

City of Stamford Connecticut
Zoning Regulations

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 one hundred (100) years old, in whole or in part, to be eligible for consideration as a historic building for purposes of this section 7.2. (205-13)

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