

SECTION 3.9A SHOPPING CENTER DESIGN DISTRICT – SCD 50

3.9A.1 Purpose: In addition to the provisions of Section 3.9, the following shall apply to parcels consisting of fifty acres or greater located within the SCD District (an “SCD 50 Parcel”). In the event of any conflict between Section 3.9 and this section 3.9A, this section shall prevail.

The intent of this section is to facilitate the revitalization of regional shopping malls, including the development of multi-family dwelling units in three phases of no more than 250 units per phase, subject to the requirements herein. The first phase shall include a plaza and multi-family dwelling units within a mixed-use building. Multi-family dwelling units in subsequent phases may be located within either exclusively residential buildings or mixed-use buildings.

3.9A.2 Special Uses: In addition to those uses included in Section 3.9.2, subject to all other applicable provisions and limitations of these Regulations, the Board may permit the following buildings or uses, subject to Special Permit and Site Plan Approval in accordance with ARTICLE VII, herein.

3.9A.2.1 Mixed use buildings containing one or more allowable Special Uses; subject to the limitations of Section 3.9A.4.2 herein.

3.9A.2.2 Multi-Family Dwelling Units when located in mixed-use buildings (“Mixed Use Residential”) with one or more allowable Special Uses, subject to the limitations of Section 3.9A.4.2, herein.

3.9A.2.2.1 Multi-Family Dwelling Units, subject to the limitations of Section 3.9A.4.2 herein.

3.9A.2.3 Offices for medical services or other similar offices.

3.9A.2.4 Retail stores.

3.9A.2.5 Eating places, restaurants, restaurants – fast food, taverns, cafes, and coffee houses, including those with outdoor dining areas and including drive-through establishments, subject to the provisions of Section 5.5 where applicable.

3.9A.2.6 Stores or establishments for performance of allowable personal services.

3.9A.2.7 Day care center, child.

3.9A.2.8 Schools (business, commercial, parochial, private, public, private non-profit, recreational cooking, or vocational training).

3.9A.2.9 Library, community center, or other public buildings.

3.9A.2.10 Manufacturing, fabricating, assembling, or processing of goods or products provided that the use as well as the storage or accessory uses are completely within an enclosed building and the total square footage of such use, including storage/accessory use, does not exceed 5,000 square feet.

3.9A.2.11 Planned elderly community.

3.9A.3 Accessory Uses: In addition to those Accessory Uses included in Section 3.9.3, the following accessory uses shall also be allowed:

3.9A.3.1 Recreational buildings and uses accessory to Multi-Family Dwelling Units, including but not limited to, swimming pool, clubhouse, lounge areas, and exercise facilities.

3.9A.3.2 Outdoor entertainment, amusement, or recreation designed to enhance the arts and/or cultural experience of the community.

3.9A.3.3 Notwithstanding Section 3.9.5.4, gasoline stations, subject to all applicable provisions of Section 5.4 herein.

3.9A.3.4 Notwithstanding Section 3.9.5.2, outdoor retail sales.

3.9A.4 Lot and Building Requirements: Subject to all other applicable provisions and limitations of these Regulations, except as permitted by Section 3.9.6.2, buildings and uses shall comply with all lot and building requirements as set forth herein.

3.9A.4.1 Minimum Lot Requirements:

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| (1) | Lot Area: | |
| | (a) with dwelling units | 3 acres |
| | (b) without dwelling units | 10 acres |
| (2) | Lot Width: | |
| | (a) with dwelling units | 50 feet |
| | (b) without dwelling units | 300 feet |
| (3) | Lot Depth: | |
| | (a) with dwelling units | 50 feet |
| | (b) without dwelling units | 300 feet |
| (4) | Yards (front, rear, side) | |
| | (a) with dwelling units | 20 feet |
| | (b) without dwelling units | 25 feet |
| (5) | Yards (accessory uses) | 25 feet |

3.9A.4.2 Design, Phasing, and Building Requirements:

- (1) No more than 750 dwelling units shall be located on an SCD 50 Parcel as it exists on the date of the enactment of this Section 3.9A, regardless of any later subdivision.
- (2) No more than 250 dwelling units shall be approved in any two-year period (each a “Phase”).
- (3) The first Phase of multi-family dwelling units shall be located within Mixed-Use Residential buildings located proximate to, and in a manner so as to be integrated into, both the Plaza Area required by Section 3.9A.4.2(4) and any regional shopping mall in order to facilitate and enhance pedestrian and vehicular connectivity (“Phase I Mixed Use Residential”). Mixed Use Residential buildings proposed subsequent to Phase I Mixed Use Residential need not comply with the foregoing sentence.
- (4) Plaza Area: an application for Phase I Mixed Use Residential buildings shall include meaningful contiguous open space open to the public of not less than 25,000 square feet at grade level, improved with suitable landscape and hardscape features, including but not limited to, decorative plantings, benches, seating areas, play spaces, features that honor the historic legacy of the City of Milford, and public gathering spaces.
- (5) Dwelling Units/Commercial Floor Area: In Phase I Mixed Use Residential buildings, non-residential uses shall be oriented to face the Plaza required by Section 3.9A.4.2(4). Upon completion of Phase I Mixed Use Residential buildings, non-residential uses may be oriented toward an off-street parking area.
- (6) Affordability Requirements: No less than 10% of the dwelling units in any Phase shall be affordable housing as defined and in accordance with Connecticut General Statute § 8-30g.
- (7) Design Considerations: The overall development should feature high quality design that creates a pedestrian, resident, and customer-friendly atmosphere throughout the SCDD. Buildings shall have a significant level of transparency along the ground floor fronting on any sidewalk or street. In general, 50% or more of the ground floor façade should be comprised of windows, doors, or other transparent elements that are subdivided appropriately, where practical. Architecture must be designed in a manner that visually enlivens the area it faces and enhances the pedestrian flow around the building.
- (8) Sustainability: All new construction or substantial renovation shall incorporate sustainability features designed to conserve energy and use environmental resources responsibly. These may include, but are not limited to, incorporation of natural and reclaimed materials; renewable energy options; installation of energy efficient lighting, heating, and cooling systems; use of native and drought resistant vegetation in

landscaped areas; and provision of electric vehicle charging stations, public transit stops, and ride/bike share options.

(9) Height: Any building containing Multi-Family Dwelling units shall not exceed 85 feet in height.

(10) Spacing: Group buildings on a single lot shall be so arranged that the minimum distance between principal and/or accessory buildings shall be equal to or greater than one-third the height of the taller building; exclusive of parking structures which are designed to function in conjunction with a principal building.

(11) Floor Area Ratio: A maximum of 3.0 FAR, exclusive of accessory parking garages and structures.

(12) No parcel containing dwelling units shall include a free-standing drive-through restaurant.

3.9A.5 Prohibited Uses: Except as modified in this Section 3.9A, prohibited uses shall be the same as set forth in Section 3.9.5.

Effective October 27, 2023