

**PROPOSED AMENDMENT TO
TOWN OF TRUMBULL
ZONING REGULATIONS**

(REVISED – CLEAN - AUGUST 13, 2018)

ARTICLE II USE REGULATIONS

[add the following language:]

Section 3.4 MIXED-USE DESIGN DISTRICT (MDD)

3.4.1 Purpose

The purpose of the MDD zone is to:

1. Facilitate an appropriate mix of commercial, retail, residential, entertainment, and dining uses in a location close to a limited access highway or arterial road.
2. Create an environment that is comfortable and interesting to local residents and visitors as a place to live, play, shop, work, and socialize.
3. Insure the continued vitality and viability of large-scale retail spaces by the introduction of compatible and appropriate uses that also maintain the integrity of nearby neighborhoods.

3.4.2 Permitted Uses

Within the MDD Zone, no building or structure shall be erected, altered, occupied, or used, arranged or designed to be used for other than one or more of the following specified purposes:

1. Retail business or retail service provided that there shall be no manufacturing in connection therewith except such as is clearly incidental to the conduct of a retail business or service conducted on the premises, including but not limited to department stores, personal services, health clubs, and clothing, grocery, liquor, appliance, jewelry, and shoe stores.
2. Business or professional office, including medical and dental clinics;
3. Bank and financial service;
4. Restaurants, including outdoor dining;
5. Personal service establishments.

3.4.3 Permitted Accessory Uses

The following uses are permitted upon the issuance of a Certificate of Zoning Compliance in accordance with Article V of these Regulations:

1. Accessory Uses for Principal Uses, including drive-throughs, which are in compliance with the plans and conditions of approval for a Use which has received Site Plan approval or a Special Permit in accordance with these Regulations. Any drive-through window shall be located a minimum of 500' from Main Street or Madison Avenue.
2. Manufacturing or treatment only in connection with a permitted retail or service use, and when clearly incidental to the conduct of a permitted retail business or service conducted on the Premises.
3. Temporary Accessory Sale of Holiday Decorations and Retail Products. Sale of products, including but not limited to holiday or seasonal decorations or products, within any parking field provided that all such temporary sales shall not exceed a period of thirty (30) days, and no flood lights or loudspeakers are utilized.
4. Other accessory buildings or uses which are clearly subordinate and customarily incidental to and located on the same lot with the principal use, and that will not be hazardous to the public health, safety, and welfare.

3.4.4 Special Permit Uses

The following Uses are allowed only upon the issuance of a Special Permit by the Commission in accordance with Article XV of these Regulations:

1. Movie or live theater;
2. Indoor recreation and amusement;
3. Hotels and conference centers;
4. Multi-family residential developments subject to the following:
 - a. residential units with three (3) or more bedrooms are prohibited;
 - b. a maximum of 260 units are permitted within the entire MDD zone (for the avoidance of doubt, the creation of additional parcels shall not result in the ability to add residential units in the MDD zone above 260 units);

c. residential units shall be rented to one “family” as that term is defined in these Regulations;

d. each unit shall be a minimum of 800 square feet and a maximum of 1,400 square feet; and

e. no more than 35% of two-bedroom units shall have a den or office and any such den or office shall not include a built-in closet;

f. useable amenity area or active recreation areas shall be provided which may include, but shall not be limited to, swimming pools and recreational facilities and buildings;

g. outdoor playground equipment, swing sets, and similar items are specifically prohibited.

5. Private schools, occupational schools, and educational facilities;
6. Gasoline filling stations with no vehicle repair, provided that any building, structure, or pump associated with such gas station shall be located a minimum of 500 feet from Main Street and Madison Avenue;
7. New automobile showrooms excluding exterior storage of vehicle inventory;
8. Art galleries and museums;
9. Day care center;
10. Brewpub restaurants.

3.4.5 Site Plan or Special Permit approval for the uses set forth in Sections 3.4.2 and 3.4.4 shall be required only for the initial construction of that use such that, other than multi-family residential, the conversion from any use to any other use within an existing building shall not require a new Special Permit or Site Plan approval. For the avoidance of doubt, any new multi-family residential use must receive Special Permit approval. A report analyzing the likely number of School-Aged Children and fiscal impacts to the Town shall be submitted simultaneously with any special permit application for a new multi-family residential use.

3.4.6 Bulk Restrictions and Design Requirements

1. The minimum size of the MDD zone shall be 80 acres. The minimum lot size in the MDD zone shall be 7 acres.
2. Building Coverage in the MDD shall not exceed 50% of the total site. The Gross Floor Area of any buildings or other structures shall not exceed 100% of the total site. Any parking garage located beneath a building or as a separate structure shall not be included in calculating maximum Lot Coverage or

maximum Gross Floor Area under these Regulations. The maximum impervious coverage in the MDD zone shall be 85%.

3. The maximum height of any building or structure in the MDD shall be 65 feet.

4. Except for access driveways and sidewalks, there shall be a minimum 36-foot wide, six-foot high landscaped berm located at the property line adjacent Main Street. There shall be a minimum 25-foot wide landscaped buffer located at the property line abutting any single-family house in a Residential zone. Other than as set forth above, such buffers shall not be required at any property line abutting a public road or highway.

5. No building shall be located less than 50 feet from a state road or highway provided that any portion of a building setback between 50 feet and 100 feet from the state road or highway (the "Secondary Setback") shall be no greater than 95 feet wide. No more than two such buildings may be located within the Secondary Setback. No building shall be located less than 50 feet from any other public street, or less than 100 feet from a residential zone boundary.

6. In order to ensure the cohesive integration of any multi-family residential developments into the overall development within the zone, vehicular and pedestrian means of access shall be provided as follows. At least two means of vehicular access shall be provided to and from such residential development and the balance of the zone. Pedestrian connections between any multi-family residential development and the balance of the zone shall be provided in a meaningful manner that ensures the safety of pedestrians, including, but not limited to, traffic calming devices, crosswalks, and stamped pavement.

7. Land that is not covered with impervious surfaces, such as buildings, drives, parking areas, and walkways shall be suitably landscaped or retained in its natural state, with supplemental plantings as designated by the Commission. Landscaping shall be provided which shall be approved by the Tree Warden. Applicants shall provide a copy of the Landscaping Plan in sufficient time for the Town Tree Warden to make comments and recommendations. The recommended plan shall be presented to the Planning and Zoning Office prior to the scheduled Public Hearing.

The purpose of said landscaping shall be to enhance the appearance and natural beauty of the town and to protect and increase property values through

preservation of existing vegetation and establishment of new screening and landscaping material, to moderate heat, noise, glare, and accumulation of dust, to shade, to provide privacy from noise and visual intrusion, to prevent the erosion of soil, excess water run-off of drainage water, to guide the safe circulation of traffic. All plantings shall be installed according to accepted horticultural methods. Said plan may include height and spacing arrangement as shall best be in keeping with the intent of these regulations. A bond, which shall insure completion of landscaping requirements, shall be submitted in a form satisfactory to the Commission.

3.4.7 Provisions for Vehicles

Any use or combination of uses within an MDD shall provide sufficient parking which reasonably accommodates the nature and purpose of the uses proposed. A shared parking approach shall be permitted and encouraged as a means to reduce the total parking supply that would otherwise be required. Shared parking takes advantage of variation in the periods of maximum usage among different land uses, allowing different land uses to share the same given parking spaces if they have different time-of-day or day-of-week usage patterns.

If a shared parking approach is followed, the applicant shall provide a shared parking study for review and approval by the Commission, documenting the rationale and calculations for the lower parking supply. The study shall include survey statistics and factors documenting the requested reductions in parking supply.

Any proposed parking structure shall be constructed in a style, manner, size and location on the lot which is in conformity with other buildings and structures on the lot and which does not detract from other improvements on the site. On-site parking areas shall be planted with trees with at least one (1) tree for every twenty (20) off-street parking spaces not located within a parking structure.

Parking garages may be located beneath buildings or as separate structures. On-street parking is prohibited.

Notwithstanding the above, multi-family residential units shall be parked at a ratio of 1.9 spaces per unit regardless of the number of bedrooms.

§ 3.4.8 Signs

Signage shall be permitted in the same manner as set forth in Article II, Section 3.1.7.