
*B-D	Designed Business District
*C-D	Designed Commercial District
*M-D	Designed Industrial District
*IP-D	Designed Industrial Park District
*HT-D	Designed High-Technology District
*DW-D	Designed Waterfront Development District
*MX-D	Mixed Use Development District
*P-D	Planned Development District
*TCD-D	Designed Transportation Center District
*CSC-D	Designed Community Shopping Center District
*MRD-D	Designed Mill River District
*ARD-D	Architectural Review Design District
*SRD-S	South End Redevelopment District, South
*SRD-N	South End Redevelopment District, North
C-N	Neighborhood Business District
C-B	Community Business District
V-C	Village Commercial District
C-L	Limited Business District
C-I	Intermediate Commercial District
C-G	General Commercial District
CW-D	Coastal Water Dependent District
C-S	Shorefront Commercial District
CC-N	Central City District North
CC-S	Central City District South
M-L	Light Industrial District
M-G	General Industrial District
P	Park District

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* See Section 9 - Designed Districts

The boundaries of these districts are hereby established as shown on a map entitled "Zoning District Map of the City of Stamford", dated November 30, 1951, which is hereby made part of these Regulations. No building on premises shall be erected, altered, moved or used for any other purpose than the use permitted in the zone in which such property is located except in conformity with these Regulations. No dwelling or multifamily residence shall hereafter be erected or altered to accommodate or make provision for more families than the number indicated in the SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF BUILDINGS which is a part of these Regulations. The limitations imposed by this Section shall, however, not prohibit the erection of a one-family house on any plot containing on December 1, 1951, an area smaller than that required for such use in the SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF BUILDINGS under APPENDIX B, provided further the same does not conflict with Subsection A, under Section 2, of these Regulations.

AA - DISTRICT REGULATIONS

1. RA-3, RA-2, RA-1 Single Family Districts, Very Low Density

1.1 Purpose. The purpose of these districts is to set aside and protect areas which have been or may be developed predominantly for single family dwellings on large lots in a rural setting. Certain other uses are also permitted as-of-right or by special exception subject to adequate conditions and safeguards. It is intended that all uses permitted in these districts be compatible with single family development and consistent with local street characteristics, the use and protection of private water and sewer facilities (where public facilities are unavailable) and the level of other public services. it is hereby found and declared, further, that these regulations are necessary to the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential area of diverse types.

1.2 Permitted Uses, as-of-right. In any RA-3, RA-2 or RA-1 district a building or other structure may be erected, altered, arranged, designed or used, and a lot or structure may be used as-of-right for any of the following purposes and no other:

a. Single-family detached dwellings one per lot.
b. Public parks and playgrounds, except in the RA-3 district.
c. Public Schools.
d. Family day care homes.
e. Family Estates

1.3 Permitted Uses, Special Exception. The following uses shall be permitted by Special Exception:

a. Ambulance facility, non-profit, RA-1 district only.
b. Camp, summer day; provided that such camps shall be operated only between the hours of 8 A.M. and 6 P.M. from June 1 to September 1. In considering a special exception for this purpose, the reviewing board shall take into account the size of the parcel involved, the number of campers and the proximity of the camp to existing dwellings. The reviewing board shall

condition this use on adequate screening and placement of facilities so they do not interfere with the quiet use and enjoyment of surrounding properties.

c. Camp ground; provided that no tract of land of less than 20 acres shall be approved for such use.
d. Cemeteries and Mausoleums.
e. Child day care centers, Group day care homes.
f. Christmas trees, wreaths and similar decorations, temporary sale of by non-profit organizations. Sale is limited to outdoors only between the dates of November 15 and December 31. The granting of a special exception for this use shall include a condition requiring disposal of all debris left over from the sale of such merchandise so that the premises will be left in reasonably clean condition after the last mentioned date of sale.
g. Churches and other places of worship including an accessory parish house.
h. Clubs - Country or Golf, Swim, Tennis, Yacht or Beach, not open to the general public.
i. Community Center.
j. Historic Site.
k. Museum, non-profit, except in R-7 1/2 district.
l. Nursing Home.
m. Public library or branch thereof.
n. Public utility transformer or pump station.
o. Radio and Television Masts.
p. School, Non-Public. (214-09)
q. Corporate Retreat, RA-2 District Only.

1.4 The following accessory uses are permitted in the RA-3, RA-2 and RA-1 districts in addition to those listed elsewhere: (94-035)

a. The keeping of horses provided there shall be at least 30,000 sq. ft. of lot area for each horse aged six months or older. The storage of manure or soil fertilizer shall be located not less than 150 feet from any street or lot line and no animals shall be allowed to roam at large. The keeping of animals shall not include commercial kennels or veterinary hospitals or other facilities.

1.5 <u>Building Regulations</u>.

<u>RA-3 Districts</u>

a. Minimum Lot Area: 130,680 sq. ft., designed to contain a circle 200 feet in diameter.
b. Minimum Frontage: 200 ft.
c. Maximum Building Coverage, all Buildings: 10%
d. Maximum Building Height: 3 stories, may not exceed 35 feet
e. Minimum Yards: Front - 60 ft., Rear - 70 ft.
Side - at least 35 ft. each side

RA-2 Districts

a. Minimum Lot Area: 87,120 sq. ft., designed to contain a circle 200 feet in diameter.
b. Minimum Frontage: 200 ft.
c. Maximum Building Coverage, all Buildings: 10%
d. Maximum Building Height: 3 stories, may not exceed 35'
e. Minimum Yards: Front - 60 ft., Rear - 70 ft.
Side - at least 35 ft. each side

RA-1 Districts

a. Minimum Lot Area: 43,560 sq. ft. designed to contain a circle 125 feet in diameter.
b. Minimum Frontage: 125 ft.
c. Maximum Building Coverage, all Buildings: 15%
d. Maximum Building Height: 3 stories, may not exceed 35'
e. Minimum Yards: Front - 40 ft., Rear - 60 ft.
Side - one side 15', both sides 35'

2. R-20, R-10, R-7 1/2 Single Family Districts, Low Density

2.1 Purpose. The purpose of these districts is to set aside and protect areas which have been or may be developed predominantly for single family dwellings. Certain other uses are also permitted as-of-right or by special exception subject to adequate conditions and safeguards. It is intended that all uses permitted in these districts be consistent with local street characteristics and the level of public services. It is hereby found and declared, further, that these regulations are necessary to the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.

2.2 Permitted Uses, as-of-right. In any R-20, R-10 or R-7 1/2 district a building or other structures may be erected, altered, arranged, designed or used, and a lot or structure may be used as-of-right for any of the following purposes and no other:

a. Single family detached dwelling, one per lot.
b. Public parks, and playgrounds.
c. Public schools.
d. Family day care homes.

2.3 Permitted Uses, Special Exception. The following uses shall be permitted by Special Exception:

a. The same uses in the same manner as are permitted in the RA-2 and RA-1 zones except as otherwise noted.
b. Hospital Complex in R-7 1/2 only.
c. Senior Housing and Nursing Home Facilities Complex in the R-10, and the R-20 Zones pursuant to Section 9A. (95-029)
d. Apartment Building for the Elderly - Non profit in R-10 and R-7.5 only.

e. Dormitory for elementary school through high school aged students and incidental uses, in R-10 and authorized pursuant to Section 10-G only. (214-36)

2.4 Building Regulations.

R-20 District

a. Minimum Lot Area:	20,000 sq. ft., designed to contain a circle 100 feet in diameter.
b. Minimum Frontage:	100 ft.
c. Maximum Building Coverage, all Buildings:	15%
d. Maximum Building Height:	2 1/2 stories, not to exceed 30'
e. Minimum yards:	Front - 40 ft., Rear - 50 ft. Side - one side 15', both sides 35'

R-10 Districts

a. Minimum Lot Area:	10,000 sq. ft.
b. Minimum Frontage:	75 ft.
c. Maximum Building Coverage, all Buildings:	20%
d. Maximum Building Height:	2 1/2 stories, not to exceed 30'
e. Minimum Yards:	Front - 40 ft., Rear - 30 ft. Side - at least 10 ft. each side

R-7 1/2 Districts

a. Minimum Lot Area:	7500 sq. ft.
b. Minimum Frontage:	60 ft.
c. Maximum Building Coverage, all Buildings:	25%
d. Maximum Building Height:	2 1/2 stories, not to exceed 30'
e. Minimum Yards:	Front - 30 ft., Rear - 30 ft. Side - at least 6 ft. each side

3. R-6 One and Two Family District

3.1 Purpose. The purpose of this district is to set aside and protect areas which have been or may be developed predominantly for one family or two family detached family dwellings on separate lots. It is the intent of these regulations to stabilize such neighborhoods and preserve the type of dwelling units and density provided for. Certain other uses are also permitted as-of-right or by Special Exception subject to adequate conditions and safeguards. It is intended that new development permitted in this district be harmonious and compatible with existing dwellings. It is hereby found and declared, further, that these regulations are necessary to the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.

3.2 Permitted Uses, as-of-right. In any R-6 district a building or other structure may be erected, altered, arranged, designed or used and a lot or structure may be used as-of-right for any of the following purposes and no other:

a. Single family detached dwellings, two-family detached dwellings; one per

lot. Multiple dwellings are specifically prohibited.

b. Public parks and playgrounds.
c. Public school.
d. Family day care homes.

3.3 Permitted Uses, Special Exception. The following uses shall be permitted by Special Exception:

a. Camp, summer day; provided that such camps shall be operated only between the hours of 8 A.M. and 6 P.M. from June 1 to September 1. In considering a special exception for this purpose, the Board shall take into account the size of the parcel involved, the number of campers and the proximity of the camp to existing dwellings. The Board may condition this use on adequate screening and placement of facilities so they do not interfere with the quiet use and enjoyment of surrounding properties.
b. Cemeteries and Mausoleums.
c. Child day care centers, Group day care homes.
d. Christmas trees, etc. temporary sale of by non-profit organizations. Sale is limited to outdoors only between the dates of November 15 and December 31. The granting of a special exception for this use shall include a condition requiring disposal of all debris left over from the sale of such merchandise so that the premises will be left in reasonably clean condition after the last mentioned date of sale.
e. Churches and other places of worship including an accessory parish house.
f. Public library or branch thereof.
g. Public utility transformer and pump stations.
h. Public Youth Services Agency, R-6 District Only. (213-25)
i. School, non-public.

3.4 Building Regulations

a. Minimum lot area:	Single Family Dwelling	5000 sq. ft.
	Two Family Dwelling	6000 sq. ft.

On lots of at least 5,000 sq. ft. but less than 6,000 sq. ft., there may be located by conversion a second dwelling unit in a single family dwelling existing as of June 24, 1986 or constructed or last modified as to total floor area at least five (5) years prior to the date of application under this section. Such second dwelling unit shall be limited to one (1) bedroom and no more than three (3) additional rooms, and may occupy the existing unexpanded useable floor area of any single floor, or if created by expansion shall be limited to 700 sq. ft. of useable area. Building coverage (footprint) of the principal building shall not be increased by the conversion or subsequent to the conversion, except for exterior stairways required by the Building Code. Three (3) off-street, suitably screened and landscaped parking spaces shall be provided for such converted dwellings, two of which may be provided in tandem.

b. Minimum Frontage: 50 ft.
c. Maximum Building Coverage, all Buildings: 25%

d. Maximum Building Height:	2 1/2 stories, not to exceed 30'
e. Minimum yard:	Front - 25 feet, Rear - 30 feet Side - at least 6 feet each side

4. Deleted (88-025)
5. (Moved to Section 9-F)
6. (Moved to Section 9-G)
7. Deleted (88-025)

8. P Park District

8.1 Purpose. The purpose of these districts is to set aside and protect areas that are publicly owned and designated as public parks, recreational facilities and open spaces and residential areas in near proximity to such district.

8.2 Permitted Uses, as-of-right. Uses and structures permitted in these districts are those intended for active and passive recreational purposes as well as other customary park and educational uses and structures incidental thereto, including but not limited to historic sites, public gatherings, public service and educational programs. Customary refreshment and service uses, incidental to the recreational use of a Park District, are permitted. All other business, commercial and municipal uses and structures not directly incidental to the above permitted uses and structures are prohibited.

8.3 General Regulations. All uses and structures, including parking, shall be arranged and located to give protection to nearby residential property. Where the nature of the activities or facilities in the park present potential hazard or detriment to contiguous residential properties from noise, glare, odors, smoke, vibration, flying objects or traffic, protection to such contiguous residential properties shall be provided in the form of open space, fences, walls, hedges, enclosures and/or by such other means as may be appropriate and effective to prevent or minimize such hazards.

9. C-B Community Business District

9.1 Purpose. The primary function of this district is to provide central concentrations of convenience goods and services as well as other commercial uses serving several neighborhoods. It is intended that only uses compatible with adjacent residential areas be permitted and that convenient and adequate parking be provided. Parking areas are to be screened and made attractive through the use of landscaping.

9.2 Permitted Uses.

a. In any C-B district a building or other structure may be erected, altered, arranged, designed or used, and a lot or structure may be used for the same purposes and in the same manner, as uses are permitted in the C-N district. Ground floor uses shall be limited to retail or service operations dealing directly with the

general public.

b. In addition to the above, the following uses are permitted as-of-right:

(1) Community Center
(2) Electrical Appliance Stores, Retail
(3) Food Catering
(4) Interior Decorating Shop

c. Dwelling units: Residential use in the C-B district shall conform to the same square foot per family standard as the R-MF district on equivalent sized lots, or limited to the underlying Master Plan density, whichever is more restrictive. (209-030)

9.3 Building Regulations.

a. Minimum Lot Area:	5,000 square feet
b. Minimum Frontage:	50 feet
c. Maximum Building Coverage:	40%
d. Maximum building height:	4 stories, 50 feet
e. Minimum yards:	Front - 10 feet, Rear - 20 feet
	Side - one side 6 feet, both sides 18 feet
f. Maximum F.A.R.:	0.5

9.4 Sign Regulations.

a. The regulations of Section 13-f regarding signs in the C-N district shall apply.

9.5 Special Parking Requirements - Because these districts are located adjacent to multi-family residential districts it is anticipated that retail establishments will have a high degree of walk-in trade. Therefore retail establishments, defined for purposes of this section only as establishments selling goods at retail directly to the general public, may provide parking at the minimum rate of 2 spaces per thousand square feet of gross floor area. (84-026)

9.6 Below Market Rate Requirements - For projects limited solely to residential use, (a) which contain at least one but no more than nine residential units, and (b) that provide BMR units conforming to the affordability standards of Appendix B, Footnote 4, and (c) where all BMR units are provided on site, then the Zoning Board may, by issuance of a Special Exception, approve the following modifications of standards: (208-18)

a. front setback from street center may be reduced or waived; and
b. the limitation of ground floor uses to retail or service operations may be waived.

10. C-WD Coastal Water-Dependent District

10.1 Purpose. The purpose of the district is to set aside and protect areas which have been or may be developed predominantly for water dependent industrial and commercial uses and to preserve and encourage such uses which are dependent upon water-borne shipping and receiving or otherwise require waterfront access. Certain other uses are permitted by special exception provided that no displacement of existing water dependent uses occurs. It is intended that all uses permitted shall conform with the provisions of federal, state and local coastal policies. It is hereby found and declared, further, that these regulations are necessary to encourage the most appropriate use of land and the balanced protection and development of the waterfront, to encourage the preservation of significant structures and features representing the historic pattern and scale of Stamford's waterfront heritage, to encourage the retention of employment opportunity associated with water-dependent uses, and to promote the health, safety, and welfare of the community.

10.2 Authorized Uses. In a C-WD district a lot or building may be altered, arranged, designed, erected or used for any of the following purposes, subject to the issuance of a special exception in accordance with the standards of subsection 10.4 and 10.6 herein:

a. Water-dependent uses as defined in the Connecticut Coastal Management Act (C.G.S. Section 22a-93(16)) except that provision of public access shall not be sufficient to determine water dependency.

b. The following non-water dependent uses may also be approved by the Zoning Board subject to the additional standards of subsections 10.5 and 10.8 herein (213-16):

(1) industrial uses
(2) Warehouses.
(3) Retail, office, multi-family residences, senior housing, service establishments, and accessory uses when such uses are subordinate, incidental and related to a water-dependent use or part of the adaptive reuse of existing buildings. Any retail use permitted hereunder shall comply with the standards for retail uses in the MG zone.
(4) Facilities in the national interest, as defined in Section 22a-93,(14) of the General Statutes.

10.3 Building Regulations.

a. Minimum lot area:	4,000 square feet
b. Minimum frontage:	40 feet
c. Maximum building coverage:	50 percent
d. Maximum building height:	4 stories, 50 feet
e. Minimum yards:	Front - 10 feet; Rear - 15 feet, from Mean High Water mark Side - none, but at least 4 ft. if provided Both Sides - 14 feet

f. Floor Area Ratio (F.A.R.): 1.0

10.4 Site Development Standards. Development within the C-WD district shall conform to the following standards:

a. Environmental impacts to coastal resources shall be suitably mitigated using best available technology;

b. The siting of structures and uses shall serve to protect and harmonize with the significant waterfront resources and unique characteristics of the site. The direct loss of significant natural resources or scenic values of the harbor area shall be mitigated by comparable on-site or off-site replacement

c. Public views to and along the water shall be maintained and enhanced wherever possible through careful design and siting of structures. Dedication of public accessways or provision of walkways and similar public amenities shall be provided except where public safety would be at risk or where public access would conflict with the purposes set forth in Section 10.1 above. Provision shall be made to prevent trespass onto adjacent private property from public access areas.

d. Satisfactory public facilities such as vehicle access, water supply, sewage, and drainage shall be available with adequate capacity and capability to service the requirements of the site.

e. Proposed structures and uses shall conform with the standards of Section 7.1 - Flood Prone Area Regulations, where applicable.

10.5 Criteria For Special Exceptions. The following standards shall apply in addition to those found elsewhere in these regulations:

a. No special exception shall be granted which will replace, adversely impact, or displace any water-dependent use with a non-water-dependent use. Any such use approved by special exception shall be so situated on the lot that the water frontage is preserved for future structures and/or uses requiring direct water access.

b. Non-water-dependent uses shall not exceed in the aggregate a floor area ratio of 0.4, except as permitted in paragraph 10.8 below, and the floor area of all uses on the property shall not exceed a floor area ratio of 1.0. (213-16)

c. No special exception shall be granted which will locate a non-water-dependent use on a site which is:

(1) physically suited for a water-dependent use for which there is a reasonable demand, or
(2) identified for a water-dependent use on the Master Plan or in any other plan of development adopted by a city agency.

d. No special exception shall be granted which will substantially reduce or inhibit existing public access to marine or tidal waters. Special exceptions seeking adaptive reuse pursuant to Section 10.8 below are required to enhance existing or

create new public access to marine or tidal waters. Enhancements may include installation of paved walkways, curbing, fencing and other pedestrian safety improvements, lighting, landscaping, benches, trash receptacles, signage and/or similar methods for improving the public access experience. (213-16)

e. No special exception shall be granted which conflicts with the policies and standards of the Connecticut Coastal Management Act, (C.G.S. section 22a-90 et seq.) except as may be mitigated under subsection 10.4 (a) and (b).

10.6 Coastal Site Plan Review. All buildings, uses and structures within the C-WD district shall be subject to coastal site plan approval by the Zoning Board in accordance with the requirements and procedures established in C.G.S. Section 22a-105 to 109 and Section 7-T of these Regulations.

10.7 Variances. No use variances shall be granted to property located within the C-WD district.

10.8 Adaptive Reuse. Subject to a Special Exception by the Zoning Board, existing buildings that may or may not conform to the floor area limitations of Section 10.5 above may be adaptively reused subject to the following standards:

1. The gross floor area of any adaptive reuse shall not exceed the prior existing floor area, except that expansion beyond the walls of the existing building may be allowed, not to exceed two and one-half percent (2.5%) of the existing building coverage or floor area, provided such expansion is limited to exterior stairways, canopies, lobbies, or other architectural features and improvements which shall be in furtherance of adaptive reuse of the building for modernization, aesthetic, safety, code compliance or sustainability purposes. Additional floor area may be added for water-dependent uses provided that total floor area does not exceed a ratio of 1.0.
2. Residential density shall be determined by the allowable floor area, provided that the average floor area of dwelling units shall not be less than six hundred (600) square feet.
3. Not less than six percent (6%) of the total number of dwelling units shall be offered for rent or sale as Below Market Rate (BMR) units in accordance with the standards, definitions and procedures contained within Article III, Section 7.4 of these Regulations.
4. The Zoning Board may reduce or waive the standards of Sections 12-A, 12-B, 12-C, and 12-D of these Regulations regarding parking requirements, dimensional standards and the setback of parking spaces from property lines and buildings provided that any such reduction in required parking does not result in less than two (2) spaces per 1,000 gross square feet of building area for non-residential uses. Parking may be satisfied through the use of self parking, valet, tandem, or other similar onsite or offsite parking management strategies. The applicant must demonstrate to the satisfaction of the Board that the proposed reductions in the parking standards for an Adaptive Reuse will not decrease existing parking ratios and will improve existing parking conditions, utilizing such methods as a Parking Management Plan or a Transportation Management Plan, or the use of shared

parking, tandem parking or valet parking, demonstrating that parking will be sufficient for the subject uses.

5. Notwithstanding paragraphs 10.2-b and 10.8 herein, no special exception that establishes residential use shall be granted where said use will prohibit or further limit the operation of any authorized industrial use permitted in the C-WD zone on any site which as of July 1, 2013 was legally used for industrial purposes. For purposes of this section, "prohibit or further limit the operation of any authorized industrial use" shall include, but may not be limited to, a requirement that such use comply with the more restrictive transmitting standard under the Stamford noise ordinance.
6. No special exception shall be granted for an Adaptive Reuse that will replace, adversely impact, or displace any water-dependent use with a non-water-dependent use.

(213-16)

11. V-C VILLAGE COMMERCIAL DISTRICT (208-40)

11.1 Purpose.

The Village Commercial District (VC District) is adopted pursuant to Section 8-2 and 8-2j of the Connecticut General Statutes, as amended, and is intended to implement the policies, goals and urban design principles articulated in the Master Plan of the City of Stamford, calling for preservation and development of a sustainable, transit oriented and pedestrian friendly "Main Street" character for the neighborhood centers of Stillwater, Glenbrook and Springdale, including the development of new structures and uses with appropriate architectural designs and the conservation and enhancement of the character of existing buildings, sites, streetscapes and pedestrian environments. These regulations serve to encourage development that reflects and/or retains valuable elements of the City's cultural, social, economic, political and architectural history and the promotion of a vibrant commercial environment providing a broad array of amenities, services, and resources essential to the neighborhood and community shopping needs of the City of Stamford, with design controls to insure a compatible relationship to adjacent residential neighborhoods, and assurance that infrastructure impacts will be mitigated. This is accomplished by the establishment of design and use standards that apply to new and existing architectural facades, sites and buildings, and review procedures which serve to preserve, restore and enhance these resources, improve property values, promote and support a vibrant business and residential environment, and enhance the architectural character and amenity of these areas as the retailing, business, civic and cultural centers of the City's neighborhoods. (210-30)

11.2 Authorized Uses.

a. In the VC District, a lot or building may be altered, arranged, designed, erected or used for any use permitted within the C-N Neighborhood Commercial District, including C-N special exception uses, but specifically excluding Dwelling – Single Family; Dwelling – Two Family; Boarding House, Rooming House; Auto Service Station; Laundry, Cleaning & Dyeing Agency; Pawn Shop, Second-Hand Store, Auction Store; and Restaurant, Drive-In. In addition, "Community Center", "Theatre" and "Ice Skating Rink, Indoor" shall be permitted uses, and "Café, excluding entertainment" shall be a use permitted by special exception provided that the provisions of Section 14 of these Regulations shall not apply to any "Café excluding entertainment" or "Restaurant excluding entertainment" within the VC District. Special exception uses shall be subject to determination and approval by the Zoning Board. (210-30) (216-04)

b. In addition to paragraph (a) above, the following uses may be allowed in the Stillwater Avenue neighborhood by special exception only:

> Apartment Building for the Elderly; Café including Entertainment & Liquors; Clinic, Community Health Center; Colleges & Universities; Garages, Community; Hotel, Inn; Nursing Home; Surgery Center/Out Patient; Food Catering; Gymnasium or Physical Culture Establishment; Laboratories, research; and Restaurant including Entertainment & Liquors.
>
> "Pawn Shop, Second-Hand Store, Auction Store" shall not be allowed. (210-30)

11.3 Development Standards.

The following standards shall apply to the development of property within the VC District:

a. Minimum Lot Size: 5,000 sq. ft.
b. Minimum Frontage: 50 feet
c. Minimum Yards: Front - 0 feet , but not less than twelve (12) feet from the established curb line; Rear – 20 feet; Side – None required, but if provided must be at least four (4) feet (215-09)

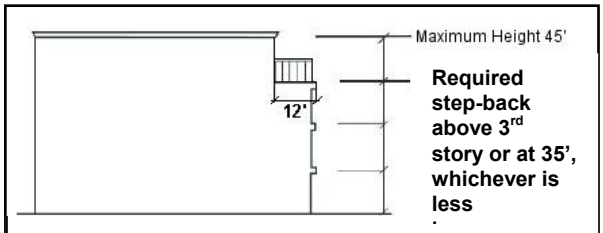

Fig. 11.1: Required step-back

d. Maximum Building Height: 4 stories and 45 feet, subject to an additional twelve (12) foot step-back of the building façade, facing the street, above the third story or at a height of 35 feet, whichever is less. For all applications filed after July 1, 2015, the twelve (12) foot step-back is measured from the plane of the building façade below. (see figure 11.1) (210-30; 215-09)

e. Stillwater Avenue Neighborhood Large Lot Development: On lots with an area of one (1) acre or greater, located north of Stillwater Avenue, east of Stillwater Place and west of Spruce Street, where the Zoning Board, in its sole discretion, deems appropriate, the following standards may be allowed:

Maximum Building Height: 5 stories and 55 feet, exclusive of the height of roof or parapet to be determined by the Zoning Board, and subject to a twelve (12) foot step-back of the building façade above the third story or a height of 35 feet, whichever is less. (see Figure 11.1.)

Maximum Building Coverage: 60%

Maximum Floor Area Ratio: 2.0

Parking structures below grade or fully enclosed behind active uses or with roof or upper deck not more than twenty-five feet above average grade and suitably enclosed and/or landscaped and screened from pedestrian views to the satisfaction of the Board, may be excluded from the calculations of building coverage and floor area. (210-30)

f. Minimum Building Height: Fourteen (14) feet to the top of the front wall

g. Maximum Building Coverage: 50% Parking structures with roof or upper deck not more than five (5) feet above average finished grade, measured at the perimeter of the parking structure, suitably enclosed and/or landscaped to the satisfaction of the Board, may be excluded from the calculation of building coverage.

h. Floor Area Ratio: Building floor area shall not exceed a ratio of 1.50, defined as the total gross floor area of all uses including dwelling unit area contained within buildings, divided by the area of the lot, but excluding from such calculation portions of a building housing mechanical equipment and the gross floor area of parking structures below-grade or fully enclosed within the building behind solid facades, or with roof or upper-deck not more than five (5) feet above average finished grade measured at the perimeter of the parking structure, suitably enclosed and/or landscaped to the

satisfaction of the Board. Basement space dedicated exclusively to ground floor commercial uses, not to exceed a Floor Area Ratio of .1 or the floor area of the ground floor commercial use, whichever is less, may also be excluded from the maximum Floor Area Ratio calculation. (215-26)

i. Residential Density: Residential density shall be determined by the maximum floor area permitted, provided that the average floor area of dwelling units shall be not less than five hundred (500) square feet.

j. Below Market Rate Housing: Proposed development establishing ten (10) or more dwelling units shall provide not less than ten percent (10%) of the total number of dwelling units as Below Market Rate (BMR) units, affordable to households earning not more than fifty percent (50%) of the Stamford SMSA Median income, in accordance with the standards, definitions and procedures contained within Article III, Section 7.4 of these Regulations; provided however, that BMR units provided on-site shall be comparable in average size to the average size of market rate units.

k. Parking, Loading and Vehicle Access: The amount, location and dimensions of parking and loading and dimensions of driveways shall comply with the standards of Section 12 of these Regulations, as modified by the following special standards applicable to development within the VC District.

(1) Parking for residential dwelling units shall be provided at the following minimum rates: one (1.0) space for every studio unit, one and one-quarter (1.25) spaces for every one-bedroom unit, one and one-half (1.5) spaces for every two-bedroom unit, and one and two-thirds (1 2/3) spaces for every three-bedroom unit.

(2) Parking for retail and/or personal service establishments shall be provided at the minimum rate of three (3.0) spaces for each one thousand (1,000) square feet of gross floor area, provided that there shall be no parking requirement for the initial 3,500 square feet of retail business floor area for each parcel.

(3) Parking for non-residential uses may be reduced by one (1.0) space for every twenty-five (25) feet of lot frontage on a public street right-of-way having a width of not less than fifty (50) feet.

(4) Parking spaces shall be provided at a point not more than 500 feet distant in a direct line from the nearest part of any commercial use served, and at a point not more than 1,000 feet distant in a direct line from the nearest part of any residential use served.

(5) Shared Parking: The shared use of parking may be permitted, subject to Special Exception approval by the Zoning Board, where a finding is made by the Zoning Board that individual uses such as residential, office, and retail will experience peak parking demand at different times. In such cases, the Zoning Board may authorize a reduction in parking by recognizing the opportunity to share common parking spaces, including off-street public parking facilities, in accordance with the general methodology entitled

"Shared Parking", published by the Urban Land Institute in 1983, as amended and updated. Shared parking may be considered for multiple uses on individual parcels as well between two or more parcels, subject to Zoning Board approval of a suitable parking management plan and legal agreement, recorded on the land records, assuring the continued availability of the shared parking spaces on the affected properties for the life of the proposed development or use.

(6) When the total amount of parking required by these Regulations is in excess of ten (10) spaces, the access driveways or roadways provided for access to a required off-street parking area shall be not less than eighteen feet (18') and not more than twenty feet (20') in width between curbs for two-way operation and not less than ten feet (10') and not more than twelve feet (12') in width for one-way operation, provided further that in no case shall parking be permitted within the required minimum width of any such driveway. Access to parking areas serving ten (10) or fewer spaces shall be not less than ten feet (10') and not more than twelve feet (12') in width for either one-way or two-way operation.

(7) The standards of Sections 12-B and 12-C of these Regulations shall not apply. (215-09)

(8) Where fifty (50) or more parking spaces are provided, the Zoning Board, by issuance of a special exception, may permit tandem parking, provided tandem spaces shall not exceed twenty percent (20%) of the required parking. (215-09)

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l. Signage: Signage within the VC District shall be governed by the definitions of these Regulations and by standards of the C-N District and the design criteria and additional signage rights permitted in the ARD District, provided that the aggregate total area of all wall signs placed on the street front wall of a building, exclusive of window signs and blade signs as herein defined, shall not exceed an area of two (2) square feet for each lineal foot of building frontage.

11.4 Application and Review Procedure.

a. Application shall be made on forms provided by the Zoning Board and shall contain the information required under Section 7.2 and Section 19-3 of these Regulations, and scaled drawings and architectural design information indicating location, specification of materials, dimensions, colors, manner of fabrication and installation, and such other additional supporting facts and information as required by the Zoning Board or the Land Use Bureau Chief to fully review the proposal. Presentation of actual samples of the exterior architectural materials and colors is encouraged.

b. Where approval is required pursuant to this Section, no zoning permit shall be issued by the Zoning Enforcement Officer and no building permit shall be issued by the Building Department except upon Site Plan and Special Exception approval by the Zoning Board or issuance of Site Plan approval by the Land Use Bureau Chief, or designee, as defined in subsection 11.4-f.

c. Any Special Exception and/or Site Plan approval, for which a full building permit has not been issued within one (1) year from the approval date, shall become null and void unless the reviewing authority, upon timely application and good cause shown, grants not more than three one-year extensions of the expiration date.

d. The Zoning Board and/or Land Use Bureau Chief may seek the recommendations of any town or regional agency or outside specialist with which it consults, including, but not limited to, the regional planning agency, the municipality's historical society, the Connecticut Trust for Historic Preservation and The University of Connecticut College of Agriculture and Natural Resources. Any reports or recommendations from such agencies or organizations shall be entered into the public hearing record.

e. All applications for new construction and substantial reconstruction in view from public roadways shall be subject to review and recommendation by an architect or architectural firm, landscape architect, or planner who is a member of the American Institute of Certified Planners, and designated by the Zoning Board as the district consultant for such application. Alternatively, the Board may designate as the district consultant for such application an architectural review advisory committee, consisting of not less than three (3) individuals, including at least one architect, landscape architect or planner who is a member of the American Institute of Certified Planners. Committee members shall be selected by the Land Use Bureau Chief after consultation with the Zoning Board and shall possess sufficient expertise and qualifications to review architecture and building design. The district consultant shall review an application and report to the Board and/or Land Use Bureau Chief within thirty-five days of receipt of the application.

f. Reviewing Authority.

(1) The Zoning Board shall review and determine compliance with the standards of the VC District, by issuance of Special Exception and Site Plan approval, for all substantial new construction, and reconstruction projects, and changes of use defined as follows:

i. Establishment of a Special Exception use of buildings and/or property, as defined in subsection 11.2 above.

ii. Construction of buildings, structures, and accessory structures, including additions and alterations to existing buildings and structures, resulting in an increase in gross building floor area of more than one-thousand (1,000) square feet or an increase in building area coverage of more than five hundred (500) square feet.

iii. Construction, reconstruction or alteration of a building façade, including signage, that exceeds thirty percent (30%) of the vertical plane area of any individual façade or portion of façade visible from within the VC District from any public street, roadway, public pedestrian walkway or park.

iv. Construction of new or modification of existing driveways, parking areas, outside storage, signage, lighting, landscaping, fences, walls, pedestrian walks and terraces, and related site features, that exceeds two thousand (2,000) square feet or thirty percent (30%) of site area.

(2) The Land Use Bureau Chief, or designee, shall review and determine compliance with the standards of the VC District for all other non-exempt projects, by issuance of Site Plan approval.

g. Exemptions

The following projects and activities shall be exempt from review under this Section:

(1) Minor repairs and/or minor alterations, maintenance or replacement of portions of an existing building, structure, sign, utility service or other minor structures and site features that would result in no significant impact on the design, function, architectural character or visual appearance of the building, structure or property.

(2) Exterior architectural modifications that do not substantially alter the existing height, bulk or facade of an existing building or structure and do not increase building floor area.

(3) New signage not exceeding five (5) square feet in area.

(4) Changes in use of a building or structure to a permitted VC District use, requiring no change to the building exterior or site not otherwise exempt.

(5) Interior modifications that do not result in a change in use of the building.

11.5 Site Design and Architectural Criteria.

Development within the VC District shall conform to the standards of Section 7.2 and Section 19-3 of these Regulations, and the following additional design standards and criteria:

SITE DESIGN

a. When property within the VC District adjoins residentially zoned property, the standards of Section 7-K of these Regulations shall not apply, provided that the reviewing authority, as defined in subsection 11.4-f, may require any adjoining side yard to satisfy the side yard requirement of the residential district and/or the provision of a combination of fencing, walls and/or landscaping to provide an appropriate transition and buffer.

b. Buildings are encouraged to be constructed close to the front property line or street line to maintain a continuous building wall along the sidewalk, with minimum interruptions only for permitted driveways (see Figure 11.2), provided that buildings shall be located not less than twelve (12) feet from the established curb line to provide an adequate sidewalk width. Buildings may be set back further from the front property line to accommodate outside dining on retail streets or to provide small landscaped front yards to buffer ground floor residential uses or where necessary to align the building with existing buildings on adjoining properties, to accommodate an irregular property line condition, to accommodate an existing unique landscaping feature, or to create publicly accessible open space. (see Figure 11.3) (215-09)

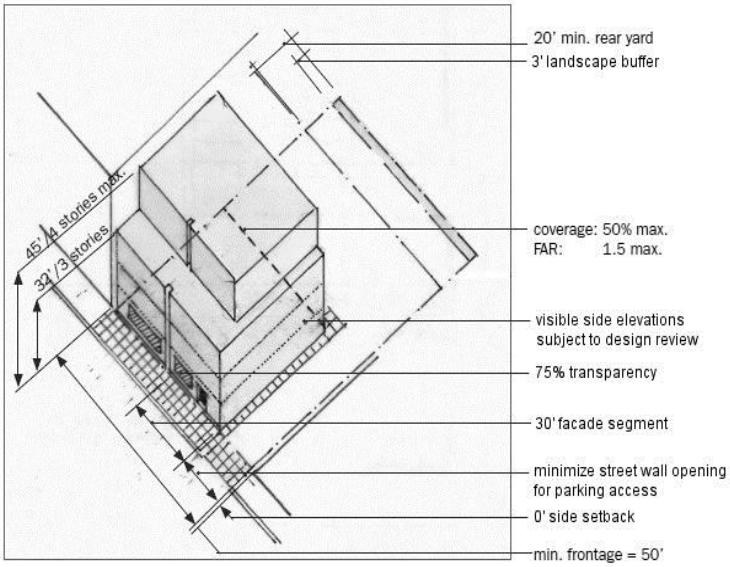


Fig. 11.2: Diagram of Height, Bulk & Site Design

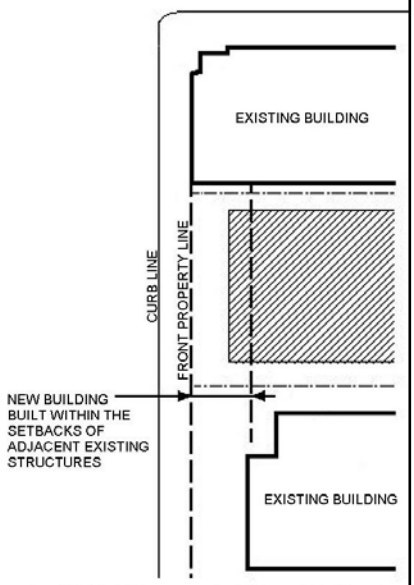


Fig. 11.3: Alignment of Front Setback

c. Surface parking shall be located to the rear of the principal building, with suitable landscaped islands and perimeter landscaped screening. Large surface parking lots shall be divided with rows of landscaping no less than six feet (6') in width, to create parking "fields" of no more than 50 spaces each. Limited parking may be permitted along the side of the principal building, provided that no parking or access aisles shall be located in advance of any front building façade on the lot or on an adjoining parcel, and a dense landscaped buffer shall be provided with a minimum width of ten feet (10') and with plant materials maintained at a height of three (3') to four (4') feet, interrupted only by permitted driveways and walkways. Where a screening wall with a height of three (3') to four (4') feet is provided, the buffer width requirement may be reduced to five feet (5'). Parking spaces on street corners are discouraged. (see Figures 11.4, 11.5, and 11.6)

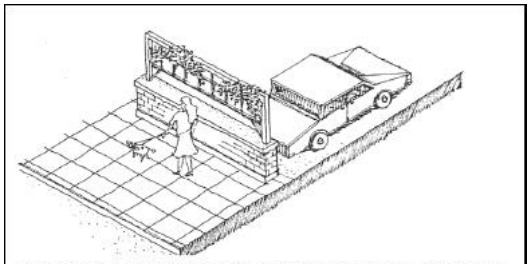


Fig. 11.4: Screening with Architectural Wall & Trellis

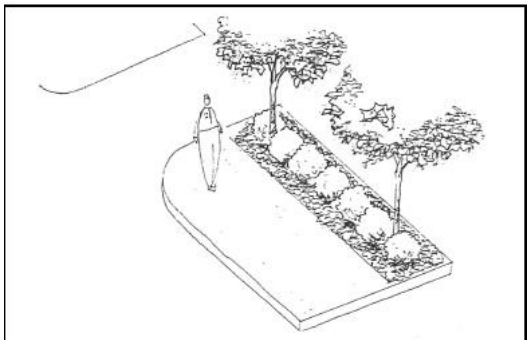


Fig. 11.5: Screening with Hedges & Trees

d. The number and width of curb cuts to off-street parking and loading areas shall be minimized to enhance pedestrian safety, to maintain an active street wall and to preserve the opportunity for on-street parking. The consolidation and sharing of driveways and curb cuts between adjacent properties and interior connections between parking lots and/or the use of shared parking facilities is strongly encouraged.

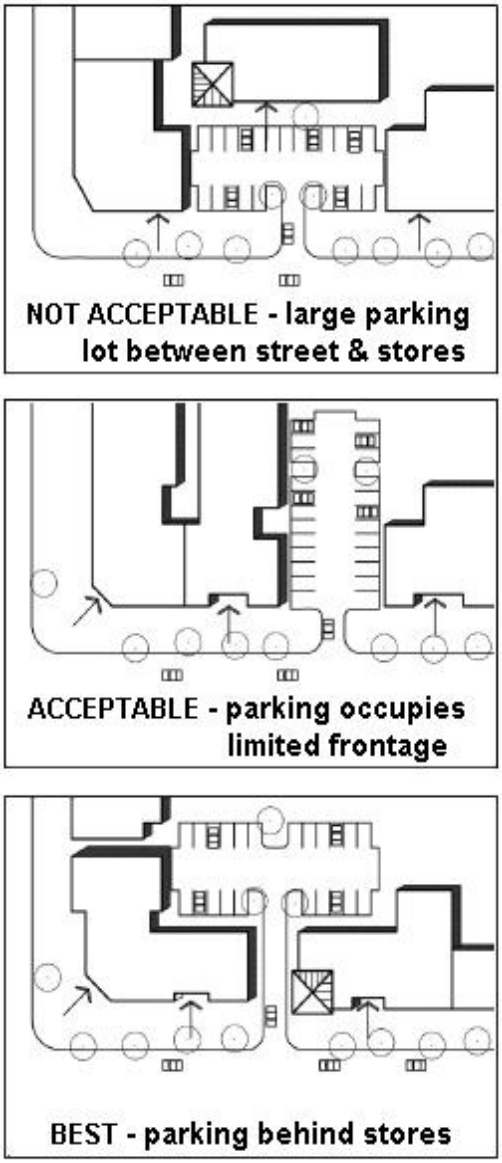


Fig. 11.6: Preferred Parking Configurations

e. Exterior lighting, averaging not less than one-half (0.5) foot candles, shall be provided to insure adequate and safe lighting of all pedestrian sidewalks, walkways and parking areas within the site and along the property frontage to the curb line. Lighting fixtures shall be appropriately shielded to prevent trespass lighting onto adjoining private property, unless specifically waived by the adjoining property owner.

f. All loading and service areas, trash receptacles and mechanical equipment shall be located away from streets and/or suitably screened by means of solid fencing or landscaping, or a combination of both. Landscape screening materials should be maintained at a minimum height of four (4') feet.

g. Fencing materials along public street rights-of-way shall be limited to tubular steel or wrought-iron-type milled steel pickets. Fencing along side or rear yards or within a lot may be wood, steel pickets or any other approved fence type. Chain link fencing shall not be permitted.

ARCHITECTURAL DESIGN

h. The architectural design of new buildings or substantial reconstruction projects, as defined in subsection 11.4-f, shall be coordinated and compatible with the architectural context of the site and prevailing character of the surrounding VC District. Design compatibility includes complementary building style, form, size, colors and materials. Multiple buildings on the same site shall be designed to create a cohesive visual relationship between the buildings.

i. Buildings shall be designed to have a clear base, middle and top, with horizontal elements separating each. (see Figure 11.7)

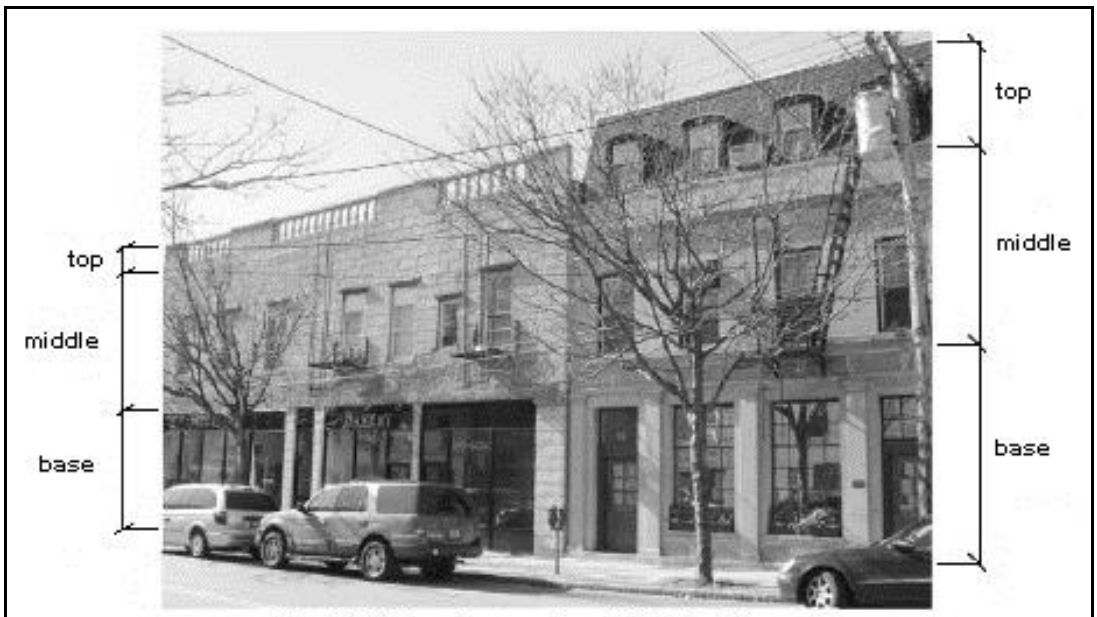


Fig. 11.7: Clear Expression of Building Elements

j. Coordination of the height of new buildings or substantial reconstruction projects, as defined in subsection 11.4-f , with the actual and apparent height of adjacent structures is encouraged, especially where buildings will adjoin or be close to each other. Coordination of building height can often be achieved by adjusting the height of a wall, cornice or parapet line to match that of the adjacent building. Similar design linkages can be achieved to adjust apparent height by placing window lines, belt courses, and other horizontal elements in a pattern that reflects the same elements on neighboring buildings. (see Figure 11.8)

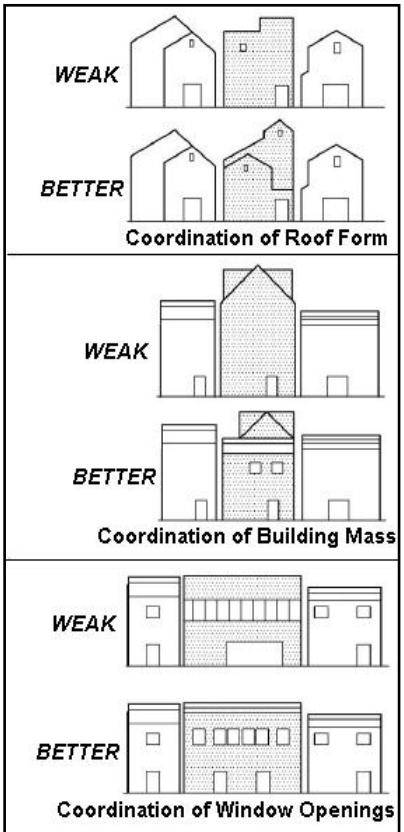


Fig. 11.8: Contextual Building Design

k. Buildings shall be designed to reduce their perceived height and bulk by incorporating architectural strategies such as, but not limited to, dividing the building mass into smaller-scale components and providing articulation of all facades. On larger buildings, the rooflines of buildings can follow the variation in bay massing so as to appear as a series of side-by-side buildings or bays. Rooflines shall be emphasized, for example with gabled or other pitched roof forms, parapets, balustrades, and/or cornices. Where side elevations of buildings are prominently exposed to pedestrian view from public streets, architectural strategies shall be employed to provide articulation of the façade and to diminish perceived height including continuation of the fourth floor step-back, provided that a step-back on a side elevation need not meet the twelve (12) foot standard. (see Fig. 11.2) (215-09)

l. Changes in primary wall material from lower to upper levels shall occur along a horizontal line, with the visually-heavier material below the visually-lighter material. Paneling materials applied to one façade only, such as brick paneling, shall be extended around building corners to a logical break in

plane, so as to look substantial rather than "pasted-on."

m. Building facades shall be articulated by using color, arrangement, or change in materials to emphasize the façade elements. The planes of the exterior walls may be varied in height, depth or direction. Long building facades are encouraged to be broken up into lengths of approximately
thirty feet (30') with sufficient building articulation and architectural features such as reveals and piers and, and landscaping in limited instances, to avoid a monotonous or overpowering institutional appearance. Large scale retail stores with building frontages exceeding thirty feet (30') are encouraged to include architectural details and design elements to create the appearance of multiple storefronts.

n. Parking structures shall be situated below grade, integrated into the principal building behind active uses or located to the rear of the principal building and suitably screened from sensitive pedestrian views and adjacent residential buildings, with all exposed exterior walls faced with finished materials such as brick or masonry.

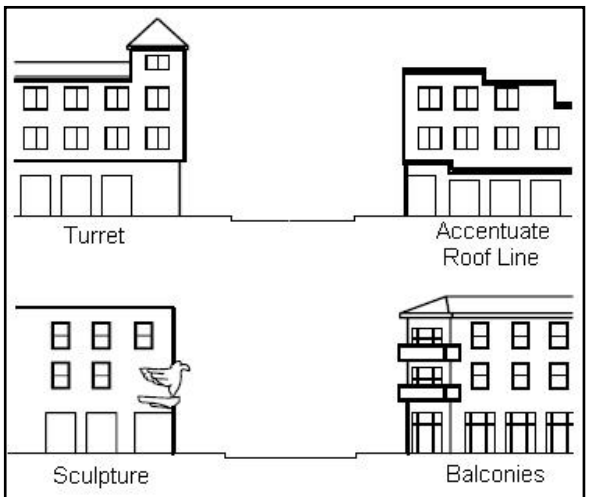


Fig. 11.9: Strategies for articulating Corner Buildings

o. Rooftop mechanical equipment shall be integrated into the design of the building and set back at least ten feet (10') from all upper-level building facades, and effectively screened from view from street level.

p. The principal building entrance and front building façade shall face the street frontage and sidewalk, and not be oriented toward a parking lot. A building on a corner lot shall have its principal entrance facing the primary street. Where parking is located to the side or rear of a building, a secondary entrance may be provided for direct access to the parking area or a walkway should lead to the primary entrance at the street. All entries should be well lit and shall include architectural treatment that heightens their visibility. (see Figure 11.9)

Fig. 11.10: Upper Floors with Residentially Scaled Windows

q. Storefronts and architectural facades shall serve to enliven the street and provide a continuous "border of interest" by maintaining storefronts and window displays close to the outermost edge of the building façade and by avoiding deep setbacks and dark alcoves. Storefront windows shall be kept as large as reasonably possible and glazing shall be of clear vision glass only. Tinted glass is discouraged and reflective glass shall not be permitted. Storefront windows are encouraged to have a minimum height of six feet (6') with a window sill of not more than three feet (3') above grade, and to occupy seventy-five percent (75%) or more of the

building frontage on the street. Where storefronts do not open to the street, building facades should be highly articulated with projections, recessions, windows, and other design elements to avoid blank, featureless areas.

r. Building facades and site improvements significantly exposed to public view shall be constructed with high quality, durable exterior materials. Use of lesser quality materials, such as, but not limited to, masonite paneling, sheet tile, simulated brick, pegboard, vinyl and aluminum siding, external insulation and finish systems**,** plastic laminate and canopies and awnings made of vinyl is discouraged**.** This paragraph is not intended to discourage the use of high quality, durable and innovative materials.

s. Windows on upper floors shall be residentially-scaled double-hung, casement or other multi-paned styles. Fixed glass windows should not be used on the upper levels, nor shall painting over or otherwise obscure upper-story windows. (see Figure 11.10)

t. Buildings shall have varied roof lines and materials. Peaked, mansard and other sloping roof types are encouraged. Flat roofs should be topped with cornices or decorative parapets.

u. Preferred security systems are glass shock or breaker sensors or electronic alarms. Open grill gates when used shall be mounted within the store interior behind the window display with the gate housing hidden from view. Solid slat rolling gates or shutters, barbed wire and razor wire are prohibited.

Miscellaneous Provisions

B - Where uncertainty exists as to any said boundaries as shown on the Zoning District Map, the following rules shall apply:

1. Where such boundaries are indicated as approximately following the lines of streets, railroads, streams, or boundary lines of parks or publicly owned land such lines shall be construed as the district boundary line. All of the various unzoned waters within and bordering upon the City, whether or not any wharf, dock, pier or other structure shall be erected or located thereon, shall have the zone classification of the adjacent zoned land. In the event that any of said unzoned waters shall be filled in, then and in such event, said filled in land shall have the same zone classification of the adjacent zoned land.

2. In any district where the boundary line is shown parallel to the street line, such boundary line shall be construed as being one hundred feet (100') from the street line unless otherwise dimensioned. However, when such a boundary line is within twenty feet (20') of the lot line existing on December 1, 1951, the lot line shall be construed as the boundary line.

3. In cases of uncertainty the Zoning Board shall determine the location of the boundary.

C - Ingress and egress from a public highway to a Business or Industrial District shall be permitted through R-7 1/2, R-5, or R-MF Residential Districts provided (a) that each such use shall serve a minimum of two (2) acres of business or industrial property; (b) that there is no other means of ingress or egress from such property and (c) that such entrance or exit shall not exceed twenty feet (20') in width.

D - Any private restrictions on property which are more restrictive in their requirements are not affected by these Regulations. See Section 2, B.

SECTION 5 - USE REGULATIONS

A - Permitted uses in the various districts are indicated with an "X" in the LAND USE SCHEDULE under APPENDIX A. Where such use is marked with an "A", it is subject to approval by the Zoning Board of Appeals. Such approval by the Zoning Board of Appeals shall be subject to appropriate conditions and safeguards as more particularly set forth under provisions relating to special exceptions.

B - No intended use not specifically listed or classified in this table shall be permitted in any district until the Zoning Board, after an application followed by a hearing, shall classify the same for a district or for districts in which such use shall be permitted.

C - Nothing in these Regulations shall be deemed to prohibit the following accessory and incidental uses:

1. Customary recreational, refreshment, and service uses and buildings in any public park, reservation, playground, or other recreational area, incidental to the recreational use of such area.

D - The following farm uses may be conducted in any district, without the necessity of obtaining any special permit therefor, and subject to the following conditions:

1. The raising of field and garden crops, vineyard and orchard farming, the maintenance of nurseries and greenhouses, and the keeping of livestock that are incidental and auxiliary to any such use and necessary thereto.

2. The keeping of livestock incidental to the domestic establishment of a residential use of the parcel of land on which such livestock are kept.

3. Temporary stands, not exceeding four hundred (400) square feet in total area of sales and display space, for the sale of products produced on the premises, provided that space shall be provided on the premises for all parking of vehicles in connection with the use of such stand.

4. Keeping of homing pigeons as an accessory use. The foregoing permitted use shall not, however, be construed so as to permit the keeping of pigeons of any species other than homing pigeons.

5. On all parcels of 50 acres or more, used for residential purposes and where the remainder of the property is used exclusively as farm land, all buildings used for farm purposes shall be considered principal buildings under these Regulations and therefore the standards of Article III, Section 6-A of these Regulations shall not apply, provided such farm buildings are located a minimum of one and one-half (1.5) times the minimum setback requirements of Appendix B for the Zoning District in which the property is located and provided when

located within a Front Yard that they are located a minimum of 100 feet from all property lines and shall not exceed a height of two (2) stories and a height of thirty-five (35) feet measured to the peak of the roof. Total building coverage of all buildings shall not exceed fifty percent (50%) of the Maximum Building Coverage requirements of Appendix B for the Zoning District in which the property is located. (214-40)

SECTION 6 - ACCESSORY BUILDINGS

A - No accessory building or accessory structure in a Residential District shall be located in any front yard. No accessory building or accessory structure shall be located in any side yard nearer to the side lot line than the minimum width required for a side yard for the principal building, or in any rear yard unless at least five feet (5') from any lot line.

B - On corner lots in addition to the above requirements, no accessory building or accessory structure in a rear yard shall be nearer a street side lot line than the least depth of any front yard required along such street.

C - A building attached to the principal building by a covered passageway not over five feet (5') long, or by having a wall or part of a wall in common with it, shall be considered an integral part of the principal structure and not an accessory building.

D - A Detached Accessory Building or Buildings of not more than one (1) story and not exceeding fifteen feet (15') in height may occupy part of a rear yard in accordance with the percent specified in the SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF BUILDINGS; provided however, in the case of any lot located in the RA-1, RA-2 or RA-3 District, by Special Exception issued by the Zoning Board of Appeals, such Accessory Building(s) may exceed fifteen feet (15') in height but shall not exceed one story and shall not exceed twenty-five feet (25') in height, where the minimum setback of said building(s) from all side and rear lot lines, as defined under Section 6-A, are increased an additional one foot (1') for each one foot (1') of height over fifteen feet (15'), and upon a finding by the Zoning Board of Appeals that the use, size, shape, location and design of said building(s) are appropriate in the context of both the lot upon which it is located as well as adjoining lots, and such Special Exception shall be exempt from the standards of Section 19 3.2 (e). However, the total area of such accessory building or buildings plus the area of the main building shall not exceed the maximum building area specified in the SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF BUILDINGS. (204-41)

E - In any Residential District no detached accessory building shall be located nearer than ten feet (10') to any main building.

F. When a detached accessory garage is provided in the rear yard of a lot supporting only a one-family or a two-family use within the R-7.5, R-6, RM-1 or R-5 District and where no parking is located within the front yard, the maximum permitted building area may be increased by 300 square feet for a detached garage providing one required parking space and may be increased by 500 square feet for a detached garage providing two required parking spaces. (210-09)

SECTION 7 - AREA AND SUPPLEMENTAL REGULATIONS

A - No building shall hereafter be erected, nor shall any existing building be structurally altered, enlarged, rebuilt, or moved, nor shall any land contiguous to any building be encroached upon or reduced in any manner except in conformity to the yard, lot area, building location, percentage of lot coverage, and other space and area regulations designated in the SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF BUILDINGS under APPENDIX B on pages B-1 to B-2, and notes appended thereto for the district in which such building or space is located.

B - Where a lot is formed from part of a lot already occupied by a building, such separation shall be affected in such manner as not to impair any of the requirements of these Regulations with respect to the existing building and all yards and other open spaces in connection therewith, and no permit shall be issued for the erection of a new building on the new lot thus created unless it complies with all the provisions of these Regulations.

C - The following features may extend into any required front yard not to exceed the distances specified and which in no case project beyond the street line of the lot:

1. Cornices, canopies, eaves, or any similar features, none of which is less than ten feet (10') above grade: eighteen inches (18").
2. Open fire escapes: six feet (6').
3. An uncovered porch, deck, patio or terrace with its first floor no higher than that of the entrance to the building: six feet (6'). A railing no higher than forty-two inches (42") or as required by the Building Code may be placed around such terrace or porch. Said terrace or porch may be covered if open on the sides and front, and shall not count towards building coverage. (204-04, 210-40)
4. A chimney: twenty-four inches (24”) (210-40)
5. Architectural enhancements (i.e., roofs, eaves, cornices, or any similar features) to accommodate transitions between existing non-conforming structures and additions which conform to current permitted setback regulations, which architectural enhancements shall in no event create any additional useable floor space nor be permitted to extend further into the required front yard than the existing non-conforming structure. (90-028)
6. Detached artistic features or structures may be placed up to a front property line, but shall adhere to the side yard setback for principal buildings. Such artistic features or structures shall be limited to the CC-N, C-G, and C-WD zones and a height not to exceed the height of the primary building or twenty (20) feet, whichever is less, and shall only be permitted pursuant to a Special Exception where the Zoning Board makes a finding that such artistic features or structures are appropriate, fit the character of the surrounding neighborhood, and do not encroach into, or adversely impact, pedestrian or vehicular views or circulation. (216-37)

D - The features listed in Subsection C above, may also extend into any required side or rear yard

the same distance that they are herein permitted to extend into any required front yard, except that no porch, and no open fire escape or outside stairway shall project more than three feet (3') into any required side yard nor closer than five feet (5') to any side lot line, and an outside stairway may extend into any required side yard only if the same is unroofed and unenclosed above and below the steps thereof. No open porch, balcony, deck, terrace or similar feature shall extend closer than five feet (5') to any side lot line, provided that there shall be no setback requirement for a patio on grade including grade supported by a wall complying with Section 7-G of these Regulations. (210-40)

E - Awnings of nonflamable type, whether fixed or retractable, may extend into any required front yard, alley, or right-of-way, and may extend over a public sidewalk, provided that the lowest edge of the awning shall be at least seven (7) feet above the sidewalk grade and finished grade of adjacent yard, alley, or right-of-way, except that the bottom of valances of awnings may extend to within six feet nine inches (6' 9") of such grade, and provided further that such awning shall be setback a minimum of three (3) feet from the curb line, shall not extend above the sill of the windows of the second floor, and shall not restrict the free flow of pedestrian or vehicular traffic. All canopies shall be removable to accommodate work within the public right-of-way. (86-032, 207-61)

F - If any accessory building is attached to the main building, except by a breezeway or roofed passageway with open or latticed sides and not more than five feet (5') in length, it shall comply in all respects with the requirements of these Regulations applicable to the main building.

G - Except as provided in the next paragraph, the yard requirements of these Regulations shall not be deemed to prohibit any otherwise lawful fence or wall, provided that in any Residence District no fence or wall shall exceed six feet (6') in height in any front or side yard nor eight feet (8') in height in any rear yard, measured from the finished grade adjacent to both sides of the fence or wall, whichever is lower. The Zoning Board may, by Special Exception, authorize a fence or wall of greater height within a front, side or rear yard, subject to a finding that the structure and associated improvements will not adversely impact any adjacent property or public street. (203-38)

1. This section shall not prohibit the erection of a protective fence over six feet (6') high around any public utility substation, transformer station, pumping station or reservoir.

H - On every corner lot in a Residential District within the triangle formed by the street lines of such lot and a line drawn between points on such lines at the distances from the intersection thereof that are specified below, there shall be no fence or wall higher than three feet (3'), nor any obstruction to vision other than a post, column, or tree not exceeding in cross section one foot (1') square or one foot (1') in diameter, between the height of three feet (3') and height of ten feet (10') above the established grade of either street, or if no grade has been officially established, then above the average elevation of the existing surface of either street at the center line thereof:

1. For a lot having an interior angle of 90 degrees or more at the street corner thereof: twenty feet (20').

2. For a lot having an interior angle of less than 90 degrees at the street corner thereof: twenty feet (20') plus one foot (1') for every 10 degrees or major fraction thereof by which such interior angle is less than 90 degrees.

I - Any parcel of land with an area or a width less than that prescribed for a lot in the district in which such lot is situated, which parcel was under one ownership at the time of the adoption of this Regulation when the owner thereof owns no adjoining land, may be used as a lot for any purpose permitted in the district, provided that all other regulations prescribed for the district by these Regulations shall be complied with. (84-035)

J - No vehicle entrance to any building or improvement, which entrance opens into an alley, shall be erected, constructed, or established nearer to the center of such alley than a distance of fifteen feet (15').

K - When a lot adjoins a lot in a more restricted district, any adjoining side yard of such lot shall have minimum width equal to the required side yard in the more restricted district, and any adjoining front yard shall have a minimum depth equal to the required depth of the front yard in the more restricted district.

L - On any multi-family zoned lot having less than 10,000 square feet of area and less than 60 feet of street frontage, no building to be used as a single or multi-family dwelling shall be constructed or altered in the rear of or moved to the rear of an existing building situation on the same lot. Nor shall any building be constructed in front of or moved to the front of an existing single or multi-family dwelling on the same lot except as provided in Subsection "O" of this Section. These provisions, however, shall not prevent the erection, alteration, and maintenance of dwelling quarters in connection with an accessory building upon the rear of the lot when the persons occupying such quarters are employed in domestic service upon the premises. (74-008; 98-025)

M - In any Residential District, a building erected on a corner lot shall be required to comply with the front setback standard on all streets and shall comply with the side yard setback standard for all other yards. There shall be no rear yard requirements.

In any Business, Commercial or Industrial District, a building erected on a corner lot shall be required to comply with the front setback standard on all streets and shall comply with the rear yard setback standard for the lot line generally opposite the narrower street frontage. All other yards shall comply with the side yard setback standard. In the case of equal frontages the owner may designate which street line shall be the front lot line for the purpose of determining the rear lot line. (91-025)

N - When residentially zoned land is zoned RMF and contiguous to the Stamford Transportation Center or State owned property used for Transportation Center parking, an Auto Rental Service Facility may be allowed by Special Exception by the Zoning Board as an interim use, provided:

1. Land proposed to be used has been vacant or not used for residential purposes for five (5) years prior to making application.

2. Said use shall be approved only as an interim use, for an initial period not to exceed five (5) years, subject to extensions of two (2) years each.

3. Buildings shall be a maximum one story, twenty feet in height, cover less than 20% of site and satisfy the setbacks standards of the RMF zone.

4. Signage shall be limited to one sign, attached to the building, not exceeding twenty-four (24) square feet. (97-014)

O – Accessway lots, each limited to one (1) single-family residence whether now existing or hereafter created, shall be permitted only in the RA-3, RA-2, RA-1, and R-20 One Family Residence Districts. The division between the accessway and the remainder of an accessway lot shall be shown on any record map dated after August 1, 1959 by a dotted or dashed line. The area of each accessway lot, exclusive of its accessway, shall conform to the area regulations for the district in which it is located. Its area shall be designated on any record map dated after August 1, 1959 as "exclusive of accessway". Not more than two (2) abutting accessways shall be permitted. Every accessway lot shall be so designed that a circle of the following diameter can be drawn within the boundaries of the lot; two hundred feet (200') in a RA-3 or RA-2 One Family Residence District; one hundred fifty feet (150') in an RA-1 One Family Residence District; and one hundred twenty feet (120') in a R-20 One Family Residence District. The record map shall include arcs demonstration that such a circle can be included within the lot. On any accessway lot, the main dwelling and any accessory building or buildings shall be located at least: (a) the same distance from any two boundaries as is required of a main dwelling from the front and rear lot lines on an interior lot in the district, and (b) from each of the other boundaries, at least thirty feet (30') in an RA-3 or RA-2 One Family Residence District, twenty-five feet (25') in an RA-1 One Family Residence District, and twenty feet (20') in an R-20 One Family Residence District. In no event shall any building on an accessway lot be located nearer to any street than the minimum front setback regulations for the district in which it is located. (89-003, 210-43)

1. The standards of this Section 7-O shall not prohibit the use of any access to a rear lot if such access was shown as the legal access on a map of record filed in the Town Clerk's Office prior to August 1, 1959. (210-43)

P - Adult Establishment: Adult Establishments (Definition 2.1) shall conform to all of the following standards and provisions:

a. An Adult Establishment shall be located a minimum of 1,000 feet from another Adult Establishment and a minimum of 500 feet from any religious institution, school, community center, public park, municipal boundary, property zoned for residential use or property zoned for mixed residential/ commercial use where not less than 50% of total building floor area is committed to residential use. Such distances shall be determined as the nearest horizontal distance between any portion of any lot or parcel of land supporting a proposed Adult Establishment and any portion of any residentially zoned property, mixed residential/commercial property, municipal boundary or property supporting any religious institution, school, community center, public park or another Adult Establishment.

b. Signage shall be governed by the standards of the C-N Neighborhood Commercial District, provided that no display, device or sign that depicts or describes specified sexual activities or specified anatomical areas shall be visible from any public way or surrounding property.

c. Not more than one adult establishment permitted under this section shall be located on a

zoning lot.

d. An Adult Establishment shall not exceed a total of 5,000 square feet of gross floor area.

e. Procedure: An Adult Establishment shall be permitted by right within the M-L Light Industrial and M-G General Industrial districts, provided the gross floor area of the adult establishment shall not exceed 2,000 square feet and the adult establishment shall be located not less than 1,500 feet from another Adult Establishment and satisfies all other standards of these Regulations. An Adult Establishment exceeding a gross floor area of 2,000 square feet or located less than 1,500 feet from another Adult Establishment may be located within the M-L and M-G Industrial Districts, subject to issuance of a Special Exception by the Zoning Board of Appeals pursuant to the criteria and standards of Section 19-3.2 and Section 7.2 of these Regulations. (93-002; 202-02)

Q - There shall be provided on every lot developed in whole or in part for residential use in the case of any building in the R-5 Multiple Family Residence District providing for more than ten (10) dwelling units therein, the following required areas of usable open space for each dwelling in said Districts: Required minimum usable open space - two hundred (200) square feet per dwelling unit; no such space shall have a smaller linear dimension than twenty-five feet (25'). There shall be provided on every lot developed in whole or in part for residential use in the case of any building in the R-MF Multiple Family Residence District, Commercial or Industrial Districts providing for more than twenty (20) dwelling units therein, the following required areas of usable open space for each dwelling in said Districts: Required minimum usable open space - seventy-five (75) square feet per dwelling unit; no such space shall have a smaller linear dimension than fifteen feet (15').

Flat roof and balcony space may qualify for required usable open space, except that child play areas on roof top or balconies shall not be computed in required space for play areas for pre-school children, unless otherwise permitted in a commercial, industrial or mixed use district by Special Exception granted by the Zoning Board. Such Special Exception may be granted upon a finding by the Zoning Board that the design, site or location of the development render child play areas at grade undesirable or unsafe and the child play areas can be provided at an alternative location within the development. Further, where a development is to be constructed in phases, the Zoning Board, by special exception, may permit the total open space requirements for the entire phased development to be met on one or more lots therein for the remaining lots, provided that: (a) each building within the phased development is located not more than fifty (50') feet from some portion of the open space being used to meet its open space requirements; (b) during all stages of the phased development, the open space requirements of this Section 7Q are met; and (c) necessary easements or covenants are recorded on the Stamford Land Records to insure perpetual access, use and maintenance of any shared open space improvements. The minimum dimensions of any balcony to be included in and qualify for required usable open space shall be four feet (4'), six inches (6"), and any open space as provided on roofs and balconies must meet municipal safety regulations to qualify. Notwithstanding the above, for sites located in the C-G and/or CC-N Districts, and in consideration of site-specific characteristics including proximity to existing and/or planned public parks and open space, interior tenant amenities, expected number of school-aged children, and other mitigating factors, usable open space shall be provided on site, with the amount, location, and design of such open space subject to determination and approval of the Zoning Board. (205-33; 211-36)

R - Property within the RM-1, R-5 and/or R-MF districts to be developed, redeveloped or rehabilitated, in whole or in part, with the use of mortgage assistance or financing, insured, procured or guaranteed through local, state, or federal housing assistance programs may utilize the following special standards, permitted uses and review procedures, subject to issuance of a Special Exception from the Zoning Board: (207-65)

a) The minimum land area is three (3) acres. Proposed lots where home ownership is available shall not be less than 2,000 square feet. Residential density shall be governed by the standards of the RM-1, R-5 and/or R-MF Districts, including applicable Below Market Rate and bonus density requirements, provided that bonus density may be increased to 15, 25, and 44 dwelling units per acre in RM-1, R-5 and R-MF zones respectively; (206-38, 207-44; 207-65)

b) The developer shall enter into one or more regulatory agreements with the Housing Authority of the City of Stamford (i.e. Charter Oak Communities), pursuant to which approximately one half of the dwelling units will be made available to households which meet federal public housing or state assisted housing income eligibility requirements for the term required by the HOPE VI or similar program; (207-44)

c) Authorized special exception uses shall include all uses permitted by right in the R-5, C-N and RM-F districts and Community Center, Health Club, Sales/Leasing offices, Day Care, Health Clinic, Police substation, School, Dental Clinic and other appropriate accessory recreational and support facilities; (206-38)

d) Required parking shall be determined based on the number of residential dwelling units at a rate of not less than 1.25 parking spaces per unit. The location, setbacks and screening of parking spaces shall be subject to Zoning Board approval and may include tandem spaces. Additional parking for non-residential uses shall be determined by the Zoning Board. Driveways may be no less than twenty (20) feet wide; (207-44)

e) Usable open space shall be provided on site, provided that the amount, design, location, and dimensions of open space shall be subject to determination by the Zoning Board; (206-38; 207-65)

f) Total building coverage shall not exceed thirty-five percent (35%) and may exclude the area of one-story parking structures provided that the height of such structures is not more than five (5') above the grade of the street from which the structure is accessed; (206-38, 214-19)

g) Building height shall be limited to three (3) stories and thirty-five (35) feet in the RM-1 district and shall be limited to four (4) stories and forty-five (45) feet in the R-5 and R-MF districts, provided that the Zoning Board may authorize increased building height in the R-MF district not to exceed five (5) stories and sixty-five (65) feet where sites abut zoning districts that allow five (5) or more stories in height. Building height within seventy-five (75) feet of a more restrictive residential district (external to the project area) shall be limited to three (3) stories and thirty-five feet. Pursuant to Definition 16-a, height may be measured from the established grade of the curb of the primary street frontage. (214-19)

h) All buildings shall provide a front yard setback of not less than ten feet (10') excluding covered porch and steps, except that a front yard setback of not less than five (5) feet may be allowed where the Zoning Board makes a finding that the proposed plan (i) is consistent with the Master

Plan; (ii) encourages retail-type uses at the ground floor; and (iii) will not interfere with the potential for street widening or street parking where needed. There shall be no minimum side or rear yard requirements provided there is an appropriate relationship of yards and separation of structures on the site to each other and to existing off site structures with the objective of assuring adequate light, open space, screening, landscape, safety, privacy, and overall urban design considerations. The requirements of Article III, Section 7-K of these Regulations shall not apply;

i) Applications for Special Exceptions shall follow the procedures outlined in Section 9AAA-5. The Zoning Board shall authorize in the approval of General Plans the number of years from the date of final plan approval within which all phases of development shall be completed. General Plans may anticipate the relocation, abandonment or establishment of public and private rights-of-way, and may authorize an expansion or alteration of the original public housing land area, at the discretion of the Zoning Board. (98-019)

j) Subsequent to approval of Final Site Plan, the Zoning Board, where required for reasons shown for financing, operating or conveyance purposes, may allow internal property lines to be established that create lots that individually exceed the residential density and building coverage provided that all conditions applicable to all lots are filed on the Stamford Land Records. (208-45)

S – Premiums of Floor Area: The Zoning Board, by issuance of a Special Exception, may authorize premiums of floor space and approve amenities for the benefit of the public in the C-L, C-G, CC-N and CC-S Districts, subject to the following standards:

1. Amenity: Day Care Facility

Specifications for Qualification: A facility located within the development project and intended to provide day care services at reasonable rates to families with a range of income levels represented in the CBD workforce, a portion of which is available to individuals not employed within the building.

Districts: CC-S, CC-N, C-G and C-L

Premium: For each square foot of indoor Day Care floor area, up to one (1) square foot may be added to the structure total floor area. (97-027)

2. Amenity: Public Plaza

Specifications for Qualification: A portion of a zoning lot that is developed as a public plaza area having frontage on a public street or public pedestrian way of not less than sixty (60) feet, comprising an area of not less than 3,000 square feet and depth of not less than forty (40) feet measured perpendicular to its frontage, and having a grade not more than three (3) feet above or below the established sidewalk grade. Said public plaza shall be open to the public for unrestricted pedestrian movement and reasonable use, and shall be suitably and attractively improved with paving, seating, landscaping, and lighting. Signage shall be prominently displayed indicating that the area is available for public use. Design considerations shall encourage southerly exposure, enclosure and buffering from heavy traffic streets. A public plaza may also incorporate public art and/or water features as additional bonusable amenities, as herein defined. Public Art shall consist of any acceptable form of art located outside of the building and displayed in a prominent position within a public plaza. Water Feature shall consist of a fountain, cascade, stream, water sculpture or reflection pond serving as a focal point for pedestrian activity. The water feature shall be located outside of the building within a public plaza and publicly visible

and accessible to the street or public pedestrian way. The water feature shall be in operation not less than eight (8) months of each year, with water maintained in a clean and non-contaminated condition and in motion during daylight hours.

Districts: CC-S, CC-N, C-G and C-L

Premium: For each square foot of plaza, up to one square foot may be added to the structure total floor area. For each $100.00 of installed cost of public art or water feature, seven (7) square feet may be added to the structure total floor area. Appraisal value and construction costs shall be confirmed by independent review of a qualified expert, reporting to the Board, who's fee shall be paid by the applicant. (97-027)

3. Amenity: Residential

Specification for Qualifications: For contiguous sites of not less than a total of two (2) acres, which have been held in single ownership by one or more successive owners for the three (3) years immediately preceding application under this Section, additional dwelling units may be allowed by using permitted commercial floor area for residential development, subject to the standards hereafter provided. Provided however, in urban renewal project areas, sites shall be considered to be in single ownership for purposes of this Section 7-S.3 where a private Redeveloper has contracted with the City of Stamford and/or the Urban Redevelopment Commission and/or a private property owner(s) to purchase and develop one or more sites, whether such sites are owned by the Redeveloper, the City of Stamford, the Urban Redevelopment Commission and/or a private property owner(s). (205-33)

a) Below Market Rate (BMR) dwelling units shall be provided in accordance with all standards and procedures of Appendix B, Footnote #4 provided that the number of required BMR units shall be equal to six percent (6%) of the total number of all residential units within the project or ten percent (10%) of the as-of-right residential units as defined in Appendix B, Footnote #4, whichever is greater;

b) the additional dwelling units shall not exceed an average density of one (1) dwelling unit per 1,000 square feet of converted commercial floor area;

c) a minimum of two-thirds (2/3) of all required parking shall be situated below grade or integrated into the building and entirely hidden from sensitive pedestrian views and adjacent residential buildings;

Districts: CC-N

Premium: For every five (5) square feet of allowable commercial floor area used for residential use, one (1) square foot of floor area may be added to the structure total floor area, not to exceed an additional 0.4 FAR. When located on a Ground Floor Retail street as defined in Appendix B, Footnote #13, the requirements of Article III, Section 7-S-14 shall also be satisfied. When not located on a Ground Floor Retail street, a maximum of 0.4 FAR of ground floor retail satisfying the requirements of Section 7-S-14 may be exempted from the total structural floor area. (00-027)

4. Amenity: Low Coverage at Upper Floors

Specifications for Qualification: The upper floors of a building or buildings extending upward from a level of forty feet (40') above the average grade shall be set back from the side lot line not less than twenty feet (20'). Said setback area shall be unobstructed to the sky except for pedestrian walkways or bridges extending through said area. The maximum creditable side yard setback shall be forty feet (40') per side.

Districts: CC-S, CC-N, C-G and C-L

Premium: For each creditable square foot of side yard setback area, one square foot may be added to the structure total floor area; however, in no case shall the maximum premium exceed 4,000 square feet.

5. Amenity: Arcades

Specifications for Qualification: A portion of a zoning lot or building that is developed as a covered passageway with stores and shops fronting thereon and extends through the lot from block to block or from street to street so as to form a portion of an interconnected system of pedestrian access and thoroughfares shown on the Master Plan; shall be paved and landscaped and be unobstructed except for columns or piers required to support the building or roof above; have a height of not less than twelve feet (12'); be accessible to the public during normal business hours; have an area of not less than 1,000 square feet; and provide a minimum horizontal dimension for public passage of fifteen feet (15').

Districts: CC-N, CC-S and C-G

Premium: For every square foot of arcade, two (2) square feet may be added to the structure total floor area. The premium may be pro-rated to a maximum arcade horizontal width of thirty feet (30').

6. Amenity: Direct Pedestrian Connection to a Public Parking Garage

Specifications for Qualification: A portion of a zoning lot or building that contains a direct enclosed pedestrian connection to a public parking garage providing not less than 200 public parking spaces. The pedestrian connection shall consist of a hallway, tunnel or way which provides access without crossing a street, alley or private driveway at grade, and shall provide a convenient shortened walking connection to major pedestrian destinations. Such hallway, tunnel or way shall be not less than twelve feet (12') in width, handicapped accessible, suitably signed and open to the general public during all hours that the public parking is operated.

Districts: CC-N, CC-S, C-L and C-G

Premium: For each square foot of pedestrian connection, up to one square foot may be added to the structure total floor area, not to exceed a floor area ratio increase of 0.1.

7. Amenity: Short Walking Distances

Specifications for Qualification: A portion of a zoning lot or building that is developed to shorten walking distances in accordance with the objectives of Pedestrian Access and Thoroughfare Systems shown on the Master Plan. The shortening of walking distance

shall be computed by comparing walking distances along existing streets, alleys and driveways having a minimum sidewalk width of seven feet (7'), with distances along proposed walkways through the subject lot or building. Such walkway may either be within or outside a building; shall be readily identifiable from the public sidewalk; shall have a minimum width of ten feet (10') plus two feet (2') for each side which has shops, lobbies, elevator entrances or similar pedestrian traffic generators fronting thereon; and shall be open to the public during business hours common in the area.

Districts: CC-N, CC-S and C-G

Premium: For each linear foot by which walking distance between streets is shortened, four (4) square feet of floor area may be added to structures in CC-S, CC-N and C-G Districts.

8. Amenity: Community Room

Specifications for Qualification: A portion of a building's first or second floor which shall be made available free of charge to responsible civic organizations or associations for the conduct of community affairs programs, arts and crafts exhibits, or educational programs. Said "Community Room" shall be not less than 1,500 square feet in area; accommodate not less than fifty (50) people in fixed or movable seating; shall be readily accessible from the street or pedestrian access systems and identified by appropriate directional graphics; shall be available for public use during normal business hours, or after hours with managers approval not less than fifteen (15) days of each month.

Districts: CC-S, CC-N, C-G and C-L

Premiums: For each creditable square foot of space designated for Community Room use, two (2) square feet may be added to the structure total floor area; however, in no case shall the premium exceed 4,000 square feet.

9. Amenity: Mill River Greenbelt

Specifications for Qualification: Contribution of funds, conveyance of property or dedication of a public access or conservation easement contributing to the goal of acquiring land for conservation or public park purposes within the designated Mill River Greenbelt area. Property conveyed to the City of Stamford for public park purposes shall be designated within the Mill River Greenbelt Plan as land to be acquired for public park or conservation purposes. Public access easement and conservation easement areas may be an integral part of a development site and shall abut the Mill River or public park land which abuts the Mill River. Public access easement areas shall maintained by the owner of the property for which a premium is granted and shall be developed for passive or_active recreational uses including, but not limited to, planting, landscaping and walkways, and sitting areas and shall be open to the general public during all hours of operation of the public park. Funds contributed to the City of Stamford shall be deposited into a separate capital account dedicated only to land acquisition for the Mill River Greenbelt. (97-027)

Districts: CC-N, CC-S, C-G and C-L

Premium: For each square foot of qualifying public access or conservation easement area,

up to one square foot of structure floor area may be added. For land donated to the City or for funds contributed, up to seven (7) square feet of commercial structure floor area may be added for each $100.00 of funds or for each $100.00 of park improvements, land acquisition and preparation costs.

In the CC-N zone, additional premium building height may be approved not to exceed four hundred (400) feet, provided that: (a) for applications approved on or before March 19, 2007, up to eleven (11) square feet of building floor area may be constructed above a height of three hundred fifty (350) feet for each $100.00 in funds contributed to the City or non-profit agency for purposes of Mill River Park improvements, land acquisition, maintenance and/or related expenses; and (b) for applications approved after March 19, 2007, up to ten (10) square feet of building floor area may be constructed above a height of three hundred fifty (350) feet for each $100.00 in funds contributed to the City or non-profit agency for purposes of Mill River Park improvements, land acquisition, maintenance and/or related expenses. (206-42)

10. Amenity: Transportation Center Pedestrian Connection

Specifications for Qualification. A pedestrian-related site improvement provided on a portion of a zoning lot, abutting a public sidewalk and accessible to the public, that is immediately adjacent to or across the street from the Stamford Transportation Center (the "STC"), or that serves to extend an existing Transportation Center Pedestrian Connection. The "Transportation Center Pedestrian Connection" shall perform two functions: to gather and disperse pedestrians traveling to and from the STC. The "Transportation Center Pedestrian Connection" shall be an at grade pedestrian way that provides for, and/or reinforces the linkage between the STC and/or other appropriate pedestrian destinations; as such, this amenity shall be part of an overall pedestrian circulation system that contains landscaping and active uses, such as retail, along the building edge, free-standing retail/information/activity elements, seating, water features, public art, seasonal planting, and decorative paving.

Districts: CC-N, CC-S and C-G

Premium: For each square foot of improved pedestrian area within the site not more than two (2) square feet of structure floor area may be added to the structure total floor area, not to exceed 0.4 FAR. (97-002)

11. Amenity: Through Block Connection

Specifications for Qualification: For blocks greater than 200 linear feet between streets in one or more directions, a "Through Block Connection" may be provided to function as a sidewalk linking these streets, improving pedestrian circulation by providing an alternative path, with a reduced travel distance between streets. The "Through Block Connection" shall be at grade with a minimum continuous clear width, free of obstructions, of 10', with appropriate lighting and landscaping, and may include public sidewalks, if necessary. It may be covered. The "Through Block Connection" shall be located a minimum of 100' linear feet from the intersection of two through streets.

Districts: CC-N, CC-S, and C-G

Premium: For the provision of a "Through Block Connection" connecting two streets, the structure floor area may be increased by 0.1 FAR. This amenity will no longer be available to new projects reviewed by the Zoning Board after July 1, 1997. (94-030, 97-002, 97-027)

12. Amenity: Historic Preservation

Specification for Qualification: Preservation of a structure and associated open spaces, listed, or eligible to be listed, on the National Register of Historic Places, where significant portions of said building are open to the public on a regular basis or upon request. The obligation to preserve the historic structure shall continue for so long as premium FAR attributable to this amenity exists. The historic structure to be preserved shall be within the CBD. Eligibility for listing on the National Register of Historic Places shall be determined by the State Historic Preservation Officer, The Director of the Connecticut Historical Commission or the Zoning Board, pursuant to the standards of Section 7.3(c). All rehabilitation work shall conform to the Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings. (97-002, 97-027)

Districts: CC-S, CC-N, C-G and C-L.

Premiums: For each square foot of building floor area within the preserved historic structure, not more than four (4) square feet of floor area may be added to the structure total floor area. (97-002)

13. Amenity: Public Use of Private Parking

Specification For Qualification: Parking spaces made available for public use during off-peak hours. Not less than 75 parking spaces shall be made available, preferably located at ground level_with convenient pedestrian access from the street and prominently signed at the street, offering parking to the general public at a charge not to exceed prevailing public parking garage rates. Hours of access shall be not less than 6:00 p.m. to midnight weekdays and noon to midnight on Saturday and Sunday. Where parking spaces are available to residential uses within the Mill River Greenbelt Area, from 6 PM to 8 AM weekdays and all day on weekends at a charge not to exceed prevailing monthly parking rates, and where additional parking spaces are available to the general public at prevailing rates on weekends for twelve public events per year, a 0.25 F.A.R. premium may be allowed.

Districts: CC-N, CC-S, C-G and C-L.

Premiums: For each parking space made available, not more than two hundred (200) square feet of floor area may be added to the structure total floor area, not to exceed 0.2 FAR. (97-002, 97-027, 99-011)

14. Amenity: Ground Floor Retail

Specification For Qualification: A portion of the ground floor of a building actively used by consumer retail and personal service establishments, located at street level, and directly fronting on and accessible from a public pedestrian area, and may also include portions of a basement and/or second floor. Eligible retail space shall be of sufficient depth to support quality retail use. Basement and second floor retail may also qualify, but in total may not exceed the retail square footage at ground level. Not less than 75% of the retail storefront, visible from the street or public pedestrian area, shall be activated with a combination of windows, entrances, display windows, signage, awnings, and architectural ornamentation.

(See App. B, Footnote 13.)

Districts: CC-N and C-G

Premiums: For each square foot of qualifying retail store at ground level, not more than one square foot of additional floor area may be added to the structure total floor area. For each square foot of qualifying retail store at the basement or second floor level, not more than 0.75 square feet of additional floor area may be added to the structure total floor area. When the building is located on a Ground Floor Retail Street as defined in Appendix B, footnote 13, the Ground Floor Retail amenity may be used to earn the maximum available premium floor area. When the building is not located on a Ground Floor Retail Street, total premium floor area shall not exceed a maximum of 0.2 FAR. (97-002, 97-027; 208-27)

15. Amenity: Reduced Parking Garage Bulk

Specifications for Qualification: Reduction in the bulk of above-grade parking structures, otherwise exempt from floor area calculations, to not more than two levels of above-grade parking plus on-grade entry court and incidental drop-off parking, for hotels using valet tandem parking spaces, vehicle elevators or other similar on-site parking management strategies. Such managed parking layouts may include up to fifty percent (50%) small car spaces and eighteen foot (18') aisle widths.

Districts: CC-N

Premium: For the provision of reduced parking garage bulk, the structural floor area may be increased by 0.5 FAR. (201-12)

The premiums listed above are intended to be mutually exclusive and cumulative. Variances of the "Specifications for Qualification" and variances of required parking shall be prohibited. Amenities approved pursuant to this Section 7-S after April 20, 1998 shall be continuously maintained for so long as premium FAR attributable to the amenity exists. Amenities approved pursuant to Section 7-S prior to August 1, 1997 shall be exempt from the provisions of Section 17-C and shall continue to be governed by the standards of Section 7-S in effect at the time of approval. Approved amenities may be modified, reduced or replaced with another amenity of comparable value only upon timely application and approval by the Zoning Board. (97-027)

For the purpose of these regulations, zoning lots in the same ownership but separated by a public street shall not be excluded from premium considerations as long as their area is committed to the Floor/Area Ratio (F.A.R.) calculation and is developed as an integral part of a site development plan. (78-002)

T - COASTAL AREA MANAGEMENT REGULATIONS

All buildings, uses and structures fully or partially within the coastal boundary as defined by Section 22a-94 of the Connecticut General Statutes (CGS) entitled "The Coastal Management Act" and as shown on the Official Coastal Boundary Map of the City of Stamford shall be subject to issuance of coastal site plan review approval pursuant to the requirements and procedures established in C.G.S. Section 22a-109 and these regulations. The requirements of this section shall be in addition to other requirements of these Regulations.

General Procedures

1. Applications submitted for coastal site plan review shall contain the information requested on the City of Stamford Coastal Site Plan Review Application form.

2. The coastal site plan application shall include all information required in Sections 22a-105 and 106 of the Connecticut Coastal Management Act in addition to the other required information.

3. The reviewing board may require additional supporting facts or documentation that it finds necessary to assist in a fair evaluation of the proposal.

4. Issuance of coastal site plan approval shall be deemed to authorize only the buildings, landscaping, uses and other features shown on the site plan and described in the application, subject to such conditions that may be imposed by the reviewing board. Any changes to approved plans shall require further approval of the reviewing board unless exempted by these regulations.

5. Applications for coastal site plan review may be referred to any other appropriate agency for review and recommendation.

6. The Zoning Board may at its discretion hold a public hearing on any application for coastal site plan approval.

7. Where approval is required pursuant to this Section no zoning permit shall be issued by the Zoning Enforcement Officer except upon approval of the coastal site plan by the reviewing board as set forth by these regulations and then only in conformity with the approved coastal site plan.

8. Any coastal site plan approval for which a full building permit has not been issued within one (1) year from the approval date shall become null and void, provided that the reviewing board upon timely application and good cause shown, may grant not more than three (3) one-year extensions of the expiration date. Notwithstanding the foregoing, for projects intended to be constructed in phases and comprising more than 100,000 square feet of gross floor area or more than five (5) acres of land, the Zoning Board may authorize at the time of initial coastal site plan approval a timetable with longer intervals of time within which building permits may be secured, as it deems reasonably necessary to complete the project. (95-002)

9. Reasonable fees for review of coastal site plans may be set and amended by the reviewing board.

10. Exemptions The following activities are hereby exempted from the requirements of this Section:

a. Activities conducted for the specific purpose of conserving or preserving soil, vegetation, water, fish, shellfish, wildlife and other coastal land and water resources.

b. **A**dditions and/or modifications to existing principal buildings or detached accessory buildings such as garages and utility sheds meeting the following criteria:

(1) The gross floor area of the addition shall not exceed two-thousand five-hundred (2500) square feet and shall not increase existing gross floor area by more than twenty-five percent (25%) and shall not increase total building coverage area by more than twenty-five percent (25%).

(2) The addition is not proposed on a lot containing or immediately adjacent to coastal waters or any tidal wetlands, coastal bluffs and escarpments, beaches and dunes as defined in Section 22a-93 (7) C.G.S., or located within one hundred feet (100') of any such tidal wetlands, coastal bluffs and escarpments, beaches and dunes.

(3) The affected structure is not located within a designated flood hazard area as defined in Section 7.1 D.

(4) The addition and/or modification shall not result in a change in use of the building or property.

c. Minor modifications to existing buildings or detached accessory buildings such as garages and utility sheds meeting the following criteria:

(1) Interior modifications that do not result in a change in use of the building or property.

(2) Exterior modifications that do not substantially alter the existing height, bulk or facade of the building or structure nor in any other way degrade visual quality as defined in C.G.S. Section 22a-93 (15) (f), for properties containing or immediately adjacent to coastal waters or any tidal wetlands, coastal bluffs and escarpments, beaches and dunes as defined in Section 22a-93 (7) C.G.S., or when such construction is located within one hundred (100) feet of any such tidal wetlands, coastal bluffs and escarpments, beaches and dunes, or when such construction is located within a designated flood hazard area as defined in Section 7.1 D.

d. Construction of new or modification of existing structures incidental to the enjoyment and maintenance of residential property including but not limited to driveways, swimming pools, tennis courts, docks and detached buildings, provided that the affected property does not contain and is not within one-hundred (100) feet of coastal waters or any tidal wetlands, coastal bluffs, escarpments, beaches or dunes as defined in Section 22a-93 (7)

C.G.S., and the affected structure is not located within a designated flood hazard area as defined in Section 7.1 D.

e. Construction of new or modification of existing on-premise fences, walls, pedestrian walks and terraces, underground utility connections, essential electric, gas, telephone, water and sewer service lines, signs and such other minor structures as will not substantially alter the natural character of coastal resources as defined in C.G.S. Section 22a-93 (7) or restrict access along a public beach.

f. Construction of an individual conforming one family structure except on properties containing or immediately adjacent to coastal waters or any tidal wetlands, coastal bluffs and escarpments, beaches and dunes as defined in Section 22a-93 (7) C.G.S., or when such construction is located within one hundred (100) feet of any such tidal wetlands, coastal bluffs and escarpments, beaches and dunes, or when such construction is located within a designated flood hazard area as defined in Section 7.1 D.

g. Minor changes in use of a building, structure or property except those changes occurring on property adjacent to or abutting coastal waters.

11. The foregoing exemption categories shall apply to coastal site plan reviews performed in association with the following site plans, plans, referrals and applications:

a. Site plans submitted to the Zoning Board in accordance with Section 22a-109 of the Connecticut General Statutes, and these regulations.

b. Applications for a special exception submitted to the Zoning Board or Zoning Board of Appeals in accordance with Section 8-2 of the Connecticut General Statutes and Section 19 of these regulations.

c. Applications for a variance submitted to the Zoning Board of Appeals in accordance with subdivision (3) of Section 8-6 of the Connecticut General Statutes and Section 19 of these regulations.

d. A referral of a proposed municipal project to the Planning Board in accordance with Section 8-24 of the Connecticut General Statutes and Section 523 of the Stamford Charter.

12. Coordination of Review. Coastal site plan approval issued by the Zoning Board of Appeals, pursuant to approval of a variance for a single-family or two-family property or for a special exception, shall be deemed to be final coastal site plan review and no further coastal site plan review shall be required by the Zoning Board, provided the property does not contain and is not within one-hundred (100) feet of any coastal waters, tidal wetlands, coastal bluffs, escarpments, beaches, or dunes as defined in Section 22a-93 (7) C.G.S., and provided that no affected structure is located within a designated flood hazard area as defined in Section 7.1 D. (80-014; 83-009; 86-018; 203-31)

U - Medical Marijuana Dispensaries (214-02, 215-11)

Purpose: The Zoning Board acknowledges the enactment of Public Act #12-55 and adoption of regulations concerning the "Palliative Use of Marijuana". This Public Act and the associated regulations establish the local regulatory framework for the palliative use of marijuana pursuant to Chapter 420f of the Connecticut General Statutes. It helps to guide the appropriate location and operation of Medical Marijuana Dispensaries ("Dispensaries") in the City of Stamford. The purpose of this Section U is to minimize the impact of Dispensaries on neighbors, while at the same time recognizing the essential services these Dispensaries will provide to the citizens of Stamford.

Standards:
Medical Marijuana Dispensaries are allowed by Special Exception approval of the Zoning Board only within certain commercial and manufacturing Zoning Districts of the City of Stamford, as shown in Appendix A, Table II of these Regulations. Such uses must comply with the requirements of the Zoning Regulations and meet the following additional standards:

1. Medical Marijuana Dispensaries must possess a current license from the State of Connecticut Department of Consumer Protection and comply with the Regulations of the State of Connecticut Department of Consumer Protection Concerning the Palliative Use of Marijuana, per the Connecticut General Statutes, Section 21a-408-1 to 21a-408-70, inclusive, as may be amended from time to time. Failure to maintain proper licenses shall be deemed an immediate violation of the City of Stamford Zoning Regulations.

2. No Medical Marijuana Dispensaries shall be located within a 3,000 feet radius of any other Dispensary;

3. Signage for Dispensaries must comply with the following standards:
    a. Signage shall be limited to a single sign no larger than sixteen inches in height by eighteen inches in width;
    b. There shall be no illumination of a sign advertising a marijuana product at any time;
    c. There shall be no signage that advertises marijuana brand names or utilizes graphics related to marijuana or paraphernalia on the exterior of the Dispensary or the building in which the Dispensary is located;
    d. There shall be no display of marijuana or paraphernalia within the Dispensary which is clearly visible from the exterior of the Dispensary; and
    e. There shall be no signage which advertises the price of its marijuana.

4. Parking shall be provided according to Section 12 of the Zoning Regulations, as follows:

    a. A Dispensary shall meet the parking standard for Retail Store.

SECTION 7.1 - FLOOD PRONE AREA REGULATIONS (213-18)

A. PURPOSE

The purpose of this Section is to implement comprehensive flood prone area regulations that promote the health, safety and welfare of the general public, that limit public and private property losses and diminish expenditures of public money for costly flood protection projects and relief efforts, and that minimize prolonged governmental and business interruptions. This Section is specifically intended to:

1. Regulate those uses that are dangerous to the health, safety and welfare of the public;
2. Regulate those uses that are threatened by the action of flood waters, velocity or erosion hazards or increase the potential for damages caused by increased flood heights, velocities or erosion hazards;
3. Require that uses vulnerable to floods be protected against flood damage at the time of initial construction or when substantially improved;
4. Control the alteration of natural floodplains, stream channels and natural protective barriers that act to accommodate flood waters or moderate their potentially erosive actions;
5. Prevent or regulate the construction of flood barriers that will unnaturally divert flood waters or increase flood hazard to other lands.
6. Minimize dangers to public health by protecting water supplies and natural drainage
7. Insure that potential home buyers, property owners and other citizens are adequately notified that property is situated in a flood hazard area.

B. DEFINITIONS

The following special definitions apply only to this Section 7.1:

1. Base Flood means the flood having a one percent chance of being equaled or exceeded in any given year (also referred to as the One Hundred (100) Year flood).
2. Base Flood Elevation (BFE) means the elevation of the crest of the base flood or 100-year flood. The height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas.
3. Basement means an area of a building having its floor sub-grade (below ground level) on all sides.
4. Breakaway Wall means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.
5. Building means see definition for “Structure.”
6. Coastal Boundary means those areas defined by Section 22a-94 of the Connecticut General Statutes (CGS) entitled "The Coastal Management Act" and Article III, Section 7(T) of the Zoning Regulations of the City of Stamford and as shown on the "Official Coastal Boundary Map of the City of Stamford."
7. Coastal High Hazard Area means the area subject to high velocity waters, caused by, but not limited to hurricane wave wash, and is designated on a Flood Insurance Rate Map (FIRM) as Zone VE.
8. Connecticut Coastal Jurisdiction Line means the location of the topographical elevation of the highest predicted tide for the period beginning in 1983 and ending in 2001, referenced

to the most recent National Tidal Datum Epoch as published by the National Oceanic and Atmospheric Administration and described in terms of feet of elevation above the North American Vertical Datum of 1988. In Stamford, the Coastal Jurisdiction lies at elevation 5.5 feet NAVD-88 (North American Vertical Datum of 1988).

9. Cost means, as related to substantial improvements, the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure shall be established by a detailed written contractor's estimate. The estimate shall include, but not be limited to: the cost of materials (interior finishing elements, structural elements, utility and service equipment); sales tax on materials, building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor's overhead; contractor's profit; and grand total. Items to be excluded include: cost of plans and specifications, survey costs, permit fees, outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds, and gazebos.
10. Critical Uses and Facilities mean any use or facility for which even a slightest chance of flooding would be too great. Such uses and facilities include, but are not limited to, schools, nursing homes, elderly housing, hospitals, jails, prisons, sites containing essential and irreplaceable records, public utilities, and emergency service facilities such as fire, police and rescue.
11. Dangerous Material means any material or substance which may pose an unreasonable risk to the health and safety of individuals, property, water supplies and/or the environment if discharged or released. These materials or substances may be defined as explosive, blasting agent, flammable gas, nonflammable gas, combustible liquid, flammable liquid, flammable solid, organic peroxide, oxidizer, poison, irritating material, etiologic agent, radioactive material, corrosive material, other regulated material.
12. Development means any man-made change to improved or unimproved real estate, including but not limited to the construction of buildings or structures; the construction of additions, alterations or substantial improvements to buildings or structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment; the storage, deposition, or extraction of materials; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.
13. Elevated Building means a non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts or piers), shear walls, or breakaway walls, as allowed under applicable standards.
14. Existing Manufactured Home Park or Subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured home are to be affixed (including, as a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date, June 22, 1982, of the floodplain management ordinance adopted by the community.
15. Expansion to an Existing Manufactured Home Park or Subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
16. Federal Emergency Management Agency (FEMA) means the federal agency that administers the National Flood Insurance Program (NFIP).

17. Finished Living Space means, as related to fully enclosed areas below the base flood elevation (BFE), a space that is, but is not limited to, heated and/or cooled, contains finished floors (tile, linoleum, hardwood, etc.), has sheetrock walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathrooms, fireplaces and other items that are easily damaged by floodwaters and expensive to clean, repair or replace.
18. Five Hundred Year Storm or 500 Year Flood means flooding having a 0.2 percent chance of being equaled or exceeded in a given year.
19. Flood or Flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters or the unusual and rapid accumulation or runoff of surface waters from any source.
20. Flood Insurance Rate Map (FIRM) means the official map of the City of Stamford, effective July 8, 2013 (including any update, amendment or modification of said map approved by the Federal Emergency Management Agency) on which the Federal Emergency Management Agency has delineated special flood hazard areas and the insurance risk premium zones applicable to the City of Stamford. FIRMs published after January 1990 may also show the boundaries of the floodway.
21. Flood Insurance Study is the official report by the Federal Emergency Management Agency entitled "Flood Insurance Study, City of Stamford, Connecticut, Fairfield County", effective July 8, 2013, as amended from time to time that establishes flood profiles and water surface elevations of the base flood and other flood data within the City of Stamford.
22. Floodplain or Flood Prone Area means any land area susceptible to being inundated by water from any source.
23. Floodproofing means any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved property, water and sanitary facilities, structures and their contents.
24. Functionally Dependent Facility means a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include seafood processing facilities, long-term storage, manufacturing, sales or service facilities.
25. Historic Structure means any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.
26. Lowest Floor means the floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or limited storage in an area other than a basement area, is not considered a building's lowest floor, provided that such an area fully meets the requirements of Section

7.1-D-1-f(4) hereof.

27. Manufactured Home means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. Recreational vehicles and similar transportable structures placed on a site for 180 consecutive days or longer shall be considered to be manufactured homes for the purpose of this section.
28. Manufactured Home Park or Subdivision means a parcel, or contiguous parcels, of land divided into two or more manufactured home lots for rent or sale.
29. Market Value means the value of the structure shall be determined by an independent appraisal by a professional appraiser prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring.
30. Mean High Tide (also, Mean High Water) means the average height of the maximum elevation reached by each rising tide observed over a specific 19 year period. Mean High Tide at Stamford is 4.37 feet NGVD (National Geodetic Vertical Datum of 1929) or 3.27 feet NAVD-88 (North American Vertical Datum of 1988).
31. Mean Sea Level means the average height of the sea for all stages of the tide as established by the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations provided in the Flood Insurance Study and shown on the Flood Insurance Rate Map (FIRM) are referenced.
32. Minimum Elevation Standard means the elevation of the base flood plus one (1) foot of freeboard (Example: Base Flood Elevation = 12.00 feet NAVD; Minimum Elevation Standard = 13.00 feet NAVD)
33. New Construction means structures for which the "start of construction" commenced on or after June 22, 1982 and includes any subsequent improvements to such structures.
34. New Manufactured Home Park or Subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date, June 22, 1982, of the floodplain management regulation adopted by the community.
35. New Underground Storage Facilities means an underground storage facility, the construction or installation of which began on or after the effective date of these regulations, including but not limited to facilities which replace existing facilities and facilities which are moved from one location to another.
36. Recreational Vehicle means a vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projections, designed to be self-propelled or permanently towable by a light-duty truck and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
37. Regulatory Floodway (or "Floodway") means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
38. Riverine means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc...
39. Sand Dunes mean naturally occurring accumulations of sand in ridges or mounds landward of the beach.
40. Special Flood Hazard Area means all land within the City of Stamford subject to a one percent or greater chance of flooding in any one year. Special flood hazard areas are

determined utilizing the base flood elevations as provided in the Flood Insurance Study for the City of Stamford. Special flood hazard areas include, but are not necessarily limited to the land shown as Zones A, AE, and VE on the City of Stamford's Flood Insurance Rate Map.

41. Start of Construction, including substantial improvement, means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date, or within the time frame for start of construction specified in the permit. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
42. Structure means a walled and/or roofed building that is principally above ground, a manufactured home, or a gas or liquid storage tank.
43. Substantial Damage means damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. "Substantial damage" also means flood-related damages sustained by a structure on two (2) separate occasions during a ten (10) year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds twenty-five (25) percent of the market value of the structure before the damage occurred.
44. Substantial Improvement means any combination of repairs, reconstruction, alteration, or improvements to a structure, taking place during a five (5) year period, the cumulative cost of which equals or exceeds fifty percent (50%) of the market value of the structure as determined at the beginning of such five (5) year period. The market value of the structure should be (1) the appraised market value of the structure prior to the "start of construction" of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. This term includes structures that have incurred "substantial damage", regardless of the actual repair work performed. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any improvement project required to comply with existing health, sanitary or safety code specifications which are the minimum necessary to assure safe living conditions and which have been previously identified by the local code enforcement official.
45. Substantially Modified Underground Storage Facilities means the construction or installation of any addition to an underground storage facility or any restoration or renovation of an underground storage facility which: a) increases or decreases the on-site storage capacity of the facility; b) significantly alters the physical configuration of the facility; or c) impairs or improves the physical integrity of the facility or its monitoring systems.

46. Tidally Influenced Floodplain means those areas of flooding where flood waters from a 100-year coastal storm, without considering the extent of any riverine flooding, have a significant influence on the backwater height of the base flood. The area of tidally influenced floodplain extends from Long Island Sound to the West Broad Street bridge for the Rippowam River and extends to the East Main Street bridge for the Noroton River.
47. Underground Storage Facilities means a system of interconnected tanks, pipes, pumps, vaults, fixed containers and appurtenant structures, singly or in any combination, which are used or designed to be used for the storage, transmission or dispensing of petroleum liquids or other materials.
48. Variance means a grant of relief by a community from the terms of the floodplain management regulation that allows construction in a manner otherwise prohibited and where specific enforcement would result in unnecessary hardship.
49. Violation means a failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without required permits, lowest floor elevation documentation, flood-proofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.
50. Water surface elevation means the height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

C. GENERAL REQUIREMENTS

1. Areas to Which This Section Applies. The standards of Section 7.1 shall apply to all areas of special flood hazard within the City of Stamford.

2. Basis for Establishing Special Flood Hazard Areas. Special flood hazard areas are identified utilizing the base flood elevation data developed by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for Fairfield County, Connecticut, dated July 8, 2013, and accompanying Flood Insurance Rate Maps (FIRM), dated July 8, 2013 (Panels 09001C0512G, 09001C0516G, 09001C0517G, 09001C0518G, 09001C0519G, 09001C0536G) and June 18, 2010 (Panels 09001C0344F, 09001C0363F, 09001C0364F, 09001C0365F, 09001C0366F, 09001C0368F, 09001C0369F, 09001C0501F, 09001C0502F, 09001C0503F, 09001C0504F, 09001C0506F, 09001C0507F, 09001C0508F, 09001C0509F) and other supporting data, and other supporting data applicable to the City of Stamford, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this Section. Since mapping is legally adopted by reference into this regulation it must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA. Special flood hazard areas are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on a Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. Special flood hazard areas include:

   a. **A and V Zones**. Any area shown on a Flood Insurance Rate Map as Zones A, AE or VE, including any areas designated as floodway; and
   b. **Additional Areas**. Areas of potential, demonstrable or historical flooding, including any area contiguous with but outside the zones cited in (C.2.a.) above, and where the land surface elevation is lower than the base flood elevations as shown in the Flood Insurance Study, and the area is not protected from flooding by

a natural or man-made feature.

3. Flood Hazard Area Permit Required. A Flood Hazard Area Permit is required for all development within a special flood hazard area of the City of Stamford. A "Coastal Site Plan Approval" from the Zoning Board (for properties situated within the designated "Coastal Boundary") or an "Inland Wetland and Watercourses Permit" from the Environmental Protection Board (for all other properties) shall constitute a Flood Hazard Area Permit.

4. Warning and Disclaimer of Liability. The degree of flood protection required by this Section is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Section does not imply or guarantee that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This Section shall not create liability on the part of the City of Stamford or on the part of any officer or employee thereof for any flood damages that result from reliance on this Section or any administrative decision lawfully made there under.

D. PROVISIONS FOR FLOOD HAZARD REDUCTION

1. Provisions Applicable to All Special Flood Hazard Areas.
   a. **Base Flood Elevation and Floodway Data**. The Zoning Board and Environmental Protection Board shall utilize the base flood elevation and floodway data provided by the Federal Emergency Management Agency as criteria in evaluating all permit applications.

   b. **Streams Without Established Base Flood Elevations, Floodways and/or Flood Mapping**.
      - The Zoning Board and the Environmental Protection Board shall obtain, review and reasonably utilize any base flood elevation and floodway data available from Federal, State or other sources, as criteria for requiring that new construction, substantial improvements or other development in any area of potential, demonstrable or historical flooding within the City of Stamford meets the standards of Section 7.1.
      - In A and AE zones where base flood elevations have been determined, but before a floodway is designated, no new construction, substantial improvement, or other development (including fill) shall be permitted which will result in any increase in base flood elevations at any point along the watercourse when all anticipated development is considered cumulatively with the proposed development.
      - Floodway data may be requested of an applicant for watercourses without FEMA-published floodways. When such data is provided by an applicant or whenever such data is available from any other source, the Zoning Board or Environmental Protection Board shall adopt a regulatory floodway based on the principal that the floodway must be able to convey the waters of the base flood without increasing the water surface elevation more than one (1) foot at any point along the watercourse.
   c. **Carrying Capacity Maintained**. In any portion of a watercourse which is altered or relocated, the flood carrying capacity shall be maintained.
   d. **Federal, State and Local Permits Required**. The applicant shall certify in writing that all necessary permits have been received from those governmental agencies from

which approval is required by federal, state or local law, including Section 404 of the Federal Water Pollution Control Act, as amended.

e. **Structures Already in Compliance**. A structure already in compliance with the provisions of Section 7.1 FLOOD PRONE AREA REGULATIONS shall not be made non-compliant by any alteration, repair, reconstruction or improvement to the structure.

f. **New Construction and Substantial Improvements**.

(1) All structures. All new construction and substantial improvements (including the placement of prefabricated buildings) shall comply with the following requirements:

(a) be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

(b) be constructed with materials resistant to flood damage;

(c) be constructed by methods and practices that minimize flood damage.

(d) be installed using methods and practices which minimize flood damage, including providing adequate access and drainage.

(e) electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(f) new and replacement potable water systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

(g) new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems to flood waters.

(h) on-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding. In no case shall any component of a septic system be situated within the area subject to inundation by a 25-year frequency flood (four percent annual chance flood).

(i) if any portion of a structure lies within the Special Flood Hazard Area (SFHA), the entire structure is considered to be in the SFHA. The entire structure must meet the construction requirements of the flood zone. The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks or porches that extend into a more restrictive flood zone will require the entire structure to meet the standards of the more restrictive zone.

(j) if a structure lies within two or more flood zones, the construction standards of the most restrictive zone apply to the entire structure (i.e., V zone is more restrictive than A zone; structure must be built to the highest BFE). The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. (Decks or porches that extend into a more restrictive zone will require the entire structure to meet the requirements of the more restrictive zone.)

(k) new construction, substantial improvements and repair to structures that have sustained substantial damage cannot be constructed or located entirely or partially over water unless it is a functionally dependent use or facility.

g. No Increase in the Base Flood Elevation (Equal Conveyance). Within the floodplain as designated on the Flood Insurance Rate Map (FIRM), encroachments resulting from filling, new construction or substantial improvements involving an increase in footprint of the structure, are prohibited unless the applicant provides

certification by a licensed professional engineer registered in the State of Connecticut demonstrating, with supporting hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments shall not result in any (0.00 feet) increase in the water surface elevation of the base flood, as defined in the Flood Insurance Study (FIS) for Fairfield County, Connecticut, dated July 8, 2013. Work within the floodplain and the land adjacent to the floodplain, including work to provide compensatory storage shall not be constructed in such a way so as to cause an increase in flood stage or flood velocity. The requirements of this paragraph shall not apply to encroachments within those areas of the floodplain which are tidally influenced.

h. Compensatory Storage. The water holding capacity of the floodplain, as designated on the Flood Insurance Rate Map (FIRM), shall not be reduced, based on the floodplain capacity in existence as of the date of the hydrologic and hydraulic analyses used to determine the applicable base flood elevation, as cited in the report entitled "Flood Insurance Study (FIS) for Fairfield County, Connecticut, dated July 8, 2013. Any reduction caused by filling, new construction or substantial improvements involving an increase in footprint to the structure, shall be compensated for by deepening and/or widening of the floodplain. Storage shall be provided on-site, unless easements have been gained from adjacent property owners; it shall be provided within the same hydraulic reach and a volume not previously used for flood storage; it shall be hydraulically comparable and incrementally equal or greater than to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Compensatory storage can be provided off-site if approved by the municipality. The requirements of this paragraph shall not apply within those areas of the floodplain which are tidally influenced.

(2) Residential structures. All new construction and substantial improvements of residential structures within a special flood hazard area shall have the lowest floor (including basement) elevated to or above the minimum elevation standard.

(3) Non-residential structures. All new construction and substantial improvements of non-residential structures within a special flood hazard area shall:

(a) have the lowest floor (including basement) elevated to or above the minimum elevation standard; or

(b) together with attendant utility and sanitary facilities, be designed so that below the minimum elevation standard, the structure is water tight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.

(4) Enclosed Areas Below The Minimum Elevation Standard. New construction or substantial improvements of buildings with lowest floor elevated to or above the minimum elevation standard that include fully enclosed areas formed by foundation and other exterior walls below the minimum elevation standard are subject to the following additional standards:

(a) Use criteria. The enclosed space can only be used for the parking of cars or other similar vehicles, building access or limited storage.

(b) Equalization of Hydrostatic Forces. Areas below the lowest floor that are fully enclosed areas and subject to flooding shall be designed to automatically equalize

hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a Connecticut registered professional engineer or architect or meet or exceed the following minimum criteria:

i.) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

ii.) The bottom of all openings shall be no higher than one foot above grade;

iii.) The openings may be equipped with screens, louvers, valves or other coverings or devices provided these devices permit the automatic and unobstructed flow of floodwaters in both directions.

iv.) The area below the minimum elevation standard shall not be a basement.

(c) Utilities above the minimum elevation standard. Machinery or equipment that service the structure such as furnaces, air conditioners, heat pumps, hot water heaters, ventilation, washers, dryers, electrical junction boxes, circuit breaker boxes and food freezers shall not be permitted below the minimum elevation standard.

(d) Unfinished/flood resistant materials. All interior wall, floor, and ceiling materials located below the minimum elevation standard shall be unfinished and resistant to flood damage.

(5) Floodproofing Design Certification. Where floodproofing is utilized for a particular structure, a Connecticut registered professional engineer or architect shall certify in writing that the floodproofing methods are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood.

(6) Manufactured Homes. All manufactured homes (including "mobile" homes to be placed or substantially improved within a special flood hazard area) and manufactured homes located outside a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an existing manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or on a site in an existing manufactured home park in which a manufactured home has incurred substantial damage as a result of a flood) shall meet the following requirements.

(a) Elevation above the minimum elevation standard. Be elevated so that the lowest floor is above the minimum elevation standard.

(b) Construction Standards. In the instance of elevation on pilings or columns, lots must be large enough to permit steps, piling and column foundations are to be placed in stable soil no more than ten feet apart, and reinforcement must be provided for pilings and columns more than six feet above ground level.

(c) Securely anchored to a permanent foundation. Be placed on a permanent foundation which itself is securely anchored and to which the structure is securely anchored so that it will resist flotation, lateral movement, and hydrostatic and hydrodynamic pressures. Anchoring may include, but not be limited to, the use of over-the-top or frame ties to ground anchors. If over-the-top or frame ties are used, specific requirements are that:

i.) over-the-top ties be provided at each of the four corners of the mobile home with two additional ties per side at intermediate locations, and mobile homes less than fifty feet long requiring one additional tie per side;

ii.) frame ties be provided at each corner of the home with five additional ties per side at intermediate points, and mobile homes less than fifty feet long requiring four additional ties per side;
iii.) all components of the anchoring system to be capable of carrying a force of 4,800 pounds; and
iv.) any additions to the mobile home be similarly anchored.

(7) Recreational vehicles placed on sites within Zones A or AE shall be on the site fewer than 180 consecutive days, be fully licensed and ready for highway use, or meet all the standards of SUBSECTION 7.1 D 1 and 2. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

2. Provisions Applicable to Designated Regulatory Floodways.
In all designated regulatory floodways the following special standards shall apply, in addition to the requirements of Subsection D.1 above:

a. Encroachments. Encroachments (including filling, new construction, substantial improvements and other development within the adopted regulatory floodway) that would result in any (0.00 ft) increase in flood levels during the occurrence of the base flood discharge shall be prohibited. The provision of proof that there shall be no (0.00 ft) increase in flood levels during occurrence of the base flood discharge due to the proposed construction or encroachment shall be the responsibility of the applicant and shall be based on hydrologic and hydraulic studies, performed in accordance with standard engineering practice, and certification, with supporting technical data, by a Connecticut Registered Professional Engineer.

b. Prohibited Uses. Within any delineated Regulatory Floodway, the placement of manufactured homes, manufactured home parks, manufactured home subdivisions, recreational vehicles, new or substantially improved uses and facilities defined as critical uses and facilities, new or substantially improved structures and facilities used for the storage or production of dangerous materials and new or substantially modified underground storage facilities containing or proposed to contain "Dangerous Materials" shall be prohibited.

3. Provisions Applicable to Coastal High Hazard Areas.
Coastal High Hazard Areas have special flood hazards associated with wave wash and are subject to the following special standards, in addition to the requirements of Subsection D.1 above:

a. Location Landward of the Connecticut Coastal Jurisdiction Line. All new construction or substantial improvement shall be located landward of the reach of the Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101;

b. Elevation Above the Minimum Elevation Standard. All new construction or substantial improvement shall be elevated on adequately anchored pilings and columns and securely anchored to such pilings and columns so that the bottom of the lowest supporting horizontal member (excluding pilings or columns) is located above the minimum elevation standard, with all space below the lowest supporting member open so as not to impede the flow of water.

c. **Design for One-Percent Annual Chance Floods and Winds**. All pilings and columns and the attached structures shall be anchored to resist flotation, collapse, and lateral movement due to the effect of wind and water loads acting simultaneously on all building components. The anchoring and support system shall be designed with wind and water loading values which equal or exceed the base flood recurrence interval (one percent annual chance flood and winds).

d. **Certification by Professional Engineer or Architect**. A professional engineer or architect registered in the State of Connecticut shall review and/or develop structural design specifications and plans for the construction and shall certify that the design, specifications and plans for construction are in accordance with acceptable standards and are in compliance with the provisions contained in Subsections D.3.b. and D.3.c. above.

e. **Use of Fill for Structural Support Prohibited**. There shall be no fill used as structural support of buildings. Non-compacted fill may be used around the perimeter of a building for landscaping/aesthetic purposes provided the fill will wash out from storm surge thereby rendering the building free of obstruction prior to generating excessive loading forces, ramping effects, or wave deflection. Such plans shall only be approved subject to an analysis by an engineer, architect, and/or soil scientist demonstrating that the following factors have been fully considered:

   (1) particle composition of fill material does not have a tendency for excessive natural compaction;

   (2) volume and distribution of fill will not cause wave deflection to adjacent properties; and

   (3) slope of fill will not cause wave run-up or ramping.

f. **No Alteration of Sand Dunes**. There shall be no alteration of sand dunes.

g. **Construction Standards and Use of Areas Below the Minimum Elevation Standard.**

   (1) Use of breakaway walls. Non-supporting breakaway walls, lattice work or mesh screening shall be allowed below the minimum elevation standard provided they are not part of the structural support of the building and are designed to break away under abnormally high tides or wave action without damage to the structural integrity of the building on which they are used, subject to the following standards:

   (a) the design safe loading resistance of each wall shall not be less than ten (10) nor more than twenty (20) pounds per square foot; or

   (b) if more than 20 pounds per square foot, a professional engineer or architect registered in the State of Connecticut shall certify that the design wall collapse would result from a water load less than that which would occur during the base flood event, and the elevated portion of the building and supporting foundations system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components during the base flood event. Maximum wind and water loading values to be used in this determination shall each have a one percent (1%) chance of being equaled or exceeded in any given year (100-year mean recurrence interval).

   (2) Not for human habitation. If breakaway walls, lattice work or screening are utilized, the resulting enclosed space shall not be designed to be used for human habitation, but may be designed to be used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises.

(3) Modifications to structures. Any alteration, repair, reconstruction, or improvement to a structure shall not enclose the space below the lowest floor except with breakaway walls, lattice work, or screening as provided for in items (1) and (2) above.

h. Prohibited Uses. Within any Coastal High Hazard Area, the establishment of manufactured homes, manufactured home parks, or manufactured home subdivisions, the placement of recreational vehicles, and the establishment or substantial improvement of critical uses and facilities, and the establishment or substantial improvement of structures used for the production or storage of dangerous materials, and the establishment or substantial modification of underground storage facilities containing or proposed to contain "Dangerous Materials" shall be prohibited.

4. Special Provisions Applicable to Subdivisions. All subdivision proposals shall be consistent with the need to minimize flood damage and reduce threats to public health and safety. The following requirements shall apply to all subdivision proposals:
   (a) public utilities and facilities such as sewer, gas, telephone, electrical and water systems shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood.
   (b) adequate storm water drainage shall be provided to reduce exposure to flood hazards.
   (c) A subdivision shall be disapproved unless designed, located and constructed so that at any time during the occurrence of the base flood, all building sites can be safely accessed and evacuated.
   (d) All proposed subdivisions which contain any land within a special flood hazard area shall include the base flood data on the record plan.
   (e) Sanitary sewers within the flood prone areas shall be constructed with water tight manhole frame and covers, pipe joints, and manhole joints.
5. Special Provisions Applicable to Critical Uses and Facilities. All such uses and facilities including substantial improvements shall be prohibited in any Regulatory Floodway or any Coastal High Hazard Area. All such uses and facilities including substantial improvements shall be prohibited within any special flood hazard area unless elevated (residential structures) or elevated and/or dry floodproofed (non-residential structures) to or above the level of the 500-year flood and so located and constructed as to be safely accessed and evacuated at any time during the base flood.
6. Special Provisions Applicable to Dangerous Materials. All new or substantially improved structures and facilities including underground storage facilities, which will be used for the production or storage of any material or substance defined as a "Dangerous Material," shall be prohibited in any Regulatory Floodway or any Coastal High Hazard Area. All such structures and facilities including substantial improvements shall be prohibited within any special flood hazard area unless those portions of the structure or facility used for the production or storage of a dangerous material or substance are elevated (residential structures) or elevated and/or dry flood-proofed (non-residential structures) to or above the level of the 500-year flood, and so designed as to prevent pollution from the structure or facility during the course of the 500-year flood. All new and substantially improved underground storage facilities shall be prohibited within any Special Flood Hazard Area unless designed and constructed to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 500-year flood, and to prevent the infiltration of floodwaters into the facilities and discharges from the facilities to floodwaters. Specifically exempt from this section is oil or petroleum liquids of a volume of not more than 550 gallons, stored in interior storage facilities and used solely for on-site heating or intermittent stationary power production.

E. ADMINISTRATION

1. Zoning Enforcement Officer (ZEO). The ZEO shall monitor and inspect construction and other development activities within the Coastal Boundary to ensure compliance with the standards of this Section and the conditions of any issued Flood Hazard Area Permit, shall enforce any violations in the same manner as other violations of the Zoning Regulations, and endorse issuance of a certificate of occupancy upon a determination that all conditions of the permit have been met. The ZEO shall maintain records pertaining to the provisions of this Section including:
   a. elevation of the lowest floor (including basement) and, in coastal high hazard areas (VE zones) elevation of the bottom of the lowest horizontal structural member of all new or substantially improved structures per Section E.3 below;
   b. elevation to which new or substantially improved non-residential structures have been flood-proofed per Section E.3 below;
   c. certifications that floodproofing, when utilized, meets the requirements of this Section per Section E.3 below;
   d. certifications that structures in coastal high hazard areas are designed to be securely anchored to adequately anchored pilings or columns in order to withstand velocity waters and hurricane wave wash;
   e. fair market value/improvement cost assessments for projects situated within Special Flood Hazard Areas.
   f. variance actions.
2. Zoning Board. The Zoning Board of the City of Stamford shall approve, approve with conditions or disapprove all applications for Flood Hazard Area Permit within any special flood hazard area situated within Stamford's designated Coastal Boundary. The Zoning Board shall also provide notification to adjoining municipalities and to the Southwest Regional Planning Agency not less than thirty-five (35) days prior to any scheduled public hearing or final action on any change of regulations or use of a flood zone any portion of which is within five hundred (500) feet of any adjoining municipality. The Zoning Board shall also notify adjacent municipalities and the Connecticut Department of Energy and Environmental Protection (DEEP) - Water Resources Unit not less than 35 days prior to approval of any application to alter or relocate any watercourse, and shall submit evidence of such notification to the Federal Emergency Management Agency.
   Any application filed with the Zoning Board which is in conformance with the applicable Flood Prone Area Regulation of the Zoning Regulations as of the date of the receipt of such application shall not be required thereafter to comply with any change in the Flood Prone Area Regulation taking effect on or after the date of such receipt.
3. Environmental Protection Board (EPB). The EPB of the City of Stamford shall approve, approve with conditions, or disapprove all applications for Flood Hazard Area Permit within any special flood hazard area situated outside of Stamford's designated Coastal Boundary, including any conditions it deems necessary in order for the proposed activity to meet the provisions of Section 7.1 FLOOD PRONE AREA REGULATIONS. The EPB shall provide notification to adjacent municipalities, boards, agencies and commissions as required under Section 5.9 of the "Inland Wetlands and Watercourses Regulations of the City of Stamford." Violations of any Flood Hazard Area Permit issued by the EPB shall be enforceable by the EPB by issuance of a cease and desist order in accordance with Section 10 of the Inland Wetlands and Watercourses Regulations, and all other remedies available by law. Such violations shall also be separately enforceable by the Zoning

Enforcement Officer.

Any application filed with the EPB which is in conformance with the applicable Flood Prone Area Regulation of the Zoning Regulations as of the date of the receipt of such application shall not be required thereafter to comply with any change in the Flood Prone Area Regulation taking effect on or after the date of such receipt.

4. Executive Director of the EPB. The Executive Director of the Environmental Protection Board shall:
   a. Review all proposed development activities to determine if the proposed activity is within a special flood hazard area in accordance with Sub-Section D.1.a above.
   b. Review proposed plans with applicants to explain the provisions of this Section, review all permit applications to determine whether proposed building sites will be reasonably safe from flooding, identify any aspects of the proposed activity that may not conform and suggest modifications that would bring a project into conformance with the standards of Section 7.1.
   c. Advise applicants of any additional federal, state or local permits that may be required, including but not limited to: Coastal Area Management, Water Diversion, Dam Safety, Corps of Engineers Section 404, and Inland Wetland and Watercourses permits.
   d. Issue written findings, recommendations and suggested conditions of approval to the Zoning Board, Zoning Board of Appeals and Planning Boards of the City of Stamford regarding any application for a variance from the standards of Section 7.1 or any applications submitted pursuant to or affected by the standards of Section 7.1.
   e. Provide advice and assistance to the ZEO to ensure that approved and permitted activities are completed in conformance with the provisions of this Section 7.1.
   f. Notify permit holders regarding any violation of the provisions of this Section 7.1 and petition the EPB to issue a cease and desist order and initiate other enforcement actions as necessary.
   g. Endorse the issuance of a Certificate of Compliance and Certificate of Occupancy upon a final inspection and determination that the conditions of the Flood Hazard Area Permit have been met.
   h. Maintain records pertaining to the provisions of this Section, including the same information maintained by the ZEO.
5. Building Department. For any activity in a special flood hazard area subject to the provisions of this Section 7.1, the Chief Building Inspector or his/her designee shall not issue a Building Permit until a Flood Hazard Area Permit has been issued and shall not issue a final Certificate of Occupancy until written approval has been issued by the Zoning Enforcement Officer.
6. Permit Application Procedures. Prior to any development activity, an application for Flood Hazard Area Permit shall be submitted to the Zoning Board (Coastal Area) or to the EPB (outside Coastal Boundary), containing site plans and architectural plans conforming to the standards of Section 7.2,C of these Regulations and the following additional standards and requirements:
   a. all elevation data shall be referenced to the North American Vertical Datum (NAVD) of 1988.
   b. proposed finished floor elevation or the elevation to which structures, or facilities will be flood-proofed shall be shown.
   c. any changes to any flood boundary, floodway or coastal velocity zone resulting from the proposed construction shall be shown.
   d. preliminary plans and descriptions of proposed measures to mitigate identified impacts

of the development and proposed floodproofing measures shall be provided.

e. estimates of the cost of proposed alterations to an existing building and the appraised value of the building shall be provided, of sufficient detail and accuracy to determine if the proposed work meets the definition of a Substantial Improvement.

f. where structural floodproofing measures are proposed, a written statement shall be provided by a Connecticut licensed professional engineer or architect certifying that any proposed floodproofing measures have been designed to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood and in accordance with the provisions of Section 7.1.

g. where applicable, the boundary and elevation of the Base Flood, the Five Hundred Year Flood, the Regulatory Floodway, the Coastal High Hazard Area, the Connecticut Coastal Jurisdiction Line, Mean High Tide and any Stream Channel Encroachment Lines shall be surveyed and shown on the site plan.

h. where applicable, a hydrologic analysis shall be submitted, prepared by a Connecticut registered Professional Engineer, evaluating the effects the proposed development will have on Base Flood elevations, the floodway, flood velocities, and erosion hazards to adjoining properties.

i. where applicable, an evacuation plan shall be submitted which details a safe and practical method for notifying and evacuating the occupants of a building at any time during the occurrence of the Base Flood.

j. where applicable, an impact assessment shall be provided evaluating the risk of pollution that could occur from the development during the Base Flood event including the potential release of loose or buoyant materials or debris on-site, and the potential impact to public health and flood flows.

7. Certification of Completed Development. Upon completion of the permitted development and prior to the issuance of a Certificate of Occupancy, necessary as-built surveys and engineering or architectural certifications shall be provided demonstrating compliance with the issued Flood Hazard Area Permit and the standards of Section 7.1, including but not limited to the following:

a. Verification of Elevation. Completion of a National Flood Insurance Program Elevation Certificate, prepared by a Connecticut licensed land surveyor based on a Class A-2 as-built survey. For residential structures and manufactured homes, such survey shall show the elevation of the top of the lowest floor (including basement). For non-residential structures such survey shall show the elevation of the lowest floor (including basement) and/or the elevation to which such structures have been dry floodproofed. In Coastal High Hazard Areas such survey shall also show the lowest point of the lowest supporting horizontal member (excluding pilings or columns).

b. Verification of Floodproofing Measures. Where floodproofing is used to satisfy the standards of Section 7.1, a Connecticut registered professional engineer or architect shall submit a written statement, signed and sealed, certifying that he has inspected the completed construction and that the structure or facility has been constructed to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood, as specified in the issued Flood Hazard Area Permit and in accordance with the provisions of Section 7.1.

c. Flood Hazard Disclosure. For all Flood Hazard Area Permits, the owner of the property shall file a notice on the Stamford Land Records, on forms approved by the Zoning Board, declaring the property subject to flood hazard and referring to the issued flood hazard permit.

F. VARIANCES

1. An application for variances from the standards of Section 7.1 shall be submitted to the Zoning Board of Appeals (ZBA) and shall contain all the information required for an application for a Flood Hazard Area Permit as defined under Subsection D-6 of this Section.
2. Variances Prohibited:
   a. No variances shall be issued within any designated Regulatory Floodway if the proposal would result in any increase in flood levels during the Base Flood discharge.
   b. No variances shall be issued within any Special Flood Hazard Area if the proposal would result in any increase in flood levels during the Base Flood discharge.
3. Historic Structures. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the State or National Register of Historic Places provided they do not violate the prohibitions of Subsection F-2 above and subject to the following additional standards:
   a. The proposed reconstruction, rehabilitation, or restoration will not result in the structure losing its historical character; and
   b. No reconstruction, rehabilitation, renovation or alteration is made to an historical structure without due consideration and effort to incorporate design concepts which, while preserving the historical character of the building, will also serve to reduce the potential for future flood damage and threat to human life and property.
4. Pre-Existing, Small Lots. Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level.
5. Functionally Dependent Facility. Variances may be issued for new construction and substantial improvements and other development necessary for the conduct of a Functionally Dependent Facility provided the structure or other development is protected by methods that minimize flood damage and create no additional threat to public safety.
6. Considerations for Granting of Variances. When reviewing applications for a variance from the standards of Section 7.1, the Zoning Board of Appeals shall make a finding that all of the following standards are met in addition to the other standards of Section 19-2.2:
   a. Consider all technical evaluations, all relevant factors and all standards specified in other parts of this Section 7.1 including:
      (1) The danger that materials may be swept onto other lands to the injury of others;
      (2) The danger to life and property due to flooding or erosion damage;
      (3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
      (4) The importance of the services provided by the proposed facility to the community;
      (5) The necessity of the facility to waterfront location, in the case of a functionally dependent facility;
      (6) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
      (7) The compatibility of the proposed use with existing and anticipated development;
      (8) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
      (9) The safety of access to the property in times of flood for ordinary and emergency

vehicles;

(10) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and

(11) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

b. The variance requested will not result in increased flood heights, additional threat to public safety, extraordinary public expense, creation of nuisances, or conflicts with existing local laws or ordinances.

c. Any variance granted is the minimum necessary to afford a reasonable level of relief.

7. Referral to Other Agencies. In addition to the requirements of Section 19-2.3, each application for a variance under this section shall be referred to the EPB and to the Zoning Board for an advisory opinion at least thirty (30) days prior to the date assigned for a public hearing thereon.

8. Notification of Consequences of Variance. Any applicant to whom a variance is granted shall be notified in writing by the ZEO describing the consequences of the variance including increased risk to life and property resulting from construction below the Base Flood elevation and possible increase in flood insurance rates. The issuance of a variance to construct a structure below the base flood level may result in increased premium rates for flood insurance commensurate with the increased risk resulting from the reduced elevation of the lowest floor, up to premium rates as high as $25.00 for $100.00 of insurance coverage.

SECTION 7.2 - SITE PLAN REVIEW

A - PURPOSE

It is the purpose of this Section to establish uniform procedures and standards for the review of site and architectural plans required under Section 9 - Design Districts, Special Exceptions required under Section 7.5 "Review of Large Scale Development", as well as other site plan reviews as stipulated elsewhere in these Regulations to assure that such plans meet the stated objectives and standards of these Regulations, conform to the stated objectives of other agencies, provide for the safety and convenience of the general public as well as those using the subject site, and preserve important site features, identified conservation values, and landscaping where desirable. The goal of such review is to achieve attractive, functional and efficient development on the subject site while mitigating impacts to environmental and public infrastructure resources and protecting adjacent properties through appropriate design considerations and siting of buildings, structures, uses, access, parking, landscaping and other site development features. (204-40)

B - PROCEDURE

1. In all cases where these Regulations require review under this Section, no building permit shall be issued until after the required plans have been reviewed and approved by the Zoning Board and after a Zoning Permit has been issued by the Zoning Enforcement Officer. Building permits shall be issued only in conformity with such approved plans including any modifications or conditions imposed by the Zoning Board. No certificate of occupancy shall be approved until after certification by the Zoning Enforcement Officer that the completed project substantially conforms to the approved plans.

2. Pursuant to P.A. 87-533, site plan applications involving regulated inland wetlands or watercourses shall not receive final action by the Zoning Board until after a permit has been issued by the Stamford Environmental Protection Board. The Zoning Board, in its sole discretion, may refuse to accept for review any such application when a timely approval by the E.P.B. can not be reasonably anticipated.

3. The Board shall notify the Town Clerk of any adjoining municipality regarding any site plan proposal within five-hundred feet of the municipal boundary. Such notice shall be made by registered mail within seven days of the date of receipt of the application. Such notice shall also be provided for any site plan where a significant portion of the site generated traffic, sewer discharge or storm water discharge may impact an adjoining municipality, as more particularly defined by P.A. 87-307.

4. Upon application and submission of a site plan, the Zoning Enforcement Officer, after consultation with the Director of Planning and Zoning, may issue a Zoning Permit for minor changes of use or alterations of site and architectural plans or permitted signs, provided such modifications are in keeping with the Designed District approval issued by the Zoning Board.

C - APPLICATION REQUIREMENTS: Unless otherwise authorized by the Zoning Board staff, eleven copies of all plans and documents, certified by an architect, landscape architect, engineer or surveyor, registered within the State of Connecticut, shall be submitted to the Zoning Board showing the following information:

1. An existing conditions site survey, drawn to a scale preferably of not less than 1 inch = 30 feet but in no case less than 1 inch = 60 feet, showing dimensions and area of the site, street and property lines, curbs, pavements, sidewalks, existing easements and rights-of- way, the location of existing structures, walls, fences, utility facilities, and trees of 8-inch caliper or more, and existing land contours at a maximum two-foot interval, said information to be certified by a Registered Land Surveyor and prepared in accordance with the standards of a Class A-2 survey as defined by the Connecticut Association of Land Surveyors.

2. The location of abutting streets, nearest cross streets, driveways on adjacent lots, and structures on adjacent lots within twenty feet of the property line.

3. The location and dimensions of all proposed buildings, structures, facilities, walls, fences, utility installations, site improvements, and finished land contours at maximum two-foot intervals.

4. Location of all existing watercourses, inland and tidal wetlands, flood hazard and encroachment lines, principal wooded areas and rock formations, slopes greater than 25%, and other significant natural features.

5. Zoning data including for all proposed structures: height, number of stories, yards, floor area ratio, building coverage, number of parking spaces, number of dwelling units, total building area and proposed uses.

6. The title of the development, date, revision dates, north arrow, scale, name and address of owner and name and address of applicant if different from owner.

7. Location, dimensions and surface treatment of existing and proposed off-street parking and loading spaces, traffic access, circulation drives and pedestrian walks.

8. Location, size and type of proposed landscaping and buffer planting and the designation of those areas of natural vegetation not to be disturbed, including any areas to be preserved as open space.

9. Location, type, design, shielding, power and hours of operation of all existing and proposed exterior and garage lighting.

10. Architectural elevations depicting the exterior designs and the color, materials and finishes of all proposed structures.

11. Location, type, size, design, color and illumination of all signs.

12. Plans for storm drainage, water supply, sewage disposal, and a Soil Erosion and Sediment Control Plan as defined within Section 15 B of these regulations.

13. Properties located within regulated flood hazard areas shall submit preliminary architectural and engineering data demonstrating conformity with the standards of Section 7.1 of these Regulations.

14. Such other additional information as may be deemed reasonably necessary by the Zoning Board to properly evaluate the application.

15. A traffic impact and access study shall be submitted, prepared by a State of Connecticut Registered Professional Engineer qualified to prepare such studies, where required either by Section 12-A-9 of these Regulations or where considered necessary in the judgment of the City Traffic Engineer. At a minimum, the study shall include data and information on existing and projected average daily vehicle trips on nearby roads, peak hour traffic, distribution of such traffic to be generated, types of vehicles expected, existing and projected levels of service, adequacy of rights-of-way and travelways, existing roadway capacity, traffic accidents, traffic generation data, the location of existing roads within 300 feet of the development site, traffic lights and intersections, sight line conditions, and recommended improvements needed to avoid undue congestion and provide for safe pedestrian and vehicular circulation, including provisions for safe sidewalks and crosswalks for pedestrians. Where applicable, such study shall include the written findings and recommendations of the Connecticut Department of Transportation. (204-40)

16. A drainage impact report shall be submitted, prepared by a State of Connecticut Registered Professional Engineer qualified to prepare such studies, in accordance with design criteria and methodologies as approved by the City Engineer. (204-40)

D - STANDARDS FOR REVIEW: In reviewing site plans the Zoning Board shall take into consideration the purposes of these Regulations, including the purposes of the applicable zoning district and the goals and policies of the Stamford Master Plan, the public health, safety and general welfare and convenience of the general public and the maintenance of property values. In its review the Board may modify a site plan or condition an approval to the extent necessary to conform the site plan to the following standards and objectives:

1. Safe, adequate and convenient vehicular traffic circulation, operation, parking and loading, and pedestrian circulation, both within and without the site.

(a) The number, locations and dimensions of all vehicular and pedestrian access drives and walkways, parking spaces, drop-off and loadings areas, and provisions for handicapped access shall conform to the standards of Section 12 of these Regulations, to the adopted design criteria and engineering practices of the Dept. of Traffic and Parking, and all other applicable standards. Such areas shall be constructed of suitable hard surface materials and maintained in good condition.

(b) The number of vehicle access drives shall be minimized and shall be located and designed to provide safe and convenient turning movements and safe sightline as determined in accordance with the Geometric Highway Design Standards of the Conn. Dept. of Transportation.

(c) Area streets and traffic controls shall be determined to have adequate capacity to service the site without causing undue congestion or hazardous conditions.

(2) The protection of environmental quality, landscaping of open space and harmony with existing development. The Board shall take into consideration the following features and standards:

(a) The location, height, design and materials of walls, fences, hedges and plantings shall be appropriate to the vicinity and shall suitably screen parking, loading, garbage collection facilities, outside storage areas, accessway drives, utility installations and other such features; such landscaping shall be appropriate to the general character of the vicinity and consider the proximity and nature of abutting uses and the level of use of adjoining public streets and walkways.

(b) All open space areas, exclusive of undisturbed natural areas, shall be suitably landscaped to the satisfaction of the Board. Site landscaping shall be performed at a minimum dollar value equivalent to one shade tree of 2.5 inch caliper for every two hundred (200) square feet of landscaped area. In multi-family developments, open space shall be designed to provide functional outdoor living and play areas meeting the needs of intended residents.

(c) Soil erosion, sedimentation and the release of excessive dust shall be controlled through implementation of suitable short term and long term controls in accordance with the standards and procedures of Section 15 B.

(d) Site development shall seek to preserve existing specimen trees, historic structures and other significant natural features of the site. Accordingly, the premature demolition and site clearance of prospective development sites is specifically discouraged and may be taken into consideration in subsequent site plan reviews.

(e) Artificial lighting, and site generated noise, odors, particles and other disturbances shall be controlled to avoid interference with the use and enjoyment of neighboring properties. The location, height, design and arrangement of outside lighting shall be consistent with safety such as to avoid glare on any other lot and to avoid hazards to traffic on any street.

(f) Available public utilities shall be adequate in capacity to safely service the requirements of the site. Surface water drainage facilities shall be adequate to safely drain the site while minimizing the risk of downstream flooding and erosion. Where infrastructure capacity is judged not to be adequate the Board may accept a binding agreement to perform suitable improvements.

(g) Adequate provision shall be made for emergency vehicle access, fire lanes, and safe fire flows, upon the recommendation of the Fire Marshall and the public water utility.

(h) The arrangement, location, apparent bulk, architectural features, materials, texture and color of proposed buildings and structures shall establish an architectural character and overall site design compatible with the scale and general character of the vicinity.

(i) Building setbacks and the configuration of open space shall be appropriate to existing structures on adjoining properties and established patterns of use of side and rear yard areas, and to the existing physical conditions of the site.

(j) No use shall be permitted that will cause or result in:

- dissemination of dust, smoke, observable gas or fumes, odor, noise or vibration beyond the immediate site of the building in which such use is conducted, or
- unusual hazard of fire or explosion or other physical hazard to any adjacent buildings, or
- harmful discharge of liquid materials, or
- unusual traffic hazard or congestion due to the type of vehicles required in the use or due to the manner in which traffic enters or leaves the site of the use.

k) All buildings and grounds and other structures shall be maintained in good repair and in safe, clean and sanitary condition. All landscaping required pursuant to an approved site plan shall be installed to the satisfaction of the Director of Parks and Recreation and shall thereafter be maintained in accordance with an agreement to be made part of the application of record, which agreement shall be enforced by the Zoning Enforcement Officer, upon advice of the Director. (88-025)

SECTION 7.3 - SPECIAL EXCEPTION USES FOR HISTORIC BUILDINGS

A - PURPOSE

The purpose of this section is to encourage the preservation, rehabilitation, enhancement and adaptive re-use of historic buildings. The Zoning Board may by grant of Special Exception authorize the special use and density incentives of this section in those special circumstances where applicable zoning regulations serve to discourage the preservation of significant historic buildings.

B - PROCEDURE

An application for Special Exception and Site Plan Approval under this section shall be submitted and reviewed by the Zoning Board pursuant to the criteria of Section 19, 3.2 and of this section. Application contents shall satisfy the requirements of Section 7.2 and such other information deemed necessary by the Zoning Board.

C - DEFINITIONS

1. Historic Building. A structure listed or eligible for listing on the National Register of Historic Places or the State Register of Historic Places either as an individual building or as a contributing building in a district. Where eligibility has not been determined by the State Historic Preservation Officer or the Director of the Connecticut Historical Commission, the Zoning Board may determine eligibility based on the recommendations of at least two independent, qualified historic preservation experts as provided by the applicant. Such recommendations shall detail the building's compliance with the current standards for designation on the State Register of Historic Places and justify any findings based on the buildings special architectural, social or other significance to the history of the City of Stamford. A building located within the R-6, R-7.5, R-10, R-20, RA-1, RA-2, or RA-3 District shall be a minimum of eighty-five (85) years old, in whole or in part, to be eligible for consideration as a historic building for purposes of this section 7.3. (205-13; 213-03)

D - GENERAL STANDARDS

1. Application. The standards of this section shall apply in RM-1, R-5, R-6, R-7.5, R-10, R-20, RA-1, RA-2, RA-3, R-MF, R-H, C-N, C-B, C-L, C-G, C-I CC-N, M-L and M-G Districts. (91-018A; 93-005; 205-13)

2. Bonus Uses

a. Historic buildings in the R-H, R-MF, RM-1 or R-5 zoning districts may be allowed the following additional uses: Professional Offices; Tourist Home; Museum; Public or Charitable Institutions; Clubs or Lodges.

b. Historic buildings in the R-MF or R-H zoning districts, that adjoin or are directly opposite from commercial and/or industrial zoned property, shall be eligible for the following additional commercial uses: bakeries-retail; art & antique shop; book store; florist shop; food shops – retail; gift shop; music store; variety store; frame shop; gallery –

including the care and restoration of art. In addition, signage for such commercial uses shall be subject to determination by the Zoning Board, not to exceed one (1.0) square foot of wall signage per lineal foot of building frontage, and parking shall be provided at a rate of not less than two (2.0) spaces per thousand square feet of gross floor area. (206-48)

c. Historical buildings in industrially zoned districts may be allowed the following additional uses: All uses including special exception uses permitted in the R-MF, R-H and P-D Districts provided that retail uses in the aggregate shall not exceed more than 10,000 square feet of gross floor area and no single retail tenant shall exceed 2,500 square feet of floor area. (93-005)

d. Historic buildings in the R-20 district with frontage on a State highway may be allowed real estate office use, provided the property abuts a non-residential zone for not less than 40% of the total distance of the boundary line of the subject parcel or contains an approved and/or legally nonconforming non-residential use and that all non-residential uses shall not exceed a total of 0.15 FAR. The standards and conditions of Section 19-3.2-e shall not apply. (212-03; 213-03)

3. Parking. Parking for historic structures to be preserved shall be approved by the Zoning Board on a use basis, based upon a careful analysis of the best available information and a determination that the proposed plan provides for adequate parking in the vicinity and that no adverse impact will be created. In addition to other applicable parking standards of these Regulations, the Zoning Board in its discretion may approve the following minimum parking standards: one space per dwelling unit; one space per 1000 s.f. of gross floor area of commercial use; or one space for every three (3) dwelling units reserved for occupancy primarily for elderly, special needs, handicapped or disabled persons with income less than 50% of the Area Median Income. Provided further, that the Zoning Board within the CC-N District may waive additional parking requirements where existing floor area is not expanded and where all existing parking is retained. And provided further that in all zones other than CC-N, the Zoning Board may waive additional parking requirements where existing floor area is not expanded, where all existing parking is retained and where the proposed use requires fewer parking spaces than other uses permitted as-of-right. (91-018A; 202-16; 205-35)

4. Historic Preservation. The exterior of all proposed alterations and additions affecting the historic building and all site work shall conform to the Secretary of the Interior's standards for rehabilitation, published by the Office of Archeology and Historic Preservation, Heritage Conservation and Recreation Service, Washington, D.C. A suitable historic conservation easement shall be recorded to insure the continued maintenance of any such historic properties in accordance with these standards, as may be subsequently modified.

5. Bonus Development Standards. The Zoning Board in its sole discretion may approve a special exception and site plan pursuant to this section that does not otherwise fully satisfy the yard, height, coverage, dwelling unit density or floor area ratio (F.A.R.) standards of these Regulations, subject to the limitations as herein defined. Increases in building coverage and increases in dwelling unit density shall not be permitted in the R-6, R-7.5, R-10, R-20, RA-1, RA-2, or RA-3 zoning districts. In all other districts, increases in building coverage, floor area ratio and dwelling unit density shall be confined to the exclusion of the coverage and floor area and dwelling unit density of the existing historic building(s) from such calculations, but in no instance shall building coverage and floor area standards be increased by more than

twenty-five percent (25%) and in no instance shall residential density be increased by more than fifty percent (50%). In the R-6, R-7.5, R-10, R-20, RA-1, RA-2, or RA-3 zoning districts, building height and building setback standards may be modified to not exceed the height or setback of an existing feature of the building that is legally non-conforming. When calculating residential density, the Zoning Board may waive the provisions of Appendix B, footnote 15.1, provided that such waiver does not result in a significant reduction of ground floor commercial space having street frontage. For purposes of residential density calculations, commercial uses in residential districts shall be assigned a residential density equal to one dwelling unit for every 800 square feet of commercial floor area. Bonuses approved by the Zoning Board pursuant to this section shall be restricted to the minimum amount deemed necessary to encourage preservation of the historic structure. Nothing in this section shall be deemed to preclude the relocation and/or incorporation of such historic buildings into a larger plan of development subject to site plan review by the Zoning Board. (205-13: 205-35)

a. Notwithstanding the above, residential uses in industrial districts may be allowed to fully occupy an historic structure(s) to be preserved. (93-005)

E. FINDINGS

1. No special exception shall be granted nor site plan approved pursuant to this Section until the Zoning Board has made a special finding that:

a. Said use and site plan is compatible with and implements the objectives and policies of Stamford's Master Plan;

b. That said uses and site plan are preferred to a plan conforming to the standard dimensional requirements and use standards of the underlying zone and will not impair the future development of the surrounding area;

c. That the proposed use(s) and site plan for development serve to preserve significant historic structure(s) and that the loss of said structure(s) would be detrimental to the neighborhood or district. (84-018; 86-020).

SECTION 7.4 – BELOW MARKET RATE DWELLING UNITS

A. FINDINGS

It is the public purpose and policy of the City of Stamford, the Southwestern Regional Planning Agency and the State of Connecticut to achieve a diverse and balanced community with housing available for households of all income levels. Economic diversity fosters social and environmental conditions that protect and enhance the social fabric of the City and are beneficial to the health, safety and welfare of its residents and to the environmental quality and economy of the region.

The Stamford Master Plan 2002 has documented a growing affordability gap between the supply of housing and the demand for housing. This affordability gap is driven by several broad trends including the fact that home sale prices have grown as fast or faster than household earnings, that rents in newer apartment developments are well out of reach of most low and moderate income households, and that the limited inventory of affordable market-rate apartments and condos coupled with the inventory of assisted housing units is inadequate to meet the demand for affordable housing.

A significant cause of this affordability gap and crisis in the availability of a diversity of housing opportunities is the rapid increase in employment in the City. Employment in Stamford increased by 8,000 jobs between 1980 and 1990 and is projected to add 9,000 more jobs by the year 2000 and an additional 7,700 jobs by the year 2010.

The Master Plan establishes the goal of providing decent, affordable housing for all of the residents of Stamford, whatever their economic conditions. To address the continuing loss of affordable housing, coupled with the increasing affordability gap and growing housing demand, the City of Stamford has established the goal of producing a minimum of 8,000 affordable housing units, in addition to what is currently available.

The Master Plan recommends, as a key element of a coordinated housing strategy, that the City's Zoning Regulations incorporate a mandatory inclusionary housing requirement, with appropriate incentives, consistent with established planning principles and contextual development.

The inclusionary housing program defined herein is necessary to provide continuing housing opportunities for low and moderate income households and working people. It is necessary to help maintain a diverse housing stock and to allow working people to have better access to jobs and upgrade their economic status. The regional trend toward increasing housing prices will, without intervention, result in inadequate supplies of affordable housing and will negatively impact the ability of local employers to attract and maintain an adequate work force. Because remaining opportunity for new residential development within the city is limited, it is essential that a reasonable proportion of new development be devoted to housing that is affordable to low and moderate income residents and working people.

Therefore, to implement the policies of the Master Plan, it is essential that new residential development contain housing opportunities for households of low and moderate income, and that the City provide a regulatory and incentive framework that ensures development of an adequate

supply and mix of new housing to meet the future housing needs of all income segments of the community.

B. AUTHORITY

These regulations are enacted under the authority of the Charter of the City of Stamford and Section 8-2(i) of the Connecticut General Statutes.

C. STANDARDS

The purpose of this section is to establish uniform definitions, standards and procedures to apply in all cases where Below Market Rate (BMR) Dwelling Units are required under the terms of these Regulations. Standards for the level of affordability and the number of required BMR units and other special standards are established separately by zoning district and are stated elsewhere in these Regulations.

1.) The term "Below Market Rate Dwelling Unit" (BMR) shall be defined to be a dwelling unit restricted as to sale or rent based on the most current statistics of median family income for the Stamford Standard Metropolitan Statistical Area (SMSA) as published and periodically revised by the U.S. Dept. of Housing and Urban Development. The criteria for pricing one-bedroom BMR units shall be the SMSA median income for families of one and one-half; two-bedroom BMR units shall be priced based on the SMSA median income for families of three persons; and three-bedroom BMR units shall be priced based on the SMSA median income for families of four and one-half persons. BMR units offered for sale shall be limited to a selling price that is affordable to a purchaser with an income not exceeding the criteria family income, according to unit type as set forth above, based on industry-standard mortgage underwriting guidelines, and based on prevailing interest rates and a ten percent (10%) down payment. BMR units offered for rent shall be restricted to a maximum annual rent, inclusive of all basic utilities except telephone, not to exceed 30% of the criteria family income, according to unit type as set forth above.

Rental restrictions shall remain in full force and effect for so long as the building or development exists, and shall be administered in accordance with written guidelines as adopted and periodically revised by the Zoning Board. BMR units offered for sale shall remain subject to resale controls for so long as the building or development exists, and shall not exceed a resale price equal to the current BMR sale price for a comparable unit, as set forth above. The allowable resale price may be reduced if the physical conditions reflect abnormal wear and tear due to neglect, abuse or insufficient maintenance. BMR sale and resale requirements shall be administered in accordance with written guidelines as adopted and periodically revised by the Zoning Board, with suitable restrictive covenants in deeds, running with the land and senior to all financing instruments, to carry out and effectuate these obligations.

ELIGIBLE FAMILY INCOME LIMITS - YEAR 2011

	FAMILY SIZE					
AFFORDABILITY	one	two	three	four	five	six
25% of Median	$22,155	$25,320	$28,485	$31,650	$34,182	$36,714
50% of Median	$44,310	$50,640	$56,970	$63,300	$68,364	$73,428
60% of Median	$53,172	$60,768	$68,364	$75,960	$82,036	$88,114

2.) Below Market Rate Dwelling Units shall be designed, constructed, sold or rented, managed

and controlled as to resale in accordance with such other necessary written administrative policies, definitions and guidelines as officially adopted by the Zoning Board and/or the City of Stamford, as amended from time to time. When located within the development, such BMR units shall be constructed with floor area, finishes and amenities comparable to the market rate units within the development, and shall be reasonably distributed throughout the project and provided in a mix of unit types, as determined by the Zoning Board, provided that the average floor area of BMR units shall be comparable to the average floor area of the market rate units within the development. The Board, in its sole discretion, may approve a different number of BMR units provided that the total floor area of BMR units approved by the Board is comparable to the total floor area of the BMR units which would otherwise be required pursuant to these Regulations.

3.) Management Plan. A proposal to establish BMR units shall be accompanied by a management plan ("Affordability Plan"), subject to approval of the Zoning Board, providing all of the necessary information and documentation to ensure the construction and continued operation of affordable housing, including the following:

i) the person or organization responsible for administering the plan, including the application procedures and screening criteria to determine the income eligibility of applicants, and reporting and enforcement mechanisms;

ii) affirmative fair marketing procedures governing the sale or rental of the BMR units;

iii) proposed sale or rental prices of BMR units and the basis for their determination;

iv) identification and timetable for the completion and even distribution of the BMR units among the market-rate units in the development; and

v) other information as may be required by the Zoning Board.

The Affordability Plan shall encourage the participation of families with Section 8 vouchers and use of other local, State and/or federal programs and initiatives to further write down the affordability of BMR units to families earning less than fifty percent (50%) of the Stamford SMSA median income or to increase the number of BMR units within the project.

4.) Alternative Methods of Compliance: Pursuant to an application for Special Exception, the Zoning Board in its sole discretion may approve alternative methods of satisfying a BMR requirement, including but not limited to the dedication of vacant land, the construction of BMR units on another site, the acquisition and enforcement of rental/sales price restrictions on existing dwelling units, or the payment of an appropriate in-lieu housing fee. Any such proposal shall demonstrate to the satisfaction of the Zoning Board that the alternative method(s) is desirable and will further affordable housing opportunities in the City to a greater extent than the provision of on-site BMR units, either through the production of a greater number of affordable housing units and/or larger bedroom size units and/or units for families below the required targeted income brackets.

(a) Land Dedication: a BMR requirement may be satisfied by the dedication of land within the City in-lieu of providing affordable housing on-site. The value of land to be dedicated shall be determined by an independent appraiser, at the cost of the developer, who shall be

selected from a list of certified appraisers provided by the City, or by such alternative means of valuation mutually acceptable to the developer and the City. The land to be dedicated shall have a value equal or greater than the fee-in-lieu contribution that would otherwise be required to satisfy the BMR requirement. In addition, the land must be of suitable character and location, and zoned to allow construction of a number of dwelling units equal or greater than the number of BMR units being satisfied.

(b) Dedication of Existing Units: a BMR requirement may be satisfied by restricting the rental or sale price of existing dwelling units within the City, through covenants, contractual arrangements, or resale restrictions, the form and content of which are acceptable to the Zoning Board. The restriction of such existing units must result in the creation of units that are equivalent in value, quality, and size as compared to the on-site BMR units that would otherwise be constructed.

(c) Off-Site Construction of BMR Units: a BMR requirement may be satisfied through the off-site construction or substantial rehabilitation of BMR dwelling units within the City of Stamford, subject to the following standards: (i) the location, architectural design and siting of such units shall be subject to approval by the Zoning Board; (ii) such units shall not serve to displace existing affordable housing units; (iii) off-site BMR units shall be generally consistent with all applicable standards of this section, including but not limited to, value, quality and size of on-site units that would otherwise be constructed; (iv) the Board shall condition the issuance of certificates of occupancy for the development project with the completion of the off-site affordable units and/or establish other reasonable performance conditions necessary to insure that the off-site BMR units will be built in a timely manner.

(d) Fee-in Lieu Payment: a BMR requirement may be satisfied, in whole or in part, through the payment of a "fee-in-lieu" cash contribution to a City of Stamford fund, or other approved non-profit or for-profit organization dedicated to affordable housing initiatives. Notwithstanding any other provisions of this Section 7.4 to the contrary, the cash contribution shall be determined based on the number of BMR units otherwise required to be constructed on-site and the current SMSA median household income for a family of four persons, and the following criteria for each of three required affordable income ranges: BMR units affordable at the 25% of SMSA family income level shall require a cash contribution not less than 240% of the SMSA median income; BMR units affordable at the 50% of SMSA median family income level shall require a cash contribution not less than 145% of the SMSA median income; and BMR units affordable at the 60% of SMSA median family income level shall require a cash contribution not less than 110% of the SMSA median income. Where the contribution is targeted to assist an identified off-site project providing affordable housing, the Board shall condition the issuance of certificates of occupancy for the development project with the completion of the off-site affordable units and/or establish other reasonable performance conditions necessary to insure that the off-site BMR units will be built in a timely manner. (205-11) (209-08)

CALCULATION OF CASH PAYMENT, 50% AMI – YEAR 2011

2011 Median Income, Family of Four = $126,600
Cash Payment = 145% x $126,600 = $183,570

(e) Other Equivalent Actions: a BMR requirement may be satisfied through other in-lieu contributions and efforts that, in the discretion of the Zoning Board, are judged to have a value that is equal or greater than the "fee-in-lieu" cash contribution otherwise required and will further the affordable housing goals and purposes of this section. (203-08)

(f) The Zoning Board may approve on-site or off-site BMR units at affordability levels ranging from 25% to 80% of the Area Median Income (AMI), in order to increase the opportunity and range of family incomes served by the BMR program. Subject to approval by the Board, the number of required BMR units affordable at 50% AMI may be substituted using the following approximate ratios (209-09):

One (1) BMR unit at 25% AMI equals 1.70 units at 50% AMI
One (1) BMR unit at 60% AMI equals 0.75 units at 50% AMI; and
One (1) BMR unit at 80% AMI equals 0.40 units at 50% AMI.

SECTION 7.5 REVIEW OF LARGE SCALE DEVELOPMENT

A - PURPOSE

The purpose of this Section is to ensure that large scale development is reviewed in a coordinated manner to insure that such development is comprehensively reviewed for compliance with the objectives and standards of these Regulations, and to provide for the safety and convenience of the general public as well as those using the subject site, and to insure that adequate provision is made for vehicular and pedestrian circulation, parking, landscaping, buffers, signage, lighting, drainage, utilities and other needs produced by the proposed development. It is also intended, through the procedures established under this Section, that development impacts will be evaluated by the Zoning Board in light of the City's need to protect its natural, social, and cultural environment in accordance with the Master Plan, and to insure that adverse short term and long term development impacts will be mitigated, including impacts associated with storm drainage, sanitary sewerage, traffic, demolition, sidewalks, on-street parking, unique site conditions and/or environmental resources, and environmental impacts to coastal resources and the ecosystems and habitats of Long Island Sound.

B - APPLICATION

The requirements of this section shall apply to all property within the C-N, C-B, C-L, C-I, C-G, CC-N, CC-S, M-L and M-G zoning districts.

C - SPECIAL EXCEPTION REQUIREMENT

Any new non-residential structure having a gross floor area of twenty thousand (20,000) square feet or more, or any new residential structure containing ten (10) or more dwelling units, or any project developing or altering 40,000 square feet of lot area or creating one-hundred (100) or more new parking spaces shall be subject to the issuance of a Special Exception by the Zoning Board, in conformance with the application requirements and review standards of Section 19-3.2 and Section 7.2 of these Regulations and all other applicable zoning standards of these Regulations, provided that Section 7-K shall not apply when adjacent to property developed under Section 7-R of these Regulations. This requirement shall not apply to special exception uses subject to review and approval by the Zoning Board of Appeals, as defined in Appendix A of these Regulations. (204-40, 207-44)

SECTION 7.6 - ARCHITECTURAL REVIEW DESIGN DISTRICT

A. PURPOSE: The Architectural Review Design District (ARD District) is intended to implement the policies, goals and urban design principles articulated in the Master Plan regarding appropriate new architectural designs and the conservation and enhancement of the character of buildings, sites, streetscapes and pedestrian environments. It is intended that these guidelines reflect or retain valuable elements of the City's cultural, social, economic, political and architectural history. This is accomplished by the establishment of design standards that apply to new and existing architectural facades and review procedures which serve to preserve, restore and enhance these resources, improve property values, promote and support a high quality retailing environment, and enhance the character and amenity of the downtown as the retailing, business, civic and cultural center of the City.

B. JURISDICTION: The ARD District is an overlay District that shall apply to the construction or erection of all new buildings, structures or signs, and to the reconstruction or alteration of existing building facades, structures or signs, and to exterior storage or exterior displays as defined in Subsection DD below, limited only to those portions that are visible from within the District from any street, way, public pedestrian walkway or park. The requirements of the ARD District shall be in addition to other requirements of these Regulations and the standards and permitted uses of the underlying district in which the property is located. Except as specifically provided for herein, in case of conflict between the standards of the ARD District and other requirements of these Regulations, the more restrictive shall apply. (208-03)

C. BUILDING STANDARDS:

1. New structures and alterations of existing structures and sites shall achieve a consistent and harmonious relationship to the streetscape. Storefront alterations shall reflect the architectural integrity of the complete building and use, including proportions, materials, colors and textures that complement rather than compete with the overall façade.

2. Storefronts and architectural facades shall serve to enliven the street and provide a continuous "border of interest" by maintaining storefronts and window displays close to the outermost edge of the building façade and by avoiding deep setbacks and dark alcoves.

3. Storefront windows shall be kept as large as reasonably possible and glazing shall be of clear vision, glass only. Tinted glass is discouraged and reflective glass shall not be permitted.

4. Building alterations to façade(s) should avoid covering any architectural feature original to the building~~s~~, including cornices, eaves, bases, sills, headers, ban course, columns, applied ornament or sculpture, molded terra-cotta, ornate stone or intricate brickwork. Alterations which add architectural articulation to buildings otherwise lacking such features shall be encouraged.

5. The lowest 24 feet of each building facade and site improvements significantly exposed to public view shall be constructed with high quality, durable exterior materials. Use of lesser quality materials, such as, but not limited to, masonite paneling, sheet tile, simulated brick, pegboard, vinyl and aluminum siding, external insulation and finish systems, plastic laminate

and canopies and awnings made of vinyl are discouraged**.** For building alterations, the use of natural materials that match the existing and/or original building materials is encouraged. This paragraph is not intended to discourage the use of high quality, durable and innovative materials.

6. Preferred security systems are glass shock or breaker sensors or electronic alarms. Open grill gates when used shall be mounted within the store interior behind the window display with the gate housing hidden from view. Solid slat rolling gates or shutters, barbed wire and razor wire are prohibited.

D. SIGN STANDARDS: Notwithstanding the standards of Section 13 of these Regulations, the following additional standards, restrictions and permitted signage shall apply within the ARD District:

1. For property within the CC-N, CC-S, C-G, or C-L zoning districts, the following special standards shall apply:

a. The aggregate total area of all wall signs placed on the street front wall of a building, exclusive of window signs and blade signs as herein defined, shall be limited to an area of one and one-half square feet for each lineal foot of building frontage, excepting that for an open-type sign comprised principally of characters attached to the building façade and covering less than 50% of its encompassing plane area, the area of such encompassing plane may be increased to three (3) square feet for each lineal foot of building frontage.

b. Window signs, silk-screened or painted or applied vinyl on the surface of window glass, or displayed within one foot of the window surface, shall not cover more than 10% of the window at the ground floor and 20% of upper story windows.

c. Blade type signs mounted perpendicular to the building façade are permitted, notwithstanding the standards of Section 13, and may extend over a public sidewalk provided they extend not more than three (3) feet from the building and are made of durable material. Unless otherwise permitted by way of Special Exception, issued by the Zoning Board, blade signs shall be a maximum horizontal dimension of three (3) feet and a maximum vertical dimension of six (6) feet and shall be located not less than 90 inches above the sidewalk and shall not extend above the base cornice line of the building. The aggregate total area of all blade signs shall be limited to an area of one-half square foot for each lineal foot of building frontage, provided that the area of a single blade sign shall be limited to nine (9) square feet.

2. Signage shall be designed to be compatible with the building, in scale with the storefront and the intended viewer. Simple and clear designs maintaining strong contrast between letters and background, and constructed of high quality materials are encouraged.

3. Exterior illumination shall not be overly bright, and should be non-glaring and inconspicuous. Internally illuminated signs shall be limited to the illumination of characters only. The direct source of light shall be shielded from pedestrians view. Flashing, revolving, intermittent or animated lighting is prohibited except as may be hereinafter permitted by way of special exception. Lighting such as: spotlights, flood lights, warm

fluorescent, neon or incandescent lamp source is suggested. Mercury or sodium vapor lighting is prohibited.

4. Wall mounted signs mounted in the area of pedestrian circulation may not project more than 3 inches into the circulation zone.

5. Directories and other directional signage placed on the exterior of a building are discouraged and when possible shall be located inside an entry way or vestibule.

6. The use of awnings and canopies is encouraged provided the signage placed on them complies with the wall sign requirements of these regulations.

7. Signs placed on the façade of the first five stories of a building shall not exceed the width of the storefront or other occupied frontage to which they relate, and shall in no case exceed a height of four (4) feet. Any sign placed above the fifth story that exceeds four (4) feet in height must be submitted to the Zoning Board for administrative review and approval. This subsection shall not apply to blade type signs which are covered under subsection D-1-c above. Signs shall be placed in the natural, logical position on the building and shall fit proportionately to the overall design of the façade, such as fit symmetrically above doorways or windows. (210-25)

8. The use of effective display lighting is encouraged. Display lighting should not cause glare upon pedestrians.

DD. EXTERIOR STORAGE AND DISPLAY STANDARDS: At any property located within the Architectural Review Design District, no non-perishable items may be stored or displayed for sale except: i) within the exterior walls of a building or buildings located on said property; or, ii) during a sidewalk sale lasting no longer than seventy-two continuous hours and which such sidewalk sale may not be conducted until six (6) months has elapsed subsequent to the end of the preceding sidewalk sale. (208-03)

E. GENERAL PROCEDURES:

1. Application shall be made on forms provided by the Zoning Board and shall contain scaled drawings and information indicating location, specification of materials, dimensions, colors, manner of fabrication and installation, and such other additional supporting facts and information as required by the Zoning Board or the Land Use Bureau Chief to fully review the proposal. Presentation of actual samples of the exterior architectural materials and colors is encouraged.

a. The Zoning Board shall review and determine compliance with the standards of the ARD overlay district for all projects that are subject to issuance of a Special Exception, Site and Architectural Plans and Requested Uses, or Coastal Site Plan Approval.

b. Within 30 days of receipt of a complete application, the Land use Bureau Chief shall issue a determination of compliance or non-compliance or may elect to refer the application to the Architectural Review Advisory Committee for an advisory recommendation. When the Land Use Bureau Chief issues a determination of non-

compliance, the application shall be forwarded, at the applicant's request, to the Zoning Board for further review and determination. Failure of the Land Use Bureau Chief to issue a determination of compliance or non-compliance on a complete application within 60 days after receipt of the complete application shall result in automatic approval of the application as submitted, provided that the applicant may consent to one or more extensions of this time period, provided the total period of any such extension or extensions shall not exceed 60 days, or may withdraw the application.

c. No application may be decided by the Zoning Board until after a public hearing, and the Board shall render a decision within sixty (60) days after such hearing

d. Determination of compliance shall not pertain to portions of the building or building façade not included in the application.

2. Applications may be referred to the Architectural Review Advisory Committee or any other appropriate agency or official for review and recommendation provided any such recommendation shall not be binding upon either the Zoning Board or the Land Use Bureau Chief, but shall be rendered in order to provide the Chief or Board with guidance in the performance of their duties.

3. Where approval is required pursuant to this Section, no zoning permit shall be issued by the Zoning Enforcement Officer and no building permit shall be issued by the Building Department except upon approval of site and architectural plans by the Zoning Board or issuance of a determination of compliance by the Land Use Bureau Chief.

4. Any approval for which a full building permit has not been issued within one (1) year from the approval date shall become null and void, provided that the Zoning Board, upon timely application, may for good cause shown grant not more than three one-year extensions of the period within which the building permits may be obtained. (209-035)

5. The Architectural Review Advisory Committee referred to in Section E-1-a above shall consist of not less than three (3) individuals selected by the Land Use Bureau Chief after consultation with the Zoning Board. Such committee members shall possess sufficient expertise and qualifications, as determined by the Land Use Bureau Chief, to review architecture and building design. The function of the Architectural Review Advisory Committee shall be to be a resource to the Land Use Bureau staff in processing any application filed under this Section by providing technical support, advisory opinions and recommendations, at the discretion of the Land Use Bureau staff.

6. Exemptions**:** The following activities are hereby exempted from this Section:

a. Minor repairs and/or minor alterations, maintenance or replacement of portions of an existing building, structure, sign or other site feature that would result in no significant impact on the design, character or visual appearance of the property.

b. Seasonal decorations and special events not exceeding 45 days in duration.

c. New signage or replacement of an existing sign, not exceeding five (5) square feet in

area.

7. All references to the "Land Use Bureau Chief" shall mean the Land Use Bureau Chief or his/her designee. (204-35)

SECTION 7.7 SPECIAL STAMFORD TRANSPORTATION CENTER PLATFORM AND COMMUTER PARKING (214-26)

A – PURPOSE

Purpose: The Stamford Zoning Board recognizes that the Stamford Transportation Center is the busiest Metro-North station after Grand Central Terminal in New York City. The Stamford Transportation Center is an important regional intermodal transportation hub serving the region and the City of Stamford.

"The downtown will only stay as prosperous as it stays convenient to mass transit riders as well as to automobile drivers, and to pedestrians as well as to commuters." *(Stamford Master Plan 2002)*

B – APPLICATION

The requirements of this section shall apply to all property zoned C-L or M-G and located within or partially within the area bounded as follows: commencing at the Mill River and proceeding easterly along the southerly boundary of the Metro North Railroad right of way, then southerly along Washington Boulevard, then easterly along Henry Street, then northerly along Atlantic Street, then easterly along the Stamford Urban Transitway, then northerly along Pacific Street then westerly along I-95, then southerly along the Mill River to the point of beginning.

C – SPECIAL EXCEPTION REQUIREMENTS

All development, redevelopment and alterations of buildings and changes of use of those buildings and structures constituting the Stamford Transportation Center, including parking facilities on separate parcels utilized for commuter parking, shall be subject to the issuance of a Special Exception by the Zoning Board, in conformance with the application requirements and review standards of Section 19-3.2 and Section 7.2 of these Regulations and all other applicable zoning standards of these Regulations, and the following special standards:

The Stamford Transportation Center shall serve to enhance and facilitate the commuting experience with priority given to:

1. Promoting parking, easy access and convenience for commuters and business travelers;
2. Minimizing traffic and congestion at and around the Stamford Transportation Center, including access from local streets, and I-95, and provide vehicular entry to commuter garages located at the Stamford Transportation Center structure and platform;
3. Providing sheltered access from the garage to the station platforms for maximum commuter convenience;
4. Providing parking, to accommodate existing and future demand;
5. Designing the Stamford Transportation Center station and the area around to accommodate waiting taxis, shuttle bus stops, bus stops, passenger pickups and bicycles.

In the event that clarifications of any of the sections, terms or conditions of this section are required, a written notice shall be submitted solely to the Zoning Board. The Board may elect to hold a public hearing. Acting in its administrative capacity, the Zoning Board shall review all notices and provide all clarifications.

SECTION 7.8 DORMITORY HOUSING (216-04)

1. Purpose. The purpose of this provision shall be to promote and regulate the development of privately owned dormitories (Definition #28.7) to provide student housing at off-campus locations to serve educational institutions without being owned by the educational institutions, to serve student population needs without impacting neighborhood character and to increase the economic impact of students in the community without further impacting housing availability for non-student residents of the City of Stamford.

2. Location. The dormitory site shall be located within one-half mile of the campus of the institution it serves and in one or more of the following zoning districts: CCN, CG, MXD, MRD, RH or RMF.

3. Operations & Management. Dormitories developed by private for –profit organizations must meet operation and management standards substantially similar to those typically provided by the primary institution it serves, subject to the Zoning Board approval of an operations and management plan. At a minimum, the operations and management plan shall address the following:

1. On-site management staff to provide security, property management and support services programming and oversight of student conduct.
2. Designation of a staff member to serve as community liaison with direct interaction with institutional security and city police.
3. A policy defining resident responsibilities and behavioral expectations as well as response to policy infractions.

4. Development Standards. Dormitories shall be subject to the residential standards of the underlying zone, with four (4) dormitory beds equivalent to one (1) dwelling unit, and shall comply with the floor area, height, bulk and yard standards of the zoning district wherein located.

a. Usable Open Space. In consideration of site-specific characteristics including proximity to existing and/or planned public parks and open space, interior tenant amenities, campus amenities and other mitigating factors, usable open space shall be provided on site, with the amount, location, and design of such open space subject to determination and approval of the Zoning Board.

b. Vehicle Parking. Parking shall satisfy the residential parking standards, including parking reduction options, of the zoning district wherein located. For parking purposes, a dormitory room with six (6) beds shall be considered a three (3) bedroom unit, a dormitory room with four (4) beds shall be considered a two (2) bedroom unit, a dormitory room with two (2) beds shall be considered a one (1) bedroom unit and a dormitory room with one (1) bed shall be considered a studio unit. Required parking shall be located within 500 feet of the building served or alternately may be located on the campus of the educational institution.

A Special Exception application for Dormitory Housing shall include a Parking Management Plan with consideration of the expected occupancy, the potential for overflow parking demand, the site location, proximity to offsite public and/or private parking infrastructure, potential for shared use of spaces, convenience to mass transit, and other urban factors that mitigate parking demand to the satisfaction of the Zoning Board.

c. Bicycle Parking. Bicycle parking shall be provided at the rate of one (1) space per ten (10) residents with 80% of bike spaces being long-term spaces.

d. Below Market Rate Housing. There shall be no below market rate (BMR) requirement for a dormitory use, provided that the BMR standards of the underlying zone shall apply on a pro-rata basis when all or a portion of dormitory use of a building ceases and residential use is established. When a building with residential use is converted to dormitory use the BMR requirement shall continue to apply to the remaining residential use on a pro-rata basis. Dormitory conversion of a residential building utilizing bonus density earned by providing additional on-site BMR units ("bonusable BMR units") shall be required to establish off-site BMR units, or make a fee-in-lieu payment or other alternative method of compliance (see §7.4-C-4) to compensate for the number of bonusable BMR units lost.

SECTION 8 - HEIGHT REGULATIONS

A - No building shall hereafter be erected, reconstructed, or structurally altered to exceed the limit designated in the SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF BUILDINGS and notes appended thereto for the district in which such building is located.

B - Personal Wireless Service Facilities, towers, gables, penthouses, scenery lofts, cupolas, water tanks, solar collection systems, similar structures, necessary mechanical appurtenances and decorative architectural screening of all of the foregoing may be erected on a building to a height greater than the limit established for the district in which the building is located; provided that no such exemption shall cover at any level more than twenty-five percent (25%) of the area of the roof on which it is located and further provided that the decorative architectural screening shall be no taller than the minimum height necessary to screen mechanical appurtenances from view. In addition, no such exemption shall be used for sleeping or housekeeping purposes, or for any commercial purpose other than such as may be incidental to the permitted use of the main building. Notwithstanding the above and subject to approval by the Zoning Board of a Site and Architectural Plan following public hearing, a solar collection system or decorative architectural screening of mechanical appurtenances may cover more than twenty-five percent (25%) of the area of the roof on which it is located if the architectural design and layout is compatible with that of the structure to which it is affixed and generally in keeping with the character of the neighborhood in which it is to be situated. (76-012; 97-020; 210-21)

C - The height limitations of these Regulations shall not apply to chimneys, church spires, standpipes or water towers, flag poles, monuments, transmission towers and cables, or radio or television antennae or towers or Personal Wireless Service Facilities, provided that the Personal Wireless Service Facility, and its antennas or associated equipment does not extend more than 5 feet above the highest point of the building or structure to which it is attached. (97-020)

D - In any district with a height limit of less than seventy-five feet (75'), public and quasi-public buildings, schools, churches, and other institutional uses permitted in such district may be erected to a height exceeding seventy-five feet (75'), provided that the front, rear and side yards shall each be increased one foot (1') for each one foot (1') by which such building exceeds the height limit established for such district in the SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF BUILDINGS.

December 31, 2016

SECTION 9 - DESIGNED DISTRICTS

A. R-D DESIGNED RESIDENTIAL DISTRICT

1. The Zoning Board, upon application in the manner prescribed herein, may designate a specific area now designated for single family development as R-D Designed Residential District. The intent of such designation shall be to provide possible alternatives to residential development presently permitted under existing zoning. Zoning Board approval shall be based upon a determination that such a designation will be consistent with the objectives of the Comprehensive Plan of Zoning and the Master Plan and accomplishes all of the following purposes where applicable: (81-032)

a. Preserves and protects exceptional terrain, natural beauty, or sites of historic interest from the insensitive placement of homes, roadways, utilities and appurtenances.

b. Preserves streams, rivers and ponds as natural resources and prevents flooding, erosion and water pollution.

c. Preserves wetlands, aquifers, topographical or soil features, marine and wildlife habitats and other features having conservation values.

d. Preserves significant land area for open space and recreational purposes in perpetuity.

e. Encourages the more efficient development of the land so that resulting economies may inure to the benefit of those who need homes.

2. The following standards shall apply to all property designated as R-D Designed Residential Districts:

a. Size and Development of Zone. The minimum acreage required for designation as R-D Designed Residential District shall be not less than twenty-five (25) acres when situated in an RA-3 One Family Residence District; not less than fifteen (15) acres when situated in RA-2 One Family Residence District; not less than ten (10) acres when situated in RA-1 One Family Residence District; or not less than eight (8) acres when situated in R-20 or R-10 One Family Residence Districts. Said minimum acreages shall have been held as a single contiguous parcel of land, whether by one or successive owners, for at least three years prior to an application for a zone change to an R-D District. The foregoing sentence shall not, however, prohibit any parcel or parcels smaller than said minimum acreage being added to, and qualifying for R-D District designation, with a parcel possessing such minimum acreage. The total size of any R-D District, beyond the minimum required acreage, shall be determined at the discretion of the Zoning Board on an individual basis. All R-D Designed Residential district sites are to be comprehensively planned and developed. Land zoned R-7 1/2 One Family Residence District shall not be eligible for designation as R-D Designed Residential District. (81-032; 82-029; 85-011; 88-011)

b. Use Regulations:

(1) Principal Permitted Uses. The principal permitted uses in any R-D Designed Residential District shall be those permitted in the zone in which the land was located prior to its conversion to a Designed Residential District except that dwelling units may be attached in groups of three (3) units or less. (81-032).

(2) Accessory Permitted Uses. The accessory uses permitted shall be:
i. Those permitted in the zone in which the land was located prior to its conversion to an R-D Designed Residential District;
ii. Recreational facilities such as tennis courts, swimming pools and club houses to be used solely by residents of the proposed development.

(3) Special Exception Permitted Uses: Notwithstanding standards contained elsewhere in these regulations, Senior Housing and Nursing Home Facility Complexes may be
allowed pursuant to the standards contained in Article II Section 3A-92.1 and Article III Section 9A-2.f.

c. Density Standards. The maximum number of dwelling units permissible in the R-D Designed Residential District shall not exceed ninety percent (90%) of the number obtained by dividing the gross acreage by the minimum lot size permitted in the pre-existing zone, and may be less where a determination is made by the Zoning Board that physical and topographical features of the land would preclude attainment of such density under prior existing zoning. To encourage the inclusion of BMR units pursuant to subsection 2(h) below, on-site dwelling units dedicated or conveyed to satisfy the BMR requirements of Section 7.4 of these Regulations shall be exempt from the maximum density calculation of this section provided the overall density for all units including exempt units shall not exceed one hundred percent (100%) of the underlying density. To facilitate the conveyance of on-site BMR units on separate, conforming single-family zoned lots, such land may be included within the maximum density calculation of this subsection and allowed to retain its original zoning designation in effect prior to the R-D zone change. (81-032; 203-04)

d. Maximum Building Area and Height Requirements. The maximum building area and height requirements in the R-D Designed Residential District shall be the same as those in the zone in which the land was located prior to its conversion to an R-D Designed Residential District, except that if such land is contiguous to a more restricted zone for more than twenty-five percent (25%) of the total distance of its boundary lines, the requirements in such more restricted zone shall be adhered to.

e. Area and Yard Requirements - Location and Structures

(1) The placement of all principal buildings shall provide for a safe, efficient and harmonious grouping as well as adequate privacy by providing adequate front, side and rear yards subject to the approval of the Zoning Board. Every dwelling unit shall have direct vehicular access to a highway, right-of-way, or service drive, giving access to a public highway. Named service drives may be designated on the site plan, provided that all units are fully detached, and the names of such service drives be submitted for review

and approval by the Planning Board, and associated addresses be assigned by the Director of Operations or designee and are recorded on the Stamford Land Records. (208-12)

(2) Structures shall be placed so as to fulfill the objectives of Subsection A-1 to minimize adverse effect on the environment, and so as to take advantage of meteorological and ecological conditions.

(3) No building built on any lot which is contiguous to residentially used property in RA-3, RA-2 and RA-1 One Family Residence Districts shall be erected nearer than eighty feet (80') to said contiguous property line nor nearer than fifty feet (50') to said contiguous property in the case of R-20 and R-10 One Family Residence Districts. "Building" shall include only the principal building and shall not include accessory buildings but no such accessory building shall be nearer than fifty feet (50') to any lot used for residential purposes in RA-3, RA-2 and RA-1 One Family Residence Districts, nor nearer than thirty feet (30') to any lot used for residential purposes in R-20 and R-10 One Family Residence Districts. (81-032; 85-011)

(4) No attached dwelling unit buildings built on any lot which is contiguous to residentially used or residentially zoned property in RA-3, RA-2 and RA-1 One Family Residence Districts shall be erected nearer than one hundred fifty feet (150') to said contiguous property line nor nearer than eighty feet (80') to said contiguous property line in the case of R-20 and R-10 One Family Residence Districts. "Buildings" shall include only principal buildings and shall not include accessory buildings but no such accessory building shall be nearer than fifty feet (50') to any property used or zoned for residential purposes in RA-3, RA-2 and RA-1 One Family Residence Districts, nor nearer than thirty feet (30') to any property used or zoned for residential purposes in R-20 or R-10 One Family Residence Districts. (81-032; 85-011)

f. Open Space Requirements

(1) Area of Open Space Preserve. Comprehensive site development plans for R-D Designed Residential District shall provide for open space preservation equal to thirty percent (30%) of the district when changed from RA-3, RA-2 and RA-1 One Family Residence Districts, and twenty percent (20%) of the district when changed from R-20 or R-10 One Family Residence Districts. When comprehensive site development plans specify attached dwelling units, such plans shall provide for open space preservation equal to fifty percent (50%) of the district when changed from RA-3, RA-2 and RA-1 One Family Residence Districts, and forty percent (40%) of the district when changed from R-20 or R-10 One Family Residence Districts. (81-032; 85-011)

(2) Character of Open Space Preserve. Such areas shall encompass land having meaningful ecological, aesthetic and recreational characteristics, with access, shape, dimensions, locations, topography and nature and extent of improvements thereon suitable in the opinion of the Zoning Board to insure the conservation purposes specified in Subsection A-1 above.

(3) Use of Open Space Preserve. Portions of open space preserves improved for active

recreational purposes, including tennis courts, pools, club house, paved trails or play areas shall not exceed seven and one-half percent (7 1/2%) of the area changed from R-D Designed Residential District from RA-3, RA-2 or RA-1 One Family Residence Districts and shall not exceed five percent (5%) of the area changed to R-D Designed Residential District from R-20 and R-10 One Family Residence District. (85-011)

(4) Disposition and Preservation of Open Space. The open space land shall be preserved and maintained solely for the purposes specified in Subsection A-1 above and in such a manner as may be acceptable to the Zoning Board. The method for effectuating such preservation and maintenance of open space land shall be limited to one of the following:

i. Establishment of a mandatory homeowner's association to own and maintain the land in common for the open space purposes intended; or

ii. Transfer of the land to a conservation trust or an institution, person, organization or other conservation oriented entity together with the requisite requirements for maintenance of the land for the open space purposes intended; or

iii. Dedication of the land to the City of Stamford subject to acceptance by the City of such dedication.

The Zoning Board shall require the owner or owners of the open space land to execute, acknowledge and file in the Land Records of the City of Stamford such maps and documents as, in the opinion of the Corporation Counsel, will effectively create a trust, easement or covenant running with the land, for the benefit of the abutting dwelling unit owners and of the City, which:

- will be binding on all future owners of the open space land;
- will not be affected by any subsequent changes in zoning;
- may be enforced by adjoining property owners or the City by appropriate action in court for damage or equitable relief;
- will be perpetual;
- will assure appropriate maintenance of the open space land to the satisfaction of the Zoning Board;
- shall provide that if maintenance, preservation and/or use of the open space land no longer complies with the provisions of the trust, easement or covenant, the City may take all necessary action to effect compliance and assess the costs against the owners in default;
- shall provide that such trust, easement or covenant may not be modified, altered, amended or changed without written approval of the Zoning Board, and all beneficiary property owners in the R-D Designed Residential District except in the case of city-owned land in which case Charter provisions shall apply.

g. Application Procedure. The application for R-D Designed Residential District designation shall include the following:

(1) A written statement describing how the designation to R-D Designed Residential District will accomplish the purposes under Subsection A-1 above; the proposed method of property ownership; a generalized time schedule for staging and completion of the development; and the method of preservation and maintenance of

intended open space portions of the land.

(2) Application contents shall include all of the plans and information as specified by Section 7.2 C of these Regulations. (88-025)

(3) Community Septic Systems

(a) At the discretion of the Zoning Board, for projects without access to public sanitary sewers that propose the use of community septic systems, applications for designation as R-D Designed Residential District may elect to follow the General Plan procedure outlined in Section 9-AAAA-7 and 8, except that references to DWD shall be construed as references to R-D and no pre-application review shall be required.

(b) The applicant shall submit written confirmation from the Connecticut Department of Environmental Protection, Water Compliance Division, that the proposed conceptual design of the community septic system(s) is capable of satisfying all applicable technical requirements and standards for construction, installation and maintenance as established by Connecticut Department of Environmental Protection, Water Compliance Division, including confirmation that on-site septic load testing has demonstrated adequate hydraulic capacity to support the proposed R-D development.

(c) The applicant shall provide written confirmation from the Stamford Water Pollution Control Authority indicating approval of a preliminary management plan with sufficient legal and financial authority to insure the effective operation, maintenance and repair of the proposed community septic system.

(d) The applicant shall be required to reimburse the City of Stamford for the cost of a peer review of the site testing and design of the community septic system by an independent consulting engineers reporting to the Zoning Board. The applicant shall pay the City of Stamford for the full cost of this peer review prior to the Zoning Board acting on the application. (204-06)

All of the requirements set forth above shall be contained in site and architectural plans which shall be submitted to and be subject to the approval of the Zoning Board in accordance with the specific objectives of the R-D District, the procedures and review standards of Section 7.2 Site Plan Review, and the general purposes and other applicable standards of these Regulations, who shall not approve same until after a public hearing. Prior to the public hearing, the Zoning Board shall refer all plans to the Environmental Protection Board for review and comments. Subsequent to approval, proposed additions or modifications to principal buildings, or accessory buildings, shall also be subject to approval by the Zoning Board who shall require the applicant to notify abutting dwelling unit owners via certified mailing not less than fourteen (14) days prior to the next regular meeting of the Zoning Board at which time the applicant's plans and written comments (if any) of those persons notified shall be considered and a determination made whether a public hearing is required. (77-016; 81-032; 88-025)

h. <u>Below Market Rate Dwelling Units Requirement:</u>

(1) All residential development within the R-D District shall be required to include Below Market Rate (BMR) dwelling units in an amount equal to not less than ten percent (10%) of the total number of market rate residential units approved pursuant to the R-D zone change. Required Below Market Rate units shall be provided in accordance with the standards, definitions and procedures contained within Article III, Section 7.4 of these Regulations, provided that onsite BMR units shall be affordable to households earning not more than one-hundred percent (100%) of the Stamford Standard Metropolitan Statistical Area (SMSA) Median family income. The exterior of new BMR homes within the RD development shall be indistinguishable from market rate units with respect to the exterior finishes, including landscaping, but interiors may include standard finishes and need not be of "luxury" quality.

(2) The BMR requirement may be satisfied with any of the options provided in Article III, Section 7.4 of these Regulations, and shall not require the separate issuance of a Special Exception if approved at the time of initial R-D designation and site plan approval. Where a BMR requirement is satisfied by a "fee-in-lieu" cash payment, the cash contribution shall equal not less than 225% of the Stamford Standard Metropolitan Statistical Area (SMSA) median family income, based upon the number of bedrooms and family size criteria of Section 7.4. (203-04)

AA. P-D PLANNED DEVELOPMENT DISTRICT

Any parcel of land or aggregation of parcels of land to be developed, redeveloped or rehabilitated principally for housing, and where the excellence of the overall design in accordance with the criteria listed below is such as to warrant special consideration for modification of standards contained elsewhere in these regulations may be designated by the Zoning Board, upon application the manner described herein, as a P-D PLANNED DEVELOPMENT DISTRICT where a determination is made that the following objectives are met:

a. The proposed development is consistent with the Master Plan and the objectives of comprehensive plans for redevelopment, renewal or neighborhood preservation and rehabilitation by the City of Stamford.

b. The proposed development consists of such uses and such proportions as are most appropriate to its functional integration into the neighborhood.

c. The proposed development site plan is so designed in its space allocation, orientation, materials, landscaping and other features as to produce a stable and desirable character, complementary to the surrounding neighborhood.

d. The proposed development includes or supports the production of dwelling units available at less than market rates.

1. Minimum Area. The minimum site to be designated a P-D PLANNED DEVELOPMENT DISTRICT shall be 30,000 square feet in area and shall be so situated that not less than seventy-five percent (75%) of the site shall be within a one-half (1/2) mile radius of the geographic center of the intersection of Atlantic and Main Streets. Land zoned R-7 1/2 One Family Residence District and R-5 Multiple Family Residence District shall not be eligible for inclusion in any P-D PLANNED DEVELOPMENT DISTRICT. The site shall be contiguous or, at the sole discretion of the Zoning Board, may be separated by a street so long as the street right-of-way width does not exceed fifty (50) feet, at least 30,000 square feet of land exists on each side of such street, and some portion of the frontage of each parcel is directly opposite. (97-033)

2. Permitted Uses. The following permitted uses in the P-D PLANNED DEVELOPMENT DISTRICT shall be subject Zoning Board authorization for each as a part of its site plan review and approval:

a. Apartment Hotel; Apartment Hotel for the Elderly; Apartment House or Dwelling;

b. Neighborhood Commercial and/or professional office uses, provided that such uses shall be located only on the ground floor and shall not, in the aggregate, exceed 5% of the gross floor area of the building(s). For purposes of this section, neighborhood commercial uses shall include the following uses:

Apparel Shops; Art & Antique Shops; Banks and Financial Institutions; Bakery, Retail; Barber; Book, Stationary Stores; Camera Shop; Churches & Religious Institutions; Child Day Care Center; Churches and Religious Institutions; Clothing Store; Clubs & Lodges;

Confectionery Stores; Copy and Communications Center; Custom Tailor; Drug Stores; Dry Goods Store; Florist; Food Shop, Retail; Gift Shops; Hardware Store; Interior Decorating Shop; Jewelry Store; Laundry and Dry Cleaning, Retail; Offices, Business & Professional; Optician; Package Liquor Store; Personal Wireless Service Facility; Pharmacy; Photographic Studio; Public and Charitable Agencies; Restaurant, Standard; Schools; Shoe Store; Shoe Repair; Sporting Goods, Retail; Textile, Retail; and Variety Store. (203-03)

3. Standards. In connection with uses set forth in Subsection AA,2,a. above, the following standards shall also apply:

a. The maximum residential density permitted in the P-D PLANNED DEVELOPMENT DISTRICT shall be seventy-five (75) dwelling units per acre (minimum 580 square feet of lot area per dwelling unit) on sites less than one acre. On sites of one acre (43,560 sq. ft.) or larger, the maximum density shall be one hundred and eight (108) dwelling units per acre (minimum of 400 square feet of lot area per dwelling unit).

b. The maximum building height permitted in the P-D PLANNED DEVELOPMENT DISTRICT shall be one hundred and ten (110) feet for sites under one acre and one hundred and seventy (170) feet for sites one acre or larger. Requirements found elsewhere in these Regulations regarding building height in the CC-N Central City District North shall apply in areas redesignated from the CC-N District.

c. For the purpose of these regulations, accessory use of the basement or ground floor, or portions thereof, or of independent structures on the site for retail or other non-residential uses set forth herein shall be permitted subject to a limit of five percent (5%) of the gross floor area planned for the development.

d. To serve residential development, a minimum of one hundred fifty (150') square feet of usable open space per family shall be provided on the tract. Such usable open space may be at grade or as specified in (e.) below.

e. The total area occupied by principal structures in the P-D PLANNED DEVELOPMENT DISTRICT may not exceed forty percent (40%) of the site. Accessory structures may occupy an additional forty percent (40%) of the site, provided that site coverage of all structures shall not exceed seventy percent (70%) and that accessory parking structures do not exceed twenty feet (20') in height above the average grade excluding parapet walls, and include a landscaped roof with direct structured access for the benefit of the residents of the development as usable open space. Notwithstanding the above, where the total area occupied by all structures including accessory parking structures does not exceed 55% and all parking floors are suitably screened from sensitive public views, the Zoning Board may authorize increased height of accessory parking structures not to exceed thirty-five (35) feet, may exempt the coverage of one-story porches, porte cocheres, and balconies not to exceed three percent (3%), and may, on the roof of accessory parking structures, approve the location of one-story active recreation structures which shall be exempt from height limitations. (87-018; 204-12)

f. The restrictions of the R-MF Multiple Family Residence District, pertaining to front yards, side yards and rear yards, shall apply, provided that the Zoning Board may authorize a

reduction in front yard setback for porches, porte cocheres, balconies and similar architectural features not exceeding a height of twenty feet above finished grade measured at the foundation. (204-12)

g. Not less than one and one-half (1 1/2) off-street parking spaces per dwelling unit shall be provided for residential development. Required parking for non-residential uses shall be as stipulated elsewhere in these regulations. The Zoning Board may grant a Special Exception pursuant to Section 12D-9(e) to provide for a reduction of the minimum number of spaces required by this section, or to authorize use of a valet parking system using vehicular elevator access and/or use of tandem parking spaces. (84-043; 204-12)

h. Below Market Rate (BMR) Dwelling Unit Standard. All development within the P-D District shall be required to include Below Market Rate (BMR) units, in an amount not less than one-third (1/3) of the bonus density approved pursuant to the P-D zone change, or not less than ten percent (10%) of the total number of dwelling units, whichever is greater. In addition, any existing subsidized dwelling units on site shall be retained or replaced pursuant to a plan approved by the Zoning Board. Bonus density shall be defined as the amount by which the number of approved P-D units exceeds the maximum number of dwelling units otherwise permitted by zoning immediately prior to the P-D zone change. Where non-subsidized housing will be demolished or was previously demolished within the three (3) year period preceding the filing of the application, additional BMR units shall be provided equal to fifteen percent (15%) of the number of units demolished provided that the Zoning Board may exclude those units with a market rent or sale value greater than 150% of current BMR rent/sale limits.

Required BMR units shall be affordable to households earning not more than fifty percent (50%) of the Stamford SMSA Median income and shall be provided in accordance with the standards, definitions and procedures contained within Article III, Section 7.4 of these Regulations. (203-16)

i. In the case of an Apartment Hotel where the usable area of the rooms intended for occupancy does not exceed an average of three hundred (300) net square feet each, and 24-hour on-site management services are provided, the Zoning Board may allow the following special standards in whole or in part as alternates to those listed above:

(1) Floor Area Ratio (FAR) shall not exceed three (3.0).

(2) The total area occupied by principal structures shall not exceed sixty percent (60%) provided the principal building not exceed five (5) stories and all parking be at or below grade with its roof elevation less than five (5) feet above grade and adequately screened and hidden from view. Accessory parking structures(s) satisfying this standard shall be exempt from coverage and FAR standards.

(3) Open space of fifty (50) square feet per room intended for occupancy shall be provided at grade as specified in 3(d) above or in combination with adjacent accessible open space or parkland.

(4) Provided the building is limited to five (5) residential stories, the minimum yard requirements shall be ten feet (10') for each front and side yard, and fifteen feet (15') for rear yards.

(5) As a minimum, one (1) parking space shall be provided per five rooms intended for occupancy subject to final determination by the Zoning Board after consultation with the Department of Traffic and Parking. (92-002)

4. Procedure. The procedure to be followed in connection with applications for designation of P-D PLANNED DEVELOPMENT DISTRICT shall be as follows:

a. Application and General Plans. Each application shall be accompanied by general site and architectural plans of the exterior of structures, showing the intended development, redevelopment and/or rehabilitation of the land and structures within the area to be redesignated; shall include a comparative analysis of specific characteristics of the proposed development as they may differ from Appendix B, SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF BUILDINGS for the existing zone classification for the property; and shall include a request for authorization for specific uses intended for the development in accordance with Subsection AA,2,a. of this Section; The application and general plans shall be sufficient in scope and character to determine that the objectives of the P-D PLANNED DEVELOPMENT DISTRICT will be met. Any proposed division of the site into separately-owned and operated units shall be indicated.

b. The Zoning Board shall render a decision within ninety (90) days of receipt of the application unless an extension of time is agreed to by the applicant. An approval shall be construed to amend the requirements of these regulations insofar (and only insofar) as specific deletions, additions and changes are permitted which are related to the land and structures proposed for the P-D PLANNED DEVELOPMENT DISTRICT.

c. After the approval of the P-D zone change application and general plans, the applicant shall file final site and architectural plans with the Zoning Board, containing all of the plans and information as specified by Section 7.2 C of these Regulations. No building permit for the proposed development or any part thereof shall be issued until the Zoning Board has determined that final plans are in accordance with the application and general plans previously approved, and with the standards of Section 7.2 Site Plan Review and the general purposes and other applicable standards of these Regulations. Final site and architectural plans shall be acted upon by the Zoning Board within ninety (90) days after they are submitted to the Zoning Board unless an extension of time is agreed to by the applicant.

5. Performance. The applicant(s) shall secure a building permit within one (1) year of the effective date of Zoning Board approval under Subsection AA,4,(c.) above. Upon failure to secure said permit, the modifications or amendments provided for in Subsection AA,4,(a.) as they pertain to the subject application shall become null and void, and the area zoning district

classification shall revert to the zoning district classification previously existing. No Certificate of Occupancy shall be issued until a written certificate of completion has been submitted by the applicant and accepted by the Zoning Board.

6. Effectiveness. Upon the effective date of Appl. 88-004 establishing Subsection 3 h - "Below Market Rate Dwelling Unit Standard", property already zoned P-D and holding a valid general site plan approval shall be entitled to secure final site and architectural plan approval and to complete the improvements and establish the uses authorized, consistent with the general site plan approval, without otherwise complying with the requirements of Subsection 3 h, provided that final site and architectural plan approval shall be secured within a period of three (3) years from the effective date of this amendment.

AAA. MX-D MIXED USE DEVELOPMENT DISTRICT (213-06)

Any parcel of land or aggregation of parcels of land contiguous to or within the Downtown Land Use Categories as delineated on the Master Plan, now zoned residential and commercial, and which is proposed to be developed, redeveloped or rehabilitated principally for residential uses and where the excellence of the overall design and residential amenities are such as to warrant special consideration for modification of the standards contained elsewhere in these regulations may be designated by the Zoning Board upon application and in the manner prescribed herein, as a MX-D MIXED USE DEVELOPMENT DISTRICT where a determination is made that the following objectives and minimum standards are met (213-06, 215-37):

a. The proposed development is consistent with the Master Plan and the objectives of comprehensive municipal plans for redevelopment, renewal, or neighborhood preservation and rehabilitation.

b. The proposed development consists of housing and such other uses as will be supportive of and contribute to the vitality of the Downtown Land Use Category.

c. The proposed development consists of such proportions as are most appropriate to its functional integration into the neighborhood.

d. The proposed development site plan is so designed in its space allocation, orientation, materials, landscaping and other features as to produce a stable and desirable character, complementary to the surrounding neighborhood.

e. The proposed development includes active or passive recreational amenities that will provide a superior living and working environment for the residents and employees therein.

1. Minimum Area.

The minimum site to be designated a MX-D MIXED USE DEVELOPMENT DISTRICT shall be two acres (87,120 square feet) in area and not less than twenty-five percent (25%) of the site shall have been zoned for commercial development prior to the redesignation. The site may be in single or multiple ownership, however all owners, contract purchasers, or their authorized agents shall be signatories to the application for redesignation. The site shall be contiguous to or within the boundary of the Downtown Land Use Category as delineated on the Master Plan and may be separated by a street so long as the street right-of-way width does not exceed fifty (50) feet, and at least one acre (43,560 square feet) of land exists on each side of such street, and at least one hundred (100) feet of the frontage of each parcel is directly opposite.. (201-03, 205-18, 215-37).

Subsequent to the initial designation of a MX-D site, additional land may be designated and incorporated as an integral part of the MX-D development at the discretion of the Zoning Board, provided that the additional land is contiguous, regardless of its size, or is not less than thirty thousand (30,000) square feet in area and separated by a street right of way not exceeding fifty (50) feet in width, and that the incorporation and development of

said property is consistent with the standards and objectives of the MX-D District. (93-015, 213-06)

2. Permitted Uses. The following permitted uses in a MX-D MIXED USE DEVELOPMENT DISTRICT shall be subject to Zoning Board authorization for each use as a part of site plan review and approval (213-06):

a. Agencies; Apartment House or Dwelling; Dwelling, Two Family; Apparel Shops; Art and Antique Shops; Assisted Living Facility ; Bakery; Banks; Barber, Beauty Shops; Book, Stationery Stores; Cafe; Camera Shop; Child Day Care Centers; Churches and Religious Institutions; Clubs and Lodges; Colleges & Universities; Confectionery Stores; Custom Tailor, Dressmaker; Drug Stores; Florist; Food Shops, Retail; Gift Shops; Hardware; Laundry; Multiple Dwellings; News stand, Variety; Offices, Business and Professional; Package Store; Photo Studio; Restaurant, Standard; Safe Deposit Facility; Shoe Repair. (201-03, 215-37, 216-04)

3. Standards. In connection with the uses set forth in Section AAA, 2, a. above, the following standards shall apply:

a. The maximum residential density permitted in the MX-D MIXED USE DEVELOPMENT DISTRICT shall be governed by the maximum residential floor area permitted on the site.

b. The maximum building height permitted in the MX-D MIXED USE DEVELOPMENT DISTRICT shall be one hundred and fifty (150) feet.

c. The floor/area ratio definition found elsewhere in these regulations shall not be applicable to the MX-D MIXED USE DEVELOPMENT DISTRICT. The floor/area ratio of all uses permitted in the MX-D MIXED USE DEVELOPMENT DISTRICT shall not exceed three (3.0), except that portions of floors housing mechanical or central heating/air conditioning equipment, and structures for parking either integrated into the building and therefore hidden from view or with a roof not exceeding one story or eleven (11) feet in height above grade and having only accessible landscaped usable open space on their roof shall be exempt from the floor/area calculations (213-06).

d. Residential uses shall in the aggregate, constitute not less than two-thirds (2/3) of the floor area of the development, except in the case of infill developments sites where there shall be no prescribed ratio.

e. Non-residential uses shall be so located on the site to relate to uses of the Downtown Core and Downtown Corridor to the greatest extent possible, and shall not be so located as to unnecessarily intrude upon or adversely impact adjacent residential uses. New parking structures above grade shall be situated behind other street front uses, or be so located to permit substantial landscaping to mitigate adverse visual impacts. (205-18)

f. To serve residential development, a minimum of one hundred fifty (150) square feet of usable open space per dwelling unit shall be provided on the tract. Areas such as landscaped roofs of parking structures, or balconies which conform to the dimensional requirements of these regulations shall qualify toward these usable open space requirements. However not

less than twenty-five (25) percent of this requirement shall be met at grade. The provision for open space for pre-school children found elsewhere in these regulations shall not apply in the MX-D MIXED USE DEVELOPMENT DISTRICT (213-06).

g. Above grade site coverage by major structures shall not exceed forty (40) percent. The maximum permitted coverage by all structures shall be fifty (50) percent except that only underground parking structures with a roof a maximum of eleven (11) feet above grade pursuant to Section 3.c. above may cover an additional portion of the site, however the combined coverage shall not exceed seventy (70) percent.

1. Above grade site coverage by all major structures shall not exceed sixty percent (60%), when all proposed major structures do not exceed five (5) stories in height, and all parking is provided at or below grade with a parking deck roof elevation less than six (6') feet above average grade and landscaped as useable open space or adequately screened and hidden from view. Parking structures satisfying this standard shall be exempt from coverage standards set forth elsewhere in this Section. (93-015)

h. In general, non-residential structures shall be governed by the requirements of the CC-N District for front, side, and rear yards and residential structures shall be governed by the requirements of the R-H District for front, side, and rear yards. However, the Zoning Board may approve, on a site specific basis the appropriate relationship of yard requirements and separation of structures on the site to each other with the objective of assuring adequate light, open space, screening, landscape, safety and privacy for existing and proposed dwelling units, and overall urban design considerations. The requirements of Article III, Section 7-K of these Regulations shall not apply. (87-020, 93-015)

i. There shall be a minimum residential off-street parking requirement of one and one-quarter stalls for each unit of one bedroom or less and one and one-half spaces for each unit of 2 bedrooms or larger, provided that upon Special Exception approval by the Zoning Board, parking may be provided at one and one-quarter spaces for each 2 bedroom unit. Parking for office use shall not be more than three (3) stalls per one thousand (1,000) gross square feet of development but may be not less than 2.5 stalls per one thousand (1,000) gross square feet of development, subject to approval by the Zoning Board in accordance with the procedures and criteria of Section 12 K of these regulations excluding the fee-in-lieu payment provision of Section 12 K. The potential for shared use of parking stalls shall constitute an additional standard for consideration of parking reduction. Parking for retail use shall not be required, except that parking standards under section 12-D of these regulations shall apply for retail uses which exceed ten percent (10%) of the total floor area of the development. Parking for other uses, where the hours of the use of stalls would not be in conflict, may be shared subject to review and approval by the Zoning Board. A minimum of 2/3 (two-thirds) of all required parking shall be situated below grade or integrated into the building and entirely hidden from view. (209-016)

j. For all MX-D developments providing ten or more residential dwelling units, not less than ten percent (10%) of the total number of dwelling units shall be offered for rent or sale as Below Market Rate (BMR) units. The BMR requirement may be satisfied with any of the options provided in Article III, Section 7.4 of these Regulations, and shall not require the separate issuance of a Special Exception if approved at the time of initial MX-D designation

and site plan approval. Where non-subsidized housing will be demolished or was previously demolished within the three (3) year period preceding the filing of the application, additional BMR units shall be provided equal to fifteen percent (15%) of the number of units demolished provided that the Zoning Board may exclude those units with a market rent or sale value greater than 150% of current BMR rent/sale limits. Required Below Market Rate units shall be affordable to households earning not more than fifty percent (50%) of the Stamford SMSA Median income and shall be provided in accordance with the standards, definitions and procedures contained within Article III, Section 7.4 of these Regulations. (201-03; 203-17; 205-18; 213-06)

k. Historic Preservation: In order to encourage the preservation and/or rehabilitation of historic buildings as defined in Article III Section 7.3-C-1 of these Regulations, where such buildings are used by religious institutions and are located in the Downtown Core as defined in the Stamford Master Plan, the Zoning Board, by Special Exception, may authorize the following alternate standards, provided that the Board finds that said standards achieve the purpose of protecting and enhancing such historic buildings:

1. Building Height: Where the subject property is located within five hundred (500') feet of the CC-N Zoning District, maximum building height shall be two hundred sixty (260') feet.

2. Floor Area: The maximum Floor Area shall comply with Section 9-AAA-3(c) above; however, the following uses shall be exempt from said limitations: historic buildings as defined in Section 7.3-C-1 of these Regulations; buildings used for religious institutions, together not to exceed 0.15 FAR; structured parking floors, satisfying Section 3, Definition 39.2 of these Regulations; and any required Below Market Rate housing units located within the project.

3. Parking: Parking standards shall comply with Section 9-AAA-3(i) above, except that the requirement may be met by valet parking, car elevators, tandem parking, or so-called "stacker parking" or any combination thereof, provided that there shall be not less than one (1) freely accessible self-parked space assigned to each dwelling unit.

4. Additional Uses: In addition to the uses permitted pursuant to Section 9-AAA-2(a), the following additional use shall be permitted: Cemetery (21).

5. A condition of any Special Exception granted pursuant to this subsection (k), shall be that the applicant provide and record on the Land Records a historic preservation facade easement for all historic buildings and such easement shall continue for so long as the benefit of the Special Exception remains in effect and shall be an obligation of all owners of the property.

6. The requirements of Section 9-AAA-3(j) shall be satisfied either with on-site or off-site BMR units and no fee-in-lieu payment shall be permitted. (207-60)

4. <u>Infill Development</u>

These MX-D regulations may also be applied in special circumstances to parcels of less than two acres located within or contiguous to the Downtown and Urban Mixed-Use Land Use Categories as delineated on the Master Plan. Such sites shall be considered Infill Development sites and shall be subject to the special standards contained herein. In the absence of a special Infill Development standard, the standards of the MX-D District shall apply. Application of these special Infill Development standards shall be used for the creation of new residential dwelling units in under-utilized areas of the downtown and may include the residential conversion of existing commercial buildings including buildings that do not conform to the standards of these Infill Development standards (213-06, 215-37).

a. Designation Criteria. A parcel or parcels of land, to be eligible for designation as a MX-D Infill Development site, shall satisfy all of the following minimum criteria (213-06, 216-07):

i. At least twenty-five percent (25%) of the area of the site shall have been legally used for commercial purposes or vacant at the time of application for redesignation;

ii. Site area of at least 10,000 square feet may be allowed in the Downtown when contiguous to existing MX-D zoned land, provided that such sites shall be limited to a floor area ratio of one and one-quarter (1.25) as further described in b-ii below. (216-07)

iii. At least fifty (50) lineal feet of street frontage;

iv. At least fifty percent (50%) of the site frontage shall be either vacant or used for parking at the time of the application, provided that the Zoning Board may waive such requirement when the proposed Infill Development requires the preservation and enhancement of existing housing and/or historic buildings and diminishes the effect of commercial uses on the residential character of the site and surrounding streets.

b. Standards.

i. Building Height. For sites within the Downtown land use category, building height shall not exceed one-hundred and fifty (150) feet. For sites contiguous to or within the Urban Mixed-Use land use category, building height shall not exceed ninety (90) feet except where existing commercial buildings are adaptively reused for residential purposes and no increase in existing maximum building height occurs. (213-06, 215-37)

ii. Floor Area Ratio. The floor area ratio of all uses, including non-conforming uses, shall not exceed two and one-half (2.5) and there shall be no net increase in commercial uses. The floor area ratio definition of Section 9-AAA-3-c shall apply except that parking structures not exceeding one story or eleven (11) feet in height above grade shall not require landscaped usable open space on their roof. In the case of adaptive reuse of existing non-residential buildings or vacant parcels for residential use, existing parking structures, resident amenity space and on-site BMR floor area shall be exempt from these FAR limitations. At the discretion of the Zoning Board, street-front parking garage floors converted to active floor area may also be exempt if such converted garage area does not exceed 0.2 FAR and serves to enhance the streetscape and pedestrian oriented frontage. (213-06)

iii. For sites with at least fifty percent (50%) of street frontage either vacant or used for

parking, a minimum of seventy-five (75) square feet of usable open space per dwelling unit shall be provided. For all other Infill Development sites, a minimum of one-hundred fifty (150) square feet of usable open space per dwelling unit shall be provided. The location and design of such open space shall be approved by the Zoning Board, provided that the Zoning Board may reduce or waive this open space requirement for units created by residential conversion of existing non-residential buildings where the opportunity to create open space is limited or when otherwise deemed appropriate by the Zoning Board. (213-06)

iv. Building coverage of all structures shall not exceed eighty percent (80%).(213-06)

v. All uses on the site shall satisfy the parking requirements of the Section 9-AAA-3-i, provided that only required new residential parking shall be subject to the requirement that a minimum of 2/3 (two-thirds) of parking shall be either (a) situated below grade or (b) integrated into the building and/or screened from sensitive views to the satisfaction of the Zoning Board. Notwithstanding the requirements of Section 9-AAA-3-i, pursuant to Special Exception approval of the Zoning Board, residential parking may be provided in conformance with Section 12-D-1-c. (213-06)

vi. Where more than ten (10) additional residential dwelling units are provided, at least ten percent (10%) of such additional units shall be offered for sale or rent as Below Market Rate (BMR) units, except in the case of adaptive reuse of existing non-residential floor area for residential use or development of residential floor area on vacant parcels used for commercial purposes within the past five (5) years where at least six percent (6%) of such units shall satisfy the BMR requirement. All other standards of Section 9-AAA-3-j shall apply. (86-034, 201-03, 205-18, 213-06)

vii. Signage shall be governed by the standards of the C-N District. Provided however, upon issuance of a Special Exception from the Zoning Board, blade type signs up to 30 square feet mounted perpendicular to the building façade are permitted, notwithstanding the standards of Section 13, and may extend over a public sidewalk provided they extend not more than thirty (30) inches from the building, are non-illuminated, and are made of durable material. Such blade signs shall be located not less than nine (9) feet and not more than thirty (30) feet above the sidewalk. (213-06)

5. Procedure. The procedure to be followed in connection with applications for designation of MX-D MIXED USE DEVELOPMENT DISTRICT shall be as follows (213-06) :

a. Application and General Plans. Each application shall be accompanied by general site and architectural plans of the exterior of structures, showing the intended development, redevelopment and/or rehabilitation of the land and structures within the area to be redesignated; shall include a comparative analysis of specific characteristics of the proposed development as they may differ from Appendix B, SCHEDULE OF REQUIREMENTS FOR AREA HEIGHT AND BULK OF BUILDINGS for the existing zone classification for the site; shall include a staging plan for the development indicating projected dates of construction and occupancy for all proposed structures; and shall include a request for authorization of specific uses intended for the development in accordance with Subsection AAA, 2(a) of this section. The application and general plans shall be sufficient in scope and character to determine that the objectives of the MX-D MIXED USE DEVELOPMENT DISTRICT will be met, and shall provide that those portions of the site that will be scheduled

for later phases of construction be landscaped and maintained as usable open space in the interim for the benefit of site tenants and the general public. Any proposed division of this site into separately-owned and operated units shall be indicated. Subdivision approval shall not act to void the minimum area provision for the site (213-06).

b. The Zoning Board shall render a decision within sixty (60) days after public hearing of the application unless an extension of time is agreed to by the applicant. An approval shall be construed to amend the requirements of these regulations insofar (and only insofar) as specific deletions, additions and changes are permitted which are related to the land and structures proposed for the MX-D MIXED USE DEVELOPMENT DISTRICT (213-06).

c. After or in conjunction with the approval of the MX-D zone change application and general plans, the applicant shall file final site and architectural plans with the Zoning Board, containing all of the plans and information as specified by Section 7.2 C of these Regulations. No building permit for the proposed development or any part thereof shall be issued until the Zoning Board has determined that final plans are in accordance with the application and general plans previously approved, and with the standards of Section 7.2 Site Plan Review and the general purposes and other applicable standards of these Regulations. Final site and architectural plans shall be acted upon by the Zoning Board within ninety (90) days after they are submitted to the Zoning Board unless an extension of time is agreed to by the applicant. (213-06)

6. Performance. Notwithstanding the existence of or subsequent subdivision of parcels or lots within the site redesignated a MX-D MIXED USE DEVELOPMENT DISTRICT to segregate component structures or uses for financing, construction or operating purposes, it shall be the purpose of the redesignation to a MX-D MIXED USE DEVELOPMENT DISTRICT that all components be constructed in a timely fashion. Accordingly, to the extent possible, all component structures of the approved final site plan should be constructed simultaneously. However, no building permit for non-residential components shall be issued unless accompanied by a comparable building permit for not less than one-third (1/3) of the total number of residential dwelling units shown in the approved final site plans. (84-006, 213-06)

AAAA. DW-D DESIGNED WATERFRONT DEVELOPMENT DISTRICT

1. Purpose

The Designed Waterfront Development District (DWD) is a flexible design district, subject to special standards and review procedures, intended to provide for and encourage the most appropriate use and development of waterfront property, giving highest priority and preference to water dependent uses on sites that are physically suited for such uses and for which there is a reasonable demand, consistent with the policies of the Connecticut Coastal Area Management Act. Application of the Designed Waterfront Development District is intended to promote the following objectives:

a. Protection and encouragement of existing and new water-dependent uses and their essential supporting uses;

b. Conservation of significant resources;

c. Promotion of those uses which maximize the opportunity for public access to and enjoyment of waterfront areas without conflicting with viable existing water-dependent uses or sites highly suitable for other water-dependent uses;

d. Encouragement of harbor revitalization measures that emphasize the waterfront as a public pedestrian district connecting the shorefront with the adjacent neighborhoods and the Central Business District;

e. Protection of key public vistas and development of visual access to coastal landscapes;

f. Provide for new uses which are compatible with the seasonal cycle of water-based activities and those environmental hazards unique to the coastal area;

g. Promotion of architecture and site development of design merit that makes best use of natural features, that harmonizes with the pattern and scale of the coastline, and that remains compatible with the surrounding architecture and pattern of development, and that preserves significant structures and features representing the historic pattern and scale of Stamford's waterfront heritage;

h. Control of the type and intensity of development to insure a positive impact on adjacent neighborhoods and the Central Business District, to encourage the retention of employment opportunity associated with water-dependent uses, and to prevent adverse impact on municipal services and infrastructure capacities and capabilities.

2. Criteria For Designation of a Designed Waterfront Development District

In order to qualify for consideration as DWD-Designed Waterfront Development District, a tract of land must satisfy all of the following requirements:

a. Zoning District. The proposed site shall be located within the C-WD district.

b. Minimum Acreage. The proposed site shall be equal to or greater than two (2.0) acres in area, contiguous and undivided by public streets, and owned in common. (209-033)

c. Parcel Configuration. The tract of land shall be bounded for a distance of one-hundred (100) feet or more by navigable water or waters which access a federal navigation channel, and shall have a minimum of fifty (50) feet of frontage on a public street or an unobstructed fifty (50) foot wide right-of-way of adequate capacity to service the vehicle access requirements of the site. The site shall be contiguous, or may be connected by an easement or right-of-way, provided; said easement or right-of-way is a minimum of twenty-five (25) feet wide and a maximum of one hundred and fifty (150) feet in length; both parcels are bordered by navigable water or waters which access a federal navigation channel; the overall goals and policies of the Coastal Area Management Program are advanced by the project in that existing water dependent uses are preserved or enhanced and public access is improved or expanded; a determination is made by the Zoning Board that adequate automobile, pedestrian, and utility access is achieved; and a notice, approved by the Director of Legal Affairs prior to the issuance of a Building Permit, is recorded on the Stamford Land Records affecting the title to each parcel evidencing the fact that the development on each parcel is regulated in relationship to development on the other parcel. (201-21)

d. Infrastructure Impact. The site shall be served by streets, municipal services and public utilities of adequate capacity to service the requirements of the site. Where infrastructure capacity is judged not to be adequate, the Board may accept a binding agreement insuring that suitable improvements are scheduled to occur or will be performed by the applicant in a timely manner. No building permit shall be issued until such agreement has been accepted by the Zoning Board.

e. Land Use Objectives. The intended use and location of the DWD tract shall be consistent with the purposes and objectives of the District as set forth in subsection 1 above, and shall be consistent with the Master Plan designation of the site, and compatible with the land use planning policies and goals articulated for adjacent affected areas.

3. Permitted Uses

In the DWD District, the following uses may be approved by issuance of a special permit when the Board, in its sole discretion, determines such uses to be appropriate:

a. Uses permitted within the C-WD Coastal Water-Dependent District.

b. All uses permitted within the C-S District by right, but excluding one family dwellings; auto sales new and used; bowling alleys; auto car wash; auto equipment service; camp trailer; machine shop; meat processing; metal fabrication.

In approving a proposed use, the Board shall encourage the development of marina facilities for recreational and commercial boating, when not in conflict with navigation requirements or significant natural resources. Preference shall also be given to those uses that encourage public access, and provide public waterfront amenities, and attractive walkways of general utility.
Except as provided for below, if a site contains an existing, viable water-dependent use, as defined

in the C-WD District regulations, such use shall be retained. No proposed use shall be approved that would adversely impact a water-dependent use either through encroachment, relocation, interference, or the juxtaposition of incompatible activities.

The Board may authorize the modification reduction or elimination of an existing water dependent use provided that:

(1) the Board considers comments from the State Coastal Management Office before such a decision is made;

(2) the applicant can demonstrate to the satisfaction of the Board that such use is no longer economically viable under the existing zoning; any such claim to be supported by full disclosure of all pertinent information including but not limited to financial data regarding the water dependent use;

(3) the applicant submits a professionally-prepared market study and economic analysis of the site's potential to support a water dependent use under the existing zoning;

(4) the applicant can demonstrate to the satisfaction of the Board that alternatives to the existing type or location of the water dependent use will allow an appropriate level of service or activity to continue in accordance with the objectives of this district and Stamford's Municipal Coastal Program.

4. Development Standards

The following standards shall apply to the development of property within the Designed Waterfront Development District:

a. Minimum Lot Size: 10,000 sq. ft.

b. Minimum Frontage or Right-of-Way Width: 50 feet

c. Maximum Building Coverage: 30%

Building coverage is defined to be the percent of lot area covered by buildings or structures, excluding for purposes of this calculation one story public amenity buildings not to exceed 3% of lot area, and floating docks, boardwalks, canopies and similar special structures designed to encourage public access to the waterfront, and also excluding for purposes of this calculation the coverage of buildings used exclusively for water dependent uses, not to exceed six percent (6%) of lot area. (206-28, 215-04)

d. Maximum Building Height: 6 stories, not to exceed 70 feet

e. Maximum Ground Coverage: 60%

Ground coverage is defined to be the percent of lot area covered by buildings, structures, paved parking areas and other ground areas designed to accommodate vehicles (including but not limited to concrete, asphalt, stone or gravel), excluding for purposes of this calculation one story public amenity buildings not to exceed 3% of lot area, and floating docks, boardwalks, canopies and similar special structures designed to encourage public access to the waterfront, and also excluding parking spaces dedicated to the general public and access solely thereto, and also excluding parking structures not exceeding one story above average grade that are suitably landscaped and screened from view and substantially covered with landscaped usable open space to the satisfaction of the Zoning Board, and also excluding for purposes of this calculation the coverage of impervious areas used principally for water dependent uses, not to exceed twenty percent (20%) of lot area.

(206-28, 214-12, 215-04)

f. Maximum Floor Area Ratio: 0.60

Floor Area Ratio as used in the DWD District shall consist of the total gross floor area of permitted uses contained within buildings, including dwelling unit area but excluding the gross floor area of water-dependent uses and the floor area of parking structures suitably enclosed and landscaped to the satisfaction of the Board, divided by the area of the lot. Excluded from the calculation of floor area ratio shall be the area of the lot with elevation below the mean high water mark, the floor area of public amenity buildings, the floor area of Below Market Rate (BMR) units provided in satisfaction of the minimum requirement of Section 4 – i, below, and four times the floor area of any additional BMR units provided to earn bonus residential density.

The Zoning Board, by issuance of a Special Exception, may authorize premiums of floor area, subject to the following standards:

Brownfields: To encourage the redevelopment and re-use of property impacted by the presence of hazardous substances, contaminants or pollutants of the air, soil or ground waters, the Board may grant a premium of 1 square foot of structure floor area for each $100 remediation expenses, not to exceed 0.10 FAR.

Off-Site Public Infrastructure and Public Access Improvements: To encourage and facilitate the construction of needed improvements of public infrastructure systems, including public parks and facilities, public access to the waterfront, and roadways and rights-of-way, the Board may grant a premium of five square feet of structure floor area for each $100 of contributed funds or documented construction costs, not to exceed 0.50 FAR.
(214-12)

In no case shall the gross floor area of all uses, including BMR units but excluding public amenity buildings and parking structures suitably landscaped and screened from view to the satisfaction of the Board, exceed an F.A.R. of 1.25. (206-28)

g. Minimum Yards:

Front - 15 feet, provided however, that all parts of a building, including balconies, shall be set back an amount equal to 1/2 their height, but not to exceed 25 feet.
Rear - same as front yard
Side - 10 feet

(216-03)

h. Waterfront Setback:

In addition to satisfying other yard requirements, no building shall be located less than thirty (30) feet from the waterfront (mean high water mark), provided further, however, that all parts of a building shall be set back from the waterfront by an amount equal to 1.5 times their height. This requirement may be modified by the Board based on a finding that the special function, use or design of a structure requires placement closer to the waterfront and is consistent with the purposes of the DWD District.

All structures existing at the time a property is zoned DWD shall be permitted to remain in their existing locations and the Zoning Board may grant a reduction of the thirty (30) foot easement requirement of Section 9-AAAA-5-b provided any such structure does not conflict with the provision of meaningful public access along the waterfront. (215-04)

i. Below Market Rate Housing Requirement:

On all DWD sites, not less than ten percent (10%) of the total number of dwelling units shall be offered for rent or sale as Below Market Rate (BMR) units, for up to 29 units per acre. A bonus density may be allowed pursuant to Article III, Section 7.4 and Appendix B Footnote 4 of these Regulations as it relates to BMR units and bonus density, not to exceed a total of 44 dwelling units per acre; (201-21; 203-18; 206-28; 214-12)

5. Site Design and Architectural Criteria

Development within the DWD Designed Waterfront District shall conform to the site plan review standards of Section 7.2 and the coastal site plan review standards and policies of Section 7, T of these Regulations, and the following additional standards:

a. Mitigation of Environmental Impact. Appropriate measures shall be taken to mitigate environmental impacts to coastal resources through sensitive design and implementation of best available technologies and methods for controlling pollutant discharges from the site. Where the Board authorizes encroachment or removal of any intertidal habitat, inland wetland or other natural resource, a suitable on-site or off-site habitat replacement program or alternative mitigation effort shall be provided.

b. Public Access to the Waterfront. The design of waterfront improvements shall expressly encourage and invite public access through the development of uses, amenities, signage, and attractive walkways with general utility. Private use areas and vehicular traffic and parking shall be designed accordingly with preference to public pedestrian traffic. Public access shall be insured through the dedication of a permanent easement area encompassing the area of land extending from the mean high water mark, or limit of any walkway provided, to a point thirty (30) feet inland. The public access easement shall connect to any access easements on adjacent property and shall also be extended to a public street or right-of-way in a manner providing safe and convenient public access. Access improvements shall provide for the efficient movement of future pedestrian traffic, shall provide for public safety and tenant security, shall logically connect site uses and activities, and shall link smoothly with existing public access facilities on adjacent property or terminate safely at the point where continuation of such facilities cannot be reasonably anticipated. Changes of paving materials and textures within public access areas should be well considered and provide a clear transition. (214-12)

c. Preservation and Enhancement of Visual Resources. The design, placement, arrangement, setback, height and bulk of buildings and structures and related site improvements shall serve to protect and enhance visual access to the harbor from public rights-of-way, views along the water's edge, and the quality of principal public views of the overall site. No more than seventy (70) percent of the site length, measured parallel to the shoreline, shall be occupied by structures. (214-12)

d. Attainment of Purposes and Objectives of the DWD District. Proposed site design, architecture and uses shall be fully consistent with the purposes and objectives of the DWD District.

e. Parking Requirements. The standards of Section 12 of these Regulations shall apply. The number of residential off-street spaces provided shall not be less than one and one quarter (1-1/4) spaces for each unit of one bedroom or less, one and one half (1-1/2) spaces for each two bedroom unit, or two (2) spaces for each unit of three bedrooms or more. However, when a mixed use development is proposed, the Board may in its sole discretion authorize the reduction of parking standards,-including the potential for shared spaces and off-site parking, pursuant to an approved Parking Management Plan. Boat slips reserved exclusively for use by residents of the project shall have no parking requirement. (206-28, 214-12)

f. Signage. Signage shall be governed by the standards of the C-S District set forth in Section 13, D of these Regulations.

g. Lighting. The location, height, design and arrangement of outside lighting shall be such as to avoid glare on any other lot, to avoid hazards to traffic on any street, and to prevent confusion to navigation.

h. Landscaping. All areas of the tract not devoted to buildings, structures or other designed uses shall be suitably landscaped to the satisfaction of the Board. As a

minimum, a ten (10) foot landscaped buffer area shall be provided for front yards and for not less than 75% of the site perimeter along side yards, provided those areas not meeting the ten (10) foot standard shall be suitably screened with fences and/or walls. Such buffers may include walls or fencing. Additionally, not less than 20% of the area within thirty (30) feet of the waterfront shall consist of landscaped area. Landscaping shall be designed, provided and permanently maintained consistent with the design and visual quality criteria of the DWD District and the protection of adjacent uses and neighborhoods. (214-12)

i. Public and private areas of the site may be enhanced with works of art appropriate to their setting.

j. Other Governmental Approvals. When site improvements or uses require separate approval by other municipal, state or federal units of government, evidence shall be submitted to the satisfaction of the Board demonstrating the capacity to attain such approvals in a timely manner. When issuance of any significant approvals is in question, the Board in its sole discretion may determine the application to be incomplete and may require evidence of such approval to accompany the application.

6. Historic Preservation.

In order to permit and encourage the preservation and adaptive re-use of historic structures listed or eligible for listing on the National Register of Historic Places or the State Register of Historic Places, such structures may be allowed to remain and shall be exempt from building height and building setback standards. Such structures shall be substantially preserved or restored in conformance with the Secretary of the Interior's standards for the rehabilitation of historic buildings. Where eligibility has not been determined by the State Historic Preservation Officer or the Director of the Connecticut Historical Commission, the Zoning Board may determine eligibility based on the recommendations of at least two independent, qualified historic preservation experts as provided by the applicant. (Alternate Standards deleted 214-12; Historic Preservation added 214-12)

7. Review Procedures

All applications for designation and development of property within the Designed Waterfront Development (DWD) District shall conform to the following procedures:

a. Pre-Application. No application for designation of a DWD District shall be made to the Board and no such application shall be accepted as complete by the Board until a pre-application has been filed and reviewed as set forth below:

(1) A pre-application submission, as defined in subsection 8,a. shall be filed with the Planning and Zoning Director who shall be responsible for coordinating the technical review, and shall cause a legal notice to be published noticing receipt of the pre-application and shall make a copy of the pre-application materials available for public inspection and shall maintain a record of all written comments received.

(2) Within five (5) days of receipt, the Director shall refer the submission to the Stamford Planning Dept., the Connecticut Coastal Area Management Office, the Environmental Protection Dept., the Dept. of Traffic and Parking, and any other City, State, or Federal

unit of government with information necessary to support a complete review of the pre-application.

(3) The Agencies' referral responses must be received within thirty-five (35) days after referral. Failure to respond shall be taken as no objection.

(4) Within twenty (20) days of the close of the referral period, the Director shall prepare and issue to the applicant and to the Board a written review report setting forth findings regarding the following:

i. Consistency with the purposes and standards of the DWD District.
ii. Information required to assess the viability of any existing water-dependent use, or the ability of the site to support another such use.
iii. Information required to justify any proposed modification, reduction or elimination of any water-dependent use.
iv. Impact evaluation studies required to evaluate the compatibility of the project with adjacent neighborhoods or the adequacy of public facilities.
v. The adequacy of measures proposed to mitigate adverse impacts to coastal resources.
vi. Recommendations for resolution of any specific deficiencies or conflicts identified in the project.
vii. The level of information required by other agencies regarding their issuance of permits.

(5) At any time prior to the issuance of findings, the applicant shall be entitled upon written request to grant extensions of any time periods or to withdraw the pre-application without prejudice. In response to issues raised during the course of the review, the applicant shall also be entitled to modify the pre-application and to submit additional information. However, substantial modifications or additional information which, in the opinion of the Director changes the essential character of the application shall be deemed a new pre-application for the purposes of the time limits set out above. Where the development of such additional information depends upon the services of a professional consultant, the Director shall retain the authority to select the consultant who shall receive direction from and report to the Director.

b. Application For DWD Designation and Approval of General Development Plans. Upon completion of pre-application review procedures, application may be made to establish a DWD District and to apply for the issuance of a special permit and approval of general development plans, and to apply for coastal site plan review, all such applications to be submitted and acted on in common by the Zoning Board.

(1) An application for DWD designation and approval of general development plans shall be submitted to the Board which shall review the submission for completeness, as defined in subsection 8,b., including any information deficiencies cited in the pre-application findings. Any incomplete application may be rejected by the Board as ineligible for consideration.

(2) Upon a finding that the application is complete, the Board shall so notify the applicant in writing, and shall proceed to review the application and conduct a public hearing, in the manner prescribed under Section 8-3, Section 8-3C, and Section 22a-105 of the

Conn. General Statutes.

(3) The Board shall promptly refer the complete application to the Conn. Coastal Area Management Office pursuant to Section 22a-103 C.G.S., and shall also refer the application to the Stamford Planning Board pursuant to Section 8-3a C.G.S. The Planning and Zoning Director shall be authorized to refer the application to any other unit of City, state, or federal government, and to convene technical staff meetings and to confer with the applicant as necessary to develop information to support a complete review of the application at a public hearing.

(4) Following a public hearing, the Board shall by separate resolutions act to approve or disapprove the petition for establishment of the DWD District, and to approve, approve with modifications, or disapprove the application for special permit and the application for general development plans and the application for coastal site plan review. No DWD District shall be approved or shall become effective unless the Board shall also approve a special permit and general development plans for the subject property.

(5) Upon approval of a special permit and general development plans, the Chairman of the Zoning Board shall endorse the certificate of approval for special permit and record the certificate in the land records of the City of Stamford. A record copy of the general development plans, modified as directed by the Board, shall be endorsed by the Chairman and recorded in the land records of the City of Stamford. Upon recording of the approved general development plans, the DWD District shall be considered to be established and the Zoning Map shall be amended to show the boundaries of the DWD area along with a reference to the location in the land records containing the special permit and general development plans authorizing the development.

(6) Adoption of a DWD District shall authorize the submission of final plans for approval to the Zoning Board, consistent with the approved uses, buildings, structures and site development standards and design criteria shown and described on the recorded general development plans and special permit. Unless otherwise specified, final plans shall be submitted for approval within one (1) year from the date of approval of the DWD District, subject to extensions by the Board, each one not to exceed one year. Failure to submit acceptable final plans shall be sufficient grounds for the Board to revoke the special permit and to restore the original zoning district designation for the subject property.

c. Final Plans. Final site plan development plans shall be submitted for approval to the Zoning Board in conformance with the approved general development plans and special permit, and shall be acted on as required by law.

(1) An application for approval of final plans and a supplemental application for coastal site plan review where required, shall be submitted to the Zoning Board which shall review the submission for completeness, as defined in subsection 8,c.. The Board may request additional information necessary to clarify or complete the application or may reject any incomplete application as ineligible for consideration. In acting to approve the application, the Board may direct the applicant to modify the plans and may establish reasonable conditions to insure that site improvements are provided in a timely manner

to conform to the purpose and intent of the DWD District. Reasonable conditions may include the filing of a performance guarantee acceptable to corporation counsel, and establishment of a timetable and construction phasing plan. When warranted, the Board may elect to hold a public hearing on any application for final plan approval. No building permit shall be issued for the proposed development or any part thereof until the Board has approved final plans and has confirmed in writing that implementation of conditions of approval has been assured.

(2) A DWD project shall be completed within two (2) years from the date of approval of final plans, subject to extensions by the Board, each one not to exceed one year.

d. Modification of Plans. The Board may, at its sole discretion, authorize a request to modify the approved general development plan or special permit where the requested modifications are minor or are necessitated by circumstances beyond the control of the applicant. The Board shall receive and act on any such requested modification in the same manner as a new application for designation of a DWD District. A requested modification of the terms, conditions and specifications of final plans shall be reviewed administratively by the Board, provided however that the Board may elect to hold a public hearing when warranted.

8. Application Contents

a. Pre-Application Submission. A request for pre-application review shall include, as a minimum, twelve (12) copies of the following information:

(1) Written Statement. A narrative describing the intended manner of development of the site including the types of uses and the principal structures and facilities to be established, a declaration and supporting data demonstrating generally how the project conforms with the purposes and criteria of the DWD District, and a declaration of other agency permits required.

(2) Existing Conditions Map. A descriptive map showing the location, boundaries, dimensions and approximate acreage of the site, the approximate location and dimensions of buildings and structures, existing uses of structures and land areas, existing site utilities and vehicle access, information describing land elevations, flood hazards, and coastal natural resource areas, and information regarding structures, uses and street elevations within 200 feet of the site.

(3) Preliminary Development Plans. A preliminary site plan at a scale of 30 feet to 1 inch and preliminary architectural plans showing the intended demolition, rehabilitation or new construction of buildings and structures, including approximate dimensions, floor areas and intended uses, the general design of waterfront development and public access amenities, the extent of any dredging, excavation or filling, and areas devoted to landscaping, pedestrian access and parking.

(4) Impact Statement. A description of how the project will affect any existing water-dependent uses or the suitability of the site to support another such use in the future; a description of the project's impact to coastal resources and the measures proposed to mitigate adverse impacts; a description of the project's impact on adjacent land uses and

the capacity of the public streets, utilities and services; an analysis of the visual impact of the project demonstrating compliance with subsection 5,c.

b. Application For DWD Designation and Approval of General Development Plans. A petition for DWD designation and application for special permit, approval of general development plans and coastal site plan review shall include, as a minimum, twelve (12) copies of the following information:

(1) Written Application. Written application on forms as prescribed by the Board including a project narrative as defined under Section 8.a(1).

(2) Existing Conditions Survey. An accurate survey of the site including the information required under subsection 8, a.,(2) including land contours at a maximum of two-foot intervals, critical spot elevations, flood elevation data, the location of utilities and any easements of record, and the location of coastal resource areas based on accepted field mapping methods, with a mapping accuracy meeting or exceeding the standards for a Class A-2 survey as defined by the Connecticut Technical Council, Inc.

(3) General Development Plan. A site plan drawn at a scale of not less than one inch = 30 feet, showing the proposed location, dimensions, floor area and uses of structures and the proposed location and area of principal land uses and facilities, existing and proposed land contours, the general location of landscaped areas, parking areas, vehicle access and public access amenities. Information addressing the DWD building standards shall be shown in tabular form and any intended subdivisions of the site shall be indicated.

(4) General Architectural Plans. Preliminary architectural drawings including generalized floor plans, exterior elevations, perspective drawing(s) and descriptive information on types of building materials and exterior finishes.

(5) Utilities Report. Preliminary plans and written report prepared by a qualified professional engineer specifying the means by which sewage disposal, water supply, stormwater disposal, traffic and access requirements, and related services will be provided for the proposed development. The level of information, data, and scope of analysis shall be sufficient to demonstrate the ability to comply with the requirements of these Regulations and the standards and criteria of other units of government having separate jurisdiction. Where feasibility of the proposed development depends upon off-site improvements in infrastructure systems, a suitable improvement plan and binding agreement shall be provided.

(6) Schedule of Improvements. A proposed timetable shall be provided indicating the completion of major site improvements, the establishment of uses, and the general sequence of construction.

c. Final Plan Submission. An application for final plan approval shall be submitted in conformance with and including all of the information required by the approved General Development Plan. Twelve (12) copies of all final plan material shall be submitted and shall include at least the following:

(1) Final Site Plan. Plans, design details, and specifications satisfying the standards of Section 7.2C of these Regulations.

(2) Architectural Plans. Full floor plans and final exterior architectural designs, elevations, perspective renderings, and the materials, finishes and colors of proposed structures.

(3) Utilities Plans. Engineering design plans and specifications showing provisions for stormwater drainage, water supply, sewage disposal, and traffic management, including the details of any improvements proposed within any public right-of-way or off-site.

(4) Landscaping, Grading and Erosion Control Plans. Detailed plans showing the extent of any proposed excavation, dredging, grading or filling activities, including the intended timetable and sequence of such work and the means proposed to control erosion and sedimentation. Erosion controls shall conform to Section IV, Subsection 4.18 of the Subdivision Regulations. Final stabilization and landscaping plans shall include materials, specifications, plant design, and a suitable maintenance agreement.

(5) Legal Documentation. Legal documentation, easements, covenants, guarantee agreements and assurances as required to implement the intent and purpose of the DWD District and the approved general development plan, including any provisions for public access and the protection of water-dependent uses.

B. B-D DESIGNED BUSINESS DISTRICT

Areas of land whether under single ownership or not may be converted to a B-D DESIGNED BUSINESS DISTRICT**,** under the following conditions.

1. The minimum area and qualifying standards for such a B-D DESIGNED BUSINESS DISTRICT shall be as follows:

   a. When contiguous to an RA-2, RA-1 or R-20 One Family Residence District for not less than twenty-five percent (25%) of the total distance of the boundary line of a parcel of land proposed for conversion to a Designed District: twenty (20) acres exclusive of public highways passing through said area.

   b. When contiguous to an RA-1 or R-20 One Family Residence District south of the Merritt Parkway for not less than twenty-five percent (25%) of the total distance of the boundary line of a parcel of land proposed for conversion to a Designed District: fifteen (15) acres exclusive of public highways passing through said area.

   c. When contiguous to an R-10 One Family Residence District for not less than twenty-five percent (25%) of the total distance of the boundary line of a parcel of land proposed for conversion to a Designed District: ten (10) acres exclusive of public highways passing through said area.

   d. When contiguous to an R-7 1/2 One Family Residence District or R-5 Multiple Family Residence District for not less than twenty-five percent (25%) of the total distance of the boundary line of a parcel of land proposed for conversion to a Designed District: eight (8) acres exclusive of public highways passing through said area.

   e. In the case of more than one (1) district abutting any area proposed for conversion to a B-D DESIGNED BUSINESS DISTRICT, the most restrictive contiguous district or districts as set forth under (a), (b), (c) and (d) above shall apply in determining the minimum area that may be converted to such B-D DESIGNED BUSINESS DISTRICT.

   f. When contiguous to a C-D DESIGNED COMMERCIAL DISTRICT and/or land owned by the State of Connecticut for not less than one hundred percent (100%) of the total distance of the boundary line of a parcel of land proposed for conversion to a Designed District; and having frontage of not less than one hundred feet (100') along a state highway: three-quarter (3/4) acres (80-023)

2. The following uses are permitted in a B-D DESIGNED BUSINESS DISTRICT: (See also Subsection G of this Section)

   a. Agencies, Real Estate, Insurance, Employment; Apparel Shops; Art & Antique Shops; Auto Service Stations; Automotive Equipment and Service Stores, restricted to the retail sale and service of new automotive tires; Bakeries, Retail; Banks; Barber, Beauty Shops; Book, Stationary Stores; Carpet and Floor Covering Sales, Retail; Christmas Trees, Wreaths; Clothing Stores; Confectionery Stores; Copy and Communication Centers; Custom Tailor,

Dressmaker, Milliner; Drug Stores; Dry Goods, Notions Store; Electrical and Manual Household Appliances (small) repair and service; Equipment Rental Store (residential); Feed & Seed Store, Retail; Financial Institutions; Florist; Food Shops, Retail; Food Catering, including preparation of all foods for off-premises consumption provided the number of persons working shall not exceed five (5); Furniture Display; Garden Center; Gift Shops; hardware, Electrical Appliances; Home Furnishings & Decorating; Ice Dispensing, Retail; Jewelry Stores; Laundry & Dry Cleaning Establishments, Retail, as defined in Article II, Section 3; Laundry, Cleaning, Dry Cleaning and Dyeing Agency; Laundry, Self-Service; Music Stores; Newsstand Variety Store; Offices, Business & Professional; Opticians, Repairs; Package Liquor Stores, subject to Section 14; Paint Store, Retail; Party Rental Store; Pawn Shop, Second Hand Store; Auction Store; Pet Store, including food and accessories; Photographic Studios, Camera Shops; Public Libraries or branches thereof, Redemption Center for Trading Stamps where merchandise and supplies are held for display, storage and distribution; Residential apartments, subject to the standards of subsection 3(f); Restaurant, as defined in Article II Section 3, Definition #85 -- excludes entertainment but includes liquors subject to Section 14; Safe Deposit Facility; Screen and Storm Doors; Windows, Porch Enclosures, Awnings (retail, sale, repair and installation); Shoe Stores, Shoe Repair Shop; Sporting Goods Stores; Tailor Shops; Textile Goods, Retail, provided the total gross floor area devoted to such use does not exceed fifteen hundred (1500) square feet; Wig Salon.

3. In connection with the uses set forth in Subsection B,2,(a), the following standards shall apply:

a. In general, parking facilities for patrons' cars should be provided at a ratio of three (3) or more square feet of off-street parking space for each square foot of the aggregate floor area of the buildings in the project; where applicable, the provisions under Section 12 - AUTOMOBILE PARKING AND LOADING SPACE may be applied.

b. Merchandise or products shall not be stored or displayed outside any building, except plants, shrubs and other growing products customarily sold in a nursery.

c. All signs shall conform with the sign regulations for the C-N Neighborhood Business District under Section 13, except that all free-standing signs or pole signs and the locations thereof shall be submitted to the Zoning Board for its approval, provided that any part of any such sign shall not be less than twenty-five feet (25') from any street property line.

(1) Not more than one (1) free-standing sign or pole sign shall be permitted on the premises, except that in the case of a shopping center having more than fifteen (15) stores, as defined under Section 3 - DEFINITIONS, not more than two (2) such pole signs shall be permitted.

d. No building shall exceed two and one-half (2 1/2) stories in height.

e. Lot size and yard space shall be governed by the requirements for the C-N Neighborhood Business District in the SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF BUILDINGS of these Regulations.

f. Subject to approval by the Zoning Board, residential apartments may be permitted on the

second floor above commercial uses, on lots not to exceed 20,000 square feet in area. (99-029)

4. Within any B-D Designed District, applications requesting approval of any permitted uses or approval of site and architectural plans shall include all of the plans and information as specified by Section 7.2 C of these Regulations. Such applications shall be submitted to and be subject to the approval of the Zoning Board in accordance with the specific standards and objectives of the District, the procedures and review standards of Section 7.2 Site Plan Review, and the general purposes and other applicable standards of these Regulations, who shall not approve same until after a public hearing.

   a. No buildings contiguous to property in other districts shall have a front yard or side yard less than specified in the SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT, AND BULK OF BUILDINGS, for the contiguous district. In no case shall a side yard measure less than one-half (1/2) the height of the building. In the event that any Designed District is contiguous to more than one (1) district, the yard requirements of the more restrictive district shall apply. Notwithstanding the above, the Zoning Board may by special exception grant a waiver of the requirements of this section and section 7-K, only for corner lots less than 10,000 square feet in area, provided that no building shall be located within fifty (50) feet of any lot within a more restrictive district. (97-007, 99-001)

BB. TCDD TRANSPORTATION CENTER DESIGN DISTRICT

1. Purpose. The Transportation Center Design (TCD) District is intended to encourage mixed use development of property in the vicinity of the Stamford Transportation Center (STC). Application of the TCD District will be considered where a proposal meets all of the objectives and criteria set forth below, and where the excellence of the mix of uses, architectural design, public amenities, and pedestrian oriented spaces are in the opinion of the Zoning Board clearly superior to a project conforming to the standards of the underlying zoning.

2. Objectives. The Zoning Board may designate a site as a TCD District provided that the proposed site and urban design plans for the development fully achieve all of the following objectives:

a. An integrated mixed-use development containing three or more principal uses, one of which must be housing and one of which must be retail (including but not limited to service-oriented or transportation-related businesses), which serves the District and the surrounding neighborhood.

b. Consistency with the Stamford Master Plan ensuring a compatible and functional relationship to the Downtown, the Stamford Transportation Center and adjacent residential neighborhoods.

c. Site features, uses, public amenities and aesthetic characteristics that encourage public pedestrian activity, vitality, convenience and safety in and around the STC.

d. A coherent plan that provides both a physical and functional integration of the site components to each other, to the STC and the balance of the Downtown, and urban design features that will assure an appropriate transition of uses, building heights, architectural massing and spatial relationships respecting adjacent neighborhoods.

e. The TCD site shall be served by streets, municipal services and public utilities of adequate capacity to service the requirements of the site. Where infrastructure capacity is judged not to be adequate, the Board may accept a binding agreement insuring that suitable improvements are scheduled to occur or will be performed by the applicant in a timely manner. No building permit shall be issued until such an agreement has been accepted by the Zoning Board.

3. Minimum Area. To be eligible for designation as a TCD District, a site shall contain a minimum of one and one-half acres (65,340 square feet) of property and shall be located within the area bounded as follows: Commencing at the Mill River and proceeding easterly along Pulaski Street to Washington Boulevard, northerly to Henry Street, easterly to Atlantic Street, northerly to a point 500 feet north of the intersection of Henry Street and Atlantic Street, easterly to Pacific Street, northerly to the center of Jefferson Street (aka Stamford Urban Transitway), westerly to Atlantic Street, northerly to Federal Street, westerly to Guernsey Street, northerly to the end of Guernsey Street, thence westerly in a line parallel with Tresser Boulevard to Washington Boulevard, southerly to Richmond Hill, westerly to the Mill River, southerly to the point of beginning. Notwithstanding the above, a TCD District Site may be separated by a street, so long

as the street right-of-way width does not exceed fifty (50) feet, not less than 43,560 square feet (1 acre) of land exists on one side of such street, not less than 25,000 square feet of land exists on the opposite side of such street, and a portion of the frontage of each parcel is directly opposite from that of the other parcel. (210-14, 215-40)

4. Permitted Uses. All uses permitted in the C-G District, all restaurant uses, all amusement, entertainment and cultural uses, and colleges and dormitory uses shall be eligible for approval within the TCD District. With respect to the sale of alcoholic beverages at an establishment satisfying the definition of "Restaurant, Standard," Number 85 of these Regulations, a TCD District shall be governed by the same standards as a site within Master Plan Category 10 or Category 11.

5. Standards. The standards for the TCD District shall be as provided in Subsections a. through i. below:

a. Floor Area Ratio (FAR). The combined floor areas of all structures within a TCD development divided by the area of the lot shall not exceed a ratio of three (3.0). Residential floor area shall compromise not less than forty percent (40%) of the combined floor area within a TCD District development, except as provided in subsection 6.c. below. If located in Master Plan Category #9 Urban Mixed-Use, residential density shall not exceed such density as permitted in the Master Plan. The computation of allowable maximum FAR and minimum residential FAR may further exempt the following floor areas, as determined by the Zoning Board: (210-14, 215-40)

(1) Hallways, lobbies and similar common floor areas serving residential structures, not to exceed 0.1 FAR;

(2) Parking floors for the development below average grade or integrated within the TCD development so as to be appropriately screened from sensitive views from any public street, residential property or public pedestrian way, such parking floors to be (a) enclosed beneath active uses of buildings; (b) covered with a roof that is fully landscaped and improved and accessible as usable open space to the extent feasible and desirable; or (c) covered by a garage deck that achieves a minimum solar reflective index (SRI) of 29 and is served by a rainwater harvesting system that, for the median annual rainfall, achieves a 25% greater reduction in stormwater runoff volume than a typical 5" depth green roof would be able to achieve; (211-31)

(3) Portions of buildings used solely for mechanical, heating, ventilating or air conditioning purposes;

(4) The floor areas of existing, legally non-conforming improvements, including buildings, landscaping, parking and other uses, incorporated into the TCD District development where permitted by the Zoning Board to facilitate the fullest attainment of the objectives of the TCD District, provided that the area of the original lot that supported such non-conforming uses shall not be included in any calculations of permitted or required FAR within the TCD District; and

(5) Floors for the parking or loading of motor vehicles provided shall be beneath landscaped areas or roofs or below active uses of buildings, and all walls of any parking floors facing any public street, pedestrian way or sensitive residential view shall, to the satisfaction of the Zoning Board, be treated with landscaping or architectural features.

(6) Areas principally intended to serve Stamford Transportation Center commuters, including publicly accessible lobbies, food and convenience services, ticket counters, and covered bicycle storage, provided said amenities do not exceed 0.1 FAR. (210-14)

b. Height. Building height shall not exceed one hundred and sixty-five feet (165') measured from the lowest pedestrian entrance at grade. Subject to the award of bonus height in accordance with subsection 6.b below, building height may be increased to a maximum of two hundred and fifty feet (250'). Parapet walls, rooftop penthouses and other architectural features may extend above the maximum building height provided they contribute to the overall architectural character of the building and shall contain only mechanical or other apparatus necessary for the operation of the building. (210-14)

c. Setbacks. Setbacks from streets shall be ten feet (10') except that the Zoning Board may approve a lesser amount to accommodate lobbies or vestibules adjacent to or across from the Transportation Center or where land is deeded to the City for road widening purposes. There shall be no side yards or rear yards required and there shall be no setbacks for buildings from lot lines within the TCD District. The provisions set forth in Article III, Section 7 K shall not apply to the TCD District.

d. Open Space. Open space area shall be not less than five percent (5%) of the total project floor area as calculated for FAR purposes (see Subsection 5.a above), with not less than twenty-five percent (25%) of the minimum requirement to be at the ground level. Open space shall be provided in such character, location and amount as determined by the Zoning Board to meet the needs of project residents, tenants and visitors and to support the public pedestrian objectives of the TCD District. Enclosed plazas, atriums and other significant pedestrian spaces open to the public with a minimum of twenty foot (20') high ceilings may qualify for consideration. Vehicular circulation and parking areas shall not qualify.

e. Coverage. The building area requirements of the C-G District shall apply.

f. Parking. There shall be a minimum residential off-street parking requirement of 1.25 spaces for each residential unit with two bedrooms or more and 1 space for each residential unit with one bedroom or less. Parking for office use shall not be more than 2.5 spaces per one thousand (1,000) gross square feet, but may not be less than 2.0 spaces per one thousand (1,000) gross square feet. Parking for retail use shall not be required, except that the standards of Section 12-D shall apply to retail floor area exceeding five percent (5%) of total project floor area. Parking standards for all other uses will be determined by the Zoning Board, using the standards of Section 12-D as a guide. The potential for shared use of parking on-site shall constitute an additional standard for further reduction of required parking, subject to demonstration that there will be adequate parking available for all uses. To the maximum extent possible, all parking shall be situated below grade, integrated

within buildings behind active uses or appropriately screened from sensitive views from any public street, residential property or public pedestrian way. (210-01, 212-25)

g. Signage. Signage shall be governed by the standards of the C-G District except that the total area of signage allowed may be reallocated to any wall of the building or buildings, as approved by the Zoning Board at the time of designation as a TCDD, or administratively by the Zoning Board thereafter. (210-14)

h. Below Market Rate Housing Requirement. All TCD District developments shall provide Below Market Rate (BMR) units in an amount not less than twelve percent (12%) of the total number of dwelling units contained within the development. Required Below Market Rate units shall be affordable to households earning not more than fifty percent (50%) of the Stamford SMSA Median income and shall be provided in accordance with the standards, definitions and procedures contained within Article III, Section 7.4 of these Regulations. The BMR requirement may be satisfied with any of the options provided in Article III, Section 7.4 of these Regulations, and shall not require the separate issuance of a Special Exception if approved at the time of initial TCD district designation and site plan approval. Where residential development is proposed in phases, the Zoning Board may require all BMR units be provided in the first phase of development, not to exceed 25% of the total units proposed in said phase. (210-14)

i. Existing Development. The floor areas of existing legally non-conforming improvements, including buildings, landscaping, parking and other uses, may be incorporated into the TCD District development where permitted by the Zoning Board to facilitate the fullest attainment of the objectives of the TCD District. The area of the original lot supporting such non-conforming uses shall not be included in any calculations of permitted or required FAR within the TCD District. Existing, legally non-conforming improvements or lots may be modified in connection with the TCD development to achieve superior design, but shall not be expanded or extended. Any such modification shall not be deemed to render the improvements or lots more non-conforming.

6. Site Design Criteria. To fulfill the purposes of these regulations, all TCD District development shall satisfy the following “Mandatory Site Design Criteria” and may request approval of additional "Bonusable Design Criteria" or “Mill River Design Criteria” as set forth below: (210-14)

a. Mandatory Site Design Criteria. All TCD District development shall provide a combination of the following on-site and off-site improvements:

(1) Pedestrian Oriented Frontage. All TCD developments shall provide Pedestrian Oriented Frontage which is defined as uses of buildings and/or design features that encourage pedestrian interaction at the street level. These include but are not limited to: retail and commercial shops, space designed to be adaptable to retail uses, service businesses; establishments dealing directly with the general public; visually interesting features such as public art or building lobbies; display cases; accessible plazas; or similar landscaped open spaces for public use and congregation.

(2) Neighborhood Improvements. All TCD District developments shall provide off-site improvements or contributions designed to enhance and upgrade the Transportation Center

and surrounding vicinity, which may include (1) streetscape improvements (such as off-site sidewalk, lighting, landscaping or other improvements serving to enhance the public streetscape), (2) infrastructure improvements (such as off-site sewer, traffic, or other public infrastructure improvements), (3) neighborhood facilities improvements (such as off-site improvements intended to benefit publicly accessible facilities in and around the Transportation Center) and (4) other improvements (such as cultural, recreational, tenant, resident, and public services).

(3) Environmentally Sustainable Designs. All buildings in a TCD District development shall provide amenities that constitute elements for certification under the Leadership in Energy and Environmental Design ("LEED") standards established by the United States Green Building Council. All buildings constructed as part of a TCD District development shall be designed and built to be LEED certified. Prior to the issuance of a certificate of occupancy for each building approved herein, applicant's architect shall certify to the Zoning Board that the project satisfies all of the requirements for LEED basic certification by submitting the appropriate certificates of compliance, points accrued, categories satisfied and such other documentation as may be reasonably be required by Zoning Board staff.

b. Bonus Height and Bonus Design Criteria. The Zoning Board in its sole discretion may award bonus height not to exceed 250 feet upon review of the proposed plan and satisfaction of all of the standards set forth below:

(1) parking ratios for commercial office purposes do not exceed 2.25 spaces per 1000 gross square feet of Floor Area;

(2) all required below market rate housing units are provided on-site;

(3) each commercial building is designed and shall be built to meet a LEED standard for certification for Silver or greater and accepts, as a condition of Zoning Board approval, a required submission of all buildings for such LEED certification, and shall certify to the Zoning Board by the applicant's architect, prior to the issuance of a Certificate of Occupancy, that the project satisfies all of the requirements for LEED certification by submitting the appropriate certificates of compliance, points accrued and categories satisfied, and such other documentation as may be reasonably be required by Zoning Board staff; and

(4) the development shall include on-site and off-site transit-oriented development features including pedestrian-friendly design, improvements at transportation nodes, and other similar features likely to promote public transit.

c. Mill River Design Criteria. Where a TCD District abuts the Mill River, the following special standards shall apply:

(1) Floor Area Ratio (FAR). The non-residential floor area ratio shall not exceed 2.0. The exemptions allowed in subsection 5.a., above, shall apply. Residential floor area shall be not less than fifteen percent (15%) of the total floor area.

(2) Open Space. In addition to the requirements of subsection 5.d. above, there shall be a contiguous corridor of public open space along the entire river frontage. This public Open Space shall be not less than fifty-feet (50') wide, in the form of dedication of land or a public access easement, improved for passive or active recreational uses including, but not limited to, planting, landscaping, walkways and sitting areas, and shall be maintained by the owner. Open Space is not required to be redesignated TCD District.

(3) Commuter Parking. In addition to the requirements of subsection 5.f above, commuter parking shall be provided on site in an amount not less than ten percent (10%) of the minimum number of spaces required for the proposed office use and not more than forty percent (40%) of the maximum number allowed for the proposed office use. A portion of commuter parking spaces may also be assigned to meet the needs of Mill River Park and area residents and businesses, subject to Zoning Board approval of a Parking Management Plan. (210-14)

7. Procedure. All applications for designation and development of property within the TCD District shall conform to the review and application procedures of the DWD District (Sect. 9.AAAA -7 and 8) except that all references to water-dependent uses and the schedule set forth in Section 7-c.(2) shall not apply. An approved General Development Plan shall remain in effect for five (5) years with the opportunity for two (2) one-year extensions at the discretion of the Zoning Board; provided, however, in the case of a multi-phased development where at least one certificate of occupancy is obtained for a principal structure within the initial five (5) years, the Zoning Board, at its discretion, may issue up to five (5) one-year extensions of the initial five (5) year timeframe. For a General Development Plan approved prior to July 1, 2011, that has not expired prior to May 9, 2011, the Zoning Board, at its discretion, may issue up to nine (9) one year extensions of the initial five (5) year timeframe. Notwithstanding any other provision of these Regulations, any approved General Development Plan in the TCD District shall remain in effect so long as all building permits have been obtained during the applicable timeframe set forth above, and the Zoning Board, upon timely application, may for good cause shown grant extensions of related Final Site Plan, Special Exception and Coastal Site Plan approvals commensurate with the General Development Plan approval. (211-31, 215-20)

Applications for reclassification to TCD must include a statement of how the goals, objectives and specific criteria established herein will be satisfied. All proposals, including off-site improvements required by Section 6.a. & b., shall include provisions to ensure long term continuity and an indication of easements or leases necessary for said improvements. Final plans for improvements required by Section 6.a shall include the location, type, minimum hours of operation or accessibility, exterior informative signage, and other information, as may be necessary or required by the Zoning Board. Improvements required by Section 6.a. & b. shall not be abandoned and shall be continuously operated and maintained for a period of not less than twenty-five (25) years from the date of issuance of a Certificate of Occupancy. Upon expiration of the twenty-five (25) year period, such an improvement may be discontinued subject to Zoning Board approval, which approval shall not be unreasonably withheld. Minor modifications, alterations or changes of use affecting the improvement may be approved by the Director of Planning and Zoning during the term of said improvements.

8. Performance. The subdivision of parcels or lots within the site redesignated a TCD District to segregate component structures or uses for financing, construction or operating purposes shall be permitted, subject to Zoning Board approval; provided however that notwithstanding such subdivision, it shall be the purpose of the redesignation to TCD District that all components be constructed as part of a master plan for the development. No certificate of occupancy for non-residential components shall be issued unless all public access and open space improvements along the Mill River have been completed per the approved site plan and necessary easements have been recorded, and a comparable certificate of occupancy has been previously issued for either: a) not less than one-third (1/3) of the total number of residential dwelling units shown in the approved general development plans or b) all of the required BMR residential dwelling units for the development. (90-004; 207-10; 210-14)

BBB. C-D DESIGNED COMMERCIAL DISTRICT

Any parcel of land or aggregation of parcels of land to be developed, redeveloped or rehabilitated principally for offices and other uses listed herein, and where the excellence of the overall design in accordance with the criteria listed below is such as to warrant special consideration for modification of standards contained elsewhere in these regulations may be designated by the Zoning Board, upon application the manner described herein, as a C-D DESIGNED COMMERCIAL DISTRICT where a determination is made that the following objectives are met:

a. The proposed development is consistent with the Master Plan.

b. The proposed development consists of such uses and such proportions as are most appropriate to its functional integration into the neighborhood.

c. The proposed development site plan is so designed in its space allocation, orientation, materials, landscaping and other features as to produce a stable and desirable character, complementary to the surrounding neighborhood.

d. The proposed development is South of the Merritt Parkway.

1. Minimum Area - The minimum site to be designated a C-D DESIGNED COMMERCIAL DISTRICT shall be fifteen (15) acres. Said minimum acreages shall have been held as a single contiguous parcel of land, whether by one or successive owners, for at least three years prior to an application for a zone change to a C-D District. The foregoing sentence shall not, however, prohibit any parcel or parcels smaller than said minimum acreage being added to, and qualifying for CD District designation, with a parcel possessing such minimum acreage, nor shall it prohibit subdivision of land zoned C-D prior to January 1, 1997 into lots smaller than said minimum acreage.

2. Permitted Uses - The following uses are permitted in a C-D DESIGNED COMMERCIAL DISTRICT (See also Subsection G of this Section).

a. Professional Offices; Administrative Offices; Scientific Offices; Educational Offices; Statistical Offices; Executive Offices; Executive Home Offices; Engineering Offices; Sales Offices; Offices for Drafting Rooms; Experimental Engineering Research Laboratories; Experimental and Research Laboratories; Research and Development Laboratories; Child Day Care Center. (206-11)

b. Supplemental and Accessory Buildings and Uses accessory to all the uses referred to in this section may include storage space for equipment, supplies, materials and motor vehicles; central heating systems; air-conditioning systems; power plants; water tanks or towers; refuse disposal system; training schools for employees; cafeterias; clinics; club houses or guest lodges for the use of tenants and employees of the buildings; such retail trade and service uses as are necessary for the comfort and convenience of the tenants and employees in the buildings; assembly hall for meetings incident to the business of the principal use or for civic meetings; playground for Child Care Center. (206-11)

c. There shall be no commercial manufacture or fabrication of products for sale except with respect to limited quantities of test or trial products or such models or prototypes as may be created and used on the premises in pursuit of the research, experimentation or development conducted in any laboratory.

3. In connection with the uses set forth in Subsection BBB-2 the following standards shall apply:

a. Coverage: Building coverage shall not exceed twelve percent (12%) of the lot area, and the maximum permitted non-porous surface area coverage shall not exceed forty percent (40%) of the lot area. Notwithstanding the foregoing, security buildings which are not more than two hundred (200) square feet and located in office parks developed prior to January 1, 1979, shall be excluded from building coverage; and uncovered patios built at finished first floor to existing buildings in the C-D District shall be excluded from building coverage, even if above grade, and shelter structures which may include a roof, do not exceed two hundred (200) square feet in area, and do not have running water, heating, air conditioning or a door, which have a portion of their walls open for ingress and egress; and no more than three (3) such shelter structures shall be permitted. (205-32; 206-31)

b. Height: No building shall exceed three and one-half (3½) stories in height except that on any lot having an area of thirty (30) acres or more, four (4) stories in height may at the sole discretion of the Board, be allowed provided that the buildings are appropriately screened from adjacent residentially zoned land by landscaped treatment and topography, as determined by the Zoning Board, and the area of the roof covered with mechanical penthouses and/or equipment shall not exceed ten percent (10%).

c. Yard Requirements: No building shall be located at a distance less than one hundred feet (100') from the boundary line of a Residential District. Buildings shall be set back at least fifty feet (50') from any non-residential district or the Merritt Parkway or any street on which the lot fronts, except four (4) story buildings which shall be at least four hundred feet (400') from the front street line.

d. Parking: Space shall be provided on the lot to accommodate company, employee and visitor motor vehicles; with at least one (1) car space for each three (3) employees or occupants for which the buildings on the lot are designed, or three (3) spaces per one thousand (1,000) square feet of floor area, which parking space requirements shall be determined by the Zoning Board. Parking areas shall be permanently improved and suitably screened with planting and shall be set back at least fifty feet (50') from the boundary line of any adjoining zoning district. (207-14)

e. Signage: One (1) sign may be erected facing each street on which the plot abuts. Such sign may not exceed sixty (60) square feet in area, nor extend above the roof level of the building. If a ground or pole sign, no side of the sign face may exceed ten (10) feet in length, nor may any part thereof exceed twelve (12) feet in height. Exposed tubes, bulbs or similar exposed light sources, shall not illuminate such sign. There shall be no exterior spot lighting or other illumination of any such sign that would cause any glare observable within a Residential District. Where a parking area is provided on a plot, additional signs may be erected at the entrances and exits of such parking area provided the total surface

area of all such signs does not exceed twelve (12) square feet in area and no such sign exceeds eight (8) feet in height. One (1) additional ground sign or wall sign, not exceeding sixteen (16) square feet in area and ten (10) feet in height when ground mounted, may be displayed on any plot. This sign may be erected on a temporary protective fence on a property in the process of construction, demolition, remodeling or repair. Flags, each not to exceed twenty-four (24) square feet in area and twenty-five (25) feet in height, and in the aggregate not exceeding seventy-two (72) square feet in area, may be displayed on vertical or mast-arm flagpoles. (200-32)

f. Floor Area Ratio: The F.A.R. of all buildings shall not exceed 0.40. Notwithstanding the foregoing, security buildings which are not more than two hundred (200) square feet and located in office parks developed prior to January 1, 1979, shall be excluded from F.A.R., and shelter structures which may include a roof, do not exceed two hundred (200) square feet in area, and do not have running water, heating, air conditioning or a door, which have a portion of their walls open for ingress and egress; and no more than three (3) such shelter structures shall be permitted. (205-32; 206-31)

g. Structured Parking: In order to encourage reduced development intensity and increased building setbacks, conservation of open space, and effective use of topography to screen above-grade parking structures, the Zoning Board may grant limited exemptions from the standards of subsections (a), (c), and (f) above, subject to the following criteria: (1) parking structures shall be located on a lot of not less than thirty (30) acres and set back not less than 400 feet from the front street line and fifty feet (50') from all other property lines; (2) exempt parking structures may occupy not more than five percent (5%) of the lot area; (3) total non-porous surface area shall not exceed thirty-five percent (35%) of the lot area; (4) Floor Area Ratio of all buildings, exclusive of exempt structured parking, shall not exceed 0.35; (5) The height of such parking structure shall not exceed twenty feet (20') above average grade measured at a uniform distance of fifty feet (50') or less from the perimeter of the structure; (6) the top floor of such structure, within 100 feet of residential property, shall be ten (10) feet or more below the grade at the property line of any adjoining residential property within 500 feet of the structure, excluding the Merritt Parkway; (7) all such parking structures shall be appropriately screened from view by principal buildings, topography, and/or landscaping to the satisfaction of the Board.

4. Special Exception Uses – Notwithstanding the above, Single family, Two family and multifamily dwellings may be authorized by Special Exception by the Zoning Board subject to the following standards:

a) The parcel shall be contiguous to residentially zoned land on all sides and shall not front on a State highway.

b) The standards of the RM-1 Zoning District shall apply except for building height and BMR standards. Building height shall not exceed three (3) stories. Parking garages shall be exempt from building coverage and story limitations provided that the garage ceiling is not more than five (5) feet above the level from which the height of the building is measured, the garage roof is fully landscaped and accessible to residents as usable open space, and any exposed garage walls are covered with finished architectural materials and/or suitably screened from sensitive views. (207-21)

c) Total non-porous surface area coverage shall not exceed fifty percent (50%), provided that if at least one parking space per residential unit is provided in an enclosed area, coverage may be increased to fifty-five percent (55%). (208-04)

d) The parcel shall be developed exclusively for residential use and no commercial use shall be permitted.

e) Below Market Rate Requirement. Below Market Rate (BMR) dwelling units shall be provided in an amount equal to not less than ten percent (10%) of the number of market rate dwelling units. Required Below Market Rate units shall be affordable to households earning not more than fifty percent (50%) of the Stamford SMSA Median income and shall be provided in accordance with the standards, definitions and procedures contained within Article III, Section 7.4 of these Regulations. (203-20)

5. Within any C-D Designed District, applications requesting approval of any permitted uses or approval of site and architectural plans shall include all of the plans and information as specified by Section 7.2 C of these Regulations. Such applications shall be submitted to and be subject to the approval of the Zoning Board in accordance with the specific standards and objectives of the District, the procedures and review standards of Section 7.2 Site Plan Review, and the general purposes and other applicable standards of these Regulations, who shall not approve same until after a public hearing. (97-006)

BBBB. M-D DESIGNED INDUSTRIAL DISTRICT

Areas of land whether under single ownership or not may be converted to a M-D DESIGNED INDUSTRIAL DISTRICT, under the following conditions.

1. The minimum area and qualifying standards for such a M-D DESIGNED INDUSTRIAL DISTRICT shall be as follows:

   a. When contiguous to an RA-2, RA-1 or R-20 One Family Residence District for not less than twenty-five percent (25%) of the total distance of the boundary line of a parcel of land proposed for conversion to a Designed District: twenty (20) acres exclusive of public highways passing through said area.

   b. When contiguous to an RA-1 or R-20 One Family Residence District south of the Merritt Parkway for not less than twenty-five percent (25%) of the total distance of the boundary line of a parcel of land proposed for conversion to a Designed District: fifteen (15) acres exclusive of public highways passing through said area.

   c. When contiguous to an R-10 One Family Residence District for not less than twenty-five percent (25%) of the total distance of the boundary line of a parcel of land proposed for conversion to a Designed District: ten (10) acres exclusive of public highways passing through said area.

   d. When contiguous to an R-7 1/2 One Family Residence District or R-5 Multiple Family Residence District for not less than twenty-five percent (25%) of the total distance of the boundary line of a parcel of land proposed for conversion to a Designed District: eight (8) acres exclusive of public highways passing through said area.

   e. When contiguous to any other District except as otherwise provided for under (a), (b), (c) and (d): one (1) acre.

   f. When contiguous to any other District except as otherwise provided for under (a), (b), (c) or (d) of this subsection, and when the property is designated as category 12 on the Master Plan at the time such M-D is designated, and when the property abuts on not less than sixty percent (60%) of its boundaries land in the M-D Designed Industrial District, M-G General Industrial District or M-L Light Industrial District: one (1) acre minimum.

   g. In the case of more than one (1) district abutting any area proposed for conversion to a M-D DESIGNED INDUSTRIAL DISTRICT, the most restrictive contiguous district or districts as set forth under (a), (b), (c) and (d) above shall apply in determining the minimum area that may be converted to such M-D DESIGNED INDUSTRIAL DISTRICT.

   h. When contiguous to a C-D DESIGNED COMMERCIAL DISTRICT and/or land owned by the State of Connecticut for not less than one hundred percent (100%) of the total distance of the boundary line of a parcel of land proposed for conversion to a Designed District; and having frontage of not less than one hundred feet (100') along a state highway: three-quarter

(3/4) acres (80-023)

.

2. The following uses are permitted in a M-D DESIGNED INDUSTRIAL DISTRICT: (See also Subsection J of this Section)

a. Experimental Electronic Laboratories for the research, design, development, storage, servicing and assembly of light electronic and electrical mechanical equipment shall be permitted in the M-D Designed Industrial District.

b. Professional Offices; Administrative Offices; Scientific Offices; Educational Offices; Statistical Offices; Executive Offices; Executive Home Offices; Engineering Offices; Sales Offices; Offices for Drafting Rooms; Experimental Engineering Research Laboratories; Experimental and Research Laboratories; Research and Development Laboratories.

c. Supplemental and Accessory Buildings and Uses accessory to all the uses referred to in Subsection BBBB,2 may include storage space for equipment, supplies, materials and motor vehicles; central heating systems; air-conditioning systems; power plants; water tanks or towers; refuse disposal system; training schools for employees; cafeterias; clinics; club houses or guest lodges for the use of tenants and employees of the buildings; such retail trade and service uses as are necessary for the comfort and convenience of the tenants and employees in the buildings; assembly hall for meetings incident to the business or the principal use or for civic meetings; enclosed pedestrian walkways; Child Day Care Center; and Playground for Child Day Care Center. (205-06)

d. Public School. (205-06)

3. In connection with the uses set forth in Subsection BBBB,2 the following standards shall apply:

a. Except for the uses set forth in Subsection BBBB,2(a) herein, there shall be no commercial manufacture or fabrication of products for sale except with respect to limited quantities of test or trial products or such models or prototypes as may be created and used on the premises in pursuit of the research, experimentation or development conducted in any laboratory.

b. On-site signs are authorized on each plot under the following conditions (200-32; 211-45):

(1) The total area of any signs placed on the wall of a building with a yard abutting a public street providing vehicular access to the site shall not exceed two (2) square feet in area for each linear foot of building façade. The total area of signs placed on all remaining facades shall not exceed one (1) square foot in area for each linear foot of building façade.
(2) Signage permitted under subsection one (1) above may be erected on top of a building entrance canopy provided said signage does not project over the building parapet or roof.
(3) Fabric, vinyl or metal banners projecting from the building façade, not to exceed 30 square feet each with the number of banners not to exceed one for every twenty-five (25) linear feet of building facade, are permitted and shall be excluded from the calculation in subsection one (1) above.
(4) One (1) ground sign, not exceeding fifty (50) square feet in area and eight (8) feet in height may be displayed at each vehicular entrance to the site. Up to two (2) additional

ground signs subject to the same size restrictions may be placed at other locations within the site.

(5) Flags, each not to exceed twenty-four (24) square feet in area and twenty-five (25) feet in height, may be displayed on vertical or mast-arm flagpoles.

(6) Directional and wayfinding signs, including ground signs, not exceeding fifteen (15) square feet and eight (8) feet in height are permitted and shall be exempt from any limitation.

(7) All signage, except for directional and wayfinding signage, shall be subject to administrative approval by the Zoning Board.

c. Parking space shall be provided on the lot to accommodate company, employee and visitor motor vehicles; with at least one (1) car space for each three (3) employees or occupants for which the buildings on the lot are designed, or three (3) spaces per one thousand (1,000) square feet of net usable floor area, which parking space requirements shall be determined by the Zoning Board. The computation of "net usable floor area" as used in this subsection shall exclude from gross floor area the following:

(1) areas used for the storage or housing of mechanical or central heating and air conditioning equipment of the building, and

(2) areas within the building used for parking or pedestrian access.

Parking areas shall be permanently improved and suitably screened with planting and shall be set back from all boundaries at least fifty feet (50') or in the case of any M-D Designed Industrial District described in Subsection BBBB, 1 (f) herein, at least ten (10') feet.

d. Building coverage shall not exceed twenty-five percent (25%) in those M-D Designed Industrial Districts described in Subsection BBBB, 1 (a), (b), (c), (d) and (e) herein, and no building shall exceed three and one-half (3-112) stories in height in an M-D Designed Industrial District; except that on any lot in an M-D Designed Industrial District, having an area of thirty (30) acres or more, building coverage of not more than fifty percent (50%) of the lot area shall be permitted provided no building erected thereon shall exceed two (2) stories in height. No principal building shall be located at a distance of less than fifty feet (50') from any street on which the lot fronts nor less than one hundred feet (100') from a property line or from the boundary line of a Residential District. Parking structures not exceeding twenty (20) feet in height above the average grade and set back not less than fifty (50) feet from any property line may be allowed, provided that they are suitably screened to the satisfaction of the Zoning Board from abutting residential properties. In an M-D Designed Industrial District described in Subsection BBBB, 1(f) herein, building coverage, floor area ratio, building height, lot size and front and rear yard space shall be governed by the requirements of the M-G General Industrial District as set forth in Appendix B of these Regulations except in the case of a self-storage facility that does not provide direct accessible ground floor storage units and where its total coverage is less than thirty percent (30%), a floor area ratio of up to 1.25 shall be permitted. In addition, side yards shall be provided and shall measure not less than the highest point of the building adjacent to such side yard or twenty feet (20'), whichever is less.(211-39, 216-26)

e. The uses permitted in this Subsection may be combined and carried on in the same

building.

f. Notwithstanding the above, accessory structures (i.e. guard houses) to facilitate security and traffic control and internal new lot lines created within an approved M-D District shall be governed by requirements of the M-G General Industrial District as set forth in Appendix B of these regulations. (205-06)

4. In addition to those uses specified in Subsection BBBB,2 herein, and notwithstanding the limitations contained in Subsection BBBB,3 herein, the following uses are permitted in a M-D DESIGNED INDUSTRIAL DISTRICT: (See also Subsection J of this Section).

a. Any use conducted entirely within a building, consisting of the sale of goods, the providing of professional, personal or commercial services, non-ferrous metal storage, or the manufacture, fabrication, assembling or other handling of products.

b.Any use consisting of or related to the manufacture, production, processing, sale, distribution or other handling of concrete, including ready-mix concrete, and bituminous concrete.

c. In the case of any M-D Designed Industrial District described in Subsection BBBB-1 herein, the Zoning Board in its sole discretion may authorize residential use consistent with R-5 standards or in the case of any M-D Designed Industrial District described in Subsection BBBB-1-(f) herein, the Zoning Board in its sole discretion may authorize any further uses listed as permitted by right in the M-G District in Appendix A LAND USE SCHEDULE of these any further uses listed as permitted by right in the M-G District in Appendix A LAND USE SCHEDULE of these Regulations, upon a finding that the nature, proportion and arrangement of requested uses are appropriate for the integrated functioning of the planned development and the surrounding neighborhood, and satisfy the review standards of Section 7.2 Site Plan Review and Section 19-3.2 Standards and Conditions (for Special Exception Uses). (205-06)

5. Within any M-D Designed District, applications requesting approval of any permitted uses or approval of site and architectural plans shall include all of the plans and information as specified by Section 7.2 C of these Regulations. Such applications shall be submitted to and be subject to the approval of the Zoning Board in accordance with the specific standards and objectives of the District, the procedures and review standards of Section 7.2 Site Plan Review, and the general purposes and other applicable standards of these Regulations, who shall not approve same until after a public hearing. A proposed public school use, on a separately subdivided parcel devoted exclusively to such use, shall be subject only to review and approval by the Zoning Enforcement Officer in accordance with applicable standards of the M-D District and these Regulations. (205-06)

a.No buildings contiguous to property in other districts shall have a front yard or side yard less than specified in the SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT, AND BULK OF BUILDINGS, for the contiguous district. In no case shall a side yard measure less than one-half (1/2) the height of the building. In the event that any Designed District is contiguous to more than one (1) district, the yard requirements of the more restrictive district shall apply. (97-007)

C. IP-D DESIGNED INDUSTRIAL PARK DISTRICT

Areas of land whether under single ownership or not may be converted to an IP-D DESIGNED INDUSTRIAL PARK DISTRICT under the following conditions:

1. The minimum area for such an IP-D DESIGNED INDUSTRIAL PARK DISTRICT shall be twenty (20) acres, exclusive of public highways passing through said area.

2. No portion of the area sought to be converted to an IP-D DESIGNED INDUSTRIAL PARK DISTRICT shall be contiguous to an RA-2 or RA-1 One Family Residence District.

3. The following uses are permitted in an IP-D DESIGNED INDUSTRIAL PARK DISTRICT: (See also Subsection M of this Section). (215-12)

   a. Experimental Electronic Laboratories for the research, design, development, storage (as an accessory use only), servicing and assembly of light electronic and electrical mechanical equipment.

   f. Experimental Engineering Research Laboratories; Experimental and Research Laboratories; Research and Development Laboratories; Administrative Offices; Offices for Drafting Rooms; Educational Offices; Engineering Offices; Executive Offices; Executive Home Offices; Professional Offices; Sales Offices; Scientific Offices; Statistical Offices; Child Day Care Center. (95-021)

   g.Any use conducted entirely within a building consisting of the non-retail sale of goods; the providing of professional, personal or commercial services; or the fabrication, assembling or other handling of the following products: cosmetic, pharmaceutical and related preparations; electrical, electronic and scientific instruments and related accessories; light synthetic and plastic products; models; optical instruments.

   h. Supplemental and Accessory Buildings and Uses accessory to all the uses referred to in Subsection C,3,(a),(b), and (c) above, which may include: assembly hall for meetings incidental to the business of the principal use or for civic meetings; cafeterias; central heating systems and air-conditioning systems, power and equipment required for their proper functioning; clinics; storage space for equipment, supplies, materials and motor vehicles; training schools for employees; enclosed pedestrian walkways; Playground for Child Day Care Center. (94-024; 95-021)

   i. Schools (without dormitories): Public, Non-Public, Secretarial & Vocational, and Colleges; (214-38)

   j. Colleges and Universities. (216-04)

4. (Deleted; 88-025)

5. In connection with the uses set forth in Subsection C,3 above, one (1) sign may be displayed for each building, facing each street on which the lot abuts. Each such sign may not exceed

sixty (60) square feet in area, nor extend above the roof level of the building. If a ground or pole sign, no side of the sign face may exceed ten feet (10') in length, nor may any part thereof exceed twelve feet (12') in height. Such sign shall not be illuminated by exposed tubes, bulbs or similar exposed light sources. There shall be no exterior spot-lighting or other illumination of any such sign that would cause any glare observable within a Residential District. Where a parking area is provided on a plot, additional signs may be erected at the entrances and exits of such parking area provided the total surface area of all such signs does not exceed twelve (12) square feet in area and no such sign exceeds eight (8) feet in height. One (1) additional ground sign or wall sign, not exceeding sixteen (16) square feet in area and ten (10) feet in height when ground mounted, may be displayed on any plot. This sign may be erected on a temporary protective fence on a property in the process of construction, demolition, remodeling or repair. Flags, each not to exceed twenty-four (24) square feet in area and twenty-five (25) feet in height, and in the aggregate not exceeding seventy-two (72) square feet in area, may be displayed on vertical or mast-arm flagpoles. (200-32)

6. Parking space shall be provided on the lot to accommodate company, employee and visitor motor vehicles, with at least one (1) car space for each two (2) employees or occupants for which the buildings on the lot are designed. Parking areas shall be permanently improved and suitably screened with plantings, and shall be set back at least fifty feet (50') from all streets located outside of the boundaries of a lot and from all property lines outside of the Designed District area or from the boundary line of a Residential District. Required parking for school uses shall be determined by the standards of Section 12 of the Zoning Regulations. (79-005; 214-38, 216-20)

7. Floor area ratio, as defined in Section 3A 39.2, shall not exceed a maximum of 0.25, except that portion of basements used for supplemental and accessory uses as described in Section 9-C-3.d shall be excluded from the floor area calculations, and building coverage shall not exceed a maximum of twenty-five percent (25%). Such calculations shall be based only on the area of the lot zoned IP-D, exclusive of land dedicated as public street right-of-way and exclusive of land with elevation below the mean high water line. The site shall be contiguous, or, at the sole discretion of the Zoning Board, may be separated by a street so long as the street right of way width does not exceed 50 feet, the street is not an accepted city street, at least one and one-half acres of the site exists on each side of such street, some portion of the frontage of each parcel is directly opposite the other, and the parcel which will incur less development is bordered by waters or estuaries of Long Island Sound. In the event the Zoning Board shall allow the site to be separated by a street, a notice shall be recorded on the Land Records evidencing the fact that development shall be precluded on the affected parcel. Such notice shall be approved by the Director of Legal Affairs, and shall be recorded on the Stamford Land Records prior to the issuance of a building permit. No building shall exceed two (2) stories in height or forty feet (40') in height. No building shall be located at a distance less than fifty feet (50') from any street on which the lot fronts, nor less than one hundred feet (100') from a property line outside of the Designed District area or from the boundary line of a Residential District. Provided; however, by Special Exception approval of the Zoning Board, the setback requirement from any street may be reduced to twelve feet (12’) for any single story building, not exceeding twenty feet (20’) in height, with a maximum Floor Area Ratio of 0.02. (76-002; 86-041; 95-003; 98-022; 99-032; 215-12)

7.1 Enclosed or covered pedestrian walkways, not more than fifteen (15) feet in width at grade or

elevated in areas necessary to maintain a level grade, solely for the purpose of pedestrian passage connecting to and facilitating access between separate buildings on the same lot or contiguous lots in the I-PD District shall be exempt from the floor area calculations and building coverage provided all other provisions of Section 9-C-7 above are met. (94-024, 216-20)

7.2 Notwithstanding the Floor Area Ratio (FAR) limitation stated above, when a principal structure which is legally nonconforming as to FAR is to be demolished and replaced with a principal structure designed to conform to Article III, Section 7.1 Flood Prone Area Regulations, the Floor Area Ratio for the entire site shall not exceed the existing Floor Area to be demolished. (216-20)

8. The uses permitted in this Subsection may be combined and carried on in the same building.

9. Within any IP-D District, applications requesting approval of any permitted uses or approval of site and architectural plans shall include all of the plans and information as specified by Section 7.2 C of these Regulations. Such applications shall be submitted to and be subject to the approval of the Zoning Board in accordance with the specific standards and objectives of the IP-D District, the procedures and review standards of Section 7.2 Site Plan Review, the general purposes and other applicable standards of these Regulations, and the following additional standards:

a. Required front yards of building sites shall be maintained in grass except for walks, drives, planting, flagpoles, and other landscaping or ornamentation. Suitable landscaping or planting shall be provided and maintained in front of the building, or incorporated in the architecture of the structure. No driveway parallel to the street shall be permitted in the required minimum front yard.

b. No buildings contiguous to property in other districts shall have a front yard or side yard less than specified in the SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF BUILDINGS for the contiguous district. In no case shall a side yard measure less than the height of the building. In the event the IP-D DESIGNED INDUSTRIAL PARK DISTRICT is contiguous to more than one district, the yard requirements of the more restrictive district shall apply. Enclosed or covered pedestrian walkways shall be exempt from these requirements to the extent that they may be permitted a zero lot line setback at the sole discretion of the Zoning Board. (94-024, 216-20)

c. Any construction on said site shall be done so as to utilize the respective sites in a manner which results in the least defacement of natural organic features, e.g., trees.

d. A site plan showing the road layout for the entire property, and a plan for the exterior architectural design for the initial building, and a description of the use or uses proposed for same, shall be submitted to and be subject to the approval of the Zoning Board, who shall not approve same until after a public hearing. Exterior designs of subsequent buildings, and uses therein, must be in harmony with the initial building and the site plan, and shall be subject to approval of the Zoning Board, with the exception that offices as a principal use shall not be subject to approval of the Zoning Board. After receipt of subsequent applications for approval of architectural design of and proposed uses for additional buildings, and/or for

approval of plans for screening from adjoining residential areas, and/or for modification of the approved site plan, and/or for approval of modification of existing or approved buildings and/or uses, each such application shall be subject to approval of the Zoning Board, who shall not approve same for a building permit until after a public hearing. (78-022)

CC. - HT-D HIGH-TECHNOLOGY DISTRICT

The Zoning Board, upon application in the manner prescribed herein, may designate any parcel and/or aggregation of parcels of land as an HT-D High-Technology District subject to the following requirements in this Section.

1. Purpose. The HT-D High-Technology District is intended to promote and maintain high technology and research uses in industrially zoned areas, which high technology and research uses require specialized infrastructure, technology and communications facilities and are dependent upon special structural features.

2. Criteria For Designation. To qualify for designation as an HT-D District, any parcel of land or aggregation of parcels must satisfy all of the following requirements:

a. The proposed HT-D area must be comprised exclusively of land zoned M-L or M-G and consist of not less than five (5) acres, undivided by City streets;

b. The proposed HT-D area may be in single or multiple ownership, but must be developed and/or managed under a common development or management scheme, as approved administratively by the principal planner or other designated representative of the Land Use Bureau, and all owners, contract purchasers or their authorized agents shall be signatories to the application for redesignation;

c. The proposed HT-D area must be capable of supporting industrially used building(s) containing not less than 200,000 square feet of aggregate space to be used in accordance with Subsection 3 below;

d. The proposed HT-D area must be served by streets and other municipal services and utilities of sufficient capacity to accommodate the existing and proposed development; and

e. The use and location of the proposed HT-D area shall be consistent with all of the stated purposes and objectives of the HT-D District, and shall be compatible with the land use policies and goals which have been articulated for the adjacent areas.

3. Permitted Uses. The following uses are permitted in the HT-D District:

a. Industrial Uses. Industrial Uses are all uses currently permitted, in the same manner permitted, either as-of-right or by Special Exception in the M-G and M-L Districts except for the following uses which shall be prohibited in the HT-District: Sand & Gravel Banks; Auto Wrecking Areas, Junk Yards; Brick, Tile, Terra Cotta, Cement Block, Cast Stone Manufacturing; Casting, Foundry; Crematory; Meat Processing; Sand and Gravel Pits.

b. Research and development uses: Colleges and Universities; Experimental Electronic Laboratories for the research, design, development, storage (as an accessory use only), servicing and assembly of light electronic and electrical mechanical equipment;

Experimental Engineering Research Laboratories; Experimental and Research Laboratories; Research and Development Laboratories. (216-04)

4. Development Standards. The following standards shall apply to all new and existing buildings, structures and uses within the HT-D District:

a. Minimum size of a single lot within an HT-D area :	0.5 acres	
b. Minimum frontage or right of way width:	25 feet	
c. Minimum yards:	Front:	10 feet
	Rear:	15 feet
	Side:	None required but if provided must be at least 4 feet
d. Maximum Building Height:	60 feet / 4 stories	
e. Maximum Building Coverage:	60%	
f. Maximum Floor Area:	1.0 FAR, but the total floor area devoted to business and professional office use in the HT-D District shall not exceed one-half (½) the total area designated as an HT-D District and shall not exceed one-half (½) the land area of any separately owned and controlled lot.	

Nothing contained herein shall preclude the ownership and conveyance of separately owned parcels in an HT-D designation area, provided that each such separately owned parcel(s) satisfies the development standards and architectural criteria in this Article III, Section 9.

Notwithstanding the provisions in the Development Standards, any parcel or aggregation of parcels with legal non-conformities with respect to lot frontage, building setbacks or location of parking spaces, which existed in the underlying M-G or M-L zones, may be designated as an HT-D District, and such legal non-conformities shall be permitted to continue in said HT-D District. (203-32)

5. Site Design and Architectural Criteria. Site and architectural plans shall conform to the application requirements and review standards of Section 7.2 of these Regulations and to the following additional standards and criteria:

a. An HT-D designation area shall have:

(1) redundant access to at least one fiber optic loop;

(2) not less than one back-up generator on the site, having a minimum size of 480 volts, 3 phase, 300 amp;

(3) Not less than ten percent (10%) of the lot area (exclusive of parking lot islands and building fringe landscaping) as open space;

(4) Parking facilities and building(s)which are landscaped in an attractive manner so as to enhance the appearance of the site from adjacent and nearby properties.

b. Not less than fifty percent (50%) of the total square footage of the buildings on the HT-D designation area shall:

(1) have access to multiple fiber optic telecommunication services;

(2) provide expanded electrical service exceeding standard office electrical service (e.g. exceeding 480 volt, 3 phase, 1600 amp service);

(3) be adaptable to accommodate live floor loads of not less than 125 pounds per square foot;

(4) have ceiling heights (measured floor to deck) of at least fourteen feet (14');

(5) have access to a loading dock.

6. Parking Requirements. Off-street parking shall be provided as follows:

a. Parking for 2 vehicles for each one thousand (1000) square feet or portion thereof of total floor area within an HT-D district;

b. The location and dimensions of off-street parking shall comply with all other applicable requirements of Section 12A;

c. In no event shall parking exceed 3 spaces for each one thousand (1000) square feet or portion thereof of total floor area within an HT-D district;

d. In no event shall more than fifty percent (50%) of parking provided be within structured parking; and any such structured parking constructed within an HT-D district shall count against the non-office FAR permitted on site.

7. Review Procedures.

a. The application for HT-D High-Technology District designation shall include the following:

(1) A written statement describing how the designation to HT-D High-Technology District will accomplish the purposes in Subsection CC-1 and a generalized time schedule for staging and completion of the development;

(2) Application contents shall include all of the plans and information as specified by Section 7.2C of these Regulations.

All of the requirements set forth above shall be contained in site and architectural plans which shall be submitted to and be subject to the approval of the Zoning Board in accordance with the specific objectives of the HT-D District, the procedures and review standards of Section 7.2 Site Plan Review, and the general purposes and other applicable standards of these Regulations, which shall not approve same until after a public hearing.

b. Within any HT-D High-Technology District, applications requesting approval of site and architectural plans shall include all of the plans and information as specified by Section 7.2C of these Regulations. Such applications shall be submitted to and be subject to the approval of the Zoning Board in accordance with the specific standards and objectives of the District, the procedures and review standards of Section 7.2 Site Plan Review, and the general purposes and other applicable standards of these Regulations.

c. Subsequent to designation of a HT-D District, the establishment or change of uses of buildings and the minor alteration of site and architectural plans or permitted signs shall be subject to review and approval by the Zoning Enforcement Officer, provided that any establishment or change of use involving more than 10,000 square feet of building floor area that would potentially exceed the 0.50 FAR of office use shall be subject to administrative review and approval by the Zoning Board. (201-04)

D. R-H MULTIPLE FAMILY DESIGN DISTRICT, HIGH DENSITY

1. Purpose. The purpose of this multi-family design district is to set aside areas which have been and may be developed predominantly for high density high-rise dwellings. It is intended that development in these districts provide an attractive living environment and include open space for the use and enjoyment of tenants. The regulations are designed to insure that the highest intensity uses have a lot area adequate to meet the parking and open space requirements of these regulations.

   In addition to dwellings, the Zoning Board may by Special Exception authorize a limited amount of professional office and/or neighborhood retail space in certain buildings. These uses are compatible with high density housing and are intended to provide relatively small spaces for individual businesses serving the local community.

2. Procedure. Applications for approval pursuant to the standards of paragraph (5-c) of this subsection and all applications for R-H special exception uses shall be subject to approval of site and architectural plans by the Zoning Board in accordance with the standards and procedures of Section 7.2 of these Regulations. All other R-H applications shall be subject to review and approval by the Zoning Enforcement Officer.

3. Authorized Uses.
   a. In any R-H district a building or other structure may be erected, altered, arranged, designed or used, and a lot or structure may be used for all of the uses permitted as-of-right in the R-MF district.

4. Special Exception Uses. At the discretion of the Zoning Board, the following special exception uses may be authorized upon a finding that the use is consistent with the purposes of the R-H Design District and these Regulations, and with the standards of Section 19-3.2:

   a. All uses permitted by Special Exception in the R-MF district.

   b. Hotel, Residential

   c. Neighborhood Commercial - On lots over 43,560 square feet, neighborhood commercial and/or Professional Office uses may be approved on the ground floor only. In no case shall permitted professional office and neighborhood commercial development in the aggregate exceed 10% of the gross floor area of the building(s). For the purposes of this Section, neighborhood commercial shall include all uses permitted in the C-N zone. (86-040, 88-025, 89-019)

   d. The design, location and size of signage for such neighborhood commercial and residential uses shall be approved by the Zoning Board, as it deems appropriate to the project design, location and use, subject to the following standards. Not more than two (2) ground mounted signs (dedicated to neighborhood commercial or residential use), each not to exceed thirty (30) square feet in area and eight (8) feet in height, may be erected on any plot. Wall signage placed on the ground floor commercial façade shall not exceed two square feet in area for each lineal foot of building frontage occupied by commercial use, and notwithstanding

Section 13-E in these regulations, on lots over 43,560 square feet, residential signage will be allowed on the front wall of the building only and shall not exceed twenty (20) square feet. This residential signage on the front wall of the building shall not be illuminated and shall be located below the second floor of the building. (205-43, 213-28)

5. Building Regulations.

a. Standards for all lots containing less than 20,000 square feet are the same as R-MF regulations for lots less than 20,000 square feet including regulations pertaining to apartment buildings for the elderly.

b. On lots containing 20,000 square feet to 43,559 square feet the following regulations shall apply:

(1) Minimum Lot Area: 20,000 square feet
(2) Minimum Lot Area per dwelling unit: 1,250 square feet
(3) Minimum Lot Area per dwelling unit, Apartment Buildings for the Elderly: 833 sq.ft.
(4) Minimum Frontage: 100 feet
(5) Maximum Building Coverage, all Buildings: 35 percent
(6) Maximum Building Height: 4 stories, may not exceed 40 ft.
(7) Minimum yards: Front - 15 feet Rear - 30 feet Side: One-half the height of the building but need not exceed 15 feet each side.

c. On lots one acre or more (43,560 square feet) the following regulations shall apply:

(1) Minimum Lot Area: One acre (43,560 square feet)
(2) Minimum Lot Area per dwelling unit: 725 square feet
(3) Minimum Lot Area per dwelling unit, buildings exclusively for the elderly or consisting of one-room units, 484 square feet, subject to the issuance of a Special Exception by the Zoning Board; provided further, that where one room units are proposed said units shall not exceed 750 square feet of living space. (86-040)
(4) Minimum Frontage: 150 feet
(5) Maximum Building Coverage, all Buildings: 35 percent
(6) Maximum Building Height: 125 feet except that no accessory parking structure or part of a principal building devoted to parking shall exceed ten feet in height. (92-009)
(7) Minimum Yards: Front - 20 feet from street line and 45 feet from street center, except where a Special Exception is granted by the Zoning Board to permit neighborhood commercial uses, and where such uses occupy 50% or more of a building linear frontage, minimum setback may be reduced by the Zoning Board to 10 feet from street line and 35 feet from street center to encourage increased interaction with pedestrian traffic, notwithstanding any other requirements in these regulations. All side and rear yards shall be no less than one-third the height of the building and in no case less than 10 feet. (86-040, 213-28)

(8) Parking shall be provided as stipulated elsewhere in these Regulations; provided,

however:

a) the Zoning Board may grant a Special Exception pursuant to Section 12-D-1-b to reduce the minimum number of residential spaces required, and where Special Exception is granted by the Zoning Board to permit and encourage neighborhood commercial uses, the Zoning Board may also authorize required parking for commercial uses to be satisfied completely, or in part, by the sharing of residential spaces. The general methodology entitled "Shared Parking", published by the Urban Land Institute in 1983, as amended, may be used to determine the appropriateness of sharing, with additional consideration given to established patterns of uses of individual establishments. A Parking Management Plan (PMP) shall be submitted to and approved by the Zoning Board as a component of approval of any parking reduction submitted pursuant to Section 12-D-1-b and/or any shared parking proposal. Said PMP shall demonstrate that the proposed parking ratio and/or shared parking arrangement adequately meet the needs of the development, and there will be no adverse impact on adjacent properties or city streets. Any future change of neighborhood commercial use shall require further administrative approval by the Zoning Board; and (213-28)

b) parking for permitted restaurant uses may be reduced to the rate of no less than 4 spaces per 1,000 square feet subject to administrative approval by the Zoning Board. A Parking Management Plan (PMP) shall be submitted to the Zoning Board as a component of approval of any reduction. Any change of use shall require further administrative approval by the Zoning Board. (84-043, 211-37)

(9) Five and One-Half Story Development.

In the case of proposed development not exceeding a maximum of five and one-half (5 1/2) residential stories, where granted by Special Exception by the Zoning Board, the following modifications of R-H standards may be awarded:

i. Building coverage may be increased to forty (40%) percent plus an additional five (5%) percent coverage may be permitted for one-story open carports, open unscreened covered porches, gazebos, storage facilities and other one-story accessory structures contributing to the residential character of the development.

ii. Front setbacks may be reduced to not less than ten (10) feet on the ground floor and fifteen (15) feet on upper floors where such reductions will encourage diverse architectural articulation.

iii. Side and rear yard requirements may be reduced, unless within the scope of Section 7K, but in no case shall be less than ten (10) feet.

iv. The requirements of Section 7K may be waived, subject to a finding by the Board that the proposed arrangement of building height, setback and other relevant site features will better achieve the intent to protect adjacent residential development. (89-019)

v. Where proposed development is within a Downtown Master Plan Category, the

Zoning Board, by issuance of a Special Exception, may authorize building coverage to be increased to sixty percent (60%) and may exempt from the calculation of building coverage landscaped roof areas that are above parking structures and/or ground floor uses and that are accessible to residents as usable open space. (205-17)

(10) Below Market Rate Requirement: On lots with an area of 43,560 square feet or more in area not utilizing any bonus density, not less than ten percent (10%) of the total number of dwelling units shall be offered for rent or sale as Below Market Rate (BMR) units. By application for special exception, the Zoning Board may approve a bonus density not to exceed 80 dwelling units per acre on lots with an area of 43,560 square feet or more, provided that an additional number of units shall be offered for rent or sale as BMR units, and any existing subsidized dwelling units on site shall be retained or replaced pursuant to a plan approved by the Zoning Board. Projects utilizing bonus density shall provide BMR units totaling not less than ten percent (10%) of the density permitted in Section 9-D-5(c) plus one-fifth (1/5th) of the bonus density utilized.

For projects utilizing bonus density, where non-subsidized housing will be demolished or was previously demolished within the three (3) year period preceding the filing of the application, additional BMR units shall be provided equal to fifteen percent (15%) of the number of units demolished provided that the Zoning Board may exclude those units with a market rent or sale value greater than 150% of current BMR rent/sale limits.

Required Below Market Rate units shall be affordable to households earning not more than fifty percent (50%) of the Stamford SMSA Median income and shall be provided in accordance with the standards, definitions and procedures contained within Article III, Section 7.4 of these Regulations.

(11) On lots with an area of 43,560 square feet or more utilizing the bonus density set forth in subsection (10) above, the Zoning Board may approve the following modifications of R-H development standards:

i) front setback from street center may be reduced or waived.

ii) useable open space shall be provided on-site, with the amount, location and design of such open space subject to determination and approval of the Zoning Board.

iii) building coverage may be increased up to five percent (5%).

iv) side and rear setbacks shall be not less than one-third the height of the building, but need not exceed fifteen (15) feet.

v) the requirements of Article III, Section 7-K may be reduced or waived. (203-11)

6. Screening of Parking.

a. At least two-thirds of the total number of parking spaces provided for any building constructed pursuant to Subsection 5.c of this Section shall be located below grade or enclosed within a building or screened from pedestrian level views to the satisfaction of the Board. This requirement shall not apply to an Apartment Building for the Elderly. (210-47)

b. The following requirements shall apply to all parking areas for more than five (5) cars on any lot of 20,000 square feet or more in the R-H District:

(1) There shall be a buffer strip of land on the same lot as the parking area located between the parking area and the property line. The buffer strip shall be at least three feet wide and shall not be encroached on or over by any part of a parked car.

(2) Said buffer strip shall be landscaped with dense evergreen planting of a species which normally grows to a height of at least four feet, at least two feet high at planting, designed to screen noises, odors, visibility and headlight glare in the parking area from the adjacent property. A suitable opaque fence or wall at least five feet high may be substituted for the evergreen planting. In cases where a fence or wall is provided, such wall or fence shall be supplemented by landscaping. Landscaping shall consist of hedges or other ornamental plants supplemented by shade or flowering trees. There shall be at least one tree for each twenty-five linear feet of buffer area.

(3) All trees and plants required by this section shall be maintained in a healthy growing condition. Plant materials which do not meet this requirement shall be replaced by the property owner.

E. RM-1 MULTI-FAMILY, LOW DENSITY DESIGN DISTRICT

1. Purpose. The purpose of this multi-family design district is to set aside and protect areas which have been or may be developed predominantly for low density multi-family dwellings of various types. These districts may be located adjacent to single family districts and provide for a logical transition in density between such districts and higher intensity zones. Certain non-residential uses are permitted as-of-right or by Special Exception by the Zoning Board, subject to adequate conditions and safeguards. It is intended that new development permitted in this district be compatible and harmonious with existing buildings. It is hereby found and declared further that these regulations are necessary to the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.

2. Procedure. All projects located on lots of 30,000 square feet or more, and all applications for RM-1 Special Exception uses shall be subject to approval of site and architectural plans by the Zoning Board. RM-1 projects located on lots of less than 30,000 square feet shall be subject to review and approval by the Zoning Enforcement Officer.

3. Authorized Uses. In any RM-1 district a building or other structure may be erected, altered, arranged, designed or used, and a lot or structure may be used for any of the following purposes and no other:

   a. Dwellings - single family, two family and multi-family.
   b. Public parks and playgrounds.
   c. Public schools.
   d. Family day care homes.

4. Special Exception Uses. At the discretion of the Zoning Board, the following special exception uses may be authorized upon a finding that the use is consistent with the purposes of the RM-1 Design District and these Regulations, and with the standards of Section 19-3.2:

   a. the same uses authorized by Special Exception in the R-6 District.
   b. Hospital Complex.
   c. Nursing Homes.

5. Building Standards:

   a. Minimum Lot Area: 5000 sq. ft.
   b. Minimum Lot Area per Dwelling Unit: 3750 sq. ft.
   c. Minimum Frontage: 50 ft.
   d. Maximum Building Coverage, all Buildings: 25%
   e. Maximum Building Height: 2 1/2 stories, not to exceed 30 ft.
   f. Minimum yards: Front - 25 feet Rear - 30 feet
   Side - at least 10 feet each side (88-025)

6. Single Family Detached Units: Notwithstanding the above and yard requirements contained

elsewhere in these Regulations, for parcels proposed to be used exclusively for single family detached dwellings and which parcels exceed 30,000 square feet in area and abut commercial or industrial zoned property, the Zoning Board in its sole discretion may approve a reduced front yard standard of not less than twenty (20) feet, a side yard standard of not less than six (6) feet, and a rear yard standard of not less than ten (10) feet for those portions of the property that directly abut commercial or industrial zoned land. Such approval shall only be granted based on a finding that the resulting plan is superior to one conforming to the conventional zoning standards, and that it will not impair the future development of adjacent property. (93-006)

7. Accessory Buildings: on lots of 10 acres or more, the Zoning Board may by Special Exception approve the appropriate relationship of building setbacks, required parking, and separation from other structures for accessory buildings limited to one story and intended primarily to provide support services, community facilities and other similar accessory uses incidental to a residential development. (99-022)

8. Below Market Rate Requirement: On lots with an area of 30,000 square feet or more not utilizing any bonus density, not less than ten percent (10%) of the total number of dwelling units shall be offered for rent or sale as Below Market Rate (BMR) units. By application for special exception, the Zoning Board may approve a bonus density not to exceed 15 dwelling units per acre on lots with an area of 30,000 square feet or more, provided that an additional number of units shall be offered for rent or sale as BMR units, and any existing subsidized dwelling units on site shall be retained or replaced pursuant to a plan approved by the Zoning Board. Projects utilizing bonus density shall provide BMR units totaling not less than ten percent (10%) of the density permitted in Section 9-E-5(b) plus one-fifth (1/5th) of the bonus density utilized.

For projects utilizing bonus density, where non-subsidized housing will be demolished or was previously demolished within the three (3) year period preceding the filing of the application, additional BMR units shall be provided equal to fifteen percent (15%) of the number of units demolished provided that the Zoning Board may exclude those units with a market rent or sale value greater than 150% of current BMR rent/sale limits.

Required Below Market Rate units shall be affordable to households earning not more than fifty percent (50%) of the Stamford SMSA Median income and shall be provided in accordance with the standards, definitions and procedures contained within Article III, Section 7.4 of these Regulations.

9. On lots with an area of 30,000 square feet or more utilizing the bonus density set forth in subsection 8 above, the Zoning Board may approve the following modifications of RM-1 development standards:

a) front setback from street center may be reduced or waived.

b) useable open space shall be provided on-site, with the amount, location and design of such open space subject to determination and approval of the Zoning Board.

c) the requirements of Article III, Section 7-K may be reduced or waived. (203-09)

F. R-5 MULTI-FAMILY, MEDIUM DENSITY DESIGN DISTRICT

1. Purpose. The purpose of this district is to set aside and protect areas which have been or may be developed predominantly for medium density multi-family dwellings of various types. Certain other uses are also permitted as-of-right or by Special Exception subject to adequate conditions and safeguards. It is intended that new development permitted in this district be harmonious and compatible with existing buildings. It is hereby found and declared further that these regulations are necessary to the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.

2. Procedure. All projects located on lots of 30,000 square feet or more, and all applications for R-5 Special Exception uses shall be subject to approval of site and architectural plans by the Zoning Board. R-5 projects located on lots of less than 30,000 square feet shall be subject to review and approval by the Zoning Enforcement Officer.

3. Permitted Uses, as-of-right. In any R-5 district a building or other structure may be erected, altered, arranged, designed or used, and a lot or structure may be used as-of-right for any of the following purposes and no other:

    a. Dwelling - single family, two family and multifamily.
    b. Public parks and playgrounds.
    c. Public schools.
    d. Passenger terminals and stations.
    e. Family day care homes.

4. Permitted Uses, Special Exception. The following uses shall be permitted by Special Exception; the same uses and in the same manner as are permitted by Special Exception in the R-6 district and in addition:

    a. Colleges and Dormitories.
    b. Historic Site.
    c. Public and Charitable Agencies.
    d. Radio and Television Broadcasting Stations and Masts.
    e. Hospital Complex

5. Building Regulations

    a. Minimum Lot Area: One Family Dwelling: 5000 sq. ft.
    Two Family Dwelling: 6000 sq. ft.
    Multi-family Dwelling: 9000 sq. ft.

    On lots of at least 5,000 sq. ft. but less than 6,000 sq. ft., there may be located by conversion a second dwelling unit in a single family dwelling existing as of June 24, 1986 or constructed or last modified as to total floor area at least five (5) years prior to the date of application under this section. Such second dwelling unit shall be limited to one (1) bedroom and no more than three (3) additional rooms, and may occupy the

existing unexpanded useable floor area of any single floor, or if created by expansion shall be limited to 700 sq. ft. of useable area. Building coverage (footprint) of the principal building shall not be increased by the conversion or subsequent to the conversion, except for exterior stairways required by the Building Code. Three (3) off-street, suitably screened and landscaped parking spaces shall be provided for such converted dwellings, two of which may be provided in tandem.

b. Minimum Frontage:

One or Two Family Dwelling:	50 ft.
Multi-family dwelling,	
lot area less than 30,000 sf.:	60 ft.
lot area 30,000 sf. or more:	150 ft.

c. Maximum Building Coverage, all Buildings: 30%

d. Maximum Building Height:

1 or 2 Family Dwelling: 2 1/2 stories, may not exceed	30'
Multi-family Dwellings: 3 stories, may not exceed	40'

e. Minimum Yards: Front - 20 ft., Rear - 30 ft.
Side - 1 or 2 family dwelling: at least 6 ft. each side.
Multi-family dwelling: Six feet (6') plus 6 inches (6") for each foot of length of an individual building over forty-five (45'), measured parallel to the side lot line, not to exceed fifteen (15') feet. (99-004).

f. Minimum Lot Area per Dwelling Unit:

For all lots 30,000 square feet or more there shall be at least 2,500 square feet of lot area per dwelling.

For all lots less than 30,000 square feet there shall be at least 3,000 square feet of lot area per dwelling unit.

g. Below Market Rate Requirement: On lots with an area of 30,000 square feet or more not utilizing any bonus density, not less than ten percent (10%) of the total number of dwelling units shall be offered for rent or sale as Below Market Rate (BMR) units. By application for special exception, the Zoning Board may approve a bonus density not to exceed 22 dwelling units per acre on lots with an area of 30,000 square feet or more, provided that an additional number of units shall be offered for rent or sale as BMR units and any existing subsidized dwelling units on site shall be retained or replaced pursuant to a plan approved by the Zoning Board. Projects utilizing bonus density shall provide BMR units totaling not less than ten percent (10%) of the density permitted in Section 9-F-5(f) plus one-fifth (1/5th) of the bonus density utilized.

For projects utilizing bonus density, where non-subsidized housing will be demolished or was previously demolished within the three (3) year period preceding the filing of

the application, additional BMR units shall be provided equal to fifteen percent (15%) of the number of units demolished provided that the Zoning Board may exclude those units with a market rent or sale value greater than 150% of current BMR rent/sale limits.

Required Below Market Rate units shall be affordable to households earning not more than fifty percent (50%) of the Stamford SMSA Median income and shall be provided in accordance with the standards, definitions and procedures contained within Article III, Section 7.4 of these Regulations.

h. On lots with an area of 30,000 square feet or more utilizing the bonus density set forth in subsection (g) above, the Zoning Board may approve the following modifications of R-5 development standards:

i) front setback from street center may be reduced or waived.

ii) useable open space shall be provided on-site, with the amount, location and design of such open space subject to determination and approval of the Zoning Board.

iii) maximum building coverage percentage may be increased to 33% if a one-car enclosed garage is provided for each unit or increased to 35% if a two-car enclosed garage is provided for each unit.

iv) the requirements of Article III, Section 7-K may be reduced or waived. (203-10)

G. R-MF MULTI-FAMILY DESIGN DISTRICT

1. Purpose. The purpose of this district is to set aside and protect areas which have been or may be developed predominantly for high middle density housing in low rise buildings. Certain other uses are permitted as-of-right or by Special Exception subject to adequate conditions and safeguards. It is intended that new development permitted in this district be harmonious and compatible with existing buildings. It is hereby found and declared that these regulations are necessary to the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.

2. Procedure. All projects located on lots of 20,000 square feet or more, and all applications for R-MF Special Exception uses shall be subject to approval of site and architectural plans by the Zoning Board. R-MF projects located on lots of less than 20,000 square feet shall be subject to review and approval by the Zoning Enforcement Officer.

3. Permitted Uses, As-of-Right. In any R-MF district a building or other structure may be erected, altered, arranged, designed or used, and a lot of structure may be used as-of-right for any of the following purposes and no other:

    a. Apartment Building for the Elderly provided increase over as-of-right density does not exceed fifty percent (50%)
    b. Apartment - Garden Type
    c. Apartment House
    d. Dwelling - Single Family, Two-Family, Multiple
    e. Garages, Private
    f. Home Occupation
    g. Professional Offices, Accessory Use
    h. School, Public

4. Permitted Uses, Special Exception. The following uses shall be permitted by Special Exception:

    a. Boarding House, Rooming House
    b. Camp, Summer Day
    c. Cemeteries and Mausoleums
    d. Child Day Care Center
    e. Christmas Trees, etc., Temporary Sale
    f. Churches & Religious Institutions
    g. Clubs and Lodges, Non-Profit
    h. Colleges and Dormitories
    i. Community Center
    j. Historic Site
    k. Hospital Complex
    l. Nursing Home
    m. Public and Charitable Agencies
    n. Public Library or Branch thereof
    o. Public Utility Transformer and Pump Stations

p. Radio and Television Broadcasting Stations and Masts
q. School, Non-Public
r. Accessory on-grade parking for Surgical Center/Outpatient, provided such parking shall not exceed 20 spaces, is physically adjacent to the principal use, and the reviewing board shall find that at the time of the application it is unlikely or impractical for residential uses to occur on site. (95-017)
s. Apartment Building for Supportive Housing. (95-014)
t. Auto Rental Service Facility. (See Section 7-N) (97-014)
u. Clinic, Community Health Center (201-20)

5. Building Regulations

a. Minimum lot area: 5,000 square feet

b. Minimum lot area per dwelling unit:
For all lots less than 20,000 square feet there shall be at least 2000 square feet of lot area per dwelling unit.

On lots of at least 5000 square feet but less than 6000 square feet there may be located by conversion a third dwelling unit in a building existing as of September 1, 1983. Such dwelling unit shall be limited to one bedroom. No increase in building coverage shall be permitted except for exterior stairways required by the Building Code.

For lots 20,000 square feet or more there shall be at least 1500 square feet of lot area per dwelling unit.

c. Minimum lot area per dwelling unit, Apartment Building for the Elderly:

An Apartment Building for the Elderly may be built on any lot consisting of 8000 square feet or more. Because these units tend to be smaller and require less parking, the density for such buildings may be increased. The minimum lot area per dwelling unit may be as follows:

For all lots of at least 8000 square feet but less than 20,000 square feet there shall be at least 1333 square feet of lot area per dwelling unit.

For lots 20,000 square feet or more there shall be at least 1000 feet of lot area per dwelling unit.

The provisions of this paragraph (c) shall apply only to Apartment Buildings for the Elderly.

d. Minimum Frontage:

Lots less than 20,000 square feet:	50 feet
Lots 20,000 square feet or more:	100 feet

e. Maximum Building Coverage, all buildings:

Lots less than 20,000 square feet:	30 percent

Lots 20,000 square feet or more: 35 percent

f. Maximum Building Height: 4 stories, may not exceed 40'

g. Minimum Yards: Front - 15 feet, Rear - 30 feet
Side: Lots less than 20,000 square feet or 20,000 square feet or more utilizing the bonus density set forth in subsection (h) below: one side 8 feet, both sides 18 feet.

Lots 20,000 square feet or more not utilizing the bonus density set forth in subsection (h) below: one-half the height of the building but need not exceed 15 feet each side.

h. Below Market Rate Requirement: On lots with an area greater than 20,000 square feet not utilizing any bonus density, not less than ten percent (10%) of the total number of dwelling units shall be offered for rent or sale as Below Market Rate (BMR) units. By application for special exception, the Zoning Board may approve a bonus density not to exceed 40 dwelling units per acre on lots with an area of 20,000 square feet or more, provided that an additional number of units shall be offered for rent or sale as BMR units, and any existing subsidized dwelling units on site shall be retained or replaced pursuant to a plan approved by the Zoning Board. Projects utilizing bonus density shall provide BMR units totaling not less than ten percent (10%) of the density permitted in Section 9-G-5 plus one-fourth (1/4th) of the bonus density utilized.

For projects utilizing bonus density, where non-subsidized housing will be demolished or was previously demolished within the three (3) year period preceding the filing of the application, additional BMR units shall be provided equal to fifteen percent (15%) of the number of units demolished provided that the Zoning Board may exclude those units with a market rent or sale value greater than 150% of current BMR rent/sale limits.

Required Below Market Rate units shall be affordable to households earning not more than fifty percent (50%) of the Stamford SMSA Median income and shall be provided in accordance with the standards, definitions and procedures contained within Article III, Section 7.4 of these Regulations. (201-23; 203-14)

i. On lots with an area of 20,000 square feet or more utilizing the bonus density set forth in subsection (h) above, the Zoning Board may approve the following modifications of R-MF development standards:

i) front setback from street center may be reduced or waived.

ii) useable open space shall be provided on-site, with the amount, location and design of such open space subject to determination and approval of the Zoning Board.

iii) the requirements of Article III, Section 7-K may be reduced or waived. (201-23; 203-14)

6. Screening of Parking.

a. The following requirements shall apply to all parking areas for more than five (5) cars on any lot of 20,000 square feet or more in the R-MF District:

1) There shall be a buffer strip of land on the same lot as the parking area located between the parking area and the property line. The buffer strip shall be at least three feet wide and shall not be encroached on or over by any part of a parked car.

2) Said buffer strip shall be landscaped with dense evergreen planting of a species which normally grows to a height of at least four feet, at least two feet high at planting, designed to screen noise, odors, visibility and headlight glare in the parking area from adjacent property. A suitable opaque fence or wall at least five feet high may be substituted for the evergreen planting. In cases where a fence or wall is provided, such wall or fence shall be supplemented by landscaping. Landscaping shall consist of hedges or other ornamental plants supplemented by shade or flowering trees. There shall be at least one tree for each twenty-five linear feet of buffer area.

3) All trees and plants required by this section shall be maintained in a healthy growing condition. Plant materials which do not meet this requirement shall be replaced by the property owner. (99-004)

7. <u>Office Use.</u>

Legally nonconforming Professional Office uses, established between December 31, 1950 and January 1, 1985, within buildings designed and constructed as office buildings consisting of not less than 10,000 square feet in gross floor area and on lots of not less than 10,000 square feet, may be used for "Offices, Business & Professional" provided that no residential use exists within the building, business operations generally take place during normal business hours, and that any service/commercial vehicles, which shall not exceed three-quarter (3/4) tons in capacity, are covered by a building or garage and suitably screened from a public street and occupy not more than 20% of the required or provided parking, whichever is less. (215-08).

H. COMMUNITY SHOPPING CENTER DISTRICT - DESIGNED (CSC-D)

1. Purpose. The Community Shopping Center (CSC) District is intended to promote the rehabilitation, reconfiguration, and modernization of existing large Shopping Centers essential to the neighborhood and community shopping needs of the City of Stamford, with design controls to insure a compatible relationship to adjacent residential neighborhoods, and assurance that infrastructure impacts will be mitigated. The CSC District is intended to be applied to older Shopping Centers of unusual size which have been rendered legally non-conforming by virtue of a zoning change, and which are experiencing continuing decline due to outmoded configurations or architectural forms that require substantial reinvestment, and whose loss or further deterioration would adversely impact the public interest and economic vitality of the City. To this end the CSC District is hereby enacted, with the additional objectives as set forth below:

   a. To promote the protection and enhancement of existing retail Shopping Centers which are significant to the city's development as centers outside of the central business district; and

   b. To encourage the rehabilitation and modernization of existing Shopping Centers providing essential shopping and personal services; and

   c. To encourage existing retail Shopping Centers to undertake a comprehensive effort to upgrade and unify their visual and architectural character, to improve landscaping and lighting systems to reduce impacts to adjoining residential development, to improve the function, safety and convenience of vehicular and pedestrian circulation systems and parking, and to mitigate external traffic impacts and improve public infrastructure systems; and

   d. To provide improved site and architectural review standards and procedures to ensure that major changes in the intensity, function, occupancy, or appearance of such retail Shopping Centers are consistent with established land use policies of the area, are responsive to the needs of the community, and are sensitive to their impact on existing residential neighborhoods in the vicinity of the site; and

   e. To promote the reduction of zoning non-conformities.

2. Criteria For Designation. To qualify for designation as a CSC District, a tract of land must satisfy all of the following requirements:

   a. The proposed CSC site must contain a commercially zoned land area of not less than ten (10) acres, contiguous and undivided by City streets and shall be owned in common by a single entity;

   b. The proposed CSC site must support an existing legally non-conforming commercial Shopping Center containing not less than 100,000 square feet of active retail floor area, and not less than ten (10) contiguous stores;

   c. The proposed CSC site must be served by bounding streets and other municipal services

and utilities of sufficient capacity to safely accommodate the existing and proposed development;

d. The use and location of the proposed CSC site shall be consistent with all of the stated purposes and objectives of the CSC-D District, and shall be compatible with the land use policies and goals which have been articulated for adjacent areas.

3. Permitted Uses. All uses permitted in the C-L District shall be authorized within the Designed Community Shopping Center District, except the following uses shall be specifically prohibited: Auto Sales; Boarding, Rooming House; Summer Day Camp; Camp Ground; Car Wash; Clubs and Lodges; Clubs - Country Golf, Yacht or Beach; Colleges and Universities; Crematory; Funeral Home; Fire Station, Volunteer; Hotel, Residential; all residential uses; Garages - Community; Garages - Private; Nursing Home; Public Utility Service Yards; Public Utility Buildings; Restaurant - Drive-in; Sand and Gravel Bank; Tennis Courts, Indoor; Tourist Home. Although not permitted in the C-L District, health and fitness clubs, gymnasiums, and physical culture establishments may be permitted in the CSC-D District by issuance of a Special Exception from the Zoning Board. The total amount of floor area devoted to office use shall not exceed the amount of office floor area existing at the time of the initial application for CSC zone change. New floor area created in excess of the total retail floor area existing at the time of the initial CSC zone change shall be initially occupied for retail purposes only, provided further that not less than 50% of such new floor area shall initially be devoted to retail food uses. The term retail, as used in this paragraph shall also include restaurants, banks, photo processing shops, photographic studio, beauty shops, shoe repair, copy centers, travel agencies, interior decorating shop, laundry and dry cleaners, party rental store, video rental stores, and other similar personal service uses. The term retail, as used in this paragraph, shall not include health and fitness clubs, gymnasiums, and physical culture establishments. (203-36) (216-04)

4. Development Standards. The following standards shall apply to all buildings, structures and uses within the CSC District, including existing structures, provided that the requirements of Article III, Section 7-K of these Regulations shall not apply and that existing structures shall not be required to comply with the CSC District yard standards but shall be modified to comply with the CSC District height standards.

a. Minimum lot size: 10 acres

b. Minimum frontage: 100 feet

c. Minimum yards,

Front:	10 feet
Rear:	30 feet
Side:	10 feet
from residential district:	30 feet

d. Maximum Building Height: 55 feet, as measured from the average established grade of the curb of adjoining streets, provided that no less than 50% of the perimeter of the property directly abuts public streets. Where less than 50% directly abuts public streets, building height shall be measured from the average level of the finished ground surface adjacent to the exterior walls of the building.

e. Maximum Building Coverage: 45%, provided that canopies and other roof coverings over walkways and streets shall not be included, and also parking structures, suitably screened and landscaped, with roof or upper deck elevation not exceeding five (5) feet above average street grade shall not be included in the calculation of building coverage.

f. Maximum Floor Area: total commercial floor area (exclusive of parking floors) shall not exceed the amount of floor area existing at the time of initial CSC District designation, provided that retail uses in the aggregate shall not exceed 80% of total floor area, and provided that individual retail food uses shall not exceed a gross floor area of 60,000 square feet.

5. Site Design and Architectural Criteria. Site and architectural plans shall conform to the application requirements and review standards of Section 7.2 of these Regulations and to the following additional standards and criteria:

a. Access to and egress from a site shall be arranged for the free flow of vehicles at all times, so as to prevent the blocking or endangering of vehicular or pedestrian traffic through the stopping or standing of vehicles on crosswalks or in intersections.

b. Parking facilities shall be arranged for the convenience and the safety of pedestrians and vehicles and shall be landscaped in an attractive manner so as to enhance the appearance of the site from adjacent and nearby properties and streets. Subject to determination by the Zoning Board, any portion of a parking structure whose elevation is above adjoining street grade, measured directly opposite the structure, may be required to be set back up to one hundred and fifty (150) feet from that street line.

c. If a CSC-D District is adjacent to a Residence District or a residential use, all facilities and buildings shall be screened by appropriate fences, walls and landscaping treatment. Subject to determination by the Zoning Board, all new buildings, exclusive of parking structures, may be required to be set back up to two hundred (200) feet from any street line which is bounded in its entirety by residentially zoned property.

d. Not more than 15% of total retail floor area, in the aggregate, and no retail food use shall be accessed by principal pedestrian entrances facing any street line which is bounded in its entirety by residentially zoned property.

e. Signage shall conform to the standards of the C-L District, except that one ground sign or pole sign may be located on each street frontage. (200-32)

f. All site lighting shall be directed onto the site and shall be shielded from adjacent residential uses or zones and from the adjoining street.

g. Roof structures and machinery shall be integrated into the design of the buildings.

h. New or additional buildings shall be coordinated with the existing center by use of colors, materials and linear emphasis so as to constitute a single, coordinated whole recognizable as a unit.

i. Consideration shall be given to maximizing retail uses at street or ground level in such a way as to promote an attractive pedestrian environment.

j. Where public infrastructure systems, including but not limited to streets, traffic signals and public utilities, are judged inadequate to service the requirements of the proposed development, the Board may accept a bond or other binding agreement ensuring that such facilities will be improved in a timely manner, as determined by the Zoning Board.

6. Parking Requirements. Parking requirements shall be determined by the Zoning Board in accordance with the standards of Section 12 of these regulations, provided that the Board in its discretion may require a retail parking standard not to exceed six (6.0) spaces per 1000 sq. ft. of floor area. Where a finding is made by the Zoning Board that individual uses such as theater, general office and others will experience peak parking demand at different times than the peak retail parking demand, the Zoning Board may authorize a reduction in parking by recognizing the opportunity for such uses to share common parking spaces. The general methodology entitled "Shared Parking", published by the Urban Land Institute in 1983 as amended may be used to determine such parking reductions, with additional consideration given to established patterns of uses of individual establishments. Off-site parking facilities on land within 100 feet of and in the same ownership as the proposed CSC-D zone may be used to meet required parking.

7. Review Procedures. All applications for the designation and development of property within the CSC-D District shall conform to the review and application procedures of Section 9AAAA-7 and 8, except that references to water-dependent uses shall apply only within the Coastal Area. Significant modifications of an approved CSC-D site plan shall only be considered by petitioning the Zoning Board to rezone the property to the original underlying zone, coupled with a separate request to rezone the property to CSC-D and approve the amended site plan. (93-008)

I. MILL RIVER DISTRICT (MRD)

The Mill River District (MRD) is a flexible, planned residential design district, subject to special standards and review procedures, intended to provide for and encourage the most appropriate use and development of property, the preservation and enhancement of significant public open spaces and the expansion of public amenities and public access within the Mill River Greenbelt Corridor as defined in the Master Plan. The Mill River District is intended to implement the land use goals, development concepts and design recommendations as described in reports prepared by Sasaki Associates Inc. entitled "Stamford Mill River Corridor", dated January 1998 and "Stamford Mill River Corridor Design Guidelines", dated June 1999. The Mill River District is intended to promote the following objectives:

a. Consistency with the Master Plan and the objectives of comprehensive municipal plans for redevelopment, renewal, or neighborhood preservation and rehabilitation.

b. Provision of housing and such other uses that will be supportive of and contribute to the vitality of the Central Business District and the West Side neighborhood.

c. Protection and expansion of public access to the waterfront, and public open space amenities including attractive walkways of general utility.

d. Conservation of significant natural resources and consistency with the policies of the Connecticut Coastal Area Management Act.

e. Establishment of a public pedestrian district connecting the Mill River and harbor with the downtown and adjacent neighborhoods.

f. Promotion of architecture and site development of design merit that makes best use of natural features, harmonizes with the pattern and scale of the Mill River Greenbelt Corridor, remains compatible with the surrounding architecture and pattern of development, and is generally consistent with the Mill River Greenbelt Corridor Design Guidelines.

g. Provision of dwelling units at below market rates.

1. Criteria for Designation of a Mill River District. In order to qualify for consideration as a MRD Mill River District, the proposed site shall be within the Mill River Corridor boundary as referenced on the Zoning Map and the area generally described below, with a minimum of fifty (50) feet of frontage on a public street, and shall be comprised of land zoned R-5, RMF, R-H, C-N, C-L or C-G. (202-15)

General Boundary Description: The Mill River District is generally bounded to the south by I-95, to the east by Washington Boulevard, to the west by Greenwich Avenue, West Main Street, Mill River Street, Schuyler Avenue and Adams Avenue, and to the north by West Broad Street. The northerly boundary extends to the northerly limit of the UCONN parking garage and the limit of Master Plan Category 5 immediately north of West Broad Street and those properties included within Master Plan Amendment #381. The westerly boundary extends to those properties included within Master Plan Amendment #368 and #370. (205-36)

2. Permitted Uses. In the Mill River Design District, the following uses may be approved when the Board determines such uses to be appropriate:

a. All uses permitted as-of-right or by Special Exception in the R-MF district.

b. Hotel, Residential

c. Neighborhood Commercial – neighborhood commercial and/or Professional Office uses may be approved on the ground floor only. For the purposes of this Section, neighborhood commercial shall include all uses permitted in the C-N zone.

3. Development Standards. Unless otherwise provided in Subsection 7 below, the following standards shall apply to the development of property within the Mill River Design District: (214-27)

a. Residential Density. The maximum residential density in the MRD District shall be determined by the Zoning Board based on the size, dimensions, topography and physical features of the land and the required dedication of waterfront public access and the desirable orientation and height of proposed buildings. Residential density shall not exceed seventy-five (75) dwelling units per acre (580 square feet of lot area per dwelling unit) prior to disposition of open space, provided that on parcels intended for redevelopment by, for, or in cooperation with the Stamford Housing Authority, non-profit housing developers and/or the City of Stamford (the "City") as residences for low or moderate income elderly and/or disabled persons, residential density shall not exceed one hundred and twenty-five (125) units per acre (350 square feet of lot area per dwelling unit). (205-29; 205-53)

b. Below Market Rate Dwelling Units. All projects shall satisfy the Below Market Rate (BMR) standards as set forth in Subsection 5.

c. Non-Residential Uses. Non-residential uses shall not exceed a Floor/Area Ratio of 0.30 and shall not unnecessarily intrude upon or adversely impact adjacent residential uses.

d. Usable Open Space. A minimum of one hundred (100) square feet of usable open space per dwelling unit shall be provided on the lot, suitably located and designed to meet the needs of the residents of the premises, provided that there shall be no minimum requirement for dwelling units intended for low or moderate income elderly and/or disabled persons developed by, for, or in cooperation with the Stamford Housing Authority, non-profit housing developers and/or the City of Stamford. (214-27)

e. Building Coverage. The total area occupied by principal structures shall not exceed sixty percent (60%) of the site. Portions of parking structures and other accessory structures, whether attached or free-standing, may cover an additional twenty-five percent (25%) of the site provided such structures do not exceed twenty-five (25) feet above average grade (excluding parapet walls) and are suitably screened from pedestrian views. Above-grade parking floors and parking structures shall be screened from pedestrian view by a suitable combination of active uses, landscaping and architectural screens or solid

panels, and shall be setback from adjacent waterfront public access areas a distance not less than the height of the parking structures.

f. Building Setbacks. Building setbacks shall satisfy the following standards: front yard setback: 5 feet; side yard setback: 10 feet; rear yard setback: 20 feet. (214-27)

g. Parking Requirements. The parking standards of Section 12-D of the Regulations shall apply, except as otherwise provided for herein. There shall be a minimum residential off-street parking requirement of one and one-quarter (1.25) spaces for each residential unit, or one space for every three (3) dwelling units reserved for occupancy primarily for elderly, special needs, handicapped or disabled persons with income less than 50% of the Area Median Income. Parking for non-residential uses shall be subject to determination by the Zoning Board and may be shared where the hours of the use of stalls would not be in conflict. The potential for shared use of parking stalls shall constitute an additional standard for consideration of parking reduction. Required parking may be provided off-site provided a determination is made by the Zoning Board that the location and availability of said parking is satisfactory. (202-15)

h. Building Height. Building height in the MRD District shall be determined by the Zoning Board based on the location, size, dimensions, and topography of the land, the proximity to waterfront public access, and the existing and planned architectural scale of other buildings within the immediate vicinity. Building height shall not exceed eight (8) stories or ninety (90) feet, and shall be limited to three (3) stories or forty (40) feet for that portion of any building immediately adjacent to dedicated public open space along the Mill River. Building height shall be consistent with the Stamford Mill River Corridor study and the Stamford Mill River Corridor Design Guidelines which recommend generally that building height not exceed six stories fronting on the east side of Clinton Avenue, four stories fronting on the west side of Clinton Avenue, and five stories to the west of the Mill River. Special building height standards for C-G zoned sites are provided in subsection 7.

4. Site Design and Architectural Criteria: Development within the MRD District shall conform to the site plan review standards of Section 7.2 and the coastal site plan review standards and policies of Section 7-T of these Regulations, Stamford Mill River Greenbelt Corridor Design Guidelines, and the following additional standards:

a. Mitigation of Environmental Impact. Appropriate measures shall be taken to mitigate environmental impacts to coastal resources through sensitive design and implementation of best available technologies and methods for controlling pollutant discharges from the site

b. Public Access to the Waterfront. Public access shall be insured through the dedication of real property or a permanent easement area encompassing the area of land necessary to accommodate the Mill River Park Riverwalk improvements as shown on the Mill River Park Middle Corridor Plan also known as The Mill River Collaborative Project Plan provided however that the easement area shall not be wider than 70 feet measured from the mean high water mark. Said dedication or easement shall be executed and delivered prior to issuance of a Building Permit. The limits of the public access area shall be subject to final determination by the Zoning Board to insure that the land is suitable and usable for its intended purpose. Within the dedicated public access area, improvements shall be

designed and constructed to provide for passive recreation and enjoyment by the general public, with due consideration of public safety and the efficient movement of anticipated pedestrian traffic. Public access improvements shall be designed in conformance with standards and specifications as adopted by the Zoning Board establishing the required dimensions and materials of public walkways and approved lighting fixtures, benches, trash receptacles, landscape materials, and related fixtures and improvements. Improvements within the public access area shall be designed to link smoothly with existing and/or planned public access facilities on adjoining property or terminate safely at the point where continuation of such facilities cannot be reasonably anticipated. Private use areas and vehicular traffic and parking adjacent to the waterfront public access area shall be sensitively designed to minimize disruption or adverse impact.

c. Preservation and Enhancement of Visual Resources. The design, placement, arrangement, setback, height and bulk of buildings and structures and related site improvements shall serve to protect and enhance the quality of principal public views of the Mill River and associated public open spaces and establish attractive streetscapes within all public and private rights-of-way.

d. Signage. Signage for non-residential uses shall be determined by the Zoning Board, as deemed appropriate to the project design, location and uses, and shall not exceed the standards of the C-N District set forth in Section 13-F of these Regulations. Signage for residential uses shall be limited to wall signage and shall not exceed a total of 60 square feet, subject to review by the Zoning Board. (214-27)

e. Lighting. The intensity, location, height, design and arrangement of outside lighting shall be appropriate to the use and the needs for safety and security while avoiding direct glare on any other lot and avoiding hazards to traffic on any street. Streetscape lighting and lighting within public access areas shall be consistent with adopted City standards.

f. Landscaping. All areas of the tract not devoted to buildings, structures or other designed uses shall be suitably landscaped to the satisfaction of the Board. Landscaping shall be designed, provided and permanently maintained, consistent with the Stamford Mill River Corridor Design Guidelines and the protection of adjacent uses and neighborhoods.

g. Other Governmental Approvals. When site improvements or uses require separate approval by other municipal, state or federal units of government, evidence shall be submitted to the satisfaction of the Board demonstrating the capacity to attain such approvals in a timely manner. When issuance of any significant approvals is in question, the Board, in its sole discretion, may determine the application to be incomplete and may require evidence of such approval to accompany the application. Any approval outside the jurisdiction of the Zoning Board that becomes a condition of approval shall be subject to the performance condition set forth in Subsection 7 below.

5. Below Market Rate Dwelling Unit Requirement:

a. Unless otherwise provided in Subsection 7 below, all residential development within the MRD District shall be required to include Below Market Rate (BMR) dwelling units in an amount not less than twelve percent (12%) of the total number of residential units

approved pursuant to the MRD zone change. (214-27)

b. BMR units shall be affordable to a range of household incomes, as set forth herein, and shall be provided in accordance with the standards, definitions and procedures contained within Article III, Section 7.4 of these Regulations. Not less than five-twelfths (42%) of the BMR units shall be affordable to households earning not more than twenty-five percent (25%) of the Stamford Area Median income. Not less than one-third (33%) of the BMR units shall be affordable to households earning not more than fifty percent (50%) of the Stamford Area Median income. The balance of the BMR units shall be affordable to households earning not more than sixty percent (60%) of the Stamford Area Median income.

Example: [Proposed dwelling units] 100 x .12 =12 required BMR units
5 BMR units at 25% of median income,
4 BMR units at 50% of median income, and
3 BMR units at 60% of median income.

c. When a portion of the BMR requirement is satisfied through the payment of a cash contribution, not less than five-twelfths (42%) of the BMR units to be constructed on site shall be affordable to households earning not more than twenty-five percent (25%) of the Stamford SMSA median income. (203-15)

6. Non-Contiguous Land Parcels. Within the MRD District, the Zoning Board may, in its sole discretion, authorize two or more non-contiguous parcels of residentially zoned land that are owned in common to be considered merged for purposes of determining permitted residential density. In the aggregate, the parcels of land shall be not less than 30,000 square feet in area. A joint application for MRD District designation and joint application for approval of site and architectural plans and requested uses shall be filed for all affected parcels and reviewed concurrently, subject to approval by the Zoning Board pursuant to the standards and procedures of the MRD District. In approving such applications, the Zoning Board shall make a finding that the proposal is consistent with the Master Plan for the Mill River Greenbelt Corridor, provided that residential density shall not be increased by more than 50% on any individual parcel. Any approval providing for the joint development of separate sites shall be implemented with a suitable easement or covenant, enforceable by the City of Stamford, and duly noted on the Zoning Map.

7. Special Residential Development Standards (216-24)

In order to encourage the redevelopment of land within the Mill River Corridor for residential purposes and the expeditious construction of public access improvements, the special standards set forth in (b) below shall apply to parcels that meet at least one of the following criteria in (a):

a. Parcels that are (i) zoned C-G for at least 50% of their development site area or (ii) directly adjacent to the Rippowam River and jointly developed with a non-contiguous site (separated only by a street) that is zoned C-G for at least 50% of its development site area or (iii) where at least 75% of the site is currently used for nonconforming commercial purposes and will be brought into conformity with the proposed development.

b. Special Standards

(i) Commercial use shall not exceed a Floor Area Ratio of 0.30 and shall be limited to ground floor retail and service uses accessible to the general public.

(ii) The total Floor Area Ratio for all uses shall not exceed three and one-half (3.5) for C-G zoned sites and jointly developed sites defined under subsection 6 above, and two (2.0) for sites with a nonconforming commercial use that will be brought into conformity with the proposed development, excluding ground floor retail and service uses and resident amenity space and excluding portions of parking structures that do not exceed twenty-five (25) feet above grade (excluding parapet walls) or are fully integrated within the principal structure and are suitably screened from pedestrian views.

(iii) Building height shall not exceed 125 feet.

(iv) The total area occupied by principal structures shall not exceed sixty-five percent (65%) of the site. Portions of parking structures and other accessory structures may cover up to an additional twenty percent (20%) of the site, as described in subsection 3(e) above. When parking structures are fully integrated within the principal structure and suitably screened from pedestrian views, the total area occupied by all structures shall not exceed eighty-five percent (85%).

(v) All projects shall satisfy the Below Market Rate (BMR) standards set forth in Article III, Section 7.4 of these Regulations and shall provide not less than nine percent (9 %) of the total number of dwelling units as BMR units affordable to households earning not more than fifty percent (50%) of the Area Median Income. At the time of Final Site Plan approval, at the discretion of the Zoning Board, the number and affordability of BMR units may be modified consistent with the standards of Section 7.4-C-4(f) of these Regulations. (210-18)

(vi) Following Special Exception approval from the Zoning Board, the residential off-street parking requirement may be reduced to one (1) parking space for each residential unit of two bedrooms or less and one and one-quarter (1.25) spaces for each residential

unit of three bedrooms or more. Any application for this Special Exception shall include a Parking Management Plan and may include parking management strategies including, but not limited to, valet, tandem, vehicle elevator, and/or stacked vehicles. (214-27)

(vii) On sites that are within 500 feet of open space/public parks in the Mill River Corridor Boundary, no additional open space is required on the lot. (214-27)

(viii) There shall be no required front yard or side yard setback provided the average sidewalk width for all street frontages is a minimum of 10 feet. However, on a site specific basis, the Zoning Board may increase the required setbacks to 5 feet in the front yard and 10 feet in the side yard for sites within the ARD after considering the relationship of yard requirements and separation of structures on the site to each other with the objective of assuring adequate light, open space, screening, landscape, safety and privacy for existing and proposed dwelling units, and overall urban design considerations. The requirements of Article III, Section 7-K of these Regulations shall not apply. (214-27)

Application Review Procedures. An application for MRD District designation shall only be considered simultaneously and in common with an application for General Development Plans, and subsequent or simultaneous approval of Final Site Plans, in conformance with the review and application procedures of Section 9AAAA-7 and 8, except that references to DWD shall be construed as references to MRD. When a project consists of a single phase and General Development Plan approval and Final Site Plan approval are considered simultaneously, separate General Architectural Plans as described in Section 9AAAA-8-b-4 are not required. Where a Mill River Corridor Project Plan has been adopted, an application for MRD District designation and approval of General Development Plans shall be referred to the reviewing authority for consistency with the adopted Mill River Corridor Project Plan in the same manner and procedure as a referral to the Stamford Planning Board. A MRD designation proposal disapproved by the reviewing authority may be approved by the Zoning Board only by an affirmative vote of not less than four (4) members. Significant modifications of an approved MRD General Development Plan shall only be considered by petitioning the Zoning Board to rezone the property to the original underlying zone, coupled with a separate request to rezone the property to MRD and approve the amended General Development Plan. Failure of an applicant to submit Final Plans within one year from the approval of a General Development Plan, or expiration of Final Plan approval shall be cause for the Zoning Board to rezone the property to the zoning classification that existed immediately prior to MRD designation. Provided; however, when an obligation for required public access to the waterfront is satisfied within two (2) years of General Development Approval, an approved General Development Plan shall remain in effect for five (5) years with the opportunity for up to a five (5) year extensions each not more than one year, upon timely application and good cause shown. (00-010, 214-27, 216-24)

J. SOUTH END REDEVELOPMENT DISTRICT, SOUTH (SRD-S)

1. Purpose: The South End Redevelopment District, South (SRD-S) is a flexible design district, subject to special standards and review procedures, intended to provide for and encourage the land use planning and coordinated development of large-scale mixed-use developments that include the revitalization of industrial brown fields sites and the appropriate redevelopment of significant waterfront properties, while giving highest priority and preference to water-dependent uses and meaningful public access on waterfront sites, consistent with the policies of the Connecticut Coastal Area Management Act. Application of the SRD-S Zoning District will be considered where a proposal meets the objectives and criteria set forth below, and where the mix of uses, architectural design, public amenities, and pedestrian oriented spaces are judged to be superior to a development conforming to the standards of the underlying zoning district(s). The SRD-S District is intended to permit flexibility in the design and phased development of large tracts of property over time, with the review and approval of final site and architectural plans and requested uses for each phase of development controlled and coordinated by a General Development Plan serving as the master plan for the overall development of the SRD-S designated area.

2. Objectives: The Zoning Board may designate properties as a SRD-S Tract provided that the General Development Plan for the property is consistent with the following objectives:

a. The purposes and goals of Land Use Categories 12 and 13 of the 2002 Master Plan;

b. An integrated mixed-use development consisting of a variety of housing types, styles and costs to promote housing choice and economic opportunity, with appropriate neighborhood retail and convenience services, office, hotel and other such uses that will contribute to the vitality of the South End;

c. Architecture and site development of design merit that makes best use of natural features, that harmonizes with the pattern and scale of the coastline and with the architecture scale and character of surrounding development, and provides appropriate transition and functional integration into the surrounding neighborhood including extensions of existing roadways;

d. Protection and encouragement of existing and new water-dependent uses and their essential supporting uses;

e. Provision of publicly accessible open space with significant opportunity for public access to and enjoyment of waterfront areas without conflicting with viable existing water-dependent uses or sites highly suitable for other water-dependent uses;

f. Incorporation of smart growth principles including “green” building design, energy efficient development patterns, sustainability, and transit-oriented development that emphasize a mixture of uses and densities, active storefronts, collector support transit systems (jitneys, buses), pedestrian friendly design, the easy use of bicycles and scooters and reduced, shared and managed parking.

g. Street and sidewalk networks designed to enhance pedestrian safety, lessen congestion, control speeding, and provide attractive and convenient streetscapes connecting to the Transportation Center and Downtown;

h. Protection and enhancement of environmentally sensitive areas, key public vistas and visual access to coastal landscapes, and areas of natural beauty.

i. Harbor revitalization measures that emphasize the waterfront as a public pedestrian district connecting the shorefront with the adjacent neighborhoods and the Downtown and Mill River Greenbelt;

j. Control of the type and intensity of development to insure a positive impact on adjacent neighborhoods and the Downtown, and to prevent adverse impact on the Downtown, municipal services, available traffic capacities and infrastructure systems.

3. Criteria For Designation: In order to qualify for designation as a SRD-S Zoning Tract, the proposed designation area must satisfy the following requirements:

a. Location. The proposed Zoning Tract shall be located within the South End Neighborhood, defined as that area of land bounded by the Metro North Railroad tracks to the north, the East Branch of Stamford Harbor to the east, the West Branch of Stamford Harbor to the west, and Long Island Sound to the south.

b. Minimum Acreage. The proposed Zoning Tract shall be in single ownership or control, not less than twenty (20) acres in area, comprised of one or more parcels separated by public streets, provided that no individual parcel shall be less than 0.5 acres in area and one or more parcels shall be a minimum of twenty (20) acres. At the discretion of the Zoning Board, the Zoning Tract may also include other waterfront property connected by an easement or right-of-way, provided; said easement or right-of-way is a minimum of twenty-five (25) feet wide and a maximum of one hundred and fifty (150) feet in length. Private property to be deed restricted or conveyed for public purposes (i.e. parks, public and private schools, streets, bike paths, clinics, firehouses, police substations, or similar public amenities) shall be included in the total land area.

c. Infrastructure Impact. The site shall be served by streets, municipal services and public utilities of adequate capacity to service the requirements of the site. Where infrastructure capacity is judged not to be adequate, the Board may accept a binding agreement insuring that suitable improvements are scheduled to occur or will be performed by the applicant in a timely manner. No building permit shall be issued until such agreement has been accepted by the Zoning Board.

d. Land Use Objectives. The intended use and location of the SRD-S Zoning Tract shall be consistent with the purposes and objectives of the District as set forth in subsection 1 above, and shall be consistent with the Master Plan designation of the site, and compatible with the land use planning policies and goals articulated for adjacent affected areas.

4. Permitted Uses:

a. The following uses shall be allowed: Agencies - Real Estate, Insurance, Employment; Ambulance Facility, Non-Profit; Amusements - Outdoor Temporary, Circus, Fairs, etc; Amusements - Dance Hall, Billiard Parlor (Indoor); Amusements - Theatre, Pools, Arena (Outdoor); Apartment Building for the Elderly (Private, Municipally owned, or Non-Profit); Apartment Building for Supportive Housing; Apartment - Garden Type; Apartment Hotel; Apartment Hotel for the Elderly; Apartment House; Art & Antique Shops; Auto Parking Area, Commercial & Municipal; Auto Sales Agency, New with Used; Bank & Financial Institutions; Boat, Marine Accessories; Outboard Motor Sales and Repairs; Boat Storage & Repair; Bowling Alleys; Brewery, Distillery; Cafe, includes Entertainment & Liquors; Cafe, excludes Entertainment but includes Liquors; Camp, Summer Day; Canvas Products Mfg; Carpentry, Woodworking Shop; Child Day Care Center; Churches & Religious Institutions; Clinics; Clubs -Country, Golf, Yacht, Beach; Clinic, Community Health Center; Clubs & Lodges Non-Profit; Club - Swim and/or Tennis; Color Scanning Shop; Community Center; Copy and Communication Center; Drug Store; Dwelling - Single Family; Dwelling - Two Family; Dwelling-Group or Town Houses; Dwelling, Multiple; Emergency Shelter; Family Day Care Home; Fire Station Volunteer; Food Catering; Food Processing, Retail on Premises; Food Shops, Retail; Garages, Community; Garages, Private; Garages, Public Garages, Bus & Taxi Service; Gardening Supplies, Retail; Golf Course, Miniature or Simulated; Group Day Care Home Occupation; Gymnasium or Physical Culture Establishment; Hotel, Inn (excluding a convention center/banquet facility as an accessory use); Hotel Residential; Ice Skating Rink – Indoor; Laundry, Cleaning & Dyeing Agency; Laundry, Cleaning & Dyeing Establishment; Laundry & Dry Cleaning Establishment, Retail; Laundry, Self-Service; Dry Cleaning, Self-Service; Museum, Non-Profit; Nursing Home; Offices, Business & Professional; Paint Stores including Wholesale Paint Stores for Resale off Premises; Passenger Terminals & Stations; Personal Wireless Service Facility; Plumbing & Heating Shop; Prenatal Care & Transitional Residence; Professional Offices, Accessory Use; Professional Offices, Medical; Professional Offices, Principal Use; Professional Pharmacy; Public & Charitable Agencies; Public Libraries or Branch thereof; Public Utility Buildings; Public Utility Generating Plant, Public Utility Service Yards; Public Utility Transformer & Pump Station; Racquetball Facility; Radio & Television Broadcasting Stations and Masts; Rag, Bag & Carpet Cleaning; Residential Recreational Area; Restaurant, includes Entertainment & Liquors; Restaurant, excludes Entertainment but includes Liquors; Restaurant, Carry-Out; Restaurant, Drive-In; Restaurant, Fast-Food; Roller Skating Rink; School, Non-Public; School, Public; Schools, Vocational & Secretarial; Senior Housing and Nursing Home Facility Complex; Ship & Boat Building; Shoe Repair Shop; Sign Painting; Surgery Center/Out Patient; Tavern; Tennis Court, Indoor; Water-dependent uses, as defined in C.G.S. Section 22a-93(16).

b. The following uses are authorized provided that each such separate retail establishment shall not exceed 5,000 square feet of gross Floor Area: Bakeries, Retail; Barber, Beauty Shops; Confectionery Store; Florist Shop; Hardware Store; Newsstand, Variety Store; Package Liquor Stores; Optician, Repairs; Paint Stores, Retail; Photographic Studio; Sunglass Store; Tailor Shop.

c. The following uses are authorized provided that each such separate retail establishment

shall not exceed 1,500 square feet of gross Floor Area: Camera Shop; Gift shop; Jewelry Store; Stationery Store.

d. Preservation of Water-Dependent Uses. Except as provided for below, if a site contains an existing, viable water-dependent use, such use shall be retained. No proposed use shall be approved that would adversely impact a water-dependent use. The Board may authorize the modification of an existing water-dependent use provided that:

1. the Board considers comments from the Office of Long Island Sound Programs, Connecticut Dept. of Environmental Protection before such a decision is made;

2. the applicant can demonstrate to the satisfaction of the Board that the modification of such use is warranted under pertinent sections of the Connecticut Coastal Area Management Act; any such claim to be supported by full disclosure of all pertinent information including but not limited to financial data regarding the water-dependent use;

3. the applicant can demonstrate to the satisfaction of the Board that alternatives to the existing type or location of the water-dependent use will allow an appropriate level of service or activity to continue in accordance with the objectives of the SRD-S zoning district and Stamford's Municipal Coastal Program; and,

4. the applicant submits a professionally-prepared market study and needs analyses of the site's potential to support a water-dependent use under the existing zoning. The applicant shall be required to reimburse the City of Stamford for the cost of a peer review of the market study and analyses by an independent consultant reporting to the Zoning Board. The applicant shall pay the City of Stamford for the full cost of this peer review prior to the Zoning Board acting on the request to modify-the existing water-dependent uses.

5. <u>Standards:</u> The following standards shall apply to the overall SRD-S Zoning Tract as a whole. Subject to approval by the Zoning Board, individual parcels may exceed the standards and limitations contained herein provided the SRD-S Zoning Tract is in compliance with all standards.

a. <u>Residential Density</u>. fifty (50) dwelling units per acre, provided that total residential floor area shall not exceed an amount equal to 1,300 square feet times the maximum number of allowable dwelling units. Subject to Final Site Plan Approval by the Zoning Board, and notwithstanding any other provision of these regulations to the contrary, a hotel use approved as part of a General Development Plan may be converted to, or replaced by, a residential use, provided that the number and square footage of residential units does not exceed the number and square footage of hotel rooms previously approved pursuant to a General Development Plan. (213-35)

b. <u>Non-Residential Floor Area.</u> Non-residential uses, in the aggregate, shall not exceed 0.23 FAR, provided that: (215-02)

1. Retail uses shall not exceed 0.03 FAR.

2. Water-dependent uses located in Master Plan Category 13 shall be exempt from FAR calculations.

3. Restaurant uses shall comprise a minimum of 10,000 square feet of floor area in the aggregate.

4. Neighborhood retail and convenience services shall comprise a minimum of 20,000 square feet of floor area in the aggregate.

5. Cultural institutions, facilities and organizations, including public galleries, artist studios and display space, shall comprise a minimum of 10,000 square feet of floor area in the aggregate, and shall be located within the Zoning Tract or outside the Zoning Tract within the South End, subject to Zoning Board approval.

6. Above-grade structured parking floors serving commercial or residential uses may be excluded from the calculation of permitted non-residential FAR, based on a finding by the Zoning Board that the garage structure is covered and integrated into the development behind active uses at the pedestrian level or screened from sensitive pedestrian level views to the satisfaction of the Board.

7. The floor area of structures used for public purposes (i.e. accessory park structures, public and private schools, clinics, museums, cultural institutions, firehouses, police substations, or similar public facilities) may be exempt from the calculation of permitted non-residential Floor Area, subject to determination by the Zoning Board.

c. Building Height. Building height shall not exceed one hundred and fifty five feet (155') as measured from average finished grade; provided however, that one building up to two-hundred and twenty-five feet (225') in height may be permitted for every 10 acres of SRD-S Zoning Tract area. Building height shall be limited to fifty (50) feet on portions of the Zoning Tract within Master Plan Category 13. Building floors between one hundred and twenty-five (125) feet and one hundred and fifty-five (155) feet shall be limited to a maximum individual floor plate of 15,000 square feet and building floors above a height of one hundred and fifty-five (155) feet shall be limited to a maximum individual floor plate of 12,000 square feet. (211-09)

d. Building Setbacks. All buildings shall be setback not less than five (5) feet from any public street right-of-way or not less than fifteen (15) feet from any established curb line as designated on the General Development Plan, whichever is greater, provided the Zoning Board may reduce or waive this requirement based on sound urban design principles. Setbacks from internal property lines or parcel boundaries along private street networks shall be determined by the Zoning Board consistent with sound urban design principles and where adequate light, open space, screening, landscape, safety and privacy of residential uses is maintained. Buildings adjacent to coastal waters shall be set back a minimum of thirty (30) from the Mean High Water line, provided the Zoning Board may reduce or waive such requirement based on a finding that the special function, use or design of a building or structure requires placement closer to the waterfront and is consistent with the purposes of the SRD-S District. The requirements of Article III, Section 7-K of these Regulations shall not apply.

e. Building Coverage. Building coverage, in the aggregate, shall not exceed forty percent (40%), provided that parking structures exempt from FAR calculations pursuant to subsection 5.b.5 above may cover an additional 20% of the Zoning Tract. Building coverage is defined to be the percent of Zoning Tract covered by buildings or structures, excluding for purposes of this calculation piers, docks, boardwalks, canopies, incidental open space structures and similar special structures designed to enhance open space areas or encourage public access to the waterfront. Water-dependent uses located in Category 13 may be exempted from building coverage calculations.

f. Open Space. Fifteen percent (15%) of the Zoning Tract area shall be improved and dedicated as publicly accessible pedestrian-level open space, with the location and design of said open space subject to determination and approval by the Zoning Board. Said open space shall exclude any area used for vehicle circulation or parking, but may include other pedestrian ways, boardwalks, publicly accessible sidewalks, and other publicly accessible at grade areas, hurricane barriers, and landscaped areas adjacent to Mean High Water. All open space shall be unobstructed between the finished street level of such space and the sky, except that not more than ten percent (10%) of the total open space proposed in the SRD-S district may be roofed. Design shall encourage uses that are compatible with the public enjoyment of such open space, such as a bike and boat rental facility, public restrooms, drinking fountains, picnic facilities and shelters, and food kiosks and vendors. Required open space shall include play areas suitable for pre-school children equal to not less than 10 square feet per dwelling unit. Such play areas may be located at the pedestrian-level on site or off-site within the South End in existing public parks, or on a roof, however, when located off-site or on the roof, such play areas shall not count toward the 15% at grade requirement.

g. Parking. The standards of Section 12 shall apply, provided the Zoning Board may authorize a reduction of parking and loading, based on a finding that the proposed mix of uses will be adequately parked at all times, subject to the follow minimum standards: 1.25 spaces per dwelling unit; 2.0 spaces per 1,000 square feet of office and/or retail floor area; 0.75 spaces per hotel room; and 0.5 spaces per boat slip. Required parking may be satisfied on adjacent parcels within the Zoning Tract. The Board may, pursuant to approval of a Parking Management Plan, approve the use of shared parking, tandem parking or valet parking.

h. Public Parking. In addition to the parking standards of subsection 5.g above, public surface parking shall be conveniently located to encourage public access to the waterfront and to ground floor commercial uses. Public parking shall be reserved for public use and provided at a rate of one quarter (0.25) space per 1,000 square feet of ground floor retail use plus one (1.0) space for every twenty (20) feet of frontage on the Stamford Harbor within Master Plan Category #12. On-street parking within existing public street right-of-ways may be used to satisfy the public parking requirement for ground floor retail uses.

i. Public Transportation. The applicant shall implement and insure the ongoing maintenance and operation of a jitney transit system providing convenient service to the Transportation Center and downtown shopping and entertainment locations, to encourage and support the reduction of on-site parking, consistent with Transit Oriented Development principles.

j. Below Market Rate Requirement. Not less than ten percent (10%) of the total number of dwelling units within a SRD-S development shall be offered for sale or rent as Below Market Rate (BMR) units in accordance with the standards and definitions contained within Article III, Section 7.4 of these Regulations, provided that the Zoning Board may authorize this BMR requirement to be satisfied off-site through the construction of new and/or substantially rehabilitated dwelling units located within the South End Neighborhood. Where a project is constructed in phases, the required number of BMR units shall be satisfied at each phase of the development, subject to modification by the Zoning Board. The potential inclusion of "fee-in-lieu" funds generated from developments elsewhere within the City of Stamford to create additional BMR units or enhanced BMR units (i.e., larger or affordable to lower income levels) is encouraged. The Zoning Board may grant bonuses (i.e., floor area, density) deemed appropriate to facilitate the inclusion of such "fee-in-lieu" funds to create additional BMR units within the SRD-S Zoning Tract.

Alternative Methods of Compliance: In addition to the alternatives provided within Article III, Section 7.4 of these Regulations, the Zoning Board may approve BMR units at affordability levels ranging from 25% to 80% of the Area Median Income (AMI), in order to increase the opportunity and range of family incomes served by the BMR program. Subject to approval by the Board, the number of required BMR units affordable at 50% AMI may be substituted using the following approximate ratios:

One (1) BMR unit at 25% AMI equals 1.70 units at 50% AMI
One (1) BMR unit at 60% AMI equals 0.75 units at 50% AMI; and
One (1) BMR unit at 80% AMI equals 0.40 units at 50% AMI. (209-09)

k. Signage. Signage shall comply with the standards of the C-N Zoning District except as modified and adopted by the Zoning Board in the SRD-S design guidelines, provided that a wall sign may be mounted above the established roof line on a parapet façade so long as said sign does not extend above the parapet facade. (211-11)

6. Site Design and Architectural Criteria: All development within the SRD-S District shall conform to the site plan review standards of Section 7.2-D and the coastal site plan review standards and policies of Section 7, T of these Regulations, and the following additional standards:

a. Mitigation of Environmental Impact. Appropriate measures shall be taken to mitigate environmental impacts to coastal resources through sensitive design and implementation of best management technologies and methods for controlling pollutant discharges from the site. Where the Board authorizes encroachment or removal of any intertidal habitat, inland wetland or other natural resource, a suitable on-site or off-site habitat replacement program or alternative mitigation effort shall be provided consistent with local, state, or federal permits as may be required.

b. Public Access to the Waterfront. The design of waterfront improvements shall expressly encourage and invite public access through the development of uses, amenities, signage, and attractive walkways with general utility. Private use areas and vehicular traffic and parking shall be designed accordingly with preference to public pedestrian traffic. Unless waived or modified by the Board, public access shall be insured through the dedication of

a permanent easement area encompassing the area of land extending from the mean high water mark to a point thirty (30) feet inland or to the extent of any public access facilities and improvements, which ever is greater. The public access easement shall connect to any access easements on adjacent property and shall also be extended to a public street or right-of-way in a manner providing safe and convenient public access. Access improvements shall provide for the efficient movement of future pedestrian traffic, shall provide for public safety and tenant security, shall logically connect site uses and activities, and shall link smoothly with existing public access facilities on adjacent property or terminate safely at the point where continuation of such facilities cannot be reasonably anticipated. Changes of paving materials and textures within public access areas should be well considered and provide a clear transition.

c. Landscaping. All areas of the tract not devoted to buildings, structures or other designed uses shall be suitably landscaped to the satisfaction of the Board. As a minimum, 20% of the area within thirty (30) feet of the mean high water mark shall consist of landscaped area unless otherwise reduced or waived by the Board. Landscaping shall be designed, provided and permanently maintained consistent with the design and visual quality criteria of the SRD-S District and the protection of adjacent uses and neighborhoods.

d. Public Art. Enhancement of public and private areas of the site with works of art appropriate to their setting is encouraged.

e. Other Governmental Approvals. When site improvements or uses require separate approval by other municipal, state or federal units of government, evidence shall be submitted to the satisfaction of the Board demonstrating the capacity to attain such approvals in a timely manner. When issuance of any significant approvals is in question prior to the issuance of a building permit, the Zoning Board may determine that temporary mitigation and/or bonding may be required.

f. Architectural Design Principles.

1. Major public corridors shall be designed to reinforce their importance to the neighborhood by nature of building facades, main entrances, streetscape, tree planting, and minimizing curb cuts, as well as to accommodate the bulk of pedestrian, bike, and vehicular travel.

2. The development shall have a continuous street and sidewalk network with street trees that connects to the existing street system and the waterfront. All publicly accessible open spaces shall also connect to the street system.

3. New buildings and alterations of existing structures shall be sensitive to the pedestrian scale, as well as to the surrounding neighborhood character and streetscape.

4. New buildings shall have major frontages and entrances on major streets and open spaces. These frontages shall meet the sidewalk and shall not have publicly inaccessible spaces between the façade and the sidewalk. Large at-grade setbacks are discouraged except for the creation of special publicly accessible places and urban features identified within the General Development Plan.

5. New buildings and, to the extent possible, existing buildings shall have significant amount of transparent glass on the ground floor for non-residential uses fronting on public and publicly accessible spaces. The ground level shall be designed to enliven the street and promote the pedestrian scale of the overall development.

6. Large expanses of blank walls shall be avoided on the exterior walls of all new buildings and renovated structures visible from public and publicly accessible places.

7. All parking structures should be covered and integrated into the development behind active uses at the pedestrian level or screened from sensitive pedestrian level views to the satisfaction of the Board.

8. The facades of all buildings shall be constructed of high quality durable materials.

7. Review Procedures: All applications for designation and development of property within the South End Redevelopment District, South (SRD-S) District shall conform to the following procedures.

a. Application For SRD-S Designation and Approval of General Development Plan. The application to amend the Zoning Map to SRD-S and application for approval of General Development Plan and Coastal Site Plan Review shall be submitted simultaneously and acted on in common by the Zoning Board.

1. An application for SRD-S designation and approval of General Development Plan shall be submitted to the Zoning Board which shall review the submission for completeness, as defined in subsection 8.a, below. Any incomplete applications may be rejected by the Board as ineligible for consideration. The Board shall refer the complete application to the Conn. Office of Long Island Sound Programs, Conn. D.E.P. pursuant to Section 22a-103 C.G.S., and shall also refer the application to the Stamford Planning Board. The Land Use Bureau Chief shall be authorized to refer the application to any other unit of City, state, or federal government, and to convene technical staff meetings and to confer with the applicant as necessary to develop information to support a complete review of the application at a public hearing. Following a public hearing, the Board shall by separate resolutions act to approve or disapprove the petition for establishment of the SRD-S Zoning Tract, and to approve, approve with modifications, or disapprove the application for General Development Plan and the application for Coastal Site Plan Review. No SRD-S Zoning District shall be approved or shall become effective unless the Board shall also approve General Development Plan for the subject property, and record the Certificate of Approval and a copy of the General Development Plan in the land records of the City of Stamford. Upon recording of the approved General Development Plan, the SRD-S District shall be considered to be established and the Zoning Map shall be amended to show the boundaries of the SRD-S Zoning Tract area along with a reference to the location in the land records containing the General Development Plan authorizing the development.

2. Adoption of a SRD-S District shall authorize the submission of an application for final Site and Architectural Plans & Requested Uses to the Zoning Board, consistent with the approved uses, buildings, structures and site development standards, design criteria,

phasing schedule and timetable shown and described on the recorded General Development Plan.

b. Final Plans. Application for final Site and Architectural Plans & Requested Uses shall be submitted for approval to the Zoning Board in conformance with the approved General Development Plan. An application for approval of final Site and Architectural Plans & Requested Uses and Coastal Site Plan Review shall be submitted to the Zoning Board which shall review the submission for completeness, as defined in subsection 8.b, below. The Board may request additional information necessary to clarify or complete the application or may reject any incomplete application as ineligible for consideration. In acting to approve the application, the Board may direct the applicant to modify the plans and may establish reasonable conditions to insure that site improvements are provided in a timely manner to conform to the purpose and intent of the SRD-S District. Reasonable conditions may include the filing of a performance guarantee acceptable to the Office of Legal Affairs, and establishment of a timetable and construction phasing plan. The Zoning Board shall hold a public hearing on any application for final plan approval. No building permit shall be issued for the proposed development or any part thereof until the Board has approved final plans and has confirmed in writing that implementation of conditions of approval has been assured.

c. Modification of the General Development Plan. Subsequent to the approval and recording of the General Development Plan, a request to modify the approved General Development Plan shall be reviewed and acted upon by the Zoning Board following the procedures specified in subsection 7-a(1) above, provided that the Board, in its sole discretion, may waive the public hearing and notice requirement for minor modifications.

d. Conveyance of Property: Prior to conveyance of any Block, the Applicant shall file a written certification with the Land Use Bureau, executed by the Applicant, that the Block to be conveyed, as well as all remaining Blocks in the Zoning Tract, will remain in compliance with the GDP approval and conditions and these Regulations. Further, the Applicant shall identify the party responsible for completing construction of all public improvements and necessary infrastructure and providing required public services. This obligation shall cease to apply for any Block which has received final site plan approval.

8. Application Contents:

a. Application For SRD-S Designation and Approval of General Development Plan. A petition for SRD-S designation and approval of General Development Plan and Coastal Site Plan Review shall include, as a minimum, fifteen (15) copies of the following information:

1. Written Application. Written application on forms as prescribed by the Board including a project narrative describing the intended manner of development of the site including the types of uses and the principal structures and facilities to be established, a declaration and supporting data demonstrating generally how the project conforms with the purposes and criteria of the SRD-S District, and a declaration of other agency permits required.

2. Existing Conditions Survey. An accurate survey of the site including the boundaries, dimensions and acreage of the site; the location and dimensions of buildings and structures, existing uses of structures and land areas; existing site utilities and vehicle access; property ownership, structures, uses and street elevations within 200 feet of the site; land contours at a maximum of two-foot intervals and critical spot elevations; flood elevation data; the location of any easements of record; and the location of coastal resource areas based on accepted field mapping methods. Mapping accuracy of the existing conditions survey shall meet or exceeding the standards for a Class A-2 survey.

3. General Site Plans. Site plans, on one or more sheets, drawn at a scale of not less than one inch = 50 feet, unless otherwise authorized by staff, and showing, at a minimum, the following information:

a) the proposed location, Floor Area and uses of structures;
b) the proposed location and area of principal land uses and facilities;
c) existing and proposed land contours;
d) the general location and character of landscaped areas;
e) vehicle parking and loading areas, vehicle access and transportation systems;
f) public access amenities, facilities and services;
g) the boundaries of any streets, open spaces, public access areas or other easements or land rights to be conveyed to the City;
h) tabulation of all applicable standards of Section 5, building standards

4. General Architectural Plans. Preliminary architectural drawings including general plan diagrams, exterior elevations, perspective drawings and renderings for general illustration of building character and to generally establish the intended height, bulk, arrangement, setback and general character of principal buildings and structures.

5. Design Guidelines. Design information and specifications addressing conformance of the plans with the architectural design guidelines of Subsection 6.f, above, to be incorporated as conditions of Final Site and Architectural Plans & Requested Uses or prior to the conveyance of any property, whichever comes first.

6. Utilities Report. Preliminary plans and written report prepared by a qualified professional engineer specifying the means by which sewage disposal, water supply, storm water disposal, traffic and access requirements, and related services will be provided for the proposed development. The level of information, data, and scope of analysis shall be sufficient to demonstrate the ability to comply with the requirements of these Regulations and the standards and criteria of other units of government having separate jurisdiction. Where feasibility of the proposed development depends upon off-site improvements in infrastructure systems, a suitable improvement plan shall be provided.

7. Schedule of Improvements. A proposed phasing plan and timetable shall be provided indicating the completion of major site improvements, the establishment of uses, and the general sequence of construction.

b. Final Plan Submission. An application for approval of final Site and Architectural Plans & Requested Uses shall be submitted in conformance with and including all of the information required by the approved General Development Plan. Fifteen (15) copies of all final plan materials shall be submitted and shall include at least the following:

1. Final Site Plan. Plans, design details, and specifications satisfying the standards of Section 7.2C of these Regulations.

2. Architectural Plans. Full floor plans and final exterior architectural designs, elevations, perspective renderings, and the materials, finishes and colors of proposed structures.

3. Utilities Plans. Engineering design plans and specifications showing provisions for storm water drainage, water supply, sewage disposal, and traffic management, including the details of any improvements proposed within any public right-of-way or off-site.

4. Landscaping, Grading and Erosion Control Plans. Detailed plans showing the extent of any proposed excavation, dredging, grading or filling activities, including the intended timetable and sequence of such work and the means proposed to control erosion and sedimentation. Erosion controls shall conform to Section IV, Subsection 4.18 of the Subdivision Regulations. Final stabilization and landscaping plans shall include materials, specifications, plant design, and a suitable maintenance agreement.

5. Legal Documentation. Legal documentation, easements, covenants, guarantee agreements and assurances as required to implement the intent and purpose of the SRD-S District and the approved general development plan, including any provisions for public access and the protection of water-dependent uses.

9. Performance: The components of the General Development Plan shall be constructed in a timely fashion consistent with any approved phasing plan and timetable. The permit holder shall have two years from the approval of General Development Plan to submit application for approval of final Site and Architectural Plan & Requested Uses for the first phase of development, subject to one-year extensions by the Zoning Board. Failure to submit acceptable final plans shall be sufficient grounds for the Board to revoke the General Development Plan approval and to restore the original zoning district designation(s) to the subject property. The permit holder shall have two years after Final Plan approval for any phase to obtain a building permit, subject to one-year extensions by the Zoning Board. Building permits for all structures and improvements shown on the General Development Plan approval shall be obtained within fifteen years of said approval. (206-59)

K. SOUTH END REDEVELOPMENT DISTRICT, NORTH (SRD-N)

1. Purpose: The South End Redevelopment District, North (SRD-N) is a flexible design district, subject to special standards and review procedures, intended to provide for and encourage the land use planning and coordinated development of large-scale mixed-use developments that include the revitalization of industrial brown fields sites for properties located in the South End that are within, contiguous to, or separated by a street right-of-way from, a Downtown Master Plan Category. Application of the SRD-N Zoning District will be considered where a proposal meets the objectives and criteria set forth below, and where the mix of uses, architectural design, public amenities, and pedestrian oriented spaces are judged to be superior to a development conforming to the standards of the underlying zoning district(s).

2. Objectives: The Zoning Board may designate properties as a SRD-N Tract provided that the General Development Plan for the property is consistent with the following objectives:

a. The purposes and goals of Land Use Category 12 of the 2002 Master Plan;

b. An integrated mixed-use development consisting of a variety of housing types, styles and costs to promote housing choice and economic opportunity, with appropriate neighborhood retail and convenience services, office, hotel and other such uses that will contribute to the vitality of the South End;

c. Incorporation of smart growth principles including "green" building design, energy efficient development patterns, sustainability, and transit-oriented development that emphasizes a mixture of uses and densities, active storefronts, collector support transit systems (including but not limited to jitneys, buses), pedestrian friendly design, the easy use of bicycles and scooters and reduced, shared and managed parking.

d. Street and sidewalk networks designed to enhance pedestrian safety, lessen congestion, control speeding, and provide attractive and convenient streetscapes connecting to the Transportation Center and Downtown;

e. Protection and enhancement of environmentally sensitive areas with due consideration to the preservation of significant historic sites;

f. Control of the type and intensity of development to insure a positive impact on adjacent neighborhoods and the Downtown, and to prevent unacceptable adverse impact on the Downtown, municipal services, available traffic capacities and infrastructure systems.

3. Criteria for Designation of a SRD-N: In order to qualify as a SRD-N Zoning Tract, the land area must satisfy the following requirements:

a. Location. The Zoning Tract shall be located within the South End Neighborhood, defined as that area of land bounded by the Metro North Railroad tracks to the north, the East Branch of Stamford Harbor to the east, the West Branch of Stamford Harbor to the west, and Long Island Sound to the south and shall be within, contiguous to, or separated by a

street right-of-way from, a Downtown Master Plan Category.

b. Minimum Acreage. The Zoning Tract shall be in single ownership at the time of the application, not less than twenty (20) contiguous acres in area not separated by existing Public Streets. Additional parcels may not be added to the Zoning Tract.

c. Infrastructure Impact. The site shall be served by streets, municipal services and public utilities of adequate capacity to service the requirements of the site. Where infrastructure capacity is judged not to be adequate, the Board may accept a binding agreement insuring that suitable improvements are scheduled to occur or will be performed by the applicant in a timely manner. No building permit shall be issued until such agreement has been accepted by the Zoning Board.

d. Land Use Objectives. The intended use and location of the SRD-N Zoning Tract shall be consistent with the purposes and objectives of the District as set forth in subsection 1 above, and shall be consistent with the Master Plan designation of the site, and compatible with the land use planning policies and goals articulated for adjacent affected areas.

4. Uses In the SRD-N District:

a. Uses permitted within the SRD-S District with the same Floor Area limitations contained therein; provided, however that a package liquor store, when located in the same building as a Food Shop, Retail, may be exempt from the 5,000 square foot Floor Area limitation and any separation distance contained in Section 14 when approved by the Zoning Board as part of a Final Site Plan Application. (208-37)

b. Large Format Retail. A large format retail use is defined as a single retail tenant occupying not less than 40,000 square feet of floor area. Permitted large format retail uses are limited to: Drug Store; Electrical Appliances Store, Retail; Feed Stores, Hay, Grain; Food Shop, Retail; Gardening Supplies, Retail; Hardware Store; Home Center; Home Furnishings, Retail; Music Store; Office Supply Store, Retail; Pet Stores, Including Food & Accessories; and Sporting Goods Store, Retail (with not more than 40% apparel).

c. Prohibited Uses. Department Stores; stores selling primarily apparel; Entertainment Centers; Theaters (live and movie); Home Furnishings, Retail (less than 60,000 SF); and specialty retailers carrying more than 10% jewelry.

5. Standards: The following standards shall apply to the overall SRD-N Zoning Tract as a whole. Subject to approval by the Zoning Board, individual parcels may exceed the standards and limitations contained herein provided the SRD-N Zoning Tract is in compliance with all standards.

a. Residential Density. Fifty (50) dwelling units per acre, provided that total residential floor area shall not exceed an amount equal to 1,300 square feet times the maximum number of allowable dwelling units.

b. Non-Residential Floor Area. Non-residential uses, in the aggregate, shall not exceed a 0.5 FAR, provided that:

1. Retail uses shall not exceed a maximum of 0.375 FAR.

2. The SRD-N shall include a Food Shop, Retail that is not less than 40,000 square feet.

3. A maximum of five (5) Large Format Retail uses (excluding the Food Shop, Retail) shall not exceed a maximum of 0.25 FAR.

4. Any Home Furnishings, Retail use shall be a minimum of 60,000 square feet.

5. Up to 30,000 square feet of the outdoor area of a Garden Supplies, Retail use shall be exempt from the floor area limitations of this subsection.

6. Office and/or hotel use shall not exceed a maximum of 0.15 FAR. Subject to Final Site Plan Approval by the Zoning Board, and notwithstanding any other provision of these regulations to the contrary, a hotel use approved as part of a General Development Plan may be converted to, or replaced by, a residential use, provided that the number and square footage of residential units proposed does not exceed the number and square footage of hotel rooms previously approved pursuant to a General Development Plan. (212-16)

7. The floor area of structures used for public purposes (i.e. accessory park structures, public and private schools, clinics, firehouses, police substations, or similar public facilities) shall be included in all applicable zoning calculations; provided, however, that the floor area of said uses may be exempt from the calculation of permitted non-residential FAR, subject to determination by the Zoning Board.

8. Above-grade structured parking floors serving commercial or residential uses may be excluded from the calculation of permitted non-residential FAR, based on a finding by the Zoning Board that the garage structure is covered and integrated into the development behind active uses at the pedestrian level or screened from sensitive pedestrian level views to the satisfaction of the Board.

9. For every one (1) square foot of Large Format Retail use, three (3) square feet of residential use shall be provided concurrently within the South End Redevelopment District (North and South combined).

10. Cultural institutions, facilities and organizations, including public galleries, artist studios and display space, shall comprise a minimum of 5,000 square feet of floor area in the aggregate, and shall be located within the Zoning Tract or outside the Zoning Tract subject to Zoning Board approval.

c. Building Height. Building height shall not exceed one hundred and fifty five feet (155') as measured from average finished grade; provided however, that one building up to two-hundred and twenty-five feet (225') in height may be permitted for every 10 acres of SRD-N Zoning Tract area. Building floors between one hundred and twenty-five (125) feet and one hundred and fifty-five (155) feet shall be limited to a maximum individual floor plate of 15,000 square feet and building floors above a height of one hundred and fifty-five

(155) feet shall be limited to a maximum individual floor plate of 12,000 square feet. (211-09)

d. Building Setbacks. All buildings shall be setback not less than five (5) feet from any public street right-of-way or not less than fifteen (15) feet from any established curb line as designated on the General Development Plan, whichever is greater, provided the Zoning Board may reduce or waive this requirement based on sound urban design principles. Setbacks from internal property lines or parcel boundaries along private street networks shall be determined by the Zoning Board consistent with sound urban design principles and where adequate light, open space, screening, landscape, safety and privacy of residential uses is maintained. The requirements of Article III, Section 7-K of these Regulations shall not apply.

e. Building Coverage. Building coverage, in the aggregate, shall not exceed fifty percent (50%) of the Zoning Tract provided that parking structures exempt from FAR calculations pursuant to subsection 5.b.8 above may cover an additional 20% of the Zoning Tract.

f. Open Space: Ten percent (10%) of the Zoning Tract area shall be improved and dedicated as publicly accessible pedestrian-level open space, with the location and design of said open space subject to determination and approval by the Zoning Board. Said open space shall exclude any area used for vehicle circulation or parking, but may include other pedestrian ways, publicly accessible sidewalks on private land, and other publicly accessible at grade areas. All open space shall be unobstructed between the finished street level of such space and the sky, except that not more than ten percent (10%) of the total open space proposed in the SRD-N district may be roofed. Design shall encourage uses that are compatible with the public enjoyment of such open space, such as a bike rental facility, public restrooms, drinking fountains, picnic facilities and shelters, and food kiosks and vendors. Required open space shall include play areas suitable for pre-school children equal to not less than 10 square feet per dwelling unit. Such play areas may be located at the pedestrian-level on site or off-site within the South End in existing public parks, or on a roof, however, when located off-site or on the roof, such play areas shall not count toward the 10% at grade requirement.

g. Parking. The standards of Section 12 shall apply, provided the Zoning Board may authorize a reduction of parking and loading, based on a finding that the proposed mix of uses will be adequately parked at all times, subject to the following minimum standards: 1.25 spaces per dwelling unit; 2.0 spaces per 1,000 square feet of office and/or retail floor area; and 0.75 spaces per hotel room. Required parking may be satisfied on adjacent parcels within the Zoning Tract. The Board may, pursuant to approval of a Parking Management Plan, approve the use of shared parking, tandem parking or valet parking.

h. Public Transportation. The applicant shall implement and insure the ongoing maintenance and operation of a jitney transit system providing convenient service to the Transportation Center and downtown shopping and entertainment locations, to encourage and support the reduction of on-site parking, consistent with Transit Oriented Development principles.

i. Below Market Rate Requirement. Not less than ten percent (10%) of the total number of dwelling units within a SRD-N development shall be offered for sale or rent as Below Market Rate (BMR) units in accordance with the standards and definitions contained

within Article III, Section 7.4 of these Regulations, provided that the Zoning Board may authorize this BMR requirement to be satisfied off-site through the construction of new and/or substantially rehabilitated dwelling units located within the South End Neighborhood. Where a project is constructed in phases, the required number of BMR units shall be satisfied at each phase of the development, subject to modification by the Zoning Board. The potential inclusion of "fee-in-lieu" funds generated from developments elsewhere within the City of Stamford to create additional BMR units or enhanced BMR units (i.e., larger, or affordable to lower income levels) is encouraged. The Zoning Board may grant bonuses (i.e., floor area, density) deemed appropriate to facilitate the inclusion of such "fee-in-lieu" funds to create additional BMR units within the SRD-S Zoning Tract.

Alternative Methods of Compliance: In addition to the alternatives provided within Article III, Section 7.4 of these Regulations, the Zoning Board may approve BMR units at affordability levels ranging from 25% to 80% of the Area Median Income (AMI), in order to increase the opportunity and range of family incomes served by the BMR program. Subject to approval by the Board, the number of required BMR units affordable at 50% AMI may be substituted using the following approximate ratios:

One (1) BMR unit at 25% AMI equals 1.70 units at 50% AMI
One (1) BMR unit at 60% AMI equals 0.75 units at 50% AMI; and
One (1) BMR unit at 80% AMI equals 0.40 units at 50% AMI. (209-09)

j. Signage: Signage shall comply with the standards of the C-N Zoning District except as modified and adopted by the Zoning Board in the SRD-N design guidelines, provided that a wall sign may be mounted above the established roof line on a parapet façade so long as said sign does not extend above the parapet facade. (211-11)

6. Site Design and Architectural Criteria: All development within the SRD-N District shall conform to the site plan review standards of Section 7.2-D and the coastal site plan review standards and policies of Section 7, T of these Regulations, and the following additional standards:

a. Mitigation of Environmental Impact. Appropriate measures shall be taken to mitigate environmental impacts to coastal resources through sensitive design and implementation of best available technologies and methods for controlling pollutant discharges from the site. Where the Board authorizes encroachment or removal of any inland wetland or other natural resource, a suitable on-site or off-site habitat replacement program or alternative mitigation effort shall be provided consistent with local, state, or federal permits as may be required.

b. Landscaping. All areas of the tract not devoted to buildings, structures or other designed uses shall be suitably landscaped to the satisfaction of the Board. Landscaping shall be designed, provided and permanently maintained consistent with the design and visual quality criteria of the SRD-N District and the protection of adjacent uses and neighborhoods.

c. Other Governmental Approvals. When site improvements or uses require separate approval by other municipal, state or federal units of government, evidence shall be

submitted to the satisfaction of the Board demonstrating the capacity to attain such approvals in a timely manner. When issuance of any significant approvals is in question prior to the issuance of a building permit, the Zoning Board may determine that temporary mitigation and/or bonding may be required.

d. Architectural Design Principles.

1. Major public corridors shall be designed to reinforce their importance to the neighborhood by nature of building facades, main entrances, streetscape, tree planting, and minimizing curb cuts, as well as to accommodate the bulk of pedestrian, bike, and vehicular travel.

2. The development shall have a continuous street and sidewalk network with street trees that connects to the existing street system. All publicly accessible open spaces shall also connect to the street system.

3. New buildings and alterations of existing structures shall be sensitive to the pedestrian scale, as well as to the surrounding neighborhood character and streetscape.

4. New buildings shall have major frontages and entrances on major streets and open spaces. These frontages shall meet the sidewalk and shall not have publicly inaccessible spaces between the façade and the sidewalk. Large at-grade setbacks are discouraged except for the creation of special publicly accessible places and urban features identified within the General Development Plan.

5. The ground level of new buildings and, to the extent possible, existing buildings shall be designed to enliven the street and promote the pedestrian scale of the overall development.

6. Large expanses of blank walls shall be avoided on the exterior walls of all new buildings and renovated structures visible from public and publicly accessible places.

7. All parking structures should be covered and integrated into the development behind active uses at the pedestrian level or screened from sensitive pedestrian level views to the satisfaction of the Board.

8. The facades of all buildings shall be constructed of high quality durable materials.

7. Procedures, Application Contents and Performance: Development within the SRD-N shall conform to the Review Procedures, Application Contents and Performance requirements and standards of the SRD-S South End Redevelopment District, South zoning district. (206-60)

L. HOSPITAL COMPLEX DESIGN DISTRICT (210-27)

1. Purpose: Hospital Complex Design District ("HCDD") is a flexible design district, subject to special standards and review procedures, intended to provide for and encourage the coordinated and phased development of large scale Hospitals and related uses and facilities.

2. Objectives: The Zoning Board may designate properties as a HCDD provided that the General Development Plan is consistent with the following objectives: (1) the purposes and goals of the underlying Master Plan Land Use Categories in which the properties are located; (2) architectural and site development of design merit; (3) principals of sustainable building design and features appropriate for hospitals and the site; (4) street and sidewalk networks designed to enhance pedestrian safety, minimize traffic impacts and provide attractive and convenient streetscapes within the HCDD and on its borders; and (5) adequacy of infrastructure.

3. Criteria for Designation: In order to qualify for HCDD designation the proposed designated area must satisfy the following requirements:

a. Eligible Zoning Districts. The subject property shall be located in one of the following zones at the time of redesignation to HCDD: R-5, R-6, R-7.5, R-MF, R-H, and/or RM-1.

b. Eligible Master Plan Categories. The subject property shall be located in Master Plan Land Use Category #3 (Residential – Low Density Multifamily), Land Use Category #4 (Residential – Medium Density Multifamily) and/or Land Use Category #5 (High Density Multifamily).

c. Minimum Acreage. Eight (8) acres not separated by public streets or public rights of way.

d. Land Ownership. The site may be in single or multiple ownerships, however all owners shall be signatories to the application (see sub-section 6.d below).

4. Permitted Uses (all by Special Exception):

a. Hospital. A minimum of seventy five percent (75%) of the total floor area shall be a facility licensed by the State of Connecticut Department of Health as a hospital and having the facilities and medical staff to provide for the prevention, diagnosis, care, research and treatment of a wide-range of acute conditions, chronic diseases or injuries.

b. Related and Supportive Uses. Medical Professional Offices; Professional Pharmacy; Nursing Home; Residential Uses; Faculty and Staff Housing; Child Daycare Center; Physical Culture Establishment.

c. Accessory, Convenience Service Uses (no single use shall exceed 2,500 square feet of Gross Floor Area). Churches & Religious Institutions; Bank & Financial Institutions; Barber, Beauty Shops; Book Store; Confectionery Store; Copy and Communication Center; Drug Store; Dry Goods, Notions Store; Florist Shop; Food Shops, Retail; Gift

Shop; Laundry & Dry Cleaning Establishment, Retail; Newsstand, Variety Store; Optician, Repairs; Restaurant, excludes Entertainment & Liquor.

d. Helicopter Landing Facility. A maximum of one (1) Helicopter Landing Facility may be located in the HCDD for the restricted purpose of a medical emergency. As defined in section 68-1 of the Code of Ordinances of the City of Stamford, a medical emergency means an individual suffering from a bona fide life or limb threatening medical emergency. This use shall only be permitted on HCDD sites greater than or equal to sixteen (16) acres. Said facility shall be located on the roof of a building with a height of at least 90 feet above grade and the Helicopter Landing Facility shall be setback a minimum of 300 feet from all adjoining residential properties. Said authority shall be limited to landing and take-off attributed to a medical emergency and shall not extend to the permanent stationing of a helicopter in any HCDD zoning district.

5. **Standards:** The following standards shall apply to the overall HCDD Zoning Tract:

a. **Minimum Lot Size.** Eight (8) acres of contiguous land. After the time of designation to HCDD, additional parcels that are smaller than the minimum acreage that are contiguous to or, at the sole discretion of the Zoning Board, separated by a street so long as the street right-of-way width does not exceed fifty (50) feet and some portion of the frontage of each parcel is directly opposite.

b. **Floor Area Ratio (FAR).** The maximum allowed Floor Area Ratio shall be 1.25. In the HCDD, FAR shall be defined as the total floor area of the building(s) on any lot including space used for Faculty and Staff Housing, divided by the total area of such lot. Faculty and Staff Housing means dwelling units limited to occupancy by the Hospital employees and/or their immediate family members. The following shall be exempt from FAR calculations:

(i.) The first four (4) floors above grade of any structured parking facility, provided that the Zoning Board finds that the structured parking facility is satisfactorily screened from public pedestrian views and adjacent residential properties.

(ii.) Areas of any building used for the storage or housing of utility, mechanical, central heating, air conditioning, or ventilation equipment of the building.

c. **Building Coverage:** Maximum Building Coverage shall not exceed 30%.

d. **Building Height**. No building shall exceed 75 feet provided; however, that in any HCDD zoning district which is greater than sixteen (16) acres, one building may be allowed up to 210 feet and one additional building may be allowed up to 100 feet. Where multiple buildings are connected, said height shall be measured from the perimeter of the individual building. Mechanical space located on the roof, including elevator shafts or helicopter landing facilities, shall be excluded from this height calculation. (213-26)

e. **Parking**. The following parking standards shall apply in the HCDD Zone: one (1) parking space for every hospital bed, one (1) parking space for every hospital employee on campus during the peak shift. Parking for other uses in excess of 2,500 square feet shall be subject to the requirements of Section 12. The Zoning Board may in its sole discretion authorize the reduction or addition of parking based upon an analysis of the proposed uses, activities and hours of operation. The applicant may demonstrate utilization of techniques such as, but not limited to, valet parking, shared and off-site parking, shared automobiles, vans, jitneys, buses and bicycle transportation to satisfy any reduction in parking. The use of tandem parking and automobile stacking devices shall also be permitted in staff parking areas and parking areas used for valet parking services.

f. **Setbacks.** All new buildings or additions to existing buildings constructed after January 1, 2010 shall be setback a minimum of fifty (50) feet from all arterial roads as identified in the Master Plan and a minimum of twenty five (25) feet from any other public street or HCDD property boundary; provided however, the Zoning Board may reduce said setback to not less than ten (10) feet from any side or rear lot line for buildings which do not exceed 45 feet in height. Any portion of a building taller than 75 feet shall be setback a minimum of 100 feet from any boundary abutting a property zoned residential. Setbacks from internal property lines or parcel boundaries along private street networks or internal lines shall not be required. Notwithstanding the above, the Zoning Board may approve, on a site-specific basis, the appropriate relationship of yard requirements and separation of structures on the site to each other with the object of assuring adequate light, open space, screening, landscape, safety and privacy for existing and proposed dwelling units, and overall urban design considerations. The requirements of Article III, Section 7-K and 7-M of these Regulations shall not apply.

g. **Signage.** Wall signage shall be permitted on all building facades provided; however, aggregate signage shall not exceed one square foot in area for each lineal foot of lot frontage (1:1) in the HCDD located along a public street. Directional, wayfinding and emergency signs including ground signs, not exceeding 60 square feet in area and 20 feet in height limited to one per driveway entrance and at key turning points inside the HCDD as determined by the Zoning Board shall be exempt from said limitation. Signage shall be approved by the Zoning Board administratively during or following Final Site Plan review.

h. **Landscape Standards.** The following landscape standards shall apply to all improvements constructed in a HCDD after the adoption of this regulation:

(i.) Not less than 25% of the HCDD zoning district at grade shall be improved as landscaped buffer areas. For purposes of this subsection 5.h, landscaped buffer areas may include bike lanes, pedestrian walkways, pedestrian oriented hardscape and other similar improvements as approved by the Zoning Board.

(ii.) Landscaped buffer areas along all arterial streets shall have a minimum width of twenty five (25) feet and a minimum width of ten (10) feet along all other boundaries. Required buffer areas shall be maintained as unoccupied landscaped open space and shall not be used for parking, driveways, or accessory structures, other than mechanical equipment,

required curb cuts necessary to access the site, pedestrian walkways and similar improvements as approved by the Zoning Board.

(iii.) Vehicle parking areas shall be landscaped with islands, buffers and/or perimeter landscaping which shall be planted to the satisfaction of the Zoning Board.

(iv.) Notwithstanding any of the above, the Zoning Board may reduce, waive or, increase any standard contained in this subsection 5.h. with the objective of assuring adequate light, open space, screening, landscape, safety and privacy for existing and proposed dwelling units, and overall urban design considerations.

i. Environmentally Sustainable Designs. All buildings constructed in a HCDD after the adoption of this regulation shall be designed and constructed to meet Leadership in Energy and Environmental Design (LEED) basic certification standards established by the United States Green Building Council or a recognized equivalent industry standard.

j. Infrastructure Capabilities/Impact. The site shall be served by streets, public services and public utilities of adequate capacity to service the requirements of the site and use. Where infrastructure capacity is judged to not be adequate at the time of any application of HCDD approval, the Board may place a condition on any approval requiring that suitable improvements be performed in connection with work authorized by such approval.

6. Review Procedures: All applications for designation and development of property within the HCDD shall conform to the following procedures:

a. Application Procedures. Upon receipt of an application, the Zoning Board and its staff shall review the submission for completeness and determine whether further information is required. The Zoning Board and/or its staff shall refer the application to the Planning Board and any other board, commission, department or official deemed appropriate. The Zoning Board may convene such technical staff at its discretion and confer with the applicant as necessary to develop information for a complete review of the application at a public hearing.

Except as described in subsection 6.b below, no building permit shall be issued for any improvement in an HCDD zoning district pursuant to this regulation until the Zoning Board has approved an application requesting the following:

(i.) Designation of the property to the HCDD zone;
(ii.) Approval of a General Development Plan;
(iii.) Approval of a Special Exception for all requested uses; and
(iv.) Approval of a Final Site Plan.

Following a public hearing on an application for HCDD designation, General Development Plan approval, Special Exception approval, and Final Site Plan approval, the Zoning Board shall act to approve, approve with modifications, or disapprove the subject

application. The Zoning Board shall require that an approved General Development Plan and Certificate of Special Exception approval be recorded on the Stamford Land Records.

b. <u>Administrative Review</u>. Notwithstanding anything provided above, once a property has been designated HCDD and a Final Site Development Plan is approved, the following activities shall be subject to review of the Land Use Bureau Chief or his or her designee to ensure compliance with the HCDD zone standards:

(i.) Interior alterations to any buildings.

(ii.) Minor repairs and/or minor alterations, maintenance or replacement of portions of an existing building, structure, sign or other site feature that would result in no significant impact on the design, character or visual appearance of the property.

(iii.) Reorganization or relocation of existing uses.

The following activities shall be subject to Administrative Review by the Zoning Board provided that the Zoning Board may require an application and public hearing if it deems same necessary:

(i.) The exterior modifications of any building which has the effect of adding less than 5,000 square feet of Floor Area to the building and meets required setback standards.

(ii.) Signage.

(iii.) Subdivision of the HCDD zoning tract.

c. <u>Modification of General Development Plan</u>. Subsequent to the approval and recording of the General Development Plan, a request to make a significant modification of any approved General Development Plan shall be reviewed and acted upon by the Zoning Board following the procedures specified in subsection 6.a above, provided that the Board, in its sole discretion, may waive the public hearing and notice requirement for minor modifications of a General Development Plan.

d. <u>Subdivision of Property.</u> Prior to the subdivision of any part of the HCDD zoning tract, the Applicant shall file a written certification with the Zoning Board, executed by the Applicant, that the lot(s) to be created, as well as all remaining lots in the zoning tract, will remain in compliance with the GDP approval and conditions and these Regulations. Further, the Applicant shall identify in the written certification the party responsible for completing construction of all public improvements and necessary infrastructure and providing required public services.

7. <u>Application Contents</u>:

a. <u>Application for Approval of Designation as HCDD and General Development Plan Approval</u>. An application for approval of designation as HCDD and General

Development Plan approval shall include, as a minimum, twelve (12) copies of the following information:

(i.) **Written Application.** Written application on forms prescribed by the Board including a list of property owners located within the proposed HCDD, a project narrative describing the intended manner of development of the site including the types of uses and the principal structures and facilities to be established, a declaration and supporting data demonstrating generally how the project conforms with the purposes and criteria of the HCDD, and a declaration of other permits required.

(ii.) **Property Location Map.** A map depicting the location of the property to be included in the HCDD designation.

(iii.) **Existing Condition Survey.** A Property and Topographic Survey of the site including the boundaries, dimensions and area; the location and dimension of buildings and structures, existing uses of structures and land areas; existing site utilities and vehicle access; property ownership; land contours at a maximum of two-foot intervals and critical spot elevations; flood elevation data; and the location of any coastal resource areas based on accepted field mapping methods.

(iv.) **General Site Plans.** Site plans, on one or more sheets, drawn at a scale of not less than one inch = 50 feet, unless otherwise authorized by staff, and showing, at a minimum, the following information:

a) the proposed location, floor area and uses of structures;
b) the proposed location and area of principal land uses and facilities;
c) existing and proposed land contours;
d) the general location and character of landscaped areas;
e) vehicle parking and loading areas;
f) vehicle access and transportation systems;
g) public access amenities, facilities and services;
h) the boundaries of any street, open spaces, public access areas or other easements or land rights to be conveyed to the City;
i) tabulation of all applicable standards of Section 5 above.

(v.) **General Architectural Plans.** Preliminary architectural drawings including general plan diagrams, exterior elevations, perspective drawings and renderings for general illustration of building character and to generally establish the intended height, bulk, arrangement, setback and general character of principal buildings and structures.

(vi.) **Utilities Report.** Preliminary plans and written report prepared by a qualified professional engineer specifying the means by which sewage disposal, water supply, storm water disposal, traffic and access requirements, and related services will be provided for the proposed development. The level of information, data, and scope of analysis shall be sufficient to demonstrate the ability to comply with the requirements of these Regulations and the standards and criteria of other units of government having separate jurisdiction.

Where feasibility of the proposed development depends upon off-site improvements in infrastructure systems, a suitable improvement plan shall be provided.

(vii.) **Schedule of Improvements.** A proposed Phasing Plan and timetable shall be provided indicating the anticipated completion of major site improvements, the establishment of uses, and the general sequence of construction.

(viii.) **Subdivision(s)**. Any intended subdivision of the HCDD tract into separate parcels for ownership or financing purposes shall identify the intended ownership, purpose, and relationship to the HCDD District as a whole.

b. **Application for Special Exception Approval For Requested Uses.** An application for approval of a Special Exception for requested uses shall include, as a minimum, twelve (12) copies of the written application on forms as prescribed by the Board including a statement describing the specific request.

c. **Final Plan Submission.** An application for approval of Final Site and Architectural Plans & Requested Uses shall include at a minimum the following:

(i.) **Final Site Plan.** Plans, design details, and specifications satisfying the standards of Section 7.2C of these Regulations.

(ii.) **Architectural Plans.** Full floor plans depicting uses and final exterior architectural designs, elevations, perspective renderings, and the materials, finishes and colors of the proposed structures.

(iii.) **Utility Plans.** Engineering design plans and specification showing provisions for storm water drainage, water supply, sewage disposal, and traffic management, including the details of any improvements proposed within any public right-of-way or off-site.

(iv.) **Landscape, Grading, Sedimentation and Erosion Control Plans.** Detailed plans showing the extent of any proposed excavation, dredging, grading or filling activities, including the intended timetable and sequence of such work and the means proposed to control erosion and sedimentation. Erosion controls shall conform to Section IV, Subsection 4.18 of the Subdivision Regulations. Final stabilization and landscaping plans shall include materials, specifications, plant design, and a suitable maintenance agreement.

(v.) **Legal Documentation.** Legal documentation, easements, covenants, guarantee agreements and assurances required to implement the intent and purpose of the HCDD and the approved General Development Plan.

8. **Performance and Phasing:** The components of the General Development Plan shall be constructed in a timely fashion consistent with any approved Phasing Plan and timetable. When approving a General Development Plan, the Zoning Board may determine the timeframe in which the Applicant shall file Final Plans for each phase of development. In addition, the Zoning Board, upon timely application, may for good cause shown grant not more than five (5) one-year

extensions of the period within which the Applicant may obtain a building permit for each final plan. If the Applicant fails to complete all improvements shown on a GDP within fifteen (15) years following the original approval, reapproval of the GDP shall be required before any further improvements in the HCDD zone are authorized.

Miscellaneous Designed District Standards

M. The Zoning Board shall follow the same procedure in changing any property to a Designed District as that prescribed in changing to any other districts, as specified in Section 20.

1. 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. In the M-D Designed Industrial District, B-D Designed Business District and C-D Designed Commercial District the designation of property as a designed district shall not be approved until a general site development plan has been submitted to the Zoning Board and said Board finds, after a public hearing, that said plan meets the criteria and objectives contained in Subsection B of this Section 9. No building permit shall be issued to erect or alter any building or establish or change any use in a designed district until final site and architectural plans have been submitted to the Zoning Board and said Board finds, after a public hearing that said final plans are in accordance with the objectives and criteria of this Section 9 and where applicable, are in conformity with any general site development plan approved for designation of the property as a designed district. (90-022)

2. In the IP-D Designed Industrial Park District, the exterior architectural design and 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. Exterior architectural design and proposed uses for additional buildings, and modifications of site plan, and screening from adjoining residential areas, shall be submitted to and be subject to approval of the Zoning Board under the provisions of Section 9, Subsection C,9,(m) before a building permit shall be issued.

N. No building permit shall be issued for construction shown on any site and/or architectural plans given final approval by the Zoning Board after one (1) year has elapsed from the date of said final approval. In the case of R-D Designed Residential Districts where the proposed use is for twenty (20) or more dwelling units, individual building permits may be issued within three (3) years after the date of approval of the zone change to R-D. In addition, the Zoning Board, upon timely application, may for good cause shown grant not more than three one-year extensions of the period within which building permits may be obtained. (83-017; 209-035)

1. Notwithstanding the above, in the case of R-D developments of twenty (20) units or more where such units are designed as single-family detached residences situated on individual limited common element parcels, each not less than 10,000 square feet, the right to obtain a building permit for any such parcel shall not expire until ten (10) years after other extensions have expired, provided that:

    a. All required offsite improvements and Below Market Rate housing and/or fee-in-lieu payments have been satisfied;

    b. All onsite common elements, including public and private roads, utilities, drainage facilities, community septic systems, community clubhouses or pool houses, associated

common landscaping, and other improvements depicted on an approved site plan for the common use of unit owners, have been completed within three (3) years after the date of approval of the zone change to R-D, or within three (3) one-year extensions of the period.

c. The Water Pollution Control Authority confirms, per Section 9-A-2g-3(c) of these Regulations, that conditions of any operation and maintenance agreement are being satisfied, and that all payments into the Repair and Replacement Fund have been made (i.e. the Fund is fully funded for all remaining vacant parcels). (215-14)

O. All landscaping required as a condition of site plan approval in the B-D Designed Business District, C-D Designed Commercial District, M-D Designed Industrial District and IP-D Designed Industrial Park District shall be installed to the satisfaction of the Superintendent of Parks and shall thereafter be maintained in accordance with an agreement to be made part of the application of record, which agreement shall be enforced by the Building Inspector and Zoning Enforcement Officer, upon advice of the Superintendent of Parks.(78-026)

P. Within the R-MF and the R-5 designed district, the Zoning Board may approve a Special Exception use of an existing structure that is non-conforming with respect to the minimum yard standards of Appendix B, provided the application complies with all other applicable standards of these Regulations. (201-08)

Q. Notwithstanding anything contained elsewhere in these regulations, on any lot in any Design District where Zoning Board review and approval is required, the bulk, height and location of all accessory structures shall be determined by the Zoning Board in its sole discretion. (206-52)

ARTICLE IV - SPECIAL REGULATIONS

SECTION 10 - NON-CONFORMING USES

A - Any building or use of land or building legally existing at the time of enactment of this Regulation, or of any amendments thereto, or authorized lawful permit issued prior to the adoption of these Regulations which does not conform to the provisions of these Regulations for the Use Districts in which it is located, shall be designated a non-conforming use. Such use may be continued but may not be extended or expanded, or changed to a less restrictive use as listed in the LAND USE SCHEDULE in APPENDIX A.

B - The total structural repairs and alterations that may be made in a structure which is non-conforming in use only shall not exceed fifty percent (50%) of its replacement value at the time of application for the first structural change, unless changed to a conforming use. The foregoing provision in this Subsection with reference to limitations on structural repairs and alterations need not apply to that part of any building used for residence purposes located in any Business or Industrial District, not conforming to the SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF BUILDINGS in APPENDIX B, except that no additional dwelling units shall be permitted in any such building in which structural repairs or alterations are undertaken unless the density provisions of SCHEDULE OF REQUIREMENTS for minimum number of square feet of lot area per family can be complied with for the district in which such building is located.

C - Any non-conforming building or structure or one or more of a group of non-conforming buildings or structures which has been or may be damaged by fire, flood, explosion, earthquake, war, riot, act of God or act of any governmental authority, may be reconstructed and used as before, if reconstruction is started with twelve (12) months of such calamity, provided that the restored building covers no greater area or has no greater cubic content and has equal or greater front, side and rear yards.

D - A building structure or portion thereof, non-conforming as to use, which is, or hereafter becomes vacant or remains unoccupied for a continuous period of one (1) year shall not thereafter be occupied except by a use which conforms to the use regulations of the district in which it is located.

E - Any building constructed prior to July 1, 1955, or any plot for which a building permit has been issued prior to that date having area, front, side and/or rear yard insufficient to comply with the Regulations then in effect shall nevertheless be deemed to be lawfully non-conforming with respect thereto and may be continued.

F - Any lot located within a residence district and supporting a commercial use of land or use of a structure that is non-conforming with respect to the permitted uses of Appendix A - LAND USE SCHEDULE, where such non-conforming commercial use exceeds either 50% ground coverage or a floor area ratio of 0.30 of such lot, shall not be reduced with respect to the original acreage, frontage, width, or configuration of such lot existing at the time that the use first became non-

conforming. Such lots may however be modified or combined with adjacent lands provided that the non-conforming use shall not be expanded, intensified or extended into adjacent lands. No new permitted uses, structures or buildings shall be established on any lot supporting a use of land or use of a structure that is non-conforming with respect to the permitted uses of Appendix A that would increase the degree of non-conformity or exceed the maximum intensity of use permitted for the district. Intensity of non-residential uses shall be equated on a residential density basis of not more than 800 square feet of gross non-residential floor area per dwelling unit, or such lesser amount deemed appropriate based on the character of the non-residential use. (86-015)

G – In order to preserve historic and legally nonconforming buildings that contribute to the character of the neighborhood, building(s) in the R-10 District originally designed and used for religious and/or educational purposes for a period in excess of forty (40) years may be used for dormitories serving children high school aged or younger with accessory onsite staff living quarters pursuant to a Special Exception granted by the Zoning Board. Incidental uses may also be allowed, such as (1) school or educational uses (2) tutoring and extra-curricular classroom and lecture areas, and (3) art studio space, and other supplemental uses provided that:

(a) No structural change is made to the exterior of the building except as is necessary to provide access for handicapped persons, for code compliance, or for customary repair and maintenance; and no increase in legally nonconforming floor area.

(b) Where the existing number and design of parking spaces and access thereto is legally nonconforming, the Zoning Board may (1) allow such nonconformities to remain, and/or (2) approve an alternate design that decreases the nonconformities and where the Zoning Board makes a determination that the proposed plan provides for adequate parking. Drive aisles serving fifteen (15) or fewer spaces may be not less than ten (10) feet in width for one way access.

(c) The building is connected to the city sanitary sewer system

(d) On corner lots, ground mounted mechanical equipment may be located in a front yard provided such equipment is not less than ten (10) feet from a property line and suitably screened from public view.

(e) For applications under this Section 10-G, the requirements of Section 19-3.2(e) shall not apply, provided that: total ground coverage shall not exceed 52.5%; any new parking spaces shall be a minimum of 20 feet away from the longest street frontage and 10 feet away from all other street frontages and residential properties; and not less than 50% of the total perimeter of all buildings shall satisfy the landscape buffer requirement.
(87-028, 214-36)

H - Subject to Special Exception Approval by the Zoning Board, any existing building located within the Master Plan Category 10 (Downtown Corridor) or Master Plan Category 11 (Downtown Core) or in the R-MF or R-H Zone, and used for commercial purposes including buildings that are non-conforming with respect to Appendix B - SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF BUILDINGS, may be converted, in whole or in part, to residential purposes provided that:

1. Notwithstanding the limitations of Appendix B, residential density shall not exceed one (1) dwelling unit per 800 square feet of converted gross commercial floor area provided that not less than six percent (6%) of the total number of dwelling units shall be offered for rent or sale as Below Market Rate (BMR) units in accordance with the standards, definitions and procedures contained within Article III, Section 7.4 of these Regulations. The Zoning Board may approve a residential density not to exceed one (1) dwelling unit per 600 square feet of converted gross commercial floor area provided that not less than ten percent (10%) of the total number of dwelling units shall be offered for rent or sale as Below Market Rate (BMR) units in accordance with the standards, definitions and procedures contained within Article III, Section 7.4 of these Regulations. The Zoning Board may approve a residential density not to exceed one (1) dwelling unit per 450 square feet of converted gross commercial floor area provided that not less than fifteen percent (15%) of the total number of dwelling units shall be offered for rent or sale as Below Market Rate (BMR) units in accordance with the standards, definitions and procedures contained within Article III, Section 7.4 of these Regulations and provided that the property is located within the Downtown Core of the Master Plan. Where the number of BMR units is increased to not less than fifteen percent (15%) of the total number of dwelling units, the Zoning Board at its discretion may modify or waive the requirements of Section 7.4 that BMR units be reasonably distributed throughout the project, be provided in a mix of unit types, have an average floor area comparable to the floor area of two-bedroom market rate units within the development if no such units exist, and have amenities comparable to the market rate units within the development. In all other respects such BMR units shall be provided in accordance with the standards, definitions and procedures contained within Article III, Section 7.4 of these Regulations. (206-54; 210-27)

2. The number of parking spaces provided shall satisfy the standards of Section 12 of these Regulations provided that the Zoning Board may authorize a reduction in the number of spaces in accordance with the standards of Section 12-D-1(b), and such spaces may include any parking space originally serving the commercial use including offsite spaces within 500 feet of the site, and spaces that are nonconforming. The Zoning Board may reduce the required parking in the Downtown Core to one (1.0) space per dwelling unit of one bedroom or less. (208-31; 210-27; 214-22)

3. Expansion of usable Floor Area shall be limited to the infill of unenclosed areas that are below the existing perimeter walls of the principal building, or to the conversion of portions of structured parking garage floors for tenant storage, amenity space or uses to further below market rate housing objectives. Expansion beyond the walls of the existing building shall be limited to exterior stairways, canopies, architectural features to enhance the residential character, or other improvements necessary to comply with Building Codes or other Municipal, State or Federal Public Safety Codes, not to exceed two and one-half percent (2.5%) building coverage. (207-06)

4. Notwithstanding standards set forth elsewhere in these regulations, useable open space shall be provided on site, with the amount, location and design of such open space subject to determination and approval of the Zoning Board. (93-011; 94-005)

5. Notwithstanding paragraph 3 above, expansion of a commercial building to be converted

to residential use shall be permitted under the following conditions:

a. A vacant parcel is contiguous to, under common ownership with, and in the same zoning district as the commercial building to be converted.
b. The residential density and building coverage of the expansion shall not exceed that allowed as-of-right for the vacant parcel.
c. The height of the expansion does not exceed the lesser of (i) height of the commercial building to be converted (which height may not be increased) or (ii) ten (10) feet greater than the height permitted in Appendix B; and provided that if the height of the expansion exceeds the height permitted in Appendix B the minimum setbacks of the expansion from all side and rear lot lines shall be increased by an additional one-half foot (0.5') for each one foot (1') of height over the limitation in Appendix B.
d. The vacant parcel shall be merged with the lot of the converted commercial building prior to the issuance of a certificate of occupancy.
e. The standards of paragraph one of Section 10-H shall govern the Below Market Rate (BMR) housing requirement of dwelling units created by conversion of commercial floor area. New dwelling units constructed by expansion of the converted commercial building shall provide BMR units equal to not less than ten percent (10%) of the number of dwelling units constructed, in accordance with the standards, definitions and procedures of Section 7.4 of these Regulations. (208-31)

6. If residential density exceeds one (1) dwelling unit per 600 square feet of converted gross commercial floor area, requirements for BMR units specified in Section 10H-1 shall be met
by maintaining at all times fifteen percent (15%) of the total number of dwelling units as BMR units without designating specific units. (210-27)

I - Subject to Special Exception Approval by the Zoning Board, any existing building located in the RM-1 Zone that is non-conforming with respect to Appendix A - LAND USE SCHEDULE and Appendix B - SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF BUILDINGS, may be converted to residential purposes provided that:

1. Notwithstanding the limitations of Appendix B, residential density shall not exceed one (1) dwelling unit per 2000 square feet of converted gross floor area.

2. The number of parking spaces provided shall satisfy the standards of Section 12 of these regulations, and may, subject to determination and approval of the Zoning Board, include existing parking space serving the nonconforming use including offsite spaces within 500 feet of the site, and spaces and aisle widths that are nonconforming;

3. No expansion of nonconforming building(s) shall be permitted, except modifications not exceeding two and one half percent (2.5%) coverage shall be limited to exterior stairways, canopies, or other improvements necessary to comply with the Building Code or other Municipal, State or Federal Public Safety Code;

4. Notwithstanding standards set forth elsewhere in these regulations, useable open space shall be provided onsite, with the amount, location and design of such open space subject to determination and approval of the Zoning Board.

5. Ten percent (10%) of the proposed dwelling units shall be Below Market Rate (BMR) units affordable to households earning not more than fifty percent (50%) of the Stamford Metropolitan Statistical Area (SMSA) median income and shall be designed, constructed, sold and/or rented, and managed in accordance with written policies, definitions and guidelines as officially adopted by the Zoning Board and/or City of Stamford, as amended from time to time. BMR units offered for sale shall be limited to a selling price not to exceed a dollar amount equal to 1.50 times the criteria median household income, according to unit type.

6. The non-conforming use shall not be extended, expanded or changed to a less restrictive use. (202-08)

J – Subject to Special Exception Approval by the Zoning Board, sites located in the C-N zoning district, that as of November 28, 2005 have a minimum of two acres containing an existing non-conforming building or building(s), may be adaptively reused or redeveloped in whole or in part, provided the following special standards are satisfied:

1. All non-conforming uses with respect to Appendix A shall be eliminated and office use shall not exceed 0.1 FAR for the entire property. (208-42)

2. The existing amount of floor area in excess of 0.30 FAR shall be reduced by not less than fifty percent (50%).

3. Building coverage may be increased by one square foot for every two square feet of reduction of building floor area in excess of 0.30 FAR, provided that total building coverage shall not exceed forty-five percent (45%).

4. Not less than fifty percent (50%) of required parking shall be located beneath the building or integrated into the building and screened from sensitive views to the satisfaction of the Zoning Board.

5. Vehicular access and egress shall both be limited to State Highways.

6. Individual uses and changes of use with a floor area in excess of twelve thousand (12,000) square feet shall require administrative approval by the Zoning Board. (205-26)

K - Subject to Special Exception approval by the Zoning Board and notwithstanding the limitations in Article IV Section 10, any nonconforming building located within the C-B Zoning District may expand usable Floor Area provided the following standards are satisfied:

1. Any increase in total Floor Area shall not result in an increase in new or additional building coverage or height; and

2. Any additional Floor Area shall be devoted to common areas or lobbies and shall be in furtherance of adaptive reuse or redevelopment of the building for modernization, aesthetic, safety or sustainability purposes.

Expansion beyond the building envelope of the existing building shall be limited to canopies and architectural features which enhance the aesthetic appearance of the building. Said improvements shall not be considered new or additional building coverage provided same do not exceed two and one-half percent (2.5%) building coverage.

Conditions placed on granting of a special exception pursuant to this subsection by the Zoning Board shall be deemed to supersede and replace any conditions or limitations previously imposed by the Zoning Board or Zoning Board of Appeals. (210-21)

SECTION 11 - PUBLIC GARAGE, SERVICE STATIONS AND AUTOMATIC CAR WASH ESTABLISHMENTS

A - Under no circumstances shall there be allowed the erection or enlargement of a public garage for more than five (5) motor vehicles or a motor vehicle service station or gas filling station, or the conversion of any premises not so used, to be used for such purposes in any district, if any part of the lot or plot in question is situated within a distance of two hundred feet (200') from the entrances to any public park or playground, (excluding small park areas within the boundaries of a highway), or from the nearest point of any building in which there is established and maintained a school, hospital, church, theater, public library, or building for civic assembly.

B - No existing public garage for more than five (5) motor vehicles or motor vehicle service station, or gasoline filling station conforming to these Regulations at the time of its erection shall be deemed to be a non-conforming use through the subsequent construction of such park, school, hospital, church, theater, public library, or civic assembly building within the prescribed area.

1. On any parking lot located within the CC-N Central City District North upon which lot is situated a public parking garage with a capacity of not less than five hundred (500) motor vehicles and which parking facility is owned or operated by the Stamford Parking Authority, there may be installed and erected not more than three (3) privately operated gasoline pumps on a single pump island which dispense gasoline to the public together with a pump operator's booth or building which does not exceed four hundred (400) square feet in size. Such pumps and booth or building may be constructed in an open portion of such parking lot or within the parking garage. Such pumps shall be advertised by not more than one (1) sign which shall not exceed sixteen (16) square feet in size. In such cases where all, or a portion of the parking area has been assembled in accordance with an approved urban redevelopment or renewal plan, the location of such pumps, booth or building, and sign shall be determined by the Urban Redevelopment Commission after consultation with the Stamford Parking Authority, provided that any pumps not installed within the parking garage shall comply with Subsection A and C-4 hereof and all gasoline storage tanks shall be installed in accordance with Subsection C-7 hereof.

C - Approval of an application for a gasoline filling station by the Zoning Board of Appeals shall include the following additional standards:

1. Use of a Gasoline Filling Station shall be limited to the retail sale of motor fuel, lubricants and other motor vehicle supplies and parts, and customary minor repair and service activities, not including body and fender work. Minor repair and service activities shall not exceed those allowed by the State Motor Vehicle Department under a Limited Repair License. A Gasoline Filling Station may also be used for the retail sale of food, household and personal items normally associated with a convenience store, pursuant to a special exception; provided that such convenience store use is not permitted in any Residential District and is not permitted in the C-N Neighborhood Business District for property abutting land zoned RA-1, RA-2 or RA-3. (87-009, 207-57)

    a. Use of a gasoline filling station for the sale of new or used motor vehicles shall not be

permitted in any C-N Neighborhood Business District.

b. Use of a gasoline filling station for the rental of trailer vehicles shall not be permitted in any C-N Neighborhood Business District.

2. All repair and service work other than emergency services shall be conducted entirely within a building.

   a. There shall be indoor bays or garage space for not less than two (2) motor vehicles.

   b. There shall be no outdoor storage of partially dismantled motor vehicles except for temporary parking before and after servicing.

3. The site of a gasoline filling station shall have a frontage on one (1) street of at least one hundred feet (100') and shall have a minimum area of at least ten thousand (10,000) square feet.

4. Gasoline pumps and other service equipment shall be set back from any street lot line at least twenty feet (20') and not less than twenty-five feet (25') from any other adjacent property line unless greater distances are specified in the SCHEDULE OF REQUIREMENTS, and all other buildings and structures shall be set back at least thirty feet (30') from any boundary line of any contiguous lot in a Residence District unless greater distances are specified in the SCHEDULE OF REQUIREMENTS; and a landscaped area at least ten feet (10') in depth containing a dense screen of evergreens at least six feet (6') in height shall be maintained for the full length of the boundary line between any gasoline filling station and any contiguous lot in a Residence District, except that in the case of any gasoline filling station in any M-L Light Industrial District or M-G General Industrial District, said screen of evergreens need not be provided between any gasoline filling station and a contiguous lot in a Residence District, but, if said screen of evergreens is not provided, then instead there shall be required a solid fence at least six feet (6') high with the smooth side facing any contiguous lot in a Residence District.

5. There shall be no more than two (2) driveways entering on any street. Such driveways shall not be more than fifty feet (50') wide nor less than twenty-five feet (25') wide measured along the street lot line, nor shall such driveways be closer together than fifteen feet (15') measured along the street lot line and said driveways shall be at least ten feet (10') from any intersection of public streets as measured along the street lot line; nor shall any driveway be located within ten feet (10') of any adjoining property line.

   a. All driveways and automobile service areas shall be permanently improved with a paved surface.

6. There shall not be more than two (2) pump islands for every ten thousand (10,000) square feet of lot area. No pump island shall have more than three (3) pumps. One additional pump island shall be allowed for each additional five thousand (5,000) square feet of lot area in excess of ten thousand (10,000) square feet.
7. Storage tanks for gasoline or other motor vehicle fuels shall be located underground at least sixteen inches (16") below finished grade, with a six inch (6") reinforced cover. The amount

of fuel stored shall be limited to thirty thousand (30,000) gallons, and storage tanks shall be set back at least fifteen feet (15') from any lot line and thirty feet (30') from the boundary line of any contiguous lot in a Residence District, unless greater distances are required under any other law or regulation. (79-031)

8. Signage and Lighting.

   a. No ground sign or pole sign erected on the premises of any service station shall exceed sixty (60) square feet in area and no side of the sign face may exceed ten (10) feet in length. No part of any such ground sign or pole sign shall exceed twenty-one (21) feet in height, nor shall any ground sign or pole sign be so arranged so as to obstruct visibility for drivers or pedestrians. Not more than two (2) such ground or pole signs may be erected on the premises. The total area of all additional signage shall not exceed two (2) square feet in area for each lineal foot of building frontage, or eighty (80) square feet, whichever is greater. For each street on which the property fronts, a maximum of twenty (20) square feet of this additional signage may be erected on a canopy over pump islands.

   b. Lighting, including permitted illuminated signs, shall be so arranged as not to reflect or cause glare into any Residence District. (200-32)

9. There shall be provided at least one off-street parking space for each employee of any shift but in no case less than two (2) employee off-street spaces shall be provided, and one (1) off-street parking space for each service bay shall be required provided that said service bays shall not be counted as off-street parking spaces.

D - The Zoning Board of Appeals may permit, upon application and following due notice and public hearing, the location of an <u>automatic car wash establishment</u> in the C-L Limited Business District, the C-I Intermediate Commercial District, the C-S Shorefront Commercial District, the M-L Light Industrial District, and the M-G General Industrial District, subject to the following standards and any other conditions or safeguards deemed desirable by the Zoning Board of Appeals in the public interest. (75-013, 83-003, 201-30)

1. The provisions under Subsection C, Item 5 (a), of this Section with reference to locations and width of driveways and paved surfacing shall also be applicable to automatic car wash establishments.

2. Outdoor advertising shall be limited to the standard type of permanent signs indicating the name of the company and the insignia and description of products and services available on the premises.

   a. Not more than one (1) pole sign may be erected on the premises of any automatic car wash establishment, nor shall any pole sign be so constructed or arranged as to obstruct visibility for drivers or pedestrians, provided further that the maximum height of any such sign, including its base, shall not be greater than twenty-one feet (21') from the established grade of the immediate area.

   b. Lighting, including permitted illuminated signs, shall be so arranged as not to reflect or cause glare into any Residence District.

3. Off-street parking space shall be provided to accommodate not less than the number of cars equal to one-half (1/2) of the hourly maximum operational capacity.

4. The minimum lot area for the location of an automatic car wash establishment shall be not less than three-fourths (3/4) of an acre.

5. The minimum distance between any street lot line and the nearest part of any principal and accessory building or structure used in connection with the operations of washing and drying cars shall not be less than forty feet (40'), nor shall any vehicle be parked or left standing within ten feet (10') of any lot line, provided further that all buildings and structures shall be set back at least thirty feet (30') from any boundary line of any contiguous lot in a Residence District unless greater distances are specified in the SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF BUILDINGS in APPENDIX B; a landscaped area at least ten feet (10') in depth containing a dense screen of evergreens at least six feet (6') in height shall be maintained for the full length of the boundary line between any automatic car wash establishment and any contiguous lot in a Residence District, except that in the case of any automatic car wash establishment in any M-L Light Industrial District or M-G General Industrial District, said screen of evergreens need not be provided between any automatic car wash establishment and a contiguous lot in a Residence District, but if said screen of evergreens is not provided, then instead there shall be required a solid fence of at least six feet (6') high with its smooth side facing any contiguous lot in a Residence District.

SECTION 12 - AUTOMOBILE PARKING AND LOADING SPACE

A - Off-street parking space, loading and unloading space, shall be provided according to the following minimum requirements, and such space shall be served with necessary driveways appurtenant thereto and giving access thereto, provided further that such parking space, driveways, and circulation roadways shall be prepared in accordance with City standards and paved with asphalt or concrete, and shall be designed in accordance with the standards set forth in the following subsections, diagrams, or combinations thereof, and shall be subject to the written approval of the Director of Operations or designee. Unless authorized by written approval of the Director of Operations or designee, no support column or other obstruction shall be allowed to encroach into any parking or loading space required below. (97-038)

1. The dimensions of stalls for all required off-street parking spaces shall be not less than nine feet (9') wide, measured at right angles to the direction of the stall and eighteen feet (18') long, measured parallel to the direction of the stall, except as provided in paragraphs 2 and 3 of this subsection. Full-size parking stalls shall be striped using white traffic pavement marking paint.

2. Stalls may be provided for non-transient parking when the total number of parking spaces required by zoning is in excess of thirty (30). Non-transient stalls may be eight and one-half feet (8 1/2') wide, measured at right angles to the direction of the stall and eighteen feet (18') long measured parallel to the direction of the stall. Non-transient spaces shall be striped with white traffic pavement marking paint. When incorporating a mix of transient and non-transient spaces, the transient spaces shall be signed for visitors and the number of nontransient for each land use may not exceed the percentages, defined in the following table, of the total number of spaces required by these regulations:

	Allowable Percentages	
Land Use	Non-transient	Transient
Office (General & Corporate)	80	20
Industrial	90	10
Retail	0	100
Recreation/Entertainment	0	100
Residential	0	100

3. For small car spaces provided in accordance with paragraph 5 of this Subsection, the dimension of stalls shall not be less than seven and one-half feet (7 1/2') wide, measured at right angles to the direction of the stall and sixteen feet (16') long, measured parallel to the direction of the stall. The rear boundary of any small vehicle space shall be striped so as to define the exact limits for parking. Small car spaces shall be striped with yellow traffic pavement marking paint. Signing shall be placed in appropriate locations throughout the facility indicating "YELLOW PARKING SPACES FOR COMPACT VEHICLES ONLY". Vehicles using compact spaces must not extend over pavement markings.

4. Minimum stall depth aisle and bay width dimensions, in feet, for required off-street parking layouts in relation to angle of parking, shall be according to Table 12,A,(4) and Figure 1.

TABLE 12, A, (4)

PARKING LAYOUT DIMENSIONS - REGULAR VEHICLES

		One-way Flow		Two-way Flow	
		W_a	W_b	W_a	W_b
Angle	d	1	1	2	2
45	19	12	50	20	58
55	20	13	54	20	60
60	20	16	56	20	60
75	20	19	59	20	60
90	18	20	56	20	56

Note: Dimensions apply for Ws = 9 feet and Ws = 8 1/2 feet; all parking provided parallel to the direction of traffic flow (0^0) shall have a stall length of 22 feet to allow for vehicle maneuvers.

5. Provided that the number of parking spaces required by zoning is in excess of ninety-nine (99), the number of parking spaces actually provided may be increased by allowing construction of small car spaces representing up to thirty percent (30%), each, of the number of transient and non-transient spaces provided in accordance with paragraph 2 of this Subsection. Such small car spaces shall be provided in continuous uniform bays unless approved by the Zoning Board pursuant to a site plan review or in the case of an as-of-right project by the written approval of the Director of Operations or designee. The minimum bay width dimensions, in feet, in relation to angle of parking shall be as shown in Table 12,A,(5) and Figure 1. In cases where small cars and regular vehicles are provided for in the same parking bay, the Wa dimensions specified in Table 12,A,(4) shall govern. (82-028, 97-038)

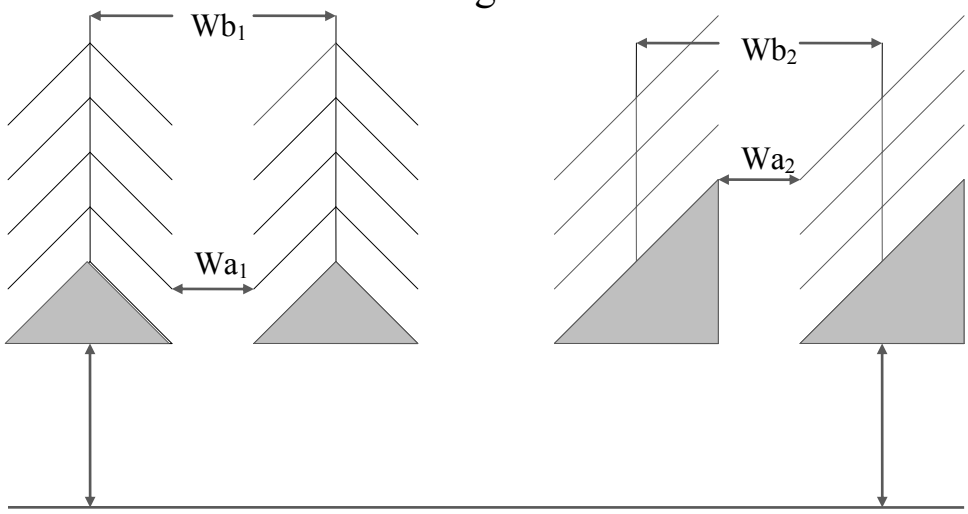
TABLE 12,A,(5)

PARKING LAYOUT DIMENSIONS - SMALL VEHICLES

		One-way Flow		Two-way Flow	
		W_a	W_b	W_a	W_b
Angle	d	1	1	2	2
45	17	12	46	20	54
55	18	12	48	20	56
60	18	14	50	20	56
75	18	17	53	20	56
90	16	20	52	20	52

Note: Dimensions apply for Ws = 7 1/2 feet; all parking provided parallel to the direction of flow (0^0) shall have a stall length of 19 feet to allow for vehicle maneuvers.

Figure 1



6. When the total amount of parking required by zoning is in excess of forty-nine (49) spaces, the access driveways or roadways provided for access to a required off-street parking area shall be not less than twenty-four feet (24') in width between curbs for two-way operation and fifteen feet (15') in width for one-way operation, provided further that in no case shall parking be permitted within the required minimum width of any such driveway. When the required parking is from eleven (11) to and including forty-nine (49) spaces, the two-way dimension may be reduced to twenty feet (20') and the one-way dimension to twelve feet (12'). Access to parking areas serving ten (10) or fewer spaces shall be not less than ten feet (10') in width for either one-way or two-way operation. (79-036)

7. In the case of an inclined ramp not incorporating helix type construction leading to multi-story, underground or overhead off-street parking, loading and unloading facilities, no such ramp shall be less than twenty-eight feet (28') wide including two foot (2') wide center divider concrete curb and one foot (1') wide concrete curb on each side for two-way traffic, nor less than fourteen feet (14') wide including one foot (1') wide concrete curb on each side for one-way traffic, and the minimum width of each lane from curb to curb shall not be less than twelve feet (12'), nor shall the maximum grade of any such ramp be greater than eleven percent (11%), provided further that the maximum grade of any such ramp for a distance not less than twenty feet (20') from the street property line in the direction of the off-street parking facility shall not be more than six percent (6%). The maximum allowable gradient on garage ramps utilized for parking shall not exceed five percent (5%). The internal control height of any garage shall not be less than seven feet (7').

8. Location of intersections of such access driveways with street, and any necessary curb cuts in relation thereto, shall be subject to the approval of the Director of Operations or designee and the City Engineer. Approval of the location of an access driveway shall not be granted when, in the opinion of the Director of Traffic and Parking, such location will constitute a hazard to motorists or impede the orderly and safe flow of traffic and pedestrians. In his review, the Director of Traffic and Parking may consider volumes to be generated by the proposed land use, sight distances, existing traffic control devices, adjacent land use (existing or proposed), and such other factors as may, in his opinion, be relevant to the review of the proposed

driveway location. (97-038)

9. Where one hundred (100) or more parking stalls are to be provided or where the proposed use of the property is the establishment of a fast-food restaurant, the developers shall submit three (3) copies of a traffic and access study prepared by a professional engineer, registered in the State of Connecticut, with expertise in traffic engineering, as a part of the application to the Department of Traffic and Parking. This study shall project traffic flows to be generated by the facility, site orientation of vehicle trips, and existing and future levels of service on the area roadway network. (79-007)

10. Curb cuts to parking areas serving ten (10) or fewer parking spaces shall not exceed fifteen (15) feet in width. In all Residence Districts, a minimum of seventy-five feet (75') of frontage is required for a circular driveway. In all Residence Districts the maximum number of curb cuts allowed for a corner lot shall be two (2). (210-09)

B - Such parking area shall be freely accessible and shall be deemed to be required space on the lot, or on any lot used for required parking provided that the distance from any part of such parking lot in the case of multiple family or town house construction, shall not be greater than two hundred and fifty feet (250') from any dwelling unit which said parking lot is intended to serve. (71-010)

1. In all zones such space shall not be closer than three feet (3') to any property line or closer than five feet (5') to any building used for residential purposes, except that the Zoning Board, by issuance of a special exception, may reduce or waive the five (5) foot setback when the adjacent residential floor is not less than five feet above the grade of the affected parking space(s). (71-010; 202-15)

2. The provisions of Section 12, Subsection B,1 shall not apply to any parking area which is (a) located directly beneath at least one story of a conforming building on the lot for which such parking is provided, and which does not extend beyond the building lines of the aforesaid building; (b) located upon the roof of a conforming building for which such parking is provided; (c) located within the Downtown, as depicted on the 2002 Master Plan Map, provided that said parking does not interfere with pedestrian or vehicular movements or streetscape considerations. (71-010; 96-012, 211-18)

3. The provisions of Section 12, subsection B shall not prohibit the use of tandem parking on any lot supporting only a one-family or a two-family use within the R-7.5, R-6, RM-1 or R-5 District. On such lots, one minimum required parking space may have its access obstructed by one other parking space provided for the same dwelling unit. The five (5) foot setback requirement of subsection 12.B.1 may be waived when the tandem space is in front of a garage space. On such lots, access to parking may be designed for the backing of a vehicle across a sidewalk or into any street provided the street shall not be designated as a Major Arterial or Secondary Arterial within the Stamford Master Plan, as amended. (210-09)

4. No parking area extending beyond the building lines of a building on the lot shall be permitted, with the exception of any parking area complying with the provisions of Section 12, Subsection B.1 B.2, and B3. (71-010; 210-09)

C - Yard space, as required by these Regulations, may be used for off-street parking space, driveways, loading and unloading space, except that parking, loading and unloading shall not be permitted on a lot within ten feet (10') of any street line. (99-004)

1. The front yard space of any lot within the R-7.5 or R-6 District and any lot of less than 30,000 square feet in the RM-1 or R-5 District may be used for not more than two (2) required off-street parking spaces and/or appurtenant access driveways only in conformance with the following standards:

   a. The combined area of all parking spaces, passageways, access driveways and associated paved areas shall not exceed fifty percent (50%) of the area of the front yard.

   b. All remaining portions of the front yard shall be landscaped and maintained in any combination of lawn, groundcover, flower beds, grasses, shrubs, trees and other living plant materials, including incidental pedestrian walkways not to exceed four feet (4') in width, fences, walls and other structural features permitted to extend into the front yard.

   c. The fifty percent (50%) paved surface area limitation may be exceeded to provide handicapped accessibility improvements or where the existing front setback is non-conforming and both side yards are less than ten (10) feet in width and the paved area does not exceed six hundred (600) square feet in area. (210-09)

D - Except as otherwise provided for herein, the following standards for off-street parking space shall be required:

1. Parking space for five (5) vehicles for every three (3) <u>dwelling units</u> occupying any lot, except that:

   a. Parking space for one and one-half (1-1/2) vehicles for each dwelling unit may be provided when the following conditions are satisfied:

      i. The dwelling unit consists of not more than one (1) room in addition to a bathroom and kitchen, or not more than one (1) room in addition to a bathroom and any combination or combined arrangement of living-dining and kitchen facilities; or

      ii. The dwelling unit, regardless of size, is constructed with federal, state or municipal financial assistance in the form of a grant, loan, or below market interest rate mortgage for an individual or family of low or moderate income whose admission to such unit is restricted on the basis of maximum income limitations set by federal, state or municipal governmental authority. Where such units are limited to elderly persons, and/or disabled persons, parking space for one (1) vehicle shall be required for each three (3) such units, subject to the approval of a Special Exception or Site and Architectural Plans by the Zoning Board. (72-027; 203-40)

      iii. Or the dwelling unit is both limited to elderly persons and 24 hour limousine service is available to the occupants as part of the congregate living. (71-012)

      iv. The lot supports only a two-family use. (210-09)

b. In the P-D and the R-H Districts, pursuant to a Special Exception granted by the Zoning Board, the number of residential off-street spaces provided shall not be less than one and one quarter (1 ¼) spaces for each unit of one bedroom or less, one and one half (1 ½) spaces for each two bedroom unit, or two (2) spaces for each unit of three bedrooms or more. (211-36)

c. On sites within the Architectural Review District boundaries and located in the CC-N and C-G districts, as well as sites within the MX-D infill zoning district, there shall be a minimum of one (1) parking space for each dwelling unit of two bedrooms or less and one and one-quarter (1.25) spaces for each dwelling unit of three bedrooms or more, which may be satisfied through the use of self parking, valet, tandem, vehicle elevator, stacked vehicles or other similar onsite or offsite parking management strategy, provided (211-36; 213-06):

i. Such use is pursuant to a Special Exception granted by the Zoning Board;

ii. Any application for such Special Exception includes a Parking Management Plan. Offsite parking spaces shall satisfy a long term parking management agreement (i.e. 25 years);

iii. The site location, proximity to offsite public and/or private parking infrastructure, potential for shared use of spaces, convenience to mass transit, mix of proposed uses, number of bedrooms, or other urban factors that mitigate parking demand provide sufficient rationale for said Parking Management Plan to the satisfaction of the Zoning Board.

iv. On properties where a minimum of fifty (50) dwelling units are provided and where shared vehicles (i.e. zip cars) are provided onsite, the Zoning Board may authorize a parking reduction of four (4) spaces for each such shared vehicle, provided that the total parking reduction earned by shared vehicles shall not exceed ten percent (10%) of the required parking.

2. Parking space for one (1) vehicle for each four (4) seats shall be provided for each Religious Institution, Club, Recreational Building or Ice Skating Rink at a point no greater than five hundred feet (500') distant in a direct line from the nearest part of such building. Parking space for one (1) vehicle for each four (4) seats or one (1) vehicle for every 500 square feet of gross floor area shall be provided for activities in any enclosed ice skating rink, whichever is greater. The requirements of this Paragraph 2 shall not apply to: a) clubs and lodges in the MX-D Zone situated within a 125 foot radius of a municipal parking garage as measured between the nearest point of the property and the nearest point of said parking garage; b) religious institutions and their accessory uses (i.e., offices, school, etc.) in the Central Business District, as depicted on the Master Plan, provided: the building has a floor area ratio of one (1.0) or less; the combination of onsite and offsite public and shared private parking available for use is adequate as determined by the Zoning Board pursuant to a Special Exception approval; and existing parking which does not conform to Section 12 of these Regulations may be allowed to remain. (93-018; 94-002; 202-10)

3. Parking space for one (1) vehicle shall be provided for each staff member in Institutions of Learning, parking space for one (1) vehicle shall be provided for each three (3) students in the 11th year or over, and parking space for one (1) vehicle shall be provided for each three (3) seats in any Auditorium or Stadium. Any Auditorium or Stadium designed to be used during

non-school hours may include student and staff parking spaces as part of the required total. Such parking area to be provided at a point not greater than five hundred feet (500') distant in a direct line from the nearest part of such building or structure. Parking areas and driveways shall be screened with planting and/or fences so as to provide adjacent properties with reasonable protection from automobile noises and lights. No parking area or driveway serving an Auditorium or Stadium shall be closer than ten feet (10') to any residentially zoned property. (216-21)

4. Parking space for one (1) vehicle for each five hundred (500) square feet or portion thereof of floor space which is used for Professional Offices or Studios where such floor space is clearly accessory to the principal use of the building. Such parking area to be provided at a point not greater than five hundred feet (500') distant in a direct line from the nearest part of said building. (80-008)

5. Parking space for one (1) vehicle shall be provided for every bed plus parking space for one (1) vehicle shall be provided for every two (2) staff members in Hospitals of limited stay; and parking space for one (1) vehicle shall be provided for every two (2) beds, plus parking space for one (1) vehicle shall be provided per doctor in Convalescent Hospitals, Rest Homes or comparable institutions; and parking space for one (1) vehicle shall be provided for every two (2) units in an Assisted Living Facility. Clinics shall provide three (3) parking spaces for each one thousand feet (1,000') of gross floor area. Such parking area to be provided at a point not greater than five hundred feet (500') distant in a direct line from the nearest part of any building or structure used for the aforesaid purpose. (89-015, 215-37)

6. Parking space for one (1) vehicle shall be provided for each three (3) seats or similar accommodations in any Theater, Auditorium or Stadium. Such parking area to be provided at a point not greater than five hundred feet (500') distant in a direct line from the nearest part of said Theater, Auditorium or Stadium.

   a. The requirements of this Paragraph 6 shall not apply to seating in a non-profit theater or to a restaurant operated in the same building as the theater, provided such building is located in the CC-N zone. (84-005)

   b. In order to facilitate the shared use of existing municipal parking facilities and the pedestrian connection to said parking facilities in the Central Business District, the requirements of Paragraph 6 shall not apply to seating in a theater provided:

      1) The theater is located in the CC-N Zone, within or contiguous to the Historic/ Conservation Area as indicated on the Master Plan, with its entrance at the street level.

      2) Pursuant to Section 13-R, a marquee including canopy and lighted signage over the entrance to the theater(s) shall be provided as a pedestrian amenity.

      3) The pedestrian connection to the off-site municipal parking facilities shall be enhanced with a streetscape design and improvements program not to exceed $225 per seat prior to a Certificate of Occupancy. (Cost indexed to 1996).

      4) Streetscape design and improvements program, building facade, access and egress,

marquee, canopy and signage designs shall be consistent with the urban design standards of the Central Business District Addendum to the Master Plan subject to review and approval by the Director of Planning and Zoning.

7. Parking space for one (1) vehicle for each three (3) seats or parking space for one (1) vehicle for every one hundred (100) square feet of gross floor area shall be provided for activities in any Restaurant, Night Club, Tavern, Grill, Bar, Dance Hall or Roller Skating Rink, the more restrictive shall govern. Such parking to be provided at a point not greater than five hundred feet (500') distant in a direct line from the nearest part of any building or structure used for the aforesaid purpose. A minimum of one (1) parking space shall be provided for every three hundred (300) square feet of gross floor area of a Radio-Controlled Miniature Car Facility or a Family Recreation Center (Amusements, Indoor).

   One (1) parking space shall be provided for every fifty (50) square feet of gross floor area of Restaurant, Carry-Out establishments, with a minimum of ten (10) parking spaces to be provided. A minimum of one (1) parking space shall be provided for every fifty (50) square feet of gross floor area of Restaurant, Drive-In establishments; and a minimum of one (1) parking space per three (3) persons of the legal occupancy load of the premises or one (1) parking space for every fifty (50) square feet, whichever is greater, shall be provided for any Restaurant, Fast-Food establishments. (77-018; 80-004; 88-033; 91-010)

8. Except as provided in subparagraph 8(a) below, parking space for one (1) vehicle shall be provided for each guest room or suites of guest rooms in a Hotel or Boarding House, and parking space for one (1) vehicle shall be provided for each room designed for sleeping purposes in the case of Automobile Courts or Motels. Such parking area to be provided at a point not greater than five hundred feet (500') distant in a direct line from the nearest part of any building or structure used for the aforesaid purpose. This subsection shall not apply to Apartment Hotel for the Elderly when 24-hour limousine service is provided as part of the congregate living. (71-012; 72-023)

   a. For a Hotel or Motel having one hundred (100) or more sleeping rooms, the number of parking spaces required for the Hotel or Motel and subordinate and incidental accessory uses such as dining room, cocktail lounge, bar, meeting rooms and swimming pools shall be one and five-tenths (1.5) parking spaces for each room designed for sleeping purposes. Subparagraph 12 of this section shall not apply to parking spaces provided or required under this subparagraph. Subject to the issuance of a Special Exception, the Zoning Board may approve a reduction of parking to not less than 0.5 spaces per guest room or suite for Hotels in the CC-N Zone within five hundred (500) feet of a public garage where 24-hour shuttle services are provided, the terms of which are determined by the Zoning Board, and hotel conferencing and/or banquet facilities do not exceed 0.10 FAR, and where it can be demonstrated to the Zoning Board's satisfaction that the type of hotel uses warrant such a reduction. Use of valet, tandem, vehicle elevators, stacked vehicles, or other similar on-site parking management strategies, including up to forty percent (40%) small car spaces may be allowed. (72-023; 203-06; 208-27)

9. Parking space for four (4) vehicles for each one thousand (1,000) square feet of gross floor area of any Retail Store and parking space for three (3) vehicles for each one thousand (1,000) square feet of gross floor area of any Office Building; such parking area to be provided at a point not more than five hundred feet (500') distant in a direct line from the nearest part of any Retail Store or Office Building, except as otherwise provided for hereunder: (70-024)

   a. The requirements of this Paragraph 9 shall not apply to property situated north of I-95 and within the Downtown Boundary as delineated on the Master Plan, which property is within a five hundred foot (500') radius of a municipal parking garage, as measured between the nearest point of the property and the nearest point of said parking garage, and which property is utilized or is to be utilized for retail purposes (retail purposes means any building which contains retail store or stores and has less than fifteen percent (15%) of its total floor area utilized as offices for rent apart from said retail space). The requirements of this Paragraph 9 shall not apply to any project situated north of I-95 and within the downtown boundary as delineated on the Master Plan and within a five hundred foot (500') radius of the Stamford Transportation Center, measured from the nearest point of the project and said Transportation Center, and which project is utilized or is to be utilized for office purposes, provided that if such project is used for office purposes, two and one-half (2.5) parking spaces shall be provided for every one thousand (1,000) square feet of gross floor area used for office purposes. (90-028; 95-001; 97-002)

   The requirements of this paragraph 9 shall not apply to any project situated north of I-95 and within the Downtown Boundary as delineated on the Master Plan and where the project incorporates the Transportation Center Pedestrian Connection amenity, as provided in Section 7 S, and which project is utilized or is to be utilized for office purposes, provided that if such project is used for office purposes, two and one-half (2.5) parking spaces shall be provided for every one thousand (1,000) square feet of gross floor area used for office purposes. (97-002)

   b. The requirements of this Paragraph 9 shall not apply to any property on which, on the date of the adoption of this regulation, there is an existing building and which property is situated within the CC-N Central City District North, and which property is within a five hundred foot (500') radius of a municipal parking garage or municipal parking lot, as measured between the nearest point of the property and the nearest point of said parking garage or lot; provided, however, that should any such building on said property be demolished or destroyed then the requirements of this Paragraph 9 shall apply to said property; provided, further, that any such building on such property may be modified, rehabilitated or structurally changed and said property shall continue to be exempted from the requirements of this Paragraph 9 so long as any such modification, rehabilitation or structural change does not increase the floor area of said building.

   c. This requirement shall not apply to any property in single ownership at the time of the passage of these Regulations, and any amendments thereto, having a lot area of seventy-five hundred (7500) square feet or less, and provided that the average lot depth is one hundred feet (100') or less, and provided further that the gross floor area of the building is less than ten thousand (10,000) square feet.

   d. (deleted...85-030)

e. (84-043, 88-024, 99-025, 206-04; 206-35; 208-27, deleted…211-36)

f. Notwithstanding the above, shared use of parking stalls and parking for other uses may be permitted, subject to Special Exception approval by the Zoning Board for projects providing public amenities pursuant to Section 7-S, where a finding is made by the Zoning Board that individual uses such as residential, office, and retail will experience peak parking demand at different times. In such cases, the Zoning Board may authorize a reduction in parking by recognizing the opportunity to share common parking spaces, in accordance with the general methodology entitled "Shared Parking", published by the Urban Land Institute in 1983 as amended and updated. In no case shall the minimum number of parking stalls be reduced below a minimum of two (2) parking spaces per one thousand (1000) square feet of office space plus one (1) parking space per dwelling unit, plus two (2) parking spaces per one thousand (1000) square feet of retail development. (97-027)

10. Parking space for one (1) vehicle for each three (3) employees in any Wholesale House or Industrial Plant; such area to be provided at a point not more than five hundred feet (500') distant in a direct line from the nearest point of said Wholesale House or Industrial Plant.

11. Adequate parking space to be provided for Passenger Transportation Terminals to facilitate arrivals and departures, and further, one (1) parking space for each three (3) employees employed on the premises; such area to be provided not more than five hundred feet (500') distant in a direct line from the nearest part of said terminals.

12. Theaters, Bowling Alleys, Night Clubs and other similar uses and activities, carrying on a major portion of their business during the evening hours, may provide fifty percent (50%) of the required parking space, as specified above, through use of parking space provided for uses and buildings carrying on the major portion of their business during daytime hours.

13. Parking space for one and one-half (1 1/2) vehicles shall be provided in the case of a Marina for each mooring, slip or other unit accommodating a boat or vessel in the water. (78-017)

14. Parking space for two (2) vehicles shall be provided for each Home Occupation in addition to any residential requirements.

15. Parking space for four (4) vehicles shall be provided for the office of each Resident Professional Person in addition to any residential requirements.

16. YMCAs, YWCAs, Civic Centers and other similar uses and activities carrying on the major portion of their business for the civic benefit of the community in a CC-N zone shall be required to provide parking space for one (1) vehicle for each five hundred (500) square feet of floor area and one (1) parking space for every three guest rooms in any adjacent residence units annexed to or a part of said facility.

a. The requirements of Paragraph 16 shall not apply to property situated in the CC-N zone which property is immediately adjacent to a municipal parking garage; but in such event one (1) parking space shall be provided for each employee of said facility and one (1) parking space for every three guest room units annexed to or a part thereof. (71-003)

17. Fire Station - Volunteer shall provide a minimum of one (1) space for every full time paid employee on the regular day shift, one (1) space for every three (3) bunks, plus two (2) visitor spaces. In addition, a determination must be made by the reviewing board that adequate parking facilities are available within 500 feet of the station. A minimum of one (1) space shall be available for every emergency vehicle.

18. Warehouses shall have one parking space for every 2,000 square feet of area and may be provided at a point not more than 500 feet distant in a direct line from the nearest part of the building served. (214-10, 216-16)

18.1. Self-Storage Facility shall have one (1) parking space for every 5,000 square feet of floor area and may be provided at a point not more than 500 feet distant in a direct line from the nearest part of the building served, provided that directly accessible ground level units shall have (1) space for every 2,000 square feet of such accessible floor area. (216-16)

19. Surgery Center/Out Patient Nine (9) parking spaces shall be provided for each operating room or treatment room contained within such facility, provided that in no case shall less than 3 spaces per 1,000 sq.ft. of gross floor area be provided. (88-034)

20. Child Day Care Center. One space for each employee on the maximum shift and one space for every ten (10) children; driveways and provisions for vehicle turn-arounds shall provide for safe operations and a paved unobstructed drop-off space shall be provided with adequate stacking area, as determined by the Planning and Zoning Staff. (93-013)

E - Permanently established off-street loading space shall be provided on the premises in accordance with the following requirements for each of the following uses or any combination thereof. Such off-street loading spaces shall be located and designed so that vehicles are completely contained within site boundaries while loading and unloading. Whenever possible, all vehicle maneuvering necessary to utilize said spaces shall take place within site boundaries and shall not require stopping or backing to, from, or on any public thoroughfare. (79-007)

1. Hospitals and Similar Institutions:

   From 10,000 to 300,000 square feet of floor area - one (1) space. For each additional 300,000 square feet of floor area or major fraction thereof - one (1) additional space.

2. Hotels and Office Buildings:

   From 25,000 to 100,000 square feet of floor area - one (1) space. From 100,000 to 300,000 square feet of floor area - two (2) spaces.
   For each additional 300,000 square feet of floor area or major fraction thereof - one (1) additional space.

3. Retail Stores and Service Establishments:

   From 10,000 to 40,000 square feet of floor area - one (1) space. From 40,000 to 100,000 square feet of floor area - two (2) spaces.
   For each additional 150,000 square feet of floor area or major fraction thereof - one (1) additional space.

4. Wholesale, Manufacturing and Storage:

   From 8,000 to 40,000 square feet of floor area - one (1) space. From 40,000 to 80,000 square feet of floor area - two (2) spaces.
   For each additional 80,000 square feet of floor area or major fraction thereof - one (1) additional space.

F - Any building existing at the time of the enactment of this Regulation which shall hereafter be wholly or partially demolished or destroyed may be reconstructed and/or replaced in a manner so as to occupy the same location and ground area without complying with the provisions in this Section.

G - No residential dwelling may be changed or altered to provide for more family units than existed in such building at the time of the enactment of these Regulations, unless an off-street parking space within three hundred feet (300') of the property is provided for each additional family unit included in the changed or altered building.

H - For residential dwelling units constructed on lots less than 30,000 square feet within Master Plan Category #11, Downtown Core, as delineated on the Stamford Master Plan, the Zoning Board may by grant of Special Exception authorize a reduction in required parking to not less than one (1) space per dwelling unit, which may be satisfied with off-site parking spaces located within one thousand feet (1000') of any dwelling unit served, by way of a lease, easement or license, the terms of which the Zoning Board, in its sole discretion, shall determine to be satisfactory, subject to the following special standards: (i) the reduction in required parking shall not exceed 20 spaces; (ii) the project shall be located within two-hundred fifty feet (250') of a municipal parking facility determined by the City of Stamford Office of Operations to have adequate capacity in amount equal to the reduction granted; and (iii) at least 10% of dwelling units shall be Below Market Rate dwelling units pursuant to Section 7.4 of these regulations (87-027, 88-031, 207-61)

I - For any use permitted in any Commercial or Industrial District and not permitted in any Residential District, required off-street parking space shall be provided either: (a) on the same lot with such use; or (b) within a distance of five hundred feet (500') from such use but not in any Residential District; or (c) in any combination of such locations. The aforesaid five hundred feet (500') shall be measured by the shortest route of available pedestrian access between any entrance to such use and the farthest part of the area containing such parking space. All parking space provided in any location other than on the same lot with the use in connection with which it is required, and all passageways and driveways appurtenant thereto and giving access thereto, shall be deemed to be required space on the lot on which the same are situated and shall not be encroached upon or reduced in any manner except in either of the two following circumstances only:

1. Such space may be reduced by the amount to which other parking space satisfying the requirements of this Ordinance is provided for the use which is involved.

2. Such space may be reduced by an amount in proportion to any reduction in the floor area, seating capacity, or other basis of measurement of such use in relation to which the amount of required parking space is determined as a result of structural or other alterations in the building or structure in which such is conducted.

J - Notwithstanding anything set forth in these Regulations, there shall be no off-street parking requirements for improvements constructed or to be constructed on the Reuse Parcels as shown in the Urban Renewal Plan for the Southeast Quadrant Renewal area, Project Conn. R-43 as amended through July 19, 1973 and approved by the Board of Representatives on September 10, 1973, except as follows:

- Residential use: one (1) parking space for every dwelling unit of two bedrooms or less and one and one-quarter (1.25) spaces for each dwelling unit of three bedrooms or more. (211-36)

- Office use (except Reuse Parcels 34 and 35): one (1) parking space for every 1,000 square feet of area used for office purposes in any building not classified as a retail purpose use under Section 12,D,9(a) thereof.

- Reuse Parcels 34 and 35 (except for a hotel): two (2) parking spaces for every 1,000 square feet of gross floor area in any building excluding such portion thereof as is devoted to parking use.

- Hotel: the same off-street parking requirements as provided for hotels elsewhere in these Regulations.

In the CC-S Central City District South and the CC-N Central City District North, pedestrian and vehicular access to required off-street parking spaces and loading spaces may be accomplished by one or more easements over the land of others, provided that (a) each such easement shall be appurtenant to and run to the benefit of the land on which such parking spaces and loading spaces are situated; (b) each such easement shall not terminate so long as the parking and loading spaces exist; and (c) any such easement is recorded in the Stamford Land Records. Driveways constructed in such easement areas shall conform to the requirements of Section 12,A,1. (74-007; 80-043)

K - PARKING REDUCTIONS. Where the Zoning Board finds that the number of parking spaces generally required for uses listed herein in the CC-N, CC-S, C-G, M-G, C-WD or D-WD districts would result in an excess of parking spaces for such uses, the Board may by grant of Special Exception allow a reduction in the actual number of spaces provided in accordance with the provisions of this Section. The provisions of this Section shall apply to general business or professional office uses (excluding medical and dental offices) and retail uses, provided that the gross floor area of such uses in any building is in excess of 30,000 square feet. The number of parking spaces actually provided shall not be less than 2.0 spaces per 1,000 square feet of gross floor area. Any parking reduction granted pursuant to this Section shall require a payment to a city fund account, in accordance with Public Act No. 84-497, dedicated to transportation capital improvements as defined under subsection 4 below, and the implementation of a Transportation Management Plan, subject to approval by the Board.

1. Application. An application for Special Exception for grant of parking reduction shall include all of the following information:
   a. a site plan and architectural floor plans showing gross floor area by use, the number of parking spaces proposed to be provided, and the number of parking spaces normally required;
   b. the layout, size and location of all parking spaces provided;
   c. a traffic impact and access report in accordance with Section 12, A, 9. of these Regulations;
   d. a Transportation Management Plan (TMP) as herein defined;
   e. an analysis of the strategies proposed in the TMP and the expected reduction in parking demand associated with each strategy;
   f. a filing fee in an amount equal to $2.00 for each parking space, based on the full requirement.

2. Transportation Management Plan (TMP). An effective TMP is essential to reducing the demand for parking spaces. Plans submitted shall include details of the techniques to be used and the concomitant expected reductions. All plans and applications shall be referred to the Department of Traffic and Parking for review. The Traffic Director will advise the Board on the adequacy of the techniques proposed to reduce parking demand and may suggest additional methods to be employed.

3. Standards for Reduction. The criteria used by the board in determining the number of spaces to be provided shall include, to the extent applicable, the standards found in Sections 19, 3.2 of these regulations; the convenience and availability of public transportation to and from the site; and the recommendations of the Director of Traffic and Parking. Reductions to no less than 2 spaces per 1,000 square feet of gross floor area may be permitted using a combination of the following techniques.

   a. Enter into agreement with a designated ride-sharing brokerage to participate in the rideshare program.

      (1) designate an employee transportation coordinator responsible for promoting ridesharing and public transit use among employees
      (2) establish in a highly visible location a transportation information center. Information regarding ride-sharing, bus and train schedules, and all parking/transit related programs sponsored by the employer shall be posted here.

   b. Establish preferential parking locations for carpoolers or van-pools (at least three persons per vehicle) consisting of at least 20% of the spaces provided.

   c. Establish a parking charge and not permit such charge to be employer subsidized.

   d. Provide transit passes or subsidize costs to employee of public transportation or van pools.

   e. Establish staggered work week strategies.

   f. Any other technique or combination of techniques capable of reducing non-transient parking demand at the work site.

4. Contribution to Public Transportation Improvements. The contribution to the improvement of public transportation systems required under this Section shall be satisfied by a cash payment to a City fund account dedicated to transportation capital improvements. Such cash payment shall be equal in value to $5,000 for each parking space not provided, subject to adjustment for inflation. The $5,000 unit value shall be adjusted for inflation on January 1 and July 1 of each calendar year based on the following formula:

   UNIT VALUE = $5,000 x (ENR COST INDEX) / $4,219.62

   As used above, ENR refers to the Construction Cost Index as published in Engineering News Record, with the figure $4,219.62 representing the ENR Index of July 1985.

   The Zoning Board shall have the authority to establish a timetable and to impose necessary conditions to insure payment of cash fees. In determining an appropriate timetable and conditions for payment of a fee, the Board may give consideration to: a) The magnitude of the requested parking reduction. b) The location of the project. c) The adequacy of existing public transportation facilities servicing the site. d) The scope of the proposed transportation management plan. e) Concomitant public transportation improvements or amenities to be supported or performed as part of the project. Provided, however, that any payment timetable shall require as a minimum an initial payment prior to the issuance of a temporary or final Certificate of Occupancy in an amount equal to 25% of the total fee, and with final payment within five (5) years from the date of the initial Certificate of Occupancy.

   The applicant's financial obligation under the terms of this Section shall be determined based on the unit value, as adjusted for inflation, in effect at the time that each partial payment is performed.

5. Continuing Obligation. Applicant shall indicate his consent to paying a fee-in-lieu of providing parking by filing with the Zoning Board a signed statement in which he agrees to pay the sum as approved by the Board. The applicant shall further covenant with the City to insure continued compliance with the approved TMP. The covenant shall be for a term of 20 years and provide for annual certification of compliance to the Zoning Board by the Zoning Enforcement Officer and on-site inspection by the Traffic and Parking Department for verification. This document shall be recorded in the land records and shall run with the land.

SECTION 13 - SIGN REGULATIONS

A. Findings, Purpose and Scope:

1. The City has determined that:

   (a) Since 1951, the City of Stamford has had in effect a comprehensive system of sign regulations governing the location, size and number of signs that can be erected in the City. These regulations are intended to create a legal framework for a balanced system of signage to improve and enhance the City of Stamford's interests in promoting public safety, preventing traffic hazards, and creating an aesthetically pleasing community. The City finds that signs provide an important medium through which individuals may convey a variety of messages. However, left unregulated, signs can become a threat to public safety as a traffic hazard and detriment to property values and the City's overall public welfare as an aesthetic concern.

   (b) As a result of its comprehensive sign regulations, and in particular its restrictions on the height, area and location of signage, the City of Stamford presents an aesthetically pleasing environment and provides for traffic substantially free of unsafe diversions.

   (c) It has never been the intention of the City and its enforcement efforts to interpret, restrict or regulate the messages contained on signage in the City.

2. The purposes of this Section are to regulate the number, location, size, type, and use of signs within the City in order to promote the public health, safety and welfare; to maintain, enhance and improve the environment of the City by preventing visual clutter that is harmful to traffic safety and the appearance of the community; to balance the rights of persons to convey their messages through signs and the right of the public to be protected against the unrestricted proliferation of signs; and to ensure the fair and consistent enforcement of sign regulations, while providing for effective means of communication, consistent with constitutional guarantees. This Section does not regulate, nor is it intended to regulate, the message displayed on any sign, building design or any display not defined as a sign.

3. It is hereby declared unlawful for any person, corporation or entity to construct, place, install, alter, change, maintain, use or to permit the construction, placement, installation, alteration, change, maintenance, or use of any sign contrary to or in violation of the provisions of this Section.

B. Noncommercial Signs:

Notwithstanding any other provision in this Section or these Regulations to the contrary, any sign authorized in these Regulations may contain any noncommercial copy in addition to, or in lieu of, any other copy. Signs containing only noncommercial copy shall be deemed to be on-site signs, not off-site advertising signs.

C. Permits:

1. Permits Required

Except as provided elsewhere in these Regulations, it shall be unlawful for any person to post, display, substantially change, or erect any sign authorized by this Section without first having obtained a Zoning Permit as prescribed in Section 17 of these Regulations. The cost of a Zoning Permit for a sign shall be established pursuant to the separately adopted Fee Schedule.

2. Contents of Permit Application

An application for a Zoning Permit under this Section shall include the following information:

(a) An accurate plan showing the proposed location of the sign on the subject property in relation to property lines, existing signs, and principal buildings and other site improvements, if any.

(b) An accurate elevation drawing of the proposed sign and the supporting structure or building facade intended to receive the sign, showing the sign dimensions, area, and height above finished grade, and proposed location of the sign in relation to the building facade and roof line.

(c) The property address, the name and address of the property owner, and, if the applicant is not the property owner, the written consent of the owner or his/her agent to the placement and maintenance of the proposed sign.

(d) The name, address, phone number and license number of the sign contractor, if any.

(e) The aggregate area of all existing signs on the plot.

(f) The type of construction, sign supports, and any mechanical or electrical details as required by the applicable building code.

(g) Whether the proposed sign is an on-site sign or an off-site advertising sign.

3. Permit Procedures, Appeals, Variances

The procedures for applying for a Zoning Permit for a sign, including the time for decision by the Zoning Officer and appeals from a denial of a permit application, are set forth in Sections 17 and 19 of these Regulations. The procedures for seeking a variance for a sign are also set forth in Section 19 of these Regulations.

4. Repair and Replacement of Permitted Signs

A sign which conforms to the standards of this Section may be repaired by repainting, replacement of lettering and accompanying symbols, and repair of structural supports, and such repainting, replacement and repair shall not be considered a substantial change requiring a Zoning Permit within the meaning of this Section, provided that the outside dimensions, location, height and illumination of the sign are not changed.

5. <u>Signs Exempt from Permit Requirements</u>

The following signs do not require a Zoning Permit, but must comply with all standards of this Section and all other provisions of these Regulations:

(a) Signs that are not illuminated and have a sign area of sixteen (16) square feet or less.

(b) Flags.

(c) Signs installed flush with or on the interior of a window and designed for viewing from the outside of the premises. However, such signs shall not exceed thirty (30) percent of the available window area.

D. Prohibited Signs in All Districts.

(a) No sign shall use or be illuminated by lighting of flashing, intermittent or varying intensity, including, but not limited to, flashing, beacon, strobe, rotating beacon, chasing or zip lights.

(b) No sign shall be illuminated by exposed tubes, bulbs or similar exposed light surfaces, or by exterior spot lighting or other illumination that would cause glare observable to a Residence District or hazards to vehicular traffic.

(c) No sign shall include any visible moving parts.

(d) No sign shall simulate emergency lights on emergency vehicles or traffic control signals or devices, or hide from view any traffic control device, signal or sign.

(e) No sign shall obstruct road or highway visibility, interfere with the safe and orderly movement of traffic, or otherwise pose a hazard to traffic.

(f) All off-site advertising signs are prohibited.

(g) All roof signs are prohibited except as expressly permitted under subsections G, H and L of this Section. (214-30)

(h) No pole sign or ground sign, including its base, may exceed twenty-one (21) feet in height. This height limit shall not apply to flags.

(i) No sign or sign structure above a height of three (3) feet shall be erected or maintained within fifteen (15) feet of the intersection of the right-of-way lines of two (2) streets, or of a street intersection with a railroad right-of-way (the "Corner Visibility Area"). However, a sign support structure not more than ten (10) inches in diameter may be located within the Corner Visibility Area if all other requirements of this Section are met and the lowest elevation of the sign surface is at least twelve (12) feet above the ground level.

E. In <u>Residential Districts,</u> non-illuminated on-site signs are authorized on each plot under the following conditions:

1. One or more wall signs and/or ground signs, in the aggregate not exceeding fifteen (15) square feet in area, and no single sign exceeding six (6) square feet in area or a height of six (6) feet when ground mounted, may be placed not in advance of the property line.

2. Properties supporting only a permitted non-residential use may display one additional wall sign or ground sign, not exceeding twelve (12) square feet in area and eight (8) feet in height when ground mounted, placed not in advance of the setback line.

3. Flags, in the aggregate not exceeding twenty-four (24) square feet in area, may be displayed, provided that no flag may exceed 25 feet in height.

F. In the <u>C-N Neighborhood Business District,</u> on-site signs are authorized on each plot under the following conditions:

1. The total area of any signs placed on the front wall of a building shall not exceed two (2) square feet in area for each lineal foot of building frontage.

2. The total area of signs placed on the side and rear walls of a building shall not exceed thirty (30) square feet per wall.

3. Where a parking area is provided on a plot, signs may be erected at the entrances and exits of such parking area, provided the total area of all such signs shall not exceed twelve (12) square feet and no such sign exceeds eight (8) feet in height.

4. One (1) additional ground sign or wall sign, not exceeding sixteen (16) square feet in area and ten (10) feet in height when ground mounted, may be displayed on any plot. This sign may be erected on a temporary protective fence on a property in the process of construction, demolition, remodeling or repair.

5. Flags, each not to exceed twenty-four (24) square feet in area and twenty-five (25) feet in height, and in the aggregate not exceeding seventy-two (72) square feet in area, may be displayed on vertical or mast-arm flagpoles.

6. One (1) ground sign or pole sign may be erected on a plot in addition to all other signage permitted in this subsection 13-F. Such ground sign or pole sign shall not exceed fifty (50) square feet in area, and no side of the sign face may exceed ten (10) feet in length, nor shall such sign exceed twenty-one (21) feet in height.

7. Other than as expressly provided herein, all signs permitted by this Section shall be placed to the rear of the setback line for the property on which the sign is to be located and no part of any sign, including pole signs, shall project over sidewalks.

G. In any <u>C-L Limited Business District</u>, <u>C-G General Commercial District</u>, <u>C-I Intermediate Commercial District</u> and <u>C-S Shorefront Commercial District</u>, on-site signs are authorized on each plot under the following conditions:

1. On the front walls of buildings, the total area of signs for each story shall not exceed two (2) square feet for each lineal foot of building frontage.

2. The total area of signs placed on the side or rear walls of a building shall not exceed sixty (60) square feet.

3. Where a parking area is provided on a plot, signs may be erected at the entrances and exits to such parking area, provided the total area of all such signs shall not exceed twelve (12) square feet and no such sign exceeds eight (8) feet in height.

4. One (1) additional ground sign or wall sign, not exceeding sixteen (16) square feet in area and ten (10) feet in height when ground mounted, may be displayed on any plot, or on a temporary protective fence on a property in the process of construction, demolition, remodeling or repair.

5. Flags, each not to exceed one-hundred (100) square feet in area and fifty (50) feet in height, and in the aggregate not exceeding three-hundred (300) square feet in area, may be displayed on vertical or mast-arm flagpoles.

6. One (1) ground sign or pole sign may be erected on a plot in addition to all other signage permitted in this subsection 13-G. Such ground sign or pole sign shall not exceed sixty (60) square feet in area, and no side of the sign face shall exceed ten (10) feet in length, nor shall such pole sign exceed twenty-one (21) feet in height. In the C-G District on lots of one (1) acre or larger with multiple street frontages within the Architectural Review Design District, one (1) additional ground sign may be erected provided that all such signs are separated by a distance of not less than ten (10) feet and two signs facing a single street frontage may only be allowed pursuant to the review procedure of Section 7.6-E. (213-12)

7. Other than as expressly provided herein, all signs permitted by this Section shall be placed to the rear of the setback line for the property on which the sign is to be located and no part of any sign, including pole signs, shall project over sidewalks.

8. Where a property is located in the C-I District (Intermediate Commercial District) or C-G District (General Commercial District) and abuts I-95, the abutting area shall be considered a "Front" yard for purposes of wall mounted signage. The total area of such wall signage on a building façade facing I-95 shall be restricted to one (1) square foot per linear foot of building frontage with a maximum of two (2) wall signs per such building frontage. Any such wall sign shall contain only the name or logo of the person or entity which owns the building or the name or logo of any tenant occupying at least twenty thousand (20,000) square feet of leasable floor area within the building, and shall not be used to promote any product line, service or like advertising. (209-028; 214-30)

9. Where a building fronts on more than one street, one of which is I-95 or a state highway, is

on a lot in excess of three (3) acres and is used exclusively for commercial purposes, the Zoning Board may authorize by issuance of a special exception wall signs to be mounted above the established roofline on a parapet façade of uniform height so long as said sign does not extend above the top of the parapet façade. (214-30)

H. In the <u>CC-N Central City District North</u> and <u>CC-S Central City District South Districts</u>, on-site signs are authorized on each plot under the following conditions:

1. The total area of signs placed on the front wall of a building, allotted to each store or individual use for each street façade, shall not exceed one and one-half (1½) square feet per lineal foot of such façade length. Such signs may not project more than twenty-four (24) inches from the face of the building. In the case of an open-type sign whose lettering or design covers less than twenty-five percent (25%) of its encompassing plane area, the area of such encompassing plane may be increased to five (5) square feet per lineal foot of façade length. In addition to the above, the Zoning Board by Special Exception may approve a so called "blade" type sign for properties fronting on a Ground Floor Retail Street (as defined in footnote 13 of Table IV Appendix B of these Regulations) provided that not less than fifty percent (50%) of the ground floor frontage of the building on the Ground Floor Retail Street and not less than 150,000 square feet of floor area above the first floor shall be dedicated to retail uses. Such blade sign shall be affixed to the building wall facing the Ground Floor Retail Street and shall not exceed 1.25 square feet of sign area for each foot of length of the building facade facing the Ground Floor Retail Street. No illuminated portion of such blade sign shall extend above the building parapet wall and ornamentation attached to the sign shall not exceed 10 feet above the parapet wall. No such blade sign shall project more than nine (9) feet from the building façade or beyond the property line, whichever is less. In reviewing any application filed hereunder, the Board shall be guided by the standards set forth in this Section 13H.1 and those set forth in Article V Section 19-3.2 of these Regulations. (204-01)

2. The total area of signs placed on the side or rear walls of a building shall not exceed sixty (60) square feet.

3. Where a parking area is provided on a plot, signs may be erected at the entrances and exits to such parking area, provided the total area of all such signs shall not exceed twelve (12) square feet and no such sign exceeds eight (8) feet in height.

4. One (1) additional ground sign or wall sign, not exceeding sixteen (16) square feet in area and ten (10) feet in height when ground mounted, may be displayed on any plot. This sign may be erected on a temporary protective fence on a property in the process of construction, demolition, remodeling or repair.

5. Flags, each not to exceed two hundred and sixteen (216) square feet in area and sixty (60) feet in height, in the aggregate not exceeding six hundred and fifty (650) square feet in area, may be displayed on vertical or mast-arm flagpoles.

6. One (1) ground or pole sign may be erected on a plot in addition to all other signage permitted in this section 13-H. Such ground sign or pole sign shall not exceed fifty (50)

square feet in area, and no side of the sign face may exceed ten (10) feet in length, nor shall such sign exceed twenty-one (21) feet in height.

7. Other than as expressly provided herein, all signs shall be placed to the rear of the setback line for the property on which the sign is to be located and no signs, including pole signs, shall project over sidewalks.

8. Where property abuts I-95, the abutting area shall be considered a "front" yard for purposes of signage.

9. Where a building fronts on more than one street and is on a lot in excess of two acres, the Zoning Board, by issuance of a Special Exception, may authorize the transfer of front wall signage rights to another front, side or rear wall of the building, the wall of an attached garage that fronts on a street, or to a ground mounted sign or signs, upon a finding by the Zoning Board that such transfer (i) will result in a sign or signs appropriate to the architecture of the building, (ii) will promote identification of the building, and (iii) is consistent with the goals and policies of the Master Plan. Any signage rights transferred shall remain on the same lot from which they originate. A request to transfer signage rights shall be accompanied by plans, subject to Zoning Board approval, showing the intended location, number, size and design of the intended new signage. Where a portion of the requested signage transfer is unallocated to an approved sign plan, the amount of such unallocated signage transfer shall not exceed two hundred (200) square feet per lot.

   a) Any such wall signage shall contain only the name or logo of a person or entity having an ownership interest in the building or the name or logo of a tenant or tenants occupying not less than twenty thousand (20,000**)** square feet of leasable floor area within the building, and shall not be used to promote any product line, service or like advertising. Any such wall signs shall satisfy the following criteria, as determined by the Zoning Board: (A) except in an instance where the Zoning Board has previously approved signage with internally illuminated lettering or logos on the same building, illumination of signage shall be with back lighting or indirect lighting and no internally illuminated lettering or logos shall be permitted; (B) in addition to a background color, no more than two colors may be used within a sign; and (C) signs shall be compatible in color, height and alignment to other signs on the same frontage of a building. The sign area calculation for open-type signs permitted under paragraph H.1 above shall not apply to any signage rights transferred under this paragraph 9. (215-16)

   b) Such ground signs shall not exceed one (1) sign per street frontage, subject to the limitation that the sign area of any individual ground sign shall not exceed 125 square feet, as defined in Definition 94.1, and no individual sign face shall exceed a width of seven (7) feet. Notwithstanding paragraphs D(i) and H.7 above, such signs may be allowed within a front setback area and/or within Corner Visibility Areas, provided the Zoning Board makes a finding that visibility will not be impaired.

   c) Where a Special Exception has approved the transfer of unallocated signage rights, the location, number, size and design of all new wall and ground signs pursuant to this paragraph 9, shall be subject to administrative review and approval by the Zoning Board. Alterations, replacement and changes in the content of existing signs shall be subject to

administrative review and approval by the Zoning Board, consistent with the standards and criteria of this paragraph 9. (206-07B; 209-24)

10. Where a building fronts on more than one street, one of which is a state highway**,** is on a lot in excess of three (3) acres and is used exclusively for retail purposes, the Zoning Board may authorize the following signs by issuance of a special exception:

    a) On building walls facing public streets or private drives leading to a municipal parking garage, the total area of signs on a building façade facing such streets or drives shall not exceed 2.0 square feet per lineal foot of façade length, for each story at or below 3 stories, and may include so called "blade signs" which do not project more than 5 feet from the building façade and do not extend above the parapet wall.

    b) The Zoning Board may authorize any sign to be mounted above the established roofline on a parapet façade so long as said sign is completely contained within the parapet façade. The Zoning Board may authorize such signs at such time as the initial approval of the building design or subsequently. (206-51)

I. In a <u>M-L Light Industrial District</u> or a <u>M-G General Industrial District,</u> on-site signs are authorized on each plot under the following conditions:

1. On the front walls of buildings, the total area of signs shall not exceed an area of one and one-half (1½) square feet for each lineal foot of building frontage.

2. The total area of signs placed on the side or rear walls of a building shall not exceed sixty (60) square feet.

3. Where a parking area is provided on a plot, signs may be erected at the entrances and exits to such parking area, provided the total area of all such signs shall not exceed twelve (12) square feet and no such sign shall exceed eight (8) feet in height.

4. One (1) additional ground sign or wall sign, not exceeding sixteen (16) square feet in area and ten (10) feet in height when ground mounted, may be placed on any plot. This sign may be erected on a temporary protective fence on a property in the process of construction, demolition, remodeling or repair.

5. Flags, each not to exceed one-hundred (100) square feet in area and fifty (50) feet in height, in the aggregate not exceeding three-hundred (300) square feet in area, may be displayed on vertical or mast-arm flagpoles.

6. One (1) ground sign or pole sign may be erected on a plot in addition to all other signage permitted in this section 13-I. Such ground sign or pole sign shall not exceed fifty (50) square feet in area, and no side of the sign face shall exceed ten (10) feet in length, nor shall such sign exceed twenty-one (21) feet in height. However, in the case of a large scale retail establishment fronting on a State highway, the Zoning Board, by special exception, may allow a ground sign or pole sign of no more than one hundred (100) square feet and no more than twelve (12) feet in length, if the establishment meets the following criteria:

(a) It must be on a parcel or two or more contiguous parcels under common ownership, with a combined lot area in excess of 300,000 square feet and with at least one parcel fronting on a state highway, and with the primary entrance and exit driveway for access to said parcel or parcels on said state highway;

(b) It must be used primarily for retail purposes, supporting at least 100,000 square feet of retail floor area, with shared internal driveways and/or parking;

(c) Said sign must be the only pole sign or ground sign on all of said parcels;

(d) Said sign shall be located so as to identify the primary access driveway for said parcel or parcels and may only display businesses located on such parcel or parcels. (206-13)

7. Other than as expressly provided herein, all signs shall be placed to the rear of the setback line for the property on which the sign is to be located and no signs, including pole signs, shall project over sidewalks.

J. **Buildings in Advance of Setback Line**: On any building located in advance of the setback line, a sign may be erected on the front wall of the building that otherwise conforms to all other applicable provisions of this Section for the applicable district.

K. **Non-conforming Signs and Uses:** A sign that complied with the then-applicable provisions of this Section when it was erected, but that does not comply with this Section as amended, is a non-conforming sign. A non-conforming sign may not be replaced, altered or relocated except to make the sign comply with all of the standards of this Section. A non-conforming sign that is discontinued or abandoned for a continuous period of one (1) year may not thereafter be re-used, repaired or replaced except with a sign that conforms to the standards of this Section for the district in which the property is located. Minor repairs to and maintenance of non-conforming signs shall be permitted. No existing sign for any non-conforming use may be enlarged or relocated unless such sign conforms with this Section.

L. **Penthouse Signs**: A sign placed on and not extending beyond the vertical wall of a decorative architectural screening or a fully enclosed mechanical penthouse structure located on the roof of a building of not less than four (4) stories in a commercial or industrial district is declared to be a class of wall sign. Except for location, such signs shall conform to all other applicable standards for a wall sign in the applicable district. (210-21)

M. **Severability:** The provisions of these Sign Regulations are declared severable, to the maximum extent permitted by law. If any provision or provisions of these Sign Regulations or the application thereof to any person or circumstance is held invalid or unlawful, it is the intent of the Zoning Board of the City of Stamford that said invalidity shall not affect other provisions of these Regulations, which shall remain in full force and effect as if such portion so declared invalid or unlawful were not originally part of these Regulations, even if the surviving parts of the Regulations result in greater restrictions after any unlawful provisions are stricken. In particular, and without limitation, in the event any portion of these Regulations are declared invalid as applied to noncommercial signs, the Regulations, or any surviving portions thereof, shall remain in full force and effect as applied to commercial signs.

N. This Section shall not apply to any sign required by regulation or statute of any federal, state

or municipal government or department. (200-32)

SECTION 14 - DISPENSING OF ALCOHOLIC LIQUORS

A - The provisions of this Section shall not apply to wholesale establishments, to stores selling canned or bottled beer, to drugstores dispensing liquor on prescription only, to non-profit theater permits, to the sale of beer and/or wine for consumption on the premises in restaurants, provided that said beer and/or wine is served from but not consumed at a service bar, to the sale of alcoholic liquor for consumption on the premises in Automobile Courts, Motels, Hotels, provided said Automobile Courts, Motels or Hotels contain seventy-five (75) or more sleeping rooms or apartments, to the sale of alcoholic liquor for consumption on the premises by residents or invited guests in Senior Housing and Nursing Home Facility Complexes, to theatres in the Historic Conservation area of the Downtown, nor shall it apply to existing premises. (84-005, 00-014, 201-01)

B - In any district in which a package liquor store is allowed, no building or premises which prior to December 1, 1951, was not the site or location of a business where alcoholic liquor was sold at retail for consumption off the premises under a (1) package store permit, (2) druggist permit, shall thereafter be used either in whole or in part for the sale of alcoholic liquor, wine, beer or all under any one (1) package store permit, (2) druggist permit, which may be issued by the Liquor Control Commission of the State of Connecticut, if any entrance to such building or premises shall be within fifteen hundred feet (1500') radius from any other building or premises being used for the sale of alcoholic liquor, under any (1) package store permit, (2) druggist permit; except where any entrance to such building or premises is within Master Plan Category 10 (Downtown Corridor) or Master Plan Category 11 (Downtown Core), in which instance any other building or premises being used for the sale of alcoholic liquor, under any package store permit, or (2) druggist permit, may be within said fifteen hundred foot radius (1500’), but the entrance to such establishment shall not be within a seven hundred and fifty foot (750’) radius of the entrance to any other establishment being used for the sale of alcoholic liquor, under any package store permit, (2) druggist permit. This regulation, however, shall permit any permittee using any building or premises for sale of Alcoholic Liquors, under a package store permit, druggist permit, issued by the Liquor Control Commission of the State of Connecticut to move said place of business to another building or premises within the fifteen hundred feet (1500') at a radius above described, provided said other building or premises is not more than seven hundred and fifty feet (750') from the building or premises formerly occupied by said permittee as a place for the sale under a package store permit, druggist permit, of alcoholic liquor and provided said removal shall be in accordance with the said Liquor Control Act and the rules and regulations of the Liquor Control Act and provided the new location is in a district where such use is permitted. If any building or premises within fifteen hundred feet (1500') radius area above described which shall be used for the sale of alcoholic liquor under a package store permit, druggist permit as issued by the Liquor Control Commission shall be discontinued for such use for a period of thirty (30) days, such use shall not be resumed except in conformity to said foregoing provision. This Regulation shall affect all building and premises permits now in use and building premises and permits used in the future as described above and authorized by the Liquor Control Commission. (206-02)

C - In any district in which is permitted a tavern, a restaurant or a cafe where liquor is sold for consumption on the premises, no building or premises which prior to December 1, 1951 was not the site or location of a tavern, restaurant or cafe business where alcoholic liquor was sold for consumption on the premises, shall thereafter be used for such purpose if such building or premises in which such restaurant or cafe is located is within fifteen hundred feet (1500') radius

of another restaurant or cafe where liquor is sold for consumption on the premises, or if such building in which such tavern is located, is located within fifteen hundred feet (1500') radius of a restaurant or cafe or another tavern where liquor is sold for consumption on the premises. This regulation, however, shall permit any permittee using any building or where liquor is sold for consumption on the premises to move said place of business to another building or premises within the fifteen hundred foot (1500') radius above described, provided said building or premises is not more than seven hundred and fifty feet (750') from the building or premises formerly occupied by such permittee and provided the new location is in a district where such use is permitted. If any building or premises within the fifteen hundred foot (1500') radius area above described which shall be used for the sale of liquor for consumption on the premises shall be discontinued for such use for a period of thirty (30) days, such use shall not be resumed except in conformity to said foregoing provision.

D - Nothing in these Regulations shall affect the issuance of a temporary permit which shall not exceed forty-eight (48) hours.

E - The provisions of this Section shall not apply to one (1) package liquor store located in a shopping center, as defined in Article II, Section 3 - DEFINITIONS, in any district.

F - The provisions of this Section shall not apply to one (1) restaurant where liquor is sold for consumption on the premises, located in a shopping center, as defined in Article II, Section 3 - DEFINITIONS, in any district.

1. The provisions of this Section shall not apply to one (1) restaurant for on-premises consumption in a shopping center, as defined in Article II, Section 3 - DEFINITIONS, in any district, and there shall be allowed one (1) additional outlet for on-premises consumption for each additional twenty-five (25) stores beyond the first fifteen (15), provided that each such additional outlet shall be limited to serving alcoholic liquors to patrons seated at tables or at food counters; a bar for mixing and service of alcoholic liquor may be maintained but no patrons shall be served while standing or sitting at such bar.

G -The foregoing provisions of this Section shall not apply to restaurants where liquor is sold for consumption on the premises located in any Designed Business District. In any such District wherein is permitted a restaurant where liquor is sold for consumption on the premises, no building shall hereafter be used for such purpose if such building is within five hundred feet (500') radius of another such restaurant in said District, except where such building is located in a shopping center, as defined in Article II, Section 3 - DEFINITIONS, in which case the provisions of this Section, Paragraph F and F,1, shall be applicable. (71-008)

H - The fifteen hundred foot (1500') restriction of this Section shall not apply to removal of an existing (1) package store permit or (2) druggist permit issued by the Liquor Control Commission if the existing site or location is being taken or threatened to be taken in the exercise of eminent domain. No building or premises shall be approved in such case however, if the new premises applied for shall be within one thousand feet (1000') radius from any building or premises then being used for the sale of alcoholic liquor under (1) a package store permit or (2) a druggist permit issued by the Liquor Control Commission.

I - The fifteen hundred foot (1500') restriction of this Section shall not apply to the removal of an

existing restaurant, cafe or tavern where liquor is sold for consumption on the premises, if the existing site has been taken, is being taken or threatened to be taken in the exercise of eminent domain. No building or premises shall be approved in such case, however, unless the new location is in a district where such use is permitted, and if the new building or premises in which a restaurant or cafe is applied for is within one thousand feet (1000') radius of another restaurant or cafe where liquor is sold for consumption on the premises or if such a building or premises in which a tavern is applied for is located within one thousand feet (1000') radius of a restaurant or cafe or another tavern where liquor is sold for consumption on the premises. (70-009)

J - The provisions of this Section shall not apply to one (1) Restaurant where liquor is sold for consumption on the premises, located in a department store containing not less than 150,000 square feet of gross floor area exclusive of garage facilities, in any district, provided that such outlet shall be limited to serving alcoholic liquors to patrons sitting at tables; a bar for mixing and service of alcoholic liquor may be maintained but no patrons shall be served while standing or sitting at such bar. In applying any distance limitations established under this Section 14, distances from restaurants permitted under this Subsection J shall not be applicable. (70-029; 72-002)

K - The fifteen hundred foot (1500') restriction of this Section shall not apply to the removal of an existing restaurant, cafe or tavern where liquor is sold for consumption on the premises, if the existing site has been taken, is being taken or threatened to be taken in the exercise of eminent domain, provided an applicant has been the owner for a period of one (1) year prior to the application to the State Liquor Control Commission for permission to move. This fifteen hundred foot (1500') restriction shall also not apply if the site has been taken, is being taken or threatened to be taken by the Urban Redevelopment Commission within a Urban Redevelopment Commission condemnation area. No building or premises shall be approved in such case, however, unless the new location is in a district where such use is permitted, and if the new building or premises in which a restaurant or cafe is applied for is within a five hundred foot (500') radius of another restaurant or cafe where liquor is sold for consumption on the premises, or if such building or premises in which a tavern is applied for is located within a five hundred foot (500') radius of a restaurant or cafe or another tavern where liquor is sold for consumption on the premises. (73-001)

L - (Deleted.....84-005)

M - The provisions of this Section 14 shall not apply to any restaurant which complies with the definition of "Restaurant, Standard", number 85, of these Regulations, provided that such restaurant when located within Category 11 (Downtown Core) or Category 10 (Downtown Corridor) as delineated on the Master Plan or within a C-WD or D-WD or M-L or V-C or SRD-N or SRD-S District or M-D District provided the Zoning Board has approved the use pursuant to Section 9.BBBB.5, must provide at least eighty percent (80%) of seating for the public at tables. Any "Restaurant, Standard" located outside of Category 11 (Downtown Core) or Category 10 (Downtown Corridor) and not within a C-WD or D-WD or M-L or M-D or V-C or SRD-N or SRD-S District shall be limited to only serving alcoholic liquors to patrons when sitting at tables incidental to the consumption of a meal on the premises, and may maintain a service bar not to exceed eight (8) feet in length for mixing and preparation of alcoholic liquor, provided that no patrons shall be served while standing or sitting at such bar. Provided that in the M-L District

such restaurant shall be granted by special exception by the Zoning Board under Section 19-3 of

these Regulations and that any modification or amendment of such restaurant uses within a C-WD or D-WD or M-L District shall be subject to the provisions of Section 19-3.2-c. of these Regulations. (81-008, 85-054, 87-004, 91-004, 206-02, 209-37, 211-45)

N - Notwithstanding any other provisions contained in Section 14,A through M, any package liquor store which is in existence in the City of Stamford as of the effective date of the passage of this Section 14,N shall be allowed to move said package store permit to any location in the City of Stamford, so long as the new location is not closer than seven hundred and fifty feet (750') to an existing package liquor store and is in a commercial or industrial zone where such use is permitted under the Stamford Zoning Map and Regulations. (82-008)

O - The provisions of this Section 14 shall not apply to any cafe which complies with the definition of "cafe", number 18 of these regulations; provided that such cafe is located within Category 11 (Downtown Core) or Category 10 (Downtown Corridor) as delineated on the Master Plan or the SRD-N or SRD-S Districts or the M-D District provided the Zoning Board has approved the use pursuant to Section 9.BBBB.5, and that at least sixty percent (60%) of seating for the public is at tables. (85-054; 86-011; 206-02; 209-37, 211-45)

P - A bowling alley shall be allowed to sell alcoholic liquor for consumption on the premises under a Bowling Alley or Bowling Alley Beer Liquor Permit if:

1. The building or premises contain at least twelve, full size lanes for ten pin or duck pin bowling;
2. The primary business carried on in the building or premises is the rental of bowling lanes and accessories and the sale of bowling balls and equipment;
3. No more than twenty-five percent (25%) of the building or premises is made available for the consumption of alcoholic liquor by the patrons of the bowling alley;
4. The service of alcoholic liquors to patrons is incidental to their participation in bowling activities;
5. The consumption of alcoholic liquors by patrons at a bar or service bar is not allowed;
6. Consumption of alcoholic liquors can only take place between 2:00 p.m. and closing and;
7. All such activities conform to all applicable State regulations. (89-005)

SECTION 15 - EXCAVATIONS

A - Excavations and the removal of excavated materials shall be permitted in any zone subject to the provisions of this Section where they are clearly necessary to the improvement of property. No excavation of more than one hundred (100) cubic yards of material shall be commenced or continued without a permit therefor from the Zoning Enforcement Officer, except in connection with required work in the area necessary to construct a building for which a building permit has been issued, the aforesaid area of excavation not to exceed ten feet (10') beyond the perimeter of said building, or except in connection with the construction of streets, driveways, drains, utilities, or sanitary disposal systems for which permits have been issued, or except in connection with an excavation which is covered by tide water.

1. Application for any permit required under Subsection A above, shall be made by the property owner or by his agent authorized thereto in writing, and shall be on forms provided by the Zoning Enforcement Officer. Such application shall be accompanied with the following:

   a. Maps and plans with specifications thereon shown:

      (1) The location of the premises and the cubic yards to be excavated.
      (2) Existing and proposed contours in the area to be excavated and in the surrounding area within twenty feet (20') of the excavation shown on a map drawn to a scale not less than one hundred feet (100') to the inch, with contour lines at intervals of not more than four feet (4'), or with profiles at intervals of not more than fifty feet (50').
      (3) Details of existing and proposed drainage on the premises including the proposed level of any impounded water, certified as being approved by the City Engineer
      (4) Proposed truck access to the excavation.
      (5) Details of revegetation and preparation of soil therefor, or of other method of soil erosion control.

   b. For excavations of more than one hundred (100) cubic yards of material, a performance bond in form and with surety acceptable to the Zoning Enforcement Officer in such amount as the Zoning Enforcement Officer shall deem sufficient to insure completion of the work following excavation pursuant to the conditions of approval, provided that no bonds be less than one thousand dollars ($1,000) and further provided that the Zoning Enforcement Officer may accept and hold a certified check payable to the City of Stamford in the same amount in lieu of such bond.

   c. A fee to cover the cost of permit and inspections based on a rate of five dollars ($5) per one thousand (1,000) cubic yards of material or fraction thereof to be excavated, with a minimum fee of five dollars ($5) and a maximum fee of one hundred dollars ($100).

2. In approving plans and specifications for excavations the Zoning Enforcement Officer shall be guided by the following standards:

a. Finished slopes of an excavation shall not exceed 1:1 1/2 (vertical to horizontal) in undisturbed earth, 1:2 in earth fill, and 4:1 in rock, whether or not the ground surface will be below water, provided further that all slopes of the perimeter bank or shore of any pond or lake shall not exceed 1:3 (vertical to horizontal).

b. If the proposed method of soil erosion control is by revegetation, the specifications for the work shall provide that any layer of topsoil over the area to be excavated shall be set aside and retained on the premises in sufficient quantity to be re-spread over all surfaces which will remain exposed, except rock, to a depth of at least four inches (4"), with topsoil added if necessary to make up any deficiency. The specifications shall also provide that at the completion of re-spreading of topsoil it shall be immediately harrowed or raked to establish a seed bed and shall be seeded with grass, permanent pasture mixture, or other approved fast growing revegetation, repeated as necessary until the area is stabilized.

c. No excavation shall be permitted within twenty feet (20') of an existing or approved street except to conform to approximate street grade, nor shall any excavation be permitted within twenty feet (20') of any property line except to conform to approximate grade of adjacent property.

d. Excavation shall not interfere with public utility systems and shall not create or aggravate any condition detrimental to the public health and safety. Any lakes or ponds that are created shall have sufficient depth and inflow of water to prevent their becoming stagnant or marshy in dry periods.

e. Truck access to the excavation shall be so arranged as to minimize danger to traffic and nuisance to surrounding properties.

3. Conditions:

a. There shall be no processing of excavated materials on the premises except with a simple bar type screen to remove oversize aggregates and used only for loading of trucks. Except for rock crushing as permitted under paragraph 5 below, there shall be no processing of excavated materials on the premises except with a simple bar type screen to remove oversize aggregates and used only for loading of trucks. (90-008)

b. Barricades shall be erected as necessary to protect pedestrians and vehicles during the period of excavation.

c. Measures shall be taken to minimize the nuisance of flying dust by use of chemical dust deterrents or water.

d. Provision shall be made for proper drainage of the area both during the period of excavation and at its completion.

4. Permits shall expire by limitation eighteen (18) months from the date of issuance unless extended by the Zoning Board of Appeals following due notice and public hearing.

5. Regardless of the amount of material excavated, any rock crushing activity shall require

application to and issuance of a Special Exception by the Zoning Board in accordance with the standards and procedures of Section 15-A, Section 19 and the special standards as set forth below. Such application shall include a detailed excavation and operations plan and schedule showing at a minimum the following: (1) limitations on the days of the week and the hours of the day during which any work may be performed on the premises; (2) the duration (not to exceed 6 months) of the permitted rock crushing activity; (3) limitations as to the size and type of machinery to be used on the premises; (4) all information required under Section 15-A-1 including the proposed place and manner of disposal of crushed material; (5) approvals from other agencies, i.e. DEP, Health Department, EPB, Fire Marshall, etc.; (6) an erosion and sediment control plan as specified in Section 15 B of these regulations; and (7) requirements as to the control of dust, noise, fumes and lighting if permitted, so as to prevent results injurious or offensive to the general public and the environment. Application for a rock crushing Special Exception permit shall be made by the property owner or by his agent authorized thereto in writing, and shall be on forms provided by the Zoning Board. Before any Special Exception shall become effective, the owner or his agent shall file with the Zoning Board a bond or other acceptable form of surety sufficient in amount to guarantee the timely and proper completion of all rock crushing activity and complete site restoration. A maximum of 1/2 acre of unrestored work area shall be permitted under this regulation, exclusive of approved stockpiles, loading areas and access drives. No material brought to the site shall be processed by crushing All material processed by rock crushing shall be used on site exclusively pursuant to a valid plan of improvements authorized by a land use agency of the City of Stamford and/or authorized by a valid building permit. Any violation of any conditions of approval or any standards of this regulation shall be cause for immediate stoppage of the operation and revocation of the permit. Notwithstanding the above and pursuant to a Special Exception by the Zoning Board, a Demolition Materials Recycling Facility (Definition 28.6) may be allowed as an interim use in the MG zone. (90-008, 215-33)

B. SOIL EROSION AND SEDIMENT CONTROL

1. Applicability. No activity that results in the cumulative disturbance of more than 10,000 square feet of land area shall be permitted unless a "Soil Erosion and Sediment Control Plan" is submitted, reviewed and certified in accordance with the standards and procedures as herein defined. A certified "Soil Erosion and Sediment Control Plan" may also be required for those activities disturbing a lesser amount of soil, where, in the professional opinion of the Environmental Protection Board or a designated member of its staff there is a significant potential for erosion or sedimentation damage, based on topographic, hydrologic, environmental or land use conditions of individual sites. However, nothing in these regulations shall be construed to require the filing of a separate application for those activities for which a permit has been issued by the Environmental Protection Board, or for which a coastal site plan, special permit or special exception application has been approved by the Zoning Board or the Zoning Board of Appeals, provided such approvals certify conformity with the erosion and sediment control standards of this subsection.

2. Standards. Plans shall be prepared and control measures specified in accordance with accepted soil and erosion control principals and technical standards as outlined in the Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended. Such plans shall effectively minimize erosion and sedimentation of the development site during construction, shall provide for temporary and permanent stabilization of all disturbed areas, shall provide for the effective management and disposal of stormwater runoff, and shall prevent flooding or the discharge of sediment to surrounding properties, wetlands, watercourses or drainage facilities.

3. Application Requirements. Relevant information shall be noted on an "Erosion and Sediment Control Plan" and Application Form. The form shall be supplied by the City of Stamford. The "Soil Erosion and Sediment Control Plan" shall show the following information:

    a) Site plan of the property (at a preferred scale of one inch = twenty (20) feet but not less than one inch = forty feet) and a vicinity sketch (at a scale of not less than one inch = 800 feet);
    b) General resource information including soil types (based on the published USDA Soil Survey of Fairfield County), wetlands, watercourses, flood hazard and floodway boundaries (based on the official Flood Insurance Rate Maps of the City of Stamford), stream channel encroachment lines and significant vegetation;
    c) Existing topography at two (2) foot contour intervals;
    d) The location of all existing structures and drainage structures on the site and within seventy-five (75) feet of the site;
    e) Proposed topography at two (2) foot contour intervals;
    f) Proposed area alterations including those areas to be cleared, excavated, filled or graded as well as the proposed location of all structures, utilities, roads and if applicable, new property lines;
    g) The location of and design details for all proposed soil erosion and sediment control measures and storm water management facilities;
    h) The sequence of grading and construction activities;

i) The sequence for the installation and/or application of soil erosion and sediment control measures;
j) The sequence for final stabilization of the development of the site;
k) The measures for protection of trees and other significant vegetation;
l) Such other information deemed necessary to determine the conformity of the application to the performance standards of these regulations, as determined by the Environmental Protection Board or a designated member of its staff.

A written narrative may also be requested describing the nature of the proposed development activity, the proposed schedule and sequence of grading and construction activities, the design criteria and specifications for the proposed erosion and sediment controls and stormwater management facilities and sequence for their installation and/or application, and the program for operation and maintenance of control measures throughout the life of the project.

4. Review Procedures.

a) Plans filed pursuant to these regulations shall be reviewed and acted upon as prescribed by Public Act No. 85-91. The Environmental Protection Board or a designated member of its staff shall act as the designated agent of the Zoning Board and shall be empowered to receive, review and certify "Soil Erosion and Sediment Control Plans" pursuant to these regulations, except where the plan has been certified by one of the reviewing agencies enumerated under subsection 15.B.1 above.

b) "Soil Erosion and Sediment Control Plans" may be forwarded to the City Engineer or other appropriate City agency for an advisory opinion.

c) Upon the receipt of a complete application and plan, the Environmental Protection Board or a designated member of its staff shall approve, approve with conditions, or deny the plan within 30 days.

d) In approving the plan, the Environmental Protection Board or a designated member of its staff or other reviewing agency may impose as a condition of approval the submission of a performance bond in an amount sufficient to insure the timely installation, operation, maintenance and certification of the control measures, in the form of cash or surety bond as determined by the Environmental Protection Board or a designated member of its staff, and in form acceptable to Corporation Counsel.

5. Enforcement. Site disturbance shall not begin until the required control measures and facilities are properly installed and functional. All required control measures shall be maintained in an effective condition throughout the duration of the project.

Final approval and release of the performance bond shall only be granted upon final inspection and written certification that all disturbed areas have been stabilized and that final sediment control measures and stormwater management facilities have been installed in accordance with the plan. When structural measures are required, the applicant shall additionally submit as-built plans, as prepared by the designer or independent engineer registered in the State of Connecticut.

In acceptance of an approval pursuant to these regulations, the owner of the property shall

consent to permit the City of Stamford of its designee to enter upon the premises to inspect compliance with the approved plan and to perform all work necessary to correct and abate any violations.

Enforcement of these regulations shall be the duty of the Zoning Enforcement Officer pursuant to Section 16 of the Zoning Regulations. (91-003)

ARTICLE V - ADMINISTRATION AND ENFORCEMENT

SECTION 16 - ENFORCEMENT AND PENALTIES

A - It shall be the duty of the Zoning Enforcement Officer as authorized in Section 558 of the City Charter to enforce the provision of these Regulations and to make such orders and decisions as may be necessary to carry out the intent thereof.

B - The Zoning Enforcement Officer, as authorized, may institute any appropriate action or proceedings to prevent the unlawful erection, construction, reconstruction, alteration, repair or conversion of any building or structure, or the unlawful use of land, to restrain, correct or abate such violations, to prevent the occupancy of said building, structure or land, or to prevent any illegal act, conduct, business or use in or about the premises. Whenever such acts shall be in contradiction to the provisions of these Regulations, penalties shall be as provided by General Statutes.

SECTION 17 - APPLICATIONS AND PERMITS

A. Permits Required: Except as otherwise provided in these Regulations or other applicable laws, no building or structure shall be constructed, reconstructed, erected, enlarged, extended or structurally altered, wholly or partly, and no use of land, buildings or other structures, or part thereof, shall be undertaken or changed, and no excavation for any building, structure, sign or use shall be made, until a Zoning Permit has been issued by the Zoning Enforcement Officer. No Zoning Permit shall be issued for any building, structure, sign or use that requires issuance of a special exception, approval of site and architectural plans and requested uses, or Coastal Site Plan Approval under these Regulations until such approvals have been issued and are legally in effect. A Zoning Permit shall be rendered null and void if any substantial changes or alterations are made to the plot plan, building plans and/or other supporting application documents after the issuance of the Zoning Permit.

B. Application Procedure: All applications for a Zoning Permit shall be on forms prescribed by the Zoning Enforcement Officer and shall contain all the information necessary to enable the Officer to ascertain whether the proposed building, structure or use complies with the provisions of these Regulations. Applications for a Zoning Permit for a sign shall contain the information specified in Section 13-C of these Regulations. Applications for a Zoning Permit for all other purposes shall include a certified plot plan, drawn to scale, showing the actual shape and dimensions of the lot to be built upon, the exact size and location on the lot of all existing buildings, structures and accessory buildings, the lines within which the proposed building or structure shall be erected or altered, the existing and intended use of each building, or part thereof, the number of families or housekeeping units that a building shall be designed to accommodate, and such other information with regard to the lot and neighboring lots that may be necessary to determine and provide for the enforcement of these Regulations. All applications for a Zoning Permit shall be accompanied by a fee to cover the cost of processing the application, pursuant to the separately adopted Fee Schedule.

C. Review by Zoning Enforcement Officer: Upon the receipt of a completed application for a Zoning Permit and payment of the applicable fee, the Zoning Enforcement Officer shall promptly conduct investigations of the application and the premises as required. An application for a Zoning Permit shall be denied if the application does not comply with the requirements of these Regulations, if the application is incomplete, or if the application contains any false material statements or omissions. The Zoning Enforcement Officer shall grant or deny an application for a Zoning Permit within thirty (30) days from the date the completed application, with filing fee, was filed with the Zoning Office, unless an extension of time is authorized by the applicant. In the case of an application for a Zoning Permit for a sign, the Zoning Enforcement Officer shall grant or deny such application within ten (10) business days from the date the completed application, with filing fee, was filed with the Zoning Office. In the case of applications for Zoning Permits for signs, if the Zoning Enforcement Officer fails to act within such 10-day period, the sign shall be deemed to not require a Zoning Permit, but must comply with all standards of this Section and all other provisions of these Regulations.

D. Grant or Denial of Permit Application: If, after review and investigation as required herein, the Zoning Enforcement Officer determines that the application meets the requirements contained within these Regulations and other applicable laws, the Zoning Enforcement Officer shall approve the application and issue the Zoning Permit. If, after review and investigation as required herein, the Zoning Enforcement Officer determines that the application does not comply with the requirements of these Regulations or other applicable laws, the application shall be denied and the Zoning Enforcement Officer shall notify the applicant of the reasons therefor. In the case of the denial of an application for a sign permit, a written report of the denial shall be sent by certified mail to the designated return address of the applicant on the application within ten (10) business days after filing of the completed application.

E. Duration: A Zoning Permit shall be valid for a period of one year only, unless the Zoning Board or Zoning Board of Appeals has approved a phasing plan with a longer time period. A Zoning Permit may be renewed for one additional year provided the renewal is obtained before the expiration of the initial permit and a substantial amount of work on the project has been performed. This subsection 17-E shall not apply to Zoning Permits for signs.

F. "As Built" Survey: Upon completion of the foundation of any building, addition to a building, or a structure for which a Zoning Permit has been issued, and before proceeding any further with the construction of said building or structure, the holder of the Zoning Permit shall file with the Zoning Enforcement Officer a certified "as-built" survey prepared by a licensed engineer or land surveyor. Such survey shall show said foundation and indicate the distances therefrom to the front, rear and side yard lines on the lot on which the same is situated. This section 17-F shall not apply to Zoning Permits for signs without a concrete foundation.

G. Variances/Appeals: Any person denied a Zoning Permit or otherwise aggrieved by a decision of the Zoning Enforcement Officer may seek a variance from the Zoning Board of Appeals, and/or file a written appeal to the Zoning Board of Appeals within thirty (30) calendar days after rendition of the denial or decision. The procedures and standards for a variance and an appeal, including the time limits for decisions of the Zoning Board of Appeals, are contained in Section 19 of these Regulations and Conn. Gen. Stat. § 8.7. Any adverse ruling of the Zoning Board of Appeals may be appealed to the Superior Court of Connecticut under Conn. Gen. Stat. § 8-8, *et seq.,* and other applicable laws. (200-32)

SECTION 18 - CERTIFICATE OF ZONING COMPLIANCE

A - No Certificate of Occupancy shall be issued by the Building Official and no land shall be occupied or used and no building hereafter erected or altered shall be occupied or used in whole or in part for any purposes, until a certificate of zoning compliance shall have been issued by the Zoning Enforcement Officer stating that the premises or building complies with all terms and conditions of the Zoning Permit and with all terms and conditions of any applicable approval issued by the Zoning Board, Zoning Board of Appeals or Planning Board, and all applicable provisions of these Regulations. Request for a certificate of zoning compliance shall be made at the same time or prior to a request for issuance of a Certificate of Occupancy, and shall be acted upon within thirty (30) days after notification from the permittee that the premises are ready for occupancy. (99-004)

SECTION 19 - VARIANCES AND SPECIAL EXCEPTIONS

1. BOARD OF APPEALS POWERS AND DUTIES

1.1 Establishment. The Zoning Board of Appeals shall operate under Chapter 56 of the Stamford Charter and any other applicable provision of such Charter or the General Statutes. It shall hear and decide all matters upon which it is required to pass by the specific terms of these regulations and all matters upon which it is directed to act under state statutes.

All powers and duties shall be exercised subject to appropriate conditions and safeguards, in harmony with the purpose and intent of these regulations and in accordance with the public interest and the most appropriate development of the neighborhood.

1.2 Review of Administrative Orders. Any person claiming to be aggrieved, or any officer, department, board or bureau of the municipality aggrieved by any order, requirement or decision made by the Zoning Enforcement Officer may appeal to the Zoning Board of Appeals as provided in Section 8-7 of the Connecticut General Statutes as amended. In order to be considered, such appeal shall be duly filed with the Zoning Board of Appeals within thirty (30) days of the effective date of the action of the Zoning Enforcement Officer. Said Board may reverse or affirm wholly or in part, or may modify any order, decision or requirement appealed from and shall make such order, requirement or decision, consistent with these Zoning Regulations, the Zoning Map, or other provisions of applicable law, as in its opinion should be made in the premises. In deciding on any such appeal the Zoning Board of Appeals shall notice and conduct a public hearing in the manner prescribed under Section 8-3c of the General Statutes, as amended.

1.3 Certificate of Approval of Location.

a. Approval of Gasoline Station location. The Board of Appeals shall hear and decide upon these matters in accordance with the provisions of these regulations and Secs. 14-321 and 322 of the General Statutes, as amended.

b. Dealers' and Repairers' Licenses. The Board of Appeals shall hear and decide upon these matters in accordance with the provisions of these regulations and Secs. 14-54 and 55 of the General Statutes, as amended.

1.4 Variances. The Board of Appeals shall have the power, after public noticed hearing, to determine and vary the application of these Regulations as provided under Section 8-7 of the General Statutes, as amended. Provided however:

(1) Density requirements for multiple family uses as outlined in APPENDIX B, SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF BUILDINGS, under "Square Feet Per Family", shall be unalterable by a variance except when the request for a variance is for one (1) additional dwelling unit.

(2) No use shall be permitted by variance in a residential district which is not otherwise allowed in that district.

1.5 Special Exceptions. Where provided for in these regulations, the Zoning Board of Appeals may, in appropriate cases, after public notice and hearing, grant certain special exceptions. The consideration, granting and conditioning thereof shall be subject to all of the provisions enumerated in Section 19-3 pertaining to Special Exceptions.

2. VARIANCES

2.1 Statement of Purpose. Where there is unusual hardship in the way of carrying out the strict letter of these regulations solely with respect to a parcel of land where conditions especially affect such parcel but do not affect generally the district in which it is situated, the Board of Appeals shall have the power after public notice and hearing to determine and vary the application of these regulations in harmony with their general purpose and intent and with due consideration for conserving the public health, safety, convenience, welfare and property values.

2.2 Standards and Conditions.

a. In considering a variance application, the Board shall state upon its record the specific written findings regarding all of the following conditions:

(1) That there are special circumstances or conditions, fully described in the findings of the Board, applying to the land or building for which the variance is sought, which circumstances or conditions are peculiar to such land or building and do not apply generally to land or buildings in the district and have not resulted from any intentional act of the applicant in contravention of the Zoning Regulations.

(2) That for reasons fully set forth in the findings of the Board, the aforesaid circumstances or conditions are such that the strict application of the provisions of these Regulations would deprive the applicant of the reasonable use of such land or building and the granting of the variance is necessary for the reasonable use of the land or building.

(3) That taking into consideration the purpose and intent of the regulations, the variance, as granted by the Board is the minimum variance necessary to afford relief.

(4) That the granting of the variance will be in harmony with the general purpose and intent of these Regulations, and will not be injurious to the neighborhood, impair the essential character of the area or otherwise be detrimental to the public welfare.

b. In granting any variance, the Board may attach such reasonable conditions and safeguards as are deemed necessary to protect the neighborhood, including, but not limited to the following:

(1) requirement of front, side or rear yards greater than the minimum required by these regulations;

(2) requirement of screening of parking areas or other parts of the premises from adjoining premises or from the street by walls, fences, planting or other devices, size, location and type to be specified by the Board;

(3) modification of the exterior features or appearance of any structure where necessary to protect privacy and/or preserve property values;

(4) limitation of size, number of occupants, method or time of operation, or extent of facilities;

(5) regulation of the number, design and location of access drives or other traffic features.

c. Granting of a variance pursuant to the provisions hereof shall be deemed to authorize only the particular use, structure or feature shown on the application therefore and proper modifications, if any, in the Board's decision. Any change in the approved plans or any subsequent change of any use, structure or feature shown on the approved plans that materially affects an approved variance shall require the further approval of the Board. Conditions of approval, when specifically imposed by the Board, shall be binding on the applicant, and failure to comply with any such conditions shall constitute a violation of these regulations.

2.3 Application Requirements and Procedure.

a. Before deciding on any variance application, the Board shall notice and conduct a public hearing, in the manner prescribed under Section 8-3c of the General Statutes, as amended.

b. All applications for variances shall include, as a minimum, site plans showing property boundaries, the location and size of buildings, traffic access and circulation drives, and the extent of proposed construction, reconstruction or alteration. The Board of Appeals may require that such plans also show, where applicable, yards, parking areas, all proposed activity, landscaping, utility vaults, location of all waterways, streams, wetlands and flood hazard areas, contours at intervals of not less than 5 feet and any other pertinent information that may be necessary to determine whether all requirements of these regulations are met. In addition the applicant shall submit a written statement briefly describing the nature, size and intensity of operation proposed for the site. Such site plans shall be drawn to a scale of not less than 1 inch equals 30 feet, unless otherwise authorized by staff based on parcel size or unique circumstances. Such site plans shall be prepared and certified by a professional architect, landscape architect, land surveyor or engineer licensed by the State of Connecticut, provided that all property boundary, lot area, and existing conditions information shall be certified by a Registered Land Surveyor and prepared in accordance with the standards of a Class A-2 survey as defined by the Connecticut Association of Land Surveyors.

c. The form of application, number of copies of plans to be submitted and the filing fee shall be established by the Zoning Board of Appeals.

d. Referral to Planning Board

(1) All applications for variances to authorize the operation of a use other than those specifically listed as "Permitted Uses" in the LAND USE SCHEDULE for the district in which the subject property is located, and all applications for variances from the SCHEDULE OF REQUIREMENTS FOR AREA HEIGHT AND BULK OF BUILDINGS, approval of which would (1) reduce the required minimum number of square feet of lot area per family, (2) reduce off-street parking and loading requirements, (3) increase maximum permitted building heights or bulk beyond permitted limits in the SCHEDULE, or (4) result in greater building bulk in ratio to lot area than permitted in the Regulations, shall be referred to the Planning Board for an advisory report of its recommendations, which recommendations shall outline all factors considered, and which shall not be binding upon the Zoning Board of Appeals. Each such application shall be referred to the Planning Board at least thirty (30) days prior to the date assigned for a public hearing thereon. Failure of the Planning Board to report within 30 days shall be construed as no response. A statement of the vote of the Planning Board recommending approval or denial, or proposing a modification of such application shall be publicly read at any public hearing thereon. The full report of the Planning Board regarding such application shall include the reasons for the Board's vote therein and shall be incorporated into the records of the public hearing held thereon by the Zoning Board of Appeals.

(2) The Planning Board, in reviewing such matters, shall set forth its opinion as to whether or not the proposed use or feature is in reasonable harmony with the various elements and objectives of the Master Plan and the comprehensive zoning plan, and in case of a recommendation for approval, may suggest conditions deemed to be necessary in the granting of any such application.

e. Referral to other Agencies

(1) All applications for variances shall be referred to the Department of Traffic and Parking for an advisory report at least thirty (30) days prior to the date assigned for a public hearing thereon. Applications potentially affecting public utility systems or involving matters of a technical engineering nature may also be referred to the Bureau of Engineering in a like manner.

(2) All applications for variances on a lot not served by a public sewer shall be referred to the Health Director and Environmental Protection Board for an advisory report at least thirty (30) days prior to the date assigned for a public hearing thereon. Failure of a referral agency to report within 30 days shall be construed as no response.

2.4 Limitations.

a. Any variance granted by the Board shall automatically expire if a full Building Permit

for work on the structure or feature for which the variance was granted is not issued within 12 months of the date of such approval. If no building permit is required, any use for which a variance has been granted shall be established within 12 months of the date of approval thereof or such variance shall be void. The time that elapses during any litigation challenging a granted variances, until final judgement or settlement, shall not count toward the time limits set out in this section. The Board of Appeals shall have the authority to grant no more than one 12 month extension of such time period.

b. Any variance which is granted by the Zoning Board of Appeals shall be placed by said Board upon the land records of the City by filing a record of the variance with the Town Clerk.

3. SPECIAL EXCEPTIONS

3.1 Statement of Purpose. The development and execution of comprehensive zoning regulations is based upon the division of the City into districts, within which the use of land and structures and the location of structures in relation to the land are substantially uniform. It is recognized, however, that there are certain uses and structures which, because of their unique characteristics, cannot be distinctly classified or regulated in a particular district or districts without consideration, in each case, of the impact of such uses and structures upon neighboring uses and the surrounding area, compared with the public need for them at particular locations. Such uses and structures are therefore treated as special exceptions. Where provided for elsewhere by these regulations, the Zoning Board of Appeals or the Zoning Board may, in appropriate cases, after public notice and hearing, grant certain special exceptions. Where an existing use or structure which is permitted only by special exception is proposed to be extended or altered in a manner which would in any way change the character or intensity of the use or feature, such proposed extension or alteration shall be treated as a special exception under this section.

3.2 Standards and Conditions.

a. Special Exceptions shall be granted by the reviewing board only upon a finding that the proposed use or structure or the proposed extension or alteration of an existing use or structure is in accord with the public convenience and welfare after taking into account, where appropriate:

(1) the location and nature of the proposed site including its size and configuration, the proposed size, scale and arrangement of structures, drives and parking areas and the proximity of existing dwellings and other structures.

(2) the nature and intensity of the proposed use in relation to its site and the surrounding area. Operations in connection with special exception uses shall not be injurious to the neighborhood, shall be in harmony with the general purpose and intent of these Regulations, and shall not be more objectionable to nearby properties by reason of noise, fumes, vibration, artificial lighting or other potential disturbances to the health, safety or peaceful enjoyment of property than the public necessity demands.

(3) the resulting traffic patterns, the adequacy of existing streets to accommodate the traffic associated with the proposed use, the adequacy of proposed off-street parking and loading, and the extent to which proposed driveways may cause a safety hazard, or traffic nuisance.

(4) the nature of the surrounding area and the extent to which the proposed use or feature might impair its present and future development.

(5) the Master Plan of the City of Stamford and all statements of the purpose and intent of these regulations.

b. In granting a Special Exception the reviewing board may attach reasonable conditions and safeguards as it deems necessary to protect the general health, safety, welfare and property values of the neighborhood. Failure to comply with any such conditions shall constitute a violation of these Regulations. At the discretion of the reviewing board, conditions may include but are not limited to those issues previously listed as well as the following:

(1) Require shading of artificial light sources so that no direct rays fall on other than the subject property and to reduce glare from such sources.

(2) Require screening of structure and/or parking areas of the premises or from streets by walls, fences, planting or other devices, size, type and location to be specified by the reviewing board.

(3) Limit hours of operation.

(4) Require rearrangement and re-design of buildings, structures, parking areas or driveways to minimize any adverse impact on the neighborhood.

(5) Require landscaping of such type, number and size as necessary for sedimentation and erosion control, screening or enhancement of the property.

(6) Provide that no Certificate of Occupancy shall be granted until certification is made to and approved by the reviewing board that the project has been completed and is in compliance with all conditions of approval.

c. Granting of a special exception pursuant to the provisions hereof, shall be deemed to authorize only the particular use, structure or feature shown on the application therefore and proper modifications, if any, in the reviewing board's decision. Any change in the plans for, enlargement in the size of, or change in the location of any structure, parking area or planned activity, or any enlargement in the size and intensity of the operation thereafter, shall require the further approval of the reviewing board.

d. Swim and/or Tennis Club Use. The Zoning Board of Appeals may by special exception permit the establishment of a swim and/or tennis club use not operated for profit in accordance with APPENDIX A - LAND USE SCHEDULE, applicable standards for

special exceptions provided for in these regulations, and the additional standards set forth below:

(1) No parcel of land to be used for the above described purposes shall be less than five (5) acres in area.

(2) Any building whether principal or accessory and any lounging area or other area designed for active use shall be not less than one hundred feet (100') from the nearest property line of abutting residential property, and no part of any parking area shall be less than fifty feet (50') from any such property line.

(3) The minimum front yard distance shall be governed by the Regulations applicable to the district or districts wherein such use is to be located.

(4) There shall be at least one (1) off-street parking space for each employee and for every two (2) memberships.

(5) There shall be no facilities for over-night accommodations except for employee's quarters.

(6) There shall be no unshaded light sources, and lights shall be so located that their beams are not directed into residential areas or into the public highway, nor shall there be any flashing lights, loudspeakers or other noise-making devices except that a public address system may be permitted with speakers not nearer than three hundred feet (300') to any street or property line, and the volume of sound shall be so regulated as to be inaudible beyond a point two hundred feet (200') away from the sound amplifying equipment.

(7) The facilities shall not be rented to any outside organization or to any individual on a term basis or for a particular function.

(8) Sale of alcoholic beverages on the premises shall be prohibited.

(9) The Zoning Board of Appeals may impose any other reasonable conditions with regard to the operation of a swim or tennis club including limitation on hours of operation and restriction of commercial facilities.

(10) All records necessary to permit checking for compliance with these Regulations shall be made available to the Zoning Enforcement Officer at any reasonable hours.

e. Special Standards for Single Family Districts. Special Standards for Single Family Districts: In addition to the other standards and requirements of these Regulations, all applications for special exception uses within the RA-3, RA-2, RA-1, R-20, R-10 and R-7.5 single family districts shall conform to the review standards of Section 7.2-C Site Plan Review Standards for Review, and to the following additional special standards. The special standards of this section shall not however apply to Yacht Clubs (#113.5), Group Day Care Home (#22), Hospital Complex (#47) or Senior Housing & Nursing Home Facility Complex (#92.1). Existing non-residential uses and non-residential structures,

established or erected prior to September 13, 1993 which do not conform to the standards of this Section 19-3.2 (e), may be continued, rehabilitated, altered, extended, expanded or changed to a new special exception use provided that required approvals are obtained and provided that existing non-conformities with the standards of this Section shall not be increased and no new non-conformities shall be created. (94-012, 216-13)

(1) Minimum Lot Size: the area of the lot shall be not less than twice the minimum lot size required for a single family dwelling.

(2) Floor Area Ratio: the total gross floor area of all uses contained within buildings, including residential use and parking structures, divided by the area of the lot shall not exceed the following standards: RA-3 and RA-2 Districts 0.10; RA-1 and R-20 Districts 0.15; R-10 District 0.20; R-7.5 District 0.25.

(3) Ground Coverage: the total percentage of a lot occupied by buildings, parking areas, driveways, walkways, patios, terraces and other impervious surface areas shall not exceed the following standards: RA-3 and RA-2 Districts 25%; RA-1 and R-20 Districts 35%; R-10 District 45%; R-7.5 District 60%.

(4) Building Setbacks: All buildings shall be setback from front and side property boundaries by an amount not less than the minimum setback specified in Appendix B plus six (6) inches for each foot of building length in excess of forty (40) feet, such length measured parallel to the property boundary. Building setback from a side property line shall not be required to exceed forty (40) feet and setback from a front property line shall not be required to exceed twice the minimum front setback standard of Appendix B.

(5) Landscape Buffers: Landscaped buffer areas shall be provided along the front property line with a width not less than 50% of the minimum front setback standard of Appendix B, and shall be provided along all side and rear property boundaries with a width of not less than ten (10) feet. Required buffer areas shall be maintained as unoccupied landscaped open space and shall not be used for parking, driveways, or accessory structures, other than required curb cuts necessary to access the site and pedestrian walkways and similar improvements as approved by the reviewing board. The perimeter of all buildings shall be suitably landscaped with a planted area an average width of not less than ten (10) feet for not less than 75% of the building perimeter, provided that up to 6 feet of this buffer width may consist of pedestrian walkways. Not less than 10% of the interior area of vehicle parking areas shall be devoted to landscaped islands and dividers which shall be planted with not less than one shade tree with a minimum caliper of 2.5 inches (dbh) for every ten parking spaces or fraction thereof.

(6) Separation of Uses: In order to preserve the essential character of residential neighborhoods and avoid undue concentration of non-residential uses, no special exception application shall be approved authorizing a new nursing home (#69), church (#23), clinic (#23.1) or public charitable institution (#79) within 1000 feet of any other such uses. Existing uses authorized prior to the effective date of this regulation shall be exempt from this separation requirement and may be continued, altered, changed in use or expanded in conformance with applicable standards of these Regulations.

(7) Staff Review: All applications for special exception within single family districts shall be referred to the Planning and Zoning Director for staff review of site and architectural plans at least thirty (30) days prior to the scheduling of a public hearing on such application. (93-013)

3.3 Application and Procedure.

a. Before deciding on any special exception the reviewing board shall hold a public hearing on each application. Notice of the time and place of such hearing shall be given in accord with the requirements of Section 8-3c of the General Statutes, as amended.

b. All applications for special exception shall include as a minimum site plans prepared to the standards and specifications of Section 19,2.3,b. of these Regulations. The form of application, number of copies of plans to be submitted, and the filing fee shall be established by the reviewing board.

c. All applications for special exception shall be referred to the Planning Board for an advisory report and acted on in the same manner as provided under Section 19,2.3,d. of these Regulations. If the Planning Board recommends denial of an application for special exception, such special exception shall not be granted except by the affirmative vote of four members of the Zoning Board; the Zoning Board of Appeals must follow Section 8-6, CGS and vote by four affirmative votes whether or not the Planning Board recommends approval or denial. (91-019)

d. Referral to other Agencies

(1) All applications for special exceptions shall be referred to the Bureau of Engineering and Department of Traffic and Parking for an advisory report at least thirty (30) days prior to the date assigned for a public hearing thereon.

(2) All applications for special exceptions on a lot not served by a public sewer shall be referred to the Health Director and Environmental Protection Board thirty (30) days prior to the date assigned for a public hearing thereon. Failure of a referral agency to report within 30 days shall be construed as no response.

3.4 Limitation.

a. Except as provided in Section 19.3.4.b of these Regulations, any special exception granted by a reviewing board shall automatically expire at the expiration of 12 months after the date of the approval. Notwithstanding the foregoing, the reviewing board upon timely application and good cause shown, may grant not more than three one-year extensions of the expiration date. (91-026; 94-026)

b. Where the Zoning Board approves a special exception application for a development to be constructed in more than one phase, it shall authorize the number of years from the date of approval, within which all phases of the development shall be completed. (205-33)

c. Any special exception granted by a Board shall be placed by said Board upon the land records of the City by filing a record of the Special Exception with the Town Clerk.

ARTICLE VI - AMENDMENTS, VALIDITY, EFFECTIVE DATE

SECTION 20 - AMENDMENTS

A - These Regulations may from time to time be amended, changed or repealed as provided in the Stamford Charter, as amended.

B - Supplementing the advance public notice procedure requirements in the Charter of the City of Stamford, no application to amend the Zoning Map, or for approval of design and/or uses in a Designed District, or for approval of a variance, or for approval of a special exception, or an appeal from a decision of the Building Inspector, shall be heard until the following shall be done: (71-018)

(1) When making application to the Board having jurisdiction, the applicant shall submit four (4) copies of a map showing and describing the area which is the subject of the application, which map shall become a part of the application. After making application and being given assignment for public hearing thereon, and prior to said hearing, the applicant shall prepare a list of names and addresses of owners of all properties within the area which is the subject of the application and of all properties one hundred feet (100') or less distant therefrom in the case of all Districts except RA-3, RA-2 and RA-1 One Family Residence Districts, all as verified from the most current Real Property Records on file in the Office of the Assessor of the City of Stamford (or the actual owners of record if otherwise known to the applicant). In the case of applications concerning property situated in the RA-3 and RA-2 One Family Residence Districts owners of property within five hundred feet (500') or less must be listed and when situated in the RA-1 One Family Residence District, owners of the property within three hundred feet (300') or less must be listed. The applicant shall mail notifications of said pending application to at least one (1) owner of each such property not more than twenty (20) days nor less than seven (7) days before the date set for public hearing, by transmitting the text of the application, including scheduled date, time and place of public hearing. Evidence of such mailing shall be submitted with the aforementioned list, in the form of United States Post Office Certificates of Mailing. (77-022; 78-021)

(2) Applications, property-owner lists and evidence of mailing of notifications shall be submitted on forms supplied or approved by the Zoning Board.

C - 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 re-scheduled for public hearing within ninety (90) days following the public hearing date from which said application or applications were withdrawn or postponed.

SECTION 21 - VALIDITY

A - If any section, paragraph, subdivision, clause or provision of these Regulations is declared by any court of competent jurisdiction to be invalid, such adjudication shall not affect any other portion of these Regulations.

SECTION 22 - EFFECTIVE DATE

The effective date of these Regulations shall be November 30, 1951.

APPENDIX A
LAND USE SCHEDULE

NOTE: Figure in parenthesis "()" after Permitted Use refers to Definition in Section 3. Permitted Uses in the various districts are indicated with an "X", but Section 7.5 "Review of Large Scale Development" should be consulted to determine if Special Exception approval is required. Where such use is marked with an "XM", such use is permitted with a maximum of 1,500 square feet of gross floor area for each such establishment, and a total of 30,000 square feet of gross floor area for all such establishments in the CC-S District. Where such use is marked with an "A", it is subject to approval by the Zoning Board of Appeals, in accordance with procedures and standards as set forth in the statutes and as provided for under Section 19 of these Regulations. Where such use is marked with a "B", it is subject to approval by the Zoning Board, in accordance with procedures and standards as set forth under Section 9 and Section 19 of these Regulations. Where such use is marked with an "XR", such retail use shall not exceed 5,000 square feet of gross floor area for each such separate retail establishment; and in the aggregate, such retail use shall not exceed 50 percent of maximum permitted floor area for any parcel, excluding retail which is accessory to an industrial use.

TABLE 1

PERMITTED USES IN RESIDENTIAL, COMMERCIAL OR INDUSTRIAL DISTRICTS	RESIDENCE												COMMERCIAL								INDUSTRIAL	
	RA 3	RA 2	RA 1	R 20	R 10	R 7.5	R 6	M-1	5	R MF	R H		C N	C B	C L	C G	CC N	C I	C S	CC S	M L	M G
1 - Ambulance Facility, Non-Profit (Assisted by Federal, State and/or Municipal funding) (4.1).....	- -		A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1.1 - Apartment Building for the Elderly(4.2)	-	-	-	-	-	-	-	-	-	-	x	x	-	-	-	x	x	-	-	-	-	-
1.2 - Apartment Building for the Elderly -Municipally owned (4.3).....	-	-	-	-	-	A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1.3 - Apartment Building for the Elderly -Non-Profit (4.4).....	-	-	-	-	A	-	-	x	-	x	-	-	-	-	-	-	x	-	-	-	-	-
1.4 - Apartment Building for Supportive Housing (4.5)	-	-	-	-	-	-	-	-	-	-	B	B	-	-	-	-	-	-	-	-	-	-
2 - Apartment - Garden Type.....	-	-	-	-	-	-	-	x	x	-	x	x	x	x	x	x	x	x	x	-	-	-
3 - Apartment Hotel (5).....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	x	x	x	x	x	-	-	-
3.1 - Apartment Hotel for the Elderly (5.1)..	-	-	-	-	-	-	-	-	-	-	-	-	-	-	x	x	x	-	-	-	-	-
4 - Apartment House (6).....	-	-	-	-	-	-	-	-	-	-	B	x	x	x	x	x	x	x	x	-	-	-
4.15- Assisted Living Facility (7.5).....	A	A	A	A	A	A	-	B	B	-	B	B	-	-	x	x	-	x	x	-	x	x
4.2 - Auto Rental Service Facility (8.1)……	-	-	-	-	-	-	-	-	-	-	B	-	-	-	-	-	-	-	-	-	x	x
4.5 – Beach Club (12.5)…….	-	-	B			B	B	B	-	-	-	-	-	-	-	-	-	-	-	-	B	B
5 - Boarding House, Rooming House (13)	-	-	-	-	-	-	-	-	-	-	B	B	x	A	x	x	-	x	x	-	-	-
6 - Camp, Summer Day (19).....	A	A	A	A	A	A	A	B	B	-	B	B	x	x	x	x	-	x	x	-	x	-
7 - Camp Ground (20).....	A	A	A	A	A	A	-	-	-	-	-	-	-	-	x	-	-	-	-	-	x	-

TABLE 1 (Continued)

PERMITTED USES IN RESIDENTIAL, COMMERCIAL OR INDUSTRIAL DISTRICTS	RESIDENCE												COMMERCIAL								INDUSTRIAL	
	RA 3	RA 2	RA 1	R 20	R 10	R 7.5	R 6	M-1	5		R MF	R H	C N	C B	C L	C G	CC N	C I	C S	CC S	M L	M G
8 - Cemeteries & Mausoleums (21)(67)..	A	A	A	A	A	A	A	B	B		-	B	B	-	-	-	-	-	-	-	-	-	-
9 - Child Day Care Center (22).....	A	A	A	A	A	A	A	B	B		-	B	B	A	A	A	B	B	A	A	A	A	A
10 - Christmas Trees, Holly Wreaths and similar Christmas Decorations; the temporary sale of, outdoors only, (See Table II) between the dates of Nov. 15 & Dec. 31.....	A	A	A	A	A	A	A	B	B		-	B	B	-	-	-	-	-	-	-	-	-	-
11 - Churches & Religious Institutions(23)	A	A	A	A	A	A	A	B	B		-	B	B	x	x	x	x	x	x	x	-	x	x
12 - Clinics (23.1)	-	A	A	A	A	A	-	-	-		-	-	-	-	-	x	x	x	x	x	x	x	-
13 - Clubs -Country,Golf, (27)	A	A	A	A	A	A	-			-	-	-	-	-	-	x	x	-	x	x	-	x	x
13.1 - Clinic, Community Health Center(23.2)	-	-	-	-	-	-	-	-	-		-	B		-	-	-	-	-	-	-	-	-	-
14 - Clubs & Lodges Non-Profit (24).....	-	-	-	-	-	-	A	B	B		-	B	B	x	x	x	x	x	x	x	x	x	x
15 - Club - Swim and/or Tennis.....	A	A	A	A	A	A	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-	-
16 - Colleges & Universities (25).....	-	-	-	-	-	-	-	-			-	B	B	-	-	B	B	-	B	x	-	-	-
17 - Community Center.....	A	A	A	A	A	A	-	-	-		-	B	B	-	A	x	x	x	x	x	x	x	x
17.1 - Corporate Retreat (26.3)……	-	B		-	-	-	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-	-
17.5 – Dormitory (28.5)…….....…… (See Section 7.8)	-	-	-	-	-	-	-	-	-		-	B	B	-	-	-	B	B	-	-	-	-	-
18 - Dwelling - Single Family (30).....	x	x	x	x	x	x	x	x	x		-	x	x	x	x	x	x	-	x	x	-	-	-
19 - Dwelling - Two Family (31).....	-	-	-	-	-	-	x	x	x		-	x	x	x	x	x	x	-	x	x	-	-	-
19.1 - Dwelling, Multiple (32) (see App. B, Note #2 for M-L)…….	-	-	-	-	-	-	x			x	-	x	x	x	x	x	x	x	x	x	-	B	-
20 - Dwelling-Group or Town Houses (33)	-	-	-	-	-	-	-	-	-		-	-	-	x	x	x	x	-	x	x	-	-	-
20.1 - Emergency Shelter (35.15).....	-	-	-	-	-	-	-	-	-		-	B	B	-	-	-	A	A	A	-	-	A	A
20.5 - Family Day Care Home (22).....	x	x	x	x	x	x	x	x			-	x	x	x	x	x	x	x	x	x	x	A	A
20.7 - Family Estate (38)……	x	x	x	-	-	-	-	-			-	-	-	-	-	-	-	-	-	-	-	-	-
22.1 - Fire Station Volunteer (39).....	-	A	A	A	A	A	A	B	B		-	B	B	A	A	A	A	A	A	A	A	A	A

TABLE 1 (Continued)

PERMITTED USES IN RESIDENTIAL, COMMERCIAL OR INDUSTRIAL DISTRICTS	RESIDENCE											COMMERCIAL								INDUSTRIAL	
	RA 3	RA 2	RA 1	R 20	R 10	R 7.5	R 6	M-1	5	R MF	R H	CN	CB	CL	CG	CCN	CI	CS	CCS	ML	MG
23 - Garages, Community (41)	-	-	-	-	-	-	-	-	-	-	-	-	-	x	x	x	x	x	-	-	-
24 - Garages, Private (42)	-	x	x	x	x	x	x	x	x	- x	x	x	x	x		x	x	x	x	x	x
24.1 - Group Day Care Home (22)	A	A	A	A	A	A	A	B	B	- B	B	A	A	A	B	B	A	A	A	A	A
24.2 - Historic Site (45.1)	A	A	A	A	A	A	-	-	B	- B	B	A	A	A	A	A	A	A	A	A	A
25 - Home Occupation (46)	-	x	x	x	x	x	x	x	x	- x	x	x	x	x		x	x	x	-	-	-
26 - Hospital Complex (47)	-	-	-	-	-	B	-	B	B	- B	B	-	-	-	-	-	-	-	-	-	-
27 - Hotel, Inn (48)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	x	x	A	-	x	A	-
27.5 – Hotel or Inn, Extended Stay (48.5)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	B	-	-	-	-	-
28 - Hotel Residential (49)	-	-	-	-	-	-	-	-	-	- B		-	-	x	x	x	x	x	-	-	-
28.1- Museum, Non-Profit (67.1)	A	A	A	A	A	-	-	-	-	-	-	-	-	A	A	x	A	A	x	-	-
28.5- Museum Complex (67.5)	-	B	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
29 - Nursing Home (69)	A	A	A	A	A	A	-	B	B	-	B B	-	-	x	x	-	x	x	-	x	x
29.1- Offices, Housing Authorities	-	-	-	-	-	-	-	-	-	- x	x	-	-	-	-	-	-	-	-	-	-
30 - Passenger Terminals & Stations (74)	-	-	-	-	-	-	-	x		-	-	A	A	x	x	x	x	x	x	x	x
30.2 - Personal Wireless Service Facility (74.2)[1]	x	x	x	x	x	x	x	x		-	x x	x	x	x		x	x	x	x	x	x
30.5 - Prenatal Care & Transitional Residence(74.5)	-	-	-	-	-	-	-	-	-	- x	-	-	-	-	-	-	-	-	-	-	-
31 - Professional Offices,Accessory Use	x	x	x		x	x	x	x	x	-	x x	x	x	x	x	x	x	x	-	x	-
32 - Professional Offices, Medical (75)	-	-	-	-	-	-	-	-	-	-	-	x	x	x	x	x	x	x	x	x	x
33 - Professional Offices, Principal Use	-	-	-	-	-	-	-	-	-	-	-	x	x	x	x	x	x	x	x	x	x
34 - Professional Pharmacy (78)	-	-	-	-	-	-	-	-	-	-	-	x	x	x	x	x	x	x	x	x	x
35 - Public & Charitable Agencies (79)	-	A	A	A	A	A	-	-	B	-	B B	x	x	x	x	x	x	x	x	x	x
36 - Public Libraries or Branch thereof	A	A	A	A	A	A	A	B	B	-	B B	A	A	A	A	A	A	A	A	A	A
37 - Public Utility Buildings (80)	-	-	-	-	-	-	-	-	-	-	-	A	A	x	x	x	x	x	x	x	x

TABLE 1 (Continued)

PERMITTED USES IN RESIDENTIAL, COMMERCIAL OR INDUSTRIAL DISTRICTS	RESIDENCE											COMMERCIAL								INDUSTRIAL	
	RA 3	RA 2	RA 1	R 20	R 10	R 7.5	R 6	R M-1	R 5		R MF	R H	C N	C B	C L	C G	CC N	C I	C S	CC S	M L	M G
38 - Public Utility Transformer & Pump Stations	A	A	A	A	A	A	A	B			B	-	B	B	x	x	x	x		x	x	x	x	x
38.5 – Public Youth Services Agency (81.1)	-	-	-	-	-	B				-	-	-			-	-	-	-	-	-	-	-	-	-
39 - Radio & television Broadcasting Stations & Masts (82)	A	A	A	A	A	A	-			-	B	-	B	B	A	A	A	A	A	A	A	A	A	A
39.1- Residential Recreational Area (84.1)	-	A	A	A	A	A	-	-	-	-		-	-		-	-	-	-		-	-	-	-	-
40 - Sand & Gravel Bank, No Crushing	-	-	-	-	-	-	-	-	-			-	-		-	-	-	x	x	-	x	x	-	x	x
41 - School, Non-Public (91)	A	A	A	A	A	A	A	B	B			-	B	B	A	A	A	B	B	A	A	-	A	A
42 - School, Public (92)	x	x	x	x	x	x	x	x	x	-		x	x		x	x	x	x		x	x	x	x	x
42.1 - Senior Housing and Nursing Home Facility Complex (92.2)	-	-	-	-	B			-	-	-	-	B			-	-	-	-	-	-	-	-	-	-
42.2 - Surgery Center/Out Patient (98.1) (See Sect. 4AA 6.3r)	-		-	-	-	-	-	-	-		-	B		-	-	-	x	x	x	x	x	x	x	-
43 - Tourist Home (103)	-	-	-	-	-	-	-	-	-		-	-			-	-	x	x	-	x	x	-	x	-
44 - Yacht Club	-		-	-	B	B	B	B	-	-	-	-	-	-	-	-	-	-	-	-	-	-	B	B

[1] A Personal Wireless Service Facility shall also be a permitted use in accordance with the application procedure set forth in Section 74.2(1) in the following Design Districts (Section 9): R-D Designed Residential District; P-D Planned Development District; MX-D Mixed Use Development District - Part A and Part B; DW-D Designed Waterfront Development District; B-D Designed Business District; TCDD Transportation Center Design District; C-D Designed Commercial District; M-D Designed Industrial District; IP-D Designed Industrial Park District; R-H Multiple Family Design District, High Density; RM-1 Multi-Family, Low Density Design District; R-5 Multi-Family, Medium Density Design District; R-MF Multi-Family Design District; CSC-D Community Shopping Center District - Designed; MRD-D Designed Mill River District; and, in the following non-design districts (Section 4): CW-D Coastal Water Dependent District and P Park District. (201-25).

APPENDIX A - TABLE II

PERMITTED USES IN COMMERCIAL AND INDUSTRIAL DISTRICTS ONLY	COMMERCIAL								INDUSTRIAL	
	C-N	C-B	C-L	C-G	CC-N	C-I	C-S	CC-S	M-L	M-G
43.1 Adult Establishment (2.1) (see Sect. 7.P)…….....	-	-	-	-	-	-	-	-	A	A
44 - Agencies - Real Estate, Insurance, Employment.....	x	x	x	x	x	x	x	x	x	x
45 - Amusements - Outdoor Temporary, Circus, Fairs, etc.....	-	-	-	-	-	A	x	-	x	x
46 - Amusements - Dance Hall, Billiard Parlor; Indoor……..	-	-	-	x	x	A	-	x	x	x
47 - Amusements - Theatre, Pools, Arena; Outdoor.....	-	-	-	-	-	A	x	x	x	x
48 - Apparel Shop.....	x	x	x	x	x	x	-	XM	-	-
49 - Art & Antique Shops.....	x	x	x	x	x	x	-	XM	-	-
50 - Assembly of Parts, Retail only.....	-	-	x	x	x	x	x	-	x	-
51 - Auto & Airplane Assembly.....	-	-	-	-	-	-	-	-	-	x
52 - Auto Court, Motel.....	-	-	-	x	x	-	-	x	-	-
53 - Auto Parking Area, Commercial & Municipal.....	A	A	x	x	x	x	x	x	x	x
54 - Auto Sales Agency, New with Used, ...	-	-	-	x	x	x	x	x	x	x
55 - Auto Sales Area, Used (110) (provided that within the C-L District, the lot must front on U.S. Route 1).....	-	-	A	x	-	x	x	-	x	x
56 - Auto Service Station (44) (See Section 11).....	A	A	-	-	-	A	A	-	A	A
57 - Auto Truck Storage Area.....	-	-	-	-	-	-	-	-	-	A
58 - Auto Wrecking Area, Junk Yard (52).....	-	-	-	-	-	-	-	-	-	B
59 - Automatic Car Wash Establishments Subject to Section 11	-	-	A	-	-	A	A	-	A	A
60 - Automotive Equipment & Service (9). except in the CN and CL Zones retail only and no automotive service shall be provided….	x	-	B	x	x	x	x	-	x	x

APPENDIX A - TABLE II

PERMITTED USES IN COMMERCIAL AND INDUSTRIAL DISTRICTS ONLY	COMMERCIAL								INDUSTRIAL	
	C-N	C-B	C-L	C-G	CC-N	C-I	C-S	CC-S	M-L	M-G
61 - Bakeries, Commercial or Wholesale, engaged in the production and storage of bakery Products for resale off premises	-	-	-	-	-	-	x	-	x	x
62 - Bakeries, Retail	x	x	x	x	x	x	x	-	XR	XR
63 - Bank & Financial Institutions	x	x	x	x	x	x	x	x	x	x
64 - Barber, Beauty Shops	x	x	x	x	x	x	x	XM	XR	XR
65 - Boat, Marine Accessories; Outboard Motor Sales and Repairs	-	-	-	-	x	x	x	-	x	x
66 - Boat Storage & Repair	-	-	-	-	-	-	x	-	x	x
67 - Book Store	x	x	x	x	x	x	-	XM	-	-
68 - Bottling Plant	-	-	-	-	-	-	x	-	x	x
69 - Bowling Alleys	-	-	-	x	x	A	A	x	A	-
70 - Brewery, Distillery	-	-	-	-	-	-	-	-	-	x
71 - Brick, Tile, Terra Cotta, Cement Block, Cast Stone Manufacturing	-	-	-	-	-	-	-	-	-	x
72 - Building Material, Sales & Storage (17)	-	-	-	-	-	-	x	-	x	x
73 - Cafe, includes Entertainment & Liquors, Subject to Section 14 (18)	-	-	-	x	x	x	x	x	x	x
74 - Cafe, excludes Entertainment but includes Liquors, Subject to Section 14 (18)	-	-	x	x	x	x	x	x	x	x
75 - Camera Shop	x	x	x	x	x	x	-	XM	-	-

APPENDIX A - TABLE II

PERMITTED USES IN COMMERCIAL AND INDUSTRIAL DISTRICTS ONLY	COMMERCIAL								INDUSTRIAL	
	C-N	C-B	C-L	C-G	CC-N	C-I	C-S	CC-S	M-L	M-G
76 - Camp, Trailer; Trailer Sales (20 or 105).....	-	-	-	-	-	A	A	-	A	-
77 - Canvas Products Mfg.....	-	-	-	-	-	-	x	-	x	x
78 - Carpentry, Woodworking Shop.....	-	-	-	-	-	x	x	-	x	x
79 - Casting, Foundry.....	-	-	-	-	-	-	-	-	-	x
80 - Chemical Mfg. & Storage.....	-	-	-	-	-	-	-	-	-	A
81 - Christmas Trees, Holly Wreaths & Similar Christmas Decorations, the sale of.....	x	x	x	x	x	x	x	XM	x	x
81.5 Radio Controlled Miniature Car Facility	-	-	-	-	-	-	-	-	-	x
82 - Clothing Store.....	x	x	x	x	x	x	-	-	-	-
83 - Coal Storage and Sales.....	-	-	-	-	-	-	-	-	-	x
84 - Color Scanning Shop (26), except no limit on employees in Industrial Districts and CC-S District.....	-	-	-	-	-	x	x	x	x	x
85 - Commercial - Apartment Building (86).....	-	-	-	-	x	-	-	-	-	-
86 - Confectionery Store.....	x	x	x	x	x	x	-	XM	-	-
87 - Contractor's Material & Equipment Storage Yard & Building.....	-	-	-	-	-	-	x	-	x	x
87.1 Copy and Communication Center (26.2).....	x	x	x	-	x	-	-	-	-	-
88 - Custom Tailor, Dressmaker, Milliner.....	x	x	x	x	x	x	-	XM	-	-
89 - Crematory, except in cemetery (28.1).....	-	-	x	-	x	-	-	-	-	x
89 - Demolition Materials Recycling Facility (28.6).....	-	-	-	-	-	-	-	-	-	B

APPENDIX A - TABLE II

PERMITTED USES IN COMMERCIAL AND INDUSTRIAL DISTRICTS ONLY	COMMERCIAL								INDUSTRIAL	
	C-N	C-B	C-L	C-G	CC-N	C-I	C-S	CC-S	M-L	M-G
90 - Department Store	-	-	x	x	x	x	-	-	-	-
92 - Drug Store	x	x	x	x	x	x	x	XM	x	x
93 - Dry Goods, Notions Store	x	x	x	x	x	x	-	-	-	-
94 - Electrical Appliance Stores, Retail	x	x	x	x	x	x	-	-	-	-
95 - Electrical & Manual Household Appliances (small) Repair & Service (7)	x	x	-	-	-	-	-	-	-	-
96 - Electronics Scientific Instrument Mfg	-	-	-	-	-	-	x	x	x	x
96.1 Equipment Rental, General (35.2)	-	-	-	-	-	-	-	-	A	x
97 - Equipment Rental Store, Residential (36)	x	x	-	x	-	x	-	-	-	-
98 - Feed Stores, Hay, Grain	-	-	-	-	-	x	-	-	-	-
98.1 Surgery Center/Out Patient	-	-	x	x	x	x	x	x	x	-
99 - Floor Covering Shop, Retail (40)	x	x	A	x	x	x	-	-	XR	-
100 - Florist Shop	x	x	x	x	x	x	-	XM	-	-
101 - Food Catering, including preparation of all foods for off-premises consumption, providing the number of persons working in any one location shall not exceed 5 except no limit on employees in Industrial Districts and CC-S District	-	-	x	x	x	x	x	x	x	x
102 - Food Processing, Live & Dressed Poultry	-	-	-	-	-	-	x	-	x	x
103 - food Processing, Retail on Premises	-	-	-	x	x	x	x	XM	x	x
104 - Food Processing, Wholesale, excludes Meat, Fish, Vinegar, Yeast, Fat	-	-	-	-	-	-	x	-	x	x

APPENDIX A - TABLE II

PERMITTED USES IN COMMERCIAL AND INDUSTRIAL DISTRICTS ONLY	COMMERCIAL								INDUSTRIAL	
	C-N	C-B	C-L	C-G	CC-N	C-I	C-S	CC-S	M-L	M-G
105 - Food Shops, Retail (40.1)	x	x	x	x	x	x	x	XM	x	x
106 - Freight Classification Yard	-	-	-	-	-	-	-	-	-	x
107 - Funeral Parlor	-	-	x	x	x	x	-	-	-	-
108 - Furniture Store	A	A	x	x	x	x	-	-	x	-
109 - Garages, Public (43)(See Section 11)(subject to the standards of Sect. 11-C-2 and 11-C-3; provided further that within the C-L District, the lot must front on U.S. Route 1)	-	A	A	x	x	x	x	x	x	x
110 - Garages, Bus & Taxi Service (43) (See Section 11)	-	-	-	x	x	x	x	x	x	x
111 - Gardening Supplies, Retail	x	x	x	x	x	x	-	-	-	-
112 - Gas Mfg. & Storage	-	-	-	-	-	-	-	-	-	x
113 - Gift Shop	x	x	x	x	x	x	-	XM	-	-
114 - Glass Fabricators & Installation	-	-	-	-	-	-	x	-	x	x
115 - Glass Mfg. or Processing	-	-	-	-	-	-	-	-	-	x
116 - Golf Course, Miniature or Simulated (88-029)	-	-	-	-	-	A	x	-	x	x
117 - Gymnasium or Physical Culture Establishment	-	-	-	x	x	x	-	x	x	x
118 - Hardware Store	x	x	x	x	x	x	x	-	XR	XR
118.1-Home Center	-	-	-	-	-	-	-	-	B	-
119 - Ice Dispensing Service, Retail	x	x	x	x	x	x	x	XM	x	x
120 - Ice Mfg. & Storage	-	-	-	-	-	-	x	-	x	x
121 - Ice Skating Rink - Indoor	-	-	A		A	x	x	-	x	x

APPENDIX A - TABLE II

PERMITTED USES IN COMMERCIAL AND INDUSTRIAL DISTRICTS ONLY	COMMERCIAL								INDUSTRIAL	
	C-N	C-B	C-L	C-G	CC-N	C-I	C-S	CC-S	M-L	M-G
122 - Ice Skating Studio, Private (51).....	-	-	x	-	x	-	-	-	-	-
123 - Interior Decorating Shop..... x		-	x	x	x	x -		XM	-	-
124 - Jewelry Mfg.....	-	- - -			- -	x		x	x	x
125 - Jewelry Store, Repairs.....	x	x x		x	x	x -		XM	-	-
126 - Laboratories, research (84).....	- - -	x			x	x x		x	x	x
127 - Laundry, Cleaning & Dyeing Agency.....	x	x x		x	x	x x		XM	x	x
128 - Laundry, Cleaning & Dyeing Establishment.....	-	-	-	-	-	-	x	-	x	x
129 - Laundry & Dry Cleaning Establishment, Retail (53).....	x	x	x	x	x	x	-	XM	-	x
130 - Laundry, Self-Service; Dry Cleaning, Self-Service.....	x	x x -			x	x x		XM	x	x
131 - Machine Shop, Blacksmith Shop.....	-	- - -			- -	x		x	x	x
132 - Manufacture & Assembly of: Art Goods; Boxes; Candy; Clothing; Cosmetics; Drugs; Electrical Goods; Excelsior; Felt; Fibre; Firearms; Flavoring; Furniture; Glass Products; Hats; House, Office and Theatre Equipment; Ladders; Leather & Sporting Goods; Mattresses; Models, Tools & Appliances; Musical Instruments; Novelties; Paper Products; Perfumes; Playground Equipment; Signs; Staging; Stationery; Store & Office Equipment; Synthetic & Plastics Products; Textiles; Toilet Preparations; Toys.....	-	-	-	-	-	-	-	-	-	x
133 - Meat Processing excluding Slautering, Curing & Smoking	-	-	-	-	-	-	x	x	x	x
133.1- Medical Marijuana Dispensary Facility (67.1)	B*	B	B	-	-	B	-	-	B	B
134 - Metal Fabrication of Light Sheet Metal Ducts, Gutters, Leaders.....	-	- - -			- -	x		x	x	x

APPENDIX A - TABLE II

PERMITTED USES IN COMMERCIAL AND INDUSTRIAL DISTRICTS ONLY	COMMERCIAL								INDUSTRIAL	
	C-N	C-B	C-L	C-G	CC-N	C-I	C-S	CC-S	M-L	M-G
*Use 133.1 (Medical Marijuana Dispensary Facility): This use is expressly not permitted in other Districts that allow uses allowed in the C-N District.										
134.5 Microwave Transmission Facilities, Commercial; Principal or Accessory Use.....	-	-	-	A	A	-	-	A	A	A
135 - Millwork, Cabinet Work.....	-	-	-	-	-	-	x	x	x	x
136 - Music Store.....	x	x	x	x	x	x	-	-	-	-
137 - Newsstand, Variety Store.....	x	x	x	x	x	x	x	XM	XR	XR
138 - Offices, Business & Professional.....	x	x	x	x	x	x	x	x	x	x
138.1 Official Emissions Inspection Station (69.1).....	-	-	-	-	-	-	-	-	-	A
139 - Optician, Repairs.....	x	x	x	x	x	x	-	XM	-	-
140 - Optical & Scientific Instrument Mfg.....	-	-	-	-	-	-	x	x	x	x
141 - Package Liquor Stores (See Section 14).....	x	x	x	x	x	x	x	XM	XR	XR
142 - Paint Stores, Retail.....	x	x	x	x	x	x	x	-	XR	XR
143 - Paint Stores including Wholesale Paint Stores for Resale off Premises.....	-	-	-	-	x	x	x	-	x	x
144 - Party Rental Store (73).....	x	x	x	x	x	x	-	-	-	-
145 - Pawn Shop, Second-Hand Store, Auction Store.....	x	-	-	x	-	x	x	-	XR	-
145.1- Personal Wireless Communication – Retail (74.3)……	x	x	x	x	x	x	x	x	x	x
146 - Pet Stores; Including Food & Accessories.....	x	x	x	x	x	x	-	-	-	-
147 - Petroleum Products, Bulk Storage.....	-	-	-	-	-	-	-	-	-	x

APPENDIX A - TABLE II

PERMITTED USES IN COMMERCIAL AND INDUSTRIAL DISTRICTS ONLY	COMMERCIAL								INDUSTRIAL	
	C-N	C-B	C-L	C-G	CC-N	C-I	C-S	CC-S	M-L	M-G
148 - Photo Engraving	-	-	-	-	-	-	x	x	x	x
149 - Photographic Studio	x	x	x	x	x	x	-	XM	-	-
150 - Plating, Lacquering & Finishing of Metals	-	-	-	-	-	-	-	-	-	x
151 - Plumbing & Heating Shop	-	-	-	-	-	x	x	x	x	x
152 - Printing; Industrial; Wall Paper	-	-	-	-	-	-	-	-	x	x
153 - Printing; Job Shop, Publisher	-	-	-	x	x	x	x	x	x	x
154 - Public Utility Generating Plant (81)	-	-	-	-	-	-	-	-	-	A
155 - Public Utility Service Yards	-	-	x		x	-	x	x	-	x	x
156 - Pulp, Paper, Cardboard, Building Board Mfg	-	-	-	-	-	-	-	-	-	x
156.1 Racquetball Facility (81.2)	-	-	-	-	-	-	-	-	x	x
157 - Rag, Bag & Carpet Cleaning	-	-	-	-	-	-	x	-	x	x
157.1 Recycling Preparation Operation (82.1)	-	-	-	-	-	-	-	-	B	B
157.2 Residential Rehabilitation Center, Non-Profit (Federal, State or Municipal Assisted Programs) (82.1)	-	-	-	x	-	-	-	-	-	-
158 - Restaurant, includes Entertainment & Liquors (85), Subject to Section 14, provided, however, that within the C-L District the lot shall abut a less restrictive zoning district, shall abut or be within the CBD and shall be limited to sites north of Broad Street	-	-	x	x	x	x	x	x	x	x
159 - Restaurant, excludes Entertainment but includes Liquors, Subject to Section 14 (85)	x	x	x	x	x	x	x	x	x	x
159.1 Restaurant, Carry-Out (85.1)	A	A	A	x	-	x	x	-	x	x

APPENDIX A - TABLE II

PERMITTED USES IN COMMERCIAL AND INDUSTRIAL DISTRICTS ONLY	COMMERCIAL								INDUSTRIAL	
	C-N	C-B	C-L	C-G	CC-N	C-I	C-S	CC-S	M-L	M-G
159.2 Restaurant, Drive-In (85.2).....	A	A	A	x	x	x	-	-	x	x
159.3 Restaurant, fast-Food (85.3).....	-	-	A	x	x	x	-	-	A	x
160.1 Roller Skating Rink (89).....	-	-	-	-	-	-	-	-	A	A
161 - Rug and Carpet Cleaning in Conjunction with Storage Warehouse.....	-	-	-	-	-	x	-	-	-	-
161.1 Safe Deposit Facility (90.1).....	-	-	x	x	x	x	-	-	-	-
162 - Sand & Gravel Pit; No Crushing.....	-	-	-	-	-	-	-	-	-	A
163 - Schools, Vocational & Secretarial.....	-	-	x	x	x	x	x	x	x	x
164 - Screen & Storm Doors & Windows; Porch Enclosures; Awnings; Retail Sale, Repair & Installation of.....	x	x	x	x	x	x	-	-	-	-
164.1 Self-Storage Facility (92.1)……..	-	-	-	B	-	-	-	-	x	x
165 - Ship & Boat Building.....	-	-	-	-	-	-	-	-	-	x
166 - Shoe Stores.....	x	x	x	x	x	x	-	XM	-	-
167 - Shoe Repair Shop.....	x	x	x	x	x	x	x	XM	x	x
168 - Signs & Billboards (94).....	(See Section 13)									
169 - Sign Painting.....	-	-	-	-	-	x	x	x	x	x
170 - Sorting, Baling, Processing or Storage of Junk, Wood, Metal, Paper (52).....	-	-	-	-	-	-	-	-	-	A
171 - Sporting Goods Store, Retail.....	x	x	x	x	x	x	-	XM	-	-
172 - Stone & Monument Works, Mfg., Display & Sale.....	-	-	-	-	-	-	x	-	x	x
173 - Storage of Road Construction & Grading Equipment.....	-	-	-	-	-	-	-	-	-	x

APPENDIX A - TABLE II

PERMITTED USES IN COMMERCIAL AND INDUSTRIAL DISTRICTS ONLY	COMMERCIAL								INDUSTRIAL	
	C-N	C-B	C-L	C-G	CC-N	C-I	C-S	CC-S	M-L	M-G
174 - Stationery Store	x	x	x	x	x	x	-	XM	-	-
175 - Tailor Shop	x	x	x	x	x	x	-	XM	-	-
176 - Tavern (100) (See Section 14)	-	-	-	x	x	x	x	x	x	x
179 - Truck & Terminal, Classification Bldg. and/or Yard	-	-	-	-	-	-	x	-	x	x
180 - Upholsterer (107) except no limitation on number of employees in Industrial Districts & CC-S District	-	-	x	x	x	x	x	x	x	x
181 - Veterinary, Dog & Cat Hospitals, Kennels	-	-	-	-	-	A	x	-	x	x
177 - Taxidermist	-	-	-	-	-	x	x	-	x	-
177.1 Tennis Courts, Indoor	-	-	A	A	A	A	-	-	A	A
178 - Textile Goods, Retail	x	x	x	x	x	x	-	-	-	-
178.1 Theatre	-	-	x	x	x	A	-	x	-	-
181.1 Veterinary, Domestic Cats Only (111.1)	x	-	-	-	-	x	x	-	x	x
182 - Vinegar & Sauerkraut Mfg	-	-	-	-	-	-	-	-	-	x
183 - Vitreous Ware, Pottery & Porcelain Mfg	-	-	-	-	-	-	-	-	-	x
184 - Wearing Apparel Fabrication & Processing	-	-	-	-	-	-	x	x	x	x
185 - Welding Supplies & Equipment Including Welding Gases, Storage and Sale	-	-	-	-	-	A	x	-	x	x
186 - Wholesale, Closed Storage Bldg. & Warehouses	-	-	-	-	-	x	x	-	x	x

TABLE III
APPENDIX B: SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF BUILDINGS

ZONING[3] DISTRICTS	MINIMUM SIZE OF PLOT			RESIDENTIAL DENSITY		BUILDING HEIGHT		BUILDING AREA	MINIMUM YARD DIMENSIONS (ft)				
	AREA (sf)	FRONTAGE (ft)	CIRCLE DIAM. (ft)	S.F. PER FAM.	MAX. FAMILIES PER PLOT	STORIES	FEET	% LOT	FRONT STREET LINE	FRONT STREET CENTER	SIDE ONE SIDE	SIDE BOTH SIDES	REAR
RA-3	130680	200	200	130680	1	3	35	10	60	85	35	70	70
RA-2	87120	200	200	87120	1	3	35	10	60	85	35	70	70
RA-1	43560	125	125	43560	1	3	35	15	40	65	15	35	60
R-20	20000	100	100	20000	1	2½	30	15	40	65	15	35	50
R-10	10000	75	-	10000	1	2½	30	20	40	65	10	20	30
R-7½	7500	60	-	7500	1	2½	30	25	30	55	6	12	30
R-6	5000	50	-	-	1[19]	2½	30	25	25	50	6	12	30
	6000	50	-	-	2	2½	30	25	25	50	6	12	30
RM-1 [1]	5000	50	-	3750[17,22]	-	2½[18]	30[18]	25[18]	25	50	10[18]	20[18]	30[18]
R-5	5000	50	-	-	1[20]	2½	30	30	20	45	6	12	30
	6000	50	-	-	2	2½	30	30	20	45	6	12	30
	9000	60	-	3000	9	3	40	30	20	45	(note 3.1)		30
	30000	150	-	2500	-	3	40	30	20	45	(note 3.1)		30
RM-F	5000	50	-	2000	-	4	40	30	15	40	8	18	30
	20000	100	-	1500	-	4	40	35[16]	15	40	(note 3.3)		30
R-H	5000	50	-	2000	-	4	40	30	15	40	8	18	30
	20000	100	-	1250	-	4	40	35	15	40	(note 3.3)		30
	43560	150	-	725	-	-	125	35[16]	20	45	(note 3.4)		

TABLE IV
APPENDIX B: SCHEDULE OF REQUIREMENTS FOR AREA, HEIGHT AND BULK OF BUILDINGS

ZONING[1,3] DISTRICTS	MINIMUM SIZE OF PLOT		RESIDENTIAL DENSITY	FLOOR AREA RATIO	BUILDING HEIGHT		BUILDING AREA		ACCESSORY BUILDINGS	MINIMUM YARD DIMENSIONS (ft)				
	AREA (sf)	FRONTAGE (ft)	SF PER FAM.		STORIES	FEET	CORNER LOT %	INTERIOR LOT %	% OF REAR YARD	FRONT STREET LINE	FRONT STREET CENTER	SIDE ONE SIDE	SIDE BOTH SIDES	REAR
C-N[15]	5000	50	2500[15.1,4]	0.3	2	25	30	30	-	15	40	6	12	20
C-B	5000	50	1500[3.5,4]	0.5	4	50	40	40	-	10	35	6	18	20
C-S	5000	50	2000	-	3	40	45	40	25	25	50	(note 21)		20
C-L	4000	40	1250[4]	1.0[13]	4[13]	45[13]	50	50	40	10[7]	35[7]	(note 21)[7]		20
C-I[5]	4000	40	1250[4][9]	1.2[9]	5	55[9]	50[9]	50[9]	40	10[9]	35[9]	(note 21)		20[9]
C-G[3.2]	4000	40	1000[4]	1.8[13]	-	100[13]	90[7]	80[7]	40	10[7]	35[7]	(note 21) [7]		20[7]
CC-N[3.2]	4000	40	450[4]	2.0[13,23,24]	-[11]	-[13]	90[7]	80[7]	40	-[7]	-[7]	(note 21) [7]		20[7]
CC-S	4000	40	-[6]	2.0[13]	-[12]	-[13]	90	80	40	10[8.1]	35	(note 21)		20
M-L	4000	40	-[2]	1.0[14]	4	50	90	80	40	10	35	(note 21)		15
M-G	4000	40	-[2]	1.0[14]	4	50	90	80	40	10	35	(note 21)		15
CW-D	4000	40	-	1.0	4	50	50	50	-	10	35	(.....note 3.6.....)		

FOOTNOTES TO APPENDIX B

Front yard depths are measured from street wall or covered porch wall of building to the street line or center of the street; greater figure to apply. Maximum building area includes accessory buildings. In the case of a parcel of land abutting tidewater, a minimum depth of any required yard contiguous to Mean High Water shall be measured from the line of the aforesaid Mean High Water, except that a required yard contiguous to the latter need not be provided if proper egress can otherwise be obtained in compliance with the Stamford Building Code or other regulations or laws related to the provision of proper egress.

1 For regulations pertaining to Designed Districts see Section 9.

2 Residential uses prohibited in M-L Light Industrial and M-G General Industrial District, except as provided under Section 7.3 and by Special Exception of

the Zoning Board in the M-L District provided the following special standards are satisfied:

a. Minimum lot size of four (4) acres with not less than 25% of the boundary line of the parcel adjacent to and/or across the street right of way from a residence district and where the Zoning Board makes a special finding that residential development would be compatible with area land use patterns;

b. Prior to the issuance of A special Exception for residential development, the Zoning Board shall review and approve an Industrial Retention Plan (IRP) detailing how industrial uses and/or other desirable non-residential uses permitted in the M-L District will be preserved, enhanced and encouraged.

c. The total floor area of all uses, including proposed residential uses, shall not exceed a floor area ratio of 1.0. The Zoning Board may permit limited demolition of existing floor area, based on a finding that such demolitions are consistent with the purposes of the Industrial Retention Plan for the property.

d. A minimum of ten percent (10%) of the proposed housing units shall be affordable to households earning not more than fifty percent (50%) of the Stamford SMSA Median income. An additional minimum of fifteen percent (15%) of the proposed housing units shall be affordable to households earning not more than eighty percent (80%) of the Stamford SMSA Median income. The Below Market Rate (BMR) units shall be provided on site and in accordance with the standards, definitions and procedures contained within Article III, Section 7.4 of these Regulations;

e. Residential buildings shall be segregated on separate, subdivided parcels for financing, construction, operating and conveyance purposes, provided that special exception conditions remain satisfied.

f. Parking and loading requirements shall comply with the standards of Section 12 of these Regulations, provided that parking required for any use may be satisfied by permanent easement on any adjoining parcel subject to this Special Exception, and provided that required parking for any residential building shall be not more than two hundred and fifty feet (250') from the residential building served.

g. Residential development shall satisfy the following standards:

1. Minimum Lot Area: One acre (43,560 square feet)
2. Minimum Lot Area per dwelling unit: 725 square feet
3. Minimum Frontage: 150 feet
4. Maximum Building Coverage, all Buildings: 40 percent
5. Maximum building height: Five (5) stories or fifty (50) feet;

FOOTNOTES TO APPENDIX B

6. Minimum Yards: Front – 20 feet; Rear – 30 feet; Side – 15 feet
7. Minimum At Grade Open Space: 75 SF/dwelling unit

h. For every two (2) square feet of industrial/flex type space existing and/or proposed, one (1) square foot of housing may be allowed. (205-21)

3 For complete information on building regulations see Section 4,AA.

3.1 Six feet (6') plus 6 inches (6") for each foot of length of an individual building over forty-five feet (45'), measured parallel to the side lot line, not to exceed fifteen (15) feet. (99-004)

3.2 Apartment Building for the Elderly as defined in Definition 4.2 and Apartment Building for the Elderly - Nonprofit as defined in Definition 4.4 may be erected in a C-G or CC-N district provided the lot area per dwelling unit is not less than 400 square feet or 300 square feet in the case of such Apartment Building for the Elderly-Nonprofit built on a lot 10,000 square feet or less in the CC-N district. An apartment building in which not less than 10% of the residential units are designed, constructed and set aside as apartments for the elderly and rented on an income-qualified basis may be erected in the CC-N district provided the lot area per dwelling unit is not less than 400 square feet. (92-014; 94-013; 97-030)

3.3 Each side yard at least equal to one-half the height of the building but need not exceed fifteen feet (15') each side.

3.4 All side and rear yards shall be no less than one-third the height of the building and in no case less than ten feet (10').

3.5 Residential use in the C-B district shall conform to the same square foot per family standard as the R-MF district on equivalent sized lots, or limited to the underlying Master Plan density, whichever is more restrictive. (209-030)

3.6 See Article III section 4AA,10 for complete information on the C-WD District. Minimum side yard, one side may be zero feet, but at least four feet (4') if provided. Both side yards must equal fourteen feet (14'), combined. Minimum rear yard is fifteen feet (15') measured from mean high water mark.

4 Residential buildings erected in the C-G General Commercial District and used only for purposes permitted in R-MF Multiple Family Residence Districts may have a minimum of five hundred (500) square feet of land area per family. Mixed-use projects within the C-G or CC-N District, within Master Plan Category #11, (Downtown), as delineated on the Stamford Master Plan, and subject to Special Exception approval by the Zoning Board pursuant to Section 7-S of these regulations may have a minimum of 400 square feet of land area per family. Where proposed development includes ten (10) or more dwelling units, not less than ten percent (10%) of the total number of dwelling units shall be offered for rent or sale as Below Market Rate (BMR) units. Required Below Market Rate units shall be affordable to households earning not more than fifty percent (50%) of the Stamford SMSA Median income and shall be provided in accordance with the standards, definitions and procedures contained within Article III, Section 7.4 of these Regulations. For every BMR unit provided, including BMR units provided voluntarily within developments containing fewer than ten (10) dwelling units, a bonus of two additional dwelling units exempt from any BMR requirement shall be permitted, provided that as-of-right density shall not be increased by more than forty percent (40%). (81-018; 97-027; 200-27; 203-12, 207-61; 208-18; 213-43, 216-27)

FOOTNOTES TO APPENDIX B

5 All new development of property fronting on U.S. Route 1 shall be consistent with the land use goals and objectives of Master Plan Category #9. Development exceeding a total floor area ratio of 0.3, inclusive of residential use and structured parking, shall be subject to special exception approval by the Zoning Board. All other development shall be subject to approval by the Zoning Enforcement Officer, upon written findings and recommendations of the Land Use Bureau Chief or their designee, with emphasis on buffering of surface parking and attractive pedestrian streetscape, after informal presentation to the Zoning Board. (203-29)

6 Apartments not permitted in CC-S Central City District South.

7 Dwelling units shall be set back not less than fifteen feet (15') from all property lines provided that this requirement shall not apply to dwelling units within buildings which include retail use on the ground floor. Notwithstanding this and subject to issuance of a Special Exception by the Zoning Board and determination that the building design and site development plan are consistent with the Master Plan, building area may equal one hundred percent (100%) of the site and minimum yard setbacks established by Appendix B, Table IV or elsewhere in the Regulations may be reduced within the C-L, CC-N and C-G Districts, provided that the site is within Master Plan Category #11 (Downtown) and that adequate off-street loading berths are provided on the site or on an adjacent easement and that the building location does not interfere with pedestrian or vehicular movements upon or around the site, and provided further that no front yard is required within the C-G District for sites fronting on Broad Street. (96-012; 206-35; 207-61, 216-27)

8. Deleted (216-27)

8.1 All construction in the CC-S Central City District South, except for Hawthorne Street and Canal Street shall be set back not less than fifteen feet (15') from the street line. (74-007)

9 By Special Exception of the Zoning Board, sites used exclusively for Apartment Buildings for the Elderly, Non-Profit, may be allowed the following special standards: (213-41)

a. Residential Density: shall be determined by the maximum floor area permitted, provided that the average floor area of dwelling units shall be not less than four hundred fifty (450) square feet.
b. Floor Area Ratio: 3.0 inclusive of all structures and uses
c. Building Area: 60% inclusive of all structures and uses (211-18)
d. Height: 5 stories and 65'
e. Setbacks: Rear: 10 feet;
f. Parking: Parking shall conform to Section 12 of these Regulations except that spaces shall be not less than five (5) feet from a front property line provided that the abutting street is not less than fifty (50) feet in width and spaces are adequately screened

10 (Deleted - 84-037).

11 290 feet above Mean Low Water as established by the United States Coastal and Geodetic Survey (USCGS) provided roof structures and other structures not exceeding 40% of the area of the roof on which they are located and not exceeding twenty-five feet (25') in height and containing no more than two (2) stories above said roof, may be constructed upon buildings, subject to the use limitation prescribed in Section 8 of these Regulations. Provided further that no such roof or other structure shall exceed 4,800 square feet in area and no part of such structure shall be used for other than building equipment, cooling towers, building management, maintenance or storage purposes. (74-007)

FOOTNOTES TO APPENDIX B

12 210 feet above Mean Low Water as established by the United States Coastal and Geodetic Survey (USCGS) but in no event shall a hotel be more than twenty-one (21) stories in height and all other uses shall be no more than fifteen (15) stories. Furthermore, the gross floor area of any building or groups of buildings, excluding a hotel, on any parcel of land shall not exceed 2.5 times the area of the parcel. No structure, except for a hotel, shall occupy more than 50% of the site. Any structure or portion of a structure devoted primarily to the parking of motor vehicles shall be excluded from such computations provided the upper exposed deck of such parking structures shall not be utilized for the parking of vehicles and shall be properly landscaped or fitted out for recreational facilities. (74-007)

13 Standard Floor/Area maximum ratios as set forth below except that on any parcel containing at least 30,000 square feet in area (7.5 times the minimum allowable lot) or on any parcel located on a “Ground Floor Retail Street” as defined herein, and which is to be developed in accordance with premiums permitted by these regulations, buildings may be erected so as not to exceed the "premium floor/area ratio maximum" and "maximum premium height" shown below for the appropriate district. All other restrictions of the appropriate district pertaining to front yards, side yards, rear yards and uses must be complied with. (204-16)

District	Standard F.A.R. Maximum*	Premium F.A.R. Maximum	Maximum Premium Height (Feet)	Maximum Premium Stories
C-N	0.3	N.A.	N.A.	N.A.
C-B	0.5	N.A.	N.A.	N.A.
C-L	1.0	1.2	55***	5***
C-G	1.8	2.2	150	N.A.
CC-N	2.0	2.5	350**	N.A.
C-I	1.2	N.A.	N.A.	N.A.
CC-S	2.0	2.5	210	N.A.

* For lots less than 30,000 square feet or where no premiums are granted.
** 400 feet, see Section 7-S (9). (206-42)
*** 75' Maximum Premium Height / 7 Maximum Premium Stories for C-L Properties within the Downtown Boundary. (206-04)

Specifically excluded from these regulations are Southeast Quadrant Urban Renewal Project Re-Use Parcels, now or formerly numbered 3-D, 3-E, 3-F, 3-G, 12, 13, 29, 30, 31 and 32 which constitute construction projects approved by the Urban Redevelopment Commission. (78-002; 80-025; 80-026; 83-003)

For any project within the CC-N or C-G District, directly fronting on a “Ground Floor Retail Street” as defined herein, and utilizing premium floor area or premium height pursuant to this footnote, the Ground Floor Retail amenity must be provided. For such projects, retail floor area not to exceed 1.0 FAR may be exempt from the maximum FAR calculation. Ground Floor Retail Streets: Atlantic Street - from Tresser Boulevard north to Broad Street, Bedford Street - from Broad Street north to the CBD Boundary, Broad Street - from Washington Boulevard to Greyrock Place, Main Street - from Washington Boulevard to Veterans Park, West Park Place - from Washington Boulevard to Main Street, Bank Street - from Main Street to Atlantic Street, Summer Street - from Main Street north to the CBD Boundary.

FOOTNOTES TO APPENDIX B

The determination as to qualification for premiums shall be made by the Zoning Board, by issuance of a Special Exception in accordance with the standards of Section 19, upon report of the Land Use Bureau Chief and Zoning Enforcement Officer, and based on the principles set forth in the Master Plan. All such buildings are required to provide Pedestrian Oriented Frontage, which is defined as uses of buildings and/or major design features that encourage pedestrian interaction at the street level. These include but are not limited to: retail shops, service businesses; establishments dealing directly with the general public; visually interesting features such as public art; display cases; awnings; signage at eye level; accessible plazas; or similar landscaped open spaces for public use and congregation. To the maximum extent practicable, all frontages on public and private streets and pedestrian ways shall be supported with contiguous pedestrian oriented amenities that appropriately fit into the context of the existing streetscape. For any project within the CC-N District adjacent to the Mill River, and utilizing premium floor area and/or premium heights pursuant to this footnote, the Greenbelt Amenity must be provided. For such projects, extra floor area not to exceed 1.0 F.A.R. may be exempt from the maximum F.A.R. calculation, provided the maximum F.A.R. for the contiguous parcel remaining after any donation of land shall not exceed 3.5 F.A.R. and the parking ratio shall not exceed 2.75 parking spaces per one thousand (1000) square feet of commercial office space. (97-002, 97-027, 99-011; 206-35)

14

District	Standard F.A.R. Maximum
M-L	1.0
M-G	1.0

The total floor area devoted to business and professional office use in the M-L and M-G Industrial Districts shall not exceed one-half (1/2) the lot area, (205-21)

15 In any building containing more than 3000 square feet of gross floor area general office use shall be limited to stories above the ground floor level. (83-003)

15.1 In no case shall density exceed the maximum permitted square feet per family density of Appendix B of the most restrictive abutting residential zone. For purposes of this provision in the R-6 District, maximum permitted square feet per family density shall be considered to be 3,000 sq.ft. per unit, with building height limited to two (2) stories and not to exceed thirty (30) feet. (83-003, 86-050)

16 In the R-MF and R-H Districts, parking structures not exceeding ten (10) feet above average grade shall be excluded from the computation of building area, provided such structures are: (a) covered with a fully landscaped roof serving the residents of the development and/or general public as usable open space and are not visible at ground level from the perimeter of the site except for necessary means of ingress and egress; or (b) if in the R-H District and in an area of Special Flood Hazard, and a special exception has been issued by the Zoning Board for Neighborhood Commercial and/or Professional Office uses pursuant to Article III, Section 9-D-4-c, and the top of the parking structure is dedicated for parking for such non-residential uses, and such parking is not visible at ground level from the perimeter of the site except for necessary means of ingress and egress. (205-22)

17 Except that an Apartment Building for the Elderly - Nonprofit, as defined in definition 4.4, may be erected in the RM-1 District at a density of 2,500 square feet per family, only on lots 30,000 square feet and over, and may also be created through the rehabilitation of an existing structure on lots with a minimum area of not less than one acre (43,560 square feet) at a density as approved by the Zoning Board not to exceed the maximum permitted in the Master Plan, pursuant to Article III, Section 7.2 of these Regulations. In the case of rehabilitated structures, no increased density shall be granted nor site plan approved until the Zoning Board has made a special finding that the site plan is compatible with and implements the objectives and policies of Stamford's Master Plan, that the existing building will not be expanded beyond the limits of the existing foundation, and that the preservation is in the public interest and will not impair future development of the surrounding area. (89-023)

FOOTNOTES TO APPENDIX B

18 In the RM-1 District the maximum building area percentage may be increased to 27 percent if a one-car enclosed garage is provided for each unit or increased to 32 percent if a two-car enclosed garage is provided for each unit. These percentages of coverage apply to both an interior and a corner lot.

Alternatively, on lots of two (2) acres or more where building area does not exceed 25% of the site, the Zoning Board may authorize an additional half-story and up to an additional ten feet (10') in building height where the minimum setback of said building(s) from all side lot lines is increased an additional one foot (1') for each one foot (1') of height over thirty feet (30'). Where the Zoning Board grants such additional height and/or story, it shall require a significant amount of required parking be located in enclosed garages (up to 80%) and may also require up to an additional 10' setback from side and rear lot lines where a determination is made that the proximity to adjacent homes, available areas for landscaping, and/or site topography warrant such additional requirements.

19 See Section 4AA,3.4,a. (86-013).

20 See Section 4AA,5.4,a. (86-013)

21 None required but if provided must be at least 4 feet.

22 See Section 9 E, 5.b (88-013)

23 Subject to the issuance of a Special Exception, parcels within the CC-N district may be developed as hotels and/or extended stay hotels with a maximum above grade FAR of 6.0, subject to the following standards and limitations:
(1) no commercial office or residential floor area shall be permitted;
(2) all above grade structured parking area shall count toward the FAR total;
(3) on Ground Floor Retail Streets, ground floor retail and/or ground floor hotel common areas must be provided;
(4) facade features such as flag poles, canopies, and lighting fixtures may extend over public sidewalks, provided they are not less than eight (8) feet above grade and set back a minimum of three (3) feet from the curb and do not restrict the free flow of pedestrian traffic, and cornices and eaves and other similar ornamental features may extend over public sidewalks not to exceed eighteen (18) inches;
(5) building coverage may equal 100% of the lot area with no rear yard, and no at grade open space;
(6) parking may be provided at a rate of 0.5 spaces per hotel room for hotels and 0.75 spaces per hotel room for extended stay hotels within five hundred (500) feet of a public garage, where 24-hour shuttle services are provided, the terms of which are determined by the Zoning Board, and hotel conferencing and/or banquet facilities do not exceed 0.10 FAR.
(7) access driveways shall be not less than twenty (20) feet in width between curbs for two-way operation;
(8) Where parking and site access is provided on an adjacent lot(s), parking spaces and drive aisles may extend over common property lines, provided necessary easements are granted to the satisfaction of the Director of Legal Affairs.
(201-12; 208-27, 213-09)

24 Within the CC-N District, for any mixed-use project comprised of two or more principal buildings located on a development site of at least three (3) acres in area, and that seeks premium floor area or premium height by special exception application pursuant to Footnote 13 to Appendix B of the Zoning Regulations, the Zoning Board may allow, for reasons shown for financing, construction, operating or conveyance purposes, internal property lines to be established that do not conform to the Zoning Regulations, subject to the following:

a. Any further use or uses, in addition to or different from those set forth in the application under which internal property lines are established pursuant to this paragraph, will be required to be approved by subsequent special exception application in which all parcel owners are joined as co-applicants; and

FOOTNOTES TO APPENDIX B

b. The applicant who receives approval to establish internal property lines under this paragraph must register such approval prior to obtaining a building permit by filing in the City land records a site plan showing the new property lines and with notes referencing the date of Zoning Board approval, together with a notice containing the text of the Zoning Board approval and expressly referring to the filed site plan. (206-49)

APPENDIX C

LIST OF ZONING REGULATION AMENDMENTS

The following table reports the application number and effective date for all amendments of the Zoning Regulations enacted since 1952. Application numbers are referenced within the text of the Regulations to indicate the paragraph or section affected. The complete text of all amendments are on file and available for inspection at the Zoning Board Office, 7th Floor, Government Center Building, 888 Washington Boulevard, Stamford, CT.

APPL. NO.	EFFECTIVE DATE	APPL. NO.	EFFECTIVE DATE	APPL. NO.	EFFECTIVE DATE
52-G-3	7/30/52	56-009A	7/26/56	61-012	8/11/61
52-H-2	12/17/52	56-011	8/2/56	61-013	8/11/61
		56-020	12/20/56	61-015	8/18/61
53-E-1	9/1/53	56-021	11/29/56	61-016	10/16/61
53-E-2	9/1/53	56-027	11/13/56	61-022	12/8/61
53-E-3	9/1/53	56-033	12/13/56	61-023	1/29/62
53-F-1	1/5/54	56-037	3/7/57		
53-F-2	1/5/54	56-038	3/7/57	62-004	4/27/62
53-F-3	1/5/54			62-005	4/6/62
53-F-4	1/5/54	57-004	7/9/57	62-006	4/27/62
		57-007	5/28/57	62-009	5/18/62
54-G-1	9/7/54	57-031	9/24/57	62-015	7/6/62
54-G-2	9/7/54	57-032	9/24/57	62-018	12/27/62
54-G-3	9/7/54	57-033	9/24/57	62-027	10/12/62
54-G-4	9/7/54			62-030	2/7/62
54-G-5	8/31/54	58-003	1/31/58	62-034	4/5/63
54-G-6	9/7/54	58-007	4/18/58		
54-G-7	9/7/54	58-008	5/2/58	63-003	4/5/63
54-G-8	10/19/54	58-011	6/20/58	63-007	5/10/63
54-H-3	10/26/54	58-021	10/20/58	63-012	7/1/63
54-H-6	10/26/54	58-025	1/25/59	63-016	7/26/63
54-H-7	10/26/54	58-027	12/26/58	63-018	7/26/63
54-K-1	12/30/54	58-028	12/26/58		
54-K-2	12/30/54			64-004	6/22/64
54-K-3	12/30/54	59-003	3/24/59	64-005	5/1/64
		59-010	5/8/59	64-009	6/22/64
55-A-5	2/9/55	59-012	6/9/59	64-012	7/21/64
55-A-6	2/9/55	59-013	6/9/59	64-018	9/28/64
55-D-2	7/28/55	59-015	8/14/59	64-019	9/28/64
55-D-3	7/21/55	59-016	7/10/59	64-022	10/26/64
55-D-4	7/21/55	59-020	11/30/59	64-023	6/4/64
55-D-5	7/21/55			64-024	11/13/64
55-D-6	7/21/55	60-002	2/26/60	64-025	11/24/64
55-D-7	7/21/55	60-006	2/26/60	64-030	11/24/64
55-D-8	7/21/55	60-008	4/25/60	64-033	1/15/65
55-D-9	7/21/55	60-011	7/18/60	64-035	1/15/65
55-E-1	9/29/55	60-012	5/24/60	64-036	1/15/65
55-G-5	11/17/55	60-023	8/23/60		
55-H-1	1/24/56	60-024	9/7/60	65-001	4/9/65
55-H-3	1/24/56	61-009	9/7/61	65-002	4/9/65
56-005	4/27/56	61-010	8/18/61	65-004	7/2/65

APPL. NO.	EFFECTIVE DATE
65-998	6/4/65
65-012	7/2/65
65-013	7/2/65
65-014	7/2/65
65-015	7/2/65
65-018	8/13/65
65-023	10/15/65
65-024	10/15/65
65-025	10/15/65
65-026	10/15/65
65-030	12/27/65
65-031	12/27/65
65-034	1/21/66
65-040	2/14/66
65-041	3/4/66
65-042	5/2/66
66-001	5/16/66
66-006	5/27/66
66-010	10/3/66
66-011	10/3/66
66-017	9/30/66
66-020	12/2/66
66-021	12/2/66
66-022	12/2/66
67-001	4/4/67
67-002	6/13/67
67-005	4/4/67
67-007	4/18/67
67-013	6/6/67
67-021	9/12/67
67-028	12/15/67
67-029	2/2/68
68-002	4/26/68
68-004	4/15/68
68-019	10/25/68
68-021	9/9/68
68-023	10/25/68
68-033	12/3/68
68-037	2/14/69
69-002	4/11/69
69-004	3/28/69
69-006	5/16/69
69-013	8/8/69
69-014	8/8/69
69-015	8/8/69
69-016	8/8/69
69-019	10/10/69
69-020	12/1/69
69-021	1/30/69

APPL. NO.	EFFECTIVE DATE
70-005	5/12/70
70-006	6/16/70
70-009	7/14/70
70-020	11/13/70
70-022	1/25/71
70-024	11/6/70
70-026	2/22/71
70-029	6/8/71
71-003	7/27/71
71-008	11/29/71
71-010	11/12/71
71-012	2/8/72
71-018	4/7/72
72-001	4/18/72
72-002	4/18/72
72-005	4/18/72
72-011	7/21/72
72-023	12/1/72
72-027	12/1/72
73-001	4/13/73
73-002	4/13/73
73-006	11/30/73
74-007	7/12/74
74-008	12/6/74
74-015	3/18/75
75-011	3/19/76
75-013	3/19/76
76-002	3/23/77
76-004	5/25/77
76-005	6/25/76
76-012	9/10/76
77-016	8/11/78
77-018	3/2/78
77-020	3/20/78
77-021	3/20/78
77-022	3/29/78
78-001	5/19/78
78-002	8/8/78
78-005	4/21/78
78-016	10/6/78
78-017	12/1/78
78-021	12/1/78
78-022	12/1/78
78-025	1/26/79

APPL. NO.	EFFECTIVE DATE
78-026	1/26/79
79-002	4/20/79
79-005	6/29/75
79-006	6/29/75
79-007	9/7/79
79-016	11/20/79
79-021	10/26/79
79-025	10/26/79
79-031	11/30/79
79-036	2/15/80
80-004	5/2/80
80-005	5/2/80
80-008	5/2/80
80-009	5/2/80
80-013	9/9/80
80-014	10/21/80
80-020	11/21/80
80-021	12/1/80
80-023	11/7/80
80-024	12/1/80
80-025	2/17/81
80-026	3/17/81
80-032	3/6/81
80-037	1/2/81
80-041	1/27/81
80-043	4/14/81
81-006	9/9/81
81-008	8/24/81
81-013	11/13/81
81-017	11/10/81
81-018	3/30/81
81-019	3/30/81
81-020	2/2/82
81-021	2/17/82
81-022	2/17/82
81-025	12/22/82
81-032	2/22/82
82-001	4/12/82
82-002	6/22/82
82-003	6/22/82
82-007	6/22/82
82-008	6/22/82
82-010	7/26/82
82-011	7/26/82
82-014	10/19/82
82-016	10/19/82
82-018	11/15/82
82-020	11/15/82
82-021	11/30/82

APPL. NO.	EFFECTIVE DATE
82-022	11/30/82
82-024	4/26/83
82-028	3/21/83
82-029	3/21/83
83-003	4/26/83
83-009	6/27/83
83-017	10/4/83
83-022	10/4/83
83-026	10/31/83
83-027	10/31/83
83-032	11/29/83
83-038	12/6/83
83-044	2/7/84
84-005	4/17/84
84-006	5/18/84
84-011	5/18/84
84-012	7/30/84
84-018	9/24/84
84-019	8/21/84
84-021	8/27/84
84-023	11/19/84
84-026	10/29/84
84-031	1/22/85
84-033	11/8/84
84-034	11/8/84
84-035	11/8/84
84-036	12/11/84
84-037	11/8/84
84-043	2/22/85
84-044	12/18/84
84-045	12/18/84
84-048	2/26/85
85-011	6/4/85
85-013	10/7/85
85-019	7/16/85
85-020	7/10/85
85-022	8/6/85
85-027	10/16/85
85-029	10/16/85
85-030	10/22/85
85-035	10/22/85
85-045	12/3/85
85-052	12/3/85
85-054	12/3/85
86-006	4/22/86
86-011	5/28/86
86-012	6/3/86
86-013	6/24/86
86-014	6/23/86
86-015	2/20/86
86-018	7/22/86
86-020	9/30/86
86-023	12/23/86
86-026	8/12/86
86-032	9/30/86
86-034	1/20/87
86-040	1/20/87
86-041	3/5/87
86-049	1/27/87
86-050	3/17/87
86-051	2/20/87
87-002	3/24/87
87-004	4/14/87
87-009	7/7/87
87-016	7/13/87
87-018	7/21/87
87-019	7/13/87
87-020	9/29/87
87-024	8/18/87
87-025	9/1/87
87-027	12/22/87
87-028	11/17/87
87-040	11/8/88
88-004	11/1/88
88-008	11/21/88
88-011	7/6/88
88-013	11/1/88
88-024	7/26/88
88-025	11/21/88
88-027	10/3/88
88-029	11/8/88
88-031	6/20/89
88-033	12/8/88
88-034	12/27/88
89-003	4/25/89
89-005	5/2/89
89-015	9/5/89
89-019	11/7/89
89-023	11/7/89
90-002	4/17/90
90-004	11/13/90
90-008	7/3/90
90-012	7/3/90
90-015	8/28/90
90-020	10/2/90
90-022	11/13/90
90-025	10/30/90
90-028	1/29/91
90-031	4/16/91
91-002	4/2/91
91-003	4/2/91
91-004	4/16/91
91-005	4/16/91
91-007	7/9/91
91-010	7/9/91
91-016	11/5/91
91-018A	10/8/91
91-019	12/2/91
91-021	12/16/91
91-025	3/9/92
91-026	3/20/92
92-002	4/20/92
92-008	7/13/93
92-009	9/29/92
92-014	9/29/92
92-016	11/16/92
93-001	8/2/93
93-002	4/13/93
93-005	8/2/93
93-006	8/2/93
93-008	12/20/93
93-009	8/9/93
93-011	9/27/93
93-013	9/27/93
93-015	12/27/93
93-018	10/31/94
94-002	3/21/94
94-005	4/25/94
94-011	5/23/94
94-012	6/27/94
94-013	6/27/94
94-017	9/26/94
94-024	12/5/94
94-026	12/19/94
94-029	1/19/95
94-030	1/19/95
94-034	4/24/95
94-035	5/23/95
95-001	3/14/95
95-002	3/14/95
95-003	3/20/95
95-009	5/23/95
95-014	7/31/95
95-017	5/23/95
95-021	5/23/95

APPL. NO.	EFFECTIVE DATE	APPL. NO.	EFFECTIVE DATE	APPL. NO.	EFFECTIVE DATE
95-024	7/24/95	201-08	10/16/01	205-13	11/4/05
95-026	2/19/96	201-12	8/21/01	205-17	10/4/05
95-029	2/20/96	201-18	6/19/01	205-18	10/11/05
		201-20	9/4/01	205-22	12/6/05
96-002	3/19/96	201-21	9/4/01	205-21	11/21/06
96-006	4/15/96	201-23	2/19/02	205-26	12/13/05
96-007	5/14/96	201-25	10/9/01	205-27	12/20/05
96-012	7/9/96	201-28	11/6/01	205-29	11/15/05
96-018	9/19/96	201-30	2/26/02	205-32	11/29/05
96-019	10/26/96			205-33	12/20/05
96-020	12/10/96	202-02	7/2/02	205-35	1/3/06
96-023	6/17/97	202-08	8/13/02	205-36	12/27/05
		202-10	7/30/02	205-43	2/28/06
97-002	4/8/97	202-15	12/10/02	205-47	5/23/06
97-004	4/1/97	202-16	12/10/02	205-53	2/28/06
97-006	6/24/97				
97-007	6/24/97	203-03	5/20/03	206-02	5/2/06
97-014	8/4/97	203-04	1/2/04	206-04	7/11/06
97-015	8/4/97	203-06	8/12/03	206-07A	4/18/06
97-016	8/4/97	203-08	7/29/03	206-07B	4/18/06
97-017	8/13/97	203-09	7/29/03	206-11	5/2/06
97-020	2/24/98	203-10	7/29/03	206-13	5/23/06
97-027	5/5/98	203-11	7/29/03	206-28	12/8/06
97-030	1/20/98	203-12	7/29/03	206-31	10/31/06
97-033	3/17/98	203-13	7/29/03	206-32	10/31/06
97-038	3/17/98	203-14	7/29/03	206-35	12/8/06
		203-15	7/29/03	206-38	11/21/06
98-004	5/12/98	203-16	7/29/03	206-42	4/3/07
98-005	5/12/98	203-17	7/29/03	206-48	4/3/07
98-019	9/8/98	203-18	7/29/03	206-49	2/5/07
98-022	11/24/98	203-19	7/29/03	206-51	5/1/07
98-025	11/10/98	203-20	7/29/03	206-52	1/26/07
		203-29	10/7/03	206-54	5/1/07
99-001	4/27/99	203-31	1/6/04	206-56	7/10/07
99-004	4/20/99	203-32	2/24/04	206-59	7/10/07
99-011	8/24/99	203-36	12/30/03	206-60	7/10/07
99-022	10/12/99	203-38	1/27/04		
99-025	11/29/99	203-40	2/10/04	207-06	5/22/07
99-028	1/24/00			207-10	8/14/07
99-029	2/15/00	204-01	4/26/04	207-14	5/22/07
99-032	4/4/00	204-04	4/26/04	207-21	7/31/07
		204-06	6/29/04	207-22	8/7/07
200-03	4/25/00	204-09	12/31/04	207-29	4/4/08
200-10	8/12/00	204-12	8/10/04	207-44	12/26/07
200-13	10/10/00	204-16	8/10/04	207-57	5/6/08
200-14	10/10/00	204-35	9/28/05	207-60	5/6/08
200-27	12/19/00	204-36	11/30/04	207-61	4/4/08
200-30	1/23/01	204-40	3/29/05	207-65	2/17/08
200-32	5/29/01	204-41	3/1/05		
201-01	3/19/01	205-05	4/26/05	208-03	5/6/08
201-03	6/5/01	205-06	4/26/05	208-04	5/6/08
201-04	2/18/03	205-11	11/15/05	208-12	5/27/08

APPL. NO.	EFFECTIVE DATE	APPL. NO.	EFFECTIVE DATE	APPL. NO.	EFFECTIVE DATE
208-18	7/8/08	213-18	7/23/13		
208-27	2/24/2009	213-25	10/8/13		
208-31	2/24/2009	213-26	10/8/13		
208-37	2/10/2009	213-28	6/03/14		
208-40	1/20/2009	213-35	7/08/14		
208-42	3/24/09	213-41	3/18/14		
208-45	2/24/2009	213-43	7/29/14		
209-08	5/26/09	214-02	4/08/14		
209-09	3/23/10	214-06	8/12/14		
209-12	6/16/09	214-09	11/5/14		
209-16	8/11/09	214-10	9/30/14		
209-24	2/9/10	214-12	12/2/14		
209-27	7/9/10	214-19	10/14/14		
209-28	11/3/09	214-22	11/4/14		
209-30	11/10/09	214-26	12/8/14		
209-33	11/10/09	214-27	12/23/14		
209-35	12/31/09	214-30	12/8/14		
209-37	12/15/09	214-36	03/02/15		
		214-38	03/10/15		
210-01	4/6/10	214-40	06/16/15		
210-09	5/25/10				
210-14	8/10/10				
210-18	2/4/11	215-08	04/21/15		
210-21	8/10/10	215-09	05/26/15		
210-24	6/22/10	215-12	05/26/15		
210-25	8/10/10	215-16	06/23/15		
210-27	8/10/10	215-20	07/28/15		
210-30	3/15/11	215-11	09/21/15		
210-40	7/12/11	215-24	10/13/15		
210-43	1/25/11	215-26	10/20/15		
210-47	3/1/11	215-14	11/10/15		
		215-31	11/10/15		
211-09	5/31/11	215-29	11/24/15		
211-11	7/26/11	215-02	8/23/16		
211-18	10/21/11	215-04	8/23/16		
211-31	2/21/12	215-33	3/29/16		
211-36	4/3/12	215-37	2/23/16		
211-37	12/13/11	215-40	7/26/16		
211-39	12/27/11				
211-45	3/27/12	216-03	8/23/16		
		216-04	4/27/16		
212-03	7/17/12	216-07	7/6/16		
212-16	3/19/13	216-13	7/6/16		
212-25	1/22/13	216-16	7/6/16		
212-30	3/19/13	216-15	8/5/16		
213-03	5/7/13	216-20	8/5/16		
213-06	5/14/13	216-21	8/5/16		
213-09	7/15/13	216-24	8/16/16		
213-12	6/18/13	216-27	12/9/16		
213-13	7/15/13	216-36	12/13/16		
213-16	8/13/13	216-37	12/13/16		