

**5.U. NX-D NEIGHBORHOOD MIXED-USE DESIGN DISTRICT (218-11)<sup>36</sup>****5.U.1. Purpose**

The Neighborhood Mixed-Use Design District (NX-D) is adopted pursuant to Section 8-2 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, as amended. The NX-D is designed to maintain and facilitate the growth and expansion of small-scale light industrial, home and business service, wholesale distribution, arts production and related activities, live/work use, and general commercial service activities, while protecting existing housing and encouraging the *Development* of new businesses at a scale and *Density* compatible with the surrounding blocks. The general goals served by these regulations are to (i) encourage investment in mixed residential, commercial, and industrial neighborhoods by permitting expansion and new *Development* of a wide variety of uses in a manner ensuring the health and safety of people using the area, (ii) promote the opportunity for workers to live in the vicinity of their work, (iii) create new opportunities for mixed-use neighborhoods, (iv) recognize and enhance the vitality and character of existing and potential mixed-use neighborhoods, (v) promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and *Buildings*, and (vi) promote a vibrant commercial environment. Design controls, the establishment of use and design standards that apply to new and certain existing architectural façades, sites and *Buildings*, and review procedures, will all ensure a compatible relationship between commercial, light industrial, and residential areas.

**5.U.2. Authorized Uses**

In the NX-D, the following uses from Appendix A of these Regulations shall be allowed, as of right:

NX-D – Permitted As of Right Uses		Use Category***
1.4	Supportive Housing	R
2	Apartment – Garden Type	R
4	Apartment House	R
4.1	Auto Rental Service Facility	I
	Café	
9	Child Day Care Center	C
10	Christmas Trees, Holly Wreaths and similar Christmas Decorations; the temporary sale of, outdoors only, between the dates of Nov. 15 & Dec. 31	C
11	Churches & Religious Institutions	C
13.1	Clinic, Community Health Center	C
17	Community Center	C
18	Dwelling – Single Family	R
19	Dwelling – Two Family	R

<sup>36</sup> [Formerly Section 4.B.10. (224-07).]

19.1	Dwelling, Multiple	R
20	Dwelling-Group or Town Houses	R
20.5	Family Day Care Home	C
24.1	Group Day Care Home	C
24.2	Historic Site	C
25	Home Occupation	C
	Independent Living Facility (224-06)	
29	Nursing Home	C
31	Professional Offices, <i>Accessory Use</i>	C
32	Professional Offices, Medical	C
33	Professional Offices, Principal Use	C
34	Professional Pharmacy	C
42.1	Senior Housing and Nursing Home Facility Complex	R
44.1	Agencies – Real Estate, Insurance, Employment	C
49	Art & Antique Shops	C
60	Automotive Equipment & Service	I
62	Bakeries	C
64	Barber, Beauty Shops	C
78	Carpentry, Woodworking Shop	I
81	Christmas Trees, Holly Wreaths & Similar Christmas Decorations, the sale of	C
84	Color Scanning Shop, except no limit on employees in Industrial Districts	I
86	Confectionary Store	C
	Consignment / Thrift Store – sale of used items including apparel, shoes, books and other non-perishable goods	C
87.1	Copy and Communication Center	C
92	Drug Store	C
95	Electrical & Manual Household Appliances (small) repair & service	I
96	Electronics Scientific Instrument Mfg smaller than 5,000 square feet	I
	Fabric Store	C
99	Floor Covering Shop, Retail	C
100	Florist Shop	C
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	C
104	Food Processing, Wholesale, excludes Meat, Fish, Vinegar, Yeast, Fat	I
105	Food Shops, Retail	C
111	Gardening Supplies, Retail	C
114	Glass Fabricators & Installation smaller than 5,000 square feet	I
117	Gymnasium or Physical Culture Establishment	C
118	Hardware Store	C
119	Ice Dispensing Service, Retail	C
123	Interior Decorating Services, no Retail	C
126	Laboratories, Research smaller than 5,000 square feet	I
127	Laundry, Cleaning & Dyeing Agency	I
129	Laundry & Dry Cleaning Establishment, Retail	C
130	Laundry, Self-Service; Dry Cleaning, Self-Service	C
131	Machine Shop, Blacksmith Shop smaller than 5,000 square feet	I

132	Manufacture & Assembly, smaller than 5,000 square feet, of: Art Goods; Boxes; Candy; Clothing; Cosmetics; Drugs; Electrical Goods; Excelsior; Felt; Fiber; 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	I
134	Metal Fabrication of Light Sheet Metal Ducts, Gutters, Leaders smaller than 5,000 square feet	I
135	Millwork, Cabinet Work smaller than 5,000 square feet	I
137	Newsstand, Variety Store	C
138	Offices, Business & Professional	C
138.1	Official Emissions Inspection Station	C
139	Optician, Repairs	C
140	Optical & Scientific Instrument Mfg	I
143	Paint Stores including Wholesale Paint Stores for Resale off Premises	C
145.1	Personal Wireless Communication – Retail	C
148	Photo Engraving	C
151	Plumbing & Heating Shop	I
152	Printing; Industrial; Wallpaper	I
153	Printing; Job Shop, Publisher	I
157	Rag, Bag & Carpet Cleaning	I
	Residential Care Facility (224-06)	R
158	Restaurant, includes Entertainment & Liquors	C
159.1	Restaurant, Carry-Out	C
164.1	Self-Storage Facility	I <sup>†</sup>
	Senior or Disabled Day Program (224-06)	
167	Shoe Repair Shop	C
169	Sign Painting	C
172	Stone & Monument Works, Mfg., Display & Sale smaller than 5,000 square feet	I
175	Tailor Shop	C
177	Taxidermist	C
177.1	Tennis Courts, Indoor	C
180	Upholsterer except no limitation on number of employees	I
184	Wearing Apparel Fabrication & Processing	I
185	Welding Supplies & Equipment Including Welding Gases, Storage and Sale	I
186	Wholesale, Closed Storage Bldg. & Warehouses	I

\*Denotes designation in Appendix A, schedule of *Permitted Uses*.

\*\*\*As used in this Section 4.B.10, and for purposes of applying the development standards in subsections 14.3 and 14.4 below, the designation “R” shall mean a residential use, the designation “C” shall mean a commercial use, and the designation “I” shall mean an industrial use.

<sup>†</sup>Provided that the *FAR* standard provided in Section 14.3 below for Commercial uses shall be applicable to Self-Storage Facilities.

In the NX-D, the following uses from Appendix A of these Regulations shall be allowed, subject to *Special Permit* approval by the Zoning Board, in accordance with the procedures and standards as set forth under Section 9 and Section 2 of these Regulations:

<b>NX-D – Permitted Uses by Special Permit</b>		<b>Use Category***</b>
	Adult Use Cannabis Dispensary (223-17MOD)	C
3	Apartment Hotel	C
	Bed & Breakfast	C
5	Boarding House, Rooming House	R
23	Garages, Public	C
24	Garage, Accessory	C
	Marijuana or Cannabis Delivery Facility (223-17MOD)	
	Marijuana or Cannabis Delivery Service (223-17MOD)	
	Marijuana or Cannabis Transport Facility (223-17MOD)	
30	Passenger Terminals & Stations	C
30.2	Personal Wireless Service Facility	C
37	Public Utility Buildings	I
38	Public Utility Transformer & Pump Stations	I
39	Radio & television Broadcasting Stations & Masts	I
42.15	Social Hall	C
50	Assembly of Parts, Retail Only	C
53	Auto Parking Area, Commercial & Municipal	C
54	Auto Sales Agency, New with Used	I
55	Auto Sales Area, Used	I
56	Auto Service Station (Gasoline Filling Station)(See Section 11)	I
57	Auto Truck Storage Area	I
59	Automatic Car Wash Establishments Subject to Section 11	I
68	Bottling Plant	I
72	Building Material, Sales & Storage	I
77	Canvas Products Mfg.	I
79	Casting, Foundry	I
87	Contractor's Material & Equipment Storage Yard & Building	I
96	Electronics Scientific Instrument Mfg. greater than 5,000 square feet	I
96.1	Equipment Rental, General	I
109	Garages, Public (See Section 11)(subject to the standards of Sect. 11.C.2 and 11.C.3;	C
110	Garages, Bus & Taxi Service (See Section 11)	C
114	Glass Fabricators & Installation greater than 5,000 square feet	I
126	Laboratories, research greater than 5,000 square feet	I
131	Machine Shop, Blacksmith Shop greater than 5,000 square feet	I
132	Manufacture & Assembly, greater than 5,000 square feet, of: Art Goods; Boxes; Candy; Clothing; Cosmetics; Drugs; Electrical Goods; Excelsior; Felt; Fiber; Firearms; Flavoring; Furniture; Glass Products; Hats; House, Office and Theatre Equipment; Ladders; Leather & Sporting Goods; Mattresses; Models, Tools & Appliances; Musical Instruments; Novelties;	I

	Paper Products; Perfumes; Playground Equipment; <i>Signs</i> ; Staging; Stationery; Store & Office Equipment; Synthetic & Plastics Products; Textiles; Toilet Preparations; Toys	
133	Meat Processing excluding Slaughtering, Curing & Smoking	I
134	Metal Fabrication of Light Sheet Metal Ducts, Gutters, Leaders	I
134.5	Microwave Transmission Facilities, Commercial; Principal or <i>Accessory Use</i> greater than 5,000 square feet	I
135	Millwork, Cabinet Work greater than 5,000 square feet	I
	Motel	C
150	Plating, Lacquering & Finishing of Metals	I
155	Public Utility Service <i>Yards</i>	I
159.2	Restaurant, Drive-In	C
159.3	Restaurant, Fast-Food	C
170	Sorting, Baling, Processing or Storage of Junk, Wood, Metal, Paper	I
172	Stone & Monument Works, Mfg., Display & Sale greater than 5,000 square feet	I
179	Truck & Terminal, Classification Bldg. and/or Yard	I

\*Denotes designation in Appendix A, schedule of *Permitted Uses*.

\*\*\*As used in this Section 4.B.10, and for purposes of applying the development standards in Subsections 4.B.10.c. and 4.B.10.d below, the designation “R” shall mean a residential use, the designation “C” shall mean a commercial use, and the designation “I” shall mean an industrial use.

### 5.U.3. Development Standards (223-08; 223-09; 224-31MOD)

Standard	Residential Uses		Mixed-Use Buildings (residential and commercial or industrial)	Commercial and Industrial Buildings (no residential)
	<i>1 and 2 family Buildings</i>	<i>Multi (3+) family Buildings</i>		
<i>Minimum Lot Size</i>	5,000 square feet	6,000 square feet	5,000 square feet	10,000 square feet
<i>Minimum Frontage</i>	50 feet	50 feet	50 feet	50 feet
<i>Residential Density Divider</i>	Maximum of 2 families per <i>Plot</i>	1,000	1,000	N/A
<i>Maximum Building Height</i>	35 feet or 3 <i>Stories</i> , whichever is less	60 feet or 5 <i>Stories</i> , whichever is less, and provided that after 45 feet of height, the remaining portion of the <i>Building</i> is setback an additional 10 feet from any required setback	60 feet or 5 <i>Stories</i> , whichever is less, and provided that after 45 feet of height, the remaining portion of the <i>Building</i> is setback an additional 10 feet from any required setback	60 feet or 4 <i>Stories</i> , whichever is less, and provided that after 45 feet of height, the remaining portion of the <i>Building</i> is setback an additional 10 feet from any required setback
<i>Maximum Floor Area Ratio*</i>	N/A determined by <i>Building Coverage</i> and <i>Building Height</i>	1.5	1.5	1.0
<i>Front Yard Setback, measured from Curb Line</i>	No less than 15 feet, which must include a 5-foot planted buffer	No less than 15 feet, which must include a 5-foot planted buffer	No less than 10 feet. However, if there is no active ground floor use, the <i>Front Yard</i> setback shall be no less than 15 feet and include a 5-foot	No less than 10 feet. However, if there is no active ground floor use, the <i>Front Yard</i> setback shall be no less than 15 feet and include a 5-foot

			planted buffer	planted buffer
Minimum <i>Side Yard Setback From Curb Line</i>	No less than 10 feet	No <i>Side Yard</i> required within 70 feet of a <i>Street Line</i> ; 10 feet beyond 70 feet of <i>Street Line</i> ; if provided no less than 10 feet.	No <i>Side Yard</i> required within 70 feet of a <i>Street Line</i> ; 10 feet beyond 70 feet of <i>Street Line</i> ; if provided no less than 10 feet.	No <i>Side Yard</i> required within 70 feet of a <i>Street Line</i> ; 10 feet beyond 70 feet of <i>Street Line</i> ; if provided no less than 10 feet.
Minimum <i>Rear Yard Setback</i>	30 feet	20 feet	20 feet	10 feet
Maximum <i>Lot Coverage</i>	70%	85%	85%	90%
Maximum <i>Building Coverage</i>	30%	60% 70% on <i>Corner Lots</i>	60% 70% on <i>Corner Lots</i>	70% 80% on <i>Corner Lots</i>
<i>Usable Open Space</i>	N/A	A minimum of 75 square feet per <i>Dwelling Unit</i>	A minimum of 75 square feet per <i>Dwelling Unit</i>	N/A

#### 5.U.4. Additional Development Standards Applicable to Uses within the NX-D

##### a. Additional Development Standards for Mixed-Use Buildings

- (1) Location of uses in *Mixed-Use Buildings* – For new mixed-use developments that include residential uses, and for *Buildings* proposed to be converted to mixed-use developments that include residential uses (“conversion *Buildings*”), commercial and/or industrial uses may only be located on the *Story* below the lowest *Story* occupied by *Dwelling Units*, or on the same level as the lowest level *Story* occupied by *Dwelling Units* provided that such commercial and/or industrial uses are located along a public street frontage, in front of any *Dwelling Units*. In no event may *Dwelling Units* be located below any commercial or industrial use in a new *Mixed-Use Building* or conversion *Building*.
- (2) In any new *Mixed-Use Buildings* occupied by residential uses or in any conversion *Buildings*, residential uses and commercial/industrial uses, shall have separate direct pedestrian entrances.

**b. Setback from Abutting Zones.** Where a *Lot Line* abuts a residential zoning boundary, a minimum setback of 10 feet shall be provided, and provisions of Paragraph 3 in the Definition for *Yard* of these regulations shall not apply.

##### c. Building Use and Frontage

- (1) To the extent practical and consistent with the operational requirements of the intended use, the ground floor use shall be commercial use that is oriented toward its primary street frontage.
- (2) The ground level of any *Building* shall be designed to promote the pedestrian scale of the overall *Development*.

- (3) New *Buildings* shall face the main street edge and include entrances, commercial storefronts, or lobbies, as applicable.
- (4) New *Buildings* with ground floor residential uses shall be raised at least 2-feet above grade, and include screening of first floor residences.
- (5) All uses authorized in the NX-D District under Subsection 4.B.10.b. above shall be located exclusively indoors, except for the following:
  - Automatic Car Wash Establishments Subject to Section 11
  - Auto Parking Area, Commercial & Municipal
  - Auto Rental Service Facility
  - Auto Sales Agency, New with Used
  - Auto Sales Area, Used
  - Auto Service Station
  - Auto Truck Storage Area
  - Christmas Trees, Holly Wreaths & Similar Christmas Decorations, the sale of
  - Christmas Trees, Holly Wreaths and similar Christmas Decorations; the temporary sale of, outdoors only, between the dates of Nov. 15 & Dec. 31
  - Garages, Bus & Taxi Service
  - Gardening Supplies, Retail
  - Passenger Terminals & Stations
  - Restaurant, Drive-In
  - Truck & Terminal, Classification Bldg. and/or Yard
- d. **Sidewalks and Street Trees.** Sidewalks and Street Trees shall be provided pursuant to Section 12.K. (223-09)
- e. **Façade Length and Articulation.** Any new *Buildings* that have a façade length or width of more than 50 feet facing a public *Street* or adjoining residential district shall be designed to break the façade design into smaller masses or length through the use of changes in the plane of the elevation, articulated entries or window bays or other design features to reduce the scale and perceived bulk of *Building* masses. *Building* façades may 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* façades 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.
- f. **Transparency**
  - (1) New *Buildings* with active ground floor commercial use(s), residential lobby or amenity space and having a *Front Yard* setback of less than 15 feet from the curb shall have a minimum of 70% transparent glass on the ground floor on the sides of the *Building* that front public *Streets*. This requirement shall not apply for new *Buildings* that are setback 15 feet or more from the curb.

- (2) New *Buildings* with active ground floor industrial use(s) and having a *Front Yard* setback of less than 15 feet from the curb shall have a minimum of 50% transparent glass on the ground floor on the sides of the *Building* that front such public *Streets*. This requirement shall not apply for new *Buildings* that are setback 15 feet or more from the curb.
- (3) Where metal security gates are proposed along a street frontage for active ground floor uses mentioned above, open grille gates are encouraged in lieu of solid metal gates.

**(7) Landscaping and Buffers**

- (a) A landscaped buffer at least 5 feet wide shall be maintained between properties with commercial or industrial improvements, and properties with residential improvements.
  - (b) Required buffer areas shall be maintained as unoccupied landscaped open space and may include required curb cuts necessary to access the site and pedestrian walkways and similar improvements as approved by the reviewing body.
- g. **Parking and Loading.** The amount, location and dimensions of parking and loading and dimensions of driveways shall satisfy the standards of Section 12 of these Zoning Regulations, as modified by the following special standards applicable to *Development* within the NX-D:
- (1) Parking shall not be permitted in a *Front Yard* or buffer area.
  - (2) All **loading areas** shall be incorporated into *Buildings*, and/or suitably screened by means of solid fencing or landscaping, or a combination of both, to mitigate visual impacts to adjoining properties. Landscape screening materials should be maintained at a minimum height of four (4') feet.
  - (3) All parking abutting residential uses along the side and *Rear Lot Lines* shall be buffered by a 5-foot wide planting strip.
  - (4) **Shared Parking.** The shared use of parking may be permitted, subject to *Special Permit* approval by the Zoning Board, where a finding is made that individual uses will experience peak parking demands 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 as 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.
  - (5) **Bicycle Parking.** New *Buildings* shall provide secure, safe and enclosed bicycle parking as follows:
    - (a) Residential – 1 space per 4 *Dwelling Units*
    - (b) Commercial – 1 space per 7,500 square feet of *Floor Area*
    - (c) Industrial – 1 space per every three (3) employees of the *Building(s)* on the *Lot*.



Bicycle Parking shall be either located at-grade or reachable by ramps.

- h. **Curb Cuts.** The number and width of curb cuts leading to off-street parking and loading areas shall be minimized to enhance pedestrian safety 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. The Land Use Bureau Staff or Zoning Board, as applicable, may authorize a reduction in parking of up to ten percent (10%) if the use of shared curb cuts is implemented. Curb cuts shall be a minimum distance of 50 feet from street corners and 30 feet from other curb cuts.
- i. **Delivery and Storage Areas.** All service areas, trash receptacles, mechanical equipment, vehicles or equipment that are adjacent to other *Lots* or a public *Street* shall, to the extent practicable be located away from *Streets*, or be hidden from street and pedestrian view by *Buildings*, *Fences* and landscape treatments, or a combination thereof. No such service area shall be located in the *Front Yard*.
- j. **Enclosed Storage.** Storage areas in the NX-D shall be fully enclosed. In no case shall solid waste storage as defined by state and local law be permitted on site.
- k. **Site Lighting.** Site lighting shall be limited to cut-off fixtures that do not create glare or extend light onto adjacent residential properties. All site lighting shall be directed onto the site and shall be shielded from adjacent residential uses or zones and from the adjoining *Street*.
- l. **Hours of Operation.** The Zoning Board may attach reasonable conditions to the hours of operation of commercial and light industrial businesses, deemed necessary to safeguard the surrounding neighborhood.
- m. **Noise.** The proposed use must be shown to be in compliance with Stamford Code of Ordinances Chapter 164 - City of Stamford Noise Control Ordinance.
- n. **Vibration, Dust, & Odors.** The dissemination of dust, smoke, observable gas or fumes, odor, or vibration shall be contained to the immediate site of the *Building* in which such use is conducted, and the Zoning Board may attach such reasonable conditions and safeguards deemed necessary to ensure same.
- o. **Traffic & Parking.** *Development* shall be designed to avoid unusual traffic hazards 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, and the Zoning Board may attach such reasonable conditions and safeguards deemed necessary to ensure same.
- p. **Signage.** Signage. The design, location and size of signage for uses in the NX-D shall be governed by the definitions of these Regulations and by the design criteria and signage rights permitted in the Architectural Review Design District (Section 5.A. and Section 11.D. of these Regulations), except that the following special standards shall apply (221-18, 221-28):
  - (a) In the case of Industrial uses on properties adjacent to an Interstate highway roadway system, Wall Signs placed on the street front wall of a Building may not exceed eight (8) feet in height, and the Zoning Board, by administrative review, may allow one (1) Ground Sign or Pole Sign to be located along the frontage adjacent to the Interstate highway roadway system.

Such sign shall not exceed sixty (60) square feet in area and no side of the sign face shall exceed ten (10) feet in length. A decorative or ornamental base structure supporting such sign may be allowed, provided the face of such decorative or ornamental base structure does not exceed one hundred (100) square feet in area, the structure contains no lettering and is one (1) color, which color may be different than the color of the sign. No Pole Sign authorized by this section, together with any decorative or ornamental base, shall exceed twenty-one (21) feet in height. The right to one (1) Ground Sign or Pole Sign and Wall Signs not exceeding eight (8) feet in height, shall not increase the aggregate signage rights allowed in the NX-D set forth in Section 5.A.4.a. of these Regulations nor modify any other requirement. (221-18, 221-28)

- q. **Historic Buildings.** the standards of 8. of these Regulations shall apply to any *Buildings* located in the NX-D that qualify as historic, as provided for under said section.
- r. **Below Market Rate Requirements.** *Below Market-Rate Housing* shall be provided pursuant to Section 7. of these Regulations. (220-13)

#### 5.U.5. Application and Review Procedure

- a. Application shall be made on forms provided by the Zoning Board and shall contain the information required under Section 2.D. and, for applications requiring *Special Permit* approval, Section 2.C. 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.
- 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/or *Special Permit* approval by the Zoning Board or issuance of Site Plan approval by the Land Use Bureau Chief, or designee, as defined in subsection 14.5-e.
- c. Any *Special Permit* 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 (3) one (1) -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. Any reports or recommendations from such agencies or organizations shall be entered into the public hearing record.
- e. **Reviewing Authority.**
  - (1) The Zoning Board shall review and determine compliance with the standards of the NX-D, for (i) all uses permitted by *Special Permit*, by issuance of *Special Permit* and Site Plan approval, and (ii) all uses permitted as-of-right with greater than 20,000 square feet of *Lot Area*, by issuance of Site Plan approval.

- (2) The Land Use Bureau Chief shall conduct an administrative site plan and architectural review and determine compliance with the standards of the NX-D, by issuance of Site Plan approval, for all uses permitted as-of-right having less than 20,000 square feet of *Lot Area*.
  - (3) *Minor Modifications* to *Special Permit* approvals or approved site and architectural plans hereunder shall be reviewed by Land Use Bureau Staff. All other modifications shall be subject to subparagraphs 5.U.5.e(1) and 5.U.5.e.(2) of this Subsection e. above.
- f. **Exemptions.** Notwithstanding the above, the following projects and activities shall be exempt from site plan and/or *Special Permit* review under this Section, but must comply with all standards of this Section and all other provisions of these Regulations:
- (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 façade of an existing *Building* or *Structure* and do not increase *Building Floor Area*.
  - (3) New signage not exceeding five (5) square feet in area in the aggregate.
  - (4) Interior modifications that do not result in a change in use of the *Building*.