

City of Milford, Connecticut

MEMORANDUM

TO: Karen Fortunati, City Clerk
FROM: David B. Sulkis, City Planner
DATE: February 15, 2022
Re: **Text Changes to the City of Milford Zoning Regulations**

At its meeting held February 1, 2022, the Planning and Zoning Board approved the attached text regulation changes to the Milford Zoning Regulations. Due to the length of the document, it has been included as ATTACHMENT A – Regulation #21-8.

This regulation change becomes effective on February 25, 2022

Distribution

Mayor Benjamin Blake
Zoning Board of Appeals
Zoning Enforcement Officer
Director of Public Works
City Attorney
City Clerk
Joseph Griffith, DPLU
Engineering Department

Library
Community Development
Sewer Commission
Assessor
Conservation Commission
Inland Wetlands Office
Harbor Management Commission

ATTACHMENT A – Regulation #21-8

(changes/additions/deletions in bold italic)

3.18.2 Special Uses: Subject to all other applicable provision and limitation of these Regulations, the Board may allow the following buildings or uses, subject to Special Permit and Site Plan Approval in accordance with ARTICLE VII herein.

- 3.18.2.1** Clubs, lodges, or fraternal organizations in accordance with the provisions of Section 3.8.2.1 herein.
- 3.18.2.2** Churches or religious institutions.
- 3.18.2.3** Public charitable institutions.
- 3.18.2.4** Library, community center or other public buildings.
- 3.18.2.5** Parks, playgrounds, or other public facilities.
- 3.18.2.6** Public utility buildings or facilities.
- 3.18.2.7** Mixed use buildings containing one or more Special Uses.
- 3.18.2.8** Indoor places of entertainment, amusement, recreation, or assembly, such as theaters, billiard rooms, bowling, or other similar indoor uses.
- 3.18.2.9** The manufacturing, fabricating, assembling, or processing of goods or products, provided that the use as well as storage or accessory uses are completely within an enclosed building.
- 3.18.2.10** Fast food restaurants as defined in Article XI, 11-2.
- 3.18.2.11** Accessory buildings or uses clearly subordinate and customarily incidental to and located on the same lot with any of the foregoing Special Uses may be approved by the Board in the same manner as a Permitted Use, unless the Board requires a public hearing. Those not complying with 3.16.3.3 shall require a Special Permit.
- 3.18.2.12** Restaurants with an outdoor customer dining area as defined in Section 11-2.
- 3.18.2.13** Other related or equivalent principal buildings or uses, which are not specifically listed and are not prohibited, may be permitted by the Board by Special Exception in accordance with Section 7.3.

3.18.2.14 Multi-family residential buildings, subject to the following conditions and safeguards:

- (1) Multi-family residential buildings shall be permitted as part of an application for the development of a lot containing a minimum of 15 acres and a minimum of 600 feet of frontage on Bridgeport Avenue. For the purposes of this subsection, “development” shall mean the removal or renovation of all existing structures containing five (5) or more commercial establishments within a single structure, to be replaced by new or altered structures devoted to commercial use and complying with the architectural standards for exterior building materials set forth in Section 5.16.1. No zoning permit shall be issued by the Zoning Enforcement Officer for multi-family residential buildings approved under this section unless or until a zoning permit for any portion of the commercial development has also been issued.**
- (2) Such multi-family residential buildings shall be limited to efficiency, one-bedroom and two-bedroom dwelling units.**
- (3) The maximum number of dwelling units shall not exceed 17 units per acre. No less than 10% of the dwelling units created shall be affordable housing as defined and in accordance with the Connecticut General Statute 8-30g.**
- (4) The maximum building area coverage shall be twenty five percent (25%); maximum lot coverage shall be seventy-five percent (75%); and maximum floor area ratio (FAR) shall be 1.0.**
- (5) No building shall exceed three (3) stories nor forty (40) feet in height.**
- (6) A development plan approved under this section may be subdivided provided that any resulting parcel containing multi-family residential buildings shall be at least 12 acres in size and dwelling unit density does not exceed 17 units per acre.**
- (7) Multi-family residential buildings shall be setback from Bridgeport Avenue a minimum distance of 200 feet.**
- (8) Such developments may include accessory structures and uses such as, but not limited to, an associated clubhouse or similar amenity space, detached garages, maintenance buildings, mail buildings, and pool pump house buildings.**
- (9) In addition to satisfying the architectural standards for exterior buildings materials set forth in Section 5.16.1, developments approved under this section shall comply with the following:**
 - a. No more than 36 dwelling units shall be provided in a single multi-family residential building;**
 - b. Pitched roofs shall be provided for any multi-family residential building, clubhouse, or detached garage;**

- c. *Articulated building facades shall be included for all multi-family residential buildings to provide visual interest and reduce overall massing;*
- d. *Multi-family residential building elevations shall include a mix of materials reflecting traditional New England-style design, including, by way of example and among other things, horizontal siding, shake-type siding, and board and batten-type siding.*
- e. *No less than fifty percent (50%) of dwelling units shall have a balcony of at least 36 square feet in size;*
- f. *Indoor residential community amenities such as, by way of example, a clubroom, fitness center, cinema room, co-working space, and/or prep kitchen;*
- g. *Outdoor residential community amenities such as a resort-quality pool, cabanas, fire pit, hammock park, and lawn game area;*
- h. *EV charging stations and BikeShare system; and*
- i. *Such developments shall include solar panels to offset electrical use of 40 kilowatts of power.*

3.18.5 Prohibited Uses: The following uses shall be expressly prohibited.

3.18.5.1 No trucking terminal facilities for handling freight or material with or without maintenance facilities shall be permitted; except for clearly subordinate and customarily incidental delivery departments or off-street loading facilities operated by business concerns for their own uses.

3.18.5.2 Residential uses of any type shall be prohibited. *Exception: multi-family residential buildings satisfying the requirements of Section 3.18.2.14.*

3.18.5.3 Any building or use which will not comply with the Performance Standards of Section 5.11 shall be prohibited.

ARTICLE V SUPPLEMENTARY REGULATIONS

SECTION 5.1 PARKING AND LOADING REGULATIONS

Figure 1: Minimum Off-Street Parking Requirements	
<u>Type of Building or Use</u>	<u>Minimum Required Parking Spaces</u>
(1) One Family Dwellings	2 spaces
(2) Two Family Dwellings	4 spaces
(3) Multiple Family Dwellings	
(a) Efficiency bedroom units	2 space minimum per dwelling unit (1-1.5 in MCDD, CDD-1, CDD-2 & CDD-3)
(b) One bedroom unit	2 space minimum per dwelling unit (1.5-2 in MCDD, CDD-1, CDD-2 & CDD-3)

Figure 1: Minimum Off-Street Parking Requirements

Type of Building or Use	Minimum Required Parking Spaces
(c) Two-bedroom units	3 space minimum per dwelling unit (2-2.5 in MCDD, CDD-1, CDD-2 & CDD-3)
(d) Three-bedroom units	3 space minimum per dwelling unit 2-2.5 in MCDD & CDD-2)
(4) Housing for elderly	1 space per dwelling unit
(5) Home occupation or accessory professional or home office	2 spaces in addition to dwelling requirements.
(6) Places of assembly, including but not limited to churches, auditoriums, theaters, and stadiums	1 space for each 4 fixed to seats or equivalent gross floor area. (50 sf/space)
(7) Food and beverage establishments including, but not limited to restaurants, outdoor luncheonettes, soda fountains, clubs (public and private), coffee houses, and fraternal organizations	1 space for each 75 sq. ft. of gross floor area, including service areas if any.
(8) Take Out Restaurants	1 space for each 250 sq. ft.
(9) Taverns, Cafes	1 space for each 50 sq. ft. of gross floor area including outdoor service areas, if any
(10) Health Clubs, gymnasiums	1 space for each 125 sq. ft.
(11) Hotels, motels, and boarding houses	1 space for each rooming unit, plus required parking for facilities used for eating, drinking, assembly, and other such uses.
(12) Automotive services, including but not limited to gas stations, auto accessories, auto repair, auto body and paint shop, muffler installation, tire and engine and transmission overhaul shops	1 space for each 250 sq. ft. of gross floor area; or 3 spaces per bay, lift or equivalent for customer and employee parking only, whichever is greater.
(13) Vehicular dealerships including, but not limited to, those which sell new and used: motor vehicles, trailers, watercraft, and mobile homes.	1 space for each 250 sq. ft. of gross floor area, or 1 space for each 1,500 sq. ft. of open sales display lot, whichever is greater.
(14) Open or outdoor businesses, including but not limited to those businesses, which sell new and used: motor vehicles, trailers, mobile homes; building supplies, machinery, equipment, swimming pools, nurseries, and garden supplies.	1 space for each 250 sq. ft. of enclosed sales floor area plus 1 space for each 1,000 sq. ft. of open sales display lot area.
(15) Boat docks, marinas, and boat yards	1 space for each boat dock or mooring facility.
(16) Appliance, carpet, furniture, electrical, heating, plumbing and glass retail sales	1 space for each 500 sq. ft. of gross floor area.
(17) Other retail sales and service establishments	1 space for each 250 sq. ft. of gross floor area. *
(18) General business and professional offices	1 space for each 250 sq. ft. of gross floor area or two spaces for each office or tenant, whichever is greater, or 3 spaces per 1,000 sq. ft. of gross floor area in a DO-10 or DO-25 zone district with the reserve parking area of 1 space for each 1,000 sq. ft. of gross floor area retained in suitably located open space areas so as to be utilized for required parking at such time as the Planning and Zoning Board shall require.*

Figure 1: Minimum Off-Street Parking Requirements

<u>Type of Building or Use</u>	<u>Minimum Required Parking Spaces</u>
(19) General Hospital	1 space per patient bed plus 1 space per employee during the maximum work shift, plus 1.5 spaces per operating and/or treatment room that is part of an outpatient surgical facility or wing of a hospital.
(20) Convalescent, nursing or rest home	1 space per four patient beds plus 1 space per employee during the maximum work shift
(21) Wholesale and distribution, warehousing and storage, truck terminals, and other enclosed storage uses, and manufacturing and industrial establishments	1 space for each 750 sq. ft. of gross floor area or 1 space for each employee on the maximum work shift, whichever is greater.
(22) Schools - Public, Parochial, Private Non-Profit commercial (Elementary, Middle or Junior High School)	1 space for each 6 seats or equivalent.
(23) Schools – Public, Parochial, Private Non-Profit commercial (High School)	1 space for each 2 seats or equivalent.
(24) Regional Shopping Malls	1 space for each 250 sq. ft. of gross buildable area. Storage areas of more than 10,000 sq. ft. per store unit shall not be included in the parking calculations and shall be a deduction from gross buildable area.

* An establishment may reduce its parking requirement down to a minimum of 1 space for each 400 sq. ft. of gross floor area, in exchange for an increase in buildable floor area equal to one-half of the difference between the reduced parking requirement and the general minimum of 1 space for each 250 sq. ft. of gross floor area. The remaining one-half of this difference must be maintained as additional landscaped open space on the site, in accordance with Article V, Section 5.14 of these Regulations. The Board, if it determines upon review of a Site Plan for such establishment that a reduction in the number of parking spaces is suitable and proper for the site, may grant this reduction by way of a Special Exception.