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ZONING ORDINANCE CITY OF NEW HAVEN, CONNECTICUT

A Reprint of Title VI, Volume III, Code of Ordinances of the
 City of New Haven, Connecticut
 Published in 2004



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 of the
 CITY OF
 NEW HAVEN, CONNECTICUT

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PREFACE

The 1995 Zoning Ordinance of the City of New Haven was originally published by the city as a separate reprint designated as Volume III, Title VI of the Code of the City of New Haven. Subsequently the city has updated the Zoning Ordinance on an annual basis with indexing provided by Municipal Code Corporation.

The Zoning Ordinance was republished in its entirety by Municipal Code Corporation in 2003. The Zoning Ordinance will be updated by supplements published by Municipal Code Corporation. Each replacement supplement will carry a supplement number, starting with No. 1, at the bottom left of the page.

The Zoning Ordinance is divided into articles which are then divided into sections. The pages of this volume are numbered with a two-part system with the article number as a prefix and a sequential numeral as the section part. The Code Comparative Table and the Index at the end of the volume carry their own prefix designations.

The republication of this volume was under the direct supervision of Robert S. Hornyak, Editor, and credit is gratefully given to other members of the publisher's staff for their able assistance throughout the project.

MUNICIPAL CODE CORPORATION

Tallahassee, Florida

SUPPLEMENT HISTORY TABLE

The table below allows users of this Code to quickly and accurately determine what ordinances have been considered for codification in each supplement. Ordinances that are of a general and permanent nature are codified in the Code and are considered "Included." Ordinances that are not of a general and permanent nature are not codified in the Code and are considered "Omitted."

In addition, by adding to this table with each supplement, users of this Zoning Ordinance will be able to gain a more complete picture of the Code's historical evolution.

Ord. No.	Date Adopted	Included/ Omitted	Supp. No.
1635	9- 7-11	Omitted	<u>11</u>
1641	10-14-10	Included	<u>11</u>
1646	<u>1</u> - 3-11	Omitted	<u>11</u>
1649	4- 4-11	Omitted	<u>12</u>
1658	9- 6-11	Omitted	<u>12</u>
1660	9- 6-11	Omitted	<u>12</u>
1662	9-19-11	Included	<u>12</u>
1664	10- 3-11	Omitted	<u>12</u>
1665	10- 3-11	Included	<u>12</u>
1674	4- 2-12	Omitted	<u>13</u>
1685	8- 6-12	Included	<u>13</u>
1686	9- 4-12	Omitted	<u>13</u>
1687	9- 4-12	Omitted	<u>13</u>

1690	10-15-12	Omitted	<u>13</u>
1695	5- 6-13	Omitted	<u>14</u>
1696	5- 6-13	Included	<u>14</u>
1712	7- 1-13	Included	<u>15</u>
1719	9- 3-13	Omitted	<u>15</u>
1724	<u>12</u> - 2-13	Omitted	<u>16</u>
1726	<u>12</u> - 2-13	Included	<u>16</u>
1727	<u>12</u> - 2-13	Omitted	<u>16</u>
1750	8- 6-14	Omitted	<u>17</u>
1751	8- 6-14	Included	<u>17</u>
1752	<u>11</u> - 6-14	Included	18
1753	<u>11</u> - 6-14	Omitted	18
1766	4- 6-15	Included	<u>19</u>
1780	8- 3-15	Included	<u>19</u>
1788	1-19-16	Included	20
1790	4-4-16	Included	20
1793	4-4-16	Omitted	<u>22</u>
1804	8- 1-16	Included	<u>22</u>
1805	8- 1-16	Included	<u>22</u>

1806	8- 1-16	Omitted	<u>22</u>
1807	8- 1-16	Included	<u>22</u>
1820	6- 5-17	Included	<u>22</u>
1830	<u>1</u> - 2-18	Omitted	<u>23</u>
1841	6- 4-18	Omitted	<u>23</u>
1842	6- 4-18	Included	<u>23</u>
1846	3-27-18	Omitted	<u>23</u>
1847	3-13-18	Included	<u>23</u>
1856	4-15-19	Omitted	<u>24</u>
1857	4-15-19	Included	<u>24</u>
1858	4-15-19	Included	<u>24</u>
1860	5- 6-19	Omitted	<u>25</u>
1869	9- 3-19	Omitted	<u>25</u>
1870	9- 3-19	Included	<u>25</u>
1871	9- 3-19	Included	<u>25</u>
1872	9- 3-19	Included	<u>25</u>
1875	9-16-19	Omitted	<u>25</u>
1876	9-16-19	Omitted	<u>25</u>
1877	10- 7-19	Omitted	<u>26</u>

1885	<u>1</u> - 7-20	Omitted	<u>26</u>
1886	<u>1</u> - 7-20	Included	<u>26</u>
1899	7- 6-20	Included	<u>27</u>
1900	11-16-20	Omitted	<u>27</u>
1905	12-21-20	Omitted	<u>27</u>
1906	12-21-20	Omitted	<u>27</u>

ARTICLE I. DEFINITIONS

Section 1. - Definitions.

The following definitions shall apply to all parts of the zoning ordinance. Words not defined in this ordinance shall be as defined in the most current edition of Webster's New World Dictionary, College Edition. Words in ***boldface italic*** in this ordinance are defined in this Article I or in an applicable section if their use is limited.

ACCESS CORRIDOR: A portion of the site providing access from a street and having a minimum dimension less than the required ***lot width***, except that no portion of a site having side lot lines radial to the center of curvature of a street from the street property line to the rear lot line shall be deemed an access ***corridor***. The area of an ***access corridor*** shall not be included in determining the ***lot area***.

ACCESSORY BUILDING: See BUILDING, ACCESSORY.

ACCESSORY RESIDENTIAL BUILDING, STRUCTURE OR USE: See RESIDENTIAL ACCESSORY BUILDING, STRUCTURE OR USE.

ACCESSORY USE: See USE, ACCESSORY.

ADULT CABARET: An establishment that regularly features topless dancers, go-go dancers, exotic dancers, nude dancers, male or female impersonators, or similar entertainers.

ADVERTISING SIGN: See SIGN, ADVERTISING.

AFFORDABLE HOUSING: The term "affordable housing," "affordable rental housing" or "housing affordable to rental households" is housing that costs no more than 30 percent of household income for rent and utilities, for households earning 60% or less of area median income. Unless otherwise specified by funding sources, or other agreement made with the City of New Haven, deed restricted units shall remain affordable for a period of 40 years after following issuance of the last certificate of occupancy for the qualifying development. In multi-phased qualifying developments, the period of affordability may begin upon issuance of the last certificate of occupancy for each phase, at the discretion of the Affordable Housing Commission.

AREA: See LOT AREA.

AREA MEDIAN INCOME: The term "area median income or "AMI" is the household income for the median household, according to the U.S. Department of Housing and Urban Development (HUD), calculated annually for the City of New Haven.

AREA OF SIGN: See SIGN, AREA OF.

AREA PER DWELLING UNIT: See LOT AREA PER DWELLING UNIT.

AREA PER SLEEPING ROOM: See LOT AREA PER SLEEPING ROOM.

ASSISTED LIVING FACILITY: A facility consisting of private residential units which provides a managed group living environment, including the provision of assisted living services as described in Regs., Conn. State Agencies § 17b-342-2(c)(1).

ATTACHED DWELLING: See DWELLING, ATTACHED.

AUTOMATIC TELLER MACHINE: Any electronic machine that enables customers to withdraw paper money or carry out other banking transactions on insertion of an encoded plastic card.

AVERAGE HEIGHT (OF A BUILDING): See HEIGHT, AVERAGE.

AVERAGE LOT WIDTH: See LOT WIDTH, AVERAGE.

BELT SIGN: See SIGN, BELT.

BOARDER: See ROOMER, BOARDER OR LODGER.

BOARDING HOUSE: See ROOMING, BOARDING OR LODGING HOUSE.

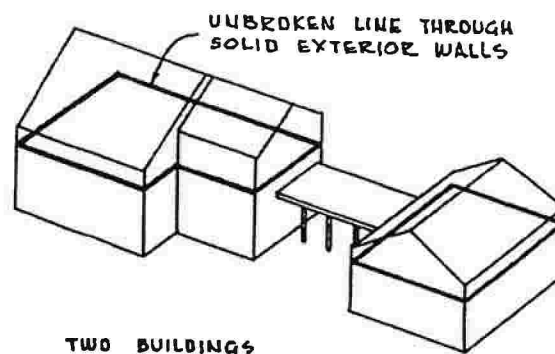
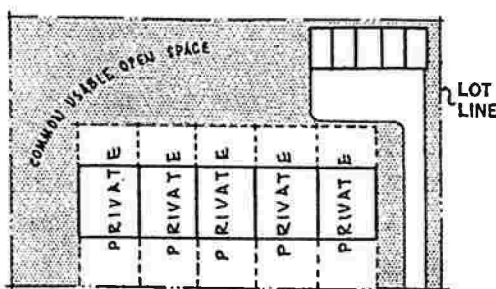
BUILDING: A *structure* which is completely enclosed by a roof and by solid exterior walls along whose outside faces can be traced an unbroken line for the complete circumference of the *structure*, which is permanently affixed to a *lot* or *lots*, and used or intended for the shelter, support of enclosure of persons, animals or property of any kind.

The connection of two *buildings* by means of an open porch, breezeway, passageway, carport or other such open *structure*, with or without a roof, shall not be deemed to make them one *building*. A *building* may occupy more than one *lot*, but in the case of a series of two or more *attached* and/or *semi-detached dwellings*, the *building* which such *dwellings* comprise shall be considered to occupy a single *lot*, regardless of ownership, for purposes of determining *lot area*, *average lot width*, *lot area per dwelling unit*, *floor area ratio*, the number of *parking spaces* and other pertinent requirements, if the resulting parking spaces are *usable* open space are and will continue to be available in the same proportion to all occupants of the *building* or *buildings* on the *lot*; otherwise, each such *dwelling* shall be considered to occupy a separate *lot*.

BUILDING, ACCESSORY: A *building* located on the same lot as a *principal building* and devoted or intended to be devoted to an *accessory use*. Any portion of a *principal building* devoted or intended to be devoted to an *accessory use* is not an *accessory building*.

BUILDING, NONRESIDENTIAL: A *building* that is devoted to one or more of the commercial or industrial uses listed in section; 42B.—T. and/or the nonresidential uses permitted in residential districts and which is not a *mixed use* building.

BUILDING, PRINCIPAL: A *building* in which is conducted, or is intended to be conducted, the *principal use* of the *lot* on which it is located.



BUILDING COVERAGE: The proportion of the *lot area*, expressed as a percent, that is covered by the maximum horizontal cross section of a *building* or *buildings. Structures* which are below the finished lot grade, including shelters for nuclear fall-out, shall not be included in *building coverage*.

BUILDING FOUNDATION WALL: A wall of the foundation upon which a *building* rests.

BUSINESS SIGN: See SIGN, BUSINESS.

CARSHARING PARKING SPACE: A *parking space* that is reserved for the parking of a vehicle that is available to multiple users.

CAT CAFÉ: Any premises used to house or contain homeless, orphaned, or unwanted cats and that is owned, operated, or maintained by an organization that is licensed by the State as an animal shelter and devoted to the welfare, protection, and humane treatment of animals for the purpose of adoption, and which incorporates retail sales to support the interaction of patrons with cats, such as a café, bookshop, or other permitted use.

CHILD DAYCARE CENTER: See DAYCARE.

COMMON AMENITY SPACE: (i) Common amenity interior space that is available to all residents of a *residential principal building* or a *mixed use building* for their use and enjoyment, such as bicycle rooms, business centers, gyms, laundry rooms, common restrooms, lobbies, party rooms, indoor pools, shared overnight guest quarters, theaters, libraries, game rooms, common recreational/function rooms, conference rooms, but not including utility or similar rooms, corridors, or in a *mixed use building*, commercial space; (ii) storage space not located within a *dwelling unit* but which is assigned to an individual *dwelling unit*; and (iii) *usable open space* that is provided in addition to the *usable open space* that is required to be provided under this ordinance.

COMPACT PARKING SPACE: A *parking space* that measures 7.5 feet × 15 feet.

CONFERENCE CENTER: A *building* or group of *buildings* used for business and professional conferences and seminars accommodating up to 500 people along with associated accessory functions, such as lodging and facilities for eating and recreation designed to be used primarily for conference attendees. The provision of rooms for rent and meals generally available to the public shall not be considered associated accessory uses.

CONSTRUCTION STAGING AREA: The use of a structure or lot, in whole or in part, for the storage of materials and supplies associated with an off-site transportation, public works and/or private sector construction project.

CONVENIENCE STORE: Any retail establishment offering for sale prepackaged food products, household items, and other goods commonly associated with the same and having a gross floor area of less than 5,000 square feet.

CONVENTION CENTER: A *building* or group of *buildings* designed to accommodate 300 or more people used for business or professional conventions, conferences, seminars, product displays, trade shows, special events, recreational activities, and entertainment or athletic functions, along with accessory functions, including temporary outdoor displays, and food and beverage preparation and service for on-premises consumption, excluding the provision of rooms for rent.

CORNER LOT: See LOT, CORNER.

COURT: A horizontal open space between the exterior walls of a single *building* that face one another on an angle of less than 60 degrees, excluding shafts designed solely for ventilation.

COVERAGE: See BUILDING COVERAGE.

CUSTODIAL CARE FACILITY. A facility which provides custodial care and treatment in a protective living environment for persons accused or convicted of a misdemeanor or a non-violent felony and residing voluntarily or by court placement, including, without limitation, correctional and post correctional facilities, halfway houses, transitional housing, juvenile detention facilities and temporary detention facilities, such as alternative to incarceration programs approved by the Chief Court Administrator in accord with the Connecticut General Statutes Sec. 53a-39a. This provision is not intended to address disabled individuals pursuant to the Fair Housing Act.

DAYCARE: The term *daycare* includes any of the three specifically defined daycare uses listed below. The following definitions conform to the daycare permit categories defined by Public Act 82-35.

- a. **Child daycare center:** Any premises used for care of more than 12 children, and meeting all standards of the Connecticut Department of Health Services.
- b. **Group daycare home:** Any premises used for the care of not less than seven nor more than 12 related or unrelated children, and meeting all standards of the Connecticut Department of Health Services.
- c. **Family daycare home:** A private family home caring for not more than six children, including the provider's own children not at school full time, and meeting all standards of the Connecticut Department of Health Services.
- d. **Special workplace daycare:** Any of the above-described uses primarily serving employees of the immediate zoning district in which the workplace is located.

DETACHED DWELLINGS: See DWELLING, DETACHED.

DIRECTLY ILLUMINATED SIGN: See SIGN, DIRECTLY ILLUMINATED.

DORMITORY: A **building** or part of a **building** operated by an institution containing a room or rooms forming one or more habitable units which are used or intended to be used by residents of the institution for living and sleeping, but not for cooking or eating purposes.

DRUG PARAPHERNALIA: All equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of the laws of the State of Connecticut or of the United States. The term includes, but it not limited to:

- (1) Kits used, intended for use or designed for use in planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived;
- (2) Kits used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing or preparing controlled substances;
- (3) Isomerization devices used, intended for use, or designed for use in increasing the potency of any species of plant which is a controlled substance;
- (4) Testing equipment used, intended for use or designed for use in identifying, or in analyzing the strength, effectiveness or purity of controlled substances;

- (5) Scales and balances used, intended for use or designed for use in identifying, or in analyzing the strength, or purity of controlled substances;
- (6) Dilutents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, used, intended for use or designed for use in cutting controlled substances;
- (7) Separation gins and sifters used, intended for use or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining marijuana;
- (8) Blenders, bowls, containers, spoons and mixing devices used, intended for use or designed for use in compounding controlled substances;
- (9) Capsules, balloons, envelopes and other containers used, intended for use or designed for use in packaging small quantities of controlled substances;
- (10) Containers and other objects used, intended for use or designed for use in storing or concealing controlled substances;
- (11) Hypodermic syringes, needles and other objects used, intended for use, or designed for use in parenterally injecting controlled substances into the human body;
- (12) Objects used, intended for use or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as:
 - a. Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;
 - b. Water pipes;
 - c. Carburetion tubes and devices;
 - d. Smoking and carburetion masks;
 - e. Roach clips, meaning objects used in holding burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;
 - f. Miniature cocaine spoons, and cocaine vials;
 - g. Chamber pipes;
 - h. Carburetor pipes;
 - i. Electric pipes;
 - j. Air-driven pipes;
 - k. Chillums;
 - l. Bongs;
 - m. Ice pipes or chillers.

In determining whether an object is drug paraphernalia, a court, zoning officer, zoning board, building department, or other authority should consider, in addition to all other logically relevant factors, the following:

1. Statements by an owner or by anyone in control of the object concerning its use;
2. Prior convictions, if any, of an owner, or of anyone in control of the object, under a state or federal law relating to any controlled substance;

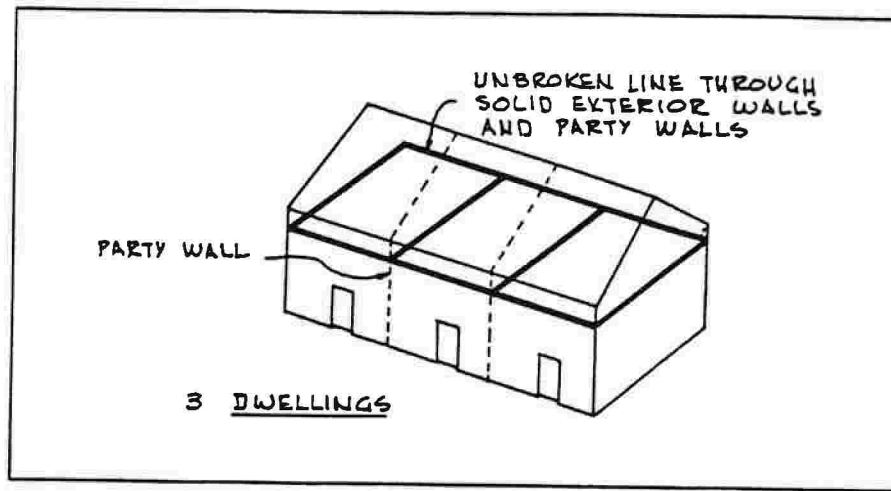
3. The proximity of the object, in time and space, to a direct violation of such law;
4. The proximity of the object to controlled substances;
5. The existence of any residue of controlled substances on the object;
6. Direct or circumstantial evidence of the intent of an owner, of anyone control of the object, to deliver it to persons whom it knows, or should reasonably know, intend to use the object to facilitate a violation of any law of the State of Connecticut or of the United States; the innocence of the owner, or of anyone in control of the object, as to a direct violation of such law shall not prevent a finding the object is intended for use, or designed for use as drug paraphernalia.
7. Instructions, oral or written, provided with the object concerning its use;
8. Descriptive materials accompanying any object which explain or depict its use;
9. National or local advertising concerning its use;
10. The manner in which the object is displayed for sale;
11. Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products;
12. Direct or circumstantial evidence of the ratio of sales of the object(s) to the total sales of the business enterprise;
13. The existence and scope of legitimate uses for the object in the community;
14. Expert testimony concerning its use;

DRUG PARAPHERNALIA CENTER: Any store, restaurant, bar, premises or other establishment which, in addition to any other trade, business or service conducted therein, includes a significant amount of drug paraphernalia. For the purposes of this zoning ordinance, an amount of drug paraphernalia shall be deemed significant as to any store, restaurant, bar, premises or other establishment if:

- (a) 10% or more of the square footage or active display area of such store, restaurant, bar, social club, premises or other establishment is devoted to or occupied by drug paraphernalia; or
- (b) 10% or more of the monthly gross revenue of such store, restaurant, bar, social club, premises or other establishment is or can reasonably be expected to be attributable to the sale or rental of drug paraphernalia; or
- (c) 10% or more of the value of the inventory and equipment or of such store, restaurant, bar, social club, premises, or other establishment consists of drug paraphernalia.

Any amount above such a threshold shall be deemed a separate use, subject to the provisions of the New Haven Zoning Ordinance.

DWELLING: A *building* containing one or more *dwelling units*; but in the case of a *building* having two or more portions divided by one or more party walls forming a complete separation, each such portion shall be considered to be a separate *building*.



3 Dwellings

DWELLING, ATTACHED: A *dwelling* having any portion of each of two walls in common with adjoining *dwellings*.

DWELLING, DETACHED: A *dwelling* having open space on all sides.

DWELLING, MULTI-FAMILY: A *dwelling* having three or more *dwelling units*.

DWELLING, SEMI-DETACHED: A *dwelling* having any portion of one wall in common with an adjoining *dwelling*.

DWELLING, SINGLE-FAMILY: A *dwelling* having only one *dwelling unit* from ground to roof and having independent outside access.

DWELLING, TWO-FAMILY: A *dwelling* having two *dwelling units*, one above the other.

DWELLING UNIT: Any room or group of rooms located within a residential *building* and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating by one *family*.

ECO ROOF (also known as a green roof, living or vegetated roof): An *Eco roof* is the area atop a roof surface on a building or a parking structure, open to the sky and air, which is surfaced with soil and living plant materials for the purpose of retaining rainwater and absorbing heat from sunlight. An *Eco roof* is planted over a roofing system with waterproofed membrane and provision for drainage and is created by adding layers of growing medium and plants. Extensive Eco roofs generally have a soil depth of less than six inches. Intensive Eco roofs typically have a soil depth of more than six inches. An *Eco roof* may be accessible only for maintenance or may be accessible to public. At-grade or partially at grade green spaces over subsurface structures such as tunnels, parking structures, and basements may be considered as an Eco roof for bonuses if constructed and performing in the same manner as an Intensive Eco roof, and approved by the City Plan Commission taking into consideration advice of the City Plan Department and the Department of Engineering, or by the City Plan Department, taking into consideration the advice of the Department of Engineering, where only administrative site plan review is required. Eco roofs must be installed by an accredited Green Roof Professional (GRP).

EFFICIENCY UNIT: A *dwelling unit* having only one room exclusive of bathroom, water closet compartment, kitchen, laundry, pantry, foyer, communicating corridor, closets or any dining alcove with less than 70 square feet of floor space. In no event shall the gross floor area of the efficiency unit (the one room plus all other elements designated above)

exceed 500 square feet.

ELDERLY HOUSING UNIT: A **dwelling unit** specifically designed for the needs of an elderly person or persons, and conforming to the requirements of state and/or federal programs providing for housing for the elderly.

ENTRANCE, PRINCIPAL: A point of access for pedestrians to a **building**, which entrance faces a **street** and determines a property address for the **building**. A **building** may have more than one principal entrance.

FAMILY: A person living alone, or any of the following groups living together, with any domestic servants or gratuitous guests thereof, as a single non-profit housekeeping unit and sharing common, bathing, sleeping, cooking and eating facilities, sharing at least one common living room space:

- (a) Any number of people related by blood, marriage, adoption or legally recognized foster relationship;
- (b) A group of up to four (4) people who need not be so related with up to an additional four (4) people related to a person in the group by blood, marriage, adoption or legally recognized foster relationship;
- (c) Not more than eight (8) people who are disabled as defined in the Fair Housing Act, 42 U.S.C. s 3602 (h) and this ordinance as well as one (1) facility manager. This definition does not include those persons currently illegally using a "controlled substance" as defined in the Controlled Substances Act, 21 U.S.C. s 802 (6) or those persons claiming to be disabled solely on the basis of having been adjudicated a juvenile delinquent, having a criminal record or being a sex offender.

Exceptions: "Family" does not include and shall not be interpreted to include the following facilities addressed in this and other sections of this ordinance: Convalescent Homes (including hospices), Rest Homes, Nursing Homes and Sanitariums, Rectories, Convents, Rooming, Boarding or Lodging Houses, Fraternities, Sororities, Custodial Care Facilities or Dormitories.

Note: For the purposes of this Ordinance, the term "disabled" shall have the same meaning as the term "handicapped" as contained in the Fair Housing Act.

Note: Occupancy limits established under the Housing Code may further limit the number of people living in one dwelling unit.

FAMILY DAYCARE HOME: See DAYCARE.

FINISHED LOT GRADE: See LOT GRADE, FINISHED.

FLOOR AREA, GROSS: The sum of the gross horizontal areas of the several floors of a **building**, measured from the exterior faces of exterior walls (and from the center lines of party walls if the portions of the **building** separated by such party walls are to be treated separately), including:

- (1) Basement space where more than one-half the basement height is above the **finished lot grade average** along the exterior walls of the **building**;
- (2) Elevators and stairwells at each floor;
- (3) Attic space, whether or not a floor has been laid, over which there is structural headroom of seven foot or more; and
- (4) Enclosed porches, interior balconies and mezzanines, and penthouses; and excluding floor space permanently devoted to mechanical equipment used in the operation and maintenance of the **building**,

and floor space permanently devoted to a *parking space* or *parking spaces*.

FLOOR AREA, NET: The total floor area within a *building* devoted or intended to be devoted to a particular use, with structural headroom of seven feet or more, whether above or below the *finished lot grade*, excluding (a) elevators, stairwells, hallways, walls and partitions, and (b) floor space permanently devoted to a *parking space* or *parking spaces*, mechanical equipment, closets, washrooms, or other items permanently preventing the floor space from being occupied by persons while engaged in the *use*.

FLOOR AREA RATIO: The ratio of the *gross floor area* to the *principal building* or *principal buildings* on a lot to the total lot area.

FOUNDATION WALL: See BUILDING FOUNDATION WALL.

FRONT LOT LINE: See LOT LINE, FRONT.

FRONT YARD: See YARD, FRONT.

GAME MACHINE: Any machine or device operated by the insertion of a coin, token or similar object, or other means of payment for the purpose of amusement, recreation skill, or chance, such as electronic game machines, video games, pin ball, pool tables or other similar devices. The term *game machine* shall not include a bowling alley or juke box.

GAME ROOM: A *building* or portion thereof whose *principal use* or intended use is for operation of three or more *game machines* for the use by the general public or specific invitees.

GREEN STORMWATER INFRASTRUCTURE: Green Stormwater Infrastructure includes a range of soil-water-plant systems that intercept stormwater, infiltrate a portion of it into the ground, and transfer a portion of it into the air through evapotranspiration.

GROSS FLOOR AREA: See FLOOR AREA, GROSS.

GROUND SIGN: See SIGN, GROUND.

GROUP DAYCARE HOME: See DAYCARE.

HEALTH CARE CLINIC: An outpatient clinic licensed by the Connecticut Department of Public Health pursuant to Regs., Conn. State Agencies § 19-13-D45 or an outpatient clinic that provides the services described in said regulation which is operated by a partnership or an individual and licensed by the Connecticut Department of Public Health, an outpatient hospital clinic, a medical walk-in clinic, a physical therapy office, an occupational therapy office, an outpatient chronic dialysis center, a community health center, a public health center, an industrial health facility as that term is defined in Regs., Conn. State Agencies § 19-13-D1.(b)(3)(F), an occupational health clinic, a clinic operated by a union exclusively for its members and their dependents, a family planning and reproductive health service center, a primary care clinic, a clinical or diagnostic laboratory, a sports medicine clinic, an emergency services clinic, a wellness center, a dental clinic, an imaging center, and/or a mental health center, but not including an Outpatient Surgical Center listed in Section 42.

HEALTH PRACTITIONER'S OFFICE: Office of a physician, osteopath, dentist, audiologist, naturopath, optometrist, psychologist, social worker, chiropractor, and/or nurse practitioner but not including an office which is defined as a Health Care Clinic or an Outpatient Surgical Center listed in Section 42.

HEIGHT: The vertical distance from the average elevation of the *finished lot grade* to the highest point of the ceiling of the top *story* of a *building* or *structure* in the case of a flat roof, to the deck line of a mansard roof, and the average height between the eaves and ridge of a gable, hip or gambrel roof.

HEIGHT, AVERAGE: The total volume of a *building* or *structure* (enclosed by the outer faces of *building* or *structure* walls, the outer faces of roofs, and the *finished lot grade*), divided by the area of the maximum horizontal cross-section of the *building* or *structure*. *Average height* for a portion of a *building* or *structure* is measured in an equivalent manner as to that portion.

HIGH TECHNOLOGY EQUIPMENT DESIGN AND FABRICATION: A use which has as its principal function the research, development, engineering, design, assembly, fabrication, machining and/or light manufacturing of high technology equipment used in *high technology uses*, instrumentation and computer software and the associated warehousing of such equipment.

HIGH TECHNOLOGY USES: A use, including a research and/or development laboratory, which has as its principal function the research, development, engineering, design, assembly, fabrication, or machining and/or light manufacturing of *high technology uses*, including but not limited to uses associated with agricultural technology, biological or pharmaceutical technology, software technology, telecommunications, biomedical technology, defense and aerospace technologies or other technology oriented or emerging industrial or business activity and the associated warehousing of such products as permitted by applicable state and/or federal law.

HIGH TECHNOLOGY SERVICES: A use which has as its principal function the providing of services to *high technology uses*, including but not limited to computer information transfer, communication, distribution, management, processing, administrative, experimental, developmental, technical, or testing services.

INDIRECTLY ILLUMINATED SIGN: See SIGN, INDIRECTLY ILLUMINATED.

LEED: The series of Leadership in Energy and Environmental Design (LEED) rating systems developed by the Green Building Council.

LEED ACCREDITED PROFESSIONAL: Any person who has passed the LEED Professional Accreditation Exam administered by the Green Building Council.

LEED CERTIFIED-LEVEL: The lowest level of the LEED rating systems.

LEED GOLD RATING: The second highest level of the LEED rating systems.

LEED PLATINUM RATING: The highest level of the LEED rating systems.

LEED RATING SYSTEM: The particular LEED rating system that applies to a building.

LEED SCORECARD: The checklist developed by the Green Building Council for the purpose of calculating a score on the LEED rating system.

LEED SILVER RATING: The second lowest level of the LEED rating systems.

LIVE-WORK CONVERSION AND LIVE-WORK UNIT: A unit that contains both a residential use and a commercial/work activity including but not limited to Home Occupations and residences with a professional office described in subsection 13(b)(2)a. as well as other commercial and fabrication uses subject to the requirements of sections 18A and 18B.

LOADING SPACE: An off-street space available for the standing, loading or unloading of one truck, excluding adequate maneuvering area.

LODGER: See ROOMER, BOARDER OR LODGER.

LODGING HOUSE: See ROOMING, BOARDING OR LODGING HOUSE.

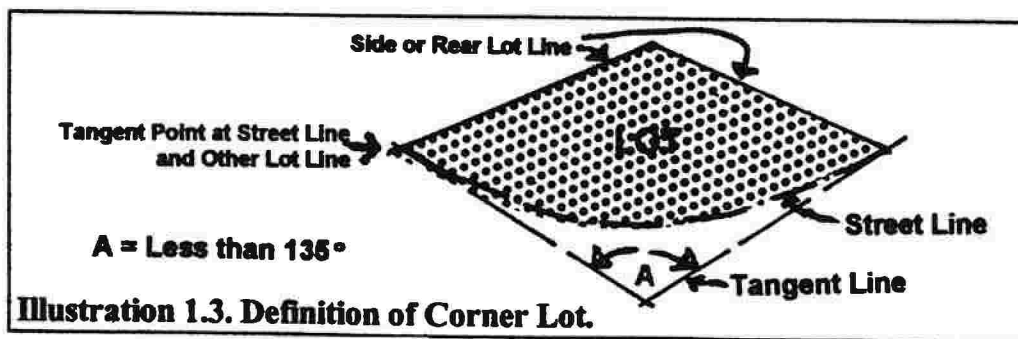
LOT: A parcel of land in the same ownership, or any part thereof designated by its owner or owners as a separate lot having a frontage on a street. The lot shall have access on an accepted street that is determined by the city engineer, police, public works, fire and traffic and parking departments to be adequate for the needs of the departments. The beneficiaries of a private easement cannot consider the area of the easement for calculation of lot area for purposes of this ordinance. For purposes of this ordinance, a lot may or may not have boundaries identical with those shown on New Haven Land Records.

Notwithstanding the provisions of this ordinance, the following shall be deemed to constitute a lot: any parcel of land subject to a declaration recorded prior to the enactment of this amendment under the Common Interest Ownership Act as delineated in the General Statutes of the State of Connecticut, as amended from time to time, to which the declarant rights are retained by the declarant or its successor to any lands or real property described in said declaration, surveys or schedules attached thereto and which has, in whole or part, been subject to previously approved or permits for development and use including, but not limited to, building permits or certificates of occupancy for any portion of the land or real property subject to said declaration, either in the text, description or maps attached thereto.

Contiguous parcels occupied or proposed to be occupied entirely by public or institutional uses may be considered to make up a single lot whether under the same ownership or not, if joint application for building permits is made by all the owners of such parcels.

A series of two or more attached and/or semi-detached dwellings may under certain conditions be considered to occupy a single lot regardless of ownership (see BUILDING definition).

LOT, CORNER: A *lot* which has an interior angle of less than 135 degrees at the intersection of two *street lines*. A *lot* abutting upon a curved street shall be considered a *corner lot* if the tangents to the curve at the points of intersection of the *side lot lines* intersect at an interior angle of less than 135 degrees.



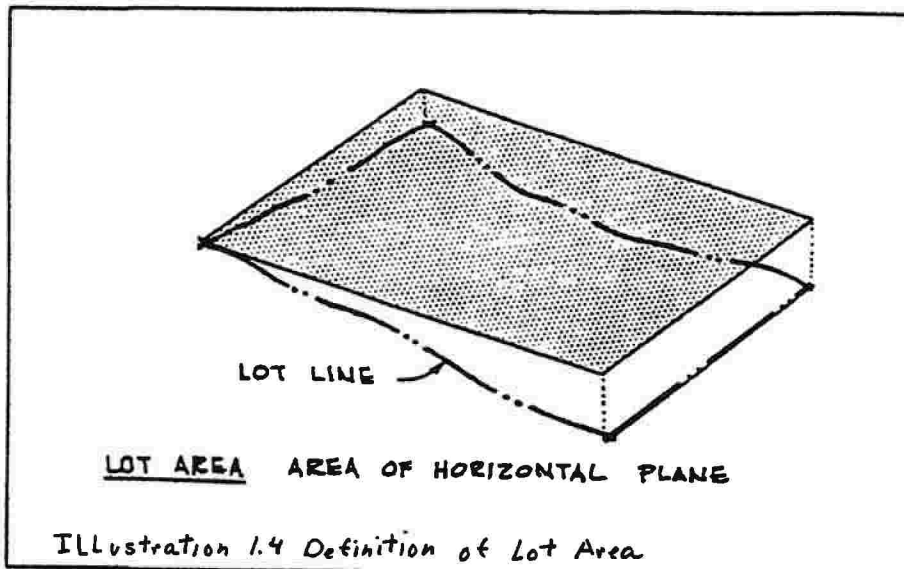
Corner Lot

LOT AREA: The total horizontal area of a *lot* lying within the *lot lines* and excluding any area lying beyond a *street line*.

Note—A series of two or more *attached* and/or *semi-detached dwellings* may under certain conditions be considered to occupy a single *lot* regardless of ownership (see definition of BUILDING).

Note— *Lot area* as used in all sections of this ordinance shall not include the following categories of land area:

1. State-designated tidal wetlands defined and mapped under Sections 22a-29(a)(2) and 22a-30 of the Connecticut General Statutes (CGS).
2. Wetlands and water courses defined under Sections 22a-38(15) and (16) of the CGS and appearing on the U.S.D.A. Soil Conservation Service Soil Survey of New Haven County.
3. Any land below the mean high water mark.



Lot Area

LOT AREA PER DWELLING UNIT: The amount of *lot area*, whether occupied by *structures* or not, that exists for each *dwelling unit* located on the *lot*.

LOT AREA PER SLEEPING ROOM (ROOMING, BOARDING OR LODGING HOUSE): The amount of *lot area*, whether occupied by *structures* or not, that exists for each *sleeping room* located on the lot.

LOT, DOUBLE FRONTAGE: An interior *lot* having a frontage on more than one street.

LOT, FLAG OR CORRIDOR: A *lot* connected to a street by an *access corridor* having a width of not less than 16 feet or more than 25 feet, and having a length not exceeding 250 feet.

LOT GRADE, FINISHED: The *lot* surface as graded and prepared for building, and such surface if imagined to be extended through any *structure* on the *lot*.

LOT LINE: Any boundary of a *lot*, except where a *lot* contains a body of water or inland or tidal wetlands the *lot line* shall be the mean high water mark or the boundary of the inland or tidal wetland.

LOT LINE, FRONT: A *street line*, or in the case of a *flag* or *corridor lot* the lot line closest to the street shall be considered the front lot line.

LOT LINE, REAR: Any *lot line* which is parallel to or within 45 degrees of being parallel to a *street line*, except for a *lot line* that is itself a *street line*, and except that in the case of a *corner lot* the owner shall have the option of choosing which of the two *lot lines* that are not *street lines* is to be considered a *rear lot line*. In the case of a *lot* having no street frontage or a *lot* of odd shape, only the one *lot line* furthest from any street shall be considered a *rear lot line*.

LOT LINE, SIDE: Any *lot line* which is not a *street line* or a *rear lot line*.

LOT WIDTH, AVERAGE: The average horizontal distance between the *side lot lines*, or in a case where there is only one *side lot line*, between such *side lot line* and the opposite *rear lot line* or *street line*.

Note— A series of *attached* and/or *semi-detached dwellings* may under certain conditions be considered to occupy a single *lot* regardless of ownership (see definition of BUILDING).

Definition of Lot Lines

KEY:
F = Front
S = Side
R = Rear

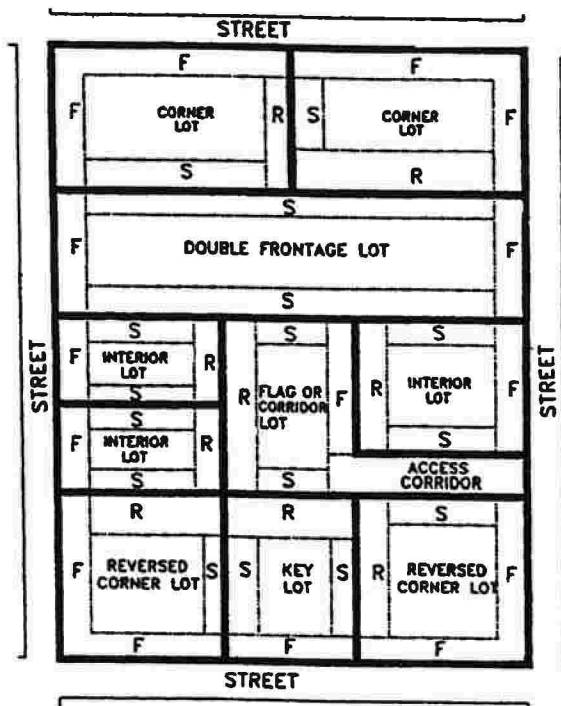


Illustration 1.5. Definition of Lot Lines.

MULTI-FAMILY DWELLING: See DWELLING, MULTI-FAMILY.

MULTI-LOT RESIDENTIAL DEVELOPMENT: A residential or mixed use development located in a RM-1, RM-2, RH-1, RH-2, or RO District, on more than one *lot*, which is to be developed, operated and maintained as a single development and which contains at least one of the following: (i) one or more *residential accessory buildings, structures* or *use(s)* that are available to all residents of the development or (ii) common *usable open space* within the development which is available to all residents of the development or (iii) *parking spaces* on a *lot* in the development which are available to residents of another *lot* in the development. A *multi-lot residential development* may be developed in phases.

NEIGHBORHOOD PLANNING AGENCY: Any incorporated neighborhood based organization (a) having the staff capability to do comprehensive neighborhood planning and to make reports; and (b) having applied for and received official "neighborhood planning agency" designation from the Board of Aldermen. Such designations shall be granted only to organizations which identify in the application with specificity the geographic area they represent and show they are representative of community residents or have a process for including community participation, and demonstrate objectivity in their approach to neighborhood matters and any other relevant facts. Such designation shall be effective for two-year periods and organizations may apply for redesignation.

NET ZERO: Net zero refers to zero net energy consumption, meaning the total amount of energy used by a building(s) on an annual basis is roughly equal to the amount of renewable energy created on the site.

NONCONFORMING USE: See USE, NONCONFORMING.

NON-ILLUMINATING SIGN: See SIGN, NON-ILLUMINATED.

NURSERY: See DAYCARE.

OPEN SPACE, USABLE: Space on a *lot* or on or attached to a *building* or located in a *multi-lot residential development* which is unoccupied by *principal* or *accessory buildings* and is not devoted to a parking structure, a parking lot (although landscaped islands in a parking lot can be counted toward satisfying *usable open space* requirements) or service driveways. *Usable open space* includes but is not limited to parks, lawns, running trails, wildlife viewing areas, ponds, balconies, patios, courtyards, gardens, private yards, plazas, greens, squares, paths and walkways, rooftop green spaces and patios, terraces, playgrounds, swimming pools, tennis courts, and other outdoor spaces devoted to recreation, relaxation or gathering opportunities and which meet the following minimum standards:

- a. Common *usable open space* shall be so located and designed so as to emphasize convenience of tenant access and ease of use.
- b. All common grade level *usable open space* shall be landscaped and otherwise developed to maximize recreational utility. Landscape improvements shall include trees, shrubs, ground cover and, wherever possible, the retention of existing landscape features.
- c. Any *usable open space* provided above grade level, either in the form of a roof terrace or deck, shall include as improvements at least the following: a wearing surface in addition to a standard rooftop finish, safety railings or walls, passive recreational facilities such as benches, sheltered arbors and vegetative landscaping, and lighting.

PARKING, SHARED: An arrangement in which two or more *uses* or *structures* with different peak parking demands use the same off-street *parking spaces* to meet off-street parking requirements. *Publicly shared parking* is an arrangement where at least 50 percent of the off-street parking provided for a *building* is available for public use, in

terms of allocation of time when the parking spaces are available to the public. **Privately shared parking** is an arrangement where two or more **uses** and/or **structures** agree to share the same parking spaces.

PARKING SPACE: An off-street space available for the parking of one automobile (excluding adequate driveways and aisles) and meeting the ordinance requirements of the appropriate district in which such **parking space** is located. The term **parking space** shall include garages, carports, and other enclosed and semi-enclosed spaces for the parking of automobiles.

PERMEABLE or PERVIOUS: Refers to surfaces which allow for the percolation of water into the underlying soil. Permeable surfaces include but are not limited to grass, mulched groundcover, planted areas, permeable paving as well as porches and decks erected on pier foundations that maintain the covered lot surface's water permeability. Pervious surfaces do not include any structure or building, any porch or deck that limits the covered lot surface from absorbing water, or any outdoor stairs, on-grade surface sports court, swimming pool, artificial turf, sidewalk or patio constructed of concrete, asphalt, brick, compacted gravel or other material that impedes the infiltration of water directly into the subsurface of the lot.

POLE SIGN: See SIGN, POLE.

PRINCIPAL BUILDING: See BUILDING, PRINCIPAL.

PRINCIPAL USE: See USE, PRINCIPAL.

PROJECTION: Any **structure** attached to a **principal** or **accessory building** and extending beyond the face of a **building foundation wall**, including roofs, cornices, chimneys, bay windows, shading devices, shelters, carports, balconies, outside stairways, fire escapes, steps and open porches, but excluding fences, flag poles, latticework, drying and recreational equipment, and landscape planting.

REAR LOT LINE: See LOT LINE, REAR.

REAR YARD: See YARD, REAR.

RESIDENTIAL ACCESSORY BUILDING, STRUCTURE OR USE: A **building, structure** or **use** clearly incidental or subordinate to, and customary in connection with the **residential principal building(s)** located either on the same **lot** with a **residential principal building** or in a **residential neighborhood development** including but not limited to:

- a. **Buildings** such as storage sheds, pool houses, maintenance garages, and private greenhouses;
- b. **Structures** such as fences, walls, private swimming pools, and permitted **signs**;
- c. **Parking spaces** for the parking of passenger automobiles; but excluding parking of commercial vehicles other than vehicles not exceeding one-half ton loading capacity that are needed for travel to and from work by residents of the **principal building**, are completely enclosed within a **building**, and are without materials or equipment; and also excluding repairs, sale of gas, and other such commercial **uses**; and
- d. The keeping of one **roomer, boarder** or **lodger** as an **accessory use** to any **dwelling unit**, if such **roomer, boarder** or **lodger** is within the **residential principal building**.

RESIDENTIAL PRINCIPAL BUILDING: Any **building** containing one or more **dwelling units**, excluding **residential accessory buildings** for domestic servants and caretakers employed on the premises and for occasional gratuitous guests.

RESTAURANT: A space in a suitable and permanent building kept, used maintained, advertised and held out to and known by the public as primarily a food service establishment where hot meals are regularly served. If alcoholic drink is served in any restaurant, it shall be as an adjunct function of serving food and operate under a Restaurant Liquor Permit as provided in C.G.S. Section 30-22, as amended, and comply with all Liquor Control Commission Regulations pertaining thereto. Restaurants shall be open during regularly posted hours which are clearly marked and shall have no regular and recurring unusual barriers to entry such as cover charges or age restrictions.

ROOMER, BOARDER OR LODGER: A person occupying any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes, and paying compensation for lodging or board and lodging by prearrangement for a week or more at a time to an owner or operator who is not the husband or wife, son or daughter, mother or father, or sister or brother of such person. Any person occupying such room or rooms and paying such compensation without pre-arrangement or for less than a week at a time shall be classed for purposes of this ordinance not as a *roomer, boarder* or *lodger*, but as a guest of a commercial lodging establishment (tourist home, hotel or motel).

ROOMING, BOARDING OR LODGING HOUSE shall mean a *building*, or any part of a *building* (other than an institutional *building*) occupied or intended to be occupied by four or more roomers, boarders, or lodgers. See also, RESIDENTIAL ACCESSORY BUILDING, STRUCTURE OR USE.

SCHOOL: Any public, private, parochial, charitable, charter or nonprofit elementary or secondary school, junior college or university, other than a trade or business school, including instructional and recreational uses, with or without living quarters, restaurants, dining rooms, kitchens, heating plants and other support facilities for students, teachers and employees, including support to multiple facilities, student bodies, and/or teacher groups, as well as any other facilities or uses which may be approved or required in the future by the Connecticut State Department of Education.

SEMI-DETACHED DWELLING: See DWELLING, SEMI-DETACHED.

SIDE LOT LINE: See LOT LINE, SIDE.

SIDE YARD: See YARD, SIDE.

SIGN: Any *structure*, part thereof, or device or inscription attached thereto or painted or represented thereon, which is located upon any land, or any *building*, or on the outside or inside of a window, and which displays or includes any numeral, letter, word, model, banner, emblem, insignia, device, trademark, or other representation used as, or in the nature of, an announcement, advertisement, direction, warning, or designation of any person, firm, group, organization, place, commodity, product, service, business, profession, enterprise, or industry.

But this definition shall not include the flag, emblem, insignia, poster or other display of any nation or political subdivision including traffic or similar regulatory devices; or legal notices, warnings at railroad crossings, signs or tablets which are primarily memorials, or emblems of religious institutions that are attached to *buildings*.

SIGN, AREA OF: The entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure of similar character, together with any material or color forming an integral part of the display or used to differentiate such *sign* from the background against which it is placed; excluding the supports

or uprights on which such *sign* is placed. Where a *sign* has two or more faces, the area of all such faces shall be included in determining the sign area, except that where two such faces are placed back to back and are at no point more than two feet from one another, the *area of the sign* shall be taken as the area of the larger of the two faces.

SIGN, BELT: A *sign* placed flat against the front wall of a *building*.

SIGN, BUSINESS: A *sign* which directs attention to a business, commodity, service, industry or other activity which is sold, offered, or conducted, other than incidentally, on the premises upon which such *sign* is located, or to which it is affixed.

SIGN, DIRECTLY ILLUMINATED: A *sign* designed to give forth artificial light directly (or through transparent or translucent material) from a source of light within such sign including, but not limited to, neon and exposed lamp *signs*.

SIGN, GROUND: A free-standing *sign* resting upon the ground or attached to it by means of two or more poles or standards.

SIGN, INDIRECTLY ILLUMINATED: A *sign* illuminated with a light so shielded that no direct rays therefrom are visible elsewhere than on the *lot* where said illumination occurs. If such shielding device is defective, such *sign* shall be deemed to be a *directly illuminated sign*.

SIGN, NON-ILLUMINATED: A *sign* which is not *illuminated*, either *directly* or *indirectly*.

SIGN, POLE: A free-standing *sign* attached to the ground by means of a single pole or standard.

SIGN, PROJECTING or BLADE: A *sign* attached to and projecting out from a *building* face or wall, generally at right angles to the *building*, including *signs* that project into the right-of-way.

SINGLE-FAMILY DWELLING: See DWELLING, SINGLE-FAMILY.

SLEEPING ROOM: Any room used or intended to be used for sleeping purposes.

STORY: That part of a *building* which is between the surface of a floor and the ceiling immediately above and has structural headroom of seven feet or more, excluding any such space which is contained in a cellar that is not more than one-half above the *finished lot grade* averaged along the *building's* exterior walls, and also excluding any such space that is not suitable for human habitation but devoted permanently to mechanical equipment used in the *building's* operation and maintenance.

STREET: A right of way for pedestrian, vehicular and bicycle traffic, whether designated as a sidewalk, path, street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place or otherwise designated which has been dedicated or acquired for public uses and has been accepted by the Board of Aldermen as a public right-of-way.

STREET LINE: The line separating private property from a street or alley existing or dedicated in public ownership.

STRUCTURE: Anything constructed or erected, including a *building*, which has a permanent location on the ground, or anything attached to something having a permanent location on the ground.

TWO-FAMILY DWELLINGS: See DWELLING, TWO-FAMILY.

USABLE OPEN SPACE: See OPEN SPACE, USABLE.

USE: Any activity, occupation, business or operation carried on, or intended to be carried on, in a *building* or other *structure* or on a tract of land.

USE, ACCESSORY: A **use** that is clearly incidental or subordinate to, and customary in connection with the **principal use** and is either located on the same **lot** with a **principal use** or in a **multi-lot residential development**.

USE, ACCESSORY, RESIDENTIAL: See RESIDENTIAL ACCESSORY BUILDING, STRUCTURE OR USE.

USE, NONCONFORMING: A **use, structure or lot** which existed lawfully, whether by variance or otherwise, on the date this Zoning Ordinance or any amendment thereto became effective, and which fails to conform to one or more of the applicable regulations in the zoning ordinance or such amendment thereto.

USE, PRINCIPAL: The main **use** on a **lot**.

WALKING DISTANCE: The distance between an outside entrance to a **building** or part thereof or to an outdoor **use**, and a **parking space** assigned to such **building**, part thereof or outdoor **use**, along the shortest, most convenient pedestrian walkway open to the user or users of such **parking space**.

WASTE PROCESSING AND TRANSFER: Uses that receive solid or liquid wastes for processing, storage, treatment or disposal on-site or for transfer to another location; uses that collect sanitary wastes; uses that treat contaminated materials; uses that process materials for recycling; and uses that manufacture or produce goods or energy from the composting of organic material. Examples of such uses include energy recover plants, portable sanitary collection equipment, storage and pumping, recycling operations, sewer treatment plants, waste composting, waste incineration, transfer stations for solid, bulk, medical or biomedical waste.

Accessory uses include offices, recycling of materials, and repacking and transportation of byproducts, but exclude motor vehicle junkyards and collection facilities for tires and oil within gas stations and repairers.

YARD: An open space unobstructed from the ground up, on the same **lot**, with a **principal building**, extending along a **lot line** or **street line** and inward to the **principal building**. The size of a required **yard** shall be measured as the shortest distance between the outer face of the **building foundation wall** and a **lot grade**, including shelters for nuclear fall-out, shall not be deemed to occupy required **yards**.

YARD, FRONT: A **yard** between a **principal building** and a **street line** and extending the entire length of the **street line**.

In the case of a **corner lot**, the **yards** extending along all streets are **front yards**. In the case of a **lot** other than a **corner lot** that fronts on more than one street, the **yards** extending along all streets are **front yards**. In any case where a building line requirement has been established by the Building Lines Commission which is different from the front yard requirement, the stricter of the two requirements shall control.

YARD, REAR: A **yard** between a **principal building** and a **rear lot line** and extending the entire length of the **rear lot line**.

YARD, SIDE: A **yard** between a **principal building** and a **side lot line**, extending from the **front yard** to the **rear yard**. In the case of a **lot** having no street frontage or a **lot** of odd shape, any **yard** that is not a **front yard** or a **rear yard** shall be considered a **side yard**. Where there are three or more **side yards** on the same **lot** and two different **side yard** requirements exist in the District Regulations, only one such **yard** must meet the larger of the two requirements.

ZERO LOT LINE DEVELOPMENT: Three or more **single family dwellings** that are **attached dwellings**, with one common side yard of zero feet for end **dwelling units** and two common **side yards of zero feet each, for interior dwelling units, located on individual lots**.

Definition of Yard Types

KEY:
F = Front Yard
S = Side Yard
R = Rear Yard

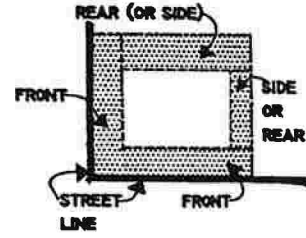
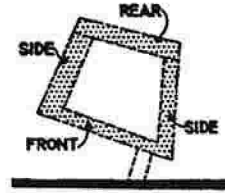
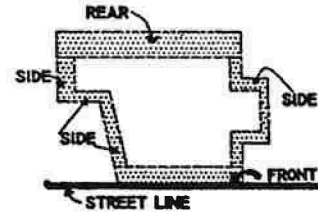
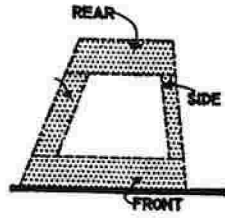
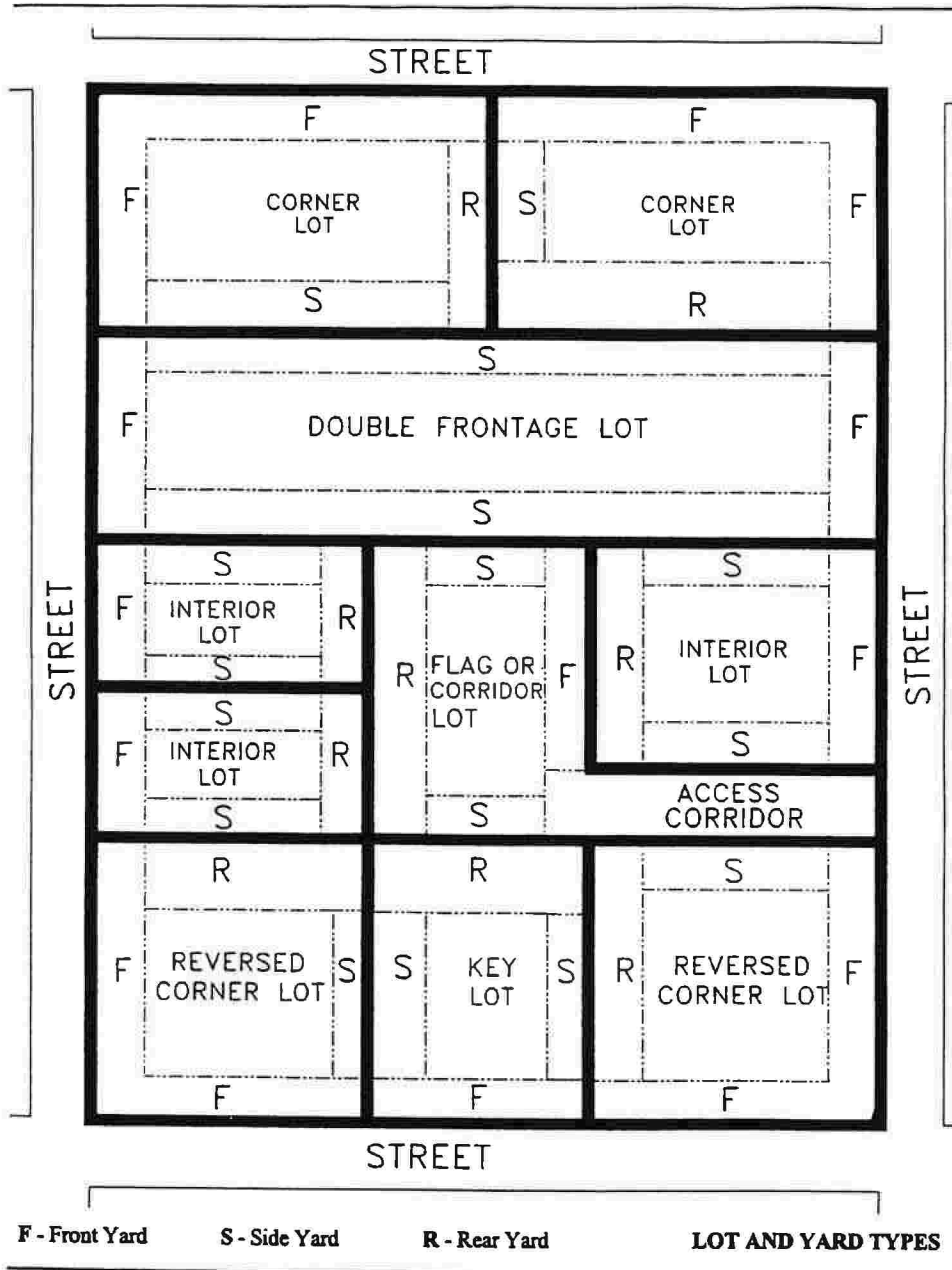


Illustration 1.6. Definition of Yard Types.

Lot and Yard Types



(Ord. No. 1367, § 1, 12-6-04; Ord. No. 1368, §§ 1, 2, 2-7-05; Ord. No. 1614, § 1, 3-1-10; Ord. No. 1665, 10-3-11; Ord. No. 1685, Sched. D, 8-6-12; Ord. No. 1726, Sched. A, 12-2-13; Ord. No. 1751, Sched. A, § 1, 8-6-14; Ord. No. 1820, Sched. B, 6-5-17; Ord. No. 1857, Sched. A, 4-15-19; Ord. No. 1886, Sched. C, 1-17-20; Ord. No. 1899, Sched. A, 7-6-20)

ARTICLE II. ESTABLISHMENT OF DISTRICTS; ZONING MAP

Section 2. - Districts enumerated; map adopted; interpretation.

a. For the purpose of this ordinance the City of New Haven is divided into the following districts:

Residence Districts

RS-1 Districts:	Special Single-Family
RS-2 Districts:	General Single-Family
RM-1 Districts:	Low-Middle Density
RM-2 Districts:	High-Middle Density
RH-1 Districts:	Special High Density
RH-2 Districts:	General High Density
RO Districts:	Residence-Office

Business Districts

BA Districts:	General Business
BA-1 Districts	Neighborhood Center Mixed Use

BB	Districts:	Automobile Sales
BC	Districts:	Marine
BD	Districts:	Central Business
BD-1	Districts:	Central Business/Residential
BD-2	Districts:	Central Business/Medical
BD-3	Districts:	Central Business/Mixed-Use
BE	Districts:	Wholesale and Distribution

Industrial Districts

IL	Districts:	Light Industry
IM	Districts:	Light Industry - Marine
IH	Districts:	Heavy Industry

Other Districts

PARK Districts
CEMETERY Districts
AIRPORT District

Planned Development Districts
Historic Districts
Coastal Management District
Inland Wetland District
Flood Damage Prevention District
Soil Erosion and Sediment Control District

- b. The boundaries of these districts are hereby established as shown on the City of New Haven Zoning Map (consisting of a series of section maps, numbered 1 to 21, at a scale of one inch equals 200 feet), which accompanies and is hereby declared to be a part of this ordinance. The official copy of said map is prepared in a digital format, stored in the City's Geographic Information System, reproduced and placed on file in the office of the City Clerk and at the City Plan Department, and may be viewed in those offices during normal working hours. Said map, with all subsequent amendments thereto, supersedes all prior zoning maps of the City of New Haven.
- c. Where any uncertainty exists as to the boundary of any district as shown on said map the following rules shall apply:
- (1) Where boundary lines are indicated as following streets and alleys, they shall be construed as following the centerlines thereof;
 - (2) Where boundary lines are indicated as approximately following lot lines and the extensions of lot lines, such lot lines and extensions of lot lines shall be construed to be such boundaries;
 - (3) Where a boundary line divides a lot or crosses unsubdivided property, the location of such boundary shall be measured on a copy of said map at a scale appropriate to determine the boundary line;
 - (4) Where further uncertainty exists, the City Plan Commission, upon written application, shall by resolution determine the location of a disputed boundary, giving due consideration, among other things, to the apparent indicated location thereof, the scale of said map, and the expressed purposes of the zoning ordinance;
 - (5) Wherever any property is not under these rules specifically included in any district shown on

said map, such property is hereby declared to be in the most restrictive district abutting such property on said map, or, if no district so abuts such property, then in an RS-1 District.

(Ord. No. 1412 (Rev. Sched. A, § 1), 5-1-06; Ord. No. 1443, §§ 1, 2, 3-5-07; Ord. No. 1614, § 1, 3-1-10; Ord. No. 1685, Sched. D, 8-6-12)

Sections 3—10. - Reserved.

ARTICLE III. RESIDENCE DISTRICTS: DISTRICT REGULATIONS

Section 11. - RS-1 Districts: Special Single-Family.

Description and purpose. These districts exist for the protection of certain fully developed single-family areas of relatively small total size but of unique and irreplaceable value to the community as a whole. The specific purpose of these districts is to stabilize and preserve the low-density residential character of these areas to the maximum possible extent. To this end the use of land and buildings within these areas is limited primarily to single-family homes. The particular character, size and surroundings of these areas create little need for the location within their boundaries of further such non-residential uses as generally support a low-density residential area, and the location of any further such uses within these areas would undesirably limit or diminish the number of homes in them. It is hereby found and declared that these regulations are necessary for the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.

All RS-2 Districts are subject to the general provisions for residence districts set forth in Article IV as well as to all other provisions of this ordinance.

Uses permitted. In an RS-1 District, a **building** or other **structure** may be erected, altered, arranged, designed or used, and a **lot** or **structure** may be used for any of the following purposes and no other:

(a) *Residential uses as follows.* The General Provisions for Residence Districts in Article IV shall also apply.

(1) *Single-family detached dwellings.* There shall be only one **principal building** on a lot. **Building** requirements:

- a. *Minimum lot area:* 7,500 sq. ft.
- b. *Minimum average lot width:* 60 ft., except for nonconforming lots under subsection 67(e).
- c. *Maximum building coverage:* Total coverage of **principal** and **accessory buildings** not to exceed 30% of **lot area**.
- d. *Maximum building height:* Such height shall not exceed either three **stories** or an **average height** of 35 feet.

Provided that, no point on a side or rear **building** wall shall be so located that it is closer to a **side** or **rear lot line** than one foot for each two feet that such point is above the average **finished lot grade** along such side or rear **building** wall.

e. *Minimum yards:*

Front—25 ft., except that where 75% or more of the entire street frontage (in feet) on the same side of the same street between the nearest two intersecting streets has been developed with **buildings** with **front yards** smaller than 25 feet, the required **front yard** shall be the same as the **yard** presently followed by existing **buildings** along the greatest quantity of street frontage (in feet).

Rear—25 ft.

Side—One at least eight ft. and the other at least twelve ft.; in the case of a **corner lot**, at least eight ft. for the one **side yard**.

f. *Minimum parking:* One **parking space** for the first bedroom, and one-half parking space for each additional bedroom, rounded to the next higher number if a fraction. All parking spaces shall be located on the same **lot**, and shall conform to section 29 and the remainder of the General Provisions for Residence Districts in Article IV.

g. *Maximum impervious surface coverage:* Total coverage of **building(s)** and paved area (parking and walkways) shall not exceed 70% of the **lot area**.

(2) *Residential accessory buildings, structures and uses,* as regulated by paragraph (1) above and by the General Provisions for Residence Districts.

(3) Conversion of an existing **building** to a greater number of **dwelling** units by variance as follows:

Supplemental statement of purpose: Preservation of the unique residential character of RS-1 District areas requires that variances for uses not allowed in these districts be granted only where absolutely necessary and only for the least possible departure from the provisions of these districts. Any other provision of this ordinance to the contrary notwithstanding, no variance shall be granted from the use regulations of these districts except for conversion of existing buildings to a greater number of dwelling units in accordance with the standards of this section. These standards are hereby found and declared to be minimum standards for stabilizing and preserving the character of RS-1 District areas and their value to the community as a whole, and any variance of the use regulations of these districts other than in accordance with these standards is hereby declared to violate the spirit of this ordinance and the general purpose and intent of these regulations.

A variance for conversion of an existing **building** to a greater number of **dwelling units** may be granted only in accordance with the following standards:

- a. It must be clearly demonstrated that continued use of the **building** with its existing number of **dwelling units** would create such hardship as would practically destroy or greatly decrease its value, provided that:
 1. The evidence offered to demonstrate such hardship shall not relate to such deterioration of the **building** as would suggest its removal and reuse of the land for **single-family detached dwellings** in accordance with the provisions of these districts; and
 2. Before granting a variance for conversion of a **principal building**, the Board shall find that such hardship cannot be sufficiently mitigated by subdivision of the **lot** for one or more additional lots conforming to the standards of these districts for **single-family detached dwellings** or by

conversion of an existing *accessory building* to a *single-family detached dwelling* where such subdivision or such conversion would have a lesser impact upon the surrounding area than would conversion of the *principal building* to a greater number of *dwelling units* in accordance with the standards of this paragraph (3).

- b. The *building* shall have been erected more than 30 years before conversion, and any increase of its *gross floor* area beyond 20% during the ten years immediately preceding conversion shall not be deemed to contribute to hardship under subparagraph 11(a)(3)a. or be considered in determining the maximum number of allowable *dwelling units* under subparagraph 11(a)(3)c. of this paragraph 11(a)(3).
- c. Any variance granted for conversion of a *building* to a greater number of *dwelling units* shall be for the minimum number of *dwelling units* necessary to mitigate the hardship and in no case for more *dwelling units* than are allowable under the requirement that the *building* and *lot* in question contain an average of:

1,500 sq. ft. of *gross floor area*;

7,500 sq. ft. of *lot area*; and

60 ft. of *average lot width*

per *dwelling unit* after conversion. (In the case of a *corner lot*, the width of the lot for purposes of this subparagraph 11.A.3.c shall be deemed to be the average of its two street frontages.)

- d. Off-street *parking spaces* shall be provided on the same *lot* as the *building* being converted equal to the number of *dwelling units* on the *lot* after conversion.
- e. Stairways leading to the second or any higher floor shall be located within the walls of the *building* wherever practicable, and stairways and fire escapes shall otherwise be located on the rear wall in preference to either side wall and in no case on a front wall or side wall facing a street.
- f. Except for the provision of stairways and fire escapes in accordance with the preceding subparagraph, there shall be no major structural change in the exterior of the *building* in connection with the conversion, and after conversion the *building* shall retain substantially the appearance it had before such conversion.

(b) *Non-residential uses as follows*: The standards in paragraph 11(a)(1) above relating to minimum *lot area*, minimum average *lot width*, *building coverage*, minimum *building height*, and minimum *yards* shall apply to non-residential *uses* except as indicated below.

Accessory uses customarily incidental to the following *uses* are permitted in connection with such *uses*.

Parking spaces required by this ordinance for the following *uses* may be located (by special exception under subsection 63(d) of this ordinance) on a separate *lot* in any district in which the *principal use* is permitted, provided the standards of section 29 are met.

Section 29 relating to parking and all other pertinent sections of the general provisions for residence districts in Article IV shall apply to all such *uses*.

(1) *As of right*:

- a. Parks and other facilities for passive recreation, and public playgrounds.
- b. Reservoirs, dams, public utility substations and pumping stations, telephone exchanges, police stations, fire stations and post offices, with no industrial activities or outside storage.
- c. *Family daycare home*.

(2) Where permitted by special exception under subsection 63(d) of this ordinance:

- a. Temporary *uses* and *structures* such as rental offices, booths for charitable purposes and parking for special events, with a time limit of not more than six (6) months.
- b. Peripheral expansion of existing institutions as follows:

Any of the following *uses* of land and/or *buildings*:

- 1. Religious institutions;
- 2. Public and private elementary and secondary schools meeting all requirements of the compulsory education laws of the State of Connecticut;
- 3. Private and public colleges and universities (excluding trade and/or business schools); and
- 4. Pre-school (nursery and day care center) programs when provided as part of the broader programs of such religious and educational institutions; and noise and all other possible disturbance aspects connected with the operation of such uses shall be enclosed, screened, or otherwise controlled to the extent that the operation of any such use shall not unduly interfere with the use and enjoyment of properties and streets in the surrounding area.

c. When in existence on the effective date of the RS-1 District provisions, items in subsection 11.(b)(2)b. may be further developed and expanded as follows:

- 1. Property owned by such an institution in an area designated as an RS-1 District on the effective date of such designation may be used and further developed by the institution owning it for its own religious or educational purposes, as of right, regardless of any other provision of this section 11. By special exception, such property may be used and developed by another religious or educational institution as described

above, provided that such other institution shall not be allowed to expanded under clauses 2. and 3. below.

2. Such an institution either (1) owning property in the RS-1 part of a block designated in whole or in part as an RS-1 District on the effective date of such designation, or (2) owning property in the non-RS-1 part of a block designated in part as an RS-1 District and acquired by the institution in accordance with the zoning regulations applicable to that non-RS-1 part of the block, may expand peripherally into and within the RS-1 part of that block by acquisition and use for its religious or educational purposes of any property that adjoins property owned by it under 11(b)(1) or 11(b)(2) above or acquired in accordance with this peripheral expansion provision.
3. Such an institution may expand across a street in or into an RS-1 District as follows: once 50% of the land area in the block from which it is expanding (herein called the base block), as well as 75% of the linear frontage of the base block that abuts a particular adjoining block, is used for religious or educational purposes by one or more such institutions, then any one of such institutions owning and using for its religious or educational purposes 100,000 square feet of land in the base block and 100 feet of its linear frontage abutting the adjoining block may expand across the street into said adjoining block once it acquires and uses for its religious or educational purposes therein (1) as much of the linear frontage of said adjoining block that abuts upon the base block as necessary, when added to any of that frontage already being used by one or more such institutions for religious or educational purposes, to constitute 75% of that frontage, plus (2) as much additional and adjoining property in said adjoining block, when added to the frontage of the property acquired by the expanding institution, to constitute 100,000 square feet of land.
4. Any property further developed or acquired by a religious or educational institution under the provisions of this sub-paragraph (c) may be used for religious or educational purposes only if the off-street parking requirements for such institution stated in the district regulations for RS-2 Districts are met.
5. Nothing contained in this subparagraph shall be construed to prevent the use of property anywhere within an RS-1 District by a religious or educational institution as a *single-family detached dwelling* within the provisions of paragraph (a)(1) of this section; provided, however, that property so used shall not later be used for other purposes nor be used as a basis for expansion by that institution under clause 11(b)(2).c.2 of this subparagraph 11(b)(2)c.

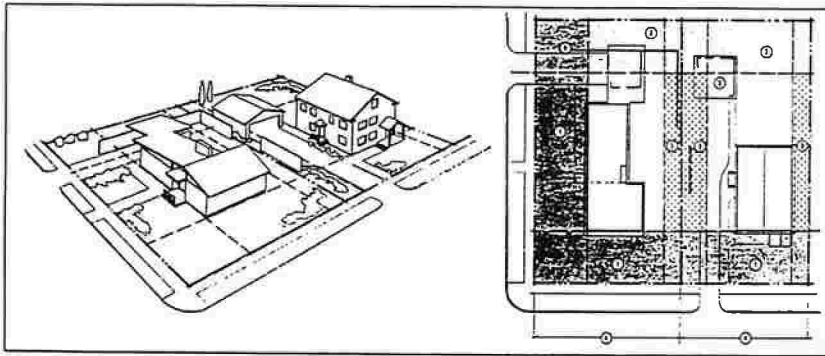
(Ord. No. 1726, Sched. A, 12-2-13)

RS-1 Special Single-Family

RS-2 General Single-Family

The two illustrations show typical construction in these districts, both in perspective and in plan. Property lines are indicated by heavy dotted lines, and required yards by dashed lines. The numbers on the plan refer to the various restrictions on size and placement of structures. All these restrictions are the same for both

districts.



Special & General Single-Family

- ¹ Minimum *front yards*: 25 feet.
- ² Minimum *rear yards*: 25 feet.
- ³ Minimum *side yards*: one eight and one 12 feet. In the case of *corner lots*, at least eight feet for the one side yard.) Size of side yard is also related to height of building walls (see text of each district).
- ⁴ Minimum *average lot width*: 60 feet.
- ⁵ Accessory *buildings* may extend into *side* and *rear yards* (See General Provision for Residence Districts).
- ⁶ Fences may extend into all *yards* (See General Provisions for Residence Districts).

Other Requirements:

Minimum *lot area*: 7,500 square feet.

Maximum *building coverage* (all *buildings*): 30% of lot area.

Maximum **building height**: Three stories or an **average height** of 35 feet.

Minimum parking: One **parking space** for the first bedroom, and one-half **parking space** for each additional bedroom, rounded to the next higher number if a fraction. All **parking spaces** shall be located on the same lot.

Note— These pages are for illustration only. For greater detail, and for non-residential construction, refer to text of each district and to the General Provisions for Residence Districts.

Section 12. - RS-2 Districts: General Single-Family.

Description and purpose. These districts exist for the protection of areas, most of them large in size, that have been and are being developed predominantly for single-family dwellings. Accordingly, the use of land and buildings within such areas is limited to single-family detached dwellings, and to such non-residential uses as generally support and harmonize with a low-density residential area. The non-residential uses permitted in RS-2 Districts, subject to adequate conditions and safeguards, are hereby found and declared to be the only appropriate such uses for such areas. It is hereby found and declared, further, that these regulations are necessary to the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.

All RS-2 Districts are subject to the general provisions for residence districts set forth in Article IV as well as to all other provisions of this ordinance.

Uses permitted. In an RS-2 District a **building** or other **structure** may be erected, altered, arranged, designed or used, and a lot or structure may be used for any of the following purposes and no other:

(a) **Residential uses as follows.** The General Provisions for Residence Districts in Article IV shall also apply.

(1) **Single-family detached dwellings.** There shall be only one principal **structure** on a lot.

Building requirements:

- a. **Minimum lot area:** 7,500 sq. ft.
- b. **Minimum average lot width:** 60 ft., except for nonconforming **lots** under subsection 67(e).
- c. **Maximum building coverage:** Total coverage of **principal** and **accessory buildings** not to exceed 30% of lot area.
- d. **Maximum building height:** Such height shall not exceed either three **stories** or an **average height** of 35 feet.

Provided that no point on a side or rear **building** wall shall be so located that it is closer to a **side** or **rear lot line** than one foot for each two feet that such point is above the average **finished lot grade** along such side or rear **building** wall.

e. **Minimum yards:**

Front—25 ft., except that where 75 percent or more of the entire street frontage (in feet) on the same side of the same street between the nearest two intersecting streets has been developed with **buildings** with **front yards** smaller than 25 feet, the required **front yard** shall be the same as the **yard** presently followed by existing **buildings** along the greatest quantity of street frontage (in feet).

Rear—25 ft.

Side—one at least eight ft. and the other at least 12 ft.; in the case of a **corner lot**, at least eight ft. for the one **side yard**.

- f. **Minimum parking:** One **parking space** for the first bedroom, and one-half parking space for each additional bedroom, rounded to the next higher number if a fraction. All **parking spaces** shall be located on the same **lot** and shall conform to section 29 and the remainder of the General Provisions for Residence Districts in Article IV.
- g. **Maximum impervious surface coverage:** Total coverage of **building(s)** and paved area (parking and walkways) shall not exceed 70 percent of the **lot area**.

(2) **Residential accessory buildings, structures and uses, as regulated by paragraph 1 above and by the General Provisions for Residence Districts.**

(3) **Conversion of an existing building to a greater number of dwelling units by a variance as follows:**

Any other provisions of this ordinance to the contrary notwithstanding, no variance shall be granted from the **use** regulations of these districts for conversion of an existing **building** to a greater number of **dwelling units** except in accordance with the following standards:

- a. It must be clearly demonstrated that continued **use** of the **building** with its existing number of **dwelling units** would create such hardship as would practically destroy or greatly decrease its value, provided that:
 1. The evidence offered to demonstrate such hardship shall not relate to such deterioration of the **building** as would suggest its removal and reuse of the land for **single-family detached dwellings** in accordance with the provisions of these districts; and,
 2. Before granting a variance for conversion of a **principal building**, the Board shall find that such hardship cannot be sufficiently mitigated by subdivision of the **lot** for one or more additional **lots** conforming to the standards of these districts for **single-family detached dwellings** or by conversion of an existing **accessory building** to a **single-family detached dwelling** where such subdivision or such conversion would have a

lesser impact upon the surrounding area than would conversion of the *principal building* to a greater number of *dwelling units* in accordance with the standards of this paragraph (3).

- b. The *building* shall have been erected more than 30 years before conversion, and any increase of its *gross floor area* beyond 20% during the ten years immediately preceding conversion shall not be deemed to contribute to hardship under subparagraph a of this paragraph (3).
- c. Any variance granted for conversion of a *building* to a greater number of *dwelling units* shall be for the minimum number of *dwelling units* necessary to mitigate the hardship and in no case for more *dwelling units* than are allowable under the requirement that the *lot* in question contain an average of 7,500 sq. ft. of *lot area* per *dwelling unit* after conversion.
- d. Off-street *parking spaces* shall be provided on the same lot as the *building* being converted equal to the number of *dwelling units* on the lot after conversion.
- e. Stairways leading to the second or any higher floor shall be located within the walls of the *building* wherever practicable, and stairways and fire escapes shall otherwise be located on the rear wall in preference to either side wall and in no case on a front wall or side wall facing a street.
- f. Except for the provision of stairways and fire escapes in accordance with the preceding paragraphs, there shall be no major structural change in the exterior of the *building* in connection with the conversion, and after conversion the *building* shall retain substantially the appearance it had before such conversion.

(b) *Non-residential uses as follows:* The standards in paragraph (a)(1) above relating to minimum *lot area*, minimum *average lot width*, *maximum building coverage*, maximum *building height*, and minimum *yards* shall apply to non-residential *uses*.

Accessory uses customarily incidental to the following *uses* are permitted in connection with such *uses*.

Parking spaces required by this ordinance for the following *uses* may be located (by special exception under subsection 63(d) of this ordinance) on a separate *lot* in any district in which the *principal* use is permitted, provided the standards of section 29 are met.

Section 29 relating to parking and all other pertinent sections of the General Provisions for Residence Districts in Article IV shall apply to all such uses.

(1) *As of right:*

- a. Parks and other facilities for passive recreation, and public playgrounds.
- b. Reservoirs, dams, public utility substations and pumping stations, telephone exchanges, police stations, fire stations and post offices, with no industrial activities or outside storage.
- c. Agriculture, including tilling of the soil and orchards, but excluding the keeping of livestock and commercial greenhouses and nurseries except for the keeping of hens per section 34 of this ordinance. No substance producing odor or dust shall be stored within 200 feet of any *lot line* unless completely enclosed.
- d. *Religious institutions*, including parish houses, rectories, convents, and other facilities normally incidental to places of worship but excluding funeral homes and cemeteries.

Minimum parking: One (1) *parking space* for each eight seats in the largest place of assembly of such institution, based upon the maximum occupancy of both fixed and movable seats, located on the same *lot* or within 300 feet *walking distance*.

- e. Cultural activities not carried on as a gainful business, including art galleries, libraries and museums.
- f. Public and private elementary and secondary schools meeting all requirements of the compulsory education laws of the State of Connecticut, and adult education facilities connected with such schools, including *dormitories* connected with such schools but excluding fraternities and sororities. Noise, odors, lights, smoke, dirt, and all other possible disturbing aspects connected with the operation of such uses shall be enclosed, screened or otherwise controlled to the extent that the operation of any such use shall not unduly interfere with the use and enjoyment of properties or streets in the surrounding area.

Minimum parking: One (1) *parking space* for each four seats in each place of assembly commonly having events open to the public, based upon the maximum occupancy of both fixed and movable seats, located on the same *lot* or within 300 feet *walking distance*.

- g. Public and private colleges and universities, including *dormitories* connected with such institutions but excluding: fraternities and sororities, trade/or business schools and colleges, and schools and colleges operated as commercial enterprises. Noise, odors, lights, smoke, dirt, electrical disturbance, radioactive particles and rays, and all other possible disturbing aspects connected with the operation of such *uses* shall be enclosed, screened or otherwise controlled to the extent that the operation of any such *use* shall not unduly interfere with the use and enjoyment of properties or streets beyond the boundaries of such college or university.

Minimum parking: One *parking space* for each two full-time faculty members or the equivalent (two part-time members equaling one full-time member), plus one *parking space* for each three employees, plus one *parking space* for each three non-resident students, plus one *parking space* for each six beds if residents are allowed to keep automobiles, plus one *parking space* for each eight seats in each place of assembly (other

than classrooms) commonly having one-half or more of its attendance made up of students (and otherwise having one *parking space* for each four seats) based on the maximum occupancy of both fixed and movable seats, located on the same lot or within 300 feet *walking distance*.

- h. General and special inpatient hospitals, and health care clinics; excluding private offices for doctors, convalescent homes, rest homes, nursing homes, sanitariums, homes for the aged and handicapped, and orphanages. Noise, odors, electrical disturbance, radioactive particles and rays, and all possible disturbing aspects connected with the operation of such *uses* shall be enclosed, screened or otherwise controlled to the extent that the operation of any such *use* shall not unduly interfere with the use and enjoyment of properties or streets in the surrounding area.

Minimum parking: One *parking space* for each four patient beds (excluding bassinets), plus one *parking space* for each staff or visiting doctor (based on the average number of such doctors at the hospital or health care clinic at peak times), plus one *parking space* for each four employees in the largest shift including nurses; plus, in the case of health care clinics, a number of *parking spaces* for patients equal to twice the number of *parking spaces* required for doctors; all of which *parking spaces* are to be located on the same *lot* or within 300 feet *walking distance* except in the BD-3 District.

- i. *Family daycare home*.

(2) *Where permitted by special exception under sub-section 63(d) of this ordinance:*

- a. Temporary *uses* and *structures* such as rental offices, booths for charitable purposes and parking for special events, with a time limit of not more than six months.
- b. Recreation facilities and athletic clubs; and community centers and clubs drawing a substantial number of users from the immediate neighborhood in which they are located; excluding residential accommodations and any activity carried on as a gainful business other than incidental concessions. Noise, odors, lights, *signs* and all other possible disturbing aspects connected with the operation of such *uses* shall be enclosed, screened or otherwise controlled to the extent that the operation of any such *use* shall not unduly interfere with the use and enjoyment of properties or streets in the surrounding area.

Minimum parking: One *parking space* for each four persons present at such facilities when they are filled to capacity, located on the same *lot* or within 300 feet *walking distance*.

- c. Railroad and other rights-of-way.
- d. Establishments providing convenience goods and services, as described and regulated by section 31 of this ordinance.
- e. *Group daycare home*.

(Ord. No. 1368, §§ 3, 4, 2-7-05; Ord. No. 1598, § 2, 9-8-09; Ord. No. 1685, Sched. D, 8-6-12; Ord. No. 1726, Sched. A, 12-2-13)

Section 13. - RM-1 Districts: Low-Middle Density.

Description and purpose. These districts exist for the protection of areas that have been and are being developed predominantly for low-middle density dwellings of various types. Accordingly, the use of land and *buildings* within these areas is limited in general to dwellings at a density of about 12 dwelling units per acre, and to such non-residential uses as generally support and harmonize with a middle density area. The non-residential uses permitted in RM-1 Districts, subject to adequate conditions and safeguards, are hereby found and declared to be the only appropriate such uses for such areas. It is hereby found and declared, further, that these regulations are necessary for the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.

All RM-1 Districts are subject to the general provisions for residence districts set forth in Article IV as well as to all other provisions of this ordinance.

Uses permitted. In an RM-1 District a *building* or other *structure* may be erected, altered, arranged, designed or used, and a *lot* or *structure* may be used for any of the following purposes and no other:

- (a) *Residential uses as follows.* The General Provisions for Residence Districts in Article IV shall also apply.

- (1) *Dwellings: Single-family, two-family and multi-family.*

Building requirements:

- a. *Minimum lot area:* 6,000 sq. ft.
- b. *Minimum average lot width:* 50 ft., except for nonconforming lots under subsection 67(e).
- c. *Minimum lot area per dwelling unit:* 3,500 sq. ft., except 2,500 sq. ft. in the case of an *efficiency unit* and 1,750 sq. ft. in the case of an *elderly housing unit*; except, further, that in any case of a *dwelling* existing on the effective date of the application of these regulations thereto, there may be located therein by conversion an average of one *dwelling unit* per 1,000 sq. ft. of *gross floor area* in the *dwelling* on said effective date, whether or not the standards of *lot area* per *dwelling unit* are met, provided that an increase in *dwelling units* by conversion which would result in an excess of three *dwelling units* within the same *structure* shall be permitted only by special exception under subsection 63(d) of this ordinance.
- d. *Maximum building coverage:* Total coverage of *principal* and *accessory buildings* not to exceed 30% of *lot area*.
- e. *Maximum building height:* such height shall not exceed either three *stories* or an *average height* of 35 feet.

- Provided that no point on a side or rear **building wall** shall be so located that it is closer to a **side** or **rear lot line** than one foot for each two feet that such point is above the average **finished lot grade** along such side or rear **building wall**.

f. **Minimum yards:**

Front—20 ft., except that where 75% or more of the entire street frontage (in feet) on the same side of the same street between the nearest two intersecting streets has been developed with **buildings** with **front yards** smaller than 20 feet, the required **front yard** shall be the same as the **yard** presently followed by existing **buildings** along the greatest quantity of street frontage (in feet).

Rear—25 ft.

Side—One at least eight ft. and the other at least 12 ft.; in the case of a **corner lot**, at least eight ft. for the one **side yard**.

- g. **Minimum parking:** One **parking space** per **dwelling unit** (except that only one **parking space** shall be required for each two **elderly housing units**) located either on the same **lot** as the principal **building** or within 300 feet **walking distance** of an outside entrance to the **dwelling unit** to which such **parking space** is assigned, and conforming to section 29 and the remainder of the General Provisions for Residence Districts in Article IV.

- (2) **Residential accessory buildings, structures and uses**, as regulated by paragraph (1) above and by the General Provisions for Residence Districts.
- (3) **Parking spaces** required by this ordinance for the permitted residential **uses** may be located on a separate **lot** without a special exception in a **multi-lot residential development** and by special exception under subsection 63(d) of this ordinance in all other instances in any district in which the **principal use** is permitted, provided the standards of section 29 (residential parking) are met.

- (b) **Non-residential uses as follows:** The standards in paragraph (a)(1) above relating to minimum **lot area**, minimum **average lot width**, maximum **building coverage**, maximum **building height**, and minimum **yards** shall apply to non-residential **uses**.

Accessory uses customarily incidental to the following **uses** are permitted in connection with such **uses**.

Parking spaces required by this ordinance for the following **uses** may be located (by Special Exception under subsection 63(d) of this ordinance) on a separate **lot** in any district in which the **principal use** is permitted, provided the standards of section 29 are met.

Section 29 relating to parking and all other pertinent sections of the general provisions for residence districts in Article IV shall also apply to all such **uses**.

- (1) Such non-residential **uses** as are permitted, and in the same manner, as in RS-2 Districts.

(2) As of right:

- a. Home Occupations customarily and traditionally conducted in a **dwelling unit** as an **incidental use**, such as dressmaking and watchmaking, provided no such home occupation shall involve:
 1. Any employee not resident in the **dwelling unit**;
 2. Storage of a stock in trade or sale of commodities on the premises;
 3. Use of more than 25% of the net floor area of the **dwelling unit**, or any space outside the **dwelling unit**;
 4. External evidence of the **use** other than **signs** permitted by section 27;
 5. Emission of offensive smoke, dirt, dust, vibration, odor, light, heat, glare, noise, electrical disturbance, or radioactive particles or rays.
- b. Offices and studios of doctors, dentists, architects, artists, designers, accountants, lawyers, engineers, tutors, real estate and insurance agents, brokers, and members of other recognized professions residing in the same **dwelling unit**, incidental to the main purpose of a residence (excluding veterinarians, dancing and music studios having more than one student at a time, barber shops, beauty parlors, and other similar **uses**), together with incidental laboratory and mechanical equipment, provided no such office shall involve:
 1. More than one employee not resident in the **dwelling unit**, or use by any outside colleague or associate;
 2. Storage of a stock in trade or sale of commodities on the premises;
 3. Use of more than 25% of the **net floor area** of the **dwelling unit**, or any space outside the **dwelling unit**;
 4. External evidence of the **use** other than **signs** permitted by section 27;
 5. Emission of offensive smoke, dirt, dust, vibration, odor, light, heat, glare, noise, electrical disturbance, or radioactive particles or rays.

Minimum parking: For each such office, one **parking space** for the one permitted outside employee, plus two **parking spaces** for visitors, located on the same **lot**.

- c. Peripheral expansion of family, group, or child daycare when provided as part of the broader program of a religious or educational institution.

(3) Where permitted by special exception under subsection 63(d) of this ordinance:

- a. Fraternities and sororities (whether or not residential in whole or in part), when located on land owned by an elementary or secondary school meeting all requirements of the compulsory educational laws of the State of Connecticut or land owned by a college or university other than a trade and/or business college and other than a school or college operated as a commercial enterprise. Noise, odors, lights, **signs** and all other possible disturbing aspects connected with the operation of such **uses** shall be enclosed, screened or otherwise controlled to the extent that the operation of any such **use** shall not unduly interfere with the use and enjoyment of properties or streets in the surrounding area.

Minimum parking: One *parking space* for each three beds if residents are permitted to keep automobiles, plus one *parking space* for each four seats in each place of assembly based upon the maximum occupancy of both fixed and movable seats, located on the same lot or within 300 feet *walking distance*.

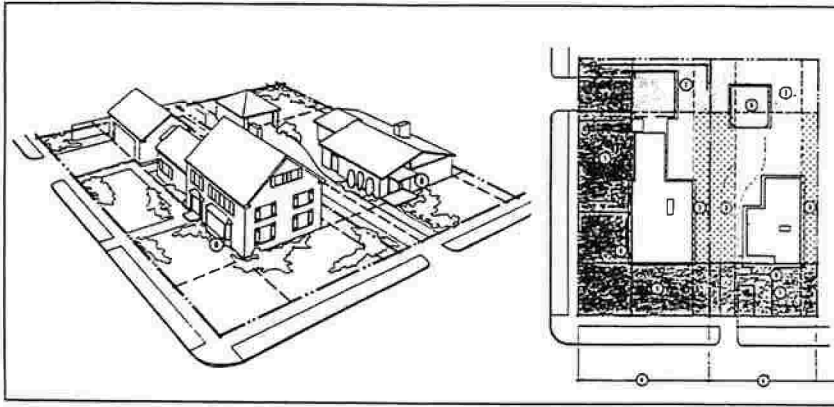
- b. Convalescent homes, rest homes, nursing homes, sanitariums, homes for the aged and disabled (not to include elderly), and orphanages. Noise, odors, electrical disturbance, radioactive particles and rays, and all other possible disturbing aspects connected with the operation of such *uses* shall be enclosed, screened or otherwise controlled to the extent that the operation of any such *use* shall not unduly interfere with the use and enjoyment of properties or streets in the surrounding area. Minimum parking: one *parking space* for each six beds, plus one *parking space* for each staff or visiting doctor (based upon the average number of such doctors at such institutions at peak times), plus one *parking space* for each four employees in the largest shift including nurses, located on the same *lot* or within 300 feet *walking distance*.
- c. Transition parking as follows: In any case in which a business, industrial or residence-office district or districts abut directly upon a residence district and adequate property for off-street parking is not available in such business, industrial or residence-office district, the use of property in such residence district up to a distance of 150 feet from a business, industrial or residence-office district may be permitted for parking of passenger automobiles of employees, visitors and/or customers in connection with *uses* in such business, industrial or residence-office district or districts, provided that, in addition to such other conditions and safeguards as are found appropriate under subsection 63(d) of this ordinance:
1. Such property abuts directly on the *lot* or *lots* occupied by the business, industrial or office *use* or *uses* with which such parking is connected, for at least 75 feet unless it is found that a lesser distance would be consistent with the purposes of this provision for transition parking.
 2. No *structures* are erected or used for parking of automobiles on more than one level; no automobile sales, service, dead storage, or other such commercial enterprise is conducted upon such property; and no *signs* are erected thereon except *signs* complying with section 27 which are necessary to state the condition of use and to regulate traffic and parking.
 3. The area on such property used for parking is suitably paved and drained, provided with bumper or wheel guards where needed, and arranged so that the flow of automobiles to and from streets and alleys will cause minimum interference with vehicular and pedestrian traffic.
 4. The surrounding residential areas are adequately protected by:
 - (a) Location of entrances and exits when practicable in Business, Industrial and Residence-Office Districts and in no event within 20 feet of any other residentially-zoned property.
 - (b) Provision of standard residential *front yards* as required by the applicable district regulations, suitably landscaped, between the paved parking area and all *street lines* in residence districts, unless it is found that a lessening of the *front yard* requirement can be permitted under subsection 29(c) of this ordinance.
 - (c) Provision of a buffer strip of land at least five feet in width, located on such property between the paved parking area and all residentially-zoned land on which such property abuts directly, unless it is found that the purposes of this provision for transition parking can be accomplished by reducing the buffer strip to some other width which is no less than two feet.
 - (d) Provision of a suitable fence, wall or evergreen planting at least five (5) feet in height, designed to screen noise, odors, visibility and headlight glare between the paved parking area and all residentially-zoned property on which such property abuts either directly or across a street or alley.
 - (e) Arrangement of such artificial lighting as is used for the parking area so that all direct rays fall entirely within the paved parking area or within areas used for business, industrial or office purposes.
- d. *Child daycare centers* meeting all licensing standards of the State Department of Health Services and providing one passenger drop-off/pick-up loading space for each twenty-four (24) children or fraction thereof.

Minimum parking: one (1) *parking space* for each three (3) employees.

All noise and other disturbing aspects of such uses shall be enclosed, screened or otherwise controlled.

RM-1 Low Middle Density

The two illustrations show typical construction in this district, both in perspective and in plan. Property lines are indicated by heavy dotted lines, and required yards by dashed lines. The numbers on the plan refer to the various restrictions on size and placement of structures.



RM-1 Low Middle Density

¹ Minimum *front yards*: 20 feet.

² Minimum *rear yards*: 25 feet.

³ Minimum *side yards*: one eight and one 12 feet. (In the case of *corner lots*, at least eight feet for the one *side yard*.) Size of *side yard* is also related to height of *building* walls (see text of each district).

⁴ Minimum *average lot width*: 50 feet.

⁵ *Accessory buildings* may extend into *side* and *rear yards*. (See General Provisions for Residence Districts).

⁶ For projections into required *yards* see General Provisions for Residence Districts.

Other requirements:

Minimum *lot area*: 6,000 square feet.

Maximum *lot area per dwelling unit*: 3,500 sq. ft.; 2,500 sq. ft. per *efficiency unit*; 1,750 sq. ft. per *elderly housing unit*.

Maximum *building coverage* (all *buildings*): 30% of lot area.

Maximum *building* height: Three stories or an *average height* of 35 feet.

Minimum parking: One *parking space* per *dwelling unit*, located either on the same *lot* or within 300 feet walking distance.

Note— These pages are for illustration only. For greater detail, and for non-residential construction, refer to text of each district and to the General Provisions for Residence Districts.

(Ord. No. 1368, § 5, 2-7-05; Ord. No. 1726, Sched. A, 12-2-13)

Section 14. - RM-2 Districts: High-Middle Density.

Description and purpose. These districts exist for the protection of areas that have been and are being developed predominantly for high-middle density dwellings of various types. Accordingly, the use of land and *buildings* within these areas is limited in general to dwellings at a density of about 22 dwelling units per acre, and to such non-residential uses as generally support and harmonize with a middle density area. The non-residential uses permitted in RM-2 Districts, subject to adequate conditions and safeguards, are hereby found and declared to be the only appropriate such uses for such areas. It is hereby found and declared, further, that these regulations are necessary to the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.

All RM-2 Districts are subject to the general provisions for residence districts set forth in Article IV as well as to all other provisions of this ordinance.

Uses permitted. In an RM-2 District a *building* or other *structure* may be erected, altered, arranged, designed or used, and a lot or structure may be used for any of the following purposes and no other:

(a) *Residential uses as follows:* The General Provisions for Residence Districts in Article IV shall also apply.

Building requirements:

(1) *Dwellings-single-family, two-family and multi-family.*

a. *Minimum lot area*: 5,400 sq. ft.

- b. **Minimum average lot width:** 50 ft., except for nonconforming *lots* under subsection 67(e).
- c. **Minimum lot area per dwelling unit:** 2,000 sq. ft., except 1,400 sq. ft. in the case of an *efficiency unit* and 1,000 sq. ft. in the case of an *elderly housing unit*; except, further, that in any case of a *dwelling* existing on the effective date of the application of these regulations thereto, there may be located therein by conversion an average of one *dwelling unit* per 1,000 sq. ft. of *gross floor area* in the *dwelling* on said effective date, whether or not the standards of *lot area per dwelling unit* are met.
- d. **Maximum building coverage:** Total coverage of *principal* and *accessory buildings* not to exceed 30% of *lot area*.
- e. **Maximum building height:** Such height shall not exceed either four *stories* or an *average height* of 45 feet.
 Provided that no point on a side or rear *building* wall shall be so located that it is closer to a *side* or *rear lot line* than one foot for each two feet that such point is above the average *finished lot grade* along such side or rear *building* wall.

f. **Minimum yards:**

Front—17 ft., except that where 75% or more of the entire street frontage (in feet) on the same side of the same street between the nearest two intersecting streets has been developed with *buildings* with *front yards* smaller than 17 feet, the required *front yard* shall be the same as the *yard* presently followed by existing *buildings* along the greatest quantity of street frontage (in feet).

Rear—25 ft.

Side—one at least eight ft. and the other at least 10 ft.; in the case of a corner lot, at least eight ft. for the one *side yard*.

- g. **Minimum parking:** One *parking space* per *dwelling unit* (except that only one *parking space* shall be required for each two *elderly housing units*) located either on the same lot as the *principal building* or within 300 feet walking distance of an outside entrance to the *dwelling unit* to which such *parking space* is assigned, and conforming to section 29 and the remainder of the General Provisions for Residence Districts in Article IV.

(2) **Residential accessory buildings, structures and uses,** as regulated by paragraph (1) above and by the General Provisions for Residence Districts.

(3) **Parking spaces** required by this ordinance for the foregoing residential *uses* may be located on a separate *lot* without a special exception in a *multi-lot residential development* and by special exception under subsection 63(d) of this ordinance in all other instances in any district in which the *principal use* is permitted, provided the standards of section 29 (residential parking) are met.

- (b) **Non-residential uses as follows:** The standards in paragraph (a)(1) above relating to minimum *lot area*, minimum *average lot width*, maximum *building coverage*, maximum *building height*, and minimum *yards* shall apply to non-residential *uses*.

Accessory use customarily incidental to the following *uses* are permitted in connection with such *uses*.

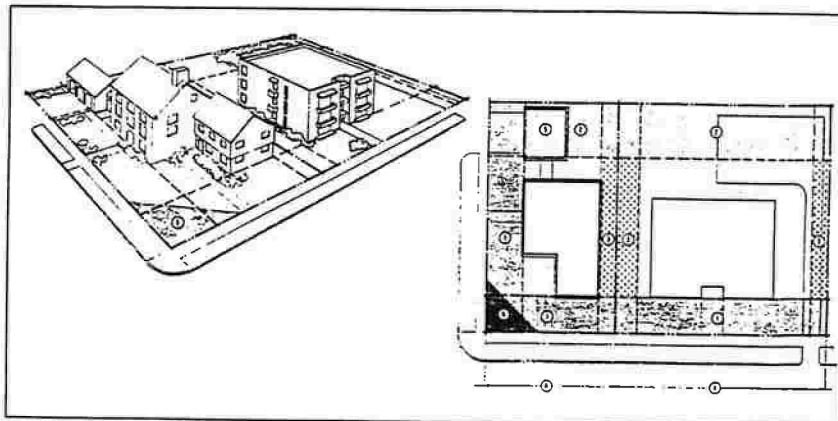
Parking spaces required by this ordinance for the following *uses* may be located (by special exception under subsection 63(d) of this ordinance) on a separate *lot* in any district in which the principal use is permitted, provided the standards of section 29 are met.

Section 29 relating to parking and all other pertinent sections of the general provisions for residence districts in Article IV shall apply to all such *uses*.

- (1) Such non-residential *uses* as are permitted, and in the same manner, as in RM-1 Districts.

RM-2 High Middle Density

The two illustrations show typical construction in this district, both in perspective and in plan. Property lines are indicated by heavy dotted lines, and required yards by dashed lines. The numbers on the plan refer to the various restrictions on size and placement of structures.



RM-2 High Middle Density

¹ Minimum *front yards*: 17 feet.

² Minimum *rear yards*: 25 feet.

³ Minimum *side yards*: one eight and one 10 feet. (In the case of *corner lots*, at least eight feet for the one *side yard*.) Size of *side yard* is also related to height of *building walls* (see text of each district).

⁴ Minimum *average lot width*: 50 feet.

⁵ *Accessory buildings* may extend into *side* and *rear yards*. (See General Provisions for Residence Districts).

⁶ For projections into required *yards* see General Provisions for Residence Districts.

Other Requirements:

Minimum *lot area*: 5,400 square feet.

Maximum *lot area per dwelling unit*: 2,000 sq. ft.; 1,400 sq. ft. *per efficiency unit*; 1,000 sq. ft. per elderly housing unit.

Maximum *building coverage* (all *buildings*): 30% of lot area.

Maximum *building height*: Four *stories* or an average height of 45 feet.

Minimum parking: One *parking space* per *dwelling unit*, located on the same *lot*, within 300 feet *walking distance* or in a *multi-lot residential development*.

Note— These pages are for illustration only. For greater detail, and for non-residential construction, refer to text of each district and to the General Provisions for Residence Districts.

(Ord. No. 1726, Sched. A, 12-2-13)

Section 15. - RH-1 Districts: Special high density.

Description and purpose. These districts exist for the protection of certain multi-family areas of relatively small total size but of unique and irreplaceable value to the community as a whole. The specific purpose of these districts is to stabilize and preserve the existing residential character of these areas to the maximum possible extent. To this end, the use of land and buildings within these areas is limited primarily to relatively high density residential uses, as the particular character, size and surroundings of these areas create little need for the location within their boundaries of further other such non-residential uses as generally support a residential area. Moreover, these areas are found especially along major streets traversing large residential sections of the city, and the outward movement of office or other commercial uses along these streets would constitute a serious threat to the residential quality of the areas to either side of them. Encroachment of office or other commercial uses along these streets would violate the spirit of this ordinance and its general purpose and intent and, any other provision of this ordinance to the contrary notwithstanding, no variance shall be granted for such uses in these districts. It is hereby found and declared that these regulations are necessary to the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.

All RH-1 Districts are subject to the General Provisions for Residence Districts set forth in Article IV as well as to all provisions of this ordinance.

Uses permitted. In an RH-1 District a *building* or other *structure* may be erected, altered, arranged, designed or used, and a *lot* or *structure* may be used for any of the following purposes and no other:

(a) *Residential uses as follows.* The General Provisions for Residence Districts in Article IV shall also apply.

(1) *Dwellings—single-family, two-family and multi-family.*

Building requirements:

- a. *Minimum lot area*: 7,500 sq. ft.
- b. *Minimum average lot width*: 60 ft., except for nonconforming *lots* under subsection 67(e).
- c. Maximum *building coverage* for *principal building* or *principal buildings*: 25% of *lot area*.
- d. *Maximum building height*: No direct limit.

Provided that no point on a side or rear *building wall* shall be so located that it is closer to a *side* or *rear lot line* than one foot for each two feet that such point is above the average *finished lot grade* along such side or rear *building wall*.

e. *Minimum yards:*

Front—25 ft., except that where 75% or more of the entire street frontage (in feet) on the same side of the same street between the nearest two intersecting streets has been developed with *buildings* with *front yards* smaller than 25 feet, the required *front yard* shall be the same as the *yard* presently followed by existing *buildings* along the greatest quantity of street frontage (in feet). Provided that, the *front yard* shall in any case be increased if necessary to maintain a ratio of one foot between the front *building wall* and the center line of the street to two feet of *average height* measured along the front *building wall*, except as provided in subsection 30(b).

Rear—25 ft.

Side—10 ft. for each side yard.

- f. **Maximum gross floor area:** No such *building* or *buildings* shall have a *gross floor area* greater than 0.5 times the *lot area*; except that this floor area may be increased by 0.1 times the *lot area* (up to a maximum of 1.7 times the *lot area*) for each 1% of *lot area* by which the *building coverage* of the principal *building* or *buildings* is reduced below the maximum of 25% of *lot area* set by subparagraph (c) above. The maximum *floor area ratio* allowable at each percent of *building coverage* under this formula is as follows:

Building Coverage in Percent	Floor Area Ratio
25	0.5
24	0.6
23	0.7
22	0.8
21	0.9
20	1.0
19	1.1
18	1.2
17	1.3
16	1.4
15	1.5
14	1.6
13 or less	1.7

In any case of a *building* existing on the effective date of the application of these regulations thereto, which *building* then becomes nonconforming in *building coverage* and/or *floor area ratio* under the above formula, there may be located therein by conversion no more than an average of one *dwelling unit* per 1,000 square feet of *gross floor area* in the *building* on said effective date.

Where a lot contains more than one *principal building* in the same ownership, all such *buildings* shall be considered together in determining the *floor area ratio*.

- g. **Minimum usable open space:** 125 square feet per *dwelling unit*, except 100 square feet in the case of *elderly housing units* by special exception under subparagraph 63(d) of this ordinance, provided that in the event that a minimum of 50 square feet of private *usable open space* in the form of balconies, patios, decks, porches or private courts that are attached or are located immediately adjacent to the *dwelling unit* that they serve is provided, then the balance of the *usable open space* required under this subsection for such *dwelling unit* shall be reduced by one-quarter. All *usable open space* shall be subject to the following minimum standards in addition to others which may be applicable.

1. Common *usable open space* shall be so located and designed as to emphasize convenience of tenant access and ease of use.
2. All common grade level *usable open space* shall be landscaped and otherwise developed to maximize recreational utility. Landscape improvements shall include trees, shrubs, ground cover and, wherever possible, the retention of existing landscape features.
3. Any *usable open space* provided above grade level, either in the form of a roof terrace or deck, shall include as improvements at least the following: a wearing surface in addition to a standard rooftop finish, safety railings or walls, passive recreational facilities such as benches, sheltered arbors vegetative landscaping, and lighting.

- h. **Minimum parking:** One *parking space* per dwelling unit (except that only one *parking space* shall be required for each two *elderly housing units*) located either on the same *lot* as the *principal building*, within 300 feet *walking distance* of an outside entrance to the *dwelling unit* to which such *parking space* is assigned or within a *multi-lot residential development*, and conforming to section 29 (residential parking) and the remainder of the General Provisions for Residence Districts in Article IV.

- (2) **Residential accessory buildings, structures and uses,** as regulated by paragraph (1) above and by the General Provisions for Residence Districts, having a *building coverage* of no more than 10% of the *lot area* and an *average height* not exceeding 20 feet.
- (3) **Parking spaces** required by this ordinance for the foregoing residential *uses* not meeting the standards of subsection 15(a)(1)h may be permitted by special exception under subsections 29(i) and 63(d) of this ordinance.

- (b) **Non-residential uses as follows:** The standards in paragraph (a)(1) above relating to minimum *lot area*, minimum *average lot width*, maximum *building coverage*, maximum *building height*, minimum *yards*, and maximum *gross floor area* shall apply to non-residential *uses* except as indicated below.

Accessory uses customarily incidental to the following *uses* are permitted in connection with such *uses*.

Parking spaces required by this ordinance for the following *uses* may be located in any district in which the *principal use* is permitted, provided the standards of section 29 (residential parking) are met.

Section 29 relating to parking and all other pertinent sections of the General Provisions for Residence Districts in Article IV shall also apply to all such *uses*.

- (1) Such non-residential *uses* as are permitted, and in the same manner, as in RS-1 Districts.

- (2) On lots in use for any of the *uses* described in section 11(b)(2)b. on or before October 15, 2003, any of the *uses* described in section 11(b)(2)b.1., 2. or 4. dormitories, fraternities and sororities.

Building requirements:

- a. *Minimum lot area:* One acre;
- b. *Minimum side yard:* One at least ten feet and the other at least 12 feet, notwithstanding the requirements of section 15(a)(1)(d);
- c. *Maximum building height:* Such height shall not exceed either four stories or an average height of 50 feet;
- d. *Maximum building coverage:* Total building coverage for principal building or buildings not to exceed 30 percent of lot area;
- e. *Maximum gross floor area:* No building or buildings shall have a gross floor area greater than 0.6 times the lot area equivalent to a maximum floor area ratio of 0.6; and
- f. *Minimum parking:* The greater of one *parking space* for each eight seats in the largest place of assembly commonly having events open to the public, based upon the maximum occupancy of both fixed and movable seats; or one *parking space* for each full-time equivalent staff person, located on the same lot or within 300 feet walking distance on a separate lot in the district, shall be provided.

(Ord. No. 1377, § 1, 5-16-05; Ord. No. 1726, Sched. A, 12-2-13)

Section 16. - RH-2 Districts: General High Density.

Description and purpose. These districts exist for the protection of areas that have been and are being developed predominately for high density dwellings, commonly apartment houses and other dwellings with a high ratio of floor area to land area. Accordingly, the use of land and buildings within these areas is limited to dwellings meeting a Floor Area Ratio designed for a density ranging from 22 to 74 dwellings units per acre and to such non-residential uses as generally support and harmonize with a high density area. The non-residential uses permitted in RH-2 Districts, subject to adequate conditions and safeguards, are hereby found and declared to be the only appropriate such uses for such areas. It is hereby found and declared, further, that these regulations are necessary to the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.

All RH-2 Districts are subject to the General Provisions for Residence Districts set forth in Article IV except for Section 28 as well as to all other provisions of this ordinance.

Uses permitted. In an RH-2 District a *building* or other *structure* may be erected, altered, arranged, designed or used, and a lot or structure may be used for any of the following purposes and no other:

- (a) *Residential uses as follows.* The General Provisions for Residence Districts in Article IV shall also apply.

- (1) *Dwellings—Single-family* (except *zero lot line developments per subsection 16(a)(2)), two-family and multi-family.*

Building requirements:

- a. *Minimum lot area:* 5,400 sq. ft.
- b. *Minimum average lot width:* 40 ft.
- c. *Maximum building coverage for principal building or principal buildings:* 50% of lot area.
- d. *Maximum building height:* No direct limit.

Provided that, no point on a side or rear *building* wall shall be so located that it is closer to a *side* or *rear lot line* than one foot for each two feet that such point is above the average *finished lot grade* along such side or rear *building* wall.

- e. *Minimum yards:*

Front—Five ft., except that where 75% or more of the entire street frontage (in feet) on the same side of the same street between the nearest two intersecting streets has been developed with *buildings* with *front yards* smaller than five feet, the required *front yard* may be the same as the *yard* presently followed by existing *buildings* along the greatest quantity of street frontage (in feet). Provided that in the case of any *building* or *structure* which has an *average height* in excess of 60 ft., the *front yard* shall be increased proportionally (up to a maximum of 25 feet of required *front yard*) if necessary to maintain a ratio of one foot between the front *building* wall and the center line of the street to two feet of *average height* measured along the front *building* wall.

Rear—20 ft.

- f. *Maximum gross floor area:* No such *building* or *buildings* shall have *gross floor area* greater than 2.0 times the *lot area*.

In any case of a *building* existing on the effective date of this section, which *building* then becomes nonconforming in *building coverage* and/or *floor area ratio*, there may be located therein by conversion no more than an average of one *dwelling unit* per 1,000 square feet of *gross floor area* in the *building* on said effective date.

Where a lot contains more than one *principal building* in the same ownership, all such *buildings* shall be considered together in determining the *floor area ratio*.

- g. *Minimum usable open space:* 125 square feet per *dwelling unit*, except 100 square feet in the case of *elderly housing units*, only by special

exception, provided that in the event that a minimum of 50 square feet of private *usable open space* in the form of balconies, patios, decks, porches or private courts that are attached or are located immediately adjacent to the *dwelling unit* that they serve is provided, then the balance of the *usable open space* required under this subsection for such *dwelling unit* shall be reduced by one-quarter. All *usable open space* shall be subject to standards enumerated in subsection (a)(1)g. of section 15 of this ordinance.

- h. *Minimum parking: .75 parking space per dwelling unit* (three *parking spaces* for each four *dwelling units*), except that only *.33 parking space* (one *parking space* for each three *elderly housing units*) shall be required for each *elderly housing unit*, and only *.50 parking space per dwelling unit* (one *parking space* for each two *dwelling units*) shall be required for each *dwelling unit* located on a *lot* owned by a public housing authority (such as the Housing Authority of the City of New Haven). All *parking spaces* required under this section shall be located on the same *lot* as the *principal building*, within 300 feet *walking distance* of an outside entrance to the *dwelling unit* to which such *parking space* is assigned or in a *multi-lot residential development*. Such *parking spaces* shall conform to section 29 (residential parking) and the remainder of the General Provisions for Residence Districts in Article IV.

(2) *Zero Lot Line developments.*

Building requirements:

- a. *Minimum lot area:* 2,000 sq. ft. for interior *lots* and 3,500 sq. ft. for end and *corner lots*;
- b. *Minimum average lot width:* 18 ft. for interior *lots* and 35 ft. for end and *corner lots*;
- c. *Maximum building coverage* for *principal building* and *accessory buildings* combined not to exceed 60% of *lot area* for interior *lots* and 50% of *lot area* on end and *corner lots*.
- d. *Maximum building height: Average height* of 45 ft.

Provided that, no point on a side or rear *building* wall shall be so located that it is closer to a *side* or *rear lot line* than one foot for each two feet that such point is above the average *finished lot grade* along a rear or side *building* wall, excepting side yards for connecting *buildings* on adjoining *lots*.

e. *Minimum yards:*

Front—The lesser of five ft. or the existing average *front yards* (excluding *projections*), measured in feet, between the nearest two intersections on the same side of the *street* on which the *zero lot line development* is to be located (excluding any *structure* or *building* to be removed in connection with the proposed *zero lot line development*).

Rear—20ft. for interior, end and *corner lots* that are also end *lots*; zero ft. for *corner lots* that are not end *lots*.

Side—All *side yards* of zero ft. must be located adjacent to a common zero-foot *side yard* located on a *lot* that is part of the *zero lot line development*.

- f. *Minimum usable open space:* 125 square feet per *dwelling unit*, except 100 square feet in the case of *elderly housing units*, only by special exception, provided that in the event that a minimum of 50 square feet of private *usable open space*, either in the form of balconies, patios, decks, porches or private courts that are attached or are located immediately adjacent to the *dwelling unit* which they serve is provided, then the balance of the *usable open space* required for such *dwelling unit* shall be reduced by one-quarter. All *usable open space* shall be subject to standards enumerated in subsection(a)(1)g. of section 15 of this ordinance.
- g. *Minimum parking: .75 parking space per dwelling unit* (three *parking spaces* for each four *dwelling units*), except that only *.33 parking space* (one space for each three *elderly housing units*) shall be required for each *elderly housing unit*. All *parking spaces* required under this section shall be located on the same *lot* as the *principal building*, within 300 feet *walking distance* of an outside entrance to the *dwelling unit* to which such *parking space* is assigned or in a *multi-lot residential development*. Such *parking spaces* shall conform to section 29 (residential parking) and the remainder of the General Provisions for Residence Districts in Article IV. A maximum of two curb cuts shall be permitted for any *zero lot line development*.
- h. In connection with an application for site plan approval for a *zero lot line development*, the applicant shall submit a deed, agreement, easement, or similar instrument and/or a homeowners' association's operating documents (such as articles of association, articles of organization, articles of incorporation, operating agreement, bylaws, and/or rules and regulations) for approval by the City Plan Commission with respect to the allocation of responsibility for the maintenance, repair and replacement of shared walls, driveways, parking areas, open space, and any other shared facilities, which approved instrument or documents shall be filed in the New Haven land records prior to the issuance of a building permit for the construction of the *zero lot line development*.

(3) *Residential accessory buildings, structures and uses*, as regulated by paragraph (1) above and by the General Provisions for Residence Districts.

(4) *Rooming, boarding and lodging houses* (excluding hotels, motels and tourist homes), as well as the keeping of only one or two *roomers, boarders or lodgers*, where renting of rooms is not subordinate to some other enterprise. Such *rooming, boarding and lodging houses* shall be regulated by the standards in paragraph (1) above, except that minimum parking shall be one *parking space* for each three beds, located either on the same *lot* as the *rooming, boarding or lodging house* or within 300 feet *walking distance* of an outside entrance to the *rooming, boarding or lodging house*; and in addition minimum *lot area per sleeping room* shall be 500 square feet.

(5) *Parking spaces* required by this ordinance for the foregoing residential *uses* may be located on a separate *lot* in any district in which the *principal*

use is permitted, provided the standards of section 29 (residential parking) are met.

- (6) Automobile trailer camps, in accordance with the provisions of the Automobile Trailer Camp Ordinance, when located on a tract of not less than ten acres and permitted by special exception under subsection 63(d) of this ordinance with a time limit of not more than five years.
- (b) *Non-residential uses as follows:* The standards in paragraph (a)(1) above relating to minimum *lot area*, minimum *average lot width*, maximum *building coverage*, maximum *building height*, minimum *yards*, and maximum *gross floor area* shall apply to non-residential *uses*.

Accessory uses customarily incidental to the following *uses* are permitted in connection with such *uses*.

Parking spaces required by this ordinance for the following *uses* may be located on a separate *lot* in any district in which the *principal use* is permitted, provided the standards of section 29 (residential parking) are met. Section 29 relating to parking and all other pertinent sections of the General Provisions For Residence Districts in Article IV shall also apply to all such *uses*.

- (1) Such non-residential *uses* as are permitted, and in the manner, as in RM-2 Districts.
- (2) As of right:
- a. Charitable and philanthropic organizations, provided no more than 50% of the *gross floor area* of any *building* is occupied by offices of such organizations.
Minimum parking: One *parking space* for each 500 square feet of *gross floor area* of the *building* located on the same lot, within 300 feet *walking distance* or in a *multi-lot residential development*.
 - b. Professional offices of the types specified in the regulations for RO Districts (other than charitable and philanthropic organizations) located in the basement, ground floor level or second floor of a *building* that fronts on an Urban Principal Arterial or an Urban Minor Arterial, as classified by the State of Connecticut Department of Transportation, with an aggregate *gross floor area* no greater than 15% of the total *gross floor area* of the *building* in which such offices are located.
 - c. Retail *uses* located at the basement and/or ground floor level of a *building* that fronts on an Urban Principal Arterial or an Urban Minor Arterial, as classified by the State of Connecticut Department of Transportation, as follows: (i) *uses* listed in subsections 31(b)(1) through (10) and (13) (but not subject to the conditions of section 31); section 42C (but not including Package Alcoholic liquor); section 42D (but not including a Funeral home, gun and weapons repair, firearms training, firing range, shop or a swap shop); section 42G; section 42H (but not including gun shops); section 42I; and (ii) a *Restaurant*, caterer, music, or dancing school. The aggregate *gross floor area* of the foregoing *uses* shall not exceed 15% of the total *gross floor area* of the *building* in which they are located.
Where both professional offices and retail *uses* are located in the same *building*, the combined *gross floor area* of the professional offices and retail *uses* shall be no greater than 15% of the total *gross floor area* of the *building* in which they are located. In addition, no *parking spaces* shall be required for the professional offices and retail *uses* permitted under this subsection.
- (3) Where permitted by special exception under subsection 63(d) of this ordinance.
- a. Fraternities and sororities (whether or not residential in whole or in part), whether or not located on land owned by an educational institution. Noise, odors, lights, *signs* and all other possible disturbing aspects connected with the operation of such *uses* shall be enclosed, screened or otherwise controlled to the extent that the operation of any such *use* shall not unduly interfere with the use and enjoyment of properties or streets in the surrounding area.
Minimum parking: One *parking space* for each three beds if residents are permitted to keep automobiles, plus one *parking space* for each four seats in each place of assembly based upon the maximum occupancy of both fixed and movable seats, located on the same lot or within 300 feet *walking distance*.
 - b. Other social organizations, including clubs, lodgings, veterans' and fraternal organizations (whether or not residential in whole or in part); but excluding any activity carried on as a gainful business other than incidental concessions. Noise, odors, lights, *signs* and all other possible disturbing aspects connected with the operation of such *uses* shall be enclosed, screened or otherwise controlled to the extent that the operation of any such use shall not unduly interfere with the use and enjoyment of properties or streets in the surrounding area.
Minimum parking: One *parking space* for each three employees, plus one *parking space* for each three beds plus one *parking space* for each four seats in each place of assembly based upon the maximum occupancy of both fixed and movable seats, located on the same *lot* or within 300 feet *walking distance*.
 - c. Professional offices of the types specified in the regulations for RO Districts (other than charitable and philanthropic organizations) located in the basement, ground floor level or second floor of a *building* that does not front on an Urban Principal Arterial or an Urban Minor Arterial, as classified by the State of Connecticut Department of Transportation, with an aggregate *gross floor area* no greater than 15% of the total *gross floor area* of the *building* in which the offices are located.
 - d. Retail *uses* located at the basement and/or ground floor level of a *building* that does not front on an Urban Principal Arterial or an Urban Minor Arterial, as classified by the State of Connecticut Department of Transportation, as follows: (i) *uses* listed in subsections 31(b)(1) through (10) and (13) (but not subject to the conditions of section 31), section 42C (but not including Package Alcoholic liquor), section 42D (but not including a

Funeral home, gun and weapons repair, firearms training, firing range, shop or a swap shop), section 42G, section 42H (but not including gun shops), section 42I and (ii) a *Restaurant*, caterer, music, or dancing school, The aggregate *gross floor area* of the foregoing *uses* shall not exceed 15% of the total *gross floor area* of the *building* in which they are located.

Where both professional offices and retail *uses* are located in the same *building*, the combined *gross floor area* of the professional offices and retail *uses* shall be no greater than 15% of the total *gross floor area* of the *building* in which they are located. In addition, no *parking spaces* shall be required for the professional offices and retail *uses* permitted under this subsection.

(Ord. No. 1726, Sched. A, 12-2-13; Ord. No. 1820, Sched. B, 6-5-17)

Section 17. - RO Districts: Residence-Office.

Description and purpose. These districts exist in order to set aside and protect certain areas for development of professional and service offices in addition to high density dwellings. Accordingly, the use of land and buildings within these areas is limited to dwellings meeting a flexible floor area ratio formula designed for a density ranging from 22 to 74 dwelling units per acre depending upon building height and coverage, to professional and service offices, and to such other non-residential uses as generally support and harmonize with a high density area of this type. The non-residential uses permitted in RO Districts, subject to adequate conditions and safeguards, are hereby found and declared to be the only appropriate such uses for such areas. It is hereby found and declared, further, that these regulations are necessary to the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.

All RO Districts are subject to the General Provisions for Residence Districts set forth in Article IV as well as to all other provisions of this ordinance.

Uses permitted. In an RO District a *building* or other *structure* may be erected, altered, arranged, designed or used, and a lot or structure may be used for any of the following purposes and no other:

- (a) *Residential uses as follows.* The General Provisions for Residence Districts in Article IV shall also apply.
 - (1) Such residential *uses* as are permitted, with such standards as are required for them, in RH-1 Districts.
- (b) *Non-residential uses as follows.* The standards in paragraph (a)(1) above relating to minimum *lot area*, minimum *average lot width*, maximum *building coverage*, maximum *building height*, minimum *yards* and maximum *gross floor area* shall apply to non-residential *uses*.

Accessory uses customarily incidental to the following *uses* are permitted in connection with such *uses*.

Parking spaces required by this ordinance for the following *uses* may be located (by special exception under subsection 63(d) of this ordinance) on a separate *lot* in any district in which the *principal use* is permitted, provided the standards of section 29 are met.

Section 29 relating to parking and all other pertinent sections of the general provisions for residence districts in Article IV shall also apply to all such uses.

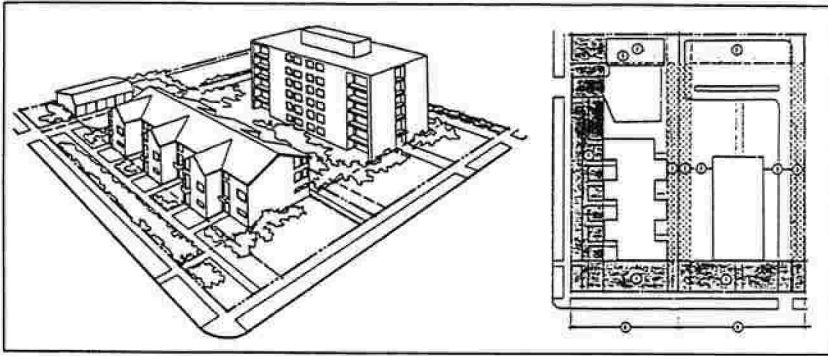
- (1) Such non-residential *uses* as are permitted, and in the same manner, as in RM-2 Districts.
- (2) As of right:
 - a. Offices and studios of doctors, dentists, architects, artists, designers, accountants, lawyers, engineers, tutors, real estate and insurance agents, brokers, and members of other recognized professions (excluding veterinarians, dancing and music studios having more than one student at a time, barber shops, beauty parlors, and other similar uses), together with incidental laboratory and mechanical equipment; government offices; and offices of insurance companies, charitable and philanthropic organizations and other similar service enterprises and organizations. All such offices shall meet the following standards:
 - 1. No storage of a stock in trade or sale of commodities on the premises;
 - 2. No visits by the general public as purchasers of goods or as customers as distinguished from patients or clients;
 - 3. No offensive emission of smoke, dirt, dust, vibration, odor, light, heat, glare, noise, electrical disturbance, or radioactive particles or rays;
 - 4. Maximum coverage for *accessory buildings*. 10% of lot area;
 - 5. Minimum parking: Three *parking spaces* per practitioner in the case of doctors and dentists, and one *parking space* for each 600 square feet of *net floor area* used or intended to be used for offices in all other cases, located on the same *lot* or within 300 feet *walking distance*.

RH-1 Special High Density

RH-2 General High Density

RO Residence-Office

The two illustrations show typical construction in the RH-1 and RO districts, both in perspective and in plan. Property lines are indicated by heavy dotted lines, and required yards by dashed lines. The numbers on the plan refer to the various restrictions on size and placement of structures.



RH-1, RH-2 & RO

- ¹ Minimum **front yards**: 25 feet for RH-1 and RO; 5 feet for RH-2. Size is also related to height of **building wall** (see text for each district).
- ² Minimum **rear yards**: 25 feet for RH-1 and RO; 20 feet for RH-2. Size is also related to height of **building wall** (see text for each district).
- ³ Minimum **side yards**: 10 feet for each side in RH-1 and RO; zero feet in RH-2. Distance is also related to height of **building wall** (see text for each district).
- ⁴ Minimum **average lot width**: 60 feet for RH-1 and RO; 40 feet for RH-2.
- ⁵ **Accessory buildings** may extend into **side** and **rear yards**. (See General Provisions for Residence Districts).

Other Requirements:

Minimum **lot area**: 7,500 square feet for RH-1 and RO; 5,400 square feet for RH-2.

Maximum **floor area ratio (F.A.R.)**: 0.5 to 1.7, depending upon **building coverage** (see text), except for RH-2 where F.A.R. is 2.0.

Maximum **building coverage**: **principal building(s)** 25% or less for the RH-1 and RO, (see text), 50% for the RH-2, **accessory building**, 10%.

Maximum **building height**: no direct limit, except for **zero lot line developments**.

Minimum **usable open space**: 125 sq. ft. per **dwelling unit**.

Minimum parking: For the RH-1 and RO districts, one **parking space per dwelling unit**. For the RH-2 district, **.75 parking space per dwelling unit**, located on the same **lot**, within 300 feet **walking distance** or in a **multi-lot residential development**; also for RO, one **parking space** for each 600 square feet of **net floor area** of office space; and for RH-2 one **parking space** for each 500 square feet of **gross floor area** of space used for charitable or philanthropic **uses** located on the same lot, within 300 feet **walking distance** or in a **multi-lot residential development**.

Note— These pages are for illustration only. For greater detail, and for other non-residential construction, refer to text of each district and to the general provisions for residence districts.

(Ord. No. 1726, Sched. A, 12-2-13)

Sec. 18A. - Live-work loft conversions.

The purpose of this provision is to encourage adaptive reuse of existing older loft style multi-level commercial and industrial structures existing in 1963 to limited work and residence use by Special Permit in all residential districts and in business and industrial districts as set forth in [Section 42](#), as follows:

(a) *General standards.*

- (1) **Disturbing aspects.** Noise, odors, lights, signs and all other possible disturbing aspects connected with the operation of such uses shall be enclosed, screened or otherwise controlled to the extent that the operation of any such use shall not unduly interfere with the use and enjoyment of other properties or streets in the surrounding area.
- (2) **Signs.** All uses permitted by this section shall comply with the requirements for signs in [section 27](#) of this ordinance.
- (3) **Parking** shall be subject to the standards of [section 29](#) and [section 45](#). Each work-live unit will require one parking space in addition to the required parking for the existing business/industrial uses on the site.

(b) *Conversion standards* for loft industrial structures to live-work lofts meeting the general standards above and the specific standards below shall be allowed by special permit as follows:

- (1) Live-work loft **gross floor area** per unit:

Minimum—700 sq. ft.

Structure average—1,000 sq. ft.

(2) Each live-work unit shall be structurally separate, spatially contiguous, integrated living and working space utilized by a single housekeeping unit.

(3) Full-time workers of the live-work unit shall reside in the unit.

(4) The residential area of the unit may not be rented separately from the working space.

(5) Retail sale of merchandise is limited to items produced in the live-work unit.

(c) *Review standards for live-work lofts.* In addition to section 64 standards the commission shall determine whether the specific proposal meets the following additional standards:

(1) The specific location and proposed physical configuration will be compatible with existing surrounding industrial and commercial uses.

(2) The proposal will not preclude development of permitted industrial and commercial uses on adjacent parcels.

(3) The site can reasonably accommodate live-work lofts with minimum conflict with existing commercial and industrial tenants.

(4) The site can reasonably accommodate parking and loading needs for work-live lofts and commercial and industrial use on the parcel.

(d) *Residential development internal amenities.*

(1) All conversions yielding 20 or more units shall have in-unit washer/dryer hookups or common laundry facilities.

(2) All conversions of 20 or more units shall provide secure indoor bicycle storage facilities.

(3) All conversions over 50 units shall provide an indoor activity or exercise room available to residents.

(4) All conversions of over 100 or more units shall provide, in addition to an exercise room, a function room available to all residents.

(Ord. No. 565, 4-7-08; Ord. No. 1685, Sched. D, 8-6-12)

(Ord. No. 1565, 4-7-08; Ord. No. 1685, Sched. D, 8-6-12; Ord. No. 1752, Sched. A, 11-6-14)

Section 18B. - Live-work units (post 1963 and new structures).

(a) Live-work units other than live-work loft conversions described in Section 18A shall be allowed by special permit in the Business D-3 District.

(b) Live-work units shall comply with the following requirements:

(1) Noise, odor, light, dust, dirt, fumes, or other environmental impacts from work conducted in the **live-work unit** will be so enclosed, screened or otherwise contained so as not to adversely affect the use and enjoyment of the other properties in the surrounding area.

(2) The proprietor of the business located in the **live-work unit** shall live in the **live-work unit**, and up to two persons who do not reside in the live-work unit may work in the unit.

(3) No portion of the **live-work unit** may be separately leased or sold.

(4) At least 30 percent of the total square footage of the **live-work unit** shall be allocated to the residential use.

(5) The display and sale of products in the **live-work unit** shall be limited to the products created in the **live-work unit**.

(Ord. No. 1685, Sched. D, 8-6-12; Ord. No. 1752, Sched. A, 11-6-14)

Section 19. - Custodial care facilities.

Description and purpose. These provisions exist in recognition of state law, which make allowances for custodial care alternatives to traditional prison settings. These provisions are further intended to provide opportunities for custodial care facilities to locate and operate in New Haven in a manner which (1) is of a size and scale that is appropriate for the structure; (2) is of a size and scale that is consistent with residential uses in the surrounding area; (3) avoids undue concentration of such facilities; (4) avoids undue conflict with other social needs programs; and (5) avoids undue conflict with youth populations, by restricting siting near schools, parks and day care centers.

(a) *Definition.* CUSTODIAL CARE FACILITY. A facility which provides custodial care and treatment in a protective living environment for persons accused or convicted of a misdemeanor or a non-violent felony and residing voluntarily or by court placement, including, without limitation, correctional and post correctional facilities, halfway houses, transitional housing, juvenile detention facilities and temporary detention facilities, such as alternative to incarceration programs approved by the Chief Court Administrator in accord with the Connecticut General Statutes Sec. 53a-39a. This provision is not intended to address disabled individuals pursuant to the Fair Housing Act.

(b) *Development standards.* The following standards shall apply:

(1) *General standards.* A custodial care facility shall comply with the standards relating to minimum lot area, average lot width, building coverage, maximum impervious surface coverage, maximum building height, and minimum yards for the underlying zoning district.

(2) *Residential development standard.* A custodial care facility shall be developed in a manner consistent with that of a residential structure and is, therefore, subject to the following regulations regardless of the underlying zoning district: Structures within required yards (section 25); Fences and enclosure walls (section 26); Signs (section 27); and Corner visibility (section 28). See 19.B.11 for parking standard.

- (3) *Permitted locations.* A custodial care facility shall be permitted only by special exception in the following locations and no other:
 - a. A custodial care facility, with up to six or less residents, shall be allowed only by Special Exception in the following districts: RM-1 and RM-2; and
 - b. A custodial care facility, with up to 30 residents shall be allowed only by special exception in the following districts: BA, BA-1 BD, and BD-1. In a BA-1 district residential portions of custodial care facilities are limited to above ground floor occupancy.
 - (4) *Prohibited Locations.* Custodial care facilities are prohibited in the following zoning districts:
 - a. Residential: RS-1, RS-2, RH-1, RH-2 and RO;
 - b. Business: BB, BC, BD-3 and BE; and
 - c. Industrial: IL, IM and IH.
 - (5) *Minimum lot area.* A Custodial Care Facility shall have a minimum lot area of:
 - a. 6,000 s.f. in RM-1 districts; and
 - b. 5,400 s.f. in RM-2, BA, BA-1, BD and BD-1 districts.
 - (6) *Minimum lot area per resident.* There shall be a minimum of 500 s.f. of lot area for each of the first 20 residents. For facilities with more than 20 residents, there shall be a minimum of 500 s.f. of lot area for each of the first 20 residents and 1,000 s.f. for every one (1) resident above the first 20 residents.
 - (7) *Location restriction.* A custodial care facility shall not be located within 1,500 linear feet of a lawfully existing custodial care and/or alternative incarceration facility. The distance shall be measured in linear feet from the edge of the property line of the proposed custodial care facility to the edge of the property line of the use(s) listed above.
 - (8) *Minimum exterior usable open space.* There shall be a minimum amount of usable open space as follows:
 - a. 100 s.f. per resident in a Residence District; and
 - b. 75 s.f. per resident in a Business District. The area of front and side yards shall not be included to meet this requirement.
 - (9) *Minimum interior recreational space.* There shall be a minimum of 50 s.f. per resident useable interior recreation space.
 - (10) *Staff.* There shall be at least one (1) resident caretaker and at least one (1) staff person per 20 residents or portion thereof, on premises at all times.
 - (11) *Parking standard.* Custodial care facilities are to be developed in a manner consistent with that of a residential structure, and are therefore subject to parking standards pursuant to [Section 29](#). The parking requirement shall be as follows:
 - a. Resident caretaker. One (1) off-street parking space for the resident caretaker;
 - b. Staff. One (1) off-street parking space for each day time full or part-time staff person at peak staff requirement time;
 - c. Resident. One (1) parking space per resident owning a motor vehicle; and
 - d. Visitor. One (1) parking space for each six (6) residents or portion thereof.
- (c) *Standards for review.* Special exceptions for custodial care facilities shall be granted only where the Board of Zoning Appeals finds that the proposed facility is in accord with the public convenience and welfare after taking into account the standards for review found in [section 63](#).(d); compliance with the development standards found in [section 19](#).(b); demonstration of need in the community and degree to which the applicant considered a number of in-city and regional locations; consistency with the comprehensive plan of development; the proximity and potential for adverse impact on public and private schools, emergency shelter facilities, and licensed day care centers.

(Ord. No. 1368, § 4, 2-7-05; Ord. No. 1614, § 1, 3-1-10; Ord. No. 1685, Sched. D, 8-6-12)

TABLE 1. SUMMARY SCHEDULE OF PERMITTED USES IN RESIDENCE DISTRICTS

Note— This summary schedule is for convenience in use of the ordinance. In case of conflict, the District Regulations shall prevail.

Key: R: As-of-Right SP: Special Permit SE: Special Exception X: Not Permitted

Use Category	Zoning District						
	RS-1	RS-2	RM-1	RM-2	RH-1	RH-2	RO
Residential, Temporary & Agricultural:							
Single-family detached dwellings	R	R	R	R	R	R	R
Other single-family dwellings	X	X	R	R	R	R	R
Two-family and multi-family dwellings	X	X	R	R	R	R	R
Limited conversion of dwellings by variance	see	text	X	X	X	X	X

Residential accessory buildings structures and uses	R	R	R	R	R	R	R
Zero lot line developments	X	X	X	X	X	R	X
Rooming, boarding and lodging houses	X	X	X	X	X	R	X
Automobile trailer camps	X	X	X	X	X	SE	X
Temporary uses and structures	SE	SE	SE	SE	SE	SE	SE
Live-work loft conversions (§ 18A)	SP	SP	SP	SP	SP	SP	SP
Agriculture	X	R	R	R	X	R	R
Parking & Rights-of-Way:							
Accessory parking for permitted uses on separate lots: non-residential	SE	SE	SE	SE	SE	SE	SE
Accessory parking on separate lots: residential	X	X	SE	SE	SE	SE	SE
Transition parking	X	X	SE	SE	X	SE	SE
Railroads and other rights-of-way	X	SE	SE	SE	X	SE	SE
Government & Institutional:							
Parks, playgrounds	R	R	R	R	R	R	R
Reservoirs, Dams, Public utility substations and pumping stations, Telephone exchanges, Police and Fire stations, Post offices	R	R	R	R	R	R	R
Charitable and philanthropic organizations	X	X	X	X	X	R	X
Non-profit recreation facilities, community centers, clubs	X	SE	SE	SE	X	SE	SE
Non-profit cultural activities	X	R	R	R	X	R	R
Other non-profit social organizations	X	X	X	X	X	SE	X
Antenna or wireless site, subject to § 49, standards	SP	SP	SP	SP	SP	SP	SP
Custodial care facilities, with six or less residents, (See section 19)	X	X	SE	SE	X	X	X
Medical & Religious:							
Convalescent homes, rest homes, nursing homes, sanitariums, homes for the aged and handicapped, orphanages	X	X	SE	SE	X	SE	SE
General and special hospitals	X	R	R	R	X	R	R
Limited expansion of religious uses	SE	X	X	X	SE	X	X
Religious institutions	X	R	R	R	X	R	R

Educational, Fraternities & Sororities:								
	Elementary and secondary schools	X	R	R	R	X	R	R
	Colleges and universities	X	R	R	R	X	R	R
	Fraternities & sororities on land owned by an educational institution	X	X	SE	SE	X	SE	SE
	Fraternities & sororities not on land owned by an educational institution	X	X	X	X	X	SE	X
	Limited expansion of educational uses	SE	X	X	X	SE	X	X
Daycare:								
	Family daycare home	R	R	R	R	R	R	R
	Group daycare home	X	SE	SE	SE	X	SE	SE
	Child daycare center	X	X	SE	SE	X	SE	SE
Retail & Office:								
	Convenience goods & services (See <u>Section 31</u> Standards)	X	X	R	R	X	R	R
	Customary home occupations and Professional home offices	X	X	R	R	X	R	R
	Retail (15% of floor area)	X	X	X	X	X	R ¹	X
	Professional offices (15% of floor area) ²	X	X	X	X	X	R ³	X
	Professional, Government and Service offices (no floor area limit)	X	X	X	X	X	X	R

¹ Retail located in a **building** that fronts on an arterial is permitted as of right. Retail located in all other **buildings** in the RH-2 District is permitted by special exception.

² If a **building** has both retail and professional offices, the total square feet of both is limited to 15% of the gross floor area.

³ Professional offices located in a **building** that fronts on an arterial are permitted as of right. Professional offices located in other **buildings** are permitted by special exception.

(Ord. No. 1368, § 7, 2-7-05; Ord. No. 1685, Sched. D, 8-6-12; Ord. No. 1726, Sched. A, 12-2-13)

RESIDENTIAL DISTRICTS:

TABLE 2. SUMMARY OF DENSITY, BULK, PARKING AND LOADING REGULATIONS

Note— This Summary Schedule is for convenience in use of the ordinance. In case of conflict, the District Regulations shall prevail. Terms in boldface italics are defined in Section 1 of this Ordinance.

MINIMUM STANDARDS	Residential Districts								Business & Industrial Districts							
	RS1	RS2	RM1	RM2	RH1	RH2	RO	BA	BB	BC	BD	BD-1	BD-2	BD-3	BE	IL

Lot Area (Square Feet)		7500	7500	6000	5400	7500	5400	7500		None	None	None	None	None	None	None	None	
Lot Area per Dwelling Unit (Square Feet)	Standard	7500	7500	3500	2000	NA	NA	NA		2000	2000	3500	NA	NA	NA	NA	X	
	Efficiency	NA	NA	2500	1400	NA	NA	NA		1400	1400	2000	NA	NA	NA	NA	X	
	Elderly	NA	NA	1750	1000	NA	NA	NA		1000	1000	1750	NA	NA	NA	NA	X	
Yards (In Feet)	Front	25	25	20	17	25	5	25 See Section 43									
	Rear	25	25	25	2	25	10	25 See Section 43									
	Side	8,12	8,12	8,12	8,10	10,10	0	10 See Section 43									
	² Corner	8	8	8	8	10	0	10 See Section 43									
Usable Open Space per Dwelling Unit (Square Feet)		X	X	X	X	125	125	125	X	X	X	X	X	NA	50	X	X	
Elderly Housing Units						100	100	100										
Average Lot Width (In Feet) ³		60	60	50	50	60	40	60	X	X	X	X	X	NA	NA	X	X	
MAXIMUM STANDARDS																		
Total Building Coverage (%)		30	30	30	30	25 ⁴	50 ⁴	25 ⁴	NA	NA	NA	NA	NA	NA	NA	NA	NA	
	 All buildings Principal												
		Buildings																
Building height, Lesser of: Number of Stories		3	3	3	4	No Direct Limit		 No Direct Limit					200 feet ⁸	No Direct Limit			
Average Height (In Feet)		35	35	35	45	No Direct Limit		 No Direct Limit						No Direct Limit			
Floor Area Ratio (FAR)		NA	NA	NA	NA	.5-1.7	2.0	.5-1.7	2.0	2.0	2.0	6.0	6.0	6.0 ⁹	6.0	6.0	3.0	
PARKING AND LOADING																		

Per Dwelling Unit: Elderly	NA	NA	½	½	½	1/3	½		½	½	½	0	½	½	½	NA	NA
Standard	See note 5. below		1	1	1	.75	1		1	1	1	1	0	1	1	NA	NA
For Public Housing Authority Lots	NA	NA	NA	NA	NA	½	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA
For Commercial or Industrial Use:																	
General Office, Per 600 N.S.F.	NA	NA	NA	NA	1	0	1		1	1	1	0	0	* 10	0	1	1
⁶ Retail, Per 200 N.S.F. Sales/Service Area	NA	NA	NA	NA	1	0	NA		1	1	1	0	0	* 10	0	1	1
Per Medical Practitioner	NA	NA	NA	NA	NA	0	3		3	X	X	0	0	* 10	* 10	X	X
Other Uses	NA	See <u>§ 45</u> Zoning Ordinance Text For Other Uses Not Listed Here											* 10	* 10	See <u>§ 45</u>		
Commercial or Industrial Use Loading	See <u>§ 45(a)(1)(b)</u> Ordinance Text - Depends On Whether Use Is Concerned With Handling Of Goods																

Key: NA-Not Applicable; X-Not Permitted.

Notes:

- ¹ See Ordinance text for standard for developed blockfronts with lesser setbacks.
- ² Corner lot: Any yard facing a street is a front yard. Rear and side yards are by owner choice.
- ³ Variable. Lower building coverage permits a higher floor area ratio (FAR), which is a ratio of gross building area to land area.
- ⁴ See subsection 15(b)(2) for expansion of certain institutional uses.
- ⁵ For *single family dwellings* that are *detached dwellings* in the RS1 and RS2 Districts, one parking space for the first bedroom and ½ parking space for each additional bedroom, rounded to the next higher whole number if a fraction. All parking spaces shall be located on the same lot. For an efficiency unit, one parking space.
- ⁶ For stores less than 5,000 square feet. One parking space per 100 square feet sales or service area is required for space over 5,000 square feet.
- ⁷ See section 15(b)(2) for expansion of certain institutional uses.
- ⁸ Ten-foot height bonus available under § 43(c)(2).
- ⁹ When a rear or side lot line in a BD-2 District abuts a residential district, FAR shall not exceed 2.5.
- ¹⁰ See section 45(a), section 45(a)(7) and section 12(b)(1)h.

(Ord. No. 1377, 5-16-05; Ord. No. 1412 (Rev. Sched. A, § 2), 5-1-06; Ord. No. 1726, Sched. A, 12-2-13)

ARTICLE IV. - RESIDENCE DISTRICTS: GENERAL PROVISIONS

In addition to the requirements contained elsewhere in this ordinance, the following provisions shall apply to all areas of the city contained within any residence district.

Section 21. - Conversion to a greater number of dwelling units and/or rooming units.

No existing **building** shall be converted to a greater number of **dwelling units** and/or rooming units unless in compliance with the requirements contained in the District Regulations for **lot area per dwelling unit, lot area per sleeping room, lot area** per square foot of **gross floor area**, and **usable open space**, and unless in addition:

- (a) One additional off-street **parking space** is provided for each **dwelling unit** in the **building** added by conversion (except that only one **parking space** shall be required for each two **elderly housing units**) and one off-street **parking space** is provided for each three beds in the **building** after conversion in the case of a **rooming, boarding or lodging house**. Such off-street **parking spaces** shall be provided on the same **lot** as the **building** being converted or (except in RS Districts) within 300 feet walking distance of an outside entrance to the **dwelling unit** or **rooming units** to which such **parking space** is assigned.
- (b) Stairways leading to the second or any higher floor are located within the walls of the **building** wherever practicable, and stairways and fire escapes are otherwise located on the rear wall in preference to either side wall and in no case on a front wall or side wall facing a street.

Section 22. - Reserved.

Editor's note— Ord. No. 1726, Sched. A, adopted Dec. 2, 2013, repealed former § 22 in its entirety which pertained to garden apartment buildings and derived from the 2003 republication of the zoning ordinance.

Section 23. - Residential principal buildings and rooming, boarding and lodging houses; size of courts and distance between buildings.

The following requirements shall apply to any one or more of such **buildings** constructed after the effective date of these regulations.

- (a) *Minimum horizontal distance between facing walls of a court :*
 - (1) Where both facing walls contain a window or windows; such distance shall be no less than 1.5 feet for each foot of **average height**, above the lower horizontal surface of the **court**, of the facing wall having the greater **average height**.
 - (2) Where only one of the facing walls contains a window or windows; such distance shall be no less than one foot for each foot of **average height**, above the lower horizontal surface of the

court, of the facing wall that has no windows.

(3) Where neither of the facing walls contains a window or windows: such distance shall be no less than five feet.

(b) *Minimum horizontal distance between two unattached buildings in single ownership located on a single lot: where any exterior wall of one building lies such that it can be intersected by a line drawn perpendicular to an exterior wall of the other building, such distance shall be 0.5 ft. for each foot of average building height of the taller of the twobuildings up to a maximum distance of 35 ft.*

(Ord. No. 1726, Sched. A, 12-2-13)

Section 24. - Accessory buildings.

- (a) All accessory *buildings* shall be subject to the provisions of section 25 with regard to location within required *yards* and to the District Regulations with regard to *building coverage*.
- (b) No *accessory building* shall have an *average height* of more than 12 feet for any portion of such accessory *building* that is located within a required *yard*. Any portion of an *accessory building* that is not located within a required *yard* may have such greater height as is permitted by the District Regulations. See illustration at end of this section.

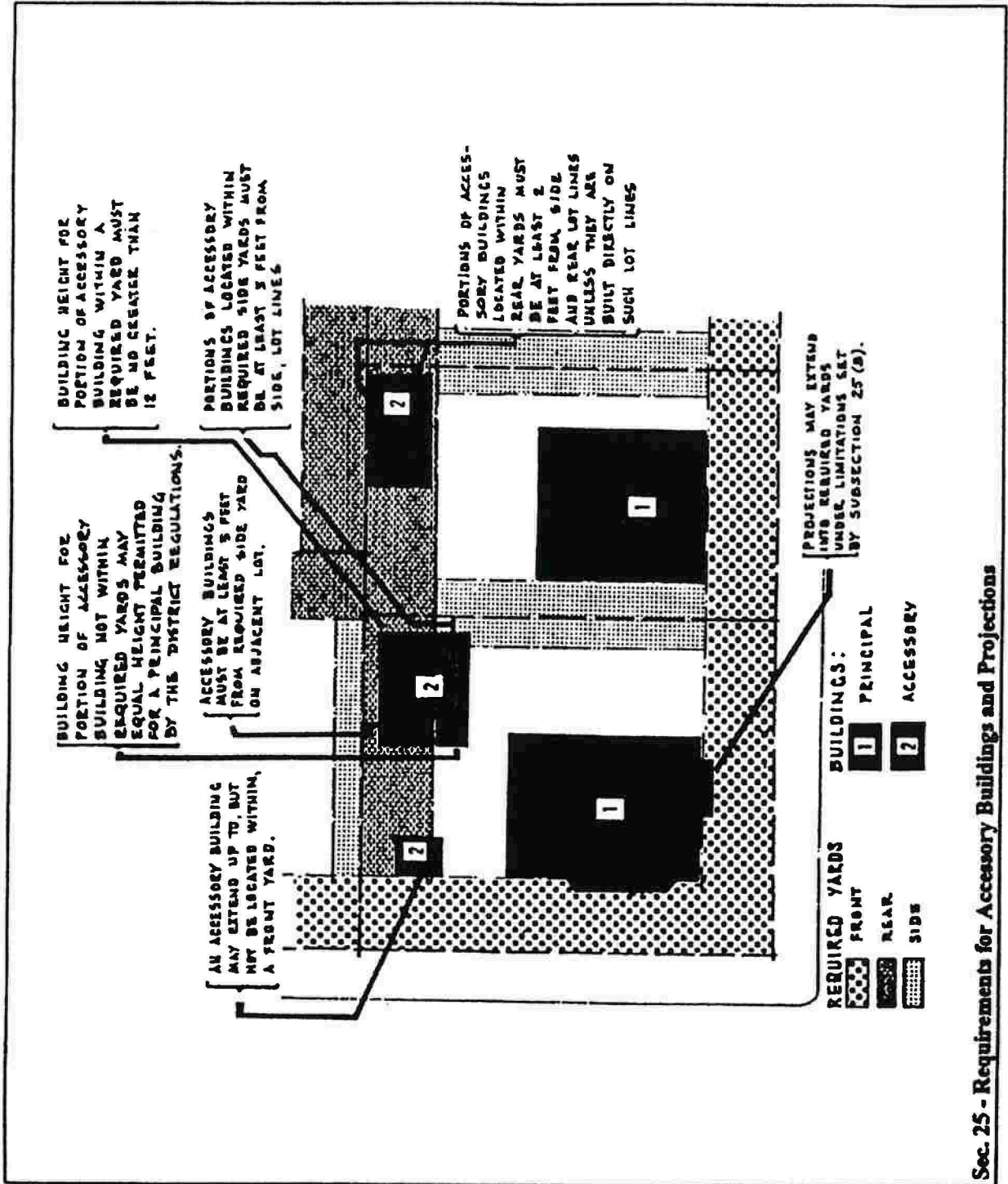
Section 25. - Structures within required yards utility meter, transformer or similar device placement.

- (a) No wall of a *building* shall extend beyond the outer face of a *building* foundation wall into a required *yard* for more than six inches.
- (b) A *projection* from a *building* may extend into a required *yard* for not more than one-third of the width of such required *yard*, but in no case more than five feet into such required *yard* for fire escapes, one-story open porches and steps leading up to the ground floor, or three feet into such required *yard* for all other projections, and in no case to within five feet of any *lot line*.
- (c) Fences and enclosure walls located in required *yards* shall not exceed eight feet in height.
- (d) No *accessory building* shall be located within any required *front yard*, except as provided in subsection 29(c) An *accessory building* may be located within any required *side yard* or *rear yard*, provided that no part of such *accessory building* shall extend within five feet of any side *lot line* if located within a required *side yard*, or within five feet of any required *side yard* located on an adjoining *lot*, and in no case shall any *accessory building* be closer than two feet to any *lot line* unless it is built directly on such *lot line*. (The Building Code should also be consulted on distance of structures from *lot lines*.) A one-story garage for storage of passenger cars that is on its own *lot* in an RM, RH or RO District may be located within required *yards* according to the standards of this subsection (d).
- (e) No utility meter, electric transformer, or other similar device shall be placed on the street facade

of any residential *structure*, or within any *front yard* in any residential district, except by variance from the board of zoning appeals, which shall make a written finding that a street facade of a *structure* or front *yard* is the only physically practicable location, and that the proposed installation is architecturally integrated with the *structure* or is so landscaped as to harmonize with the surroundings.

Upon a written determination by the zoning enforcement officer that the meter or device is provided with evergreen landscaping, fencing, or other means of buffering so that the proposed installation is architecturally integrated with the *structure* or is so landscaped as to harmonize with

the surroundings, a single structure with one to four *dwelling units* and not part of a larger development shall not be subject to this requirement. See illustration at end of this section.



Sec. 25 - Requirements for Accessory Buildings and Projections

Requirements for Accessory buildings and Projections

Section 26. - Fences and enclosure walls.

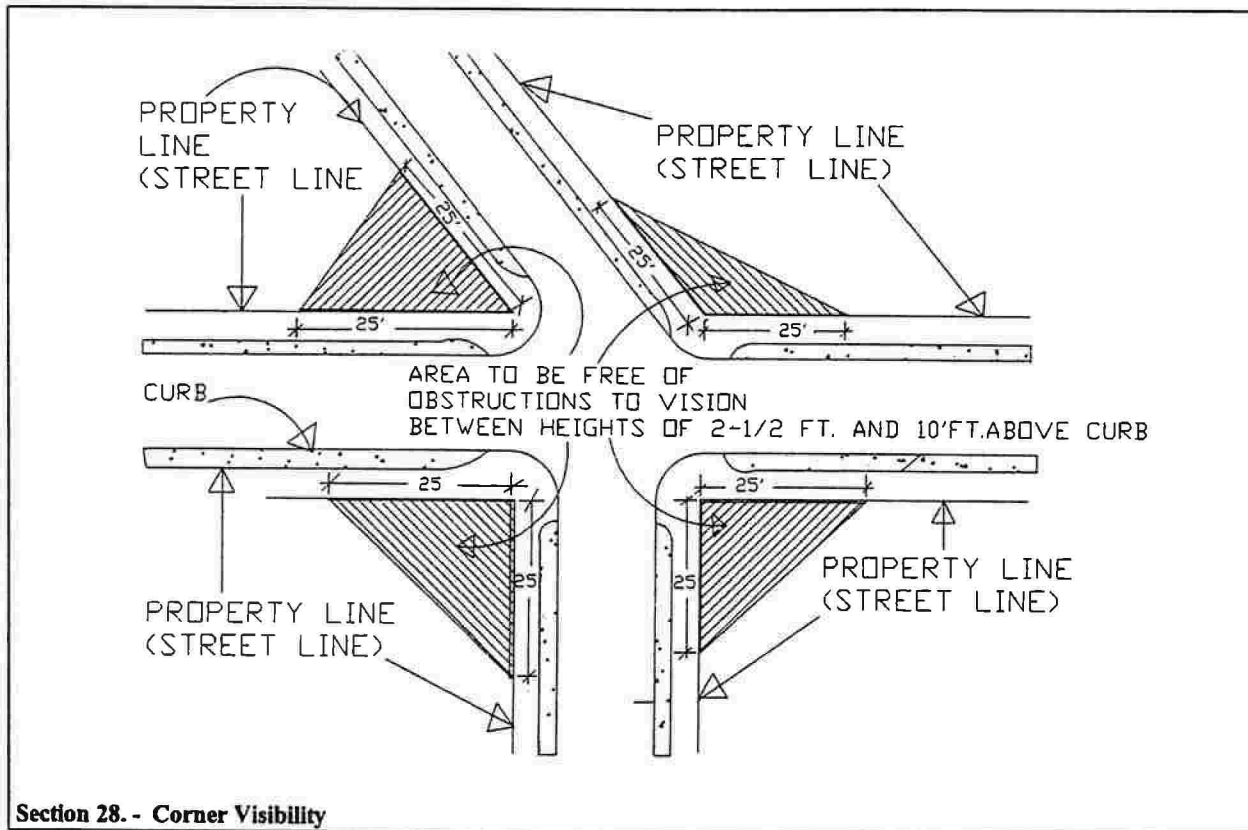
Fences and enclosure walls shall be subject to the provisions of section 25 if located within a required *yard*, and to the provisions of section 28 relating to corner visibility.

Section 27. - Reserved.

Editor's note— Ord. No. 1871, adopted September 3, 2019, repealed § 27, which pertained to signs and derived from original Code material. Similar provisions can be found in section 60.3.

Section 28. - Corner visibility.

On a corner lot in any residence district, other than the RH-2 District, no planting shall be placed or maintained, and no fence, building, wall or other structure other than necessary retaining walls shall be constructed after the effective date of these regulations, if such planting or structure thereby obstructs vision at any point between a height of two and one-half feet and a height of ten feet above the upper face of the nearest curb and within the triangular area bounded on two sides by two street lines, or by projection of such lines to their point of intersection, and on the third side by a straight line connecting points of such street lines (or their projections) each of which points is 25 feet distant from the point of intersection of the two street lines. Poles, posts, and guys for street lights and for other utility services, and tree trunks exclusive of leaves and branches, shall not be considered obstructions to vision within the meaning of this provision.



Corner Visibility

(Ord. No. 1726, Sched. A, 12-2-13)

Section 29. - Parking.

- (a) In any residence district *parking spaces* and bicycles spaces shall be provided in the amount and location specified by the regulations of that district. Where parking requirements are expressed as a ratio to beds, employees, floor area, etc., any fraction of the stated amount of beds, employees, floor area, etc., shall require one *parking space* or bicycle space, but after the first such *parking space* or bicycle space, only a fraction of ½ or greater shall require an additional *parking space* or bicycle space.
- (b) All *parking spaces* shall be 9 feet × 18 feet exclusive of adequate driveways and aisles, except, thirty (30%) of all parking spaces may be *compact car spaces* if located in a parking lot or structure that contains 20 or more *parking spaces*. All *parking spaces* shall have direct access to a circulation aisle, alley or street, be suitably surfaced and drained and be provided with bumper or wheel guards where needed. All parking areas containing three or more *parking spaces* shall include a turnaround designed and located so that vehicles can enter and exit the area without backing into the public right-of-way.
- (c) No *parking space* shall be located within any required *front yard*, except that: *parking spaces* (whether enclosed or not) may be permitted to be located within a required *front yard* by special exception under subsection 63(d) of this ordinance upon finding, among other things, that such *parking spaces* are necessary to the use with which they are connected, that they cannot be practically located elsewhere on the lot, that their location within a required *front yard* will not depreciate property values or cause vehicular or pedestrian traffic hazards or substantially decrease the open aspect of the street, and that such *parking spaces* are properly screened and otherwise arranged in accordance with the requirements of this ordinance.

A *parking space* or bicycle space may be located within a required *side yard* or *rear yard*, provided that no such *parking space* or bicycle space shall extend within two feet of any side of any *side lot line* or *rear lot line*; but a *parking space* or bicycle space within an *accessory building* shall follow the requirements of section 25 as to location within required *side* and *rear yards*.

- (d) A site shall provide two bicycle spaces for the first ten required or proposed *parking spaces* and one additional bicycle space for each additional ten required or proposed motor vehicle *parking spaces* or fraction thereof.

In any case of a *use* in a residence district for which ten or more motor vehicle *parking spaces* are required one bicycle *parking space* may be substituted for one motor vehicle *parking space* per each ten required motor vehicle *parking spaces* or fraction thereof.

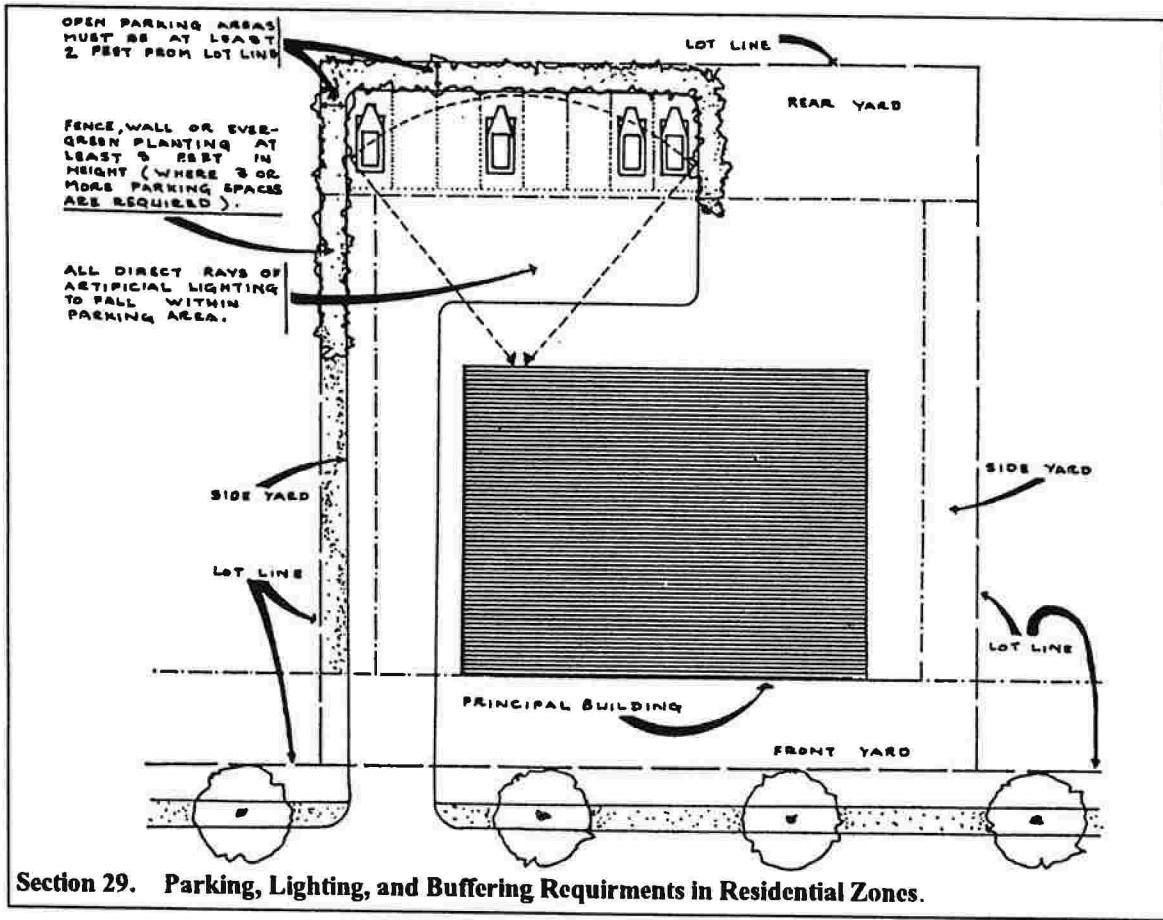
- (e) Bicycle *parking spaces* shall comply with designs approved by the City of New Haven Department of Transportation, Traffic and Parking and at a minimum must provide a bicycle rack that permits the locking of a bicycle frame and one wheel while supporting the bicycle in a stable position that

will not damage the bicycle or its components or interfere with pedestrian access to the sidewalk and ingress and egress to buildings or facilities. Required bicycle *parking spaces* are also subject to the additional following standards:

- (1) Short-term bicycle parking is intended to encourage bicycle use for shoppers, customers and visitors by providing convenient bicycle parking located adjacent to main entrances of buildings. It should be located within 50 feet of each main building entrance as measured by the most direct pedestrian access route.
- (2) Long-term bicycle parking provides safe and weather protected places for users requiring longer periods of bicycle storage such as residents, employees and students. Specific requirements include:
 - a. Long-term bicycle must be located on or within 100 feet of the site.
 - b. At least 50 percent of required spaces must be covered.
 - c. The area must be locked or secured.
- (3) Short and long range parking by use.
 - a. Multi-family residential: Short term—10%, long term—90%
 - b. Retail, restaurant: Short term—66%, long term —33%
 - c. Office: Short term—20%, long term—80%
 - d. Manufacturing and warehouse: Long term—100%
 - e. Medical uses: Short term—66%, Long term—33%
 - f. Other uses: To be determined by City Plan Commission
- (f) In the case of any use in a residence district for which three or more *parking spaces* are required, all *parking spaces* not within a building shall be provided with a suitable fence, wall or evergreen planting at least five feet in height, designed to screen noise, odors, visibility and headlight glare, and located between such parking spaces and any other lot in a residence district that abuts directly or across a street or alley. This requirement shall not apply to *parking spaces* located on a *lot* owned by a public housing authority.
- (g) All artificial lighting used to illuminate any *parking space* or *spaces* shall be so arranged that all direct rays from such lighting fall entirely within such parking space or spaces and shall comply with the requirements of Section 60.1 of these regulations regarding exterior lighting.
- (h) No sales or servicing or dead storage of automobiles or automotive equipment shall be carried on in any *parking space*.
- (i) The Board of Zoning Appeals shall have the power to lessen the requirements of this ordinance as to the number of *parking spaces* required and/or increase the maximum allowable *walking distance* to such *parking spaces*, but only upon a finding that either particular circumstance or mitigative measures qualify such action. Particular circumstance may include, but not be limited

to availability of public parking, proximity to public transit or significant levels of pedestrian access. Mitigative measures may include, but not be limited to van and/or car pooling, public parking validation programs, flexible work schedules or other transportation demand management measures. All deviations from normal requirements by means of this paragraph shall be considered as special exceptions under subsection 63(d) of this ordinance. In the case of any religious or educational institution or any hospital, which has an overall parking plan for all of its facilities which has been approved by the Board of Zoning Appeals, the limit of 300 feet **walking distance** shall not apply. Amendments to a parking plan that covers an area which include a planned development must be submitted for approval per section 65 of this ordinance. All deviations from normal requirements by means of this subsection 29(i) shall be considered special exceptions under subsection 63(d) of this ordinance, and the Board of Zoning Appeals may impose time limits where it finds that the continued adequacy of such other parking standards cannot be fairly predicted.

- (j) Where it is proposed that two or more **uses** for which a **parking space** or spaces are required make joint **use** of the same **parking space** or **spaces**, such joint use shall not be permitted unless:
 - (1) A special exception is granted under the provisions of subsection 63(d), upon a finding, among other things, that the proposed joint use of parking will meet the requirements of this ordinance for the two or more uses involved at the time when such uses are in operation.
- (k) Two **parking spaces** may be subtracted from the quantity of parking spaces required for a **use** or a **structure** for each **carsharing parking space** provided in a parking lot or structure containing 50 or fewer parking spaces serving such **use** or **structure**, provided, however, that in no event shall the number of **parking spaces** provided for a **use** or a **structure** (excluding **carsharing parking spaces**) be reduced by more than five percent of the **parking spaces** required for such **use** or **structure**. Five **parking spaces** may be subtracted from the quantity of parking spaces required for a **use** or a **structure** for each **carsharing parking space** provided in such parking lot or structure containing in excess of 50 **parking spaces**, provided, however, that in no event shall the number of **parking spaces** provided for a **use** or a **structure** (excluding **carsharing parking spaces**) be reduced by more than ten percent of the **parking spaces** required for such **use** or **structure**. Fifty percent of **carsharing parking spaces** at the same location may be **compact parking spaces**.
- (l) Once any required **parking space** has been established within the provisions of this section 29, whether on the same **lot** as the **structure** or **use** to which it is assigned or on a separate **lot**, such **parking space** shall not be discontinued if the result would be a reduction below the amount of parking required by this ordinance. Any such discontinuation of a **parking space** shall constitute a violation of this ordinance, and any existing building permit or certificate of occupancy that could not have been issued without the assignment of such **parking space** to the **structure** or **use** for which it was issued shall become null and void.



Parking, Etc., Requirements in Residential Zones

(Ord. No. 1357, § 3, 9-7-04; 1662, 9-19-11; Ord. No. 1685, Sched. D, 8-6-12; Ord. No. 1726, Sched. A, 12-2-13)

Section 30. - Parking trucks in residential zones.

No person having the custody and control of a vehicle or vehicles with capacities of more than half-a-ton, shall be permitted to park on any street in any residential zone at any time of the day or night. However, such vehicles shall be permitted in residential zones when in the conduct of a service being simultaneously performed.

Any operator or person operating such vehicle or vehicles in violation of the above provisions shall be subject to a penalty as set forth in section 30, herein.

(Ord. of 1-6-75; Ord. of 3-7-88, § 12)

Section 31. - Special provision for convenience goods and services in residence districts.

(a) *Statement of purpose.* This provision exists in order to provide for the continued availability in

certain residential neighborhoods of convenience goods and services to meet the daily needs of neighborhood residents within a short distance of their homes. It is intended that the *uses* allowed be limited to those which are both necessary to the neighborhood and so arranged that they will cause minimum conflict with the residential character of the area.

- (b) *Uses provided for.* Where provided for in the District Regulations, the supplying of any of the following convenience goods and services, entirely at retail, shall be considered a *use* which may be permitted by special exception under the conditions of this section 31:
- (1) **Convenience stores**, groceries and related goods, including incidental seating for a maximum of six people. No additional parking shall be required for incidental seating.
 - (2) Baked goods, including incidental seating for a maximum of six people. No additional parking shall be required for incidental seating.
 - (3) Package liquor, subject to section 42.1 of this zoning ordinance.
 - (4) Drugs or cosmetics, with or without an incidental soda fountain or lunch counter.
 - (5) Barbering.
 - (6) Beautician services.
 - (7) Laundering, cleaning, dyeing, with all business at retail on the premises, including pick-up station and any self-service laundromat.
 - (8) Tailoring.
 - (9) Shoe repair.
 - (10) Tobacco or news.
 - (11) **Accessory uses**, customarily incidental to the above permitted *uses*, occupying no more than 25 percent of the gross floor area of the establishment.
 - (12) One or two game machines as an **accessory use** provided the hours of operation shall not exceed those of the principal *use*, and meeting the general standards of section 42.2(b) of the zoning ordinance.
 - (13) Seasonal outdoor seating for a maximum of 15 seats may be provided on private property as an **accessory use** to shops selling baked goods, and groceries and related goods, and **convenience stores**. A maximum of 15 indoor and outdoor seats is permitted and no additional parking shall be required for seasonal outdoor seating. The City Plan Commission may adopt administrative regulations regarding the placement, spacing and storage of tables and chairs and other operational limits as it deems necessary. Special consideration shall be given to the placement, spacing and storage of tables and chairs and other operational limits on outdoor seating that is proposed to extend into the public right-of-way.
- (c) Existing *uses* of the above types may continue, but:
- (1) The rules of subparagraph 67(c)(6).b of this ordinance shall determine whether any *use* has

been abandoned, and any such *use* that has been abandoned shall not be reestablished except as a new *use* under subsection (d) below.

- (2) Conversion from one of the above permitted *uses* to another such *use* shall be considered the establishment of a new *use* under subsection (d) below.
 - (3) No alteration of a *structure* or of the remainder of the premises shall be made which creates or increases any nonconformity under the provisions of this ordinance.
 - (4) Any expansion of the amount of floor area and/or *lot area* occupied by the *use* or by functions incidental to it (such as parking and loading) shall be subject to the provisions of subsection (d) below.
- (d) New *uses* of the above types may be established, and existing *uses* expanded, only by special exception under subsection 63(d) of this ordinance, subject to the following standards in addition to others which may be applicable:
- (1) There must be a finding by the City Plan Commission that space for such a *use* is not available in nearby areas which are zoned for business, and that such new *use* or expansion of an existing *use* is necessary to serve the immediate neighborhood adequately with convenience goods or services, giving due consideration, among other things, to the character of the neighborhood, the density of development, the shopping habits of neighborhood residents, and the availability of public and private transportation. The clustering of two or more *uses* of diverse types, rather than scattering of such *uses*, shall generally be regarded as an advantage, but the existence nearby of a *use* of the same type as one which is proposed shall require a more extensive showing of necessity for the proposed *use*. As a general rule, clustering of *uses* shall not exceed 10,000 square feet of *net floor area* for all *uses* in a cluster.
 - (2) The *net floor area* used for sales or other business purposes in any establishment (excluding space used for storage and similar purposes) shall not exceed 1,500 square feet.
 - (3) In the case of new construction and additions and alterations, the *yard* requirements and other applicable Building Requirements in the District Regulations shall control.
 - (4) If the City Plan Commission determines that off-street parking is necessary, such parking shall be supplied in the quantity specified by the City Plan Commission, complying with the standards of section 29 of this ordinance.
 - (5) No business shall be conducted, and no goods, materials or equipment shall be stored, except in a fully enclosed *building*.
 - (6) Establishments of the "drive-in" type, offering goods or services directly to customers waiting in parked vehicles, shall not be permitted.
 - (7) The exterior presentation and design of storefront(s) shall be submitted as part of the special exception review. The following shall not be allowed on the exterior of a building or grounds:

telephones; on-premises or off-premises signs, banners, or temporary advertising materials except those permitted pursuant to section 29(a)(9) [these regulations]; security gates covering window and door openings; and vending machines.

- (8) The ground-floor storefront shall consist, at a minimum, 50% non-opaque visible windows.
- (9) The establishment shall maintain the property free of trash and debris, shall provide a regular maintenance schedule.
- (e) All **uses** permitted by this section shall comply with the requirements for signs in section 27 of this ordinance.

Section 32. - Standards for flag or corridor lots in RS-1 and RS-2 Residence Districts.

- (a) *Supplemental statement of purpose.* This provision exists to protect the character, privacy and fabric of established single family residential neighborhoods in the City of New Haven, and recognizes that the effects of development of residences on flag or corridor lots poses unique problems which require additional standards to assure compatibility with existing surrounding uses.

These additional standards for review exist in order to protect neighborhoods, to minimize conflicts with adjacent uses and the surrounding area, to assure the health and safety of the public by providing adequate buffering and parking on site, to provide adequate circulation within and egress from the premises, and to assure compatibility with surrounding uses by incorporating building massing, design, and materials which are compatible with surrounding structures.

- (b) *Uses provided for.* The development of **flag** or **corridor lots** shall be permitted by special exception under the standards of subsection 63 and the additional standards of this section 32.
- (c) *Additional standards for review of flag or corridor lots.*
 - (1) The effect of interior and exterior noise on immediate neighbors and other nearby **uses**.
 - (2) Architectural compatibility with existing area **structures** in terms of scale, massing and materials.
 - (3) The adequacy of on-site parking and potential impacts on adjacent or nearby residential **uses**.
 - (4) The placement and adequacy of landscaping, fencing, lighting and other exterior features which may affect the privacy of the subject property and abutting land **uses**.
- (d) *Building requirements.*

Minimum **lot area**: 7,500 sq. ft.

Minimum **average lot width**: 60 feet.

Maximum **building coverage**: 30%, including accessory structures.

Maximum **building height**: Such height shall not exceed three stories or an **average height** of 35 feet.

Minimum distance between **principal buildings**: There shall be a minimum distance of 50 feet from an abutting pre-existing residential principal structure regardless of property lines.

Yards:

Front and rear yards: 25 feet.

Side yards: 15 feet.

Minimum buildable area: A rectangle, excluding required **yards**, having a minimum dimension of not less than 30 feet by 75 feet.

Maximum impervious surface coverage: Total building and paved area (parking and walk-ways) shall not exceed 70% of the lot area.

(e) **Access and parking.**

- (1) **Parking**: One **parking space** for the first bedroom, and $\frac{1}{2}$ **parking spaces** for each additional bedroom, rounded to the next higher number if a fraction. All **parking spaces** shall be located on the same **lot**, a minimum distance of two feet away from any adjacent residential property, and shall conform to section 29 and the remainder of the General Provisions for Residence Districts in Article IV.
- (2) **Access corridor**: A **flag** or **corridor lot** shall be connected to a street by an **access corridor** having a width of not less than 16 feet nor more than 25 feet, and a length not more than 250 feet. The area of the **access corridor** shall not be included in determining the **lot** area.

(f) **Buffering and landscaping.**

- (1) **Buffer**: Any parking area with three or more cars shall be provided with a planting screen and suitable fence providing year round screening to shield cars from view from surrounding properties, and shall be maintained in good condition. The space between parking and any such planting screen or fence shall be landscaped with grass, shrubs or evergreen ground cover and maintained in good condition.
- (2) **Site perimeter**: If residential **uses** abut the site, any **lot line** between the residential uses shall be provided with a planting screen and suitable fence providing year round screening, and shall be maintained in good condition.

Section 33. - Wireless communications in residence districts.

Regulation of wireless communications in residence districts shall be subject to the policies and standards of section 49 of this ordinance.

Section 34. - Keeping of hens.

- (a) *Statement of purpose.* This regulation is intended to make provision for the limited keeping of female chickens, henceforth referred to as hens, on certain residential properties for the health, convenience and personal enjoyment benefits afforded by such use, in a manner which preserves the quality of life of the surrounding neighborhood.
- (b) No more than six (6) hens may be kept on any property located in the following residence zoning districts as a non-commercial accessory use:
 - RM-2
 - RS-1
 - RS-2
 - RM-1
- (c) The use shall be confined to a fenced enclosure of no more than 200 square feet in area, located in a rear yard. The fenced enclosure shall be at least 25 feet from any street line, at least 15 feet from any residential dwelling and at least five feet from any property line. In the instance that more than one distance requirement shall apply, the greater distance requirements shall apply.
- (d) Any portion of the enclosure located closer than ten feet to a property boundary or directly visible from a street line at any distance shall be screened by either a fence or a landscaped buffer of at least four feet in height.
- (e) A building shall be required for the hens. Any building used for this purpose shall be located at least ten feet from any lot line. All such buildings shall be constructed and all food products kept so as to prevent offensive odors and the presence of pests and predators.
- (f) No hens may be kept inside any structure used for residential purposes.
- (g) No rooster shall be kept on any property.
- (h) The keeping of hens shall be conducted in a manner consistent with and in compliance with the Health Code of the City of New Haven.

(Ord. No. 1598, § 1, 9-8-09)

Sections 35—40. - Reserved.

Zoning

ARTICLE V. BUSINESS AND INDUSTRIAL DISTRICTS

ARTICLE V. BUSINESS AND INDUSTRIAL DISTRICTS

Section 41. - Description and purpose of business and industrial districts.

The Business and Industrial districts contained in this zoning ordinance are established to provide for the most rational and orderly separation of land uses according to their function in the city, and to fulfill the other purposes of zoning. The regulations herein adopted are hereby found and declared to be appropriate to New Haven and in accordance with a comprehensive plan designed for the continued vitality and development of the city. The following statements of description and purpose outline the main functions of these districts in the zoning plan.

Business A Districts—General Business. These districts serve several functions. They provide central concentrations of convenience goods and services for one or more neighborhoods, supplemented by more scattered stores for such goods and services within the neighborhoods provided for under a special provision of the regulations for residence districts. They provide comparison shopper's goods, specialty goods, amusements and numerous services for less than a citywide market. And they also provide locations for small businessmen with a city-wide market who cannot operate in the downtown area. The predominant purpose of all these functions is retail trade.

Business A-1 Districts—Neighborhood Center Mixed Use. These districts serve as the commercial heart of their neighborhood, are of modest scale and pedestrian orientation, and seek to preserve and restore the historic architecture and urban pattern of the city. The emphasis is on neighborhood goods and services rather than comparison shopping, with a preference for smaller pedestrian-oriented, storefront retail, dining, and other appropriate uses. They are intended as mixed-use districts with a mixture of ground floor retail, small offices, and upper story residential dwellings. Buildings are oriented to the street, parking requirements are reduced and parking maximums established to encourage walkability and community over automotive-related sprawl. New development is required by form requirements and design guidelines to conform to the neighborhood context, to improve the retail character of the street as a neighborhood center, and to promote the health, safety and well being of residents by reducing sources of public nuisance and encouraging physical activity and community interaction and involvement.

Business A-2 Districts—Village Center Mixed Use. These districts serve distinct mixed-use communities woven into the larger tapestry of New Haven. Parking is reduced and density is increased to encourage development of neglected or vacant buildings into pedestrian-oriented storefront retail, dining, and other appropriate uses. Upper story residential dwellings are encouraged along commercial strips and ground floor residential dwellings are encouraged on side streets. Height limits are maintained to prevent over-development, but the district otherwise does not restrict property owners' ability to employ a range of architectural styles.

Business B Districts—Automotive Sales. These districts follow a deliberate policy which recognizes the importance of automotive sales to the city and further recognizes that such sales can perform their function in the best and most integrated manner by concentration in certain areas of the city. Establishments for the sale of new vehicles, and for the sale of large numbers of used vehicles, are concentrated in these areas, from which non-related uses are excluded in order to assure the maximum development of automobile sales and related uses.

Business C Districts—Marine. These districts exist to separate out certain waterfront areas which have—and are encouraged to be—a mix of water-dependent public access, recreational boating, public and private marinas, commercial and recreational fishing, community based, water related activities and waterfront residential environments.

Business D District—Central Business. This district comprises the main downtown section of the city, known in planning terms as the Central Business District (CBD). Here are concentrated activities that have primarily a citywide and regional function: large stores offering comparison shopper's goods, specialty stores, business services, banks, offices, theaters, hotels and government buildings. Land use is intensive and this intensity of uses is one of the main determinants of the vitality of the Central Business District. It is the purpose of these regulations to encourage such intensity of use and to exclude activities which have a negative effect upon the proper functioning of the downtown area.

Business D-1 Districts—Central Business/Residential. These districts include appropriate downtown areas which have concentrations of historic structures suitable for both residential and commercial use. This district concentrates residential uses at high density mixed with activities that have both a city-wide and district-wide function: small stores offering comparison shopper's goods, specialty stores, business services, offices and entertainment uses. The use of land is intensive, but respects the historic character of existing historic structures. It is the purpose of these regulations to encourage preservation of existing historic structures, conversion of existing structures to residential use, high intensity of use, and to exclude activities that have a negative effect upon the proper functioning of National Register Historic Districts or of the larger downtown.

Business D-2 Districts—Central Business/Medical. This district Includes appropriate areas in and around the city's hospitals and medical centers having high density medical institutional uses including hospitals, clinical, laboratory or bioscience research space, patient care medical offices, and supportive accessory uses, with pedestrian-friendly ground floor retail uses in some buildings. The district allows intensive use of land for such uses subject to site plan approval to further the city's policy of encouraging dense development of institutional uses within concentrated areas in and around the Central Business District while maintaining a human-scale streetscape. It is the purpose of these regulations to allow such intensity of hospital, medical, research and medical institutional uses in combination with street-level retail uses encouraging pedestrian connections between the medical areas and adjacent neighborhoods and business districts, and to exclude uses which are incompatible with or would have a negative effect upon the functioning of hospital, medical and research and medical institutional uses.

Business D-3 Districts—Central Business/Mixed-Use. These districts in the urban core are reserved for intensive development, including multi-story and mid and high rise buildings. They provide for mixed uses, including hospital outpatient clinics, other medical clinics, biotechnology research centers, high and medium density residences, offices, and commercial uses, including retail shops and restaurants. These districts also connect the city's central business and medical and educational districts with each other and with the city's transportation center at Union Station. The Central Business/Mixed Use districts are pedestrian, bicycle and transit friendly. Uses on the ground floors of nonresidential and mixed use buildings that face public rights-of-way in these districts should include retail and active uses that are in part or in whole transparent from sidewalks and streets.

Business E Districts—Wholesale and Distribution. These districts furnish goods and services that are mainly used in support of retail trade for the city and the region. The principal activities located here are wholesaling, warehousing, transportation, heavy business services, distribution, and some incidental processing. Such functions are generally located in such a position that they can support the Central Business Districts and at the same time concentrate their heavy traffic requirements near the main arteries for movement of goods and services.

Commercial Gateway Districts. The purpose of the Commercial Gateway District (CGD) is to encourage the development of a complementary mixture of appropriately intensive commercial and higher-density residential land uses that serve as strong gateways to Downtown. CGDs are intended to be pedestrian-friendly, livable, urban neighborhoods that link to Downtown and provide a transition to surrounding lower-density residential uses. Specifically, regulations for CGDs seek to foster the revitalization of historic commercial corridors; encourage private investment; encourage the development of safe, efficient, user-friendly pedestrian, bike and transit systems; and, improve the functional and visual quality of development.

CGDs are intended to spur innovative and sustainable development of complementary, transit-supportive residential and commercial uses. The scale and density enable housing for households with diverse incomes, and employment opportunities. New development will be designed to foster street-level activity through land use, site and building layout, and the provision of pedestrian amenities and improvements that create an inviting, safe and vibrant sense of place. Parking will be sufficient to accommodate residents and employers but will not detract from transit use or the pedestrian realm.

The following sub-district of the CGD zone is established to enable unique design standards within this distinct CGD zone.

CGD—Whalley Ave.: This sub-district extends from the intersection of Howe Street and Whalley Avenue north along Whalley Avenue to the intersection of Pendleton Street and Whalley Avenue. It includes all parcels in the specified corridor that abut Whalley Avenue and those between Whalley Avenue and Goffe Street as shown on the Zoning Map. In 2019, Whalley Ave, is a wide boulevard dominated by automobiles and automobile-centric uses. It is the intent and vision of this sub-district to create a continuous building wall with diverse uses, and to improve the public realm for pedestrians, bike and transit users through redevelopment and infill.

Industry L Districts—Light Industry. These districts, in common with other business and industrial districts, are regulated by a set of performance standards prescribing upper limits for nuisance factors such as noise and smoke. Industries are permitted which keep within those limits, as well as business uses which generally support and are integrated with other uses in such districts. Further development of residences is prohibited from these districts and also from Industry H and Business E Districts, in order to conserve the supply of heavy commercial and industrial land and to prevent residences from being established under strongly adverse conditions. Industry L Districts are characterized in general by less intensive development and fewer outdoor uses than Industry H Districts.

Industry M Districts—Light Industry/Marine. These districts are regulated by a series of land use controls and performance measures in areas of the city with both waterfront and industrial characteristics with limited freight transportation connections and/or located in close proximity to a residential neighborhood. Uses allowed within the district are both marine and light industrial in nature.

Industry H Districts—Heavy Industry. These districts have many regulations similar to those in Industry L Districts. They are apt. however, to be more intensively developed and to contain older and heavier industries. These districts also contain vacant industrial land with a high potential for development. Fewer business uses are contained in these districts than in Industry L Districts. Less restriction is placed upon outdoor uses, although such uses must conform to the performance standards which apply to other industries. Certain uses, with established functions in the economy but having a well-known nuisance potential, are permitted only in Industry H Districts and there only by special exception.

(Ord. No. 1410, § 1, 3-2-06; Ord. No. 1412 (Rev. Sched. A, § 3), 5-1-06; Ord. No. 1614, § 1, 3-1-10; Ord. No. 1685, Sched. D, 8-6-12; Ord. No. 1842, Sched. B, 6-4-18; Ord. No. 1886, Sched. C, 1-17-20)

Section 42. - Use regulations for business and industrial districts.

The following table describes the **uses** permitted in each business or industrial district.

In any case where a **use** is not specifically referred to by the following table, its status under this section shall be determined by the zoning enforcement officer, by reference to a clearly analogous use or uses that are specifically referred to by the table. When the status of a use has been so determined by the zoning enforcement officer, such determination shall thereafter have general applicability to all uses of the same type. For uses that are not specified and are not clearly analogous to uses specifically referred to in the following table, an application must be made either for an amendment to the zoning ordinance or for a use variance with the Board of Zoning Appeals.

Accessory uses customarily incidental to uses in the table are permitted in connection with such uses. Such **accessory uses** may include residences of caretakers and other such persons who must live in the area for the convenience of business or industry, and their dependents.

Matters closely related to use are regulated by:

- (1) Bulk and yards § 43 and § 47
- (2) Signs§ 60.3
- (3) Parking and loading§ 45
- (4) Automotive and drive-in establishments§ 45
- (5) Outdoor activities and storage§ 46
- (6) Performance standards§ 48

ZONING DISTRICT ABBREVIATIONS

BA:	General Business
BA-1:	Neighborhood Center Mixed Use
BA-2:	Village Center

BB:	Automotive Sales
BC:	Marine Commercial
BD:	Central Business
BD-1:	Central Business/Residential
BD-2:	Central/Business/Medical
BD-3:	Central Business/Mixed-Use
BE:	Wholesale and Distribution
CGD:	Commercial Gateway District
IL:	Light Industry
IM:	Light Industry/Marine
IH:	Heavy Industry

INTERPRETATION OF USE TABLE

R:	Permitted as of right
SE:	Permitted only by special exception under <u>§ 63(d)</u> of this ordinance
SP:	Permitted only by special permit under <u>§ 64(e)</u> of this ordinance
X:	Not permitted

Parking:	Key letters refer to Parking Standards in <u>§ 45(a)(1)a.</u>
Loading:	Key letters refer to Loading Standards in <u>§ 45(a)(1)b.</u>

TABLE 3. USE TABLE

Key: R - Permitted As-of-Right SP - Special Permit SE - Special Exception X - Not Permitted NA - Not Applicable
 In case of conflict between this Table 3 and the text of the Zoning Ordinance, the text shall prevail.

Use	BA	BA-1	CGD	BA-2	BC	BD	BD-1	BD-2	BD-3	BE	IL	IM	IH	Parking ⁽⁵⁾	Loading ⁽⁵⁾
A. Residential Uses															
1. Dwelling units in multi-family dwellings located above first stories of structures at a maximum density of one unit per 1000 sq. ft. of gross floor area of entire building and limited to gross floor areas as defined in the New Haven Zoning Ordinance. Except that properties subject to Development or Land Disposition Agreements involving the City of New Haven shall not be subject to the above density limitation	R	R	R	R	SP	R	R	R	R	X	NA	X	X	c	y

<p>2. Dwelling units in multi-family dwellings located on first stories only in combination with upper story residential use (if applicable) at a maximum density of one unit per 1000 sq. ft. of gross floor area of entire building and limited to gross floor areas as defined in the New Haven Zoning Ordinance. Except that properties subject to Development or Land Disposition Agreements involving the City of New Haven shall not be subject to the above density limitation</p>	SP	SP	SP	R/SP	SP	SP	SP	SP	SP	SP	X	NA	X	X	c	y
<p>3. Dwelling units in existing structures of at least 50,000 sq. ft. gross floor area and no less than two stories in height built prior to 1963, at a maximum density of one unit per 1000 sq. ft. of existing gross floor area and limited to gross floor areas as defined in the New Haven</p>	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	SP	NA	NA	c	

<p>Zoning Ordinance except that a maximum five percent increase in building gross floor area for non-habitable areas of interior circulation (i.e., elevators, stairwells and common hallways) is permitted regardless of site floor to area ratio. Commercial Use in such structures or on such properties limited to those permitted in both the IL District by right or Special Permit and either in BA, BA-1, BD-2 or BD-3 Districts by right, Special Exception or Special Permit and excluding all uses listed in Sections M. (Automotive) and O. (Construction and Related Goods and Services) of this table (Table 3)</p>																
<p>4. Custodial care facilities (See § 19)</p>	SE	SE	SE	SE	X	SE	SE	R	X	X	X	X	X	X	See Section 19	y

5. Live-Work Loft Residences Pursuant To Article III <u>Section 18A</u>	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	See <u>Section 18A(a)(3)</u>	y
6. Live-Work Unit— (Post 1963 and new structures) (See definition)	X	X	X	SP	X	X	X	X	SP	X	X	X	X	See <u>Section 18A(a)(3)</u>	y	
7. Assisted Living (see definition), Elderly and Disabled Housing	R	R	R	R	X	R	R	R	R	X	X	X	X	c	y	
B. Transient Lodging																
Rooming or boarding house.	R	X	SP	X	X	R	X	X	X	X	X	X	X	b	none	
Hotel, Bed Breakfast or Tourist Home, 12 or fewer guest rooms	R	R	SP	R	SP	R	R	R	R	X	X	X	X	a	y	
Hotel, Bed Breakfast or Tourist Home, <u>13</u> or more guest rooms	R	X	SP	SP	SE	R	R	R	R	X	X	X	X	a	y	
Motel.	R	X	X	X	SE	R	X	X	X	X	X	X	X	a	y	
C. Sale of Food, Drink & Pharmaceuticals																
STORE SELLING ITS GOODS PREDOMINANTLY AT RETAIL ON PREMISES, AS FOLLOWS:																

Bakery (Wholesale bakery, see <u>§ 42 S.</u> Heavy Commercial).	R	R	R	R	X	R	R	R	R	R	R	X	X	n	x
Pharmacy or Cosmetic store, including sale of goods and services customarily incidental thereto.	R	R	R	R	SE	R	R	R	R	R	R	X	R	n	x
Convenience store	R	SP	SP	X	SP	R	R	R	R	R	X	R	R	n	x
Food specialty store, including but not limited to following lines: Eggs, fish, meat (excluding slaughtering and eviscerating), poultry (excluding slaughtering), fruits, nuts, candy, teas, coffee, confection, dairy products, health foods, vegetables.	R	R	R	R	SE	R	R	R	R	X	R	X	X	n	x
Grocery, Delicatessen, Supermarket or other store carrying a variety of food and related goods.	R	R	R	R	SE	R	R	R	R	X	R	X	X	n	
Package Alcoholic liquor, subject to <u>§ 42.1.</u> provisions.	R	SE	SE	SE	X	R	R	R	R	R	R	X	R	n	x

Poultry market, including slaughtering of poultry for sale on the premises (for other slaughtering, see <u>§ 42 T.</u>).	SE	SE	X	X	X	SE	X	X	X	X	X	X	X	X	n	x
D. Personal Services																
Barber shop, beauty shop, reducing salon.	R	SE	R	R	SE	R	R	R	R	X	R	X	X	n	y	
Laundry, cleaner, dyer, clothing storage establishment (all, including pick-up station), or self-service laundromat, all performing services entirely for retail trade on premises. (For wholesale cleaning, laundering, dyeing, diaper service see <u>§ 42 S.</u>).	R	SE	R	SE	SE	R	R	R	R	X	R	X	X	n	x	
Health clubs, gyms, personal training, with associated classes	R	R	R	R	X	R	R	R	R	X	R	X	X	n	x	
Tailor, dressmaker, shoe shine or shoe repair shop.	R	R	R	R	X	R	R	R	R	X	X	X	X	n	x	

	Repair shop for repairs or adjustments to appliances, watches, locks and similar items.	R	R	R	R	X	R	R	R	R	R	X	X	X	n	x
	Photographic studio.	R	R	R	R	X	R	R	R	R	X	X	X	X	n	y
	Travel agency, travel ticket office.	R	R	R	R	X	R	R	R	R	R	X	X	X	n	y
	Vocational, trade or business school.	R	SE	SE	SE	X	R	R	R	R	R	R	X	X	r	y
	Driving school	R	SE	SE	SE	X	X	X	X	R	X	X	X	X	r	y
	Funeral home.	R	SE	SE	X	X	R	R	R	X	X	X	X	X	p	y
	Gun and weapons repair, firearms training.	SE	X	X	X	X	SE	X	X	X	SE	SE	X	SE	n	y
	Firing range.	X	X	X	X	X	X	X	X	X	X	SE	X	SE	n	y
	Pawn shop or swap shop (may include second-hand goods, precious metals purchase or resale), provided no location is within 1,500 feet from the outside entrance to another such use.	SE	SE	SE	X	X	SE	X	X	X	X	X	X	X	n	y
E.	Eating, Drinking Places & Entertainment															

<p>ESTABLISHMENTS SELLING FOOD OR BEVERAGES FOR IMMEDIATE CONSUMPTION ON OR OFF PREMISES, INCLUDING ESTABLISHMENT WHERE LIVE ENTERTAINMENT IS A PRINCIPAL OR ACCESSORY USE.</p>																
<p>FOR PURPOSES OF THIS ZONING ORDINANCE A CHANGE FROM ONE CLASSIFICATION OF EATING, DRINKING OR ENTERTAINMENT ESTABLISHMENT TO ANOTHER SHALL BE CONSIDERED A NEW USE.</p>																
<p>EATING AND DRINKING PLACES</p>																
<p>Establishment selling food for immediate consumption on or off premises.</p>	R	R	R	R	SE	R	R	R	R	R	R	SP	R	p	x	

<p>Restaurant, as defined in Article I, <u>Section 1</u>, selling or serving alcoholic beverages for immediate consumption on or off premises, including accessory entertainment, or permitting immediate consumption of alcoholic beverages on or off premises, including accessory entertainment.</p>	SE	SE	R	SE	SE	R	R	R	R	SE	R	SP	R	p	x
<p>Other establishment selling or serving alcoholic beverages for immediate consumption on or off premises, including accessory entertainment, or permitting immediate consumption of alcoholic beverages on or off premises, including accessory entertainment.</p>	SE	SE	SE	SE	SE	R	SE	SE	R	SE	R	SP	R	p	x
<p>Drive-in establishment selling food for immediate consumption on or off premises—More than 250 feet from any residential use.</p>	R	X	SE	X	X	R	X	X	X	R	X	X	R	p	x

Drive-in establishment selling food for immediate consumption on or off premises— Within 250 feet of any residential use.	SE	X	X	X	X	X	X	X	X	X	SE	X	X	SE	p	x
ADULT ENTERTAINMENT ESTABLISHMENTS																
Adult cabaret less than 1,500 feet from another adult cabaret, bar in the same structure, or adult use as defined in <u>§ 42.3</u> of this ordinance.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	p	x
Adult cabaret more than 1,500 feet from another adult cabaret, bar in the same structure, or adult use as defined in <u>§ 42.3</u> of this ordinance:																
With Liquor Service.	X	X	X	X	X	SE	X	X	X	SE	SE	X	SE	p	x	
No Liquor Service.	X	X	X		X	SE	X	X	X	SE	SE	X	SE	p	x	
F. Vending Machines																

>	Vending machine selling food or personal articles or services, so placed that it is not beyond any street or building line, not within any required yard, and does not interfere with pedestrian or vehicular traffic.	R	X	R	SE	SE	SE	SE	SE	SE	R	R	X	R	NA	NA
	Pedestrian-accessible automatic teller machines (ATM) located in fully enclosed buildings or structures	R	R	R	R	R	R	R	R	R	R	R	R	R	NA	NA
G.	General Merchandise and Clothing															
	STORE SELLING OR RENTING ITS GOODS PREDOMINANTLY AT RETAIL ON THE PREMISES, AS FOLLOWS:															
	Apparel, including all apparel specialties.	R	R	R	R	X	R	R	R	R	X	X	X	X	n	x
	Department store (includes sale of specific items mentioned elsewhere in table, if customarily sold in store).	R	R	R	R	X	R	R	R	R	X	X	X	X	n	x

<p>Variety store (including sale of specific items mentioned in this table, if customarily sold in store).</p>	R	R	R	R	X	R	R	R	R	R	X	X	X	X	n	x
<p>H. Personal Goods</p>																
<p>SPECIALTY STORE SELLING OR RENTING ITS GOODS PREDOMINANTLY AT RETAIL ON THE PREMISES, INCLUDING BUT NOT LIMITED TO THE FOLLOWING LINES:</p>																
<p>Books, News Tobacco, Gifts, Cards, Art supplies, Stationery, Pets, Toys, Coins, Flowers, Jewelry, Leather goods, Luggage, Novelties, Sporting goods, Bicycles, Stamps, Hobbies, Art Work, Photo supplies, Music, Musical Instruments, Optical goods, Religious articles.</p>	R	R	R	R	SE	R	R	R	R	R	X	X	X	X	n	x

	Gun shops and accessory goods sales including ammunition, subject to <u>§ 42.4</u> zoning ordinance, provisions.	X	X	X	X	X	SE	X	X	X	SE	SE	X	SE	n	x
I.	Home Goods and Furnishings															
	STORE SELLING OR RENTING ITS GOODS PREDOMINANTLY AT RETAIL ON THE PREMISES, AS FOLLOWS:															
	China, glass, pottery.	R	R	R	R	X	R	R	R	R	X	R	X	X	n	x
	Antiques and second hand goods, excluding motor vehicles/parts, and excluding materials held only for discard or reprocessing.	R	R	R	R	X	R	R	R	R	X	R	X	X	n	x
	Fabrics, curtains, linens knitting & upholstery supplies.	R	R	R	R	X	R	R	R	R	X	R	X	X	n	x
	Furniture, floor covering, appliances.	R	R	R	R	X	R	R	R	R	X	R	X	X	n	x
	Farm & garden supplies, includes greenhouse, nursery.	R	R	R	R	X	X	R	X	R	R	R	X	X	n	x
	Hardware, paint, wallpaper.	R	R	R	R	X	R	R	R	R	X	R	X	X	n	x

SPECIALTY HOME GOODS & SKILLED TRADES WITH A COMBINATION OF ON PREMISES FABRICATION AND SALES, AS FOLLOWS:																	
Art work, art supplies, baskets, books, candles, curtains, dresses, fabrics, furniture, gifts, glass, jewelry, linens, musical instruments, optical goods, pottery, photography, printing, sporting goods, stationary, toys, upholstery.	R	R	R	R	R	R	R	R	R	R	R	SP	SP	SP	s		x
Music, Film and Recording Studio	SP	SP	R	SP	X	SP	SP	SP	SP	R	SP	SP	SP	s		x	
J. Financial Services																	
Bank or other credit agency.	R	R	R	R	X	R	R	R	R	R	R	X	X	n		y	
Broker investment company.	R	R	R	R	X	R	R	R	R	R	R	X	X	o		y	
Insurance company or agency.	R	R	R	R	X	R	R	R	R	R	R	X	X	o		y	
Remuneration, money order, notary establishments	SE	SE	SE	X	X	SE	SE	SE	R	SE	X	X	X	n		y	
Check cashing or payday loan establishments	SP	SP	SP	X	X	SP	SP	SP	X	SP	X	X	X	n		y	

K. Office																
OFFICE—NO STORAGE OF A STOCK IN TRADE (EXCEPT SAMPLES) OR HEAVY MATERIALS OR EQUIPMENT, & NO COMMODITIES SALE ON PREMISES, AS FOLLOWS:																
General, charitable, philanthropic, other professional.	R	R	R	R	X	R	R	R	R	X	R	X	X	o	y	
Radio or television stations studio and/or offices only.	R	R	R	R	X	R	R	R	R	R	R	X	X	o	y	
Utility, including exchange.	R	SP	SP	SE	SE	R	R	R	R	R	R	X	X	o	y	
Wholesale or distribution.	R	SP	SP	SP	X	R	R	R	X	R	R	X	X	o	y	
L. Amusements																

<p>ESTABLISHMENT SO ARRANGED THAT LIGHTS, NOISE, VIBRATION, AND ALL OTHER POSSIBLE DISTURBING ASPECTS CONNECTED WITH ITS OPERATION ARE ENCLOSED, SCREENED OR OTHERWISE CONTROLLED TO THE EXTENT THAT THE OPERATION OF THE ESTABLISHMENT WILL NOT UNDULY INTERFERE WITH THE USE AND ENJOYMENT OF STREETS OR PROPERTIES IN THE SURROUNDING AREA, AS FOLLOWS:</p>																
<p>Adult businesses, including adult bookstores, Adult theaters, adult entertainment centers, massage parlors, saunas, subject to <u>§ 42.3</u> provisions.</p>	X	X	X	X	X	X	X	X	X	R	R	X	R	n	x	
<p>Assembly hall.</p>	SE	SP	SP	SP	X	SE	SE	SE	SE	SE	SP	X	X	p	y	
<p>Bowling alley, billiard or pool hall, indoor amusement center.</p>	SE	SE	R	SE	X	SE	SE	X	SE	SE	SE	X	X	q	y	

Fair, carnival.	SE	SP	SP	SP	X	X	X	X	X	X	SE	X	SE	q	y
Game machines as an accessory use, subject to <u>§ 42.2</u> provisions.	R	R	R	R	SE	R	R	R	R	R	R	X	R	NA	NA
Game rooms, subject to <u>§ 42.2</u> provisions.	SE	SE	SE	SE	X	SE	X	SE	SE	SE	SE	X	SE	q	y
Miniature golf, golf driving range.	SE	X	SE	X	X	X	X	X	X	X	SE	X	X	q	y
Music or dancing school.	R	X	R	R	X	R	R	X	R	X	R	X	X	r	y
Public access park (passive or action recreation), open space or community garden	R	R	R	R	R	R	R	R	R	R	R	R	R	NA	NA
Social club, athletic club, lodge, veterans or fraternal organization, recreation facilities and community centers.	SE	SP	R	SP	X	SE	SE	SE	SE	SE	SE	X	X	q	y
State sponsored off-track betting facilities and teletrak facilities, teletheater or other legalized wagering systems, facilities & services.	X	X	X	X	X	SE	X	X	X	X	X	X	SE	q	y
Theater, excluding drive-in, 250 or fewer seats.	R	R	R	R	X	R	R	X	R	X	X	X	X	p	y

Theater, excluding drive-in, 251 or more seats.	R	SP	R	SP	X	R	SE	X	R	X	X	X	X	p	y
Trampoline center.	SE	X	SE	X	X	X	X	X	X	X	R	X	X	q	y
M. Automotive															
ESTABLISHMENT CONFORMING TO STATE OF CONNECTICUT REGULATIONS AND § 45, AS FOLLOWS:															
Sale of automotive accessories, parts, tires, batteries, other supplies.	R	X	R	X	X	R	R	X	X	R	R	X	R	See 45(b)	See 45(b)
Gasoline station, as defined by Ch. 250, C.G.S.	SE	X	SE	X	X	SE	SE	SE	SE	SE	SE	X	SE	See 45.B	See 45(b)
Car wash (a/k/a auto laundry).	SE	X	P	X	X	X	X	X	X	X	X	X	X	See 45(b)	See 45(b)
Motorcycles: Sale or rental with inventory, repair.	X	X	SE	X	X	X	X	X	X	X	R	X	X	See 45(b)	See 45(b)
Automobiles, automobile trailers, and trucks.															
1. Repair of such vehicles, no full body paint spraying or body and fender work except replacement.	R	X	X	X	X	SE	X	X	X	R	R	X	R	See 45(b)	See 45(b)

<p>2. Repair of such vehicles, including full body paint spraying and all body and fender work.</p>	SE	X	X		X	SE	X	X	X	SE	R	X	R	See 45(b)	See 45(b)
<p>3. Rental of such vehicles with inventory. Inventory within structure shall be permitted by special exception.</p>	R	X	X	X	X	R	X	SE	SE	R	R	X	R	See 45(b)	See 45(b)
<p>4. Sale of such vehicles with inventory when used, where incidental to operation of a gas station or repair garage, and where no more than five used vehicles for sale are kept on premises at one time.</p>	SE	X	X	X	X	SE	X	X	X	R	R	X	R	See 45(b)	See 45(b)
<p>5. Sale of such vehicles with inventory when used, with no limit on quantity of vehicles.</p>	X	X	X	X	X	X	X	X	X	X	R	X	R	See 45(b)	See 45(b)
<p>6. Sale of such vehicles with inventory when new:</p>															
<p>a. Automobiles.</p>	X	X	X	X	X	X	X	X	X	X	X	X	X	See 45(b)	See 45(b)

b. Automobile trailers or trucks.	X	X	X	X	X	X	X	X	X	X	R	R	X	R	See 45(b)	See 45(b)
Sale or rental of any vehicle described above, with no inventory of such vehicles kept on premises, but with incidental show models and demonstrator vehicles permitted in case of sales.	R	X	X	X	X	R	R	SE	SE	R	R	R	X	n	y	
N. Marine																
Marina, yacht club with up to four slips.	X	X	X	X	R	X	X	X	X	X	X	SP	X	u	y	
Marina, yacht club with more than four slips.	X	X	X	X	SP	X	X	X	X	X	X	SP	X	u		
Fishing, fish sales (including shellfish).	X	X	X	X	SP	X	X	X	X	R	X	R	X	n	x	
Sale of boats, boat parts & accessories, fishing equipment, boat fuel & ice, & similar supplies.	X	X	X	X	SP	X	X	X	X	R	R	R	R	n	x	
Boat rental or charter, boat sightseeing.	X	X	X	X	SP	X	X	X	X	R	X	R	R	q	y	
Boat building, repair, service and storage:																
100 foot length or less.	X	X	X	X	SP	X	X	X	X	X	R	R	R	s	x	

Over 100 foot length.	X	X	X	X	SP	X	X	X	X	SE	R	SP	R	s	x
Deep-sea shipping facility or Seaplane base.	X	X	X	X	X	X	X	X	X	SE	R	X	R	s	x
Salvage or dredging company.	X	X	X	X	X	X	X	X	X	X	X	X	R	s	x
O. Construction & Related Goods & Services															
Home improvement company, interior decorator, upholsterer, furniture repairer, general contractor, special trade contractor or worker, building materials, sign making, fuel or ice, with all storage of goods, materials & equipment (other than off-street parking and loading of vehicles) and all processing and manufacturing kept within a completely enclosed building(s) & the entire establishment occupies 2,000 square feet or less of net floor area.	R	R	R	R	X	R	R	X	R	R	R	R	R	s	See <u>§ 45</u>

Same uses as above, with no limit as to floor area or enclosure, except as specified in <u>§ 46 & § 47(c)</u> .	X	X	X	X	X	X	X	X	X	X	R	SP	SP	R	s	x
Off-site Construction Staging Area:																
Less than 1,000 SF total area.	R	SP	SP	X	SP	SP	SP	SP	SP	R	SP	SP	R	NA	NA	
1,000 SF or more total.	SP	X	X	X	SP	SP	SP	SP	SP	SP	SP	SP	X	SP	NA	NA
Monument sales establishment, with incidental processing to order (excluding shaping of stones & similar processes).	R	SE	SE	SE	X	X	X	X	X	X	R	R		R	s	x
Monument sales establishment or monument works, with no limit as to processes.	X	X	X	X	X	X	X	X	X	X	X	R	X	R	s	x
P. Business Goods																
ESTABLISHMENT SELLING OR RENTING ITS GOODS PREDOMINANTLY AT RETAIL ON PREMISES, AS FOLLOWS:																
Office equipment and supplies.	R	R	R	R	X	R	R	X	R	R	R	SP	X	n		x

	Business machines or scales.	R	R	R	R	X	R	R	X	R	R	R	SP	X	n	x
	Restaurant or bar supply.	R	R	R	R	X	R	R	X	R	R	R	SP	X	n	x
	Dental, hospital, beauty, barber, store or lab supply.	R	R	R	R	X	R	R	R	R	R	R	SP	X	n	x
Q.	Business & Miscellaneous Personal & Public Services															
	Off premises signs, as regulated by <u>§ 44.1</u> :															
	Mini-panel.	SE	X	X	SE	SE	SE	SE	SE	SE	SE	SE	X	SE	NA	NA
	Poster, Bulletin or Spectacular.	R	X	X	X	X	X	X	X	X	R	R	X	R	NA	NA
	On premises signs, as regulated by <u>§ 44</u> .	R	R	R	R	R	R	R	X	R	R	R	X	R	NA	NA
	Ambulance service.	R	SP	SP	SP	X	R	X	R	R	R	R	X	R	s	y
	Cat Café	X	X	R	SE	X	X	X	X	X	X	X	X	X	NA	NA
	Caterer.	R	R	R	R	X	R	R	R	R	R	R	X	X	s	x
	Cold storage facility renting only individual lockers for home customer storage of food. (For other cold storage facilities, see <u>§ 42 S</u> . Heavy Commercial.)	R	X	X	X	X	R	X	X	X	R	R	X	R	s	x
	Conference Center	X	X	SP ³	X	SP	SP	X	SP	SP	X	X	X	X	p	y
	Convention Center	X	X	SP ³	X	X	SP	X	SP	SP	X	X	X	X	p	y

Commercial kennel or other establishment, where the care, breeding or sale of animals is the principal purpose of the enterprise, with no animals to be located within 500 feet of any residentially zoned property.	SE	X	X	X	X	X	X	X	X	X	X	SE	X	SE	s	x
Delivery service establishment, vehicles limited to one ton capacity (also see § 42 S. Heavy Commercial).	R	X	X	SE	X	R	X	X	X	R	R	X	R	s	x	
Employment agency.	R	X	R	SE	X	R	R	R	R	R	R	X	R	o	y	
Internal building cleaning, window cleaning.	R	R	R	R	X	R	SE	SE	R	R	R	X	R	s	y	
News distribution enterprise.	R	X	X	X	X	R	X	X	X	R	R	X	R	s	x	
Printing, engraving, or other reproduction services, limited to 2,000 square feet net floor area.	R	R	R	R	X	R	SE	R	R	R	R	R	R	s	none	
Printing, engraving, or other reproduction services with no limit as to floor area.	X	X	X	X	X	R	X	R	R	R	R	R	R	s	x	

Public or private pumping station	R	R	SE	R	R	R	R	R	R	R	R	R	R	R	s	y
Research or testing laboratory, including research and/or development laboratories which are High Technology Uses, limited to 2,000 S.F. net floor area used for laboratory purposes	X	X	R	SE	R	R	R	R	R	R	R	R	R	R	s	none
Research or testing laboratory with no floor area limit, including research and/or development laboratories which are High Technology Uses	X	X	X	X	SP	SP	SP	SP	R	R	R	R	R	R	s	x
Other High Technology Uses, High Technology Services and High Technology Equipment Design and Fabrication (see definitions)	X	X	R	SP	R	R	R	R	R	R	R	R	R	R	s	y
Self storage facility.	X	X	X	SP	R	R	R	R	R	R	R	R	R	R	i	y
Special workplace daycare Family Daycare Home, Group Daycare Home, and Child Daycare Center.	R	R	R	R	SE	R	R	R	R	R	R	R	R	R	i	y

Uniform sales or rental establishment.	R	R	R	R	X	R	R	R	R	R	R	X	R	s	x
Vending machine operator or repairer.	R	SE	SE	X	X	R	X	X	X	R	R	X	R	s	x
Veterinarian, pet daycare and pet groomer (excluding establishment where care, breeding or sale of animals is the enterprise's main purpose and/or where animals are boarded overnight) with all facilities within fully enclosed building(s).	R	R	R	R	X	R	SE	X	R	R	R	X	X	m	y
R. Transportation															
On or off-site parking lot or parking structure for employees, customers, or visitors for any business or industrial use, or commercial parking lot or parking structure, also as regulated by § 45 of this ordinance and excluding auto sales, service and rental except as otherwise permitted by this Use Table.	R	R	R	R	R	R	R	R	R	R	R	R	R	NA	NA

<p>On or off-site parking lot or parking structure containing between <u>26</u> and 200 parking spaces for employees, customers, or visitors for any business or industrial use, or commercial parking lot or parking structure, also as regulated by <u>§ 45</u> of this ordinance and excluding auto sales, service and rental except as otherwise permitted by this Use Table.</p>	R	SP	SP ²	SP	SP	R	R	R	R	R	R	R	R	NA	NA
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On or off-site parking lot or parking structure capable of containing 200 or more parking spaces for employees, customers, or visitors for any business or industrial use, or any commercial parking lot or parking structure capable of containing 200 or more parking spaces, also as regulated by § 45 of this ordinance and excluding auto sales, service and rental except as otherwise permitted by this Use Table.	SP	X	SP ²	X ²	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	NA	NA
Intercity passenger station or terminal, Railroad passenger station, or Heliport.	X	X	X	X	X	R	X	R	SP	R	R	X	SE	s	y	
Storage of commercial vehicles (where not an accessory use to another permitted use).	X	X	X	X	X	X	X	X	X	R	R	X	R	NA	NA	
Taxi dispatching station (no vehicle storage).	R	X	X	X	X	R	R	R	R	R	R	X	X	s	y	
Taxi terminal.	X	X	X	X	X	X	X	X	X	R	R	X	X	s	y	

	Transportation or other right-of-way.	R	R	R	R	R	R	R	R	R	R	R	R	R	NA	NA
	Truck or rail freight yard or terminal.	X	X	X	X	X	X	X	X	X	R	R	X	R	s	x
S.	Heavy Commercial															
	Cleaning, laundering, dyeing, or diaper service plant.	X	X	SP	X	X	X	X	X	X	R	R	SP	R	s	x
	Cold storage facility, no limit as to customer type.	X	X	X	X	X	X	X	X	X	R	R	X	R	s	x
	External building cleaning, disinfecting, or exterminating establishment.	X	X	SP	X	X	X	X	X	X	R	R	X	R	s	x
	Food processing or wholesale bakery.	X	X	R	R	X	X	X	X	X	R	R	R	R	s	x
	Warehousing, or moving and storage establishment.	X	X	X	X	X	X	X	X	X	R	R	X	R	s	x
	Wholesaling or distribution, including the handling of stock and incidental retailing.	X	X	X	X	X	X	X	X	X	R	R	SP	R	s	x
T.	Industrial															

<p>Manufacturing, processing, storage, or other commercial or industrial use not specifically mentioned, subject to other provisions of this & not analogous to any use specifically mentioned ordinance and in particular <u>§ 46</u>, outdoor activities & storage, waste, dumping, quarries and <u>§ 48</u>, performance standards.</p>	X	X	SE	X	X	X	X	X	X	X	SE	SE	SP	SE	s	x
<p>Antenna or wireless site:</p>																
<p>1. On existing structure, subject to <u>§ 49</u> standards.</p>	R	R	R	R	R	R	R	R	R	R	R	R	X	R	NA	NA
<p>2. On new tower, subject to <u>§ 49</u> standards.</p>	SP	X	X	SP	SP	SP	SP	R	SP	SP	SP	SP	X	SP	NA	NA
<p>Asphalt manufacture or refining or preparation except where incidental to construction.</p>	X	X	X	X	X	X	X	X	X	X	X	X	X	SE	s	x

Celluloid or pyroxylin manufacture or explosive or inflammable cellulose or pyroxylin products manufacture.	X	X	X	X	X	X	X	X	X	X	X	X	X	SE	s	x
Coal tar or mineral dye manufacture or tar distillation (except as by-products of public utility, gas or power manufacture; and the products or by-products of any plant which furnishes gas, gas material or power to a public utility or for public distribution).	X	X	X	X	X	X	X	X	X	X	X	X	X	SE	s	x
Creosote manufacture or treatment.	X	X	X	X	X	X	X	X	X	X	X	X	X	SE	s	x
Dumping, as defined and regulated by §46(e) and subject to other applicable regulations.	X	X	X	X	X	X	X	X	X	X	X	X	X	SE	s	x
Emery cloth, sand paper, carborundum or pumice manufacture.	X	X	X	X	X	X	X	X	X	X	X	X	X	SE	s	x
Explosive or fireworks manufacture.	X	X	X	X	X	X	X	X	X	X	X	X	X	SE	s	x

Fertilizer manufacture from organic material or its compounding for sale.	X	X	X	X	X	X	X	X	X	X	X	X	X	SE	s	x
Glue or size manufacture or processes involving recovery from fish or animal material.	X	X	X	X	X	X	X	X	X	X	X	X	X	SE	s	x
Gypsum, cement, plaster or plaster of Paris manufacture.	X	X	X	X	X	X	X	X	X	X	X	X	X	SE	s	x
Household hazardous waste collection centers, as defined and regulated by <u>§ 46(g)</u> , subject to other applicable regulations.	X	X	X	X	X	X	X	X	X	X	SE	X	SE	s	x	
Junkyard, as defined and regulated by <u>§ 46</u> , subject to all State of Connecticut and other applicable regulations.	X	X	X	X	X	X	X	X	X	X	X	X	X	SE	s	x
Motor vehicle recycling facility, as defined and regulated by <u>§ 46</u> and subject to all State of Connecticut & other applicable regulations.	X	X	X	X	X	X	X	X	X	X	X	X	X	SP	s	x
Nitrating process.	X	X	X	X	X	X	X	X	X	X	X	X	X	SE	s	x

Outdoor storage of fuels, chemicals or building materials (whether in tanks or other containers), except as incidental to other activities.	X	X	X	X	X	X	X	X	X	X	X	X	X	SE	s	x
Outdoor storage of materials related to boat manufacturing.	X	X	X	X	R	X	X	X	X	X	X	R	X	NA	NA	
Outdoor storage of up to 500 square feet of materials, customary and incidental to principal use of the property.	R	R	R	R	R	R	R	X	X	R	R	R	R	NA	NA	
Outdoor storage of more than 500 square feet of material.	X	X	X	X	SP	X	X	X	X	X	SP	X	SP	NA	NA	
Petroleum refining.	X	X	X	X	X	X	X	X	X	X	X	X	SE	s	x	
Public sewage disposal plant or incinerator.	X	X	X	X	X	X	X	X	X	X	X	X	R	s	x	
Quarry, as defined and regulated by <u>§ 46(f)</u>	X	X	X	X	X	X	X	X	X	X	X	X	SE	s	x	
Slaughterhouse or stockyards, rendering or reduction of animal matter.	X	X	X	X	X	X	X	X	X	SE	X	X	X	s	x	

Sulfurous, sulfuric, nitric, picric or hydrochloric or other corrosive acid manufacture or the manufacture of poison gases, bleaching powder or chlorine, except as incidental to a permitted use.	X	X	X	X	X	X	X	X	X	X	X	X	X	SE	s	x
Transmitting tower for radio or television station.	X	X	X	X	X	X	X	X	X	X	X	X	X	SE	s	y
Waste processing and transfer.	X	X	X	X	X	X	X	X	X	X	SE	SE	X	SE	s	x
Wood or bone distillation.	X	X	X	X	X	X	X	X	X	X	X	X	X	SE	s	x
U. Medical																
Nursing Homes/Rest Homes/Residential Care Homes as defined in Conn. Gen. Stat. §§ 19a-490 and 19a-521	R	SP	SP	SP	X	SE	SE	R	R	X	X	X	X	X	l	y
General and Special Inpatient Hospitals	R	SP	SP	SP	X	SE	R	R	X	X	X	X	X	X	k	y
Home Health Care Agencies/Assisted Living Service Agencies as defined in Conn. Gen. Stat. § 19a-490	R	R	R	R	X	R	R	R	R	X	X	X	X	X	o	y

Health Practitioners' Office (See definition)	R	R	R	R	X	R	R	R	R	X	X	X	X	m	y
Health Care Clinic (See definition)	R	SP	R	SP	X	R	R	R	R	X	X	X	X	m	y
Outpatient Surgical Facilities/Ambulatory Surgical Center licensed by the Connecticut Department of Health pursuant to Conn. Gen. Stat. § 49a-493b	R	SP	SP	SP	X	R	SE	R	R	X	X	X	X	m	y
Recovery Care Centers licensed by the Department of Public Health pursuant to Regs. Conn. State Agencies §19a-495-571	R	SP	SP	SP	X	R	SE	R	R	X	X	X	X	k	y
V. Institutional and Public Uses															
Religious Institutions including parish houses, rectories, convents, and other facilities normally incidental to places of worship but excluding funeral homes and cemeteries.	R	R	R	R	SP	R	R	R	R	X	X	X	X	g	

<p>Cultural activities not carried on as a gainful business, including art galleries, libraries and museums.</p>	R	R	R	R	SP	R	R	R	R	X	X	X	X	h	
<p>Public and private elementary and secondary schools meeting all requirements of the compulsory education laws of the State of Connecticut, and adult education facilities connected with such schools, including dormitories connected with such schools</p>	R	R	R	R	SP	R	R	R	R	X	X	X	X	i	
<p>Public and private colleges and universities, including dormitories connected with such institutions but excluding: fraternities and sororities, trade/or business schools and colleges, and schools and colleges operated as commercial enterprises.</p>	R	R	R	R	SP	R	R	R	R	X	X	X	X	j	

	Fraternities and sororities located on land owned by an educational institution.	R	R	R	R	SP	R	R	R	R	X	X	X	X	b	
	Fraternities and sororities located on land not owned by an educational institution.	X	X	X	X	X	R	R	R	R	X	X	X	X	b	
W.	Public Amenity, Service and Utility Uses															
	Reservoirs, dams, public utility substations and pumping stations, telephone exchanges, police stations, fire stations and post offices.														AS NEEDED	AS NEEDED
	Parks and other public facilities for passive recreation, and public playgrounds.														AS NEEDED	AS NEEDED

Notes:

¹ In the BA-2, first floor dwelling units are permitted by Special Permit along Whalley Avenue between Fitch Street and Harrison Avenue. First floor dwelling units are permitted as of Right in other locations.

² Parking lots and structures located entirely on parcels subject to a development agreement with the City of New Haven entered into prior to June 1, 2007 require only site plan approval.

³ Only where part of a mixed-use development of 500,000 or more square feet.

(Ord. No. 1368, § 8, 2-7-05; Ord. No. 1410, § 2, 3-20-06; Ord. No. 1412 (Rev. Sched. A, § 5), 5-1-06; Ord. No. 1553, 6-4-07; Ord. No. 1563, 12-17-07; Ord. No. 1565, 4-7-08; Ord. No. 1614, §1, 3-1-10; Ord. No. 1665, 10-3-11; Ord. No. 1685, Sched. D, 8-6-12; Ord. No. 1696, Sched. A, 5-6-13; Ord. No. 1790, Sched. C, 4-4-16; Ord. No. 1804, Attach. C, 8-1-16; Ord. No. 1805, 8-1-16; Ord. No. 1820, Sched. B, 6-5-17; Ord. No.

1842, Sched. B, 6-4-18; Ord. No. 1858, Sched. A, 4-15-19; Ord. No. 1886, Sched. C, 1-17-20; Ord. No. 1899, Sched. A, 7-6-20)

Section 42.1. - Restriction on sale of alcoholic liquor.

(a) *Definitions.* As used in this section, the following definitions shall apply:

ALCOHOLIC LIQUOR: The term shall have the same definition as that term has in the Liquor Control Act of the State of Connecticut, as said Act may be amended from time to time. Said definition at present appears in Section 30-1(3) of the General Statutes of Connecticut. The definition of *alcoholic liquor* shall in any event always include alcohol, beer, spirits, and wine.

PACKAGE PERMIT: The term shall include a package store permit, a package store beer permit, a grocery store beer permit, a druggist liquor permit, or any combination of same, as issued or to be issued from time to time by the State Department of Liquor Control. For the purposes of clarity, the permits referenced herein are at present defined and found in Sections 30-20(a), (b) and 30-36, respectively, of the Connecticut General Statutes. In addition, the term *package permit* shall include any other permit which shall from time to time be authorized by the Connecticut General Statutes and issued by the State Department of Liquor Control, which permit shall be for the purpose of permitting the sale of any type of *alcoholic liquor* in sealed containers at retail for consumption off the premises.

(b) *Measurement of distance between package permits.* The distance between *package permits* shall be measured from outside entrance to outside entrance. However, where a *package permit* is located within a structure of more than 50,000 square feet, the outside entrance of such location shall be the outer perimeter of the selling area under the permit, as shown on the approved floor plan signed by the Zoning Enforcement Officer.

(c) *Distance restrictions.*

(1) *Distance limit to school.* No *package permit* shall be permitted to locate, relocate or remove to any location where the outside entrance of such location is within 500 feet from the property line of any public or private elementary or secondary school.

(2) *Distance limit between package permits.* No *package permit* shall be permitted to locate within 1,500 feet of another *package permit*, except as provided in section 42.1.(d)

(d) *Relocation or removal of permits.* Except as prohibited by the distance restrictions to a school in subsection 42.1(c)(1) above, a package permit may be relocated or removed as follows:

(1) *Permit relocation limit.* A permittee may relocate a *package permit* within a five hundred (500) foot radius, provided said relocation shall be in accordance with the said Liquor Control Act and the rules and regulations of the State Department of Liquor Control.

(2) *Removal due to condemnation for public or semi-public use.* The relocation distance of a *package permit* that is removed from such use for a public or semi-public use by condemnation proceedings may be increased to a radius of 750 feet from the present site provided said removal shall be in accordance with the Liquor Control Act and the rules and regulations of the State Department of Liquor Control.

However, where there are practical difficulties or unnecessary hardships in the way of carrying out the provisions of this subsection 42.1.(d)(2) concerning the removal of any *package permit* only as a result of condemnation proceedings for public or semi-public use, the Board of Zoning Appeals may, after public notice and hearing in a specific case, waive said provisions provided that the requirements set forth below are met:

- a. The proposed location shall not be within a radius of 500 feet of another *package permit*; and
- b. Sufficient evidence shall be presented to prove that no suitable location is available within a radius of 750 feet of the original location; and
- c. Said removal shall be in accordance with the said Liquor Control Act and the rules and regulations of the Liquor Control Commission.

(e) *Renewal of nonconforming package permit allowed.* A permittee holding a *package permit* as a *nonconforming use* within the aforesaid 1,500-foot radius may continue the nonconforming use (at that location only) when the permit expires and application

is made and granted for renewal of the same exact type of permit.

- (f) *Change of permit type prohibited.* Any change from one type of **package permit** to another type of **package permit** shall not be permitted except in conformance with the distance restrictions of section 42.1.(c).

(Ord. No. 1780, 8-3-15))

Section 42.2. - Game machines and game rooms in business and industrial districts.

These provisions exist in order to protect neighborhoods, minimize conflict with adjacent uses and the surrounding area, to assure the health and safety of the general public by providing adequate space for patrons and onlookers, and to provide adequate circulation within and egress from the premises.

(a) *Definitions.*

GAME MACHINE: Any machine or device operated by the insertion of a coin, token or similar object, or other means of payment for the purpose of amusement, recreation skill, or chance, such as electronic game machines, video games, pin ball, pool tables or other similar devices. The term **game machine** shall not include a bowling alley or juke box.

GAME ROOM: A building or portion thereof whose principal use or intended use is for operation of three or more **game machines** for use by the general public or specific invitees.

(b) *General standards:* All **game machines** and **game rooms** shall be subject to the following standards:

- (1) A zoning permit shall be obtained from the zoning enforcement officer. The applicant shall submit a copy of the application for a police department **game machine** or **game room** license when applying for a zoning permit.
- (2) The police department license for each **game machine** shall be posted over or attached to the front of each machine.
- (3) An attendant, responsible for orderly conduct within the business establishment, shall be present during all hours of operation of the **game machine(s)**. Any establishment having 10 or more games shall have one attendant over 21 years of age for each 15 games or portion thereof on the premises, present during all hours of operation of the **game machines**.
- (4) Any establishment with three or more **game machines** shall provide a minimum of three feet clear space from the side of each machine and eight feet clear space from the front of each machine.
- (5) Permission for any **game machine(s)** or **game room** may be revoked after a hearing by the board of zoning appeals, upon a finding by the board that the **use** generates excessive noise, loitering, littering, or traffic hazards, violates any standards of the zoning ordinance, or a condition of approval of a special exception. The zoning enforcement officer shall request a full hearing by the board if it is determined that any of the foregoing have occurred, after inspection of an establishment, or subsequent to a complaint.
- (6) Permission to operate **game machines** as a fundraising activity by any religious, social, fraternal, or government unit for a limited permit, not to exceed seven days by any organization in any year, may be allowed by the zoning enforcement officer in any zoning district.
- (7) **Game rooms** shall meet the following additional minimum standards to assure adequate space for patrons and onlookers, circulation within and egress from the premises, and parking for cars and bicycles:
 - a. A minimum net floor area of 1,000 square feet per establishment is required.
 - b. One **game machine** shall be permitted for each 100 square feet of **net floor area** of the **game room**.
 - c. One **parking space** shall be required for each two **game machines**, except in the BD District.
 - d. One off-street locking bicycle stall shall be provided for each four **game machines** either within the establishment or on the same **lot**, except in the BD District.
 - e. Any **game room** with ten or more **game machines** shall have two lavatories open to its customers during all hours of operation.

- (c) *Uses permitted.* **Game machines** meeting the general standards of section 42.2(b) having hours of operation not exceeding those of the **principal use**, no separate street or outside entrance, and no exterior sign or advertising noting their presence,

shall be a permitted *accessory use* as follows:

- (1) *Accessory use*, except within eating and drinking places, shall be limited to two machines in any establishment with less than 1,500 square feet *net floor area*. Any establishment within 1,500 square feet or larger *net floor area* may have one *game machine* per 1,000 square feet gross floor area in the establishment.
- (2) *Accessory use* within eating and drinking places shall be limited to two *game machines* in any establishment with 50 seats or less. Any establishment with 51 or more seats shall be permitted to have one (1) additional *game machine* for each 50 seats additional capacity.

Table type *game machines* which provide no additional seating capacity shall be permitted without limit as to number, and not subject to subsection 42.2(b)(4) of this ordinance.

- (3) *Game rooms* meeting the general standards of subsection 42.2(b) shall be permitted as follows:
 - a. A *game room* in the BE, IL and IH Districts provided no residential use is within a 500 foot radius of the establishment, shall be a permitted *use*.
 - b. A *game room* in the BA, BB and BD Districts (or within 500 feet of a residence in the BE, IL and IH Districts) meeting the general standards of subsection 42.2.B and the following additional standards, may be permitted by special exception under subsection 63(d) of this ordinance.
 1. The board shall determine whether the proximity of the *game room* to schools, public facilities, places of worship, commercial or residential *uses* would negatively affect the neighborhood; and
 2. Adequacy of sidewalk width to accommodate anticipated pedestrian traffic; and
 3. The safety of pedestrian access to and from the proposed *game room*, considering the age group of its potential clientele, whether the services are within ten minutes walking distance to the facility, the presence of sidewalks along major thoroughfares along probable access routes, conflict with incompatible uses such as truck traffic, and
 4. The probability of occurrence of loitering given the character of the surrounding *uses*, and past history in the immediate area.

Section 42.3. - Adult businesses.

These provisions exist in order to protect neighborhoods, minimize conflict with adjacent uses and the surrounding area, and to assure the health and safety of the public. It is recognized that some uses because of their nature have serious objectionable operating characteristics, particularly when several of these uses are concentrated under certain circumstances, thereby having a deleterious effect on the use and enjoyment of adjacent areas. Special regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or deterioration of the surrounding neighborhood. These special regulations are itemized in this section. The primary control or regulation is for the purpose of preventing a concentration of these uses in any one area. *Adult business* uses subject to these controls are as follows: *Adult bookstores, adult theaters, adult entertainment centers, massage parlors, rap parlors, and saunas.*

- (a) *Definitions.* Whenever used in this section, the following words or phrases shall have the meaning defined below:

ADULT BUSINESS: Any premises to which the public, patrons or members are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, compartments or stalls separate from the common areas of the premises for the purpose of viewing adult materials specified in the definitions in this section. An adult business further includes, without being limited to, *adult bookstores, adult entertainment centers, adult theaters, massage parlors, rap parlors,* or terms of like import.

ADULT BOOKSTORE: An establishment having a substantial or significant portion of its stock in trade, books, magazines, films, video-tapes, compact discs or other mechanical or electronic storage devices for sale or viewing on premises by use of motion picture devices, video tape, coin-operated or electronically controlled means, and other periodicals which are distinguished or characterized by their principal emphasis on matters depicting, describing or relating to nudity, sexual conduct, sexual excitement or sadomasochistic abuse, as defined below, or an establishment with a segment or section devoted to the sale or display of such material, for sale to patrons therein.

ADULT ENTERTAINMENT CENTER: An enclosed building or part of an enclosed building, no portion of which is licensed to sell liquor, which contains one or more coin-operated or electronically controlled means which when activated permit a customer to view a live person unclothed or in such attire, costume or clothing as to expose to view any portion of the female breast below the top of the areola, or any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals, or the charging of any admission or fee for the viewing of such activity.

ADULT THEATER: An enclosed building used regularly and routinely for presenting programs, material distinguished or characterized by an emphasis on matters depicting, describing or relating to nudity, sexual conduct, sexual excitement or sado-masochistic abuse, as defined below, or an establishment with a segment or section devoted to the sale or display of such material, for observation by patrons therein.

MASSAGE PARLOR: An establishment or place primarily in the business of providing massage services. The term shall not include a licensed provider of massage therapy services as defined and licensed under the provision of § 20-206 C.G.S.

NUDITY: The showing of the human male or female genitals, pubic area or buttocks with less than a fully opaque covering, or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state.

RAP PARLOR: An establishment or place primarily in the business of providing nonprofessional conversation or similar services for adults.

SADOMASOCHISTIC ABUSE: Flagellation or torture by or upon a person nude, clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed.

SAUNA: An establishment or place primarily in the business of providing (i) a steam bath and (ii) massage services.

SEXUAL CONDUCT: Acts of masturbation, sexual intercourse, or physical contact with a person's unclothed genitals, pubic area, buttocks or, if such person be a female, her breast.

SEXUAL EXCITEMENT: The condition of human male or female genitals when in a state of sexual stimulation or arousal.

(b) *Location restrictions.*

- (1) **Adult bookstores, adult theaters, and adult entertainment centers** shall not be operated or maintained within 150 feet of a preexisting:
 - a. **Place of worship** that has a certificate of occupancy.
 - b. Public or private educational facility which serve persons age seventeen or younger.
 - c. Park.
 - d. Residential district as defined by the Zoning Ordinance of the City of New Haven (RS-1, RS-2, RM-1, RM-2, RH-1, RH-2, RO) and predominantly residential Planned Developments).
- (2) No **adult business** may be located within 1,500 feet of another **adult business**.
- (3) Only one **adult business** is permitted in a structure.
- (4) No **adult business** may be located within a structure containing a bar.
- (5) Measurement. The distance restrictions shall be measured in a straight line from the main public entrance of said premises to the lot lines of properties in residentially zoned districts without regard to intervening structures or objects, or in the instance of two **adult businesses** the distance between the main public entrances of each premises without regard to intervening structures or objects.
- (6) Exterior display. Any regulated use existing on October 1, 1996 and all new regulated uses shall comply with the sign requirements herein. No merchandise or pictures of the products or entertainment on the premises shall be displayed in window areas or any area where they can be viewed from the sidewalk in front of the building. Window treatments shall conform to existing development pattern of the immediate area.

- (c) *Amortization of existing adult businesses.* Any **adult business** lawfully operating on the effective date of this ordinance that is in violation of subsection 42.3(b)(1) shall be deemed a nonconforming use. A nonconforming use shall be permitted to continue for

a period not to exceed three years, unless sooner terminated for any reason or voluntarily discontinued for a period of 30 days or more. Such nonconforming uses shall not be increased, enlarged, or extended or altered except that the use may be changed to a conforming use. The provisions of this section may have limited enforceability within the parameters of existing state law.

- (d) *Determining nonconformity.* If two or more **adult business** uses are within 1,500 feet of one another and otherwise in a permissible location, only the **adult business** which was first established and continually operating at a particular location is deemed the nonconforming use and the later-established **adult business(es)** is (are) non conforming.
- (e) *Waiver of location restriction.* The Board of Zoning Appeals may grant a special exception to waive the location restrictions if the following findings are made:
 - (1) That the proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this section (42.3.) will be observed.
 - (2) That the proposed use will not enlarge or encourage the development of a "combat zone".
 - (3) That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation or commercial revitalization, nor will it interfere with any program of urban renewal.
 - (4) That all applicable regulations of this section of the Zoning Ordinance will be observed.
- (f) All ordinances or parts of ordinances conflicting with any of the provisions of this ordinance amendment for the purpose of governance of **adult businesses** shall be repealed.

Section 42.4. - Regulation of gun shops and associated goods sales.

(a) *Definitions.*

GUN SHOP: Any establishment or portion of an establishment which sells guns, firearms or associated goods including ammunition and gun sights.

- (b) *Uses permitted.* These provisions exist in order to protect neighborhoods, minimize conflict with adjacent uses and the surrounding area, and to assure the health and safety of the general public by providing additional standards for review of a proposed location of a **gun shop** and to prevent a concentration of such uses.

Gun shops shall be permitted in the BD, BD-1, BE, IL and IH districts by special exception subject to the review standards of § 63(d), and distance restrictions, supplementary review standards and conditions of approval of this § 42.4.

(c) *Distance restrictions.*

- (1) *Distance limit to schools.* No establishment for sale of guns, firearms and associated goods including ammunition and gun sights shall be permitted to locate, relocate or remove to any location where the property line of such location is within 500 feet from the property line of any public or private elementary or secondary school as delineated in § 42.4(c).
- (2) *Distance limit to residential districts.* No sale of guns, firearms and associated goods including ammunition and gun sights shall be permitted within 500 feet of a residential district (RS-1, RS-2, RM-1, RM-2, RH-1, RH-2, RO and predominantly residential Planned Developments) as delineated in §42.4(c).
- (3) *Distance limit between gun shops.* No **gun shop** shall be permitted within 1,500 feet of another such use.
- (d) *Measurement of distances.* The distance between **gun shops** shall be measured from property line to property line. However, where a **gun shop** is located within a structure of more than 50,000 square feet, the distance shall be measured from the outside entrance of such location, as shown on the approved floor plan signed by the Zoning Enforcement Officer, to the **gun shop**, property line of the public or private elementary or secondary school, or boundary of the residential district.
- (e) *Supplementary review standards.* Sale of guns, firearms and accessory goods including ammunition has a greater potential impact on surrounding uses and the surrounding area, compared for the public need for them at particular locations. For this reason the supplementary standards herein shall be taken into account, where appropriate, in addition to the standards of § 63(d) of this ordinance.
 - (1) The presence or physical concentration of pawn shops, second hand goods stores, bars, **package permits**, **adult businesses** or other such uses.

- (2) Known locations where loitering, drug sales, violent crime or prostitution have regularly occurred over substantial time periods documented by the department of police services or other governmental agencies.
- (f) *Additional conditions of approval.* Because of the unique safety and security needs of *gun shops* and the potential impact on surrounding uses and the surrounding area compared for the public need for a *gun shop* at a particular location, the board of zoning appeals may require any of the following as additional conditions of approval.
- (1) Secure storage and display areas, including a security system.
 - (2) Security door or window grates.
 - (3) Exterior lighting or site fencing.
 - (4) Limited site access during non-business hours by means of fences, chains or means specified by the board.

The decision may also incorporate the following provisions of federal and/or state law:

- (5) No assault weapon as defined in P.L. 93-306 (or latest version) may be sold, bartered or transferred.
- (6) No guns, firearms and associated goods including ammunition and gun sights shall be permitted to be sold, bartered or transferred to anyone under twenty-one years of age in accordance with C.G.S. §29-34.
- (7) Each firearm sold, bartered or transferred shall be accompanied by a gun locking device and warning at the time of sale in accordance C.G.S. § 29-37b.

Section 42.5. - Special provisions for certain uses operating between 11:00 p.m. and 6:00 a.m.

These provisions exist in order to minimize conflict of businesses with adjacent residential uses and the surrounding area, and to assure the peace, tranquility, health and safety of the public. It is recognized that some uses because of their nature have serious objectionable operating characteristics, particularly when close to residential uses, thereby having a deleterious effect on the use and enjoyment of adjacent areas. Special regulation of these uses is necessary to insure that these adverse effects will not contribute to the blighting or deterioration of the surrounding neighborhood. These special regulations are itemized in this section. The primary control or regulation is for the purpose of preventing or limiting late night traffic, noise, loitering, littering and crime in business places which are located adjacent to residential uses.

- (a) *Applicability.* The standards contained herein shall be applied to certain *uses* found in the section 42, Use regulations for business and industrial districts, except if located in a Business D or Business D-1 District:
 - (1) All uses found in section 42.C: Sale of food, drink and pharmaceuticals.
 - (2) Pawn shop or swap shop.
 - (3) All uses found in section 42.B: Transient lodging.
 - (4) Adult entertainment establishments.
 - (5) Gun shops and accessory goods sales.
 - (6) All uses found in section 42.L: Amusements
 - (7) All uses found in section 42.M: Automotive
- (b) *General standards and review of uses to operate between 11:00 p.m. and 6:00 a.m.* A *use* listed in section 42.5(a) shall be closed between the hours of 11:00 p.m. and 6:00 a.m. unless located in a Business D or Business D-1 District or granted a special exception by the Board of Zoning Appeals pursuant to section 63(d). Application for a special exception may be made by a current or proposed operator only with written consent of the owner of the property. The special exception, if granted, is not transferable and may only be granted for a maximum of three (3) years.
 - (1) Specific standards:
 - a. The applicant must demonstrate the need to service the community between the hours of 11:00 p.m. and 6:00 a.m.;
 - b. The applicant must demonstrate that the proposed hours of operation will not contribute to illegal activity at or in close proximity to the proposed use. The Board of Zoning Appeals shall consider the presence of loiterers, drugs sales or prostitution or other criminal activities and/or nuisances in close proximity to the location proposed, given the character

of surrounding uses and past history in the immediate area as may be presented by the Department of Police Services, neighborhood organizations and area residents and business people;

- c. The applicant must demonstrate that the proposed hours of operation will not have an adverse effect on abutting or proximate uses, including places of worship, parks, playgrounds, youth services facilities, or residences; and
- d. The applicant must identify all other uses within 200 feet of the proposed location which are operating between the hours of 11:00 a.m. and 6:00 p.m. The Board shall consider the potential clustering of uses in a manner that may be inconsistent or inappropriate for the surrounding area.

(c) *Special conditions of approval.* The Board may impose conditions of approval including but not limited to special lighting, fencing, landscaping, signage, supervised parking, trash receptacles, or outside staff/official and unofficial security for some or all hours of late night operation.

Section 43. - Bulk, yard and density regulations for business and industrial districts.

(a) *Definitions.*

FLOOR AREA RATIO (FAR): The ratio of the *gross floor area* to the *principal building* or *principal buildings* on a *lot* to the total *lot area*. In calculating FAR, the *gross floor area* of a parking structure shall not be included.

(b) *Maximum FAR.*

(1) The maximum *FAR* permitted in the district(s) specified shall not exceed the following:

FAR	Zoning District
2.0	BA, BA-1, BB, BC and IM
3.0	IL, CGD***
4.0	IH
6.0	BD, BD-1**, BD-2*, BD-3 and BE
	*Where a lot in a BD-2 District abuts a residence district along a rear or side lot line, the maximum permitted FAR is 2.5. ** Where a lot in a BD-1 District abuts an RS-1, RS-2, RM-1 or RM-2 Residence District, the maximum permitted FAR is 3.0. *** In the CGD, the maximum permitted FAR can be increased to 4.5 by utilizing strategies to improve site sustainability. See <u>section 43(b)(2)</u> **** In the BD-3, the maximum permitted FAR for sites where the primary use is commercial (non-residential) can be increased to 8 by utilizing strategies to improve site sustainability and/or by providing public plazas subject to the requirements of <u>section 43.1)</u>

(2) *FAR Bonuses in CGD and BD-3.*

- a. Purpose. Because these corridors have great development potential and the capacity for larger buildings and commercial enterprises, they are eligible for FAR bonuses. However, because larger buildings have a greater environmental impact and because the City of New Haven prioritizes sustainability and resiliency measures, the FAR bonus is available to those projects that mitigate these impacts with sustainability measures in the table below.
- b. In the CGD, the maximum permitted FAR can be increased up to 4.5 through incorporation of strategies to improve site sustainability. Developments in the CGD District may implement any strategies in the chart below in Sections 1—4 and 6. The following sustainability strategies can be converted into points, with each point worth a 0.1 increase in FAR. A memo detailing what strategies are employed shall be included in the site plan submission.
- c. In the BD-3, the maximum permitted FAR can be increased up to 8.0 for all sites where the primary use is commercial (non-residential). The following sustainability strategies (except 6a.) and provision of public plazas can be converted into points, with each point worth a 0.2 increase in FAR. A memo detailing what strategies are employed shall be included in the site plan submission.

Sustainability Strategies	Points
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1. Leadership in Energy and Environmental Design (LEED) Scorecard or other equivalent, nationally recognized rating system.		
1.a	Scorecard indicating LEED Certification rating or equivalency to a LEED Certification rating signed by a LEED accredited professional.	1
1.b	Scorecard indicating LEED Silver rating or equivalency to a LEED Silver rating signed by a LEED accredited professional.	2
1.c	Scorecard indicating LEED Gold rating or equivalency to a LEED Gold rating signed by a LEED accredited professional.	3
1.d	Scorecard indicating LEED Platinum rating or equivalency to a LEED Platinum rating signed by a LEED accredited professional.	4
2. On-Site Energy Generation		
2.a	At least 25% of energy use is generated from on-site renewable sources.	1
2.b	At least 50% of energy use is generated from on-site renewable sources.	2
2.c	75% or more of energy use is generated from on-site renewable sources.	3
2.d	The site has net zero energy impact.	4
3. Rainwater		
All vegetation used in strategies 3a—3c must use at least 50% Native Plants.		
3.a	Retention	
3.a-1	Retaining 10%—30% of anticipated runoff generated by the 10-year 24-hour storm, as defined by NOAA.	1
3.a-2	Retaining 30%—60% of anticipated runoff generated by 10-year 24-hour storm, as defined by NOAA.	2
3.a-3	Retaining more than 60% of anticipated runoff generated by the 10-year 24-hour storm, as defined by NOAA.	3
3.b	Green Stormwater Infrastructure	
3.b-1	Green stormwater infrastructure is used to capture 30%—60% of runoff retained in Section 3.a	1
3.b-2	Green stormwater infrastructure is used to capture over 60% of runoff retained in Section 3.a	2

3.c	Ecoroofs as defined in <u>Section 1</u> .	
3.c-1	30%—60% of roof area is an ecoroof.	1
3.c-2	60% or greater of roof area is an ecoroof.	2
3.d	Payment-in-lieu	
3.d-1	For sites where the retention or infiltration strategies enumerated in Sections 3.a—3.c above are not feasible, a one-time payment may be made in-lieu of satisfying such strategies at a rate of \$6.00 per cubic foot of runoff generated by the proposed structure and site during a 1-year, 6-hour storm as defined by NOAA.	1
3.d-2	For sites where the retention or infiltration strategies enumerated in Sections 3.a—3.c above are not feasible, a one-time payment may be made in-lieu of satisfying such strategies at a rate of \$9.00 per cubic foot of runoff generated by the proposed structure and site during a 1-year, 6-hour storm as defined by NOAA.	2
3.d-3	For sites where the retention or infiltration strategies enumerated in Sections 3.a—3.c above are not feasible, a one-time payment may be made in-lieu of satisfying such strategies at a rate of \$12 per cubic foot of runoff generated by the proposed structure and site during a 1-year, 6-hour storm as defined by NOAA.	3
4. Building Reuse		
The following strategies are mutually exclusive.		
4.a	Exterior design of new development is compatible with adjacent neighborhood fabric, built more than 50 years ago, including the use of similar window and door sizes, cladding materials, bays, and other primary structure elements, As part of the applicant's site plan application, the applicant shall provide a report by a design preservation professional demonstrating compliance with this strategy.	1
4.b	At least 75% of street facing Building facade, from structures built more than 50 years ago are restored and integrated into the new development, in accordance with the standards recommended by the Secretary of the Interior Standards for the Treatment of Historic Properties.	2
4.c	Existing building shell(s) constructed more than 50 years ago is restored, in accordance with the standards recommended by the Secretary of the Interior Standards for the Treatment of Historic Properties.	3
5. Public Plazas designed in accordance with <u>Section 43.1</u>.		
5a.	Public plazas totaling between 3,000 to 5,499 gross square feet.	1

5b.	Public plazas totaling between 5500 to 7,499 gross square feet.	2
5c.	Public plazas totaling between 7500 to 9,999 gross square feet.	3
5d.	Public plazas totaling between 10,000 to 15,000 gross square feet.	4
5e.	Public plazas in excess of 15,000 gross square feet.	5
6. Other		
6.a	In CGD only, outdoor space is dedicated to food production (e.g. community gardens in Privately Owned Public Space <u>43(l)(4)</u>).	1
6.b	Construct primary structures out of Mass Timber or other engineered timber systems.	5
6c	Public Plaza that meets SITES certification or equivalent can qualify for additional FAR points at .5 of the points assigned to the equivalent LEED certification rating set forth in subsections 1a—1d above.	Varies

(3) *Reserved.*

(c) *CGD Residential Density.* The following residential density requirements apply only to CGD zones and supersede those requirements specified in Section 42.

(1) For mixed-use or residential developments, a minimum total residential density of 35 units per acre must be achieved for sites wholly or partially located within a ¼ mile radius of a designated, fixed route transit stop under the 2019 Moe New Haven Plan. For all other mixed-use developments within a CGD, a minimum residential density of 25 units per acre must be achieved.

(2) *Reserved.*

(d) *Maximum building height.*

(1) Except as provided in subsections 43(d)(2), (3), (4), (5), (6), (7), (8), (9), (10) there shall be no direct limit on building height in any business, or industrial district (although indirect limits may be produced by floor area ratio and other requirements).

(2) In the Business C zone, the maximum average building height shall be 35 feet.

(3) No building in a Business D-2 District shall exceed 200 feet above average finished lot grade provided a building shall be entitled ten feet of additional height if such building is registered as a Leadership in Energy and Environmental Design (LEED)-certified building for new commercial construction and major renovation projects, as established by the United States Green Building Council, or an equivalent standard, and the owner or applicant certifies its good faith intent to achieve such standard.

(4) In the BA-1, the maximum building height shall be 45 feet. Buildings shall also have a minimum of two stories and a minimum building height of 25 feet.

(5) In the BA-2, buildings shall have a maximum of four stories and a maximum building height of 50 feet. Buildings shall also have a minimum of two stories and a minimum building height of 25 feet, provided that the enlargement, expansion or extension of an existing one-story structure shall not be considered an increase in non-conformity for the purposes of Section 67(d).

(6) In the CGDs, primary buildings shall have a minimum of two stories and a minimum building height of 25 feet, provided

however, that the following shall not be considered an increase in non-conformity for the purposes of Section 67(d): (a) The enlargement, expansion or extension of an existing one-story structure; and (b) Additions that are less than 25% of the existing floor area of the structure.

- (7) In the BD-3 District, if the average height of a principal building exceeds 100 feet above average finished lot grade and if any portion of the principal building has frontage on College, Temple, Church, or Orange Streets or on Church Street South (between Columbus Avenue and South Frontage Road) Lafayette Street, Washington Avenue or Congress Avenue, then one 15-foot stepback of the upper levels of the building shall be required on the façade that fronts on such street, commencing no later than the point at which the height of the building is the same as the total of the width of the street that the building fronts on. The depth of the stepback need not be uniform, provided that at one point, the stepback is 15 feet from the front of the building façade at the floor immediately below the floor at which the stepback begins, and provided further, that the depth of the stepback area on the roof of the floor below the floor at which the stepback begins must be at least 250 square feet. If the principal building fronts on more than one such street, then only one stepback shall be required. (See Figure 43.1)
- (8) Where a lot in a BD-1 District abuts property in an RS-1, RS-2, RM-1 or RM-2 Residential District, a maximum building or structure height of 70 feet is permitted.
- (9) In the CGD, the maximum building height shall be 75 feet. Building heights greater than 75 feet are permitted by Special Permit.
- (10) Reserved.
- (11) On any lot located in a BD-3 District located south of South Frontage Road, Rte. 34, except for lots:
- Directly abutting South Frontage Road, Rte. 34; or
 - Directly abutting Church Street South between Columbus Avenue and South Frontage Road, or
 - Directly abutting Lafayette Street, or
 - Directly abutting Washington Avenue or Congress Avenue between Lafayette and Liberty Streets:
 - a maximum building height of 70 feet is permitted.

Example of BD-3 Stepback Requirements

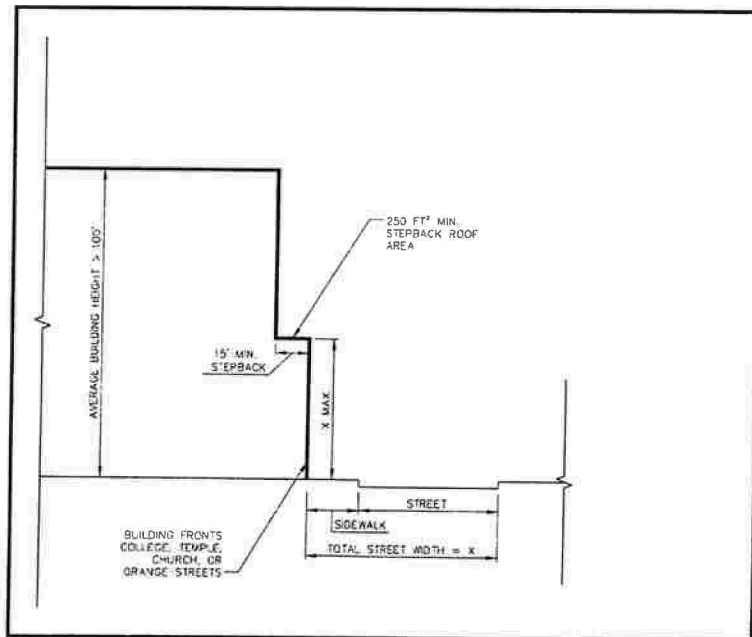


Figure 43.1 BD-3 Stepback Requirements

- (12) *Exceptions.* Ecoroofs, roof decks, roof gardens, roof accesses, mechanical floors, and related structures shall not be counted in building height limits.
- (e) *Maximum building coverage.* There shall be no direct limit on *building coverage* in any business or industrial district.

(f) *Maximum size of courts.* Except for the Business D-3 District, the horizontal distance between facing walls of any *court* in any busi industrial district shall not be less than five feet where neither facing wall has an *average height* greater than 20 feet, and not less one foot for each four feet of *average height* of the two facing walls averaged together where either facing wall has an *average he* greater than 20 feet. In the BD-3 District, there shall be no required distances between the facing walls of any court for any *nonres building*. For *mixed use buildings* and *residential principal buildings*, the horizontal distance between facing walls of a *court* shall less than 20 feet if neither facing wall has an *average height* greater than 30 feet and not less than one foot for each four feet of a *height* of the two facing walls averaged together where either facing wall has an *average height* greater than 30 feet.

(g) *Yard Regulations.* The following requirements shall apply in all business or industrial districts except for BD, BD-1, BD-3, and CGD Districts (see subsection 43(g)(4) and 43(g)(5)), the BA-1 District (see subsection 43(l)), the BA-2 District (see subsection 43(l)), and except where a business or industrial district abuts a residence district (see § 47). These requirements shall apply to both principal and accessory buildings.

(1) *Front yards:* There shall be no front yard required in any business or industrial district.

(2) *Side yards:* There shall be no *side yard* required in any business or industrial district, except that in any case where a *side yard* is actually provided such *side yard* shall be required to be not less than five feet for a *building* wall having an *average height* of 20 feet or less, and not less than one foot for each four feet of *average height* for a *building* wall having an *average height* of more than 20 feet.

(3) *Rear yards:* There shall be a *rear yard* in all business and industrial districts of not less than ten feet for a *building* wall having an *average height* of 30 feet or less and not less than one foot for each three feet of *average height* for a *building* wall having an average height of more than 30 feet.

(4) There shall be no minimum yard requirements in the BD, BD-1 or the BD-3 Districts except that in the BD-3 District there shall be a minimum of 15 feet of unobstructed land from the ground up on which no structures shall be located between the outer face of a building foundation wall at grade of a principal building that fronts on a street and the curb of such street in order to provide for sidewalks, streetlights and landscaped areas between the sidewalk and the curb, provided, however, that overhead pedestrian walkways and the footings, foundations, piers, and/or supports for such walkways may be located in the above described 15 foot area. Additionally, in the BD-3 District, when a mixed use or a residential principal building which is four stories or less, contains one or more windows that face a nonresidential building on the same lot, there shall be a minimum of ten feet of unobstructed land from the ground up between the nonresidential building and the residential principal building or mixed use building. If such residential principal building or such mixed use building faces a nonresidential building on an adjacent lot or faces an adjacent vacant lot, then there shall be a minimum ten-foot side or rear yard (as the case may be) on the lot on which such residential principal building or mixed use building is located facing the adjacent lot.

(h) *CGD Yard Regulations.* The following requirements shall apply in the CGDs:

(1) In CGDs, the minimum and maximum yard requirements for frontages on the three main corridors are:

	Front Yard Min	Front Yard Max	Side Yard Min	Side Yard Max	Rear Yard Min	Rear Yard Max
Whalley	0	5	0	40	10	20

Figure 43.2

Where the parcel abuts side streets that are not Whalley, the front yard minimum is zero and the front yard maximum is 20 feet. The front yard provided should be demonstrably consistent with the front yards of the relevant side street.

(2) Because larger development sites are often phased for financing and lease purposes, contiguous sites in the CGD zone that are being developed together may be considered as a single lot for purposes of setbacks and other dimensional

requirements (e.g. FAR, POPS) regardless of ownership.

(g) *Structures within required yards.* The following rules shall apply to yards provided under § 43(f).

- (1) No wall of a **building** shall extend beyond the outer face of a **building** foundation wall into such a **yard** for more than six inches.
- (2) A **projection** from a **building** may extend into such a **yard** for not more than one-half the width of such **yard**, but in no case more than five feet into such **yard** for fire escapes, one-story open porches, ramps, loading docks, and steps leading up to the ground floor, or three feet into such **yard** for all other projections, and in no case to within two feet of any **lot line**.

(j) *Usable Open Space/Common Amenity Space for the BC, BD, BD-1, BD-2, BD-3, CGD and IL Districts.*

- (1) In the BD-3 District, for all nonresidential buildings in excess of 10,000 square feet of gross floor area, a minimum of 25 square feet of usable open space per 1,000 square feet of gross floor area up to a maximum of 10,000 square feet of usable open space shall be provided on the same lot on which the nonresidential building is located. In the event that any point on such lot is located within a 1,000-foot radius of publicly accessible open space, then a minimum of 13 square feet of usable open space per 1,000 square feet of gross floor area shall be required on such lot up to a maximum of 10,000 square feet of usable open space.
- (2) In the BC, BD, BD-1, BD-2, BD-3, CGD and IL Districts, for all mixed use buildings and residential principal buildings both existing and proposed, a minimum of 50 square feet per dwelling unit of usable open space shall be provided on the same lot on which such building is located. In the event that any point on the lot upon which the mixed use building or the residential principal building is situated is located within a 1,000-foot radius of publicly accessible usable open space, then a minimum of 25 square feet of usable open space per dwelling unit shall be required.
- (3) In the BC, BD, BD-1, BD-2, BD-3, CGD and IL Districts, mixed use buildings and residential principal buildings both existing and proposed with six or more dwelling units shall provide 50 square feet of common amenity space per dwelling unit in addition to the usable open space required under subsection 43(i)(1)b. above.

(k) *Principal entrances in the BD-3 District.* Buildings facing College Street, Orange Street, Temple Street, Church Street South (between Columbus Avenue and South Frontage Road), Lafayette Street, Washington Avenue, or Congress Avenue shall have a principal entrance facing such streets or on the corner of any of the above listed streets and another street.

(l) *Transparent and active uses in the BD-3 District.*

- (1) Every nonresidential building and every mixed use building that faces College Street, Orange Street, Temple Street, or Church Street, Washington Avenue, Congress Avenue, Lafayette Street or Church Street South (between Columbus Avenue and South Frontage Road) in whole or in part shall have, at minimum, 60 percent of the first floor façade between two feet and eight feet in height facing such street comprised of clear windows and/or doors that allow views of indoor space and/or product display areas.
- (2) The first floor of the façade of every nonresidential building and every mixed use building that faces College Street, Orange Street, Temple Street, or Church Street, Washington Avenue, Congress Avenue, Lafayette Street or Church Street South (between Columbus Avenue and South Frontage Road) shall contain uses which are active and involve the movement of persons in such spaces, including but not limited to restaurants, retail stores, art galleries, fitness centers, yoga studios, lobbies, dance or music studios, and personal services businesses.
- (3) Every nonresidential building and every mixed use building which faces Martin Luther King Boulevard or Legion Avenue/South Frontage Road in whole or in part shall have, at minimum, 30 percent of the first floor façade between two feet and eight feet in height facing such street comprised of clear windows and/or doors that allow views of indoor space and/or product display areas.

(m) *Additional requirements for buildings in a BA-1, BA-2, and CGD Districts.*

- (1) *Yards facing the public right-of-way:* In BA-1 and BA-2 Districts, building façades must abut or be located within ten feet of at least 75 percent of the property line abutting the public street (see figure 43.1 below). Building façades in CGDs must be located within the distance specified in Section 43(g)(5).
- (2) *Side yards:* No minimum side yards are required. For CGD Districts, maximum side yards are specified in Section 43(g)(5).

- (3) *Rear yards:* Minimum ten-foot rear yard. In CGD Districts, minimum rear yards are specified in Section 43(g)(5).
- (4) *Street frontage:* In CGD Districts only, buildings must occupy 100% of street frontage for lots with less than 250 feet of street frontage or access driveways no greater than 20 feet wide. A special exception may be sought to devote frontage to Privately Owned Pedestrian Space.
 - a. *Privately Owned Pedestrian Space (POPS):* Up to 20% of street frontage on Whalley in CGD Districts can be occupied by POPS, within the constraints of the maximum permitted side yards. POPS are pedestrian friendly areas, which are owned and maintained by private property owners. POPS count toward usable open space requirements, specified in Section 43(i). POPS are intended to produce active and safe spaces. They include human-scale elements such as lighting, windows, art, and landscaping. Commercial activities, including food service and sales may occupy POPS. To the extent possible, it is strongly encouraged for POPS to be plazas, community gardens, or pedestrian arcades providing safe opportunities for the public to walk, sit, recreate, and congregate.
 - b. For lots with 250 feet or more of street frontage, at least 75% of the street frontage not occupied by building façade or access driveway no greater than 20 feet wide, shall be occupied by POPS, as described in subsection (a) above.
 - c. An exterior lighting plan must be included with site plans for POPS.
- (5) *Corner lots:* Are exempt from rear yard requirements for the first 50 feet from the street.
- (6) *Doors and Entrances:* Buildings must have a primary entrance facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement. Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.
- (7) *Transparency:* In new buildings, except for buildings or portions of buildings containing residential or religious uses or health care facilities on the first floor, a minimum of 75 percent of the street-facing first floor building façade between two feet and eight feet in height must comprise clear windows that allow views of indoor space or product display areas. The bottom of any window or product display window used to satisfy this standard may not be more than three feet above the adjacent sidewalk.
- (8) *Security bars and Gates:* Solid metal security gates, bars, or solid roll-down metal windows shall not be permitted. Link or grill type security devices shall be permitted. If installed on the outside, the coil boss shall be recessed and concealed behind the building wall.
- (9) *Landscaping:* All parts of the property visible from the public right-of-way or from residential units contained on the property or adjoining properties shall be adequately landscaped to maximize recreational utility and aesthetic views. Landscape improvements may include pavers or paved surfaces, gravel, trees, shrubs, ground cover, and wherever possible, the retention of existing landscape features.
- (10) *Fencing:* Rear yard property lines must be fenced where they abut residential zones as practicable. Alleyways should have decoratively designed gates or fences. Fences in front or side yards should not obscure sight lines to increase public safety. Chain link fences are prohibited except for temporary fences for construction.
- (11) *Screening:* All trash receptacles, dumpsters, or bins placed outside the building must be screened from view from the public right-of-way and constructed and maintained so as to prevent noxious sights, odors, vermin, or other nuisances.

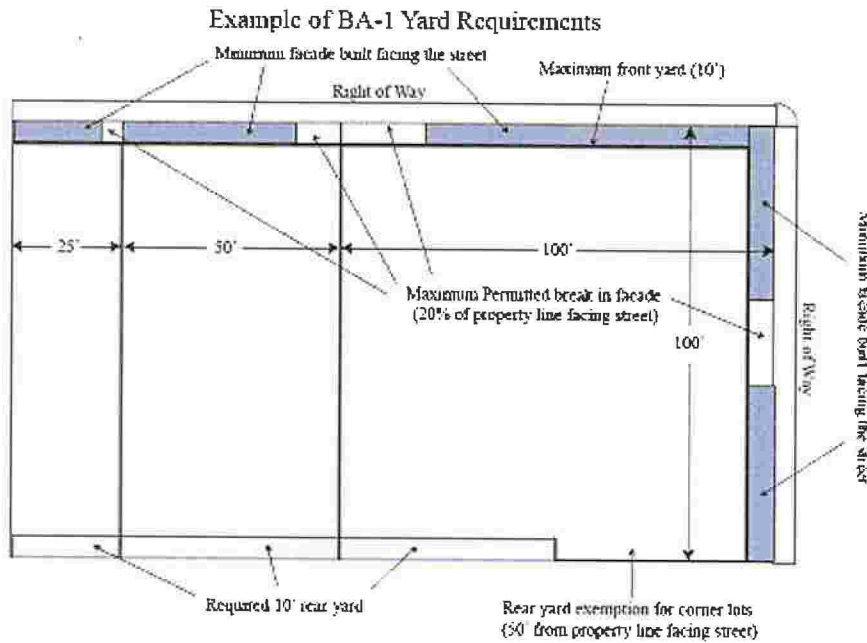


Figure 43.2 BA-1 Yard Requirements

- (12) *Design guidelines:* The following design guidelines apply to all buildings in a BA-1 or CGD District only. They should to the greatest extent possible, be incorporated into the design of new buildings and the renovation of existing structures. Compliance with these guidelines shall apply when (1) there are proposed modifications to a building façade to include replacement of windows, replacement of façade materials, or additions to or extensions of a façade; (2) there is an addition or modification to an existing structure that is subject to site plan review under Section 64(f); and (3) for all new construction.
- a. *General design principles:* Emphasis is placed on the pedestrian-scaled environment. Buildings should harmoniously blend with the existing neighborhood fabric. All materials and architectural details used on the exterior of a building should be compatible with the building style, and with each other. A building designed of an architectural style that normally includes certain integral materials and/or details should incorporate such into its design. Plans should reflect an attention to detail, the use of quality materials, and good craftsmanship.
 - b. *Scale, mass and continuity:* Buildings should generally relate in scale and design to the surrounding buildings where such buildings represent quality construction and design associated with historical development of the area. Buildings should reflect a continuity of treatment in the following ways:
 1. Maintain, when appropriate, the building mass and scale of adjacent buildings.
 2. Maintain front yard build-to lines.
 3. Maintain cornice and transition lines in buildings of the same height.
 4. Primary horizontal and vertical lines in the architectural composition should remain visible or be incorporated into the design.
 - c. *Building entrances:* All entrances to a building should be defined and articulated by architectural elements of the building. Any such element utilized should be architecturally compatible with the style, materials, and details of the building as a whole.
 - d. *Fenestration:* The arrangement and design of windows and doors in a building should be architecturally compatible with the style, materials, and details of the building. Windows should be vertically proportioned wherever possible. To the extent possible, upper story windows should be vertically aligned with the location of windows and doors on the ground level, including storefront or display windows. All windows should be stylistically consistent with the building and energy efficient.
 - e. *Roofs:* Roof types should be appropriate to a building's architectural type. Repairs to existing construction should

conform to the building vernacular.

- f. *Buildings on corner lots:* Buildings on corner lots should be considered important structures because they contain more than one façade that is exposed to the street. These buildings should be enhanced with appropriate architectural embellishments.
 - g. *Façades:* The architectural treatment of the front façade should be continued, in its major features, around all visibly exposed sides of a building. All sides of a building should be architecturally designed to be consistent with regard to style, materials, and details. Deteriorated materials should be restored to actual function if possible, and if not possible, should be replaced with similar materials that have the same form and surface characteristics without visually changing the façade's character. New buildings should, at street level, have clear glass windows sufficiently transparent to provide views into the interior of the building.
 - h. *Storefront façades:* Storefronts should be integrally designed as part of the entire façade. Buildings with multiple storefronts should be architecturally uniform throughout through the use of architecturally compatible materials, details, awnings, canopies and marquees.
 - i. *Signage and lighting fixtures:* Attachments and/or fixtures should complement the architectural design of the façade and should be appropriate in scale to the ornamentation and the design elements of the building. Fixtures and attachments should not obscure historically significant materials, architectural features or decorative details.
 - j. *Signage:* Signage should be architecturally compatible with style, materials, and details of the building and neighborhood.
 - k. *Awnings, canopies and marquees:* Awnings, canopies and marquees are permitted at ground level. Such treatments should be designed to complement the building and should be compatible with the materials and details of the building and neighborhood. In buildings with multiple storefronts compatible awnings, canopies and marquees should be used as a means to unify the building. Solid, lighted awnings and canopies are not permitted. Vinyl awnings are not permitted.
- (13) *Special permit:* All proposed uses of greater than 5,000 net square feet, whether located in new or existing structures, shall require a Special Permit in order to ensure that such relatively large proposals are compatible with and meet the general criteria and standards of the Business A-1 and Business A-2 Districts as described and defined in Section 41. Uses within CGDs are exempt from this provision.

(Ord. No. 1410, § 3, 3-20-06; Ord. No. 1412 (Rev. Sched. A, §§ 6, 7), 5-1-06; Ord. No. 1614, § 1, 3-1-10; Ord. No. 1685, Sched. D, 8-6-12; Ord. No. 1696, Sched. A, 5-6-13; Ord. No. 1726, Sched. A, 12-2-13; Ord. No. 1751, Sched. A, § 2, 8-6-14; Ord. No. 1804, Attach. C, 8-1-16; Ord. No. 1807, Attach. C, 8-1-16; Ord. No. 1820, Sched. B, 6-5-17; Ord. No. 1842, Sched. B, 6-4-18; Ord. No. 1886, Sched. C, 1-17-20; Ord. No. 1899, Sched. A, 7-6-20)

Section 43.1 - Design Standards for Public Plazas in the BD-3 Zone (04-20-20)

43.1-01 - Purpose.

Public plazas are privately operated open areas on a Lot intended for public use and enjoyment. Public plazas are intended to serve the following specific purposes:

- (1) to serve a variety of users of the public plaza;
- (2) to provide spaces for solitary users while at the same time providing opportunities for social interaction;
- (3) to provide safe spaces, with maximum visibility from the Street and adjacent Buildings and with multiple avenues for ingress and egress;
- (4) to mitigate the impact of Urban Heat Island by incorporating planting;
- (5) to maintain the use of the public plaza as publicly accessible space throughout the life of the Building for which a bonus FAR is provided due to the inclusion of a public plaza on the Lot on which the Building is located; and
- (6) to ensure that the provision of a FAR bonus for a Building due to the inclusion of a public plaza on the Lot on which the Building is located is based upon consistently applied standards.

(Ord. No. 1899, Sched. A, 7-6-20)

43.1-02 - Definitions.

Corner public plaza: A "corner public plaza" is a public plaza that is located on an intersection of two or more Streets.

Through block public plaza: A "through block public plaza" is a public plaza or portion of a public plaza that connects two Streets at mid-block.

(Ord. No. 1899, Sched. A, 7-6-20)

43.1-03 - Area dimensions.

A public plaza shall contain an area of not less than 3,000 square feet. In no case, shall spaces between existing Buildings on a Lot qualify as public plazas for purposes calculating a zoning bonus. Only the areas of a public plaza that meets the Standards shall count towards qualifying area for purposes of calculating a zoning bonus.

(Ord. No. 1899, Sched. A, 7-6-20)

43.1-04 - Orientation.

The orientation of the public plaza shall maximize access to sunlight and air. A primary frontage of the public plaza shall be south facing where possible and adequate shade shall be provided for user comfort. Prevailing wind patterns and down drafts shall be considered with adequate protections for user comfort.

(Ord. No. 1899, Sched. A, 7-6-20)

43.1-05 - Requirements for major portions of public plazas.

All contiguous public plaza areas meeting these standards for public plazas on one Lot shall be considered one public plaza, as follows:

- (1) The major portion of a public plaza is the largest area of the public plaza and the area of primary use.
- (2) Major portions shall be generally regular in shape, easily and directly accessible from adjoining Buildings and public spaces, and continuously visible from within all portions of the public plaza.
- (3) The major portion of a public plaza shall have a minimum average width and depth of 40 feet.
- (4) Where a public plaza has an irregular shape, minor portions of the public plaza shall be directly adjacent to the major portion and have a minimum depth of 15 feet.

(Ord. No. 1899, Sched. A, 7-6-20)

43.1-06 - Regulations for through block public plazas.

Through block plazas shall meet the following standards:

- (1) Through block public plazas shall be treated as two public plazas separated at a line drawn within 25 feet of the midblock line.
- (2) Where any Building wall or walls adjoin a through block public plaza or a through block portion of a public plaza and where such wall or walls exceed 120 feet in aggregate length, a minimum ten-foot setback at a height between 60 and 90 feet is required for the full length of the Building wall.
- (3) Through block public plazas shall contain a circulation path at least ten feet in width, connecting the two Streets on which the public plaza fronts.

(Ord. No. 1899, Sched. A, 7-6-20)

43.1-07 - Paving.

The paving of the public plaza shall be of non-skid durable materials that are decorative and compatible in color and pattern with other design features of the public plaza. To reduce urban heat island:

- (1) Paving materials shall be of high-reflective material and/or pervious pavers or vegetated pavers.
- (2) Urban landscape, trees and vegetation shall be used to reduce direct sunlight on pavement surfaces.

(Ord. No. 1899, Sched. A, 7-6-20)

43.1-08 - Access and Circulation.

- (a) At least 30 percent of public plaza Street frontage shall be free of obstructions
- (b) The level of a public plaza, inclusive of major and minor portions, shall be at the average elevation of the level of the curb of adjacent Street frontage
- (c) Clear sightlines shall be maintained into main areas of the public plaza from adjacent sidewalks.
- (d) Notwithstanding the foregoing. If the grade of the public plaza is different from the grade of an adjacent Street, there must be a visible means of access from the adjacent Street onto the public plaza as well as signage, artwork, planted walls or other visual cues that connect the adjacent Street to the public plaza.
- (e) Where the elevation of the public plaza is more than four feet above or below the curb level of an adjoining Street, access to the public plaza shall be provided by ADA compliant stairs, via a through block connection (a connection between two Streets) or via a publicly accessible arcade or enclosed passage that is open to public and ADA accessible.
- (f) Circulation paths within public plazas shall provide for unobstructed pedestrian circulation throughout the minor and major portions of the public plaza at a minimum width of five feet. At least one circulation path should be at an average eight in width.

(Ord. No. 1899, Sched. A, 7-6-20)

43.1-09 - Permitted obstructions.

Public plazas shall be open to the sky and unobstructed except for the following features:

- (1) Equipment and appurtenances normally found in public parks and playgrounds: water features, art; seating; trees, planters, planting beds, arbors or trellises; litter receptacles; bicycle racks; tables and other outdoor furniture: lights, public restrooms; permitted temporary exhibitions; permitted canopies; permitted freestanding signs; play equipment; kiosks and open-air cafes; stages.
- (2) No obstructions shall impede sightlines in the public plaza so as to create a public safety issue.
- (3) Permitted obstructions may occupy a maximum percentage of the area of a public plaza, as follows:
For public plazas less than 10,000 square feet in area: 40 percent
For public plazas 10,000 square feet or more in area: 50 percent
- (4) The area of permitted obstructions shall be measured by outside dimensions at ground level. Obstructions that are non-permanent or moveable, such as moveable chairs, open air cafes, or temporary exhibitions are exempt.
- (5) Trees planted flush-to-grade in accordance with the provisions of [Section 43.1-13b](#) (Planting and Trees) and tree canopies as well as raised planted areas that are bounded by seating do not count as obstructions for the purpose of calculating total area occupied by permitted obstructions.
- (6) The following are prohibited in public plazas: garage entrances, driveways, parking spaces, passenger drop offs, loading berths, exhaust vents, mechanical equipment and building trash storage facilities. Vents may be permitted in adjacent walls if they are more than 15 feet above the level of plaza with visual and auditory mitigation. Vents in public plazas must be concealed from view by planting or other features.

(Ord. No. 1899, Sched. A, 7-6-20)

43.1-10 - Hours of access.

All public plazas shall always be accessible to the public, except for anticipated temporarily closures for maintenance of the public plaza or for public safety as documented by the applicant.

(Ord. No. 1899, Sched. A, 7-6-20)

43.1-11 - Standards of accessibility for persons with disabilities.

All public plazas shall conform to applicable laws pertaining to access for persons with disabilities regardless of whether the Building associated with the public plaza is existing or new.

(Ord. No. 1899, Sched. A, 7-6-20)

43.1-12 - Kiosks, Food Carts and Open-Air Cafes.

Kiosks, food carts and open-air cafes may be placed within a public plaza which are licensed in accordance with City regulations. Such features shall be treated as permitted obstructions.

(Ord. No. 1899, Sched. A, 7-6-20)

43.1-13 - Amenities.

All public plazas shall provide amenities, as listed below. All required amenities shall be considered permitted obstructions within the public plaza.

(Ord. No. 1899, Sched. A, 7-6-20)

43.1-13a - Seating.

Standards for seating within public plazas are intended to facilitate the provision of abundant, comfortable and accessible seating throughout the public plaza, to provide a broad variety of seating types and configurations; to accommodate individual users engaged in solitary activities as well as groups engaged in social activities; to provide comfortable and safe seating surfaces; to incorporate, to the maximum extent possible, a combination of fixed benches, moveable chairs, seating with backs, seat walls and ledges, and seating steps; as follows:

A minimum of one linear foot of seating shall be provided for each 75 square feet of public plaza area. Moveable seats can be credited as two linear feet.

(Ord. No. 1899, Sched. A, 7-6-20)

43.1-13b - Planting and Trees.

The provisions of this Section are intended to facilitate a combination of landscaping elements in order to provide comfort, shade and textural variety.

- (1) At least 15 percent of the area of a public plaza shall be comprised of planting beds with a minimum plan dimension of two feet, exclusive of any bounding walls.
- (2) All public plazas shall provide a minimum of four trees with a minimum of three-inch diameter at breast height (DBH).
- (3) For a public plaza greater than 10,000 square feet in area, additional trees that measures at least three inches DBH or multi-stemmed equivalents must be provided for each additional 1,200 square feet of public plaza area.
- (4) For all public plazas, at least 50 percent of required trees shall be planted flush-to-grade or planted at grade within planting beds with no raised curbs or railings. Trees planted flush-to-grade shall be surrounded by a porous surface (such as grating or open-joint paving) that allows water to penetrate into the soil for 75 square feet around trunk.
- (5) Planting beds shall have a soil depth of at least 18 inches for grass or other ground cover, three feet for trees and shrubs.

Any planting bed containing required trees shall have a continuous area of at least 75 square feet for each tree exclusive of bounding walls. Each tree should have access to 1000 cubic feet (cf) of soil. If trees are planted in a continuous planting bed, a minimum of 600 cubic feet of soil per tree should be allocated.

- (6) All plantings shall be appropriate to local climate and conditions with a 90 percent survival rate expectancy in first two years. Native species shall be prioritized in plant selections.
- (7) Planted areas on the roof of a subsurface structure may qualify as ECO roofs (see ECO roof definition). The requirements for soil depth and heights of planting beds above subsurface structures shall not apply if planting depths are not achievable due to structural or similar constraints and an alternative design such as intensive eco-roof application is provided.
- (8) Street trees are required to be planted at minimum 30 feet on center in the sidewalk area adjacent to a Lot on which a Building is located which has received a FAR bonus due to the presence of a public plaza on the Lot. Street trees are required to be approved by the City Tree Warden through the Site Plan Review process.

(Ord. No. 1899, Sched. A, 7-6-20)

43.1-14 - Lighting and electrical power.

Public plazas shall be illuminated to provide for safe use and enjoyment of all areas of the public plaza. Steps and other changes in elevation and areas under tree canopies and permitted canopies within the public plaza shall be adequately lit. Electrical service shall be provided for public programming. All lighting sources that illuminate the public plaza and are mounted on or located within the Buildings adjacent to the public plaza on the Lot on which the public plaza is located shall be shielded from direct view. In addition, all lighting within the public plaza area shall be shielded to minimize any adverse effect on surrounding residences. All lighting must be Dark Sky Friendly to reduce light pollution.

(Ord. No. 1899, Sched. A, 7-6-20)

43.1-15 - Litter and recycling receptacles.

Litter and recycling receptacle shall be provided in adequate numbers in accordance with use and programming of the public plaza.

(Ord. No. 1899, Sched. A, 7-6-20)

43.1-16 - Bicycle parking.

In addition to the requirements for bicycle parking in [Section 45](#) for the Building on the Lot on which the public plaza is located, public plazas greater than 10,000 square feet in size must provide parking for at least eight bicycles. Bike racks must be provided directly adjacent to the sidewalk that borders a public plaza and conform with any applicable City standards.

(Ord. No. 1899, Sched. A, 7-6-20)

43.1-17 - Additional amenities.

Public plazas between 5,000 and 10,000 square feet in area must provide one of the following additional amenities and public plazas greater than 10,000 square feet in area must provide at least three of the following additional amenities. All additional amenities shall be considered permitted obstructions within the public plaza.

- (1) Artwork. The applicant shall consult with City's Director of Arts, Culture and Tourism with respect to the selection of artwork prior to submitting its Site Plan application.
- (2) Moveable tables and chairs.
- (3) Water features.
- (4) Children's play area in accordance with relevant safety standards.
- (5) Game tables and associated seating; or
- (6) Food service, including: food service in a retail space directly accessible from the major portion of the public, plaza; or an

open-air cafe or kiosk. Public plazas greater than 10,000 square feet in area must include a food service as one of the three additional required amenities.

(Ord. No. 1899, Sched. A, 7-6-20)

43.1-18 - Mandatory Allocation of Frontages for Permitted Uses.

At least 50 percent of the total frontage of all new Building walls fronting on a public plaza shall contain active uses on the ground floor level of the Building wall fronting the public plaza. All such uses shall include and comply with the following:

- (1) A public entrance that is directly accessible from the major portion of the public plaza;
- (2) A minimum depth of 15 feet, measured perpendicular to the wall adjoining the public plaza;
- (3) Continuation of the occupancy of such frontage for the life of the Building that has received a FAR bonus due to the presence of the public plaza on the Lot on which the Building is located (but not necessarily the same active use); and
- (4) For all new Building walls fronting on the major and minor portions of the public plaza, such Building walls shall be treated with clear, un-tinted transparent material for 50 percent of the Building wall fronting on the public plaza to a minimum height of 14 feet above the public plaza. Any non-transparent area of a new or existing Building wall fronting on the major or minor portion of a public plaza shall be treated with a decorative element or material or shall be screened with planting to a minimum height of 14 feet above the public plaza.

(Ord. No. 1899, Sched. A, 7-6-20)

43.1-19 - Maintenance.

The public plaza, including, but not limited to, the permitted obstructions pursuant to [Section 43.1-09](#), shall be maintained including litter control, management of pigeons and rodents, maintenance of required lighting levels, and the care and replacement of furnishings and vegetation and trees within the Lot as well as snow and ice removal, as needed.

(Ord. No. 1899, Sched. A, 7-6-20)

43.1-20 - Programming.

Opportunities and permissions for pop-up seasonal events, temporary art installations, performances, educational events on the public plaza shall be provided in consultation with the City, the City's Art, Culture and Tourism Director and any applicable Special Services District. Access to power for public programming on the public plaza will be provided. A schedule of events shall be publicly available.

(Ord. No. 1899, Sched. A, 7-6-20)

43.1-21 - Compliance.

As part of its Site Plan application, an applicant seeking a FAR bonus based upon the provision of a public plaza shall include a site plan indicating the area and dimensions of the proposed public plaza, the location of all existing Buildings and Structures occupying the Lot; all proposed Buildings and Structures, computations of proposed FAR, including bonus FAR, and detailed plans prepared by a registered landscape architect, including but not limited to a furnishing plan, a planting plan, a signage plan, a lighting/photometric plan, and sections and elevations of the public plaza.

(Ord. No. 1899, Sched. A, 7-6-20)

Section 44. - Reserved.

Editor's note— Ord. No. 1871, adopted September 3, 2019, repealed [§ 44](#), which pertained to on premises signs and derived from Ord. No. 1412 (Rev. Sched. A, § 8), adopted May 1, 2006; and Ord. No. 1685 Sched. D, adopted August 6, 2012. Similar provisions can be found in [section 60.3](#).

Section 44.1. - Reserved.

Editor's note— Ord. No. 1871, adopted September 3, 2019, repealed § 44.1, which pertained to off premises signs and derived from Ord. No. 1412 (Rev. Sched. A, § 9), adopted May 1, 2006; Ord. No. 1614, § 1, adopted March 1, 2010; Ord. No. 1685, Sched. D, adopted August 6, 2012; and Ord. No. 1847, adopted March 13, 2018. Similar provisions can be found in section 60.3.

Section 45. - Regulations for parking, loading, automotive and drive-in establishments.

The following regulations shall apply to all uses and zone districts described in section 42 of this ordinance.

In any case where provisions of this section 45 are applicable, the plans submitted shall be sufficient in scope and character to determine that all relevant requirements of this section are adhered to.

In any case in which the zoning enforcement officer is uncertain as to the applicability of standards or the adequacy of facilities, such questions shall be referred to the department of traffic and parking for an opinion. Where further refinement of the provisions of this section 45 is necessary, reference shall be made to The Traffic Engineering Handbook, Institute of Traffic Engineers, in its latest edition, or to A Policy on Arterial Highways in Urban Areas, American Association of State Highway Officials, in its latest edition.

(a) *Parking and loading.*

(1) Off-street parking and off-street loading spaces shall be furnished in the following quantities for new uses and expansion of existing uses except where otherwise indicated in Section 45.

a. *Quantity of parking spaces:* The quantity furnished shall be in accordance with the following table. For the sake of clarity, the appropriate key letter in the first column below appears with each *use* in the Table of *Use* Regulations in section 42.

Table 45(a)(1)a.

Key Letter	General Description of Uses	Quantity of parking spaces
a	Motel, Hotel, Tourist Home, Bed and Breakfast	One per unit
b	Rooming or Boarding House Fraternities and Sororities	One per three sleeping rooms
c	Dwelling, Unit	One-half per dwelling unit, except for one per dwelling unit in BA and BA-1 Districts
d	Assisted Living and Elderly Housing	One-third per dwelling unit
e	Live Work Loft	One per unit
f	Custodial Care	See <u>Section 19</u>
g	Religious institutions	One for each eight seats in the largest place of assembly based upon the maximum occupancy of both fixed and movable seats
h	Cultural activities including art galleries, libraries and museums	One per each eight seats in each place of assembly based upon the maximum occupancy of both fixed and movable seats
i	Public and private elementary and secondary schools	One for each eight seats in each place of assembly commonly having events open to the public, based upon the maximum occupancy of both fixed and movable seats

j	Public and private colleges and universities	Minimum parking: One parking space for each two full-time faculty members or the equivalent (two part-time members equaling one full-time member), plus one parking space for each three employees, plus one parking space for each three non-resident students, plus one parking space for each six beds if residents are allowed to keep automobiles, plus one parking space for each eight seats in each place of assembly (other than classrooms) commonly having one-half or more of its attendance made up of students (and otherwise having one parking space for each four seats) based on the maximum occupancy of both fixed and movable seats
k	General and Special Inpatient Hospitals	Minimum parking: One parking space for each four patient beds (excluding bassinets), plus one parking space for each staff or visiting doctor (based on the average number of such doctors at the hospital or health care clinic at peak times), plus one parking space for each four employees in the largest shift including nurses; plus, in the case of health care clinics, a number of parking spaces for patients equal to twice the number of parking spaces required for doctors
l	Nursing Homes/Rest Homes/Residential Care Homes	One per patient bed
m	Health Care Clinic	Three per 1,000 sq. ft. of gross floor area
n	Retail sales and services	One per 400 sq. ft. of gross floor area
o	General office, including Research Labs and High Technology Services	One per 750 sq. ft. of gross floor area
p	Place of assembly, eating or drinking place, funeral home	One per four seats (total capacity)
q	Indoor Amusement including Game Rooms as defined in subsection 42(f)	One per four persons present at such facilities when they are filled to capacity
r	Vocational, trade or business school	One per two students present at one time
s	Industrial, heavy commercial, transportation, marine, miscellaneous services	One per two employees on the largest shift
t	Game room, as defined in section 42.2	One per two game machines
u	Marina	One per slip

1. Exceptions.

- A. *BA-1 and BA-2 Exceptions.* In the business A-1 and A-2 zone the following parking standards shall apply to all properties and buildings:
1. All residential uses—In the BA-1 zone, one space per unit. In the BA-2 zone, one half (.5) spaces per dwelling unit.
 2. In the BA-1 and BA-2 zone, nonresidential uses of 2,000 square feet or less gross floor area—No requirement.
 3. In the BA-1 and BA-2 zone, nonresidential uses of greater than 2,000 square feet gross floor area—Two spaces per 1,000 square feet.
 4. In all cases, the off street parking provided on a lot for non-residential uses may not exceed three spaces per 1,000 square feet gross floor area.
 5. Mixed use buildings may share parking requirement between residential and non-residential uses. Up to half the residential parking requirement may be counted toward daytime non-residential parking requirements so long as there is a reasonable evidence that such uses will not adversely affect residential tenants.
 6. Off-street parking shall be located to the rear of the principle building and otherwise attractively screened so

as to not negatively impact on the view from the public right-of-way. There shall be no front yard parking.

7. Sidewalk curb-cuts should be minimized. Where possible, adjacent lots should share parking access from the public right-of-way. If new curb cuts are required for a development project, pre-existing disused curb cuts must be restored per city standards.
 8. Drive-in or drive-through establishments are prohibited.
- B. *BD, BD-1, BD-2, and BD-3 Exceptions.* In the Business D, D-1, D-2 and BD-3 Districts subsection 45(a)(1)a. shall not apply to any except the following uses:
- a. General and Special and Hospitals.
 - b. Health Care Clinics, Nursing Home or Recovery Care Center.
 - c. Dwellings (including elderly and assisted living and live/work lofts).
 - d. Establishment not meeting the definition of "Restaurant" under Article I, Section 1 of these regulations and selling or serving alcoholic beverages for immediate consumption on or off premises, including accessory entertainment, or permitting immediate consumption of alcoholic beverages on or off premises, including accessory entertainment. (BD and BD-1 Districts only).
- C. *CGD Exceptions.* In the CGD zones, the following parking standards shall apply:
- (1) All off-street parking spaces must be located to the rear of principle buildings.
 - (2) Parking requirements are as follows:

Use	Parking Maximum ¹
Residential	1 per unit
Childcare	5 off-street loading spaces, 7 parking spaces per classroom.
Restaurant	0.5 per seat
Medical	4 spaces for every 4 beds/treatment spaces (excluding bassinets)
All Other Commercial	1 per 1,000 sq.ft.

¹ See subsection 3 below. This supersedes all other parking requirements. For uses not listed here, there is no minimum or maximum parking requirement.

- a. Shared parking arrangements are encouraged, see section 45(a)(6). Designation of spaces for electric vehicles and/or shared vehicles is strongly encouraged.
- (3) For any development proposing more than the maximum off-street, car parking spaces, a travel demand management study must be submitted. When more than the maximum spaces are proposed, at least one space per every 25 spaces provided must be designated for electric vehicle charging; and one space must be designated for shared vehicles, or a shared vehicle passenger loading space must be provided within 50 feet of a public entrance to the building.
 - (4) New buildings larger than 50,000 sq. ft. or exceeding 50 residential units, that are further than 1,000 feet from a transit stop, are required to provide at least one space for passenger loading for shared and/or autonomous vehicles within 100 feet of a public entrance to the building.

- (5) Secure (covered and enclosed) bicycle parking is required for residential uses. One bicycle parking space per ten car parking spaces or 0.25 bicycle parking spaces per residential unit, whichever is greater.
- (6) Temporary bicycle parking is required and shall be provided in publicly accessible areas. Temporary bicycle parking requirements are as follows:

Use	Minimum Required Temporary Bicycle Parking
Residential	0.2 spaces per residential unit
Childcare	5% of the number of children/students
Restaurant	7% of the number of seats
Medical	2% of the number of beds/treatment spaces (excluding bassinets)
All Other Commercial	1 per 10 car parking spaces or 1 per 2,500 sq. ft., whichever is greater

2. In the ratios above, any fraction of the stated amount of floor area, seats, etc., shall require one *parking space*, but after the first such *parking space*, only a fraction of one-half or greater shall require an additional *parking space*.
3. Where one *building* has two or more distinct *uses*, such *uses* shall be measured separately for the purpose of determining the quantity of spaces required.
4. In order to be credited to the quantity of parking spaces required for a use, any parking space not on the same lot as such use shall be within 1,000 feet walking distance of such use, except that in the BA and BA-1 Districts such spaces must be within 300 feet of the subject lot. In the BA-2 District, such spaces must be within 650 feet walking distance of the subject lot. All such arrangements shall comply with paragraph 45(a)(5) below.
5. The quantity of parking required may be satisfied in whole or in part by transition parking described in subparagraph 13(b)(3)c., if permitted by special exception.
6. In order to be credited to the quantity of spaces required, each parking space shall have an area of not less than nine feet by 18 feet in the case of self-service parking, or eight feet by 18 feet in the case of garage or attendant parking, exclusive of adequate driveways and aisles except that in all districts up to 30 percent of required parking spaces may be compact parking spaces. No area shall be credited as a parking space which is in any part also credited or used as a loading space.
7. In all districts two required parking spaces may be subtracted from the quantity of parking spaces required for a use or a structure for each carsharing parking space provided in a parking lot or structure containing 50 or fewer parking spaces serving such use or structure, provided, however, that in no event shall the number of parking spaces provided for a use or a structure (excluding carsharing parking spaces) be reduced by more than five percent of the required parking spaces for such use or structure. Five required parking spaces may be subtracted from the quantity of parking spaces required for a use or a structure for each carsharing parking space provided in a parking lot or structure containing in excess of 50 parking spaces, provided, however, that in no event shall the number of parking spaces provided for a use or structure (excluding carsharing parking spaces) be reduced by more than ten percent of the required parking spaces. Fifty percent of carsharing parking spaces at the same location may be compact parking spaces.
8. In all districts, for any nonresidential use and residential uses in BA, BA-1, and BA-2 districts the site shall provide two

bicycle spaces for the first ten required parking spaces and one additional bicycle space for each additional ten required motor vehicle parking spaces or fraction thereof per Table 45(a)(1)a., exceptions in subsection 45(a)(1)a.1. notwithstanding. For any residential use in other nonresidential districts the site shall provide four bicycle spaces for the first ten required parking spaces and one additional bicycle space for each additional ten required motor vehicle parking spaces or fraction thereof per Table 45(a)(1)a.

And

In any case of a use for which ten or more motor vehicle *parking spaces* are required one bicycle parking space may be substituted for one motor vehicle parking per each ten required motor vehicle *parking spaces* or fraction thereof.

- A. Bicycle *parking spaces* shall comply with designs approved by the City of New Haven Department of Transportation, Traffic and Parking and at a minimum must provide a bicycle rack that permits the locking of a bicycle frame and one wheel while supporting the bicycle in a stable position that will not damage the bicycle or its components or interfere with pedestrian access to the sidewalk and ingress and egress to buildings or facilities. Required bicycle *parking spaces* are also subject to the additional following standards:
 - 1. Short-term bicycle parking is intended to encourage bicycling for shoppers, customers and visitors by providing convenient bicycle parking located adjacent to main entrances of buildings. It should be located within 50 feet of each main building entrance as measured by the most direct pedestrian access route.
 - 2. Long term bicycle parking provides safe and weather protected places for users requiring longer periods of bicycle storage such as residents, employees and students. Specific requirements include:
 - a. Long term bicycle parking must be located on or within 100 feet of the site.
 - b. At least 50 percent of required spaces must be covered.
 - c. The area must be locked or secured.
 - 3. Short and long range parking by use.
 - a. Multi-family residential: Short term—10%, long term—90%
 - b. Retail, Restaurant: Short term—66%, long term—33%
 - c. Office: Short term—20%, long term—80%
 - d. Manufacturing and warehouse: long term—100%
 - e. Medical uses: Short term—66%, long term—33%
 - f. Other uses to be determined by City Plan Commission
- b. *Quantity of loading spaces*: The quantity furnished shall be in accordance with the following table, provided, however, that the requirements of this paragraph shall not apply to any establishment within the Business D-3 District or to any establishment within the Business D-1 District having a *gross floor area* of less than 10,000 square feet. Any such establishment within the Business D-1 and D-3 Districts having a *gross floor area* of less than 10,000 square feet shall have available to it adequate off-street *loading spaces*, with centralized joint use of *loading spaces* permitted. In the Business D-3 District, a *nonresidential building* or a *mixed-use building* with a *gross floor area* of 10,001—200,000 square feet will require one *loading space*. For each additional 200,000 square feet of *gross floor area* of a *nonresidential building* or the ground floor of a *mixed-use building* in excess of 200,000 square feet, an additional *loading space* will be required in the Business D-3 District, provided however that no more than four *loading spaces* shall be required for any *nonresidential building* or *mixed-use building* in the Business D-3 District. In the Business D-3 District, a centralized shared loading space system shall be established for each *nonresidential building* and for the nonresidential *uses* in each *mixed-use building*. For the sake of clarity the appropriate key letter in the first column below appears with each use in the Table of Use Regulations in section 42.

Key Letter	General Description of Uses	Gross floor Area (in square feet)	Quantity of loading spaces
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x	Use which is primarily concerned with the handling of goods	2,400—20,000	1
		20,001—50,000	2
		50,001—80,000	3
		each add'l. 45,000	1 additional
y	Use which is not primarily concerned with handling goods	2,400—75,000	1
		75,001—200,000	2
		200,001—333,000	3
		each add'l. 150,000	1 additional

1. Except in the Business D-3 District, where one establishment has two or more distinct *uses*, such *uses* shall be measured separately for the purpose of determining the quantity of spaces required.
 2. In order to be credited to the quantity of **loading spaces** required for a use, any **loading** space not on the same lot as such use shall be in an area immediately adjacent to such lot or (1) connected to it by underground tunnel of sufficient size to accommodate the types of materials intended for loading and unloading and (2) part of a centralized loading space system to provide the regular loading space service to such use.
 3. Each **loading space** shall be sufficient in size and arrangement to accommodate trucks of the type servicing the establishment. Aisles in off-street parking areas may be used as **loading spaces** or maneuver area for entry into **loading spaces**, if the efficient operation of the off-street parking area is not affected thereby.
 4. In any case where an off-street **loading space** or **spaces** have been established, loading shall thereafter take place in such space or spaces in preference to any public street or sidewalk.
- (2) All parking and loading areas shall have adequate access to a street or alley, be suitably surfaced and drained, and be provided with bumper or wheel guards where necessary to prevent encroachment of vehicles beyond property lines. Sufficient off-street maneuvering area shall be provided. Required yards may be used for parking, provided all other requirements of this ordinance are adhered to.
- (3) Except in the Business D-3 District, where property in a business or industrial district abuts a residence district, either directly or across a street or alley, the following requirements shall apply to parking and loading areas on such property in such business or industrial district:
- a. There shall be a buffer strip of land at least five feet in width within such business or industrial district, between the parking or loading area and such residence district.
 - b. There shall be a suitable fence, wall or evergreen planting at least five feet in height, designed to screen noise, odors, visibility and headlight glare, between the parking or loading area and such residence district (except that such fence, wall or planting shall conform to the sight distance requirement in subparagraph (4)c. below).
- (4) Free flow of traffic and protection of pedestrian areas:
- a. Access and egress shall be arranged for the free flow of vehicles at all times, so as to prevent the blocking or endangering of vehicular or pedestrian traffic through the stopping or standing of vehicles on sidewalks or streets. If a reservoir of vehicle standing area on the property is necessary to prevent such blocking of traffic, an adequate reservoir shall be provided.
 - b. Facilities shall be so arranged that no vehicle is allowed to stand or be parked on any sidewalk or other area between the curb and the street line, or on any other area which is privately owned but used by the public as a sidewalk.
 - c. Adequate sight distances shall be maintained for vehicles and pedestrians.
 - d. No access or egress shall be so arranged that vehicles can enter or leave the area only by backing on or across any sidewalk or to or from any street.
 - e. An access or egress driveway shall cross a sidewalk only in such a way that its width at the inner edge of the sidewalk is no greater than its width at the curb (excluding any curved or tapered section known as "curb return"). Any portion of a parking or loading area (or other area for maneuvering or standing of vehicles) abutting a sidewalk at a point other than

- a permitted driveway shall be provided with suitable copings, wheel stops, bumper guards or other devices to prevent encroachment of parked, standing or moving vehicles upon any sidewalk area not contained within a permitted driveway.
- f. The construction specifications for curb cuts for driveways (such as line and grade materials) shall be determined by reasonable standards established by the Department of Public Works, and by the City of New Haven Ordinance entitled An Ordinance to Regulate the Laying of Walks, Curbs, Combined Curbs and Gutters, and any amendments thereto. The number, location and length of curb cuts for driveways shall be determined by reasonable standards established by the department of traffic and parking.
- (5) Any *parking* or *loading space* not located on the same *lot* as the *structure* or *use* to which it is assigned, in order to be credited to the quantity of *parking* or *loading spaces* required for such *structure* or *use*, must be either:
- Owned by or under long-term lease to the owner of such *structure* or *use*, with appropriate deed restrictions and long-term leases recorded on the New Haven Land Records; or
 - Made available on a long-term basis by a public agency or agencies, with written certification from such public agency or agencies as to such availability.
- (6) **Shared Parking.** Where it is proposed that two or more *uses* for which a *parking* or *loading space* or *spaces* are required make joint use of the same *parking* or *loading space* or *spaces*, such joint use shall not be permitted unless:
- An appropriate contract between the parties concerned, providing for long-term joint use of such parking or loading, is recorded on the New Haven Land Records; and
 - A special exception is granted under the provisions of subsection 63(d), upon a finding, among other things, that the proposed joint use of parking or loading will meet the requirements of this ordinance for the two or more *uses* involved at the time when such *uses* are in operation.
 - In addition to the circumstances set forth in subsections a. and b., in the Business D-3 District, *shared parking* will be allowed as follows:
 - The *building* is a *mixed-use building*, and there is evidence established to the reasonable satisfaction of the Department of Transportation, Traffic and Parking, which shall provide a report to the City Plan Commission in connection with a site plan application for the *building* that one-half of the residential requirement for such *building*, if counted toward the non-residential parking requirements of the *building*, will not adversely affect the residential *use* in the *building*.
 - The on-site parking provided for a *nonresidential building* is *publicly shared parking*, in which case the parking requirements for the *uses* in the *nonresidential building* shall be reduced by 15 percent.
 - Two or more *uses* and/or *structures* agree to *shared parking*, an agreement providing for the shared use of parking executed by the parties involved is filed on the land records of the City of New Haven, and the parking for such *uses* or *structures* occur at alternating time periods, which shall be established to the reasonable satisfaction of the Department of Transportation, Traffic and Parking which shall provide a report to the City Plan Commission in connection with the site plan applications for such *uses* and/or *structures*. In such case, the number of parking spaces required for each *use* or *structure* shall be reduced by 25 percent.
- (7) The Board of Zoning Appeals shall have the power to lessen the requirements of this ordinance as to the number of *parking* or *loading spaces* required and/or increase the maximum allowable *walking distance* to such *parking spaces*, but only upon a finding that either particular circumstance or mitigative measures qualify such action. Particular circumstance may include, but not be limited to availability of public parking, proximity to public transit or significant levels of pedestrian access. Mitigative measures may include, but not be limited to van and/or car pooling, public parking validation programs, flexible work schedules or other transportation demand management measures. All deviations from normal requirements by means of this paragraph (7) shall be considered as special exceptions under subsection 63(d) of this ordinance. In the case of any religious, educational or medical institution which has an overall parking plan for all of its facilities which has been approved by the Board of Zoning Appeals the 300 or 1,000 foot parking distance set forth in this ordinance, including this Section 45, shall not apply.

- (8) Once any required *parking or loading space* has been established within the provisions of paragraph (1) above, whether on the *structure* or *use* to which it is assigned or on a separate *lot*, such *parking or loading space* shall not be discontinued if that would be a reduction below the amount of *parking or loading* required by this ordinance. Any such discontinuance of a *parking or loading space* shall constitute a violation of this ordinance, and any existing *building* permit or certificate of occupancy that could have been issued without the assignment of such *parking or loading space* to the *structure* or *use* for which it was issued shall be null and void.
- (b) *Automotive establishments.* The following requirements shall apply to automotive establishments as indicated regardless of the district in which they are located. Where requirements of State Statutes, the Connecticut Motor Vehicle Commissioner, the Board of Zoning Appeals or some other authority also apply, the strictest of the requirements shall control.
- (1) *Gasoline stations.*
- All pump islands shall be located at least 13 feet from any *street line*.
 - The provisions for free flow of traffic and protection of pedestrian areas in paragraph 45(a)(4) above shall apply. In particular, sight distances shall not be obstructed by temporary or permanent signs, racks, displays or other materials or equipment.
 - Facilities shall be so arranged that no servicing of any vehicle shall take place on any public street or sidewalk, and no storage of any vehicle shall take place on any sidewalk. Adequate area for parking, storage and servicing of vehicles shall be provided on private property.
 - Servicing other than retail sale of gasoline and oil, and minor services customarily incidental thereto, shall be conducted within a *building*.
- (2) *Repair and limited repair of vehicles.*
- The provisions for free flow of traffic and protection of pedestrian areas in paragraph 45(a)(4) above shall apply.
 - Facilities shall be so arranged that no servicing or repair of any vehicle shall take place on any public street or sidewalk, and no storage of any vehicle shall take place on any sidewalk. Adequate area for parking, storage and servicing and repair of vehicles shall be provided on private property.
 - All repairs other than minor emergency repairs, and all servicing other than customary outdoor services such as tire and chain work shall be conducted within a *building*. All vehicles which are inoperable by reason of collision shall be stored within a *building* or be screened in such a manner as to be hidden from view from streets and surrounding properties.
- (3) *Sale of new or used vehicles.*
- The provisions for free flow of traffic and protection of pedestrian areas in paragraph 45(a)(4) above shall apply.
 - Adequate area for storage of vehicles and for parking of employee and customer automobiles shall be provided on private property.
 - Any repairing of vehicles shall conform to paragraph 45(b)(2) above.
- (4) *Car or truck wash (a/k/a Auto laundries).*
- The provisions for free flow of traffic and protection of pedestrian areas in paragraph 45(a)(4) above shall apply. Compliance with such provisions shall be assured by adequate design of the establishment, including a reservoir of vehicle storage and standing area on the property, outside the car or truck wash, of at least one-fifth the hourly capacity in vehicles of such facilities.
- (c) *Drive-in establishments.* The following requirements shall apply to drive-in restaurants, drive-in banks, drive-in laundries, customer pick-ups, drive-in vending machines, and other facilities serving customers either sitting in their vehicles or stepping out briefly to pick up or deliver goods or conduct other business.
- The provisions for free flow of traffic and protection of pedestrian areas in paragraph 45(a)(4) above shall apply. Compliance with such provisions shall be assured by adequate design of the establishment, with particular attention to provision of sufficient vehicle stacking capacity.

(Ord. No. 1412 (Rev. Sched. A, § 12), 5-1-06; Ord. No. 1553, 6-4-07; Ord. No. 1614, § 1, 3-1-10; Ord. No. 1662, 9-19-11; Ord. No. 1665, 10-3-11; Ord. No. 1685, Sched. D, 8-6-12; Ord. No. 1696, Sched. A, 5-6-13; Ord. No. 1751, Sched. A, § 3, 8-6-14; Ord. No. 2016-0022, Attach. C, 8-1-16; Ord. No. 1820, Sched. B, 6-5-17; Ord. No. 1842, Sched. B, 6-4-18; Ord. No. 1886, Sched. C, 1-17-20)

Section 46. - Outdoor activities and storage, waste, dumping, and quarries.

(a) *General and related standards.* Activities and storage in outdoor areas in business and industrial districts also are subject to the standards of the sections of this zoning ordinance specified below:

(1) *General standards.*

- a. Each application for activities and storage in outdoor areas in business and industrial districts shall be accompanied by a scaled site plan on an A-2 survey base showing storage areas, including locations and types of containers for all volatiles, traffic aisles, and parking for the establishment.
- b. Additional screening may be required in the granting of a special exception or special permit.

(2) *Related standards.*

- a. Use Regulations§ 42
- b. Signs§ 60.3
- c. Parking, Loading and Access§ 45
- d. Automotive & Drive-In Establishments§ 45
- e. Uses abutting Residential Districts§ 47
- f. Performance§ 48

(b) *Outdoor display of merchandise.* Display of new or used merchandise for sale at retail (other than motor vehicles) shall be permitted outdoors during business hours only, and such merchandise shall be completely enclosed within a **building** or other **structure** at all other times.

(c) *Outdoor display and consumption of food.* Outdoor sale and consumption of food shall be permitted if allowed by applicable health regulations.

(d) *Junk yards, automobile recycling facilities, and scrap metal processing facilities.* **Junk yards, automobile recycling facilities and scrap metal processing facilities** may be allowed in the IH District by special permit for a maximum of five years. Such facilities are subject to the standards of section 64, the general and related standards of section 46(a) and as specified in this section 46(d).

(1) *Statement of purpose.* This ordinance [Ord. No. 1394, enacted 10-20-05] is enacted for the purpose of establishing minimum health and safety standards for **junk yards, automobile recycling facilities and scrap metal processing facilities** in the City of New Haven. It is further intended to control their location so as to limit incompatibility with other activities. A clean, wholesome, attractive environment is declared to be important to the health, welfare, and safety of the citizens of New Haven.

This ordinance shall apply to all **junk yards, automobile recycling facilities and scrap metal processing facilities** (also referred to as "facilities") now existing or hereafter proposed in the City of New Haven. No such facility shall be created except in conformance with the standards herein, and all such facilities shall be required to conform to these standards or be removed at the owner's expense.

(2) *Definitions and scope.*

- a. **JUNK YARD.** The term "**junk yard**" means any land, **structure** or land and **structure** in combination, used for the storage, baling, packing, sorting, handling, disassembling, purchase, or sale of any material or materials that are used, salvaged, scrapped, or reclaimed but are capable of being reused in some form, including but not limited to, metals, boxes, crates, lumber, machinery, appliances, fixtures, tools, tires, motor vehicles and motor vehicle parts.
- b. **AUTOMOBILE RECYCLING FACILITY.** The term "**automobile recycling facility**" means any place where two or more old, secondhand, abandoned, partially disassembled, dilapidated or unlicensed vehicles or parts of vehicles, no longer

intended or in condition for legal operation on the public highways, are regularly stored outside for any purpose for a period of six months or more. "Automobile recycling facility" shall also mean any place at which the acquisition or storage of used parts of motor vehicles or old iron, metal, plastic, glass, paper, fiberglass, cordage, or other waste or discarded or secondhand material which has been a part, or intended to be a part, of any motor vehicle, the sum of which parts or material shall be equal in bulk to two or more motor vehicles regularly takes place. Such terms shall also include any place of business or storage or deposit of motor vehicles purchased for the purpose of dismantling the vehicles for parts or for use of the metal for scrap and where it is intended to cut up the parts thereof.

- c. SCRAP METAL PROCESSING FACILITY. The term "*scrap metal processing facility*" shall include any place of business and any place of deposit which has facilities for preparing and processing iron, steel, and nonferrous metals into a form suitable for remelting by a foundry, steel mill or other remelter, and which does not buy or receive motor vehicles from any person, firm, or corporation, with the exceptions set forth in General Statutes § 14-67w.
 - d. A facility shall be categorized as a *junk yard, automobile recycling facility, or scrap metal processing facility* based on the primary activity carried on at the facility and no facility shall be required to obtain more than one permit under this section 46(d) for a single facility.
 - e. The existence or holding of a state license to establish or continue a *junk yard, automobile recycling facility, or scrap metal processing facility* shall not supercede the requirement for a special permit within the City of New Haven in order to engage in the activities regulated by this section 46(d).
- (3) *General standards.*
- a. No person shall establish, maintain, use, or operate a *junk yard, motor vehicle junk yard, or scrap metal processing facility* without first obtaining a special permit approved pursuant to this section 46(d) and section 64(e) hereof governing special permits and applicable state law.
 - b. No facility or *use* regulated by this section 46(d) shall be expanded, altered, restored, moved, modified, or replaced, nor shall any existing special permit granted under this section 46(d) be renewed upon expiration, without the prior approval of the City Plan Commission.
 - c. The application shall contain all information required by section 64(e) hereof governing special permits. The applicant shall provide credible evidence to the Commission to demonstrate the ability of the facility and its ancillary elements to comply with all applicable regulations. The evidence shall include, but not be limited to, the following:
 - 1. A site-location map;
 - 2. A site plan complying with section 64(f) governing site plans and site plan review guidelines promulgated thereunder and adopted by the City Plan Commission;
 - 3. An operating plan indicating types of materials to be accepted at the facility and estimates of the volume and number of trips of incoming and outgoing materials daily and during peak periods;
 - 4. A plan for preventing and controlling offensive noises, odors, and rodents and other disease vectors;
 - 5. A plan for preventing and controlling fire and explosions occurring at the site;
 - 6. A plan and for keeping the area immediately around the facility free and clear of debris;
 - 7. A plan for managing dust and debris, and a stormwater runoff plan in compliance with state and/or federal standards.
 - d. No material shall be received at the facility that is not permitted for the facility by special permit as provided in this ordinance or by state statute.
 - e. All materials and activities not within fully enclosed *buildings* shall be surrounded (except along a wharf used by the facility) by an opaque fence of uniform color, at least eight feet in height, surfaced so as to be resistant to damage from the elements, and maintained in good condition. Any gate in such fence shall be similarly constructed and maintained (except that a view hole may be left in each such gate) and shall be kept locked at all times when the facility is not in operation.
 - f. All materials shall be stored in such a manner as to prevent the breeding or harboring of rats, insects or other vermin.

Where necessary, this shall be accomplished by enclosure in containers, raising of materials above the ground, separation of types of materials, preventing the collection of stagnant water, extermination procedures, or other means.

- g. No facility shall be used as a dumping or transfer area for refuse or as a place for the burning or disposal of trash.
 - h. A cleared fire lane shall be maintained to facilitate access by firefighting equipment, as approved by the Fire Department.
 - i. Vehicles shall not be stacked more than two high, or, if crushed, no more than 12 feet high; scrap piles shall be limited to the height specified in the facility's special permit, or in the absence of such permit specifications, to a limit of 15 feet. Facilities holding a special permit on the effective date of this ordinance [Ord. No. 1394] shall be entitled to continue to maintain vehicles or scrap piles at the heights specified in their existing special permit; and such facilities shall not have their permitted pile heights reduced upon permit renewal unless the commission determines that the previously-approved limitations create a public nuisance or cause a threat to public health and safety.
 - j. Batteries shall be removed, and all fuel and other liquids shall be drained from any vehicle prior to storage or disposal. No more than ten gallons of waste oil or fuel shall be stored on site except in approved containers meeting fire standards. Notice shall be provided to the Fire Department of the existence of such substances stored on the site, and their location.
 - k. The facility shall comply with performance standards set forth in section 48 hereof.
 - l. Nothing in this section shall preclude the Commission from imposing additional or more strict conditions pertaining to design, screening, buffering, lighting, soundproofing, signs, or any matter necessary to protect adjacent property, provided that all such conditions are imposed only after the notice and hearing requirements specified in the New Haven Zoning Ordinance have been satisfied.
 - m. The property owner or operator shall at all times assume full responsibility for the use of the property, and shall provide the Zoning Enforcement Officer with the names and addresses of the agent for service of notice as required by law.
 - n. The Commission shall hold a public hearing on the application for a special permit in compliance with section 64(e).
 - o. The Commission may, after a public hearing, grant a special permit for a period not to exceed five years.
- (4) *Specific standards—New facilities.* All new **junk yards, motor vehicle junk yards, and scrap metal processing facilities** shall conform to the general standards set forth in this section 46(d)(3) and to the following standards:
- a. New facilities shall be located no closer than five-hundred feet to an existing public right-of-way, or five-hundred feet to any adjoining property. Locations abutting state highways shall be subject to the provisions of General Statutes § 13a-123e, as amended from time to time.
 - b. New facilities shall not be located within 200 feet from a designated inland wetland or watercourse.
 - c. No new facility or portion of a facility shall be located on a slope exceeding twelve percent in grade, or so situated on a bluff as to be visible from an adjacent public highway or residence located above or below the level of the facility.
 - d. In evaluating an application for special permit for a new facility under this section, the Commission shall take into consideration the health, safety and welfare of the public, in general, and the neighborhood, in particular. If the Commission concludes that the proposed *use* meets the threshold requirement of compatibility, the Commission may grant a special permit with conditions attached thereto for the purpose of assuring compatibility with the neighborhood and protection of the health, safety, and welfare of the public in general. In so determining, the Commission shall consider the following site suitability criteria:
 1. Traffic and access to the site;
 2. Potential air and water quality impact;
 3. Potential for creating a nuisance;
 4. Facility size;
 5. Proximity to sensitive receptors including but not limited to schools, community gardens, parks, playgrounds, day care facilities, health care facilities, nursing homes, and residences;
 6. The effectiveness of screening available or to be provided, visibility from the highway, and the extent to which the

- operator's plans address health, safety and aesthetic concerns;
7. Whether or not vehicles awaiting dismantling or retained for sale or use intact are or will be stored in improved parking areas specifically designated for this use;
 8. Presence of other potential nuisance sources and evaluation of the cumulative impacts on public health and safety;
 9. Criteria set forth in Section 64(e), as appropriate.
- e. The Commission may deny a special permit where the proposed facility would be of such location, size and character that it will not be in harmony with the appropriate and orderly development of the zone or district in which it would be situated, and would be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties; or if the proposed facility does not meet the threshold requirements of compatibility with the neighborhood and protection of the health, safety, and welfare of the public in general, based on criteria set forth in sections 46(d) and 64(e) hereof.
- (5) *Specific standards—Existing permitted facilities.*
- a. Existing facilities holding special permits on the effective date of this ordinance shall continue to operate pursuant to such permit and shall re-apply for a special permit upon expiration of the current permit.
 - b. Applications for a special permit to renew existing permits upon expiration, shall include a professionally-prepared site plan as provided by section 64(f) hereof and by the site plan review guidelines promulgated thereunder, and depicting the existing operation and any planned improvements as may be required by this ordinance.
 - c. The plan shall comply with the general standards for operation set forth in section 46(d)(3) hereof, to the maximum extent practical.
 - d. In evaluating an application for special permit for an existing permitted facility under this section, the Commission shall take into consideration the health, safety and welfare of the public, in general, and the neighborhood, in particular. If the commission concludes that the proposed *use* meets the threshold requirement of compatibility, the Commission may grant a special permit with conditions attached thereto for the purpose of assuring compatibility with the neighborhood and protection of the health, safety, and welfare of the public in general. In so determining, the Commission shall consider the following site suitability criteria:
 1. Traffic and access to the site;
 2. Potential air and water quality impact;
 3. Potential for creating a nuisance;
 4. Facility size;
 5. Proximity to sensitive receptors including but not limited to schools, community gardens, parks, playgrounds, day care facilities, health care facilities, nursing homes, and residences;
 6. The effectiveness of screening available or to be provided, visibility from the highway, and the extent to which the operator's plans address health, safety and aesthetic concerns;
 7. Whether or not vehicles awaiting dismantling or retained for sale or use intact are or will be stored in improved parking areas specifically designated for this use;
 8. Presence of other potential nuisance sources and evaluation of the cumulative impacts on public health and safety;
 9. Criteria set forth in section 64(e), as appropriate;
 10. Whether the existing facility at the time of issuance with its most recently-issued special permit was substantially compatible with the surrounding neighborhood;
 11. The length of time the existing facility has been operating at the site and its history of compliance with its most recently-issued special permit.
 - e. If, in the opinion of the Commission, circumstances have changed sufficiently to warrant a change in the prior decision, the application for renewal may be denied.

- (6) *Specific standards—Existing nonconforming facilities.*

- a. Applications for permission to continue existing nonconforming facilities operating without a special permit shall, unless they have indicated in writing their intention to discontinue operations, be made within six months following the effective date of this ordinance.
 - b. Applications for a special permit to continue operation of existing nonconforming facilities shall include a professionally-prepared site plan as provided by section 64(f) hereof and by the site plan review guidelines promulgated thereunder, and depicting the existing operation and any planned improvements as may be required by this ordinance.
 - c. The plan shall comply with the general standards for operation set forth in section 46(d)(3) hereof, to the maximum extent practical.
 - d. In evaluating an application made under this section for a special permit to continue the operation of an existing, nonconforming facility, the Commission shall take into consideration the health, safety and welfare of the public, in general, and the neighborhood, in particular. The Commission may grant a special permit with conditions attached thereto for the purpose of assuring compatibility with the neighborhood and protection of the health, safety, and welfare of the public in general. In so determining, the Commission shall consider the following operational criteria:
 1. Traffic and access to the site;
 2. Potential air and water quality impact;
 3. Potential for creating a nuisance;
 4. Facility size;
 5. Proximity to sensitive receptors including but not limited to schools, community gardens, parks, playgrounds, day care facilities, health care facilities, nursing homes, and residences;
 6. The effectiveness of screening available or to be provided, visibility from the highway, and the extent to which the operator's plans address health, safety and aesthetic concerns;
 7. Whether or not vehicles awaiting dismantling or retained for sale or use intact are or will be stored in improved parking areas specifically designated for this use;
 8. Presence of other potential nuisance sources and evaluation of the cumulative impacts on public health and safety;
 9. Criteria set forth in section 64(e), as appropriate;
 10. The degree to which the *use* can economically be made to comply with the requirements set forth in section 46(d)(3) hereof;
 - e. An existing, nonconforming facility seeking a special permit hereunder may provide evidence regarding the degree to which the *use* can economically be made to comply with the standards set forth herein. The Commission may allow the applicant additional time, up to three years, to comply with the regulations, provided a specific schedule for the same has been approved by the Commission and met by the applicant. In situations where compliance with some of the enumerated standards is impossible, economically impractical, or otherwise unduly burdensome due to physical features of the site or other conditions beyond the control of the applicant, the Commission may waive compliance. However, the additional time or waiver may be granted only if there is no substantial detriment to the public health and safety and without nullifying or substantially derogating from the intent or purpose of these regulations.
- (7) *Right of entry.* To the extent permitted by law, owners or operators shall authorize agents and employees of the City of New Haven to enter, examine, or survey the premises at any reasonable time for the purpose of compliance inspections, whether or not there is prior evidence of non-compliance. City agents and employees may examine any records related to the installation, maintenance, operation and testing of the facility.
 - (8) *Closure.* A facility planning to cease operations must submit and receive approval for an operation and closure plan at least six months prior to the date the facility will stop accepting materials; in the case of an unplanned closure with less than six months notice, the facility must immediately stop accepting materials and submit a closure plan within ten days.
 - (9) *Permit continuance.* Provided that all local notice and hearing requirements are satisfied, the grounds on which the City Plan Commission may deny, revoke, suspend, or modify any permit issued pursuant to this ordinance include, but are not limited to:

- a. Refusal to permit an agent of the City of New Haven or other government official to reasonably inspect the facility or any re pertaining to the operation of the facility;
- b. Interference with an agent of the City of New Haven or other government official in the performance of his or her duty, directly or indirectly related to these regulations;
- c. A criminal conviction of the permit holder relating to the operation of the facility;
- d. Failure of the permit holder to submit any required documents within the time specified;
- e. Failure to pay the required permit fees or assessed fines or penalties;
- f. A determination that the facility presents a nuisance or may cause an adverse impact on the public health or safety;
- g. The owner and/or operator's substantial failure to comply with these regulations, or otherwise constructing or operating the facility so as to cause a threat to the public health or safety.

Such action by the Commission may include ordering other appropriate relief, including but not limited to ordering submission of a closure plan.

- (e) *Dumping*. Dumping, as defined below and subject to the following regulations (whether inside or outside a **building**) shall be permitted only by **special exception** for a maximum period of two years.
- (1) DUMPING: The discarding or depositing of any waste, or any material incapable of being reused in some form, other than clean fill such as sand, soil, gravel, rock or clay.
 - (2) All **dumping** shall be carried on in such a manner as to prevent the breeding or harboring of rats, insects, or other vermin.
 - (3) The **dumping** area shall be periodically bull-dozed or otherwise treated to cover dumped materials with soil or other such substance.
 - (4) Fire hazards shall be prevented by all necessary measures.
 - (5) No burning shall be carried on in any **dumping** area except at appropriate locations and times, with proper wind direction and Department of Fire Service written permission.
- (f) *Quarries*. **Quarries**, subject to the § 64. general and related standards and § 46(a) Specific standards may be permitted by special exception for a maximum period of five years.
- (1) QUARRY: Any property from which stone, gravel, sand, soil, loam or any mineral or similar substance is removed or excavated with the use of power equipment, for the purpose of disposition away from the immediate premises at the present or any future time, with the exception of excavation for construction of a **building** for which a **building** permit has been duly issued.
 - (2) Necessary precautions, through fencing or otherwise, shall be taken to prevent injury to the public.
 - (3) At the conclusion of quarrying operations on any part of the property, the operator of such **quarry** shall re-establish a uniform contour of the ground level and shall provide a suitable ground cover. A bond satisfactory to the zoning enforcement officer and the corporation counsel may be required to assure compliance with this paragraph (3).
- (g) *Household hazardous waste collection centers*. **Household hazardous waste collection centers** shall be subject to the following regulations:
- (1) HOUSEHOLD HAZARDOUS WASTE COLLECTION CENTER: Any land or structure used for the collection, packing, consolidation, storage, and transfer of any waste materials generated from homes or similar sources that are defined as **household hazardous waste** by the U.S. Environmental Protection Agency, including materials that are either hazardous wastes as listed in 40 CFR, Parts 261.33(e) or (f), or wastes that exhibit any of the following characteristics as defined in 40 CFR Parts 261.21—261.24: ignitability, corrosivity, reactivity, and EP toxicity.
 - (2) A **household hazardous waste collection center** must meet all applicable requirements of the Connecticut Department of Environmental Protection (DEP) and may be constructed and operated only with valid permits as required by the DEP solid waste and hazardous materials units and subject to DEP management and monitoring requirements.
 - (3) All discarded and waste materials at a **household hazardous waste collection center** must be stored within **structures**, storage tanks, or containers that provide protection from weather, vermin and vandalism. All hazardous waste materials

must be stored within enclosed **structures** which meet all applicable requirements of the department of fire service and the Connecticut DEP for segregation of combustible and incompatible materials, fire rating, containment of leaks and spills, and other safety measures necessary to protect site personnel, surrounding structures, public health, and the environment.

(h) **Solid waste.** Solid waste facilities as defined herein may be allowed in the IH District by special permit for a maximum of five years. Such facilities are subject to the following regulations (whether operations occur inside or outside a building):

(1) **Statement of purpose.** In order to promote, protect and preserve the health, safety and general welfare of the people of the City of New Haven, it is hereby declared to be in the public interest that the accumulation, collection, transportation, processing, and disposal of **solid waste** be regulated. The City of New Haven is authorized by General Statutes § 22a-208a to regulate, through zoning, land usage for **solid waste** disposal.

Solid waste facilities are disproportionately concentrated in New Haven, particularly in the IH district, adjacent to residential neighborhoods, public recreation areas, food establishments, and small businesses. Concentrations of waste facilities can attract and generate many problems for communities, including objectionable noise, odor, litter and traffic. Diesel fumes and dust can degrade air quality and aggravate allergies and other health problems existing in the affected communities. The problem is compounded by the increasingly-regional nature of these facilities, and the trend towards larger and larger facilities. Accordingly, it is the policy of the City that the burden of fulfilling the need for solid waste facilities shall not fall disproportionately on any community and that the construction of new solid waste facilities as defined in section 46(h)(2) a through i hereof shall not be permitted within the limits of the City of New Haven.

(2) **Definitions.**

- a. **SOLID WASTE.** The term "**solid waste**" means unwanted or discarded solid, liquid, semisolid or contained gaseous material, including, but not limited to, demolition debris, tires, material burned or otherwise processed at a resources recovery facility or incinerator, material processed at a recycling facility, and sludges or other residue from a water pollution abatement facility, water supply treatment plant, or air pollution control facility.
- b. **MUNICIPAL SOLID WASTE.** The term "**municipal solid waste**" means solid waste from residential, commercial and industrial sources, excluding solid waste consisting of significant quantities of hazardous waste as defined herein, land-clearing debris, demolition debris, biomedical waste, sewage sludge and scrap metal.
- c. **SOLID WASTE FACILITY.** The term "**solid waste facility**" means any **solid waste disposal area, volume reduction plant, transfer station, woodburning facility, or biomedical waste treatment facility.**
- d. **VOLUME REDUCTION PLANT.** The term "**volume reduction plant**" means any location or structure, whether located on land or water, where more than 2,000 pounds per hour of solid waste generated elsewhere may be reduced in volume, including but not limited to, resource recovery facilities and other incinerators, recycling facilities, pulverizers, compactors, shredders, balers and composting facilities.
- e. **SOLID WASTE DISPOSAL AREA.** The term "**solid waste disposal area**" means any location, including a landfill or other disposal site, used for the disposal of more than ten cubic yards of solid waste, and as further defined in Chapter 446d of the General Statutes.
- f. **TRANSFER STATION.** The term "**transfer station**" means any location or structure, whether located on land or water, where more than ten cubic yards of solid waste, generated elsewhere, may be stored for transfer or transferred from transportation units and placed in other transportation units for movement to another location, whether or not such waste is stored at the location prior to transfer.
- g. **HAZARDOUS WASTE.** The term "**hazardous waste**" means any waste material that may present a present or potential hazard to human health or the environment when improperly disposed of, treated, stored, transported or otherwise managed, and as further defined in General Statutes § 22a-115, as amended from time to time.
- h. **BIOMEDICAL WASTE.** The term "**biomedical waste**" means infectious waste, pathological waste and chemotherapy waste generated during the administration of medical care or the performance of medical research involving humans or animals and which, because of its quantity, character or composition, has been determined by the Commissioner of the Department of Environmental Protection to require special handling, but excluding hazardous wastes, or radioactive materials regulated by the General Statutes.

- i. BIOMEDICAL WASTE TREATMENT FACILITY. The term "*biomedical waste treatment facility*" means a *solid waste* facility capable of storing, treating or disposing of any amount of biomedical waste, excluding any facility where the only biomedical waste treated, stored or disposed of is biomedical waste generated at the site.
 - k. The facilities and operations of the Greater New Haven Water Pollution Control Authority, organized under Conn. Gen. Stat. § 22a-500 et seq., are expressly exempted from the provisions of this section 46(h).
- (3) *General standards.*
- a. Any use not specified in section 46(h)(2) hereof shall be prohibited. Disposal, treatment, storage, transfer or other management of waste by waterborne transportation is not permitted outside of the Port district as defined by Article 2 §15-31.
 - b. No new facilities as defined in section 46(h)(2)a—i hereof shall be permitted within the limits of the City of New Haven, except that the City of New Haven may establish, maintain, and operate solid waste facilities for its own public purposes.
 - c. No person shall maintain, use, or operate a solid waste facility without valid permits issued pursuant to this section 46(h) and applicable state law. Applications for permission to continue operating existing facilities shall, unless the owners thereof have indicated in writing their intention to discontinue operations, be made within six months following the effective date of this ordinance [Ord. No. 1394].
 - d. No facility or use regulated by this section 46(h) shall be expanded, altered, restored, moved, modified or replaced, nor shall any existing special permit granted under this section 46(h) be renewed upon expiration, without the prior approval of the City Plan Commission.
 - e. An applicant proposing to expand, alter, restore, move, modify, or replace an existing facility or use regulated by this section 46(h), or to renew an existing special permit, shall make application to the City Plan Commission. The application shall contain all information required by Section 64(e) hereof governing special permits. The applicant shall provide credible evidence to the commission to demonstrate the ability of the facility and its ancillary elements to comply with all applicable regulations. The evidence shall include, but not be limited to, the following:
 1. A site-location map;
 2. A site plan complying with section 64(f) governing site plans and site plan review guidelines promulgated thereunder and adopted by the City Plan Commission;
 3. An operating plan indicating types of waste to be accepted at the facility and estimates of the volume and number of trips of incoming and outgoing materials daily and during peak periods;
 4. A plan for preventing and controlling offensive noises, odors, and rodents and other disease vectors;
 5. A plan for preventing and controlling fire and explosions occurring at the site;
 6. A plan for diverting unrestricted waste;
 7. A plan for managing dust, debris, and stormwater runoff;
 8. A traffic study that indicates truck routes to and from the facility on streets, to the extent possible, that are major arterials and highways that do not abut residential neighborhoods along the way, with the objective of minimizing potential adverse impacts on adjacent neighborhoods.
 - e. No material shall be received at the facility that is not permitted for the facility by the Connecticut Department of Environmental Protection, and by special permit as provided in this ordinance.
 - f. The Commission shall hold a public hearing on the application in compliance with Section 64(e).
 - g. The Commission may, after a public hearing, grant a special permit to expand, alter, restore, move, modify, or replace an existing facility or use regulated by this section 46(h), or to renew an existing permit, for a period not to exceed five years.
 - h. In evaluating an application for special permit under this section, the Commission shall take into consideration the health, safety and welfare of the public, in general, and the neighborhood, in particular. If the Commission concludes that the proposed use meets the threshold requirement of compatibility, the Commission may grant or renew a special

permit with conditions attached thereto for the purpose of assuring compatibility with the neighborhood and protection of the health, safety, and welfare of the public in general. In so determining, the commission shall consider the following site suitability criteria:

1. Traffic and access to the site;
 2. Potential air and water quality impact;
 3. Potential for creating a nuisance;
 4. Facility size and existing capacity of other solid waste facilities in the region;
 5. Proximity to sensitive receptors including but not limited to schools, community gardens, parks, playgrounds, day care facilities, health care facilities, nursing homes, and residences;
 6. Presence of other potential nuisance sources and evaluation of the cumulative impacts on public health and safety;
 7. Criteria set forth in section 64(e), as appropriate.
- i. The Commission may deny a special permit to expand, alter, restore, move, modify, or replace an existing facility or use where the facility is of such location, size and character that it will not be in harmony with the appropriate and orderly development of the zone or district in which it is situated, and will be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties; or if the proposed facility does not meet the threshold requirements of compatibility with the neighborhood and protection of the health, safety, and welfare of the public in general, based on criteria set forth in sections 46(h) and 64(e) hereof.
 - j. In considering an application to renew an existing special permit, the commission may consider whether the facility and/or use belongs at the site, in light of circumstances existing at the time the most recent permit was granted. If, in the opinion of the Commission, circumstances have changed sufficiently to warrant a change in the prior decision, the application for renewal may be denied.
 - k. An applicant seeking a special permit hereunder may provide evidence regarding the degree to which the use can economically be made to comply with the standards set forth herein. The Commission may allow the applicant additional time, up to three years, to comply with the regulations, provided a specific schedule for the same has been approved by the Commission and met by the applicant. In situations where compliance with some of the enumerated standards is impossible due to physical features of the site or other conditions beyond the control of the applicant, the Commission may waive compliance. However, the additional time or waiver may be granted only if there is no substantial detriment to the public health and safety and without nullifying or substantially derogating from the intent or purpose of these regulations.
- (4) *Specific standards.*
- a. Lot area: Each facility permitted under this section shall have a minimum lot size as set forth in sections 43 and 47 hereof. The site shall be of sufficient size so as to permit the avoidance or reduction of adverse impacts on the character of the neighborhood due to noise, traffic, parking, odors, rodents and other disease vectors, dust, litter, fire hazards, decomposition gases, vehicle and other pollution, or other hazards or objectionable conditions. The Commission may require a lot size larger than the minimum set forth herein, if the Commission shall find on sufficient evidence that such an increase is necessary to protect the health, safety, and welfare of the public in general, and the neighborhood in particular, giving due regard to the nature of the abutting and/or adjoining uses and the materials permitted to be deposited at the facility.
 - b. Setback: No portion of the facility, including any structure, loading docks and truck bays, storage, transfer equipment, truck parking, or other similar processing equipment and operations, shall be located within 200 feet of a residential property line;
 - c. Bulk regulations set forth in section 43 shall apply.
 - d. Landscaping/buffer area: The facility shall be enclosed on all sides by a fence or wall at least eight feet high. The public view side or the side of the facility facing Residence Districts shall be landscaped and have an opaque screen, fence or wall not less than eight feet high. The site shall be maintained free of litter, trash, and debris.

- e. Access to site:
 - 1. The site shall be secured from unauthorized entry and removal of materials when attendants are not present.
 - 2. Facilities permitted under this section shall be restricted to areas that have public access roads of sufficient width and capacity to carry maximum projected volumes and loads.
 - 3. There shall be no truck access or queuing to the site from residential streets.
 - 4. On-site roads shall be constructed to handle maximum projected loads, shall have an all-weather surface and shall be maintained so as to be passable by all vehicles accessing the area.
 - f. Parking: All applicable provisions of section 45 shall apply. In addition, the facility shall provide on-site parking and queuing, as follows:
 - 1. Space shall be provided on-site to park each commercial vehicle operated by the facility;
 - 2. One employee *parking space* shall be provided for each commercial vehicle operated by the facility;
 - 3. If the facility serves the public, all parking and queuing space shall be provided on-site to accommodate projected peak demand;
 - 4. No parking, queuing, or standing of trucks will be permitted on residential streets.
 - g. The property owner shall at all times assume full responsibility for the use of the property, and shall provide the Zoning Enforcement Officer with the names and addresses of the agent for service of notice as required by law.
- (5) *Operating conditions.*
- a. An operator certified by the Commissioner of the CTDEP shall be present at the facility at all times during operating hours.
 - b. A sign shall be posted at the entrance to the site stating, at a minimum, the name of the permittee and hours of operation, the authorized users, and required safety precautions.
 - c. A **building** roofed and enclosed on all sides, or otherwise enclosed to satisfactorily control dust and litter shall be provided for all **solid waste** other than bulky waste or recyclable materials.
 - d. All **solid waste** handling activities, including depositing, processing, separation and loading shall be within a fully enclosed building to minimize the adverse impacts due to noise, traffic, parking, odors, rodents and other disease vectors, dust, litter, fire hazards, decomposition gases, wastewater, vehicle and other pollution, and other hazards or objectionable conditions. Scavenging shall be prohibited at the unloading area.
 - e. No **solid waste** shall be stored within the property boundary for more than 48 hours, unless authorized by the Connecticut Department of Environmental Protection and City Plan Commission. All **solid waste** shall be stored indoors, except that bulky waste or recyclable materials may be otherwise stored outside.
 - f. All storage of waste or recycled materials shall be in sturdy containers or enclosures that are fully covered, secured, and maintained in good condition. Storage containers for waste or recycled flammable materials shall be approved by the Fire Department. No storage containers outside the facility structures shall be visible above the height of a required fence or wall. Outside storage shall only be permitted for a reasonable period of time and in reasonable quantities to allow for separation, conversion, baling, processing, and shipment of processed and nonprocessed materials;
 - g. Equipment shall be maintained on site by the operator to control fires and explosions and arrangements made with the City Fire Department to immediately acquire services when needed.
 - h. If for any reason the facility is rendered inoperable, an alternative method approved by the Commissioner of the Connecticut Department of Environmental Protection shall be available for processing or transfer and disposal of solid waste. A copy of the alternative plan, as approved, shall be provided to the Commission.
 - i. If the facility is located within 500 feet of a Residential District, it shall not operate between 11:00 p.m. and 6:00 a.m. Hours of operation shall include the arrival and departure of trucks and delivery and removal of materials and equipment.
 - j. The facility shall not operate on Sunday.

- k. The facility shall comply with performance standards set forth in section 48 hereof.
 - l. Nothing in this section shall preclude the Commission from imposing additional or more strict conditions pertaining to design, screening, buffering, lighting, soundproofing, signs, or any matter necessary to protect adjacent property, and special consideration will be given to protecting residential property from excessive noise and traffic.
- (6) *Right of entry.* To the extent permitted by law, owners or operators shall authorize agents and employees of the City of New Haven to enter, examine, or survey the premises at any reasonable time for the purpose of compliance inspections, whether or not there is prior evidence of non-compliance. City agents and employees may examine any records related to the installation, maintenance, operation and testing of the facility.
- (7) *Closure.* A facility planning to cease operations must submit and receive approval for an operation and closure plan at least six months prior to the date the facility will stop accepting materials; in the case of an unplanned closure with less than six months notice, the facility must immediately stop accepting materials and submit a closure plan within ten days.
- (8) *Permit continuance.* The grounds on which the City Plan Commission may deny renewal, revoke, suspend, or modify any permit issued pursuant to this Ordinance include, but are not limited to:
- a. Refusal to permit an agent of the City of New Haven or other government official to reasonably inspect the facility or any records pertaining to the operation of the facility;
 - b. Interference with an agent of the City of New Haven or other government official in the performance of his or her duty, directly or indirectly related to these regulations;
 - c. A criminal conviction of the permit holder relating to the operation of the facility;
 - d. Failure of the permit holder to submit any required documents within the time specified;
 - e. Failure to pay the required permit fees or assessed fines or penalties;
 - f. A determination that the facility presents a nuisance or may cause an adverse impact on the public health or safety;
 - g. The owner and/or operator's substantial failure to comply with these regulations, or otherwise constructing or operating the facility so as to cause a threat to the public health or safety.

Such action by the Commission may include ordering other appropriate relief, including but not limited to ordering submission of a closure plan.

(Ord. No. 1394, 10-20-05)

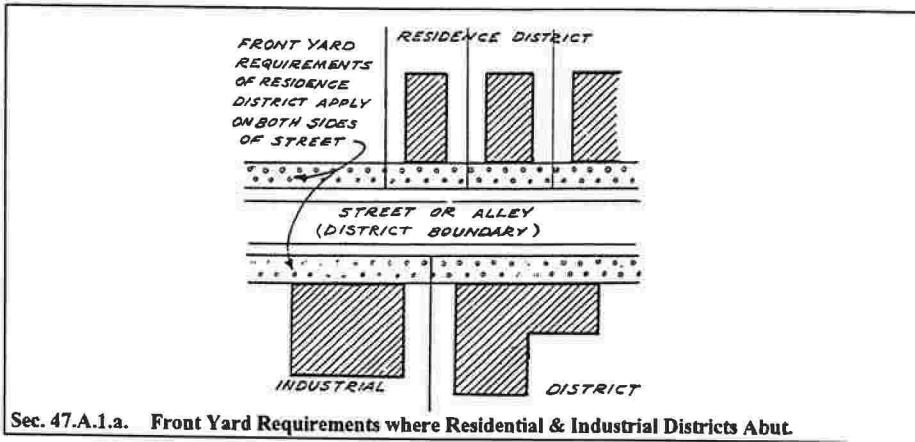
Section 47. - Provisions for transition where business and industrial districts abut residence districts.

Where a business or industrial district abuts a residence district, the following regulations shall apply:

(a) *Yard* requirements:

(1) *Front yards:* Same as in section 43, with the following exception:

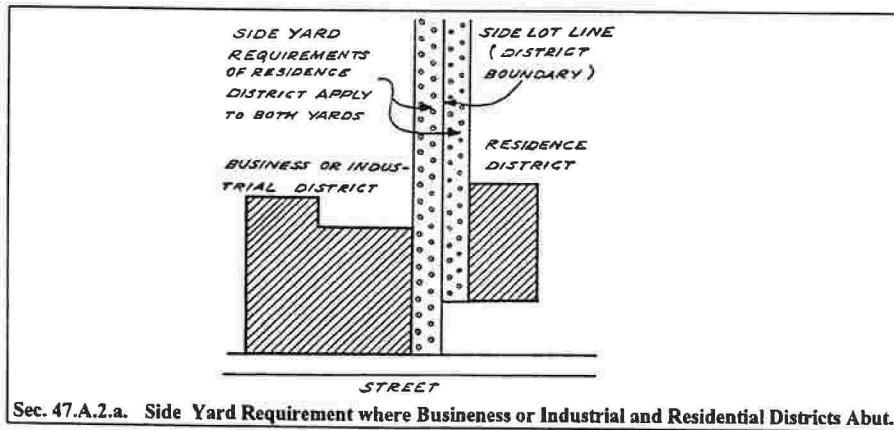
- a. Where any *lot* in an industrial district abuts a residence district across a street or alley, all of the regulations of such residence district for *front yards* shall apply to such *lot* along that portion of such street or alley across which such *lot* abuts such residence district.



Front Yard Requirements Where R and I Districts abut

(2) *Side yards:* Same as in section 43, with the following exception:

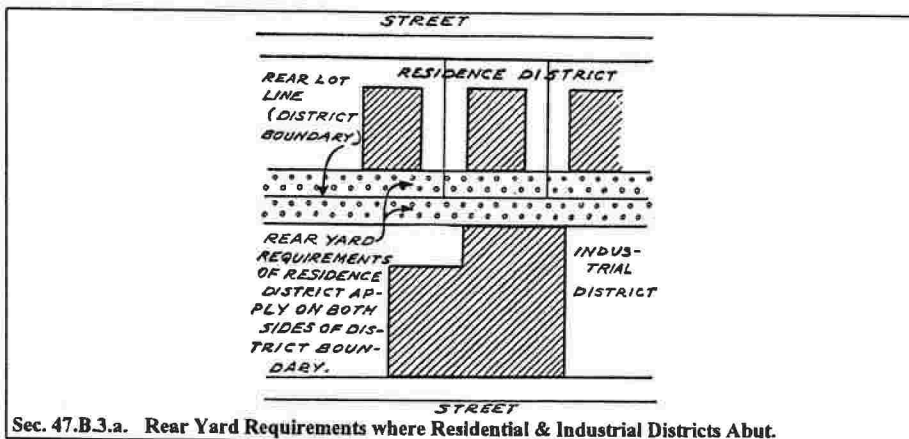
- a. Where a *lot* in a business district or industrial district abuts a residence district along a *side lot line* of such *lot*, all of the regulations of such residence district for *side yards* shall apply to such *lot* along such *side lot line*.



Side Yard Requirements Where R and I Districts abut

(3) *Rear yards:* Same as in section 43, with the following exception:

- a. Where a *lot* in an industrial district abuts a residence district along a *rear lot line* of such *lot*, all of the regulations of such residence district for rear *yards* shall apply to such lot along such rear lot line.



Rear Yard Requirements Where R and I Districts abut

- (b) Parking and loading areas shall be arranged and screened as provided in paragraph 45(a)(3) of this ordinance.
- (c) No goods, materials or equipment shall be stored out of doors on any lot in a business or industrial district within five feet of any lot line along which such lot district, either directly or across a street or alley. Any goods, materials or equipment stored out

of doors on such lot shall be effectively screened from view from such residence district by means of a suitable fence, wall or evergreen planting at least five feet in height.

- (d) No sign (other than permitted *signs* solely for the control of traffic and parking) shall be placed at the side or rear of a *lot* in a business or industrial district at a point where such *lot* directly abuts a residence district, or on a wall of a building on such a *lot* (other than a wall facing a street), if the face of such *sign* is visible from the residence district on which such *lot* abuts directly.
- (e) The provisions of this section 47 shall not apply to the Business D-3 District.

(Ord. No. 1685, Sched. D, 8-6-12)

Section 48. - Performance standards for business and industrial uses.

(a) *Nature and administration.*

- (1) The following performance standards establish maximum levels for various nuisance factors. They shall apply to all business and industrial *uses*, whether located in a business or industrial district or located in a residence district as a nonconforming *use* or special exception.
- (2) Measurements to determine present compliance and estimates to determine future compliance may be made by the zoning enforcement officer, or any other public or private agency, firm or person competent to make such measurements or estimates in appropriate cases. The zoning enforcement officer may require the owner or user of the property to furnish such measurements or estimates in appropriate cases.
- (3) New construction, new facilities and new activities shall not be permitted except in compliance with these standards.
- (4) Existing *uses* shall not be required to reconstruct or rearrange their facilities and activities to provide compliance with these standards unless the same can be accomplished without undue cost (relative to the scale of operations concerned) as determined by the zoning enforcement officer, or unless such reconstruction or rearrangement is required through some regulation other than the zoning ordinance. Where existing *uses* do comply with these standards they shall not be altered so as not to comply, and where existing *uses* do not comply with the standards they shall not be altered to increase any noncompliance. Any existing machine, *structure* or other facility which does not comply with these standards shall not be replaced with a similar noncomplying facility unless:
 - a. The facility is essential to the operation of the business or industry; and
 - b. The zoning enforcement officer determines that replacement with a complying facility would be impractical.

(b) *Standards.*

- (1) *Noise.* The sound pressure level of any operation (other than the operation of motor vehicles or other transportation facilities, or operations involved in the construction or demolition of *structures*, or time signals) shall not exceed the decibel levels as stated below. The sound pressure level shall be measured with a sound level meter and an octave band analyzer that conform to specifications published by the American Standards Association (American Standard Sound Level Meters for Measurement of Noise and Other Sounds, Z24.3-1944, American Standards Association, Inc. New York, New York and American Standard Specification for an Octave-Band Filter Set for the Analysis of Noise and Other Sounds, Z24.10-1953, American Standards Association, Inc., New York, New York shall be used.)

TABLE I

The maximum permissible sound-pressure levels between the hours of 7:00 a.m. and 10:00 p.m. for smooth and continuous noise shall be as follows (all of the decibel levels stated below shall apply in each case):

Frequency Band (Cycles per Second)	Sound Pressure Level (Decibels re .0002 dyne/cm ²)	
	Within any Business District or at its Boundary	Within any Residence District or at its Boundary
25—75	79	72

75—150	74	<u>67</u>
150—300	<u>66</u>	<u>59</u>
300—600	<u>59</u>	<u>52</u>
600—1,200	<u>53</u>	<u>46</u>
1,200—2,400	<u>47</u>	40
2,400—4,800	<u>41</u>	<u>34</u>
4,800—10,000	39	<u>32</u>

If the noise is not smooth and continuous or is radiated during sleeping hours, one or more of the corrections in Table II below shall be added to or subtracted from each of the decibel levels given above in Table I.

TABLE II

Type of Operation or Character of Noise	Correction in Decibels
Noise occurs between the hours of 10 p.m. and 7 a.m.	-3
Noise occurs less than 5% of any one-hour period.	+5
Noise is of periodic character (hum, scream, etc.) or is of impulsive character (hammering, etc.).	-5
(In the case of impulsive noise, the correction shall apply only to the average pressure during an impulse, and impulse peaks shall not exceed the basic standards in Table I.)	

- (2) *Vibration.* Vibration in the form of earth-borne oscillations shall not cause displacement at any *lot line* exceeding the limits stated in Table III. These limits shall not apply to operations involved in the construction or demolition of *structures*.

TABLE III

Maximum Displacement at Any Lot Line (in inches)		
Frequency (Cycles per second)	Steady State Vibration*	Impact Vibration**
10 and below	.0008	.0016
10-20	.0005	.0010
20-30	.0003	.0006
30-40	.0002	.0004

40-50	.0001	.0002
50-60	.0001	.0002
60 and over	.0001	.0002

*Continuous vibration. Discrete pulses occurring at more than 30 per minute shall be considered steady-state vibration.

**Discrete pulses occurring at or less than 30 per minute.

-
- (3) *Glare and heat.* The *use* shall be so arranged that any glare or radiant heat produced is shielded so as not to be perceptible at or beyond any property line.
 - (4) *Air pollution.* Air pollutants shall not exceed the limits prescribed by the City of New Haven ordinance entitled An Ordinance Providing for the Regulation and Control of the Emission into the Open Air of Smoke, Dust and Odor, or any amendment thereto, or any other applicable regulation.
 - (5) *Sewage.* The use and discharge of substances into public sewers shall not violate the provisions of the City of New Haven ordinance entitled An Ordinance Regulating the Use of and the Discharge of Substances into the Public Sewer System of the City of New Haven, or any amendment thereto, or any other applicable regulation. The discharge of substances into rivers and into the ocean shall be subject to regulations of the Connecticut State Water Resources Commission, and to any other applicable regulation.
 - (6) *Fire and explosion hazards.* The *use* shall conform to the Fire Safety Code of the State of Connecticut, the regulations of the Department of Fire Service of the City of New Haven, and any other applicable regulation.
 - (7) *Ionizing radiation and radioactive materials.* the *use* shall conform to the regulations of the Sanitary Code of the State of Connecticut with regard to sources of ionizing radiation and radioactive materials, and to any other applicable regulation.
 - (8) *Electromagnetic Interference.* The *use* shall conform to the regulations of the Federal Communications Commission with regard to electromagnetic radiation and interference, and to any other applicable regulation.

Section 49. - Regulation of wireless communications.

Description and purpose. These regulations exist to protect neighborhoods, minimize conflict with adjacent uses and the surrounding area, and to assure the health and safety of the public. The city recognizes the quasi-public nature of wireless communications systems and finds that these regulations are necessary to protect the ecological, scenic, historical and recreational values of the city and to ensure that adverse visual and operational effects will not contribute to blighting or deterioration of the surrounding neighborhood. More specifically, the purposes are:

- To accommodate the need for wireless communications *antennas* while regulating their location and number.
- To minimize adverse visual effects of wireless communications *antennas* and *antennas* or *wireless site towers* through proper design, siting and vegetative screening.
- To avoid potential damage to adjacent properties from *antennas* or *wireless site towers* and falling ice through their proper siting and engineering.
- To encourage the joint use of any new *antennas* or *wireless site tower*.
- To reduce the number of *antennas* or *wireless site towers* needed in the future.

(a) *Definitions.* When used in this section, the following words or phrases shall have the meaning defined below:

ANTENNA: A device used to collect or transmit telecommunications or radio signals. Examples include panels, microwave dishes and single pole devices known as whips.

ANTENNA HEIGHT: The vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

WIRELESS SITE: The equipment and structures involved in receiving or transmitting telecommunications or radio signals from a mobile radio communications source and transmitting those signals to another wireless site, another communications source or receiver, or to a central switching computer which connects the mobile unit with land-based telephone lines.

TOWER: A structure that is intended to support equipment used to transmit and/or receive telecommunications or radio signals. Examples of such structures include monopoles and lattice construction steel structures.

(b) *Site selection policies. Wireless sites* shall be located in the following order of preference:

- (1) On existing structures such as buildings, communications towers and smokestacks.
- (2) In locations where the existing topography, vegetation, buildings or other structures provide the greatest amount of screening.

On new **towers** on bare ground in business and industrial districts:

- (3) With visual mitigation.
- (4) Without visual mitigation in business and industrial districts.

In residential districts:

- (5) On government or institutional structures.
- (6) On new **towers** with visual mitigation.
- (7) On new **towers** without visual mitigation.

(c) *Use regulations.*

- (1) Application required. All applications for **wireless sites** and **antennas** shall be filed with the City of New Haven and concurrently with the Connecticut Siting Council filing if it is required.
- (2) The filing shall include a map showing the extent of planned coverage within the City of New Haven, approved locations of the applicant's other **wireless sites** in the city, and the location and service area of the proposed **wireless site**.
- (3) If the **antenna** is to be mounted on an existing structure and all associated equipment is contained within the structure or on its roof, a full site plan shall not be required.

(d) *Location constraints.*

- (1) As-of-right. Any **antenna** that is attached to an existing communications tower, smoke stack, water tower, government or institutional building, or other tall structure is permitted in all zoning districts, subject to the following maximum height and other provisions:
 - a. Omnidirectional or whip **antennas** shall not exceed 20 feet in height or seven inches in diameter.
 - b. Directional or panel **antennas** shall not exceed six feet in height or two feet in width.
 - c. Satellite and microwave dish **antennas** shall not exceed six feet in diameter and when building or rooftop mounted shall be located or screened so as not to be visible from abutting public streets.
 - d. Materials and colors shall match the exterior of the building or structure, as may be determined by city staff.
- (2) An **antenna** may not be located on a building or structure that is listed on an historic register or is within an historic district, except by special permit from the City Plan Commission.
- (3) Special permit. An **antenna** that is not mounted on an existing structure or a new **antenna** or **tower** is permitted by special permit from the city plan commission in all districts, subject to the general standards of § 49(e) and review criteria of § 49(f).

(e) *General standards.* The application shall include the following:

- (1) *Site justification statement*, including a description of the narrowing process that eliminated other potential sites.
 - a. If a proposed **antenna tower** exceeds 200 feet height or is within 20,000 feet of Tweed-New Haven Airport, proof is

required that the applicant has filed a notice of proposed construction with the Federal Aviation Administration.

- (2) **Antenna height.** The applicant shall demonstrate that the **antenna** is the minimum height required to function satisfactorily. No **antenna** that is taller than this minimum height shall be approved.
 - (3) **Antenna tower setback.** If a new **tower** is constructed (as opposed to mounting the **antenna** on an existing structure, the minimum distance between the base of the **tower** and any guy wire anchors or any property line shall be the largest of the following:
 - a. 30% of **antenna height**.
 - b. The minimum setback in the underlying zoning district.
 - c. 40 feet.
 - (4) **Roof mounted antenna.** If the equipment is located on the roof of a building, the area of the equipment building and other equipment structures shall not occupy more than 25% of the roof area. Setbacks from roof edge shall be 10 feet, or 10% of roof depth (measured from edge facing public street to opposite edge of roof), whichever is greater.
 - (5) **Antenna tower safety.** The antenna tower shall be designed and constructed to all applicable standards of the American National Standards Institute, ANSI/EIA-222-E manual, as amended.
 - (6) **Site soil report.** A soil report complying with Appendix I: Geotechnical Investigations, ANSI/EIA-222-E manual standards, as amended, shall be submitted to verify the design specifications of the foundation for the tower and anchors for the guy wires, if used.
 - (7) **Fencing.** Unless the **antenna** is mounted on an existing structure, a fence with a maximum height of eight feet shall be required around the **tower** and other equipment.
 - (8) **Landscaping.** To soften the appearance of a **wireless site** and screen as much of the **tower** as possible, a fence surrounding the **tower** and other ground level features such as a building, ground landscaping shall be required.
 - (9) Any combination of existing vegetation, topography, walls, decorative fences or other features instead of landscaping may be permitted if the same degree of screening as the required landscaping is achieved, as determined by the executive director (or designee) of the City Plan Department.
 - a. An evergreen screen shall be required to surround the site. The screen can be either a hedge (planted three feet on center maximum) or a row of evergreen trees (planted ten feet on center maximum). The evergreen screen shall be a minimum height of six feet at planting and shall grow to a minimum of 15 feet at maturity.
 - b. Existing vegetation on and around the site shall be preserved to the greatest extent possible.
 - (10) Commercial advertising shall not be allowed on an **antenna** or **antenna tower**.
 - (11) Signal lights or illumination shall not be permitted unless required by the Federal Communications Commission (FCC) the Federal Aviation Administration (FAA) or the Connecticut Siting Council.
 - (12) All other uses ancillary to the **antenna** and associated equipment (including a business office, maintenance depot, vehicle storage, etc.) are prohibited.
 - (13) Joint use accommodated. To minimize the number of **antenna** or **wireless site towers** in the community in the future, the proposed support structure shall be required to accommodate other users, including other wireless communication companies and local police, fire and ambulance companies unless it is determined to be technically unfeasible based on information submitted by the applicant. The city may require independent outside evaluation of such materials at the applicant's expense.
 - (14) The related unmanned equipment and/or building(s) shall not contain more than 750 square feet of gross floor area or be more than twelve feet in height.
- (f) **Standards for special permit approval.**
- (1) Using technological evidence the applicant must demonstrate that the proposed location is necessary to satisfy its function in the company's grid system. Specific locations will be evaluated using the following criteria (not listed in any order of priority).

- Availability of suitable structures for **antenna** mounting.
- Topography as it relates to line of sight transmission for optimum service efficiency.
- Leasable lands and willing landlords.
- Screening potential of existing vegetation, structures and topographic features.
- Compatibility with adjacent land uses.
- Least number of sites to cover desired area.
- Greatest coverage consistent with physical requirements.
- Opportunities to mitigate possible visual impact.
- Availability of sites not within an established single-family community.
- Preservation of view corridors, vistas.
- Potential for preservation of pre-existing character of site.
- Minimal impact on residential areas surrounding commercial or industrial zoned sites.
- Selection of sites which lend themselves to visual mitigation.
- Availability of road access.
- Availability of electric power.
- Availability of land based telephone lines or microwave link capability.

If a **tower** is proposed the application shall include support materials that show the location of tall structures within one quarter mile radius of the site proposed, that the owners of those locations have been contacted and asked for permission to install the **antenna** on those structures and denied for other than economic reasons. This would include smoke stacks, water towers, tall buildings, **antennas** or **towers** of other wireless communications companies, other communication towers (fire, police, etc.) and other tall structures.

*The City Plan Commission may deny an application to construct a new **tower** if it is determined that the applicant has not made a good faith effort to mount the **antenna** on an existing structure.*

- (g) *Certificate of continued use.* The owner of the subject property shall submit to the zoning administrator annually during the month of January an affidavit that the facility is in active use as a **wireless site** and the owner or operator shall certify that such use will continue for the coming calendar year.
- (h) *Abandonment.* A **wireless site** not in use for six (6) months shall be removed by the service facility owner. This removal shall occur within 90 days of the end of such six-month period. Upon removal the site shall be restored to its previous appearance and, where appropriate, revegetated to blend with the surrounding area.

Section 50. - Reserved.

ARTICLE VI. - OTHER DISTRICTS

Section 51. - Park Districts.

Description and purpose. These districts exist to set aside and protect areas that are publicly or semi-publicly owned and are designated as public parks and open spaces.

Uses; permitted. In a Park District a **building** or other **structure** may be erected, altered, arranged, designed or used, and a **lot** or **structure** may be used for any of the following purposes and no other:

- (a) Public parks, playgrounds and open spaces and **uses** incidental thereto.
- (b) Other public and semi-public **uses**.

Section 52. - Cemetery Districts.

Description and purpose. These districts exist to set aside and protect areas that have been and are being developed predominantly for cemeteries, which constitute a distinct and unique land use. In instances where land in a Cemetery District is not developed for cemetery purposes, it may be devoted to residences at a low-middle density of 12 dwelling units per acre, or to certain non-residential uses.

Uses permitted. In a Cemetery District a **building** or other **structure** may be erected, altered, arranged, designed or **used**, and a **lot** or structure may be **used**, for any of the following purposes and no other:

- (a) *Residential uses as follows.*
 - (1) Such residential **uses** as are permitted, and in the same manner, as in RM-1 Districts.
- (b) *Non-residential uses as follows.*
 - (1) Such non-residential **uses** as are permitted, and in the same manner, as in RM-1 Districts.
 - (2) As of right:
 - a. Cemeteries, including cemetery chapels, crematories and other accessory structures but excluding funeral homes.

Section 53. - Airport District.

Description and purpose: This district exists for the purpose of designating that area which has been and is being developed by the Tweed-New Haven Airport. The airport represents a distinct land use; not easily classified in any other district, having unique needs for development as an integrated unit to serve the city and the region.

Uses permitted. In the Airport District a **building** or other **structure** may be erected, altered, arranged, designed or used, and a **lot** or **structure** may be **used** for any of the following purposes and no other:

- (a) A municipal airport, and **uses** incidental thereto.

(See also a City of New Haven Ordinance entitled Ordinance Concerning Airport Approach Zones, and a map of approach zones prepared by the New Haven Airport Commission and filed with the City Clerk, regulating the height of structures and trees in approaches to the municipal airport.)

Section 54. - Historic District.

Description and purposes. These districts exist to distinguish and preserve areas of the city which are unique for their historical and architectural values and which therefore promote the educational, cultural, and general welfare of the public through their continued existence. Towards this end, a historic district commission has been established to regulate the manner in which a **building or structure** may be erected, altered, arranged, restored, moved or demolished within an historic district. Any such action requires the approval of said commission. (See City of New Haven ordinance entitled An Ordinance to Establish an Historic District and an Historic District Commission for the City of New Haven, effective June 11, 1970.) Such values as are present in so designated areas are not readily classified within existing district regulations and are accordingly given a distinct classification in addition to the existing district classifications so as best to serve the interests of the city and the region.

Intent. It is the intent of this ordinance to safeguard the heritage of the city, to stabilize and improve property values in such districts, foster civic beauty, promote the educational, cultural, economic, and general welfare of the City of New Haven through the preservation and protection of the distinctive characteristics of buildings, places, and districts, associated with the history of or indicative of a period or style of architecture of historic interest within the City of New Haven, and to provide that modification shall remain in harmony with the general purpose and intent of the ordinances. Unless otherwise provided, all definitions of terms shall have the meaning set forth in sections 7-147a to 7-147k, inclusive as amended, of the General Statutes of Connecticut.

Establishment. Pursuant to the provisions of sections 7-147a to 7-147k, inclusive as amended, of the General Statutes of Connecticut, there is established an historic district(s) within the City of New Haven and an Historic District Commission, which Commission shall be empowered to exercise all the powers, duties, and functions enumerated in said sections 7-147a to 7-147k, inclusive as amended, of the General Statutes of Connecticut.

Uses permitted. In an Historic District, **uses** are governed by the underlying zoning classification. (See Official Zoning Maps, City of New Haven.) Accordingly, the following **uses** are considered appropriate and no others:

- (a) *Residential uses as follows:* Such residential **uses** as are permitted and in the same manner as in the underlying zone, within the restrictions of An Ordinance to Establish an Historic District and an Historic District Commission for the City of New Haven.
- (b) *Non-residential uses; as follows:* Such non-residential **uses** as are permitted and in the same manner as in the underlying zone, within the restrictions of An Ordinance to Establish an Historic District and an Historic District Commission for the City of New Haven.
- (c) *Administration, expansion and new districts.* The Historic District Commission shall administer the provisions of said sections 7-147a to 7-147k, inclusive as amended, of the General Statutes of Connecticut, as implemented by this ordinance. Under the same authority, the commission shall perform all of the functions of the historic district study committee relative to the expansion of existing districts and the establishment of new ones.
- (d) *Land use.* Nothing contained herein shall supersede the powers of other local legislative or regulatory bodies or relieve any property owner of complying with the requirements of any other state statutes or municipal ordinances or regulations.
- (e) *Historic District Commission.*
 - (1) *Historic District Commission created.* There is hereby created a commission to be called the historic District Commission in order to execute the intent of this ordinance.
 - (2) *Membership of commission.*

- a. There shall be appointed by the mayor of the City of New Haven, within 30 days after the effective date of this ordinance, an Historic District Commission consisting of five members and up to five alternate members, who shall be residents of the City of New Haven holding no salaried municipal office. At least one member of the commission shall be an architectural historian, one member shall be selected from a list submitted by the New Haven Preservation Commission, one member shall be a resident or owner within the historic district. As each new historic district, if any, is approved, the commission shall designate a new member or alternate, as the case may be, who shall be an owner or resident thereof.
- b. The membership permitted to vote on a particular application for a certificate of appropriateness must include a member or alternate from the applicable district unless said member or alternate is unable to vote because of illness or disability or because of conflict of interest or other good cause as stated on the record. In such circumstances a member or alternate from another district may have to be temporarily disqualified, if necessary, in order not to exceed a maximum of five votes on a particular application.
- c. The mayor shall designate one member to serve until January 1, 1971, one member to serve until January 1, 1972, one member to serve until January 1, 1973, one member to serve until January 1, 1974, and one member to serve until January 1, 1975, thereafter each member and each alternate member appointed to fill a vacancy shall be appointed by the mayor in a like manner for terms of five years.
- Any vacancy created by any reason other than by expiration of a term shall be filled for the unfilled portion of that term in the same manner as the original appointment.
- d. All members of the Historic District Commission shall serve without compensation.
- (3) *Rules.* Within 30 days after the Historic District Commission is appointed, it shall adopt rules of procedure, regulations, forms and orders, not inconsistent with sections 7-147a to 7-147k, General Statutes, inclusive as amended, which it deems necessary to carry out the intent of this ordinance.
- (4) *Officers.* The commission shall elect annually a chairman, a vice-chairman, and a clerk from its own members. In case of inability to act, because of absence, sickness or self-interest, on the part of any member of the commission, his/her place shall be taken by an alternate member designated by the chairman.
- (f) *Duties and powers of the commission.*
- (1) *Certificate of appropriateness.* No **building** or **structure** shall be erected, altered, restored, moved or demolished within an historic district until after an application for a certificate of appropriateness as to exterior architectural features has been submitted to the commission and approved by said commission.
- (2) *Exterior architectural features.* For the purpose of this ordinance, exterior architectural features shall include such portion of the exterior of a **building** or **structure** as is open to view from a public street, way or place.
- (3) *Outdoor advertising.* The style, material, size and location of outdoor business or advertising signs and bill posters within an historic district shall also be under the control of the commission.
- (g) *Considerations in determining appropriateness.* If the Commission determines that the proposed erection, construction, restoration, alteration, or razing will be appropriate, it shall issue a certificate of appropriateness. In passing upon appropriateness the Commission shall consider, in addition to any other pertinent factors, the type and style of exterior windows, doors, light fixtures, signs, above-ground utility structures, mechanical appurtenances and the type and texture of building materials. In passing upon appropriateness as to exterior architectural features the Commission shall also consider the historical and architectural value and significance, architectural style, general design, arrangement, texture and materials of the architectural features involved and

the relationship thereof to the exterior architectural style and pertinent features of other structures in the immediate neighborhood. A certificate of appropriateness may be refused when its issuance, in the opinion of the Commission, would be detrimental to the interest of the historic district.

(h) *Variations; when permissible.*

- (1) Where, by reason of topographical conditions, district borderline situations, immediately adjoining existing developments or because of other unusual circumstances, the strict application of any provision of sections 7-147a to 7-147k, inclusive as amended, would result in exceptional practical difficulty or undue hardship upon the owner of any specific property, the commission in passing upon applications shall have the power to vary or modify strict adherence to said sections or to interpret the meaning of said sections so as to relieve such difficulty or hardship; provided such variance, modification or interpretation shall remain in harmony with the general purpose and intent of said sections so that the general character of the district shall be conserved and substantial justice done.
- (2) In granting variations, the commission may impose such reasonable and additional stipulations and conditions as will, in its judgement, better fulfill the purposes of said sections.

(i) *Exempted acts.* Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior feature in the historic district which does not involve a change of appearance or design thereof; nor to control the interior arrangement or use of structures; nor to prevent the construction, reconstruction, alteration or demolition of any such feature which the building inspector certifies is required by the public safety because of an unsafe or dangerous condition; nor to prevent the construction, reconstruction, alteration or demolition of any such feature under a permit issued by the building inspector prior to the effective date of establishment of such historic district.

(j) *Limits of appropriation.* The commission may, subject to the limits of appropriation made by the City of New Haven, employ or utilize clerical and technical assistance or consultants and may accept money, gifts, and expend the same for such purposes. Responsibility of providing such staff assistance shall be made by the building inspector, unless otherwise designated by the commission.

(k) *Procedures.* Application for certificate; hearing, approval.

- (1) The Commission shall hold a public hearing upon each application for a certificate of appropriateness. Notice of the time and place of such hearing shall be given by publication in the form of a legal advertisement appearing in a newspaper having a substantial circulation in the city not less than seven nor more than 15 days before such hearing.
- (2) Within not more than 65 days after the filing of an application as required by subsection 54.(k)(1), the Commission shall pass upon such application and shall give written notice of its decision to the applicant. Evidence of approval shall be by certificate of appropriateness issued by the Commission. Failure of the Commission to act within 65 days shall constitute approval and no other evidence of approval shall be needed.
- (3) The commission shall keep a record of all applications for certificate of appropriateness and all of its doings under §7-147a to 7-147k, inclusive as amended, of the General Statutes. Such a record shall be deposited with the building inspector, who shall insure that it will be open for public inspection at reasonable times.

(l) *Action by commission to prevent illegal acts.*

- (1) If any action or ruling taken by the commission pursuant to this ordinance, any bylaw adopted hereunder, or the provisions of sections 7-147a to 7-147k, inclusive as amended, of the General Statutes, has been violated,

the commission may, in addition to other remedies, institute an action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, razing, maintenance or *use* or to restrain, correct or abate such violation or to prevent the occupancy of such *building, structure*, or land, or to prevent any illegal act, conduct, business or *use* in or about such premises.

- (2) Regulations and orders of the commission issued pursuant to this ordinance shall be enforced by the zoning enforcement officer under the powers granted by law, and who shall be considered an officer of the historic district commission for the purposes of appealing orders by said zoning enforcement officer made pursuant to this subsection.
 - (3) The owner or agent of any building or premises where a violation of any provision of this ordinance or any bylaw adopted hereunder has been committed or exists, or the owner, agent, lessee or tenant of any part of the building or premises in which such violation has been committed or exists, or the agent, architect, builder, contractor, or any other person who commits, takes part, or assists in any such violation or who maintains any *building* or premises in which any such violation exists, shall be fined not less than \$10.00 nor more than \$100.00 for each day that such violation continues; but if the offense is willful, the person convicted thereof shall be fined not less than \$100.00 nor more than \$250.00 for each day that such violation continues.
- (m) *Appeals.* Any person or persons severally or jointly aggrieved by any decision of the Historic District Commission or any officer thereof may, within 15 days from the date when such decision was rendered, take an appeal to the Superior Court for the judicial district of New Haven, which appeal shall be made returnable to such court in the same manner as that prescribed for other civil actions brought to such court. Notice of such appeal shall be given by leaving a true and attested copy thereof in the hands of or at the usual place of abode of the Chairman or Clerk of the Commission within 12 days before the return day to which such appeal has been taken. Procedures upon such appeal, shall be the same as that defined in section 8-8 of the General Statutes of Connecticut.
- (n) *District boundaries.*
- (1) The boundaries of the city's first historic district, known as Wooster Square, include the entire area within the perimeter described in Appendix 54.1.
 - (2) The city's second historic district, known as Quinnipiac River, lies in Fair Haven on both sides of the river between the Grand Avenue and Ferry Street bridges. The boundaries include the entire area within the perimeter described in Appendix 54.2.
 - (3) City Point, which lies in the southwestern section of the City, south of Interstate 95. The boundaries include the entire area within the perimeter described in Appendix 54.3

APPENDIX 54.1 WOOSTER SQUARE LOCAL HISTORIC DISTRICT BOUNDARY

A line beginning at the midpoint of the intersection of Chapel and Olive Streets; thence running northeasterly along the middle of Olive Street 815 feet, more or less; thence easterly 122 feet, more or less, along side property line of property known as 109-115 Olive Street, thence northerly 33 feet, more or less, along side property line of 351 Greene Street; thence easterly 29 feet, more or less, along rear property line of property known as 351 Greene Street; thence northerly 41 feet, more or less, along side property line of property known as 347-345 Greene Street; thence easterly 55 feet, more or less, along rear property line of property known as 347-345 Greene Street; thence northerly 71 feet, more or less, through land of St. Casimir's R.C. Church to rear property line known as 329 Greene Street; thence easterly 52 feet, more or less, along rear property line of property known as 339 Greene Street; thence southerly 16 feet, more or less, along side property line of property known as 329 Greene Street; thence easterly 72 feet, more or less, along rear property line of property known

as 329 Greene Street; thence northerly 152 feet, more or less, along rear property line of property known as 8-10 Hughes Place; thence easterly 156 feet, more or less, along side property line of property known as 8-10 Hughes Place to the middle of Hughes Place; thence southerly 125 feet, more or less, along middle of Hughes Place; thence easterly 155 feet, more or less, along rear property line of property known as 285 Greene Street; thence northerly 123 feet, more or less, along side property line of property known as 285 Greene Street; thence easterly 50 feet, more or less, along rear property line of 285 Greene Street; thence southerly 134 feet, more or less, along side property line of property known as 285 Greene Street; thence easterly 123 feet, more or less, along rear property line of property known as 285 Greene Street; thence southerly 33 feet along side property line of property known as 285 Greene Street; thence easterly 129 feet, more or less, along rear property lines of properties known as 257, 251, 245 Greene Street; thence southerly 3 feet, more or less, along side property line of property known as 245 Greene Street; thence easterly 21 feet, more or less, along rear property line of property known as 245 Greene Street; thence southerly 50 feet, more or less, along side property line of property known as 245 Greene Street; thence easterly 103 feet, more or less, along rear property lines of properties known as 237 and 231 Greene Street to the middle of Chestnut Street; thence southerly 146 feet, more or less, along the middle of Chestnut Street to the middle of the intersection of Chestnut and Greene Streets; thence easterly 293 feet, more or less, along the middle of Greene Street; thence southeasterly 544 feet, more or less, along rear property line of Harry A. Conti School; thence southwesterly 154 feet, more or less, along rear property line of Conti School playground to the middle of Chapel Street; thence westerly 315 feet, more or less, along the middle of Chapel Street to the midpoint of the intersection of Chapel and Chestnut Streets; thence southerly 170 feet, more or less, along the middle of Chestnut Street; thence westerly 428 feet, more or less, along side property line of property known as 82 Chestnut Street and the rear property line of property known as 524, 526-528, 532, 538, 542, 546, 548, 552 and 554 Chapel Street; thence southerly 3 feet, more or less, along side property line of property known as 556 Chapel Street; thence westerly 89 feet, more or less, along rear property lines of properties known as 556, 558, 560 and 562 Chapel Street; thence southerly 143 feet, more or less, along side property line of Paul Russo Park; thence westerly 117 feet, more or less, along property line of Paul Russo Park on Wooster Street to the middle of Brewery Street, then northerly 115 feet, more or less, along the middle of Brewery Street; thence southwesterly 50 feet, more or less, along rear property line known as 576 Chapel Street; thence westerly 41 feet, more or less, along rear property line of property known as 576 Chapel Street; thence northerly 4 feet, more or less, along side property line of property known as 576 Chapel Street, thence westerly 75 feet, more or less, along rear property line of property known as 584 Chapel Street; thence southerly 119 feet, more or less, along side property line of property known as 592 Chapel Street; thence westerly 48 feet, more or less, along rear property line of property known as 592 Chapel Street; thence northerly 155 feet, more or less, along side property lines of property known as 592 Chapel Street, thence westerly 100 feet, more or less, along rear property lines of property known as 600 and 604 Chapel Street; thence southerly 6 feet, more or less, along side property line of property known as 604 Chapel Street; thence westerly 74 feet, more or less, along rear property line of property known as 604 Chapel Street; thence southerly 35 feet, more or less, along side property line of property known as St. Paul's Church; thence westerly 146 feet, more or less, along the side property line of property of St. Paul's Church, thence southerly 31 feet, more or less, along side of property line of property of St. Paul's Church; thence westerly 94 feet, more or less, along side property line of property of St. Paul's Church to middle of Olive Street; thence northeasterly 213 feet, more or less, along middle of Olive Street to starting point.

Ord. of 06-11-70: Map on file at the Offices of the City Plan Department

APPENDIX 54.2 QUINNIPIAC RIVER LOCAL HISTORIC DISTRICT BOUNDARY

A line beginning at the southern boundary of the Benjamin Jepson School; thence running westerly across Quinnipiac Avenue to the northwest corner of Ferry Street and Quinnipiac Avenue; thence running westerly 95 feet on the north curb of Ferry Street; thence northerly 166 feet along the east side property of 11-29 Ferry Street; thence westerly 131.5 feet and northerly 147 feet along the southerly property line and the west property line of 376 Quinnipiac Avenue; westerly 26 feet and northerly 98 feet plus or minus and 220 feet plus or minus along the southerly boundary of 392 Quinnipiac Avenue; thence westerly 210 feet plus or minus along the edge of the Quinnipiac River to the Ferry Street bridge; thence 800 feet plus or minus along the north side of the Ferry Street bridge to the intersection of River Street; thence crossing River Street and proceeding along the westerly curb line of Ferry Street crossing Houston Street and continuing along the westerly curb of Ferry Street to the center of Chapel Street; thence easterly along the center of Chapel Street to a point opposite the western side property line of 24-26 and 28-30 East Pearl Street; thence along the rear property lines of 32-34, 42, 44, 48, and 54 East Pearl Street; thence crossing Chambers Street to the rear property lines of 58, 60, 62-64, 68, 70, 72, 76, 80, 82, and 88 East Pearl Street; thence crossing Pierpont Street to the rear property lines of 92, 94, and 100 East Pearl Street; thence crossing Exchange Street and continuing along the rear property lines of 102, 108, 112, 116 and 120 East Pearl Street; thence easterly along the north side property line of 120 East Pearl Street crossing East Pearl Street and continuing easterly to join the northerly property line of 113 East Pearl Street; thence along the rear property line of 113 East Pearl Street to a point 30 feet along the rear property line of 109 East Pearl Street; thence easterly along the rear property line of 45, 39 and 29 Exchange Street and on along the southern curb of what was known as Talmadge Street to a point in the center of South Front Street; thence northerly along the center line of South Front Street to the southerly property boundary of 14-20 Grand Avenue; thence 40 feet plus or minus, thence 140 feet plus or minus northerly approximately 15 feet parallel to the westerly property line of 14-20 Grand Avenue; thence along the southerly curb of Grand Avenue crossing South Front Street and continuing along the southern edge of the Grand Avenue bridge, crossing the Quinnipiac River to a point at the eastern side on the Quinnipiac River; thence crossing East Grand Avenue and continuing north along the Quinnipiac River approximately 218 feet plus or minus to the rear property line of 4 East Grand Avenue; thence continuing easterly along the rear property lines of 4, 12, 14-22, 28-30 and 34-36 East Grand Avenue; thence crossing Quinnipiac Avenue to the eastern curb of Quinnipiac Avenue; thence northerly to the southerly property line of 701 Quinnipiac Avenue; thence along the rear property lines of 356-358 Lenox Street and westerly along the southerly property line; thence southerly along the rear property line of 350 Lenox Street and easterly along the southern property line to the center of Lenox Street; thence southerly to a point opposite the southerly boundary of the Pilgrim Congregational Church and 61 East Grand Avenue; thence southerly along the rear property lines of 645, 641, 635 and 629 Quinnipiac Avenue, crossing Welcome Street and continuing along the rear property lines of 621, 609, 603, 595, 591-589, 583-585, 577-579, 571, 565, and 561 Quinnipiac Avenue and continuing across Aner Street; thence continuing along the rear property lines of 553, 547, 543, 539, 537, 535, 533, 529, 525, 517-519, 515, 505-507 and 501 Quinnipiac Avenue; thence crossing Oxford Street to the rear property lines of 489-499, 483-485, 479-481, 475, 467, 453, 431, 425-427, 415, 407, 399 and the Jepson School.

Ord. of 05-04-70, rev. to 02-02-89: Map on File at the Offices of the City Plan Department

APPENDIX 54.3 CITY POINT LOCAL HISTORIC DISTRICT BOUNDARY

A line beginning at the centerline of Howard Avenue and the southerly highway right-of-way line of Interstate 95; thence running easterly 39 feet, more or less, on the easterly street line of Howard Avenue, to a point; thence continuing easterly 362 feet, more or less, along 1-95 highway line and north property line of 19 Hallock Avenue, to a point; thence continuing easterly 166 feet, more or less, along 1-95 highway line and north property line of 15 Hallock Avenue, to a point; thence continuing easterly 198 feet, more or less, along said highway line and north property line of 19 Sea Street, to a point; thence turning southerly 118 feet, more or less, along 19 Sea Street, to a point; thence continuing southwesterly 39 feet,

more or less, along 19 Sea Street, to a point; thence continuing southerly 227 feet, more or less, along 15 Hallock Avenue, to a point; thence continuing southerly 25 feet more or less, along 15 Hallock Avenue, to a point; thence turning easterly 45 feet, more or less, on the northerly end of South Water Street, to a point; thence continuing easterly 276 feet, more or less, along 17 Sea Street, to a point; thence turning southerly 190 feet, more or less, along 17 Sea Street, to a point; thence continuing southerly 61 feet, more or less, along 17 Sea Street, to a point; thence continuing southerly 30 feet, more or less, along 17 Sea Street, to a point; thence turning southwesterly 62 feet, more or less, along 17 Sea Street, to a point; thence continuing 17 feet, more or less, heading southwesterly along 17 Sea Street, to a point; thence turning easterly 250 feet, more or less, on the New Haven Harbor line, to a point; thence turning southwesterly 92 feet, more or less, along 24 South Water Street, and the Harbor line, to a point; thence continuing southwesterly along 24 South Water Street and the harbor line, 1220 feet, more or less, to a point; thence continuing southwesterly along the Harbor line 99 feet, more or less crossing the end of Howard Avenue to a point; thence continuing 182 feet, more or less along the Harbor line and 98, 100, 108 and a portion of 110 South Water Street, to a point; thence continuing westerly 206 feet, more or less along the Harbor line and 120 South Water Street, to a point; thence turning northerly 432 feet, more or less, along the westerly line of 120 South Water on the southerly street line of South Water Street, to a point; thence turning easterly along the southerly street line of South Water Street and 120 South Water Street, 35 feet, more or less, to a point; thence turning northerly across South Water Street 29 feet, more or less, to a point; thence continuing northerly across South Water Street 25 feet, more or less, to a point, said point being the southwest corner of 123 South Water Street; thence continuing northerly 106 feet, more or less, along 123 South Water Street, to a point; thence turning easterly 37 feet, more or less, along 123 and 121 South Water Street, to a point; thence continuing easterly 39 feet, more or less, along 119 South Water Street to a point; thence turning northeasterly 54 feet, more or less, along 115 South Water Street, to a point; thence turning northerly 40 feet, more or less, along 109-111 South Water Street, to a point; thence turning easterly 45 feet, more or less, along 109-111 South Water Street, to a point; thence turning northerly 100 feet, more or less, along 24-26 and 28 Howard Avenue, to a point; thence turning easterly 40 feet, more or less, along 28 Howard Avenue, to a point; thence turning northerly 60 feet, more or less, along 32 Howard Avenue, to a point; thence turning westerly 40 feet, more or less, along 36-38 Howard Avenue, to a point; thence turning northerly 40 feet, more or less, along 36-38 Howard Avenue, to a point; thence turning westerly 22 feet, more or less along 110 Sea Street Rear, to a point; thence turning northerly 50 feet, more or less, along 110 Sea Street Rear, to a point; thence turning westerly 100 feet, more or less along 116 Sea Street, to a point; thence turning northerly 98 feet, more or less, along 116 Sea Street, to a point; thence turning westerly 6 feet, more or less, along the southerly street line of Sea Street, to a point; thence turning northerly crossing Sea Street, 25 feet, more or less, to a point; thence continuing northerly crossing Sea Street 23 feet, more or less, to a point, said point being the southwesterly corner of 115-117 Sea Street; thence turning westerly across Greenwich Avenue, 28 feet, more or less, to a point on the center line of Greenwich Avenue; thence turning northerly along the center line of Greenwich Avenue, 34 feet, more or less, to a point; thence turning westerly across Greenwich Avenue, 27 feet, more or less, to a point on the westerly street line of Greenwich Avenue and the southwesterly corner of 88 Greenwich Avenue; thence continuing in a northwesterly direction along an Arc 86 feet, more or less, along 88 Greenwich Avenue, to a point; thence continuing northwesterly 152 feet, more or less, along 88, 94, and 100 Greenwich Avenue and a portion of 106 Greenwich Avenue, to a point; thence turning northerly 71 feet, more or less, along 106 and 110 Greenwich Avenue, to a point, thence turning westerly 41 feet, more or less, along 116 Greenwich Avenue, to a point; thence continuing northwesterly 75 feet, more or less, along 116 and 120 Greenwich Avenue, to a point; thence turning easterly 129 feet, more or less, along 120 Greenwich Avenue, to a point; thence turning northerly, 68 feet, more or less, along 124 and 128-130 Greenwich Avenue, to a point; thence turning westerly 4 feet, more or less, along 134 Greenwich Avenue, to a point; thence turning northerly 60 feet, more or less, along 134 and 138 Greenwich Avenue, to a point; thence turning westerly 50 feet, more or less, along 142 Greenwich Avenue to a point; thence turning northerly 102 feet, more or less, along 142, 146 and 148-150 Greenwich Avenue, to a point on the

southerly right-of-way line of Interstate 95; thence turning easterly 151 feet, more or less, along the I-95 Highway line and 148-150 Greenwich Avenue, to a point; thence continuing easterly 57 feet, more or less, across the northerly street line of Greenwich Avenue, to a point; thence continuing easterly 300 feet, more or less along the I-95 Highway line and 149 Greenwich Avenue and 108-110 Howard Avenue, to a point on the westerly street line of Howard Avenue; thence continuing easterly to the centerline of Howard Avenue, 39 feet, more or less, along I-95 Highway line to a point and place of beginning.

Ord. of 02-21-01: Map on file at the Offices of the City Plan Department

Section 55. - Coastal Management District.

Description and purpose. The coastal management district exists to ensure that the development, preservation or use of the land and water resources of the coastal area proceeds in a manner consistent with the capability of the land and water resources to support development, preservation or use without disrupting either the natural environment or sound economic growth and to ensure public access along the city's waterfront and the preservation of a natural viewpoints and vistas. These values are not readily classified within existing district regulations and are accordingly given a distinct classification in addition to existing district classifications so as to best serve the interest of the city and the region.

Summary of review process. A coastal site plan review shall be conducted in accordance with this section for all **buildings, structures, uses** or activities to be located within the coastal management district. The review shall determine whether or not the potential adverse impacts of the proposed activity on coastal resources and future water-dependent development activities are acceptable under the Connecticut Coastal Management Act, Chapter 444 of the Connecticut General Statutes, as amended.

Statutory authority. The Connecticut Coastal Management Act, also know as Sections 22a-90 to 22a-112 of the Connecticut General Statutes, as amended from time to time, establishes the Connecticut coastal boundary, defines coastal resources, coastal site plans, adverse impacts on coastal resources and water-dependent uses and specifies the requirements and procedures for municipalities to follow in preparing coastal programs and conducting coastal site plan reviews.

- (a) *Uses permitted.* The coastal management district permits such residential and non-residential **uses** as are permitted and in the same manner as in the underlying zone, provided the coastal site plan review, if required, determines that the potential adverse impacts of the proposed **use** on both coastal resources and future water-dependent development activities are acceptable within the meaning of the Connecticut Coastal Management Act, as amended.
- (b) *Administration of coastal site plan review:*
 - (1) *Written certification required:* No building permit shall be issued for a building, use or structure located within the coastal management district unless the zoning enforcement officer certifies in writing that such building, use or structure has been reviewed and approved in accordance with the Connecticut Coastal Management Act, as amended, or is a use exempt from such review as provided in this section.

State Law reference— Sec. 15(f) Ch. 444 CGS.

- (2) *Application for coastal site plan review:* Whenever a nonexempt **building, structure, use** or activity is to be located within this district, the application for a building permit submitted pursuant to the State Building Code, the application for a variance or special exception submitted pursuant to subsections 63.C and D of

this zoning ordinance, and application and general plan and detail plans of planned development districts pursuant to section 65 of the zoning ordinance, shall be accompanied by an application for coastal site plan review upon the forms provided by the zoning enforcement officer. The application shall include:

- a. A plan in accordance with subsections 11(c) and 12(b) of the Connecticut Coastal Management Act, as amended, showing the location and spatial relationship of the coastal resources on and contiguous to the site;
- b. A description of the entire project with appropriate plans, indicating project location, design, timing and method of construction;
- c. An assessment of the capability of the resources to accommodate the proposed use;
- d. An assessment of the suitability of the project for the proposed site;
- e. An evaluation of the potential beneficial and adverse impacts of the project; and
- f. A description of the proposed methods to mitigate adverse effects on coastal resources.

The applicant shall demonstrate that the adverse impacts of the proposed building, structure, use or activity are acceptable and consistent with the goals and policies of the Connecticut Coastal Management Act, as amended.

- (3) *Review.* The board or official receiving the application for coastal site plan review shall refer the application to the city plan commission for a written report. The commission shall review the application in accordance with the Connecticut Coastal Management Act, as amended, to determine whether the potential adverse impacts of the proposed activity on both coastal resources and future water-dependent development activities are acceptable. The review shall:
 - a. Consider the characteristics of the site, including location and condition of any coastal resources;
 - b. Consider the potential effects, both beneficial and adverse, of the proposed activity on coastal resources, and future water-dependent development opportunities;
 - c. Follow the goals and policies of the Connecticut Coastal Management Act, as amended, and identify conflicts between the proposed use and any goal or policy of the act;
 - d. Applications for development on waterfront parcels shall also consider the following additional standards:
 1. Protection of the shoreline where there is erosion or the development is likely to cause erosion.
 2. Degree of water dependency. Projects composed of several elements, some of which are not water dependent and projects not strictly water dependent but enhanced by a waterfront location may be acceptable.
 3. Preservation of significant natural vistas and points or avenues of views of the waterfront.
 4. Provision of meaningful public access.
 5. Insurance of outstanding quality of design and construction to produce an environment that enhances its waterfront location.
 6. Consistency with the New Haven Coastal Program adopted June 21, 2006 by the City Plan Commission, as amended from time to time.
- (4) *Public hearing.* The commission may, at its discretion, hold a public hearing on the application. The written report shall contain the commission's findings, its recommendation and reasons therefor as to approving,

modifying, conditioning or denying the building, use or structure proposed in the application. In the event the report recommends approving the *building, use or structure* proposed in the site plans, the report shall include a finding that the site plan with its recommended modifications and conditions is consistent with the goals and policies of the Connecticut Coastal Management Act, as amended, and incorporates as conditions or modifications all reasonable measures which would mitigate the adverse impacts on both coastal resources and future water-dependent development activities. Upon receipt of the written report by the appropriate board or official, said board or official shall adopt written findings and recommendations, stating its reasons therefor, in accordance with the Connecticut Coastal Management Act, as amended. Upon receipt of the written findings of the final adopting board or commission, the building official shall make the findings a condition of any building permits issued.

(c) (1) *Time provisions.*

- a. On any application on which a hearing is required, such hearing shall commence within 65 days of submission of such application and shall be completed within 35 days after such hearing commences. All decisions on such applications shall be rendered within 65 days after completion of such hearing. The applicant may consent to one or more extensions of any period specified above, provided the total period of such extension or extensions shall not exceed 65 days. When no hearing is required, a decision shall be rendered within 65 days. The applicant may consent to extensions provided the total period of such extension shall not exceed 65 days.
- b. All applicants shall be notified of the coastal site plan review decision by certified mail.
- c. Pursuant to the bylaws of the City Plan Commission, the applicant may withdraw any submission or site plan at any time.

(2) *Duration of approval; lapse of approval; renewal; transferability; and revocation.*

- a. *Duration of approval.* Pursuant to Section 8-3(i) of the Connecticut general statutes, any site plan approved after June 30, 2011 is valid for a period of five (5) years after the date of decision. Upon petition of the applicant, the Commission may, at its discretion, grant extensions totaling no more than an additional five (5) years to complete all work connected to the original approval. Pursuant to Section 8-3(m) of the Connecticut General Statutes, any site plan approved prior to July 1, 2011 and that has not already expired prior to May 9, 2011 is valid for a period of nine (9) years after the date of decision. Upon petition of the applicant, the Commission may, at its discretion, grant extensions totaling no more than an additional five (5) years to complete all work connected to the original approval.
 - b. Applications for extensions shall be made in writing between not less than thirty (30) nor more than sixty (60) days prior to the lapse of the original approval.
 - c. *Lapse of approval.* Consistent with Section 62, the zoning enforcement officer shall determine the status of an approval and make a determination if the approval is valid or if approval has lapsed.
 - d. *Transferability.* The validity of an approval shall not be affected by changes in ownership.
 - e. *Revocation.* Pursuant to section 62, the zoning enforcement officer may revoke a plan approval and/or any permit(s) associated with an approved plan that is exercised in violation of said approval.
- (d) *Fees.* Each application for coastal site plan review shall be accompanied by a fee of in accordance with the provisions of section 17-22 of the New Haven Code of Ordinances.
- (e) *Appeals.* Any person or persons severally or jointly aggrieved by any decision of the board or commission on a coastal site plan review may, within 15 days from the date of such decision, take an appeal to the Superior Court,

Judicial District of New Haven at New Haven.

- (f) *Exemptions.* The following **buildings, structures, uses**, or activities are exempt from the coastal site plan review requirements.
- (1) Minor additions to or modifications of existing **buildings** or detached **accessory buildings**, such as garages and utility sheds;
 - (2) Construction of new or modification of existing **structures** incidental to the enjoyment and maintenance of residential property including, but not limited to, walks, terraces, driveways, swimming pools, tennis courts and detached **accessory buildings**;
 - (3) Construction of new or modification of existing on-premise fences, walls, pedestrian walks and terraces, underground utility connections, essential electric, gas, telephone, water and sewer service lines, business signs under 30 feet in height and such other minor **structures** as will not substantially alter the natural character of coastal resources or restrict access along the public waterfront;
 - (4) Construction of an individual conforming **single-family residential structure** except in or within 100 feet of the following coastal resources areas: tidal wetlands, coastal bluffs and escarpments and beaches and dunes;
 - (5) Activities conducted for the specific purpose of conserving or preserving soil, vegetation, water, fish, shellfish, wildlife and other coastal land and water resources so long as such activities will not substantially alter the natural character of the coastal resources or restrict access along the public beach;
 - (6) Gardening, grazing and harvesting of crops;
 - (7) Interior modifications to **buildings**;
 - (8) Minor changes in use of **buildings, structures** or properties which are not on property adjacent to or abutting coastal waters;
 - (9) Applications or site plans submitted to the Board of Aldermen, City Plan Commission or Board of Zoning Appeals for permission to construct or conduct any exempt **building** or activity.

It is further ordered by the Board of Aldermen of the City of New Haven that on the effective date of these amendments, the order of the Board of Aldermen exempting certain activities within the designated coastal boundary from site plan review as provided by the Coastal Management Act of 1979, approved January 7, 1980, shall be and hereby is repealed.

(Ord. No. 1355, §§ 1, 2, 6-7-04; Ord. No. 1431, 12-18-06; Ord. No. 1662, 9-19-11)

Section 56. - Flood Damage Prevention District.

- (a) *Purpose.* These districts exist to minimize the public and private losses due to flood conditions by controlling the **uses**, methods of construction, alteration of natural waterways and barriers, topographical features of land and erection of flood barriers.
- (b) *Authority.* Section 7-148 of the Connecticut General Statutes, as amended.
- (c) *Flood Damage Prevention District maps.* The Flood Damage Prevention District is an area of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated July 8, 2013, and accompanying Flood Insurance Rate Maps (FIRM), dated July 8, 2013 (Panels 09009C0429J, 09009C0433J, 09009C0434J, 09009C0437J, 09009C0439J, 09009C0441J, 09009C0442J, 09009C0443J, 09009C0444J, 09009C0453J, 09009C0557J), and December 17, 2010 (Panels 09009C0426H, 09009C0427H, 09009C0428H, 09009C0436H, 09009C0461H, 09009C0556H) and other supporting data applicable

to the City of New Haven, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this ordinance. Since mapping is legally adopted by reference into this ordinance it must take precedence until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, and VE, including areas designated as a floodway on a FIRM. Zone VE is also identified as a Coastal High Hazard Area. Areas of special flood hazard are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the FIS. BFEs provided on a FIRM are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. The FIS and FIRM are on file with the City/Town Clerk.

- (d) *Subject activities.* No zoning, building or other permit shall be issued for a **building, use, structure**, or development in the Flood Damage Prevention District unless a floodplain development permit has been issued in accordance with the provisions of the Flood Damage Prevention Ordinance of the City of New Haven, Connecticut.
- (e) *Uses permitted.* Such **uses** as are allowed and in the same manner as the underlying zone shall be permitted in the Flood Damage Prevention District, within the restrictions of the Flood Damage Prevention Ordinance of the City of New Haven.
- (f) *Permit procedures.* Application for a floodplain development permit shall be made to the Building Inspector, in accordance with the provisions of the New Haven Flood Damage Prevention Ordinance. Application shall be accompanied by a FEMA Elevation Certificate.
- (g) *VariANCES.* The New Haven City Plan Commission (hereafter "Commission") shall hear and decide appeals and requests for a waiver from the requirements, in accordance with the standards of the New Haven Flood Damage Prevention Ordinance.
- (h) *Enforcement.* The Commission or a designated agent thereof shall have the power to enforce this provision.
- (i) *Fees.* Each application submitted to the Commission for a Flood Damage Prevention variance shall be accompanied by a fee payable to the City of New Haven in accordance with section 17-22 of the Code of Ordinances of the City of New Haven.

(Ord. No. 1641, 10-14-10; Ord. No. 1712, 7-1-13)

Section 57. - Inland wetlands and watercourses.

Purpose. Inland wetlands and watercourses are an indispensable and irreplaceable but fragile natural resource. The wetlands and watercourses are essential to an adequate supply of surface and underground water; to hydrological stability and control of flooding and erosion; to recharging and purification of ground water; and to the existence of many forms of animal, aquatic and plant life.

It is therefore the purpose of the City's regulations for the protection and preservation of inland wetlands and watercourses (hereafter regulations) to protect the citizens of New Haven by making provisions for the preservation, protection, maintenance, and use of the inland wetlands and watercourses within the City.

Statutory authority. The City Plan Commission is the designated Conservation Commission of the City of New Haven by ordinance enacted on June 3, 1974, in accordance with Sections 22a-36 to 22a-45 of the Connecticut General Statutes, as amended. The Commission is authorized and empowered to adopt and to implement and enforce the purposes and provisions of the City's regulations regarding inland wetlands and watercourses within the City.

- (a) *Map of inland wetlands and watercourses.* An Inland Wetlands and Watercourses Map, New Haven, Connecticut

(hereafter Map) accompanies and is part of the regulations. The official map is on file in the office of the city clerk and the city plan department and designates known wetlands.

Although official, the map is illustrative only; actual field conditions shall determine wetlands status.

- (b) *Regulations.* All activities in or adjacent to (within 50 feet of) inland wetlands or watercourses shall be in accordance with the Regulations for the Protection and Preservation of Inland Wetlands and Watercourses. A copy of the regulations may be obtained at the offices of the City Plan Department.
- (c) *Enforcement.* The zoning enforcement officer shall enforce these regulations and the findings and actions of the City Plan Commission pertinent thereto.
- (d) *Who shall apply.* All persons proposing activities or **uses** classified as Permitted or Regulated Activities in or adjacent to within 50 feet of inland wetlands or watercourses involving deposition or removal of material, filling, excavation, dredging, clear cutting, grading, or any other alteration or use not specifically permitted by the Regulations shall require a permit from the Commission.
- (e) *Where to apply.* Applications may be secured at the offices of the City Plan Department or the Livable City Initiative Building Division.
- (f) *Where to file; fee.* All applications shall be filed with the City Plan Department. Applications shall be accompanied by such fee as is stipulated in section 17-22 of the Code of Ordinances, payable to the City of New Haven.
- (g) *Appeal.* This section is not subject to appeal before the Board of Zoning Appeals. Any appeal shall be taken in accord with Section 22a-43 or other relevant sections of the Connecticut General Statutes.

Section 58. - Soil erosion and sediment control.

- (a) *Purpose:* The purpose of soil erosion and sediment control is to minimize land form change that occurs as a result of development, to preserve the nature of a site, to sustain aesthetic, recreational and fish and wildlife habitat and values, to maintain the capability of soil to support vegetation, to reduce sediment entering water bodies and sewers, and to conserve and protect the water, land, air, and other environmental resources of the City.
- (b) *Authority:* The provisions of Public Act 83-388, entitled "An Act Concerning Soil Erosion and Sediment Control", and Sections 8-2 and 8-25 of the Connecticut General Statutes, as amended.
- (c) *Definitions:* For the purposes of this Section, certain words, terms, and phrases shall have the meanings presented in this subsection. All words used in the present tense include the future tense, and the word "used" shall be deemed to include "designed, intended, or arranged to be used". Words not defined in this Section shall be as defined in the most current edition of Webster's New World Dictionary, College Edition.

Agricultural activities: Cultivation of the soil, dairying, forestry, raising or harvesting any agricultural or horticultural commodity, including livestock, or the operation, management, conservation, improvement, or maintenance of a farm and its buildings, tool, and equipment.

Approval: A signed, written document constituting a finding by the City Plan Commission that a Soil Erosion and Sediment Control (SESC) plan complies with the applicable requirements of this Section.

Commission: The City Plan Commission of New Haven, Connecticut, or its designated agent.

County Soil and Water Conservation District: The New Haven County Soil and Water Conservation District established under Section 22A-315(A) of the General Statutes of the State of Connecticut.

Date of receipt: The day of the next regularly scheduled meeting of the Commission immediately following the day of submission of an application to the Commission, provided such meeting is no earlier than three (3) business days after submission, or thirty-five (35) calendar days after such submission, whichever is sooner.

Development: Includes, but shall not be limited to, any construction or grading activities to improved or unimproved real property.

Disturbed area: An area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.

Erosion: The detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

Forestry: An on-going commercial forestry operation.

Grading: Any excavating, grubbing, filling (including hydraulic fill), removal, or stockpiling of earth materials or any combination thereof including the land in its excavated or filled condition.

Inspection: The periodic review of sediment and erosion control measures required by the approved SESC plan.

Sediment: Solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.

Soil: Any unconsolidated mineral or organic material of any origin.

Soil erosion and sediment control (SESC) plan: A clear delineation of specific measures that minimize or eliminate soil erosion and sedimentation resulting from development. Such plan shall include, but is not limited to, an application form, a narrative, and a map or maps. The narrative shall describe the project, the schedule of major activities on the land, the application of conservation practices, design criteria, construction details and the maintenance program for any erosion and sediment control facilities that are installed. The map(s) shall show topography, cleared and graded areas, proposed area alterations map(s) and the location of and detailed information concerning erosion and sediment measures and facilities.

(d) *When an application is required:*

- (1) No SESC permit shall be issued for a building, use or structure unless the building, use or structure is exempted in accord with the provisions of subsection (e) of this section, or has been reviewed and approved in writing by the Commission in accordance with the provisions of this section. Projects that do not require a SESC plan or are exempt under subsection (d) below must still conduct soil and erosion control measures consistent with the Connecticut Guidelines For Soil Erosion And Sediment Control (2002 or latest edition).
- (2) A soil erosion and sediment control plan (hereinafter SESC plan shall be submitted with any application for development when (I) the site of such development is one-half acre or more, unless exempted in subsection 58(e) below; or (II) more than 30% the total lot area will be regarded by more than two feet; or (III) more than 800 cubic yards of soil and/or rock will be moved, removed or added; or (IV) the site contains slopes of greater than 15 percent; or (V) the application pertains to any site within the coastal boundary as defined in Section 22A-94 of the General Statutes.

(e) *Exempt activities:*

- (1) *Single family dwelling exempt.* Construction of a single family detached dwelling that is not part of a subdivision or larger development of land shall be exempt, provided that there is no grading or excavation on the lot more than four feet beyond the perimeter of the dwelling itself and the site does not contain slopes of

greater than 15 percent within 50 feet of the disturbed area. It is the intent of this ordinance not to allow a fragmented parcel-by-parcel development of a subdivision without required erosion and sediment control provisions.

- (2) *Existing activities exempt.* Any regulated activity legally existing as of the effective date of this section shall be exempt therefrom and permitted to continue within any time limits previously established provided that no new or additional regulated activity requiring approval under is conducted after the effective date without such approval. If originally approved time limits expire before completion (not including any extensions of such time limits), approval shall be required for remaining work unless such extensions were approved prior to the effective date.
- (3) *Defined agricultural activities exempt.* The following agricultural activities are exempt from this section: (i) cultivation of the soil, dairying, forestry, raising or harvesting any agricultural or horticultural commodity, including livestock; or (ii) operation, maintenance, conservation, improvement, or management of a farm and its buildings, tools, and equipment.

The Commission which has jurisdiction or a designated agent thereof shall have the power to determine if an activity is exempt from this section. Such determination shall be in writing and a file of exemptions shall be maintained. For the convenience of an applicant, lender, seller, buyer, or other interested party, a written determination of exempt activity may be requested. Such written request shall be accompanied by a fee payable to the City of New Haven in accord with Section 17-22 of the Code of Ordinances.

(f) *SESC plan requirements:*

- (1) *SESC plan.* When any person intends to conduct an activity that is not specifically exempted in these regulations a SESC Plan shall be filed. The SESC plan shall include an application form, a narrative, and a map, as described below.
- (2) *Classification and filing fees.* Each SESC plan submitted to the Commission for Approval shall be accompanied by a filing fee payable to the city in accord with section 17-22 of the Code of Ordinances of the City of New Haven. Staff shall determine the filing fee based on the anticipated level of disturbance from a preliminary review of submitted materials. A SESC plan shall be classified as:

Class A (minimal impact)

Class B (significant impact)

Class C (significant public effect, public hearing required)

The applicant may appeal the classification to the commission, which shall make a final determination as it may deem appropriate upon a review of the submitted materials, and may adjust the fee in accord with the Schedule of Fees of Section 17-22 of the Code of Ordinances.

- (3) *Application form.* The application for SESC plan review shall be on a form provided by the Commission. The Commission may prescribe such forms, contents, and rules as it deems necessary for the filing of SESC plans and other matters not specified in this section. All application forms shall include the following information:
 - a. The applicant's name, address and telephone number; and
 - b. The owner's name (if applicant is not property owner), home and business address, telephone number(s) and written consent to the proposed activity set forth in the application; and
 - c. Applicant's legal interest in the land (i.e., owner, option holder); and

- d. The geographical location of the property which is to be affected by the proposed activity (Tax Assessor's Map and Parcel number(s) of the subject property or properties).
 - e. Certification that the applicant is familiar with all the information provided in the application and is aware of the penalties for obtaining a permit through deception or through inaccurate or misleading information;
 - f. Authorization for the members and agents of the Commission, the City Engineer and the Building Department to inspect the property at reasonable times, both before and after a finding has been issued.
- (4) *Narrative.* A narrative shall be filed which describes provisions to adequately control erosion and sedimentation and reduce the danger from stormwater runoff, both on and off site during and after construction based on the best available technology. Such principles, methods and practices necessary for approval are found in the Connecticut Guidelines for Soil Erosion and Sediment Control (2002 or latest edition). Alternative principles, methods and practices may be used with prior Commission approval, if recommended by the City Engineer. Emphasis shall be placed on prevention of erosion and vegetative or non-structural control measures. The narrative may be included on the site plan map(s), and shall describe the development, including the schedule for grading and construction activities, with:
- a. Start and completion dates; and
 - b. Sequence of grading and construction activities; and
 - c. Phasing of project, if applicable; and
 - d. Sequence for installation and/or application of SESC measures; and
 - e. Sequence for final stabilization of the project site.
 - f. The construction details for proposed SESC measures and storm water management facilities.
 - g. The installation and/or application procedures for proposed SESC measures and stormwater management facilities.
 - h. The operations and daily maintenance program for proposed SESC measures and stormwater management facilities.
 - i. The individual responsible for monitoring control measures, with office address and telephone number(s) for 24 hour a day contact.
 - j. Provisions for contingency plans if unforeseen erosion or sedimentation problems arise, including emergency situations caused by storms.
 - k. Any features of the site which may be particularly vulnerable to erosion, such as ridge tops, swales, and soil types and control measures specific to these features shall be noted (soil types may be found in the Soil Survey of New Haven County).
- (5) *Map.* A map or maps shall be filed to accompany the application required in the SESC Regulations. No map shall be deemed complete unless it shall be in such form and contain such information as the Commission deems necessary for a fair and full determination of the issues. A site visit and field report may be deemed necessary. The map(s) shall include, at a minimum, the following information:
- a. A site plan map(s). The suggested scale of the map is 1 inch = 40 feet with one-foot contour intervals, but may be more or less detailed to meet specific site needs.
 - b. A north arrow, street names, scale, date prepared, and name of preparer.
 - c. Location of the proposed development and adjacent properties, including all buildings within 25 feet of

the property line.

- d. Existing and proposed topography showing one-foot contours, including flood zones, wetlands, watercourses, water bodies, and soil types if pertinent.
 - e. Existing vegetation and natural resources on the site including major trees and proposed changes.
 - f. Existing structures on the project site, including but not limited to paving, fencing, buildings, and archaeological sites.
 - g. Proposed alterations including cleared, excavated, filled or graded areas and proposed structures, utilities, roads and, if applicable, new property lines.
 - h. Location of and design details for all proposed SESC measures and storm water management facilities over the period of construction.
 - i. The construction details for proposed SESC measures and storm water management facilities.
 - j. The Commission may require map preparation by a Connecticut licensed engineer.
- (6) *A-2 survey may be required.* The Commission may require a Type A-2 survey.
- (7) *Additional information may be required.* Any other information deemed necessary and appropriate by the applicant or requested by the Commission or its designated agent shall be included in the SESC plan.
- (8) *Information binding.* All information submitted for review in the SESC plan shall be considered factual, or in the case of an anticipated activity, binding. A failure of the applicant or any agents thereof to provide correct information or to conduct development activities within the levels anticipated in the approved SESC plan shall be sufficient grounds for penalties to be imposed. Each day of violation or deception shall be considered as a separate offense.
- (g) *Minimum acceptable control standards.*
- (1) *Minimum standards for individual control measures.* The Connecticut Guidelines for Soil Erosion and Sediment Control (2002 or latest edition) shall be the standard. The Commission may grant exceptions when requested by the applicant, if the City Engineer presents and recommends technically sound reasons. SESC plans shall result in a development that minimizes erosion and sedimentation during construction; is stabilized and protected from erosion when completed; and does not cause off-site erosion and/or sedimentation.
 - (2) *Determination of peak flow rates and volumes of runoff.* The appropriate method from the Connecticut Guidelines for Soil Erosion and Sediment Control (2002 or latest edition) shall be used unless an alternative method is approved by the Commission, following the favorable recommendation of the City Engineer.
- (h) *Issuance of finding.*
- (1) *Issuance of finding required.* The Commission which has jurisdiction shall make a finding of approval if the SESC plan as filed, or with conditions of approval it may impose, complies with the requirements and objectives of this section, or denial if the development proposal does not comply with this section. A finding of approval, approval with conditions, or denial shall be made in writing within sixty-five (65) days of the date of Commission receipt of the completed SESC Plan or within 65 days of the close of the public hearing if one is held.
 - (2) *Extension of time for approval.* The applicant may consent to one or more extensions of any period specified herein, provided that the total extension of all such periods shall not be for longer than 65 days, or may withdraw the application.

- (3) *Referral to County Soil And Water Conservation District.* Following receipt of an application a copy of any SESC p submitted to the municipality may be referred to the County Soil and Water Conservation District for review. Th may make recommendations concerning such plan, provided such review shall be completed within 15 days of 1 of the plan.
 - (4) *Referral to city engineer.* Following receipt of an application a copy of the SESC plan may be referred to the city engineer, who may return comments on the plan to the Commission within 15 days of receipt of the plan. Such comments shall be advisory only.
 - (5) *Optional referrals.* The commission may forward a copy of the development proposal to any other commission or review agency or consultant for review and comment.
 - (6) *Public hearing may be required.* The Commission may, at its discretion, hold public hearings.
 - (7) *Notice if public hearing required.* Notice of a public hearing shall be published at intervals of not less than two days, the first not more than 15 days and not fewer than ten days, and the last not less than two days before the date set for the hearing in a newspaper having a substantial circulation in the City of New Haven. Notices of hearings shall be sent to the applicant at the address provided.
 - (8) *Notices by applicant if public hearing required.* The Commission shall give written notice to adjacent owners of record within 200 feet, not less than seven work days prior to the public hearing. A copy of the mailing list and notice shall be filed with the City Plan Department.
 - (9) *Public inspection of documents.* All applications, maps, and documents relating to a public hearing shall be open for public inspection in the City Plan Department not less than 15 days prior to the day of the public hearing.
 - (10) *Hearing continuation.* Where possible, public hearings shall be completed in a single session. However, the public hearing may, consistent with the legal deadlines for conducting a hearing, be continued (to a date certain) where necessary for the full development of the evidence, or for the full and adequate participation of the parties, or for such other substantial purposes. In no case shall continuances be used as a device for delay.
 - (11) *Completion of hearing.* The public hearing must be scheduled within 65 days of receipt of the application and shall be completed within 35 days of its commencement. Action shall be taken on applications within 65 days after completion of the public hearing.
- (i) *Conditions of plan approval.*
- (1) *Standard and optional conditions of approval.* The Commission with jurisdiction may establish such conditions of approval as binding requirements for an SESC plan as it deems necessary to fulfill the purposes of this ordinance. In addition the following conditions shall apply to all approved SESC plans.
 - a. *Performance sureties.* The Commission may require a performance bond with sureties or other binding financial instrument in an amount and in a form approved by the Commission as a condition of approval of the Plan, and may cover corrective measures, if required. The bond and sureties shall be conditioned on compliance with all provisions of this ordinance and conditions of approval of the Plan.
 - b. *Public liability insurance certification.* The applicant may be required to certify that he or she has public insurance against liability which might result from the proposed operation or use covering any and all damages which might occur within one year of completion of such operations, in an amount to be determined by the Commission commensurate with projected operation and the potential for damage on or off site.

- c. *City held harmless.* The applicant shall hold the City of New Haven harmless from damages arising out of the activities.
 - d. *Start of work.* Site development shall not begin unless the SESC plan is approved and those control measures and facilities in the SESC plan scheduled for installation prior to site development are installed and any required bond is posted.
 - e. *Contractors to be informed.* The approved SESC plan soil erosion and sediment control measures and facilities shall be installed as scheduled and all contractors shall be made aware of the requirements of the approved SESC plan and shall work in accordance with its provisions.
 - f. *Measures required to be maintained.* All control measures and facilities shall be maintained in effective condition to ensure compliance with the approved SESC plan.
- (j) *Inspections.*
- (1) *Site inspection may be required for approved SESC plan.* Site inspections may be made by the Commission during development to ensure compliance with the approved SESC plan. A site inspector shall determine that control measures and facilities are properly performed or installed and maintained throughout the construction period. The applicant, or an agent thereof, shall have the approved SESC plan document readily available at the job site and shall make the document available for inspection upon request.
 - (2) *Applicant report.* The commission may require the applicant to verify through progress reports that soil erosion and sediment control measures and facilities have been performed or installed according to the approved SESC plan and are being operated and maintained.
 - (3) *Additional control measures.* If, upon inspection of the site, the site inspector determines that the control measures in place are not adequate to control erosion, additional measures may be required to be immediately installed by the inspector. Any such request for additional control measures shall be made in writing and shall be brought to the attention of the Commission within five working days of the inspection.
- (k) *Enforcement.*
- (1) *Delegation of enforcement.* The Commission or a designated agent thereof, such as the Zoning Enforcement Officer or staff of the City Plan Department or City Engineer, shall have the power to enforce these Regulations.
 - (2) *Violation if plan not filed.* Any person engaged in development activities who fails to file a SESC plan in accordance with this section, or who conducts a development activity except in accordance with provisions of an approved SESC plan shall be deemed in violation of this section.
 - (3) *Violation penalties.* Should any person be found to be in violation of this section, a written order may be issued by certified mail to that person to immediately correct the condition causing the violation. The Superior Court of the State of Connecticut, in any action brought by the Commission, the City of New Haven, or any person, shall have jurisdiction to restrain a continuing violation of this section or to issue orders directing that the violation be corrected or removed.
- (l) *Duration of approval; lapse of approval; renewal; transferability; revocation.*
- (1) *Duration of approval.* Pursuant to Section 8-3(i) of the Connecticut General Statutes, any site plan approved after June 30, 2011 is valid for a period of five years after the date of decision. Upon petition of the applicant, the Commission may, at its discretion, grant extensions totaling no more than an additional five years to complete all work connected to the original approval. Pursuant to Section 8-3(m) of the Connecticut General Statutes, any site plan approved prior to July 1, 2011 and that has not already expired prior to May 9, 2011 is

valid for a period of nine years after the date of decision. Upon petition of the applicant, the Commission may, at its discretion, grant extensions totaling no more than an additional five (5) years to complete all work connected to the original approval.

(2) *Lapse of approval.* Consistent with Section 62, the Zoning Enforcement Officer shall determine the status of an approval and make a determination if the approval is valid or if the approval has lapsed.

(3) *Transferability.* The validity of an approval shall not be affected by changes in ownership.

(Ord. No. 1662, 9-19-11; Ord. No. 1662, 9-19-11)

Section 59. - Reserved.

Editor's note— Ord. No. 1886, Sched. C, adopted January 7, 2020, repealed § 59, which pertained to the Whalley Avenue Overlay District and derived from Ord. No. 1420, adopted June 5, 2006.

ARTICLE VII. - SITE REQUIREMENTS

Footnotes:

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Editor's note— Ord. No. 1871, adopted September 3, 2019, renumbered former article VII as article VIII and added a new article VII as set out herein. The historical notation remains with the renumbered provisions.

Section 60. - Stormwater management plans.

(a) *Purpose and authority.* Increased development without proper consideration of stormwater impacts can be a significant source of pollution to Long Island Sound, its tributaries, and other waters of the state. The state's water resources are valuable natural, economic, recreational, cultural, and aesthetic resources. The protection and preservation of these waters is in the public interest and is essential to the health, welfare, and safety of the citizens of the City of New Haven. It is, therefore, the purpose of this ordinance to protect and preserve the waters within New Haven from nonpoint sources of pollution through the proper management of stormwater flows and minimization of inputs of suspended solid, pathogens, toxic contaminants, nitrogen, and floatable debris to these flows.

(b) *Definitions.*

Aquifer: Geologic formation, group of formations, or part of a formation that contains sufficient saturated, permeable materials to yield significant quantities of water to wells and springs.

BMPs—best management practices: Techniques or structural devices that are effective practical ways of preventing or reducing pollution.

First inch of rain: The first inch of rainfall during a single event.

Groundwater: Water found beneath the ground surface that completely fills the open spaces between particles of sediment and within rock formations.

Impervious surface: Material or structure on, above, or below the ground that does not allow precipitation or surface water to penetrate directly into the soil.

Sediment: Solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site or origin by erosion.

Site: A single parcel, together with any adjacent waters, which is the subject of an application for zoning approval, coastal site plan review, or an inland wetlands permit.

Trash hood: Feature in a catch basin which traps debris such as litter and keeps it from being discharged from the catch basin.

Urban stormwater runoff: Precipitation that falls onto the surfaces of roofs, streets, parking lots, roads, and the grounds of developed areas. Urban precipitation is not absorbed by the ground or retained in its surface, but collects and runs off, carrying a wide variety of pollutants such as oil-based contaminants, heavy metals (copper and lead), nutrients, and bacteria.

(c) *Application requirements.* A stormwater management plan shall be included as a part of any application for zoning approval (including but not limited to special permit and special exception), coastal site plan review, or an inland wetlands permit where:

- (1) The application pertains to a development or construction disturbing one-half or more acres of total land area on a site; or
- (2) The application pertains to any site with one-half acre or more of existing and/or proposed impervious cover; or
- (3) The application proposes new residential development of three or more units; or
- (4) The application pertains to any new or expanding industrial or commercial use which increases the amount of on-site impervious surface by more than 500 square feet; or
- (5) The application pertains to any site within the coastal boundary as defined in section 22a-94 of the General Statutes; or
- (6) The commission which has jurisdiction over the application has required submission of a stormwater management plan pursuant to written findings by that commission that the activity proposed in the application has the potential to cause significant nonpoint source pollution to groundwater or surface water drinking supplies, or to Long Island Sound, or any other waters of the state.

If the commission which has jurisdiction determines that the activity proposed in an application may result in significant nonpoint source pollution to groundwater or surface water drinking supplies, or to Long Island Sound or any other waters of the state, it may refer the application, including the stormwater management plan, to the Commissioner of Environmental Protection for a determination as to whether a discharge permit under section 22a-130 of the General Statutes, or other state authorization, is required.

The commission which has jurisdiction over the application may, upon request, waive some or all of the requirements of this section if it makes a finding based on the proposed project that such requirements are not necessary to determine the impact of the proposed project on the surface or groundwater of the state.

(d) *Contents of stormwater management plan.* Where a stormwater management plan is required, such plan shall provide, at a minimum, the following information:

- (1) Soil characteristics of the site.
- (2) Location of the closest surface water bodies and wetlands to the site, and the depth to any groundwater or aquifer areas on or adjacent to the site. In the case of tidal waters, provide the mean high water and high tide elevations.

- (3) DEP ground and surface water quality classification of waterbodies on and adjacent to the site.
 - (4) Identification of any waterbodies on and adjacent to the site documented by DEP as not meeting water quality standards.
 - (5) Location and description of all proposed stormwater control BMPs for both construction activities and post-construction, long-term stormwater control.
 - (6) Proposed operation and maintenance manual and a schedule for maintaining any trash hoods, catch basins, or other BMP devices used to prevent runoff, facilitate sheet flow or infiltration, or treat stormwater.
 - (7) Calculations of stormwater runoff rates, suspended solids removal rates, and soil infiltration rates before and after completion of the activity proposed in the application.
 - (8) A hydrologic study of pre-development site conditions. Hydrology studies shall be conducted at a level of detail commensurate with the probable impact of the proposed activity and should extend downstream to the point where the proposed activity causes less than a five percent change in the peak flow rates.
- (e) *Standards and criteria for decision.* In order to approve any application for which a stormwater management plan is required, the commission shall find the stormwater management plan consistent with the following criteria:
- (1) Direct channeling of untreated surface water runoff into adjacent ground and surface waters shall be prohibited.
 - (2) No net increase in the peak rate or total volume of stormwater runoff from the site, to the maximum extent possible, shall result from the proposed activity.
 - (3) Design and planning for site development shall provide for minimal disturbance of pre-development natural hydrologic conditions, and shall reproduce such conditions after completion of the proposed activity, to the maximum extent feasible.
 - (4) Pollutants shall be controlled at their source to the maximum extent feasible in order to contain and minimize contamination.
 - (5) Stormwater management systems shall be designed and maintained to manage site runoff in order to reduce surface and groundwater pollution, prevent flooding, and control peak discharges and provide pollution treatment.
 - (6) Stormwater management systems shall be designed to collect, retain, and treat the first inch of rain on-site, so as to trap floating material, oil, and litter.
 - (7) On-site infiltration and on-site storage of stormwater shall be employed to the maximum extent feasible.
 - (8) Post-development runoff rates and volumes shall not exceed pre-development rates and volumes for various storm events. Stormwater runoff rates and volumes shall be controlled

by infiltration and on-site detention systems designed by a professional engineer licensed in the state of Connecticut except where detaining such flow will affect upstream flow rates under various storm conditions.

- (9) Stormwater treatment systems shall be employed where necessary to ensure that the average annual loadings of total suspended solids (TSS) following the completion of the proposed activity at the site are no greater than such loadings prior to the proposed activity. Alternatively, stormwater treatment systems shall remove 80 percent TSS from the site on an average annual basis.
- (10) Use of available BMPs to minimize or mitigate the volume, rate, and impact of stormwater to ground or surface waters.

(Ord. No. 1662, 9-19-11)

Section 60.1. - Exterior lighting.

- (a) *Purpose.* To require useful and necessary outdoor lighting within the City that promotes energy efficiency; reduces Light Pollution, Light Trespass, Glare and other offensive light sources; protects and retains the visual character of the City and its neighborhoods; and reduces impacts to the residents' public health, safety, and welfare. The health, safety, and welfare of wildlife and the environment should be considered.
- (b) *Applicability.* The standards herein apply to all new and renovated Exterior Lighting. Renovations include changes in light type, mounting height, location, size, brightness, and number of light sources. Renovations do not include, without limitation, routine maintenance such as changing lamp or bulb, ballast, starter, photo control, housing, lenses, and other similar components, and are permitted, provided such renovations do not result in a higher lumen output. This Section also applies to lighting for Indirectly-Illuminated Signs, as defined in Section 60.3.
- (c) *Lighting Plan, Defined.* A Light Plan must include (a) a plan sheet identifying the location and height of all new, existing, proposed and renovated Exterior Lights (including but not limited to area, architectural, canopy, soffit, landscape, flag and Sign lights), type of fixture, type of light, and brightness (in lumens and/or footcandles, as appropriate), (b) manufacturer specifications or cut sheets for each lighting fixture, and (c) a photometric plan. A Light Plan is required as a part of any application for zoning approval (including but not limited to site plan, special permit, special exception and planned developments).
- (d) *Design Standards.* All Exterior Lighting must be designed, located, installed, and directed in the following manner unless otherwise exempt or prohibited:
- (1) In general, all exterior light sources must be directed downward. The lighting must also be, as much as physically possible, contained within the target area.
 - (2) *Parking Lot and Security Lighting.* All outdoor light fixtures within a parking lot, vehicular

circulation area, or pedestrian area must be of a Full Cutoff or Fully-Shielded type.

- (3) *Architectural Lighting.* Lighting for building facades and Indirectly Illuminated Signs is permitted subject to the following:
 - a. Uplighting does not exceed 900 lumens.
 - b. Upward aimed light is Fully-Shielded and fully-confined from projecting into the sky, eaves, roofs, or overhangs. The light must be fully confined within the vertical surface of the wall being illuminated.
- (4) *Unshielded Lighting.* Floodlighting is discouraged, and if used, must be shown that the type of fixture proposed is not objectionable because it (a) prevents Glare for drivers and pedestrians and light above a horizontal plane, and (b) mitigates light trespass beyond the property line. Unshielded, motion activated lighting will not be triggered off the property on which the fixture is located and must go off within five minutes of activation. Unshielded lighting creating Glare or Light Trespass is required to be re-aimed and/or fitted with a shield device to block the Glare.
- (5) *Lighting Curfew.* On all parking fields, including surface lots, parking decks and top levels of parking garages which contain a minimum of four light poles, the lighting must be reduced by at least 50 percent of full operational levels within 30 minutes after the close of business. Because certain minimum lighting levels are recommended for safety and security, parking field lighting does not need to be reduced to less than an average .2 footcandles as measured horizontally at the surface on which the light pole is mounted in accordance with Illuminating Engineer Society (IES) Standards
- (6) *Height.* Exterior Lighting must not exceed 20 feet in height from the point on the ground directly below the fixture to the highest point on the fixture. Lighting mounted higher than 20 feet may be permitted through the site plan review process, either by Staff or the Commission, as applicable, depending on the site conditions.
- (7) *Maximum Light Levels at the Property Line.*
 - a. The maximum light level at any point on the property line cannot exceed: .1 footcandles within or adjacent to a property with a residential use or .2 footcandles when adjacent to properties with other uses. Where the adjacent property is a residential use or mixed-use and the first floor is not residential, the maximum light levels at the property line cannot exceed .2 footcandles.
 - b. *Color.* Because blue light brightens the night sky more than any other color of light, lighting must have a color temperature of no more than 3000 Kelvins. Exterior Lighting that has warmer light spectrums are preferred.
 - c. The Staff or the Commission, as applicable, may determine that certain light fixtures are exempt from these requirements of this Section because they do not adversely affect an

adjacent property owner or the night sky or because they are necessary for the functioning of the use.

- (e) *Exempt Lighting.* The following Exterior Lighting is exempt from the provisions of this Section:
- (1) Lighting required by the Federal Aviation Authority;
 - (2) Temporary lighting associated with an event authorized by the City of New Haven with duration of less than 15 days;
 - (3) Temporary traditional seasonal lighting;
 - (4) Temporary lighting used for emergency purposes by the New Haven Police Department or New Haven Fire Department;
 - (5) National, state and municipal flag lighting;
 - (6) Monument lighting;
 - (7) Sport stadium and athletic field lighting, not including tennis court, basketball court and similar court games not located in a stadium, provided stadium and athletic field lighting applications must submit a photometric plan demonstrating compliance with Maximum Light Levels at the Property Line. Scoreboards are governed by subsection 60.3(j) pertaining to Outdoor Sports Lighting;
 - (8) Lighting required by building code.
- (f) *Definitions pertaining to Exterior Lighting.*
- (1) EXTERIOR LIGHTING: Fixed artificial lighting to illuminate outdoor areas
 - (2) FULL CUTOFF or FULLY-SHIELDED: A light fixture designed to control the view of direct light, in which the light source is enclosed, and hidden from view on all sides except the light-emitting opening.
 - (3) GLARE: Excessive brightness that interferes with vision. Glare interferes with pedestrians' and drivers' ability to safely navigate and poses a public health and safety concern. Glare from Exterior Lighting at the time of the passage of this ordinance must come into conformance with the operational requirements for lighting under this Section.
 - (4) LIGHT POLLUTION: That portion of artificial lighting which is directed or cast outward or upward and does not illuminate the ground or structure for which the lighting was designed or intended but rather aims into the sky, adjoining properties, public rights-of-way, and other areas in a way that impacts others' enjoyment of their personal property, public spaces and dark sky.
 - (5) LIGHT TRESPASS: Light pollution affecting adjoining or nearby property.
 - (6) UPLIGHT or UPLIGHTING: Illumination from a light fixture aimed generally upward (including at angles upward) rather than illumination from above.

Section 60.2. - Reflective heat impact from hardscape or paved surfaces.

- (a) *Purpose.* The purpose of this section is to reduce the amount of heat reflected by hardscape or paved surfaces, reduce the temperature difference between developed and undeveloped areas and minimize the impact from such differences.
- (b) *Reduction in reflected heat.* An applicant shall be required to satisfy the conditions of this section where:
 - (1) The application pertains to any site with one-half acre or more of impervious cover;
 - (2) The application proposes new residential development of three or more units; or
 - (3) The application pertains to any new industrial or commercial use or expansion of an existing industrial or commercial use which expands the amount of impervious surface by more than 500 square feet.
- (c) *Standards.*
 - (1) Applicants shall provide that at least 50 percent of all on site non-roof hardscape or paved areas will be either (1) shaded (based on a five year grow out period for all planned and existing vegetation) or (2) be constructed using a material with a Solar Reflective Index of at least 29 and calculated consistent with ASTM E 408 or ASTM C 1371 and ASTM E 903, ASTM E 1918 or ASTM C 1549.
 - (2) Shade coverage shall be the average value based on shading calculated for 10:00 a.m., 12:00 p.m. and 3:00 p.m. on the summer solstice.
 - (3) The requirements of this section may be waived by the commission with jurisdiction based on a showing that the applicant cannot achieve the 50 percent level using reasonable methods but has otherwise maximized the percentage achieved and provided that the applicant cannot reach the equivalent level of reduction using high SRI value material on flat roof surfaces.

(Ord. No. 1662, 9-19-11)

Section 60.3. - Signs.

- (a) *Purpose.* To promote appropriate and attractive signage that protects public health, safety and welfare; reduces traffic and pedestrian hazards; promotes economic development; protects property values; provides adequate wayfinding for multimodal transportation; preserves neighborhood aesthetics; and furthers the general purpose of the zoning ordinance.
- (b) *Applicability.* The standards herein apply to all signs in the following situations:
 - (1) *New and renovated signage.* Renovations include, without limitation, changes to mounting height, location, size, and quantity and conversion to digital or lit displays. Renovations do not

include routine maintenance such as cleaning, substantially similar replacement, or changing or replacing of like-kind lighting components that do not result in a greater lumen output.

- (2) A change of use.
 - (3) Signage associated with applications otherwise subject to site plan approval under Section 64(f) of the zoning ordinance.
 - (4) No vested right is ever created in existing electronic signage such that if the ordinance governing operational aspects of such signage (e.g. dwell time, transitions, illumination, brightness) are modified, then sign owners and operators are required to bring signs into compliance.
 - (5) Any sign authorized in this ordinance can contain non-commercial copy in lieu of other copy.
- (c) *Illumination.* A sign may be illuminated if illumination is confined to or directed toward the surface of the signs. There will be no flashing, shimmering or glittering lights located on or adjacent to such sign. Signs may be directly lit or indirectly lit. In no event will glare be visible on adjacent properties or public areas. The illumination of any sign, Directly-Illuminated Sign or Indirectly-Illuminated Sign, cannot exceed 250 nits at the sign face during the day and 125 nits between dusk and dawn, with no greater than .1 footcandles of light trespass onto adjacent property. For Directly-Illuminated Signs, including back-lit signs, to reduce light trespass from the translucent sign surface, the sign must consist of a dark colored background with light-colored lettering, logos, or symbols. Illumination of Dynamic Displays must comply with the provisions of subsection 60.3(i). Indirectly-Illuminated Signs must comply with the provisions of Section 60.1.
- (d) *Reserved.*
- (e) *Permitted Sign Types by Zoning District.*

Table 60.3.5 Summary of Permitted Sign Types by Zoning District

KEY: R—Permitted As-of-Right; SP—Special Permit; SE—Special Exception; X—Not Permitted									
	RS-1 & RS-2	RM-1, RM-2 & RO	RH-1 & RH-2	BA Zones	BB	BC	BD Zones	BE	Industry Zones
Wall Sign	X	R	R	R	R	R	R	R	R
Awning Sign	X	R	R	R	R	R	R	R	R

Canopy— Mounted Signs	X	X	SP	R	R	R	SP	X	R
Marquee Signs	X	X	X	SP	SP	X	R	SP	X
Pole Sign	X	X	R	R	R	R	R	R	R
Roof Sign	X	X	X	X	X	X	X	X	X
Window Sign	X	X	X	R	R	R	R	R	R
Blade Sign	X	R	R	R	R	R	R	R	X
Monument Sign	X	X	SP	SP	X	X	SP	X	SP
Painted Signs	X	X	SP	SP	SP	SP	SP	SP	SP
Dynamic Display	X	X	X	SP	X	X	SP	SP	SP
Tem- porary Sign	R	R	R	R	R	R	R	R	R
Mini-Panel Signs	X	X	X	X	X	X	X	X	X

Note: Off-Premises Signs are permitted in accordance with subsection 60.3(h).

(f) *On-Premises Signs in Residential Zoning Districts.*

- (1) *Size.* On-Premises Signs in Residential Zoning Districts cannot exceed six square feet except for those signs associated with establishments providing goods or services under Section 31 of this ordinance or providing accessory retail goods or services in an RH-2 District, which signs are not to exceed six square feet or ten percent of the area of the ground floor wall surface on which such sign is located, including window and door area, whichever is greater.
- (2) *Number.* One sign is permitted per lot, except if it is a one-, two-, or three-dwelling unit lot, then no sign is permitted. Two signs are permitted for corner lots.
- (3) *Illumination.* Signs may be non-illuminated signs, Indirectly-Illuminated Signs, or Directly-Illuminated Signs, except in the RS-1 and RS-2 zoning districts where Directly-Illuminated Signs are not permitted. Indirectly-Illuminated Signs must comply with Section 60.1 of the ordinance.
- (4) *Additional Requirements.* Signs in Residential Districts must meet the following design and location requirements:
 - a. No sign can be located above the ground floor of any building or more than 20 feet high, whichever is less. The maximum height of Signs will be measured from grade below the sign, except for pole-mounted signs, which will be calculated from the grade of the curb at the closest point to the pole-mounted sign to the top of the sign.
 - b. No Pole Sign can be can be located closer to the street than one-half of the front yard required in that zoning district. Where the front yard is non-conforming, this calculation is based off the required front yard. Where it is infeasible to comply with this provision, a special exception may be requested at the Board of Zoning Appeals to request a feasible, appropriate alternative distance from the street.
 - c. Where the public entrance is not on the front façade, the Staff, the Commission, or the Board of Zoning Appeals, as applicable, may permit a secondary entrance sign of a permitted type, no more than three square feet in area.
- (5) Notwithstanding the other provisions of this Section, signs for churches, schools, or other public or semi-public institutions and civic bodies must be located at least 10 feet inside any lot line and not to exceed 20 square feet in area. These uses fronting on two or more streets are entitled to a sign on each street.
- (6) Directional signage required by building code or the Department of Transportation, Traffic and Parking is exempt.

(g) *On-Premises Signs in Business, Downtown, and Industrial Districts.*

- (1) *Size.*
 - a. The total area for all on-premise Signs cannot exceed:

BB, BC, BE, and Industrial Zones	2 square feet per linear foot of front building wall (or length of the portion of the building that is devoted to such establishment).
BA Districts	3 square feet per linear foot of front building wall (or length of the portion of the building that is devoted to such establishment).
BD Districts	4 square feet per linear foot of front building wall (or length of the portion of the building that is devoted to such establishment).

- b. If such establishment is operating without a building, or in a building covering less than 100 square feet of lot area, the maximum total area of on-premise signs is one square foot per linear foot of street frontage.
 - c. If such building fronts on two or more streets, the sign area is calculated based on the linear length one the longest building wall fronting on a street.
 - d. If such establishment does not occupy any floor area on the ground level of the building (other than an entryway), the maximum area of On-Premise Signs is one square foot per linear foot of the front building wall.
 - e. Window Signs on the inside or outside of windows are excluded from the computation, unless the area of the Window Sign is equal to or greater than 50 percent of the area of the window it occupies. De minimus signage displaying the hours of operation, and whether open or closed, does not count toward the computation. Window signs may be Directly-Illuminated Signs. No more than 20 percent of continuous windows may be covered with signs.
 - f. Wall Signs must be mounted against the building wall or within five feet of the building wall, and notwithstanding the other provisions of this Section, may not exceed one-third the area of the wall (including windows and doors) on which it is located. Wall signs may not extend past the edge of any wall.
- (2) *Number.* Each lot may have up to three signs, or one sign per business on the lot, whichever is greater. The area of all signs on the lot must not exceed the total area permitted in subsection (g)(1), above. Lots may have a mix of sign types as permitted in subsection 60.3(e).

However, a lot may never have more than one Pole Sign or electronic sign and never both. The Board of Zoning Appeals may grant a Special Exception for more than one Pole Sign or electronic sign or both on a single lot in its discretion if the proposed signs do not conflict with the purpose of this Section.

- (3) *Illumination.* Signs may be non-illuminated signs, Indirectly-Illuminated Signs, or Directly-Illuminated Signs. Illuminated Signs must comply with the relevant provisions of this section. Indirectly Illuminated Signs must comply with Section 60.1 of the ordinance.
- (4) *Additional Requirements.*
 - a. The maximum height of signs will be measured from average grade directly below the sign, except for pole-mounted signs, which will be calculated from the grade of the curb at the closest point to the pole-mounted sign to the top of the sign.
 - b. Where the public entrance is not on the front façade, the Staff, the Commission, or the Board of Zoning Appeals, as applicable, may permit a secondary entrance sign of a permitted type, no more than three square feet in area.
 - c. Directional signage required by building code of the Department of Transportation, Traffic and Parking is exempt.

(h) *Off-Premises Signs.*

(1) *Off-Premises Sign Development Standards.*

Maximum Sign Area (Sq. Ft.)	900
Typical Height x Width (Ft.)	18 x 48
Maximum Height (Ft.)	30
Minimum Spacing	1,500 feet ¹
Permitted Locations	BA, BB, BE, IL, IH ²

¹ Minimum Linear Spacing in feet between Off-Premises Signs on the same side of a limited access highway within the Bulletin and Spectacular Sign Zoning Map Overlay District only.

² Within the Bulletin and Spectacular Sign Zoning Map Overlay District.

(2) *Locations Prohibited for Off-Premises Signs.*

- a. Within any Residence District (RS-1, RS-2, RM-1, RM-2, RH-1, RH-2, RO) or the BA-1, BC, BD,

- BD-1, or BD-3 Business Districts;
- b. On the roof of any building more than two stories in height, whether the building is in use or not;
 - c. Directly painted on a wall of any building unless otherwise approved by Special Permit;
 - d. On or over a public right-of-way or public property;
 - e. In or within 250 feet of any PARK district;
 - f. In or within 250 feet of any National Register Historic District or local historic district;
 - g. Within 1,500 feet of another off-premises sign, measured from the closest points between such signs on the same side of a limited access highway oriented to the same travel direction;
 - h. State Route 15 (SR-15);
 - i. Interstate 95 (I-95) from Howard Avenue easterly to Water Street; or
 - j. Interstate 91 (I-91) northbound side from Quinnipiac River to Foxon Boulevard (SR-80).
- (3) *Height Restrictions.* The maximum height of a sign is 30 feet. The permitted maximum height is calculated from the closest curb of the local street or limited access highway to which the Off-Premises Sign is oriented, to the top of the sign.
- (4) *Design Restrictions.* Off-Premises Signs cannot contain any of the following:
- a. Moving parts; or
 - b. Appendages, cut-out letters or figures that exceed 20 percent of the permitted off premises sign area or that protrude more than 12 inches beyond the flat surface of the sign face; or
 - c. Lights that flash, shimmer, glitter or lights that give the appearance of flashing, shimmering or glittering. Exceptions to this restriction include time, temperature and smog index units, provided the frequency of change is more than a five-second interval; or
 - d. Walls or screens at the base of the off premises sign which create a hazard to public safety or provide an attractive nuisance; or
 - e. Devices which emit audible sound, odor or particulate matter.
- (5) *Performance Standards.*
- a. *Maintenance.* All Off-Premises Signs and components thereof must be maintained in good repair and in a safe, neat and clean condition.
 - b. *Unsafe Off-Premises Signs.* The Building Official may cause to have removed or repaired immediately without written notice any off premises sign which, in his or her opinion, has become insecure, in danger of falling, or otherwise unsafe, and as such, presents an

immediate threat to public safety. If such action is necessary to render an Off-Premises Sign safe, the owner or lessee bears the cost of emergency removal or repair.

- c. *Abandoned Off-Premises Signs.* Any Off-Premises Sign located on property which becomes vacant and is unoccupied for a period of two years or more is deemed abandoned. Owner or lessee of the property on which the Off-Premises Sign is located must remove it. If the owner or lessee fails to remove the Off-Premises Sign, the Zoning Enforcement Officer will give the property owner or lessee written notice to remove it within 15 days. Upon failure to comply with this notice, the zoning enforcement officer may initiate such action as may be necessary to gain compliance with the provisions herein.
 - d. *Lighting.* All external lighting must be directed onto the display surface only. Glare may not shine onto adjacent properties or public areas. All service wiring in excess of 250 feet length for Off-Premises Signs must be underground.
 - e. *Clearance.* Off-Premises Signs projecting over a driveway or driving aisle must have a minimum clearance of 16 feet between the lowest point of the off premises sign and driveway grade and over a pedestrian walkway a minimum clearance of eight feet six inches between the lowest point of the off premises sign and the walkway grade.
- (i) *Dynamic Displays.*
- (1) *Definition.* A sign or portion thereof that displays electronic, static images, static graphics, text information, or static pictures, with or without information, defined by a small number of matrix elements using combinations of light emitting diodes (LED), fiber optics, light bulbs, liquid crystal display (LCD) or other illumination devices within the display area. Dynamic Displays include computer programmable, microprocessor controlled electronic or digital displays.
 - (2) *Applicability.* Any sign with a dynamic display that is visible from the public right-of-way is subject to this subsection of the ordinance. It also applies to Digital Menu Boards.
 - (3) *Size, Height.*
 - a. Dynamic Display On-Premises Signs cannot be larger than 50 square feet. The area of the Dynamic Display counts toward the overall total allowable sign area permitted. The height of Dynamic Display On-Premises Signs must comply with the provisions of subsections 60.3(f) and 60.3(g).
 - b. Dynamic Display Off-Premises Signs must comply with the size and height requirements of section 60.3(h).
 - (4) *Location.*
 - a. Dynamic Displays are permitted in accordance with Table 60.3.5.
 - b. On-Premises Signs and Off-Premises Signs of the types in Table 60.3.5 may be Dynamic

Displays.

- c. The Location of Dynamic Displays must comply with the location requirements for the type of sign (e.g., Pole Sign, Wall Sign, etc.) otherwise set forth in this ordinance.
- d. A Dynamic Display may not be within 500 feet of another Dynamic Display facing the same traveled way.

(5) *Performance Requirements.* All Dynamic Displays must comply with the following standards:

- a. The maximum brightness may not exceed 5,000 nits during the day and may not exceed 250 nits between dusk and dawn.
- b. All Dynamic Displays abutting a residential zone or use may not emit more than .1 footcandles above ambient light levels at the property line or zone boundary.
- c. The Sign content must have a minimum dwell time of ten seconds and may not contain any movement, animation, audio, video, pyrotechnics, or other special effects.
- d. Transitions must occur in one second or less and involve no animation or special effects.
- e. The city, through appropriate personnel, may exercise its police powers to protect public health, safety, and welfare by requiring emergency information to be displayed via Dynamic Displays. Upon notification, the sign operators will display in appropriate sign rotations: Amber Alerts, emergency information, and traffic information and anything else pertaining to health, safety and welfare in the judgment of the City. Emergency information messages are to remain in rotation according to the designated issuing agencies protocols.
- f. If Dynamic Displays are not operating in accordance with these standards, the display must be adjusted. Failure to adjust may result in other enforcement actions by the City.

(5) *Operational Requirements.* Before the issuance of a permit, the applicant should provide written certification from the manufacturer, operator, or other qualified professional as to the functionality of the sign as part of an application for a Special Permit, stating that the Dynamic Display is equipped with the following standards.

- a. Two brightness levels must be provided and adjusted for day and night conditions.
- b. A digital sign must be turned off to render a blank dark screen or freeze the display in the event of a malfunction.
- c. All digital signs must employ only non-flickering lights.

(j) *Outdoor sports lighting.*

(1) *Applicability.* The standards herein apply to all new and renovated outdoor sports arena/stadium and court lighting. Renovations include, without limitation, changes in light type, mounting height, location, size, brightness, and number of light sources. Renovations also include conversions from unlit scoreboards to Indirectly-Illuminated Signs, Directly-

Illuminated Signs and Dynamic Scoreboards. Renovations do not include routine maintenance such as changing lamp or bulb, ballast, starter, photo control, housing, lenses, and other similar components, and are permitted, provided such renovations do not result in a high lumen output. This Section also applies to lighting for Indirectly Illuminated Signs.

- (2) *Size.* Scoreboards can be no greater than 1,200 square feet.
 - (3) *Height.* Scoreboards can be mounted no higher than 20 feet from the highest point of the stadium, or in the case of the court, 20 feet higher than grade.
 - (4) *Scoreboard Illumination.* Scoreboards may be illuminated based on the provisions of this Section. Dynamic Scoreboards must comply with Performance and Operational Requirements for Dynamic Displays. Dynamic Scoreboards are exempt from Lighting Curfew, animation prohibitions, and other lighting reduction requirements.
 - (5) Lighting used for outdoor sports fields and outdoor playing courts must be, to the greatest extent possible, contained to the field/court area.
 - (6) All sports field/court lighting may be turned on no earlier than one hour before a sporting event and turned off after use, or no later than one hour after the end of a sporting event.
 - (7) A Lighting Plan, as defined in Section 60.1, is required for proposed outdoor sports lighting and scoreboards.
- (k) *Variances.* In any case where special circumstances concerning the character, arrangement or location of structures warrant a modification of the standards of this section regarding size, placement or height of signs, the Board of Zoning Appeals shall have the power to permit such modification by variance under § 63(c) of this ordinance, if the same has met the standards enumerated below.
- (1) The variance is necessary to achieve visibility due to specific physical constraints of the site or surrounding area.
 - (2) The sign or signs is keeping with the scale and massing of nearby structures and/or geographic features.
 - (3) The sign or signs will not require substantial alteration of the existing tree canopy to achieve clear view of the sign or signs.
 - (4) The sign or signs will not have a negative effect on views or vistas from or of Downtown, Long Wharf, East Rock, West Rock, New Haven Harbor, or the upper Quinnipiac River (Oyster Village).
 - (5) The sign or signs are necessary to promote the safety of drivers or pedestrians and the granting of the variance will not otherwise negatively impact safety.
- (l) *Law Governing Conflicts.* Where any provision of federal, state, or municipal law or ordinance conflict with any provision of this Section, the most restrictive governs unless otherwise required

by law.

(m) *Definitions.*

AREA OF SIGN. The entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure of similar character, together with any material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed; excluding the supports or uprights on which such sign is placed. Where a sign has two or more faces, the area of all such faces are included in determining the sign area.

AWNING SIGN. A sign that is mounted, painted or otherwise affixed or attached to an awning. Area of the sign is calculated by drawing the smallest possible square or rectangle around the copy as described in the definition of Area of Sign.

BLADE SIGN. Also known as a Projecting Sign. A sign attached to and projecting out from a building face or wall, generally at right angles to the building, including signs that project into the right-of-way.

CANOPY-MOUNTED SIGN. A sign with individual alphanumeric characters and/or graphic elements mounted on top of a permanent canopy.

DIGITAL MENU BOARD. Exterior Menu Signs associated with drive-thru establishments, whether or not operated via touch screen. Digital Menu Boards must comply with Dynamic Display provisions of this ordinance.

DIRECTLY-ILLUMINATED SIGN. A sign designed to give forth artificial light directly (or through transparent or translucent material) from a source of light within such sign including, but not limited to, neon and exposed lamp signs.

DYNAMIC DISPLAY. See Section 6.3(i)(1).

DYNAMIC SCOREBOARD. A scoreboard otherwise meeting the definition of a Dynamic Display in Section 6.3.(i)(1).

INDIRECTLY-ILLUMINATED SIGN. A sign illuminated with a light exterior to its surface and so shielded that the rays illuminate the sign.

MINI PANEL. Signs posted on street furniture, bus shelters, and benches that are part of the city-wide system.

MONUMENT SIGN. A freestanding sign on a permanent decorative or architectural base, typically constructed in a front yard or on a corner lot. Monument Signs have a maximum height of five feet and must not block any site lines.

POLE SIGN. A free-standing sign attached to the ground by means of one or more poles.

POSTER SIGN. See Temporary Sign.

PROJECTING MARQUEE SIGN. A sign with manually changeable copy or, where permitted Dynamic Display, and one (curved) to three faces. All faces will count toward the allowable area of the sign.

MINI PANEL SIGN. An Off-Premises Sign oriented to a local street, typically located on street furniture such as bus shelters or benches that are part of the city-wide system.

ROOF SIGN. A sign consisting of individual alphanumeric characters, graphic elements or other copy, erected on the roof of a building and projecting above the highest point of the roof line or parapet of the building. It is typically situated parallel to the adjacent street and does not project beyond the front facade of the building.

OFF-PREMISES SIGN. Signs containing copy that is not related to the use of the premises on which it is located, oriented to a limited access highway, either Directly Illuminated or Indirectly Illuminated.

ON-PREMISES SIGN. Signs containing copy related to the use of the premises on which it is located.

TEMPORARY SIGN. A sign not permanently affixed or attached to the ground or a structure for a period of less than 40 days, which can be removed without special handling.

WALL SIGN. Also known as Belt Sign or Band Sign. A sign that is mounted directly to the building face to which the sign is parallel.

WINDOW SIGN. A sign posted, painted, placed or affixed in or on a window for public viewing.

(Ord. No. 1871, 9-3-19; Ord. No. 1872, 9-3-19)

ARTICLE VIII. - ADMINISTRATION

Footnotes:

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Editor's note— See the note to article VII.

Section 61. - Summary of administrative functions.

In New Haven, the legislative function of enactment and amendment of the zoning ordinance is performed by the Board of Aldermen. Thereafter, administration of the ordinance is carried out by three separate City agencies, each with its own specialized duties, and by the Board of Aldermen in specified instances.

- (a) *Zoning Enforcement Officer (ZEO)*. The Zoning Enforcement Officer (ZEO) is charged with enforcing the ordinance through examining plans, inspections, keeping records, and ordering compliance.
- (b) *Board of Zoning Appeals*. The Board of Zoning Appeals hears and decides cases in which it is claimed either that some ruling of the Zoning Enforcement Officer was in error, or that special circumstances require a variance from the strict terms of the ordinance, or that certain privileges are justified as special exceptions.
- (c) *City Plan Commission*. The City Plan Commission is responsible for a continuous review of the effectiveness of the ordinance, advice to the Board of Aldermen on proposed changes in the ordinance, and advice to the Zoning Enforcement Officer, the Board of Zoning Appeals and other agencies.
- (d) *Board of Aldermen*. The Board of Aldermen is charged with the administrative responsibility of hearing and deciding applications under the circumstances enumerated in the ordinance.

The functions of each of these agencies are necessary to the smooth and purposeful administration of the zoning program.

Section 62. - Enforcement.

- (a) *Responsibility*. The Director of the Office of Building Inspection and Enforcement (OBIE) shall be the Zoning Enforcement officer (ZEO) and shall have the authority to enforce the provisions of this ordinance. The director may deputize one or more staff members as well as members of other city departments who have a particular skill or competence to act for the director, and the term ZEO as used elsewhere in this ordinance shall be deemed to include such deputies, but no order or other enforcement action shall be issued unless approved and signed or countersigned by the director or designated OBIE staff.
- (b) *Interpretation*. The Zoning Enforcement Officer (ZEO) shall give information upon request as to the provisions of this ordinance, and shall interpret the meaning of the ordinance in the course of enforcement.
- (c) *Review of construction plans*. In all cases where a building permit is required, and in all other cases of construction or *use* where any provision of the zoning ordinance is involved, appropriate plans shall be filed in duplicate, subject to the provisions of the Building Code and to such other rules as the Zoning Enforcement Officer (ZEO) shall prescribe, sufficient in scope and character to determine that all relevant requirements of the zoning ordinance have been met. No building permit shall be issued until the ZEO has determined and certified that such plans comply fully with the zoning ordinance. In cases where the particular skill or competence of some

other City Department is relevant to an evaluation of the plans under the zoning ordinance, the ZEO may refer such plans to such department for a report. Other City departments shall take cognizance of the zoning ordinance before issuing permits under their own jurisdiction.

- (d) *Inspections.* The Zoning Enforcement Officer (ZEO) is authorized to inspect or cause to be inspected any **building** or other **structure** or any land on which work is in progress, and to order the stoppage of any work being done in violation of the zoning ordinance. The ZEO shall inspect or cause to be inspected such premises after work is completed, and shall not issue a certificate of occupancy (C of O) until such final inspection has been made, except that a temporary certificate of occupancy (C of O) may be issued in an appropriate case before work is completed, for a period of not more than six months.
- (e) *Certificates of occupancy.* No **structure** or land or part thereof shall hereafter be occupied or used, in any case of establishment of a new **use**, extension or alteration of a **use**, or conversion from one **use** to another **use**, until the **Zoning Enforcement Officer (ZEO)** shall issue a certificate of occupancy (C of O), certifying that the zoning ordinance has been complied with in full. Upon request of the owner or tenant or any conforming or nonconforming **use** already established, the ZEO shall issue a certificate of occupancy (C of O) stating the exact status of such **use**. In the case of other uses already established, the **ZEO** may carry on such programs of registration of **uses** and issuance of certificates of occupancy (C of O) as deemed appropriate.
- (f) *Enforcement of regulations before or after issuance of a certificate of occupancy.* A violation shall be considered a violation of the Zoning Regulations of the City of New Haven.
- (1) The Zoning Enforcement Officer shall institute any appropriate action or proceeding to prevent (a) the unlawful erection, construction, alteration, repair or conversion of any building or structure, or parcel of land; (b) the unlawful erection, construction, alteration, repair or conversion of landscaping, fencing, grading, paving, excavation or other site improvement; (c) a violation of a condition of approval; or (d) use of land or buildings in a manner inconsistent with approved plans in order to restrain, correct or abate such violations; to prevent the occupancy of said building, structure or land; or to prevent any illegal act, conduct, business or use in or about the premises. Whenever such acts shall be in contradiction to the provisions of these regulations, penalties shall be as provided by the General Statutes.
 - (2) In addition, any violation or attempted violation of these regulations or of any condition or requirement adopted pursuant hereto may be restrained, corrected, or abated, as the case may be, by all applicable remedies pursuant to the laws of the State of Connecticut.
 - (3) The remedies of the City of New Haven shall include, but are not limited to, the following:
 - a. Issuing a cease and desist order for any and all work in progress where a violation occurs;
 - b. Seeking an injunction or other order of restraint or abatement that requires the correction of a violation;
 - c. Seeking in court the imposition of any penalties for a violation that can be imposed by such court;
 - d. In the case of a violation that poses an immediate danger to the public health or safety, taking such measures as are available to the City of New Haven under the applicable provisions of the local and state law for such circumstances;
 - e. Imposing any penalties, including financial and/or criminal penalties, that can be imposed by the City of New Haven; and/or
 - f. Other such remedies as are and as may from time to time be provided for or allowed by state law for a violation of this Zoning Ordinance.
- (g) *Administrative regulations.* The Zoning Enforcement Officer (ZEO) shall have the power to adopt such

administrative regulations as deemed necessary to the carrying out of these enforcement responsibilities, which regulations shall have general applicability to cases of similar character.

- (h) *Other duties.* The Zoning Enforcement Officer (ZEO) may perform such other duties as are necessary to carry out the provisions of this ordinance, and shall have the same powers, duties and privileges, with respect to the zoning ordinance, as are applicable to an officer acting under the State Building Code. The **ZEO** shall maintain permanent and current records, prescribe such rules and forms as deemed necessary, refer appropriate cases to the Board of Zoning Appeals under section 63, investigate complaints and carry on an inspection program throughout the city, and issue written orders for compliance with the zoning ordinance, subject to the penalties (for owner, agent, lessee, tenant, architect, builder, contractor or other person) prescribed in sections 186 and 187 of the New Haven Charter. The ZEO shall also maintain a current register of **nonconforming uses** under section 67 of this ordinance, and regulate the registration of **nonconforming uses**.
- (i) *Appeals.* An appeal from an administrative order of the Zoning Enforcement Officer (ZEO) may be taken to the Board of Zoning Appeals as provided in section 63, except that an appeal of an administrative order of the ZEO enforcing the orders and regulations of the Historic District Commission shall be to the Superior Court as provided by section 54 of the Zoning Ordinance.

(Ord. No. 1416, §§ 1, 2, 5-1-06)

Section 63. - Board of Zoning Appeals.

(a) *Establishment.*

- (1) *Composition.* The Board of Zoning Appeals shall operate under Section 4 of Article VII, of the New Haven Charter and any other applicable provision of such Charter or of the General Statutes of Connecticut. In addition to the three regular members appointed in accordance with Section 1A of Article VII of the New Haven Charter, the Mayor of the City of New Haven shall have the power to appoint two alternate members to the Board, as provided in section 8-5 of the General Statutes. In addition to the two regular members appointed in accordance with Section 1A of Article VII of the New Haven Charter, the Leadership of the Board of Alders, as defined by Section 2-37 of the Code of General Ordinances, shall have the power to appoint one alternate member to the Board, as provided in section 8-5 of the General Statutes. The terms of said appointees shall be five years. The President shall communicate the order approving the Board of Alders' appointment of the regular and alternate Board of Zoning Appeals members to the full Board. Upon communication, said order shall be executed in the same manner as Board and Commission appointments made by the Mayor.
- (2) *Order of appointment.* The Mayor and the Board of Alders shall fill vacancies to the Board of Zoning Appeals in an order that ensures the composition prescribed in Section 4 of Article VII of the New Haven Charter, in Section 2-552 of the Code of General Ordinances, and in paragraph 63(a)(1) of this ordinance.
- (b) *Review of administrative orders.* Any person claiming to be aggrieved by any order, requirement or decision made by the Zoning Enforcement Officer except for decisions concerning the enforcement of the Historic District Commission's orders and regulations, may appeal to the Board of Zoning Appeals, as provided in section 185 of the New Haven Charter, and the Board may reverse or affirm, in whole or in part, or may modify such order, decision or requirement appealed from, and it shall have all the powers of the authority from whose decision such appeal shall have been taken. Normally, such review by the board shall be limited to alleged errors in interpretation of the ordinance.

(c) *Variances.*

- (1) *Basis.* Where there is difficulty or unreasonable hardship in the way of carrying out the strict letter of the zoning ordinance, the Board of Zoning Appeals shall have power in a specific case to vary the application of any provision of the ordinance, if such variance will be in harmony with the general purpose and intent of the ordinance and if the public health, safety and general welfare will be served and substantial justice done.
- (2) *Special treatment of use variances.* It is recognized that variances of the use regulations in the zoning ordinance present special problems not occurring in the case of variances of other types, and that the courts have carefully defined the scope of the board's powers with respect to *use* variances. Therefore, the board shall not grant any use variance under paragraph (1) above unless:
 - a. The zoning regulations allow no reasonable *use* to be made of the property in question for reasons peculiar to the property and not applicable to the area as a whole;
 - b. The *use* proposed is the minimum variance necessary in order to allow a reasonable *use* of the property; and
 - c. The *use* will not impair the essential character of the area or the objectives of the comprehensive plan of the City.
- (3) *Conditions.* In granting any variance under paragraph (1) or (2) above, the Board may attach such additional conditions and safeguards as are deemed necessary to protect the neighborhood, such as, but not limited to, the following:
 - a. Requirement of *front, side* or *rear yards* greater than the minimum required by this ordinance;
 - b. Requirement of screening of parking areas or other parts of the premises from adjoining premises or from the street, by walls, fences, planting, or other devices, as specified by the Board;
 - c. Modification of the exterior features or appearance of any *structure*, where necessary to preserve property values;
 - d. Limitation of size, number of occupants, method or time of operation, or extent of facilities;
 - e. Regulation of number, design, and location of access drives or other traffic features;
 - f. Requirement of off-street parking or other special features beyond the minimum required by this ordinance or other applicable codes or regulations.

Failure to comply with any such condition or safeguard shall constitute a violation of this ordinance.

- (d) *Special exceptions—Statement of purpose.* The development and execution of a comprehensive zoning ordinance is based upon the division of the city into districts, within which the *use* of land and *structures* and the bulk and location of *structures* in relation to the land are substantially uniform. It is recognized, however, that there are certain *uses* and features which, because of their unique characteristics, cannot be distinctly classified or regulated in a particular district or districts, without consideration, in each case, of the impact of such *uses* and features upon neighboring *uses* and the surrounding area, compared with the public need for them at particular locations. Such *uses* and features are therefore treated as special exceptions.
 - (1) Where provided for elsewhere in this ordinance, the Board of Zoning Appeals may, in appropriate cases, after public notice and hearing, grant special exceptions.
 - (2) Where an existing *use* or feature which is permitted only by special exception is proposed to be extended or substantially altered in a manner which would in any way change the character or intensity of the *use* or feature, such proposed extension or substantial alteration shall be treated as a special exception under this

section.

- (3) Special exceptions shall be granted only where the Board of Zoning Appeals finds that the proposed *use* or feature or the proposed extension or substantial alteration of an existing *use* or feature is in accord with the public convenience and welfare after taking into account, where appropriate:
 - a. The nature of the proposed site, including its size and shape and the proposed size, shape and arrangement of *structures*;
 - b. The resulting traffic patterns and adequacy of proposed off-street parking and loading;
 - c. The nature of the surrounding area and the extent to which the proposed use or feature might impair its present and future development;
 - d. The proximity of *dwellings*, churches, schools, public *buildings* and other places of public gathering;
 - e. All standards contained in this ordinance; and
 - f. The comprehensive plan of the City of New Haven, and other expressions of the purpose and intent of this ordinance.
- (4) Time limits may be established by the Board of Zoning Appeals where appropriate. If a time limit is specified elsewhere in this ordinance, no special exception shall be granted for a time period longer than that specified; provided, however, that in any case, whenever the current period has more than half transpired a renewal of said special exception may be granted, up to the maximum period permitted by the terms of this ordinance, measured from the date of renewal, as often as the Board of Zoning Appeals finds that the foregoing standards continue to be met.
- (5) In granting a special exception, the Board of Zoning Appeals may attached such additional conditions and safeguards as are deemed necessary to protect the neighborhood, such as, but not limited to, those listed in paragraph 63(c)(3) of this ordinance. Failure to comply with any such condition or safeguard shall constitute a violation of this ordinance.
- (6) In the following types of special exception cases, which involve more than conventional questions of *use* and may have a significant impact on surrounding areas and a substantial relationship to the comprehensive plan of the city, the Board of Zoning Appeals shall, following its hearing, refer the case including all exhibits to the City Plan Commission, which shall submit an advisory report, on such factors as it may deem relevant, to the board within 30 days after receiving all records and documents in the case. This report of the City Plan Commission shall be taken into account in the decision of the Board.
 - a. Limited expansion of institutions in RS-1 and RH-1 Districts: subsections 11(b)(2)b.; 15(b)(1).
 - b. Convenience stores in residence districts: section 31, as provided for in the district regulations.
 - c. Transition parking in residence districts: subsection 13(b)(3)c. and regulations of other residence districts.
 - d. Accessory retail space in RH-2 Districts: subsection 16(b)(3)c.
 - e. Accessory professional offices in RH-2 Districts: subsection 16(b)(3)d.
 - f. Adjustment for parking and loading requirements: subsections 29(c); 29(h)(2); 29(i); 45(a)(6)b.,; 45(a)(7).
 - g. Adjustment of sign requirements: subsection 60.3.
 - h. Planned development units: subsection 65(d)(1).
 - i. A change from one nonconforming use to another that is different in nature and purpose: subsection 67(c)(3)a.

(e) *Procedures.*(1) *Notice and hearing; posting of notice of application.*

- a. The Board of Zoning Appeals shall hold a public hearing in the case of any application for review of an administrative order or for a variance or for a special exception. In addition to published notice, the board shall give notice of any such hearing at least seven days prior to the date of the hearing to the applicant filing the application, to the property owners whose property is located within and including a distance of 200 feet as measured from all boundaries of the property which is the subject of such appeal (if such property is within the city), and to the aldermen of the ward or wards in which the subject property and the properties within and including a distance of 200 feet are located, except that in cases of special exceptions involving areas of unusually large size, the board may give such reasonable notice as it may prescribe.
- b. A sign of a design approved by the director of the Office of Building Inspection and Enforcement (OBIE) shall be posted by the applicant, not less than 14 days prior to the public hearing, on the property for which application is made, which sign shall be plainly readable from curbside of the addressed street frontage, and which sign shall contain language which provides, but is not limited to, the following information; the date of the hearing; notice that zoning relief has been applied for; an address and telephone number where further information can be obtained regarding the application; and the location of the hearing. Said sign may be obtained from the Office of Building Inspection and Enforcement (OBIE), and may be subject to a deposit not to exceed \$50.00, which deposit may be redeemed by returning the sign not more than five working days following final disposition of the application.

(2) *Other procedures.* The Board of Zoning Appeals may prescribe such rules and forms as it deems necessary for the filing of applications, postponement, time for exercise, extension of time, rehearing, and other matters.

- a. *Agendas.* A copy of the agenda shall be forwarded to such city departments and Neighborhood Planning Agencies as may be designated by the Board.
- b. *City department referrals.* The Board shall forward copies of the application forms in all matters before it to the City Plan Department and the Department of Traffic and Parking and shall request that the departments send reports to the board on matters that are of concern to them in connection with their own responsibilities.
- c. *Neighborhood Planning Agency Referral.* The Board may also forward copies of the application forms in all matters before it to any neighborhood planning agency of jurisdiction and may request that any such neighborhood planning agency send a report to the board on matters that are of concern to it.
- d. *Report due date.* Any such reports shall be due at noon the day before the hearing of the matter by the Board and Copies of filed reports shall be available at the Office of the Clerk of the Board.
- e. *Rehearing.* The board shall not be required to hear the same application more than once during any period of 12 consecutive months.
- f. *Filing fees.* Each application for a review of an administrative order or for a variance or for a special exception shall be accompanied by such fee as may be stipulated by the Board of Aldermen from time to time in section 17-22 of the Code of Ordinances of the City of New Haven, payable to the Treasurer of the City or duly deputized agents, which shall be retained as a separate fund to be paid by the Treasurer to such person and in such amount as is designated by the Secretary of the Board of Zoning Appeals.

- (3) *Neighborhood planning agency review.* Upon receiving a request for a variance, special exception, appeal of an administrative order, planned development unit or district, or zone change the Board of Zoning Appeals, City Plan Commission and the Board of Aldermen, as applicable, may refer said request to any neighborhood planning agency of jurisdiction if any exist

An NPA may review such request and if it so chooses issue an advisory report to the referring agency prior to its final action on said request or indicate by letter to the referencing agency its decision not to issue a report on a reference item. Nothing in this NPA review shall be construed so as to delay the review process or to constrain the sound discretion of the Board of Zoning Appeals, City Plan Commission or Board of Aldermen.

- (f) *Reserved for future use.*
- (g) *Waivers of prohibition against building on unaccepted streets.* The Board of Zoning Appeals shall hear and determine applications for waivers of the prohibition against building on unaccepted streets contained in Article VI of Chapter 27 of the Code of Ordinances of the City of New Haven as provided therein. In passing on any such applications, the board shall be strictly cognizant of the zoning ordinance, and may attach appropriate conditions and safeguards. Failure to comply within any such conditions or safeguards shall constitute a violation of this ordinance.
- (h) *Lapse of approval; renewal; transferability; discontinuance, revocation.*
- (1) *Lapse of approval.* A special exception or variance is void one year after its effective date, except if otherwise specified by the board in its decision, unless:
- The grant of relief has been recorded on the land records of the City of New Haven within 120 days of the date of publication of approval; and
 - A valid permit has been issued and construction diligently pursued; or
 - A Certificate of Occupancy (C of O) has been issued; or
 - The special exception or variance is renewed.
- (2) *Renewal.* A special exception or variance may be renewed administratively by the board of zoning appeals if it is determined that findings made and conditions imposed on the original approval still apply. Applications for renewal shall be made in writing between not less than 30 nor more than 60 days prior to the lapse of the original approval. Upon timely application, a renewal may be granted after the expiration. An extension under this section shall be granted one time only and for a period of time of up to a maximum of one year.
- (3) *Transferability.* The validity of a special exception (unless specified by the board in its decision) or variance shall not be affected by changes in ownership.
- (4) *Discontinuance.* A grant of a special exception or variance shall lapse if there is a cessation of use for a period of one year.
- (5) *Revocation.* A special exception or variance that is exercised in violation of a condition of approval or a provision of this title may be revoked, in the same manner required for a public hearing to consider approval.

(Ord. No. 1419, 6-5-06; Ord. No. 1766, 4-6-15)

Section 64. - City Plan Commission.

- (a) *Continuous ordinance review.* The City Plan Commission and its staff shall carry on a continuous review of the effectiveness and appropriateness of the zoning ordinance, and recommend such changes as they see fit.

- (b) *Advice to other agencies.* The City Plan Commission and its staff shall give such technical advice as they deem appropriate to the zoning enforcement officer, the Board of Zoning Appeals, and other agencies.
- (c) *Maintenance of zoning map.* The City Plan Commission and its staff shall keep up to date the official zoning map, and shall keep the zoning enforcement officer and the City Clerk supplied with a current copy of such map.
- (d) *Amendment of the ordinance.*
- (1) Petitions for amendment of the text of the zoning ordinance or the zoning map shall be filed with the City Clerk for transmission to the Board of Aldermen, and shall thereafter be referred and acted upon by the City Plan Commission and the Board of Aldermen as provided in sections 183 and 184 of the New Haven Charter. All such petitions may also be referred to any Neighborhood Planning Agency (NPA) of jurisdiction as defined in section 1 of this Ordinance which may issue an advisory report on the proposed zoning amendment to the Board of Aldermen prior to final aldermanic action. Any such petition shall contain sufficient information, including maps where necessary, to indicate the exact change or changes which are sought. The zoning enforcement officer shall be kept informed by the City Clerk of pending petitions.
 - (2) In passing upon any such petition, the City Plan Commission shall take into account the various factors favoring and disfavoring a change, such as, but not limited to, the following:
 - a. Errors in the existing ordinance, changes that have taken place in the city and in patterns of construction and land use, the supply of land and its peculiar suitability for various purposes, the effect of a map change on the surrounding area, the purposes of zoning and the comprehensive plan of the City of New Haven;
 - b. Whether some other method or procedure under the zoning ordinance is more appropriate; and
 - c. In the case of a map change, the size of the area involved. As a general policy, the City Plan Commission shall not consider favorably any petition which would result in a total contiguous area (separated only by streets, and excluding the area of streets) of less than two acres in the case of a residence district, less than one acre in the case of a Business District, or less than four acres in the case of an Industrial District.
- (e) *Special permits—Statement of purpose.* The development and execution of a comprehensive zoning ordinance is based upon the division of the city into districts, within which the use of land and structures and the bulk and location of structures in relation to the land are substantially uniform. It is recognized, however, that there are certain uses and features which, because of their unique characteristics, cannot be distinctly classified or regulated in a particular district or districts, without consideration, in each case, of the impact of such uses and features upon neighboring uses and the surrounding area, compared with the public need for them at particular locations. Such uses and features are therefore treated as special permits.
- (1) *Special permit defined.* A land use permitted when the City Plan Commission finds that the standards for the use as contained within this Ordinance have been met. Only those uses designated as needing a special permit in section 42: Use Table and in Table 1: Permitted Uses in Residential Districts may be permitted by special permit.
 - (2) *Finding required.* Special permits shall be granted only where the City Plan Commission finds that the proposed use or feature or the proposed extension or substantial alteration of an existing use or feature is in accord with the public convenience and welfare after taking into account, where appropriate:
 - a. *Burden of proof.* A special permit shall not be considered an entitlement, and shall be granted by the Commission only after the applicant has demonstrated to the satisfaction of the Commission that all ordinance requirements are met.

- b. *Ordinance compliance.* The proposed use shall comply with all applicable regulations, including any specific the proposed use as set forth in this ordinance. Any accessory use to a special permit must receive express from the commission.
 - c. *Comprehensive Plan of Conservation and Development.* The commission shall determine if the proposed special permit's use and improvements comply with the City's development plans.
 - d. *Natural features.* Special permits must preserve trees and other natural site features to the greatest extent possible so as to minimize their impact upon surrounding properties and the district, and must not have an adverse impact on significant scenic vistas or on significant wildlife or vegetation habitat.
 - e. *Hazard protection.* The proposed use shall not have a detrimental impact upon the use or peaceable enjoyment of abutting or nearby properties as a result of vibrations, fumes, odor, dust, erosion, sedimentation, flooding, fire, noise, glare, hazardous material use, storage, transportation or disposal, or similar conditions.
 - f. *Historic preservation.* Features of historic significance shall not be significantly adversely affected by the granting of any special permit. If the subject property is within or abuts a historic district, the Commission may request a report from the Historic District Commission regarding those features essential to preserve the historical integrity of a building, district, or site or historical significance.
 - g. *Design and architectural compatibility.* The operational and physical characteristics of the special permit shall be compatible with the surrounding area and the neighborhood in which it is proposed. Site design and architectural features which contribute to compatibility include, but are not limited to, landscaping, drainage, access and circulation, building style and height, bulk scale, setbacks, open areas, roof slopes, building orientation, overhangs, porches, ornamental features exterior materials and colors.
 - h. *Property values.* The use and site design shall not have a detrimental effect on the property values in the surrounding area.
 - i. *Traffic impact.* The applicant shall demonstrate how the proposed use will not adversely affect the safety and convenience of vehicular and pedestrian circulation on, adjacent or nearby the site. The commission may require a traffic impact study be submitted to it by the applicant for any special permit use of land. The study shall consider traffic patterns and adequacy of proposed off-street parking and loading resulting from the proposed development.
- (3) *Notice required.* Public notice and hearing shall be furnished in accordance with the Connecticut General Statutes.
- (4) *Filing fee.* Each application for a special permit shall be accompanied by such fee as may be stipulated by the Commission of Aldermen from time to time in Section 17-22 of the City of New Haven Code of Ordinances.
- (f) *Site plan standards and procedures:*
- (1) *Purpose.* A site plan application is required to aid the City in determining the conformity of a proposed building, use, or structure with specific provisions of the Zoning Ordinance as adopted by the Board of Aldermen.
 - (2) *Applicability.* Site plan approval shall be required for the following:
 - a. All variance, special permit and special exception applications when required as a condition of approval;
 - b. Any new construction or change in an existing use for three or more dwelling units, whether in a single structure or in multiple structures, whether in new structures or converted space;

- c. Any new construction or change in an existing use involving 5,000 or more square feet of gross building area;
 - d. Any new construction or change in an existing use involving ten or more parking spaces;
 - e. Any use involving a drive up service window or facility;
 - f. Other uses and applications as specified in these regulations.
 - g. Applications for coastal site plan review, inland wetlands review, and soil erosion and sediment control plan review shall meet the submission requirements of this section. Additional data as required by section 55, coastal management district, section 57, inland wetlands and watercourses, and section 58, soil erosion and sediment control shall be noted on submitted site plans as applicable.
- (3) *Application submission requirements.* Applications for site plan approval shall include the following:
- a. Completed application form and fee in accord with section 17-22 of the Code of Ordinances. Checks shall be made payable to Treasurer, City of New Haven.
 - b. A written narrative describing the proposed use or development in sufficient detail to determine zoning compliance.
 - c. A site development plan complying with section 64(f)(5) of these Regulations.
- (4) *Standards for site plans—General.* Site plans shall be prepared by appropriate design professionals (surveyor, engineer, architect, and or landscape architect) licensed to practice in the state and shall bear appropriate registration stamps. All drawings shall be at a scale of not less than one inch equals 40 feet. All site plan drawings shall be in sufficient detail and accuracy, (generally A-2), to enable the construction of all site improvements shown and approved on the drawings. Four copies of the site plan, application, narrative and all supporting materials shall be submitted. One copy of the site plan at 8.5 by 11 inches shall also be submitted.
- (5) *Site plan contents.* Site plans shall include the following:
- a. Title block in the lower right hand corner with project name, address of property, name and address of developer, property owner, and applicant; north arrow, scale of not more than 1":40', plan date with revision dates, seals and signatures, names and addresses of all appropriate design professionals;
 - b. A location map at the scale of not less than 1" to 600' showing the proposed project and the nearest street intersection;
 - c. Boundary survey of site including distances with angles or bearings, building/setback lines, and street lines; and right-of-way lines;
 - d. Locations and descriptions of all existing and proposed easements and rights-of-way;
 - e. Zoning classification of property;
 - f. Area of lot;
 - g. Buildings and improvements on abutting parcels within 25 feet of property lines to include the name of adjacent owners and zoning classification of their property;
 - h. Existing and proposed contours or spot grades at or more than two-foot intervals;
 - i. Locations of existing and proposed buildings with dimensions, area, elevations and number of stories and distances between all buildings and property lines;
 - j. Locations of other improvements and structures to include signs, fences, and walls;
 - k. Existing and proposed sanitary and storm water drainage facilities with elevations;

- l. Existing and proposed water lines and hydrants;
 - m. Existing and proposed sidewalks, curbs and curb cuts, and adjacent streets;
 - n. Soil erosion and sedimentation control measures as required by section 58;
 - o. Coastal zone management areas and/or flood zones as applicable;
 - p. Inland wetland and watercourse areas as applicable;
 - q. Drainage design for roof area, parking lot and driveways;
 - r. Existing and proposed landscaping including a listing of all trees and shrubs to be planted, by common and botanical names, size (caliper, height, time until maturity) at planting, and height and spread at maturity;
 - s. Layout of all off street parking areas showing details and dimensions of aisles, driveways, each parking space, all loading and unloading areas, pavement markings, location of directional signs and ADA-compliant spaces;
 - t. Exterior Lighting Plan as required by Section 60.1;
 - u. Fire lanes and traffic control signs as required by government authorities;
 - v. Outside storage areas with proposed screening;
 - w. Location of outside recycling and refuse storage area and proposed screening;
 - x. A construction staging plan indicating the site logistics for all phases and the estimated time for construction of each stage and staging-related site improvements together with any public right-of-way encroachments;
 - y. A table denoting and comparing the density, bulk and yard, parking, and loading standards required by the Zoning Regulations with the density, bulk, parking, and loading standards proposed in the site plan;
 - z. Plan certification: Notation on site plan that plan's preparer certifies to the best of his/her knowledge, belief, and ability, and after research and inquiry, that the proposed plan meets all of the standards of the New Haven Zoning Ordinance except as might be otherwise noted in such certification;
 - aa. Copy of preliminary application for access to state highways, to state-owned storm drainage facilities, and for DEP Coastal Permits where such state permits are required;
 - bb. Copy of Board of Zoning Appeals decision letter with proof of recording, if zoning relief has been granted;
 - cc. Stormwater Management Plans as required by Section 60;
 - dd. Reflective Heat Impact Calculations as required by Section 60.2.
- (6) *Other site plan requirements.*
- a. Engineering data:
 - 1. Any improvements which are proposed to become owned, operated, or maintained by the city shall have documentation that such improvements have been designed in accordance with accepted engineering practices and will be in compliance with all applicable City Codes and regulations governing such areas as pipe size, flow lines, invert and top of grate elevations, existing and proposed elevations, and construction practices and materials.
 - 2. Applications must document appropriate storm water system designs. Quantity and velocity calculations, profiles, cross-sections, and other engineering documentation may be required for the City Engineer's review.

- b. Structural plans:
 - 1. One copy of the plan of all proposed buildings, structures, signs, including floor plans and exterior elevations.
- c. Other information or exhibits:
 - 1. Applicants may submit such other information or exhibits which the applicant believes address material site plan issues. All such submissions become the property of the city and are public information unless exempted by the laws of the State of Connecticut.
 - 2. Other requested information and exhibits submitted under this section shall be submitted no later than five working days prior to the meeting scheduled for the application. Such information and exhibits shall be open for public inspection.

(7) *Administration.*

- a. The Commission may, upon application of the applicant, waive or limit the requirement to provide information on any specific site plan when, in its opinion, the information is not necessary to reach a decision. Such waiver shall be based upon the particular character or limited nature of the proposal or due to special conditions peculiar to a site. The Commission may also request additional information that it determines is necessary for proper administration and enforcement.
- b. It is strongly recommended that for large projects or for projects with significant site constraints, a pre-application review of the submission be undertaken with the City Engineer and/or the City Plan Department.
- c. The Commission may hold a public hearing regarding any site proposal if, in its judgment, the specific circumstances require such action. Notice of public hearings and procedures shall be as prescribed by statute.
- d. All abutting property owners and other property owners within 200 feet of the property borders shall be notified by the applicant of the date, place, and time of the public hearing along with a summary of the proposal being considered at the hearing. That notification shall be on a form provided by the City Plan Department and shall be mailed to said property owners by regular mail no more than 14 nor less than seven days prior to the date of the public hearing. The applicant shall provide the Department with a copy of mailing labels of all property owners within 200 feet and certify that notification has been given in accordance with this section.
- e. The plan may be forwarded to any city or state agency or department for comment.
- f. When minor changes to approved site plans are requested which do not require revised vehicle/pedestrian access, do not require additional parking spaces, do not impact on necessary landscaping, or which may be required by field conditions, site plan approval may be granted by the City Plan Staff. An application, fee and plans shall be filed in the City Plan Department and Staff shall report all such approvals to the Commission at its next meeting.
- g. City Plan Department staff may determine that a proposed site plan does not meet threshold requirements of site plan review and may therefore be approved administratively, without formal Commission review. See Section 64(f)(10).

(8) *Decision procedures.*

- a. The Commission shall receive complete site plan applications at the next meeting after submission or

within 35 days of filing with the City Plan Department, whichever is shorter. The Commission shall render a decision upon the plan within 65 days of an application's receipt unless the site plan accompanies an application that requires a public hearing. Applicant may grant an extension of up to 65 days within which to act upon a site plan.

- b. The Commission's failure to render a decision on a completed site plan within the time limitations set above shall indicate approval of said site plan.
 - c. Denial or modification of any site plan must be based upon Zoning Ordinance or other city standards. All denials or modifications of a site plan shall state specifically the reasons for said action.
 - d. A copy of a final decision shall be mailed by certified mail to the applicant and property owner within 15 working days of the decision and a notice of said decision shall be published within 15 days of the decision in a newspaper with general circulation in New Haven.
 - e. The applicant shall record a final decision on the City's Land Records, and shall present proof of such recording the City Plan staff, prior to issuance of building permit.
 - f. Prior to the issuance of a building permit, a site restoration bond, if required by the City Plan Commission, shall be posted.
- (9) *Maintenance and enforcement.*
- a. The maintenance of the site before and after issuance of a certificate of occupancy shall be the sole responsibility of the owner.
 - b. Lack of maintenance in a proper, neat and habitable condition shall be construed to be a violation of these regulations and subject to enforcement pursuant to section 62 of this ordinance and other penalties as provided by law.
- (10) *Administrative site plan review.* For proposed activities which do not meet the threshold for site plan review by the City Plan Commission as contained in section 64(f)(2) of this Ordinance, but still require a building permit and/or staff level zoning review, an administrative site plan review by the City of New Haven is required. Prior to commencement of any site activity, including but not limited to clearing and grubbing, grading, footings and/or foundations work, the applicant shall submit a site plan for review and approval consistent with guidelines approved by the City Plan Commission.
- (11) *Effective date.* This subsection (f) shall govern development activity initiated or proposed on vacant property, improved property or as otherwise applicable following enactment of Ord. No. 1416, as established by the effective date.
- (g) *Motor vehicle uses.* The City Plan Commission shall hear and determine applications for certificates of approval of location (CALs) for vehicle uses as provided for by the General Statutes of Connecticut. In passing upon any such application, the Commission shall be strictly cognizant of the provisions of the zoning ordinance, and may appropriate conditions and safeguards. Failure to comply with any such condition or safeguard shall constitute a violation of this ordinance.
- (h) *Duration of approval, lapse of approval, renewal, transferability, and revocation.*
- (1) *Duration of approval.* Pursuant to Section 8-3(i) of the Connecticut General Statutes, any site plan approved after June 30, 2011 is valid for a period of five years after the date of decision. Upon petition of the applicant, the Commission may, at its discretion, grant extensions totaling no more than an additional five years to complete all work connected to the original approval. Pursuant to Section 8-3(m) of the Connecticut General Statutes, any site plan approved prior to July 1, 2011 and that has not already expired prior to May 9, 2011 is

valid for a period of nine years after the date of decision. Upon petition of the applicant, the Commission may, at its discretion, grant extensions totaling no more than an additional five years to complete all work connected to the original approval. Applications for extensions shall be made in writing between not less than 30 nor more than 60 days prior to the lapse of the original approval.

- (2) *Lapse of approval.* Consistent with Section 62.D, the Zoning Enforcement Officer shall determine the status of an approval and make a determination if the approval is valid or if approval has lapsed.
- (3) *Transferability.* The validity of an approval shall not be affected by changes in ownership.

(Ord. No. 1416, § 3, 5-1-06; ord. No. 1419, 6-5-06; Ord. No. 1662, 9-19-11)

Section 65. - Planned developments.

- (a) *Objectives.* The provisions of this section are to be applied in instances where tracts of land of considerable size are developed, redeveloped or renewed as integrated and harmonious units, and where the overall design of such units is so outstanding as to warrant modification of the standards contained elsewhere in this ordinance. A planned development, to be eligible under this section, must be:
 - (1) In accordance with the comprehensive plans of the city, including all plans for redevelopment and renewal;
 - (2) Composed of such *uses*, and in such proportions, as are most appropriate and necessary for the integrated functioning of the planned development and for the city;
 - (3) So designed in its space allocation, orientation, texture, materials, landscaping and other features as to produce an environment of stable and desirable character, complementing the design and values of the surrounding neighborhood, and showing such unusual merit as to reflect credit upon the developer and upon the city; and
 - (4) So arranged as to provide a minimum of 250 square feet of *usable open space* per *dwelling unit* on the tract, except 125 square feet in the case of *elderly housing units*, subject to the specific minimum standards enumerated in section 15(a)(1)g. of this ordinance.
- (b) *Tract.* The tract for which application is made must have the following minimum and maximum areas:
 - (1) For a *Planned Development Unit* under paragraph (d)(1) below, between one-half and two acres in the case of *dwellings* only, and between one and two acres in all other cases.
 - (2) For a *Planned Development District* under paragraph (d)(2) below, over one acre in the case of *dwellings* only, and over two acres in all other cases.
- (c) *Who may apply.* An application may be filed by (1) the owner or owners or lessee or lessees of all land and *structures* included within the tract, or (2) any governmental agency including the New Haven Redevelopment Agency. The holder of a written option or contract to purchase or lease land and/or *structures* shall, for purposes of such Application, be deemed the owner or lessee of the land and/or *structures* covered by such option or contract.
- (d) *Application and general plans.* Each application shall state the proposed modifications of existing zoning, and shall be accompanied by general plans, including contoured site plans. The general plans shall show the improvements to be erected upon the tract, the open spaces to be provided, the nature and location of the proposed *use* or *uses*, the relationship of the proposed development to surrounding properties, and other pertinent information.

Traffic impact study. All applications filed pursuant to this section shall be referred to the Department of Traffic and Parking for an advisory report on the traffic impact. The traffic impact study shall show the amount and direction of traffic to be generated by the proposed development and shall estimate the effect of such traffic on the roadway capacity and safety.

The Application and General Plans shall be sufficient in scope and character to determine that the objectives stated in subsection (a) above will be met. Any proposed division of the tract into separately owned and operated units shall be indicated. The Application and General Plans shall be filed and acted upon in the following manner:

- (1) Where the proposed modifications of existing zoning concern only the bulk and placement of **structures** and the size and shape of **lots** (regulation of **lot area**, **average lot width**, distance between **buildings**, size of **courts**, **yards**, **gross floor area**, **building height**, and/or **building coverage**), or involve a reduction of **lot area per dwelling unit** of no more than 33%, such Application and General Plans shall be filed with the Board of Zoning Appeals and acted upon as a special exception under subsection 63(d) of this ordinance. If such Application and General Plans are approved by the Board of Zoning Appeals, upon specific findings that each of the objectives stated in subsection (a) above will be met, such approval shall be construed to modify provisions contained elsewhere in this ordinance insofar (and only insofar) as specific deletions, additions and changes are made which are related to land and **structures** in the tract, and the tract shall be designated a **Planned Development Unit** within the existing zoning district, provided that the requirements of subsection (e) below are met.
 - (2) In any other case, the Application and General Plans shall be filed with the Board of Aldermen and acted upon as a proposed amendment to this ordinance. If such application and General Plans are approved by the Board of Aldermen, following a favorable recommendation by the City Plan Commission and after an advisory report from the Department of Traffic and Parking regarding the traffic impact study, upon specific findings that each of the objectives stated in subsection 65(a) above will be met, such approval shall be construed to amend this ordinance insofar (and only insofar) as specific deletions, additions and changes are made which are related to the land and **structures** in the tract, and the tract shall be designated as a separate **Planned Development District** provided that the requirements of subsection 65(e) below are met.
 - (3) All applications filed under this section may be referred by the Board of Zoning Appeals in the case of **Planned Development Units**, and by the Board of Aldermen in the case of **Planned Development Districts**, to any Neighborhood Planning Agency (NPA) of jurisdiction as defined in section 1 of this ordinance, which may issue an advisory report on the proposed zoning designation to the Board of Zoning Appeals or Board of Aldermen, as appropriate, prior to final action by these boards. Nothing in the npa review shall be construed so as to delay the review process or to constrain the sound discretion of the Board of Zoning Appeals, City Plan Commission or Board of Aldermen.
- (e) *Subsequent performance.* All official zoning maps shall carry a notation of the location and boundaries of any planned development approved as above, giving a reference to a file in which full information concerning the provisions applying to the same may be found.
- (1) After the approval of the Application and General Plans, the applicant shall file detailed plans for review by the City Plan Commission, showing the details of the proposed development as fully as possible and including elevations and perspectives of proposed construction. If the applicant later wishes to change any of the details of the proposed development, further detailed plans shall be filed for review by the City Plan Commission. No building permit for the proposed development or any part thereof shall be issued until the

City Plan Commission has determined that the pertinent Detailed Plans are in accordance with the Application and General Plans as approved and with the objectives stated in subsection (a) above. If any Detailed Plans are not acted upon by the City Plan Commission within 60 days after they are submitted to it, they shall be deemed to be approved.

- (2) Within three months after the approval of the Application and General Plans, a certified copy of such Application and General Plans shall be filed by the applicant at their own expense in the office of the city/town clerk.
- (3) If construction of improvements is not begun and diligently prosecuted to completion within a reasonable time established by the City Plan Commission at the time of approval of detailed plans, and if an extension of time is not given by the City Plan Commission for good cause shown, then the modifications or amendments of this ordinance provided for in subsection 65(d) above shall become null and void, and the tract shall revert to all the requirements of its previous zoning. No certificate of occupancy (C of O) shall be issued until a detailed report is submitted by the applicant to the City Plan Commission showing the outcome of construction and the City Plan Commission certifies that all the requirements of this section 65 relating to planned developments have been met.
- (4) Parking Plan amendments to a planned development. Any amendment of 20 or more parking spaces to an Overall Parking Plan which covers an area including a planned development must be submitted for approval to the body that approved the original planned development: the Board of Alderman for a PDD; the Board of Zoning Appeals for a PDU. If an Overall Parking Plan covers an area that includes both a PDD and PDU, then changes shall be submitted to the Board of Aldermen for review and approval, provided, however, that the Board of Aldermen may elect to refer such amendment to the Board of Zoning Appeals for action. If an Overall Parking Plan covers an area of 150 or more acres, then (a) changes involving 100 or more parking spaces shall be submitted for review and approval to the Board of Aldermen, and (b) changes of less than 100 spaces shall be submitted for administrative review by the City Plan Department. Any request to change the borders of the area covered by an Overall Parking Plan must be submitted to the Board of Aldermen for review and approval, provided however that no parking plan shall cover two or more non-contiguous areas, excepting satellite lots that may service the primary area. Increased parking demand generated by employees working on temporary construction projects shall not require an application to amend an Overall Parking Plan, but shall be included in the application for city approval of the project. The proposed parking plan amendment shall include an account of all available parking and its use; an account of all parking fees charged and revenues collected; an account of current demand management efforts such as public transit subsidies, car pools, bicycle storage, satellite parking lots with shuttle service and others; a census of potential parkers, per section 12(b), with five-year and ten-year projections based on the applicant's expansion plans, if any; a detailed study of the utilization of on-street parking in the surrounding area; and such other information as the Board of Aldermen deems necessary. Any Overall Parking Plan that is or becomes out of compliance with conditions required by a city board or commission shall be updated and submitted for review/approval within 30 days of the effective date of this ordinance or within 30 days of the date of non-compliance.

A current Overall Parking Plan must have been approved pursuant to this Section (unless such OPP is comprised only of a PDU and does not contain a PDD), notwithstanding any other provision of the Zoning Ordinance to the contrary, and notwithstanding any Overall Parking Plan approved prior to the effective date

of this section, prior to the approval of any new application proposing zoning map amendments, zoning regulation amendments, Variances, Special Exceptions, Special Permits, or Site Plan review for any project within the City of New Haven which is submitted by an entity which is subject to an Overall Parking Plan.

(Ord. No. 1358, §§ 1, 2, 9-7-04; Ord. No. 1788, 1-19-16)

Section 66. - Deviations prohibited.

- (a) No land or **structure** shall be used or occupied, and no **structure** or part thereof shall be erected, constructed, reconstructed, moved or structurally altered, except in conformity with all the terms of this ordinance. (For nonconforming **uses, structures** and **lots**, see section 67.)
- (b) No reduction of **lot area, lot area per dwelling unit, lot area per sleeping room, lot area** per square foot of **gross floor area, lot area** per square foot of **building coverage, average lot width, yards, usable open space**, parking, loading, or any other requirement of this ordinance, shall be made by subdivision, conveyance, alienation or any other means.
- (c) No part of the required **lot area, lot area per dwelling unit, lot area per sleeping room, area** per square foot of **gross floor area, lot area** per square foot of **building coverage, average lot width, yards, usable open space**, parking, loading, or any other requirements of this ordinance, used for or credited to one **lot**, shall be used for or credited to any other lot, except that joint use may be made of parking and loading within the provisions of sections 29(h) and 45(a)(6).

Section 67. - Nonconforming uses, structures and lots.

(a) *Statement of purpose.*

- (1) A nonconforming **use, structure** or **lot** is one which existed lawfully, whether by variance or otherwise, on the date this Zoning Ordinance or any amendment thereto became effective, and which fails to conform to one or more of the applicable regulations in the Zoning Ordinance or such amendment thereto.
- (2) Such nonconformities are incompatible with and detrimental to permitted **uses, structures**, and **lots** in the zoning districts in which they are located; they cause disruption of the comprehensive land use pattern of the city; they inhibit present and future development of nearby properties; and they confer upon their owners and users a position of unfair advantage.
- (3) It is a fundamental principal of zoning law that nonconformities are not to be expanded, and that they should be abolished or reduced to conformity as quickly as the fair interests of the parties will permit. This principle is declared to be the intent of this ordinance.
- (4) It is the further intent of this ordinance that existing nonconformities shall not cause further departures from the Zoning Ordinance, and therefore the existence of any present nonconformity anywhere in the city shall not in itself be considered grounds for the issuance of a variance for any other property.

(b) *General provisions.*

- (1) Notwithstanding any other provision of this ordinance, a nonconforming **use, structure** or **lot** as defined by subsection 67(a) above may be continued, except as otherwise specified in this section 67.
- (2) No nonconformity shall be deemed to have existed on the date this Zoning Ordinance or any amendment thereto became effective, unless:
 - a. It was in being on a continuous basis and to its fullest extent on such date; and

b. If such nonconformity is a *use*, such *use* had not been abandoned within the meaning of section 67(c)(6). Provided that, nothing in this ordinance shall be deemed to require a change in the plans, construction, or designated *use* of any *structure* on which actual construction was lawfully begun in good faith prior to such date, provided such construction is diligently prosecuted to completion within two years following such date. Actual construction is hereby defined to include the placing of construction materials so that they are in a permanent position and fastened to the earth in a permanent manner.

(3) In order to assure that the fair interests of the parties will be protected, nothing in this ordinance shall be deemed to require discontinuance of a nonconformity because of mere changes of title or possession or right of possession of property, except in the case of nonconforming *lots* under section 67(e)(1).

(c) *Nonconforming uses.*

- (1) No nonconforming *use* of land shall be enlarged, extended or altered, and no structure or part thereof devoted to a nonconforming *use* shall be enlarged, extended, constructed, reconstructed, or structurally altered, except in changing the *use* to one which is permitted in the district in which such *use* is located. No nonconforming *use* of a *structure* shall be extended to occupy land outside such *structure* or space in another *structure*.
- (2) No nonconforming *use* of land shall be moved to another part of a *lot* or outside the *lot*, and no nonconforming *use* of a structure shall be moved to any part of the structure not manifestly arranged and designed for such *use* at the time the *use* became nonconforming, and no *structure* containing a nonconforming *use* shall be moved, unless the result of any moving described in this paragraph (2) is to end the nonconforming *use*.
- (3) Change of *use*.
 - a. No nonconforming *use* of land or of a *structure* shall be changed to any *use* which is substantially different in nature and purpose from the former nonconforming *use*, except such *uses* as are permitted in the district in which they are located, unless a special exception is granted under subsection 63(d) of this ordinance, upon a finding, among other things, that the new *use* will have a lesser impact upon the surrounding area than the old one.
 - b. Where any change is proposed to be made to a *use* that is permitted in the district only by special exception, such change may be made only through a special exception granted under subsection 63(d) of this ordinance.
 - c. When a nonconforming *use* has been changed to a conforming *use*, it shall not thereafter be changed to any *use* not permitted in the district in which the *use* is located.
 - d. When a nonconforming *use* has been wrongfully changed to any *use* which is substantially different in nature and purpose from the former nonconforming *use*, such change shall be deemed to constitute abandonment of the former nonconforming *use* under subparagraph 67(c)(6)b. of this ordinance.
- (4) In order to assure that *structures* containing nonconforming *uses* will be maintained in safe and decent condition for so long as such nonconforming *uses* continue, nothing in this ordinance shall be deemed to prohibit:
 - a. Work in any period of twelve consecutive months on ordinary repairs and replacement of existing materials with similar materials placed in the same manner, to an extent not exceeding 20% of the current replacement value of the *structure* (excluding the value of land, the cost of preparation of land

- and the value of any foundation adaptable to a conforming *use*) as determined by the zoning enforcement officer (ZEO); or
- b. Any work required by the codes and ordinances of the city or ordered by any city official charged with protecting the public health, safety or welfare, if such work does not enlarge or extend a nonconforming *use* or otherwise increase any nonconformity.
- (5) In order to assure that the fair interests of the parties will be protected, nothing in this ordinance shall be deemed to prohibit the restoration of any *structure* and its *use* where such *structure* has been destroyed by any means out of the control of the owner to an extent of 50% or less of its replacement value (excluding the value of land, the cost of preparation of land and the value of any foundation adaptable to the conforming *use*) at the time of destruction, provided the restoration of such *structure* and its *use* in no way increases any former nonconformity, and provided further that restoration of such *structure* is begun within one year of such destruction and diligently prosecuted to completion within two years following such destruction. But whenever such a *structure* has been destroyed by any means out of the control of the owner to an extent of more than 50% of its replacement value (excluding the value of land, the cost of preparation of land and the value of any foundation adaptable to a conforming *use*) at the time of destruction, as determined by the Zoning Enforcement Officer (ZEO), or by any means within the control of the owner (except as provided in paragraph 67(c)(4) to any extent whatsoever, the *structure* shall not be restored except in full conformity with all the regulations of the district in which such *structure* is located, including regulations as to *use*.
- (6) Abandonment of nonconforming *uses*:
- a. Any nonconforming *use* which has been abandoned shall not thereafter be re-established. Any *structure* or land, or *structure* and land in combination, which was formerly devoted to a nonconforming *use* which has been abandoned, shall not again be devoted to any *use* other than those *uses* which are permitted in the district in which the *structure* or land, or *structure* and land in combination, is located.
- b. The term abandonment, as used therein, shall mean the voluntary discontinuance of a *use*, when accompanied by an intent not to re-establish such *use*. Any one of the following shall constitute prima facie evidence of intent to abandon:
1. Any positive act indicating such intent; or
 2. Any conscious failure to take all necessary steps to resume the nonconforming *use* with reasonable dispatch in the circumstances, including advertising of the property for sale or for lease; or
 3. In the case of a *structure* or of a *structure* and land in combination, discontinuance of the nonconforming *use* for nine consecutive months, or for a total of 18 months during any three-year period; or
 4. In the case of land only, discontinuance of the nonconforming *use* for 90 consecutive days, or for a total of six months during any one-year period.
- (7) In any residence district, *uses* of land only, and outdoor *uses* whether of all or part of a *lot*, which are nonconforming at the date this section 67 becomes effective or becomes nonconforming at any future date, shall either be made to conform to the regulations of the district in which they are located, or be discontinued and removed within three years from the date this section 67 becomes effective or from the date they become non-conforming, whichever date is later. Under this paragraph (7) shall be included *junk yards*, storage yards, outdoor sales areas, *quarries*, and other such *uses*, where the principal activities on the

lot are not carried on within a **structure** or are carried on within a **structure** which is adaptable to a conforming **use**, or where the outdoor **use** is independent of or unnecessary to activities carried on within any **structure** on the *lot*.

- (8) **Advertising signs** located in residence districts, other than on a property devoted also to some other business or industrial **use**, shall be discontinued and removed within three years from the date this section 67 becomes effective or from the date they become non-conforming or from the date such other business or industrial **use** is discontinued, whichever date is latest.
 - (9) A nonconforming **use** carried on within a **structure** may have **business signs**, if such **signs** are of the belt type, non-flashing and non-rotating, not located above the ground floor, and of a size not exceeding 10% of the area of ground floor wall surface on which such **signs** are located, including window and door area.
 - (10) No **use** shall be deemed a nonconforming **use** if located within a district in which a special exception may be granted for such a **use** under this ordinance. Subsection 63(d) shall govern as to the expansion or substantial alteration of such **uses**, as well as section 31 in the case of convenience goods and services in residence districts.
 - (11) Lack of required **lot area per dwelling unit**, parking, loading, or **yards**, and excessive **building** bulk or **coverage**, shall not in themselves be deemed nonconforming **uses** under this subsection 67(c); such nonconformities are governed by subsection 67(d). However, lack of required screening or other safeguards, improper **use** of outdoor areas, excessive area occupied by a **use**, improper arrangement of parking, loading or driveways, and similar deviations shall be deemed nonconforming **uses** under this subsection 67(c).
 - (12) All nonconforming **uses** shall be subject to the same regulations for arrangement and operation as those that would apply if they were conforming **uses**, unless such regulations conflict with other applicable regulations. (See especially section 46 concerning outdoor areas, and 48 concerning performance standards.)
- (d) *Nonconforming structures.*
- (1) **Structures** failing to meet any requirement of this ordinance other than **use**, including lack of required parking or loading, shall not be enlarged, extended, constructed, reconstructed or altered, if the result would be an increase in nonconformity. See also Sections 66, 29(j), and 45(a)(8) of this ordinance.
 - (2) **Signs** of a size or type not permitted in the district in which they are situated, or which are improperly located or illuminated, or nonconforming in any other way, shall be considered nonconforming **structures** under this subsection 67(d), and any increasing in size, illumination or flashing of such **signs** shall be deemed to be an enlargement or extension producing an increase in nonconformity.
 - (3) No **structure** described in paragraph 67(d)(1) or paragraph 67(d)(2) above shall be moved unless the result of such moving is to reduce or eliminate its nonconformity.
- (e) *Nonconforming lots.*
- (1) If two or more adjoining **lots** of record, one or both of which fail to meet the requirements of this ordinance with regard to **lot area** and/or **average lot width**, have continuous frontage and are in single ownership at any time after the application of the provisions of this ordinance to such **lots**, and if such **lots** taken together would form one or more **lots**, each meeting the requirements of this ordinance with regard to **lot area** and average **lot width**, such **lot** or **lots** shall no longer be considered nonconforming, and must be **used** in compliance with the **lot area** and **average lot width** requirements irrespective of subsequent changes in ownership.
 - (2) If a **lot** which is of record at the time of the application of the provisions of this ordinance to such **lot** is

insufficient as to *lot area* or *average lot width*, a *single-family dwelling* may be constructed on such *lot* regardless of the requirements of this ordinance with regard to *lot area* and *average lot width*, but conforming to all other regulations of the district in which such *lot* is located. Any other provision of this ordinance to the contrary notwithstanding, in any case where a variance is sought for construction on such a *lot* other than as allowed in this paragraph 67(e)(2), no variance shall be granted for a *structure* of a size or shape not allowed on the *lot* under the zoning regulations pertaining to the *lot* at the time the *lot* was reduced to its present dimensions.

Section 68. - Separability.

It is hereby declared to be legislative intent that:

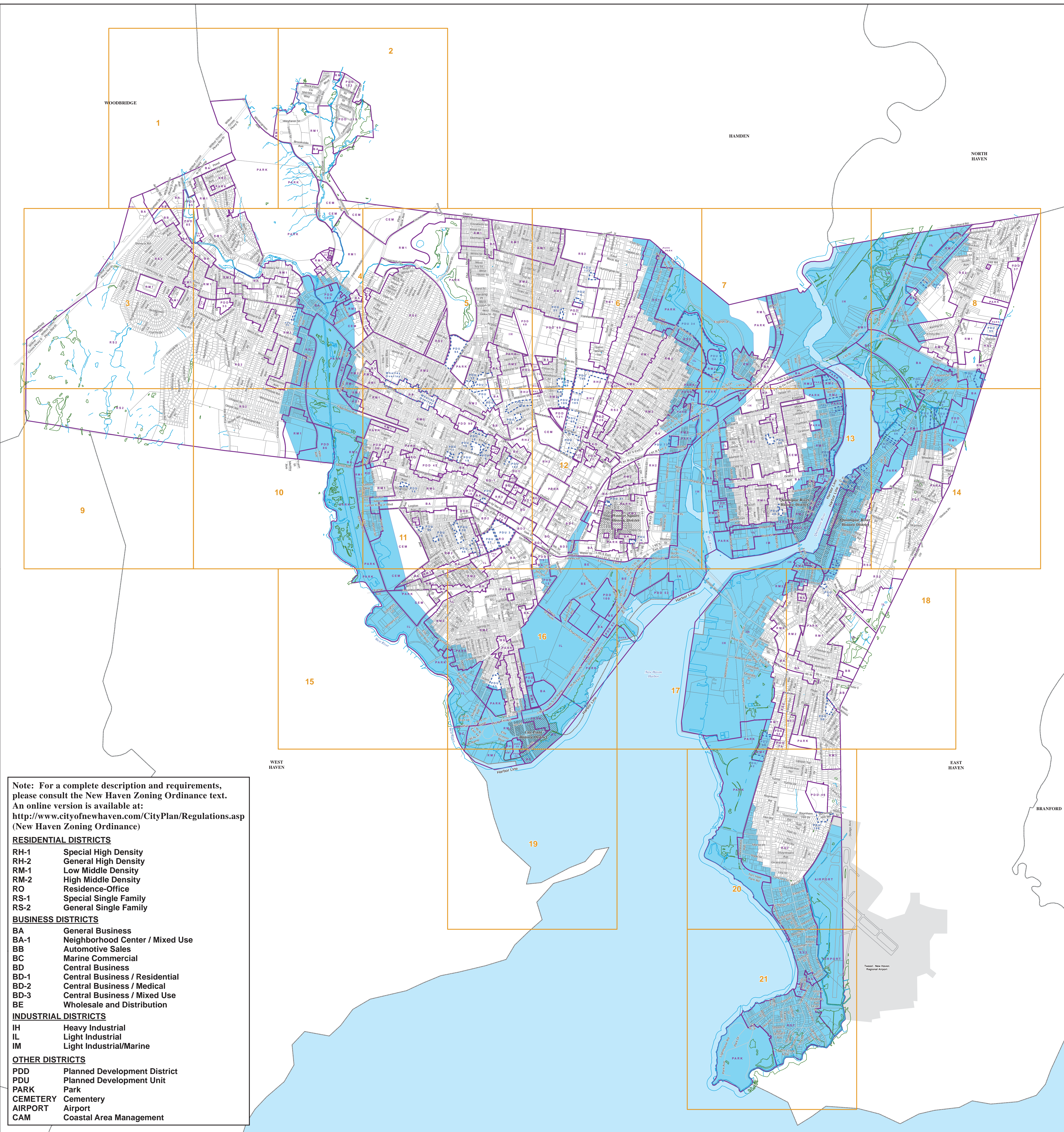
- (a) If a court of competent jurisdiction finds any provisions of this ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all the other provisions of this ordinance shall continue to be separately and fully effective.
- (b) If a court of competent jurisdiction finds the application of any provision or provisions of this ordinance to any *lot, building* or other *structure*, or tract of land to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to the person, property, or situation immediately involved in the controversy, and the application of any such provision to other persons, property, or situations shall not be affected.

Section 69. - Effect on other requirements.

The previous provisions of the New Haven Zoning Ordinance are repealed as of the effective date of this revision. It is not intended that the requirements of any other law or ordinance be repealed or otherwise made ineffective by this ordinance, and in case of conflict the strictest of the relevant provisions of this and other laws and ordinances shall apply.

Section 70. - Effective date.

The effective date of this revision shall be June 5, 1995.



Note: For a complete description and requirements, please consult the New Haven Zoning Ordinance text. An online version is available at: <http://www.cityofnewhaven.com/CityPlan/Regulations.asp> (New Haven Zoning Ordinance)

- RESIDENTIAL DISTRICTS**
- RH-1 Special High Density
 - RH-2 General High Density
 - RM-1 Low Middle Density
 - RM-2 High Middle Density
 - RO Residence-Office
 - RS-1 Special Single Family
 - RS-2 General Single Family
- BUSINESS DISTRICTS**
- BA General Business
 - BA-1 Neighborhood Center / Mixed Use
 - BB Automotive Sales
 - BC Marine Commercial
 - BD Central Business
 - BD-1 Central Business / Residential
 - BD-2 Central Business / Medical
 - BD-3 Central Business / Mixed Use
 - BE Wholesale and Distribution
- INDUSTRIAL DISTRICTS**
- IH Heavy Industrial
 - IL Light Industrial
 - IM Light Industrial/Marine
- OTHER DISTRICTS**
- PDD Planned Development District
 - PDU Planned Development Unit
 - PARK Park
 - CEMETERY Cemetary
 - AIRPORT Airport
 - CAM Coastal Area Management

City of New Haven, Connecticut
Toni N. Harp, Mayor

Zoning Map
of the
City of New Haven

Effective, March 21, 2007 Date Revised: September 17, 2014

Produced by the
Office of Information Technology
Geographic Information System

Legend

<ul style="list-style-type: none"> Zoning Grid Boundary Parcel Boundary PDU Boundary Zoning Boundary Airport Shoreline Coastal Area Management Local Historic District 	<ul style="list-style-type: none"> I91-I95 Railroad Road Centerline Town Boundary Hydrology Wetland Airport
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Data Location

Server: GISDB-FS Database: NHMainGIS Name:
 NHMainGIS.DBO.PDU_Annotation
 NHMainGIS.DBO.Zoning_Grid_new
 NHMainGIS.DBO.PDU_Point
 NHMainGIS.DBO.Zoning_Point
 NHMainGIS.DBO.Waterway
 NHMainGIS.DBO.Airport_runway
 NHMainGIS.DBO.Parcel_aab_2015
 NHMainGIS.DBO.PDU_Polygon
 NHMainGIS.DBO.Zoning_Polygon
 NHMainGIS.DBO.HistoricDistricts_LocalDistricts
 NHMainGIS.DBO.CNH_StreetCenterlines

Data Source

Zoning Grid - City of New Haven, 2006
 Historic District - City of New Haven, City Plan Department, June 2006
 Hydrography - GNHWPCA, Aerial Photography, 2007
 Parcel - City of New Haven, Office of the Assessor, 2015
 Zoning, PDU - City of New Haven, City Plan Department, August 2013
 Railroad - GNHWPCA, Aerial Photography, 2007

ATTENTION: DISCLAIMER

This is a reproduction of the official zoning map of the City of New Haven. The official zoning map is on file at the City Plan Department. Use this map for zoning purposes only. In the event of uncertainties with the zoning data contained herein, consult Article II of the New Haven Zoning Ordinance. For purposes other than zoning, every reasonable effort has been made to assure the accuracy of the map and data provided; nevertheless, some information may not be accurate and no warranty is made by the City of New Haven as to the accuracy, reliability or completeness of these data for individual or aggregate use with other data.

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**INLAND WETLANDS AND
WATERCOURSES REGULATIONS**

CITY OF NEW HAVEN, CONNECTICUT

ADOPTED:	November 16, 1988
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SECTION 1 - TITLE, AUTHORITY, PURPOSE AND MAP

1.1 Title.

These Regulations shall be known as the “Inland Wetlands and Watercourses Regulations of the City of New Haven, Connecticut”, and are herein referred to as “these Regulations”.

1.2 Purpose.

The preservation and protection of the wetlands and watercourses from random, unnecessary, undesirable and unregulated uses, disturbance or destruction is in the public interest and is essential to the health, welfare and safety of the citizens of the City of New Haven. It is, therefore, the purpose of these Regulations to protect the citizens of the City of New Haven by making provisions for the protection, preservation, maintenance and use of the inland wetlands and watercourses by minimizing their disturbance and pollution; maintaining and improving water quality in accordance with the highest standards set by federal, state or local authority; preventing loss of fish and other beneficial aquatic organisms, wildlife and vegetation and the destruction of the natural habitats thereof; deterring and inhibiting the danger of flood and pollution; and protecting the quality of wetlands and watercourses for their conservation, economic, aesthetic, recreational and other public and private uses and values by providing an orderly process to balance the need for the land with need to protect its environment and ecology in order to forever guarantee to the people of the City of New Haven the safety of such natural resources for their benefit and enjoyment and for the benefit and enjoyment of generations yet unborn.

1.3 Authority.

These Regulations have been prepared and are adopted in accordance with the provisions of the Inland Wetlands and Watercourses Act, Section 22a-36 to 45, inclusive, of the Connecticut General Statutes, as amended. The New Haven City Plan Commission, herein referred to as “the Commission,” was authorized by the Board of Aldermen of the City of New Haven by Ordinance, effective July 3, 1974, to adopt and administer inland wetland regulations.

The Commission shall enforce the Inland Wetlands and Watercourses Act and shall issue, issue with terms, conditions, limitations, or modifications, or deny permits for all regulated activities in the City of New Haven pursuant to sections 22a-36 to 22a-45, inclusive, of the Connecticut General Statutes, as amended.

1.4 Map of Inland Wetlands and Watercourses.

The Commission hereby designates inland wetlands and watercourses as shown on a map titled “**Inland Wetlands and Watercourses Map, New Haven, Connecticut**”, herein referred to as “the Map”, which accompanies and is part of these Regulations. Although official, the map is illustrative only. The precise location of regulated areas shall be determined by the actual character of the land, the distribution of wetland soil types and location of watercourses. The Commission may use aerial photography, remote sensing imagery, resource mapping, soils maps, site inspection observations or other information in determining the location of the boundaries of wetlands and watercourses.

Said map shall be on file in the office of the City Clerk and in the City Plan Department where it will be available for inspection.

SECTION 2 - DEFINITIONS

- 2.1** Certain words, terms and phrases used in these Regulations shall have the meanings presented in this Section. All words used in the present tense include the future tense, and the word “used” shall be deemed to include “designed, intended, or arranged to be used”. Words not defined in this Section shall be defined in the most current edition of Webster’s *New World Dictionary, College Edition*.
- 2.2** As used in these regulations:
- Act** - the Inland Wetland and Watercourses Act, sections 22a-36 through 22a-45, inclusive, of the Connecticut General Statutes, as amended.
- Bog** - watercourses distinguished by evergreen trees and shrubs underlain by peat deposits, poor or very poor drainage, and highly acidic conditions.
- Clear-cutting** - the harvest of timber products in a fashion which indiscriminately removes all species of trees, down to a two inch (2”) diameter at breast height.
- Commission** - the City Plan Commission of the City of New Haven, Connecticut.
- Commissioner of Environmental Protection** - the commissioner of the State of Connecticut Department of Environmental Protection.
- Continual Flow** - a flow of water which persists for an extended period of time; this flow may be interrupted during periods of drought or during the low flow period of the annual hydrological cycle, June through September, but it recurs in prolonged succession.
- Deposit** - includes, but shall not be limited to, fill, grade, dump, place, discharge or emit.
- Designated agent** - individual(s) designated by the Commission to carry out its functions and purposes.
- Discharge** - emission of any water, substance or material into waters of the City of New Haven, whether or not such substance causes pollution.
- Disturb the natural and indigenous character of the wetland or watercourse** - to alter the inland wetlands and watercourses by reason of removal or deposition of material, clearing the land, altering or obstructing water flow, or pollution.
- Essential to the farming operation** - the proposed activity is necessary and indispensable to sustain farming activities on the farm.
- Farming** - in accord with the definition as noted in section 1-1(q) of the Connecticut General Statutes, as amended.
- Feasible** - able to be constructed or implemented consistently with sound engineering principles.
- License** - the whole or any part of a permit, certificate of approval or similar form of permission which may be required by any person by the provisions of the Regulations or the Inland Wetlands and Watercourses Act, Sections 22a-36 to 45, inclusive, of the Connecticut General Statutes, as amended.
- Management practice** - a practice, procedure, activity, structure, or facility designed to prevent or minimize pollution or other environmental damage or to maintain or enhance existing environmental quality. Such management practices include, but are not limited to: erosion and

sedimentation controls; restrictions on land use or development; construction setbacks from wetlands or watercourses; proper disposal of waste materials; procedures for equipment maintenance to prevent fuel spillage; construction methods to prevent flooding or disturbance of wetlands and watercourses; procedures for maintaining continuous stream flows; confining construction that must take place in watercourses to times when water flows are low and fish and wildlife will not be adversely affected.

Marsh - watercourses that are distinguished by the absence of trees and shrubs and the dominance of soft-stemmed herbaceous plants. The water table in marshes is at or above the ground surface throughout the year and areas of open water six inches (6") or more in depth are common, but seasonal water table fluctuations are encountered.

Material - any substance, solid or liquid, organic or inorganic, including, but not limited to, soil, sediment, aggregate, land, gravel, clay, bog, peat, mud, debris, sand, refuse or waste.

Nurseries – places where plants are grown for sale, transplanting, or experimentation.

Permit - the whole or any part of any license, certificate of approval, or similar form of permission that may be required of any person by the provisions of these Regulations and the Act or other municipal, state and federal law.

Permittee - the person to whom a permit has been issued.

Person - any person, firm, partnership, association, corporation, company, limited liability company, organization or legal entity of any kind including municipal corporations, governmental agencies or subdivisions thereof.

Pollution - the harmful thermal effect or the contamination or rendering unclean or impure of any waters of the state by reason of any waste or other materials discharged or deposited therein by any public or private sewer or otherwise so as directly or indirectly to come in contact with any waters. This includes, but is not limited to, erosion and sedimentation resulting from any filling, land clearing or excavation activity.

Prudent - economically and otherwise reasonable in light of the social benefits to be derived from the proposed regulated activity provided cost may be considered in deciding what is prudent and further provided a mere showing of expense will not necessarily mean an alternative is imprudent.

Regulated activity - any operation within or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration, or pollution of such wetlands or watercourses, and any earth moving, filling, construction, or clear-cutting of trees, or any such operation within fifty (50) feet of wetlands or watercourses, but shall not include the activities specified in Section 4.1 of these Regulations.

Regulated area - any wetlands or watercourses as defined in these Regulations.

Remove - includes, but shall not be limited to, drain, excavate, mine, dig, dredge, suck, grub, clear-cut timber, bulldoze, dragline or blast.

Rendering unclean or impure - any alteration of the physical, chemical, or biological properties of any waters in the state, including, but not limited to, change in odor, color, turbidity, or taste.

Significant activity - any activity including, but not limited to, the activities specified in the "Significant impact or major effect" definition of these Regulations, which may have a

significant impact or substantial effect on the area for which an application has been filed or on another part of the inland wetland or watercourse system.

Significant impact or major effect -

- a) Any activity involving deposition or removal of material which will or may have a substantial effect on the regulated area or on another part of the inland wetland or watercourse system; or
- b) Any activity which is likely to cause or has potential to cause substantial turbidity, siltation, or sedimentation in a wetland or watercourse; or
- c) Any activity which substantially changes the natural channel or may inhibit the natural dynamics of a watercourse system; or
- d) Any activity which substantially diminishes the natural capacity of an inland wetland or watercourse to support aquatic, plant or animal life and habitats, prevent flooding, supply water, assimilate waste, facilitate drainage, provide recreation or open space, or perform other functions; or
- e) Any activity which would result in dredging a watercourse or the surface and/or ground water of an inland wetland, such degradation to be measured by standards of the Water Compliance Division of CTDEP, where applicable; or
- f) Any activity which causes a substantial diminution of flow of a natural watercourse or groundwater levels of the regulated area; or
- g) Any activity which is likely to cause or has the potential to cause pollution of a wetland or watercourse; or
- h) Any activity which damages or destroys unique wetland or watercourses areas or such areas having demonstrable scientific or educational value.

Soil Scientist - an individual duly qualified in accordance with standards set by the federal Office of Personnel Management.

Submerged lands - those lands which are inundated by water on a seasonal or more frequent basis.

Swamps –watercourses that are distinguished by the dominance of wetland trees and shrubs.

Waste - Sewage or any substance, liquid, gaseous, solid or radioactive, which may pollute or tend to pollute any wetlands or watercourses in the City.

Watercourses - Rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs and all other bodies of water, natural or artificial, public or private, vernal or intermittent, which are contained within, flow through or border upon the City or any portion thereof not regulated pursuant to Section 22a-28 through 22a-35, inclusive, of the Connecticut General Statutes, as amended. An intermittent watercourse shall be delineated by a defined permanent channel and bank and the occurrence of two or more of the following characteristics:

- (a) evidence of scour or deposits of recent alluvium or detritus,
- (b) the presence of standing or flowing water for a duration longer than a particular storm incident, and
- (c) the presence of hydrophytic vegetation.

Wetlands - Any land, including submerged land as defined in this section, not regulated pursuant to sections 22a-28 through 22a-35, inclusive, of the Connecticut General Statutes, which consists of any of the soil types designated as poorly drained, very poorly drained,

alluvial, or floodplain by the National Cooperative Soils Survey, as may be amended from time to time by the Natural Resources Conservation Service of the United States Department of Agriculture (USDA). Such areas may include filled, graded, or excavated sites which possess an aquic (saturated) soil moisture regime as defined by the USDA Cooperative Soils Survey and are generally shown for informational purposes only, on a map on file in the Office of the City/Town Clerk, entitled ***“Inland Wetlands and Watercourses Map, New Haven, Connecticut”***. In each instance, however, the actual character of the soil shall determine whether the land in question is subject to these Regulations.

SECTION 3 – CLASSIFICATION OF REGULATIONS

3.1 Who Shall Apply.

All persons proposing activities or uses classified as Permitted or Regulated Activities in or adjacent to (within fifty feet of) inland wetlands or watercourses involving filling, dredging, clear-cutting, clearing, grading and excavation or any other alteration or use not specifically permitted by these Regulations shall require a permit from the Commission.

3.2 Where to Apply.

Applications may be secured at the City Plan Department.

3.3 Where to File.

All applications shall be filed at the City Plan Department.

3.4 Classification of Application.

The use or operation of land in wetlands or watercourses shall be classified in five categories, to be determined by the nature and extent of disturbance, according to criteria and standards of these Regulations. For the convenience of the applicant, the classifications are briefly summarized below:

- 3.4.1 **CLASS N - NON-REGULATED USES:** Uses and activities that do not disturb the nature and indigenous character of the wetland or watercourse. This category may be self-determined by the applicant.
- 3.4.2 **CLASS A - USES PERMITTED BY RIGHT:** Uses having no significant effect on wetlands or watercourses. This category can be determined by staff, but only officially confirmed by the Commission.
- 3.4.3 **CLASS S - CTDEP REGULATED OPERATIONS AND USES:** Uses and activities affecting streams, rivers, or watercourses. Uses and activities undertaken by State entities, except the New Haven Board of Education. This category can only be referred to CTDEP for application.
- 3.4.4 **CLASS B - INLAND WETLANDS COMMISSION REGULATED OPERATIONS AND USES HAVING A MINOR IMPACT:** Activities not having a substantial adverse effect on the regulated area, requiring modest supporting materials with the application. This category can only be officially determined by the Commission, which may, at its discretion, require a public hearing on the matter.
- 3.4.5 **CLASS C - INLAND WETLANDS COMMISSION REGULATED OPERATIONS AND USES HAVING A MAJOR IMPACT:** Activities having a substantial impact or major effect on the regulated area, requiring extensive support materials with the application. This category can only be officially determined by the Commission, which shall hold a public hearing on the matter.

3.5 Determination of Classification.

- 3.5.1 **Requests for determination of non-regulated areas.** An applicant may request that the Commission or its designated agent rule that the proposed use is a non-regulated use (Class N) in writing. However, no such written determination is required for non-regulated uses. This category may be self-determined by the applicant. Such uses remain subject to these Regulations.
- 3.5.2 **Requests for determination of permitted or regulated uses.** The Commission shall rule that the proposed use is a permitted (Class A) use or that an application for a Class B or Class C permit is required. An applicant has the right to ask that an application be classified as Class C, and supply the detailed information required by the Commission.
- 3.5.3 **Withdrawal by applicant; waiver of fee for re-application.** If the Commission determines that materials submitted for either a Class B or C application are inadequate, the applicant may withdraw and refile within six months time. The fee may be waived at the Commission's discretion.
- 3.5.4 **Majority vote required.** All Commission rulings and findings shall require a majority vote, as defined in the By-laws of the Commission.
- 3.5.5 **Written ruling required.** Such rulings must be in writing, a copy to be conveyed to the applicant, and shall be made no later than the next regular meeting of the Commission following the meeting at which the request was received.
- 3.5.6 **Time limit of ruling.** Initiation of the permitted project, operation or use shall begin within five years of such ruling, unless otherwise specified by the Commission.

SECTION 4 - NON-REGULATED OPERATIONS AND USES; OPERATIONS AND USES PERMITTED AS OF RIGHT

4.1 Class N - Non-Regulated Uses.

The following operations and uses shall be permitted as non-regulated uses in wetlands and watercourses, provided they do not disturb the nature and indigenous character of the wetland or watercourse by removal or deposition of material, alteration or obstruction of water flow or pollution of the wetland or watercourse:

- a) Conservation of soil, vegetation, water, fish, shellfish and wildlife.
- b) Outdoor recreation including play and sporting areas, golf courses, field trails, nature study, hiking, horseback riding, swimming, skin diving, camping, boating, water skiing, trapping, hunting, fishing and shell fishing where otherwise legally permitted and regulated.

4.2 Class A - Uses Permitted by Right.

The following operations and uses shall be permitted in wetlands and watercourses, as of right:

- a) Grazing, farming, nurseries, gardening and harvesting of crops and farm ponds of three acres or less essential to the farming operation, and activities conducted by, or under the authority of, the Department of Environmental Protection for the purposes of wetland or watercourse restoration or enhancement or mosquito control. The provisions of this section shall not be construed to include road construction or the erection of buildings not directly related to the farming operation, relocation of watercourses with continual flow, filling or reclamation of wetlands or watercourses with continual flow, clear-cutting of timber except

- for the expansion of agricultural crop land, or the mining of top soil, peat, sand, gravel or similar material from wetlands or watercourses for the purposes of sale;
- b) A residential home, provided the building permit was obtained on or before July 1, 1987. The applicant may be required to show documentation of said permit including a certified copy of the building permit and approved site plan showing proposed and existing topographic contours, house and well locations, septic systems, driveways and other information.
 - c) Uses incidental to the enjoyment and maintenance of residential property, such property defined as equal to or smaller than 7,500 square feet (the largest minimum residential lot size permitted anywhere in the City and containing a residence). Such incidental uses shall include maintenance of existing structures and landscaping, but shall not include removal or deposition of materials from or onto a wetland or watercourse or diversion or alteration of a watercourse.
 - d) Construction and operation by water companies, as defined in Section 16-1 of the Connecticut General Statutes, or by municipal water supply systems, as provided for in chapter 102 of the Connecticut General Statutes, of dams, reservoirs, and other facilities necessary to the impounding, storage and withdrawal of water in connection with public water supplies, except as provided in Sections 22a-401 and 22a-403 of the Connecticut General Statutes, as amended.
 - e) Boat anchorage or mooring, not to include dredging or dock construction.
 - f) Maintenance related to any drainage pipe which existed before July 1, 1974, provided such pipe is on property which is zoned as residential but which does not contain hydrophytic vegetation. For purposes of this section, "maintenance" means the removal of accumulated leaves, soil, and other debris, whether by hand or machine, while the pipe remains in place.

SECTION 5 - GENERAL REQUIREMENTS FOR LICENSING OF REGULATED ACTIVITIES

5.1 Permit Required for Regulated Activities.

Regulated activities affecting inland wetlands and watercourses within the City of New Haven are prohibited except as they may be licensed by the Commission. Any regulated activity legally existing as of the effective date of the Regulations shall be exempt therefrom and permitted to continue, provided that no new or additional regulated activity requiring a permit under these Regulations, is conducted after the effective date without such permit.

5.2 Change of Classification.

If any person disputes the designation or the failure to designate any wetland or watercourse as a regulated area, such person may petition the Commission as described in Section 10. The burden of demonstrating the need for a change in classification falls on the petitioner.

5.3 Class S - Uses Regulated by CTDEP.

In addition to any permit or approval required by the Commission, the Commissioner of Environmental Protection shall regulate activities in or affecting wetlands or watercourses subject to the following jurisdiction:

- 5.3.1 Construction, modification or removal of any dam, pursuant to Section 22a-401 through 22a-410 of the Connecticut General Statutes, as amended;

- 5.3.2 Construction, encroachment, or placement of any obstruction within stream channel encroachment lines, pursuant to Section 22a-342 through 22a-349a of the Connecticut General Statutes, as amended;
- 5.3.3 Construction or placement of any structure or obstruction within the tidal, coastal and navigable waters, pursuant to Section 22a-359 through 22a-363 or in designated tidal wetlands pursuant to sections 22a-28 through 22a-35 of the Connecticut General Statutes, as amended;
- 5.3.4 Diversion of water for public and domestic use, including withdrawals of surface or groundwater in excess of fifty thousand (50,000) gallons per day or any piping, culverting, channelization, relocation, damming, or other alteration of the location of flow of any surface waters of the state where the tributary watershed area above the point of such alteration is 100 acres or larger pursuant to Section 22a-365 through 22a-378 of the Connecticut General Statutes, as amended;
- 5.3.5 Discharges into waters of the State, pursuant to Section 22a-430 of the Connecticut General Statutes, as amended;
- 5.3.6 The Commissioner of Environmental Protection shall have exclusive jurisdiction over:
- a) regulated activities in or affecting wetlands and watercourses, undertaken by any department, agency or instrumentality of the State of Connecticut, except a local or regional board of education, pursuant to sections 22a-39 or 22a-45a of the Connecticut General Statutes.
 - b) tidal wetlands designated and regulated pursuant to sections 22a-28 through 22a-35 of the Connecticut General Statutes, as amended.
 - c) activities authorized under a dam repair or removal order issued by the Commissioner of Environmental Protection under section 22a-402 or a dam construction permit issued by the Commissioner of Environmental Protection under sections 22a-403 of the Connecticut General Statutes. Any person receiving such dam repair or removal order or dam construction permit shall not be required to obtain a permit from the Commission for any action necessary to comply with said dam order or to carry out the activities authorized by said dam permit.
 - d) discharge of fill or dredged materials into the wetlands and watercourses of the State pursuant to section 401 of the Federal Clean Water Act, as amended, for activities regulated by the US Army Corps of Engineers under section 404 of the Federal Clean Water Act.

5.4 Additional Application for Other Project Elements may be Required.

Although CTDEP governs the activities listed in Section 5.3 of these Regulations, a separate application before the Commission for other elements of the project may be required. The responsibility for determining the need for a separate application lies with the applicant.

SECTION 6 - APPLICATION PROCEDURE & PROCESS FOR USES AND OPERATIONS REGULATED BY INLAND WETLANDS COMMISSION

6.1 Filing Required for Regulated Activity.

Any person intending to conduct a regulated activity, as defined in Section 2 of these Regulations, within an area shown as inland wetlands on the Map, or within fifty (50) feet of an inland wetland or watercourse, shall submit an application to the Commission. Although the Map is deemed official, it is illustrative only. The precise location of regulated areas shall be determined by the actual character of the land, the distribution of wetland soil types and location of watercourses.

- 6.1.1 **Date of Receipt.** The date of receipt of any application shall be the day of the next regularly scheduled meeting of the Commission immediately following the day of submission to the Commission or thirty-five (35) days after such submission, whichever is sooner.

6.2 Notices Required.

- 6.2.1 **Notices by Applicant.** An applicant shall give written notice by certified mail, return receipt requested, to an adjacent municipal wetland agency and to the City Clerk of that municipality, on the same day of filing of an Inland Wetland application to conduct activity in a wetland or watercourse, any portion of which is located within 500 feet of the boundary of such adjacent municipality.

An applicant shall give written notice to adjacent owners of record within 200 feet, not less than seven (7) days prior to the hearing or meeting date of the Commission.

If any portion of the regulated area in which the applicant proposes to conduct a regulated activity is within the watershed of the Regional Water Authority (RWA), as shown on a map filed with the Commission and on the Land Records of the City, the applicant shall provide written notice of the application to the RWA and the Commissioner of Public Health in a format prescribed by said commissioner. Such notice shall be made by certified mail, return receipt requested, and shall be mailed not later than seven (7) days of the date of receipt of the application. The RWA and the Commissioner of Public Health, through a representative, may appear and be heard at any hearing or meeting on the application.

- 6.2.2 **Notice by Commission.** The Commission shall notify the Clerk of any adjacent municipality of the pendency of an application by certified mail, return receipt requested, to be mailed within seven (7) days of the date of receipt of the application. Notification shall be given if:
- a) Any portion of the property which would be affected is within 500 feet of the boundary of the adjoining municipality; **or**
 - b) A significant portion of the traffic to the completed project will use the adjoining municipality's streets to enter or exit the site; **or**
 - c) A significant portion of the sewer or water drainage from the project will flow through and significantly affect the adjoining municipality's sewerage or drainage system; **or**
 - d) Water runoff from the improved site will affect streets or property within the adjoining municipality.

6.3 Factual Information.

All information submitted in the application for review shall be considered factual, or in the case of an anticipated activity, binding. A knowing failure of the applicant or any of his, her or its agents to provide correct information, or performance exceeding the levels of activity anticipated, shall be sufficient grounds for the revocation of any permits under these

Regulations and/or for penalties to be imposed. Each day of violation or deception shall be considered as a separate offense.

- 6.3.1 At any time during the review period, the applicant shall provide such additional information as the Commission may reasonably require. Requests for such additional information shall not stay the time limitations set forth in these Regulations.
- 6.3.2 All applications shall be open for public inspection.
- 6.3.3 Incomplete applications may be denied.

6.4 Filing Requirements.

Applications shall be filed on a form provided by the Commission. The Commission may prescribe forms and content of applications as it deems necessary, the number of copies to be filed, and the place of filing. The Commission may modify the form and its contents as the need arises without public hearing.

6.5 Additional Filing Requirements for Class C Applications.

If the proposed activity involves a significant activity as defined in Section 2 of these Regulations, thus classifying it as a Class C application, additional information may be required, based on the nature and anticipated effects of the activity as determined by the Commission at the time of classification.

6.6 Class A - Uses Permitted by Right - (See also Section 4.2).

This classification shall be assigned to any application which the Commission determines does not involve a regulated activity. Upon assignment of such classification, a permit shall be granted without delay, subject to limitation or revocation if it is later shown that a regulated activity is a consequence of that permitted activity. The Commission's decision and justification shall be recorded in the minutes and a copy shall be conveyed to the applicant.

6.7 Class B - Minor Impact.

This classification shall be assigned to any application which the Commission determines involves a regulated activity but does not require extensive and detailed engineering or soils surveys or water quality measurements, and the applicant has supplied information, which in the opinion of the Commission, is sufficient to determine that the activity falls within the following:

- 6.7.1 Any activity which involves a removal or deposition of material which will not have a substantial adverse effect on the regulated area or on another part of the inland wetlands or watercourses system; **or**
- 6.7.2 Any activity which involves minor changes to the natural channel of a watercourse or the limits or form of an inland wetland; **or**
- 6.7.3 Any activity which involves a minor reduction in the natural capacity of a watercourse or an inland wetland to support desirable biological life, prevent flooding, supply water, facilitate drainage, and provide recreation and open space.

6.8 Required Findings - Class B Applications.

When the Commission finds that the proposed regulated activity is a Class B Application, it must make written findings in accordance with the criteria of Section 7 of these Regulations. A permit may be granted with or without conditions. The Commission must find the following:

- 6.8.1 That there is no preferable location on the subject parcel or that no other available location could reasonably be required; and
- 6.8.2 That no further technical improvements in the plan or safeguards for its implementation are possible, or taking into account the resources of the applicant, could reasonably be required; and
- 6.8.3 That the activity and the conduct of the activity will result in little if any reduction of the natural capacity of the wetlands or watercourses to support desirable biological life, prevent flooding, supply water, facilitate drainage, and provide recreation and open space.

6.9 Time Limit for Decision.

- 6.9.1 In the absence of a Public Hearing, the Commission must render a decision to grant or deny a Class B Application within sixty-five (65) days of the date of receipt. The applicant may consent to one or more extensions, provided the total period of all extensions for any purpose does not exceed an additional sixty-five (65) days.
- 6.9.2 If the Commission fails to act on any application within the time limit, or within any allowed extension of a time period, the applicant may file such application with the Commissioner of CTDEP who shall review and act in accordance with this Section. Any costs incurred by the Commissioner or any fee that would have been paid to the City shall be paid to the State by the City. The failure of the Commission or the Commissioner to act within any time period specified in this subsection, or any extension thereof, shall not be deemed to constitute approval of the Application.

6.10 Class B - Denial; Request for Reclassification.

If the Commission cannot make these findings, it shall deny a permit and give its reasons to the applicant in writing. An applicant who has been denied a Class B permit may request that the application be classified as a Class C application. The Commission shall notify the applicant in accord with the Notice Requirements in Section 6.13.8.

6.11 Class C Application.

This classification will be assigned to any application which the Commission determines involves a regulated activity having a significant impact or major effect on the inland wetland or watercourses and requires the submission of extensive and detailed engineering or soils surveys or water quality measurements (see Section 6.5). The activity will be as follows:

- 6.11.1 Any activity which involves a removal or deposition of material within a regulated area that will have a substantial effect on the regulated area, or another part of the inland wetland or watercourse system; **or**
- 6.11.2 Any activity which substantially changes the natural channel of a watercourse or the limits or form of an inland wetland; **or**
- 6.11.3 Any activity which diminishes substantially the natural capacity of a watercourse or an inland wetland to support desirable biological life, prevent flooding, supply water, facilitate drainage, and provide recreation and open space; **or**
- 6.11.4 Any activity which would result in degradation of a watercourse or the surface or ground water

of an inland wetland, such degradation to be measured by the standards of CTDEP, if applicable; **or**

6.11.5 Any activity which involves the construction or obstruction of an inland wetland or watercourse.

6.12 Class C - Optional Referrals.

Upon receipt of the required application, the Commission may refer one copy to each of the following agencies for review and comment at least thirty (30) days prior to the date set for public hearing, but failure to receive a written review should not delay the hearing or prejudice the decision:

6.12.1 The New Haven County Soil and Water Conservation District.

6.12.2 The South Central Regional Council of Governments.

6.12.3 The South Central Regional Water Authority.

6.12.4 The conservation or planning commission in any municipality whose border lies within 500 feet of any wetland or watercourse that may be affected by the proposed activity, as well as the town clerk of that municipality as required by P.A. 87-307.

6.12.5 The Connecticut Department of Environmental Protection.

6.12.6 The Environmental Advisory Council of the City of New Haven.

6.13 Public Hearing Requirements.

6.13.1 **Hearing on Significant Activities.** A public hearing shall be held on all applications where the Commission determines that the proposed activity may have a significant impact on wetlands or watercourses, or upon the receipt of a petition requesting a hearing filed not later than fourteen (14) days after the date of receipt of the application and signed by at least twenty-five (25) persons eighteen (18) years of age or older residing in the City of New Haven. The Commission may elect to hold a public hearing on any application which the Commission determines is in the public interest. The Commission may issue a permit without a public hearing provided no petition provided for in this section is filed with the Commission not later than fourteen (14) days after the date of receipt of the application.

6.13.2 **Notice.** Notice of hearing shall be published at least twice at intervals of not less than two (2) days, the first not more than fifteen (15) days and not fewer than ten (10) days, and the last not less than two (2) days before the date set for the hearing in a newspaper having a general circulation in the City of New Haven. Notices of hearings shall be sent to the applicant, property owners of record within 200 feet of the subject property, and to the CTDEP Commissioner, not less than seven (7) days prior to the hearing date. Any person may appear and be heard at any such public hearing.

6.13.3 **Public Inspection of Documents.** All applications, maps, and documents relating to this hearing shall be open for public inspection in the City Plan Department.

6.13.4 **Continuation.** Where possible, public hearings shall be completed in a single session. However, the hearing may be continued (to a date certain) where necessary for the full development of the evidence, or for the full and adequate participation of the parties, or for such other substantial purposes. In no case shall continuances be used as a device for delay.

6.13.5 **Completion.** The public hearing must be scheduled within sixty-five (65) days of receipt of the application and shall be completed within thirty-five (35) days of its commencement. The Commission shall state the reasons for its decision in accordance with the provisions of Section 7.5 of these Regulations.

6.13.6 **Time Limit for Decision.** The Commission must render a decision to grant or deny a Class C Application within thirty-five (35) days following the close of the public hearing.

- 6.13.7 **Extension of Time for Approval.** The applicant may consent to one or more extensions of any period specified herein, provided that the total extension of all such periods shall not be for longer than sixty-five (65) days, or may withdraw such application.
- 6.13.8 **Notice of Decision.** The Commission shall inform the applicant of its decision in granting with or without conditions, or in denying a permit, by certified mail, return receipt requested, within fifteen (15) days of the date of such decision. The Commission shall cause notice of the issuance or denial of a permit to be published within fifteen (15) days of the date of the decision in a daily newspaper having a general circulation in the City of New Haven. In any case in which such notice is not published within such fifteen (15) day period, the applicant may provide for the publication of such notice within ten (10) days thereafter.
- 6.13.9 **Denial of Permit.** If the Commission denies a permit, any further consideration of the same area or activity shall be in response to a new and separate application. Incomplete applications may be denied.
- 6.13.10 **Written Wetlands Finding Required Prior to Zoning Approval.** If the activity to be authorized by the inland wetland permit also involves an activity or a project which requires zoning approval, no work pursuant to the wetland permit is authorized until such approval is obtained, nor shall the decision of the City Plan Commission or Board of Zoning Appeals be rendered until the written report on the wetland application has been received.

SECTION 7 - APPLICATION EVALUATION CRITERIA

- 7.1 The Commission shall be guided in its review of Class B and C Applications by the criteria presented in this Section. Before taking action on a Class B or C Application, the Commission shall seek to determine the environmental impact of the proposed activity, and the importance of the regulated area affected by the proposed activity. In the case of an application which received a public hearing, a permit shall not be issued unless the Commission finds that a feasible and prudent alternative does not exist. The Commission shall consider the application evaluation criteria in making the required written finding.
- 7.2 **Environmental Impact Criteria.**
- 7.2.1 The ability of the regulated area to continue to absorb, store or purify water or to prevent flooding.
- 7.2.2 Increased erosion problems resulting from changes in grades, ground cover, or drainage features.
- 7.2.3 The extent of additional siltation or leaching and its effect on water quality and aquatic life.
- 7.2.4 Changes in the volume, velocity, temperature or course of a waterway and their resulting effects on plant, animal and aquatic life.
- 7.2.5 Natural, historic or economic features that might be destroyed, rendered inaccessible or otherwise affected by the proposed activity.
- 7.2.6 Changes in suitability of the area for recreational and aesthetic enjoyment.
- 7.2.7 Existing flood encroachment lines, flood plain and streambelt zoning and requirements for dam construction.
- 7.2.8 Any change in the alkalinity/acidity level, turbidity, bacteria count, or temperature of the water, or any alteration of its odor, color or test and the effect any such change may have on aquatic organisms or other wildlife, water supply and quality, or recreational and aesthetic enjoyment.
- 7.2.9 The existing and desired quality and use of the water in and near the affected area.
- 7.2.10 Reports from other City of New Haven agencies and commissions including, but not limited to:
- a) Environmental Advisory Council
 - b) Building Official

c) City Engineer

Non-receipt of comments from agencies and commissions listed in these Regulations within the prescribed time shall neither delay nor prejudice the decision of the Commission.

7.3 Importance of Regulated Areas.

- 7.3.1 Existing or potential use of the area as a surface or ground water supply.
- 7.3.2 The extent to which the area serves as a recharge area or purifier of surface or ground waters.
- 7.3.3 The function of the area as part of the natural drainage system for the watershed.
- 7.3.4 The importance of the area as a natural wildlife feeding or breeding area.
- 7.3.5 The existing and potential use of the area for recreational purposes.
- 7.3.6 The existence of rare or unusual concentrations of botanical species.
- 7.3.7 The availability of other open spaces in the surrounding area.
- 7.3.8 The value of the area for flood control.

7.4 Factors for Consideration

In carrying out the purposes and policies of sections 22a-36 to 22a-45 inclusive, of the Connecticut General Statutes, including matters relating to regulating, licensing and enforcing of the provisions thereof, the Commission shall take into consideration all relevant facts and circumstances, including but not limited to:

- 7.4.1 **Environment Impact.** The environment impact of the proposed regulated activity on wetlands and watercourses.
- 7.4.2 **Feasible and Prudent Alternatives.** The evaluation of any feasible and prudent alternatives to the proposed regulated activity which would cause less or no environmental impact to wetlands and watercourses.
- 7.4.3 **Short versus Long Term Impacts.** The relationship between the short and long term impacts of the proposed regulated activity on wetlands or watercourses and the maintenance and enhancement of long-term productivity of such wetlands or watercourses.
- 7.4.4 **Potential Loss of Irreplaceable Resources.** Irreversible and irretrievable loss of wetland or watercourse resources which would be caused by the proposed regulated activity, including the extent to which such activity would foreclose a future ability to protect, enhance or restore such resources, and any mitigation measures which may be considered as a condition of issuing a permit for such activity including, but not limited to, measures to:
 - a) prevent or minimize pollution or other environmental damage,
 - b) maintain or enhance existing environmental quality, or
 - c) in the following order of priority: restore, enhance and create productive wetland or watercourse resources.
- 7.4.5 **Potential Property Impairment.** The character and degree of injury to, or interference with, safety, health, or the reasonable use of property which is caused or threatened by the proposed regulated activity.
- 7.4.6 **Outside Impact.** Impacts of the proposed activity on wetlands or watercourses outside the area for which the activity is proposed and future activities associated with or reasonably related to the proposed regulated activity which are made inevitable by the proposed activity and which may have an impact on wetlands and watercourses.

7.5 Required Findings - Class C Application.

When the Commission finds that the proposed regulated activity is a Class C Application, it must make written findings which shall attest the following:

- 7.5.1 That no feasible and prudent alternative exists.

- 7.5.2 That no preferable location on the subject parcel or elsewhere can reasonably be required.
- 7.5.3 That no further modification of the proposed activity can reasonably be required taking into account the resources of the applicant, to further reduce any adverse environmental impacts.
- 7.5.4 That the public benefit of the proposed activity justifies any possible degradation of the regulated area.
- 7.6 Finding on Basis of Non-Existence of Feasible and Prudent Alternatives.** If the Commission has made a finding that the proposed activity may have a significant impact on wetlands or watercourses and has held a public hearing pursuant to this finding, a permit shall not be issued unless the Commission finds on the basis of the record that a feasible and prudent alternative does not exist. In making this finding the Commission shall consider the facts and circumstances set forth in subsection 7.4 of this section. The finding and the reasons therefor shall be stated on the record in writing. A conclusion that a feasible and prudent alternative does not exist does not create a presumption that a permit should be issued. The applicant has the burden of demonstrating that the application is consistent with the purposes and policies of these Regulations and sections 22a-36 to 22a-45, inclusive, of the Connecticut General Statutes.
- 7.7 Finding of Denial on Basis of Existing Feasible and Prudent Alternatives with less Adverse Effect.** In the case of an application which is denied on the basis of a finding that there may be feasible and prudent alternatives to the proposed regulated activity which have less adverse impact on wetlands or watercourses, the Commission shall propose on the record in writing the types of alternatives which the applicant may investigate provided this subsection shall not be construed to shift the burden from the applicant to prove that he or she is entitled to the permit or to present alternatives to the proposed regulated activity.
- 7.8 Finding to be based upon public hearing record.** In reaching its decision on any application after a public hearing, the Commission shall base its decision on the record of that hearing. Documentary evidence or other material not in the hearing record shall not be considered by the Commission in its decision.

SECTION 8 - DURATION OF APPROVAL; LAPSE OF APPROVAL; RENEWAL; TRANSFERABILITY; AND REVOCATION.

- 8.1 Duration of Approval.** Any permit issued by the Commission for the development of land for which an approval is required under these Regulations shall be valid for five (5) years provided the Commission may establish a specific time period within which any regulated activity shall be conducted.
- 8.2 Lapse of Approval.** The Zoning Enforcement Officer shall determine the status of an approval and make a determination if the approval is valid or if approval has lapsed.
- 8.3 Renewal.** An approved plan may be renewed by the City Plan Commission if it is determined that findings made and conditions imposed on the original approval still apply. Applications for renewal shall be made in writing between not less than thirty (30) nor more than sixty (60) days prior to the lapse of the original approval. Upon timely application, a renewal may be granted after the expiration. An extension under this section shall be granted one time only and

for a period of time of up to a maximum of five (5) years, provided no permit may be issued for more than ten (10) years.

8.4 Transferability. Permits are not transferable without the prior written approval of the Commission.

8.5 Revocation. Pursuant to Section 62 of the New Haven Zoning Ordinance and Section 13 of these Regulations, the Zoning Enforcement Officer may revoke a plan approval and/or any permit(s) associated with an approved plan that is exercised in violation of said approval.

SECTION 9- OTHER PERMITS

Nothing in these Regulations shall obviate the requirements for the applicant to obtain any other assents, permits, or licenses required by law or regulation by the City of New Haven, the State of Connecticut or the Government of the United States including any approval required by the Connecticut Department of Environmental Protection and the US Army Corps of Engineers. Obtaining such assents, permits, or licenses is the sole responsibility of the applicant.

SECTION 10 - ACTION BY DULY AUTHORIZED AGENT

10.1 The Commission may delegate to its duly authorized agent the authority to approve or extend a license for an activity that is not located in a wetland or watercourse when such agent finds that the conduct of such activity would result in no greater than a minimal impact on any wetlands or watercourses provided such agent has completed the comprehensive training program developed by the Commissioner of Environmental Protection pursuant to section 22a-39 of the Connecticut General Statutes. Requests for such approval shall be made on a form provided by the Commission and shall contain the information listed on the form and any other information the Commission may reasonably require. Notwithstanding the provisions for receipt and processing applications prescribed in these Regulations, such agent may approve or extend such an activity at any time.

10.2 Any person receiving such approval from such agent shall, within ten days of the date of such approval, publish, at the applicant's expense, notice of the approval in a newspaper having a general circulation in the City of New Haven. Any person may appeal such decision of such agent to the Commission within fifteen days after the publication date of the notice and the Commission shall consider such appeal at its next regularly scheduled meeting provided such meeting is not earlier than three business days after receipt by such Commission or its agent of such appeal. Any person may appear and be heard at the meeting held by the Commission to consider the subject appeal. The Commission shall, at its discretion, sustain, alter, or reject the decision of its agent or require an application for a permit in accordance with these Regulations.

SECTION 11 - APPEALS**11.1 Appeal of Decision.**

If an application for a permit is denied or approved with conditions unacceptable to the applicant, any party may appeal the decision of the Commission to the Superior Court for the Judicial District of New Haven within fifteen (15) days after publication of such regulation, order, decision or action. All appeals shall follow the procedure outlined in Section 22a-43 of the Connecticut General Statutes, as amended.

11.2 Notice of Appeal to CTDEP.

The Commission shall notify CTDEP of any such appeals, and enclose a copy of the regulation, order, decision or action upon which it is based.

11.3 Remand upon Appeal.

If, upon appeal, the Court finds that the appealed action constitutes the equivalent of a taking without compensation, it shall set aside the action, or it may modify the action so that it does not constitute a taking. In both instances, the Court shall remand the order to the Commission for action not inconsistent with its decision.

SECTION 12- AMENDMENTS TO REGULATIONS TEXT AND MAP**12.1 Amendment of Regulations.**

These Regulations, including wetlands boundaries as shown on the Map, may be amended, changed or repealed, after a public hearing by the Commission. Such change shall become effective upon filing notice of such change in the Office of the City Clerk.

12.1.1 Once approved by the Commission, no application filed with the Commission shall be required after the date of decision to comply with any future change in the Regulations, including changes to setbacks and buffers. Any appeal from the decision of the Commission with respect to the application shall not be dismissed by the Superior Court on the grounds that such a change has taken effect on or after the date of receipt.

12.1.2 The provisions of this subsection shall not be construed to apply to the establishment, amendment or change of boundaries of inland wetlands or watercourses or to any change in the Regulations to make them consistent with the provisions of Chapter 440 of the Connecticut General Statutes as of the decision date.

12.2 Amendment of Map.

Any person may petition for a change of a wetland boundary as shown on the Map by making application to the Commission. Petitions for changes or amendments to the Map shall contain (a) the petitioner's name, address and telephone number; (b) the address of the land affected by the petition; (c) the petitioner's interest in such land; (d) map(s) showing the geographic location and the existing and proposed wetland(s) and watercourse(s) boundaries in accurate detail together with the documentation supporting such proposed boundary locations; and (e) the reasons for the requested action. The petition shall also include (f) the owner's name, address and telephone number; (g) names and addresses of owners of abutting land; (h) proof that written notice of the petition has been sent by certified mail, return receipt requested, to the owner and abutting property owners; (i) written documentation by a soil scientist of the distribution and location of wetlands soils, including a map indicating the flag locations set by

the soil scientist and defining the boundaries of wetland soil types; and (j) map(s) showing any proposed development of the land in relation to existing and proposed wetland and watercourse boundaries.

- 12.2.1 Any person who submits a petition to amend the Inland Wetland and Watercourses Map, New Haven, Connecticut, shall bear the burden of proof for all requested Map amendments. Such proof may include, but is not limited to, professional interpretation of aerial photography and remote sensing imagery, resource mapping, soils mapping, or other information acceptable to the Commission. Watercourses shall be delineated by a soil scientist, geologist, ecologist, or other qualified individual.
- 12.2.2 All such petitions for Map amendments shall be considered at a public hearing, for which notice shall be published in a newspaper having general circulation in the municipality at least twice at intervals of not less than two days, the first not more than fifteen (15) days nor less than ten (10) days, and the last not less than two (2) days, before such hearing. A copy of such proposed boundary change including maps and supporting documents shall be available for public inspection at the City Plan Department.
- 12.2.3 Within sixty-five (65) days after receipt of a petition for a Map amendment, the Commission shall hold a public hearing to consider the petition. The public hearing shall be concluded within thirty-five (35) days. The Commission shall act upon the changes requested in such petition within sixty-five (65) days after the close of the hearing.
- 12.2.4 In evaluating a petition for a change in wetlands regulations or boundaries, the Commission may require additional information to support the petition.
- 12.2.5 The Commission shall make its decision and state, in writing, the reasons why the change in the Map was made.
- 12.2.6 **Extension.** The petitioner may consent to one or more extensions of the periods specified in this subsection for the holding of a hearing and for action on such petition, provided the total extension of any such period is not for longer than sixty-five (65) days, or may withdraw such petition. The failure of the Commission to act within any time period specified in this subsection, or any extension thereof, shall not be deemed to constitute approval of the petition.

12.3 Notice to CTDEP.

A copy of the notice and the proposed regulations or amendments thereto, except determinations of boundaries, shall be provided to the CTDEP Commissioner at least thirty-five (35) days before commencement of a hearing on their adoption.

SECTION 13 - ENFORCEMENT

13.1 Enforcement Official.

The Commission designates the Zoning Enforcement Officer or his designee to enforce these Regulations and may designate additional agents if it so chooses.

13.2 Site Visit.

Application for a permit shall constitute permission for, and consent to, Commission inspections of the site of the proposed activity at any reasonable time before or after the granting of a permit for regulated activity.

13.3 Permit Posted.

The permit shall be prominently posted at the site by the applicant prior to commencement of work and shall remain posted until work is completed.

13.4 Court Order for Inspection.

The Commission shall be authorized to seek such necessary court orders as will permit it to inspect land, not to include entry into a private residence, whereon the Commission has probable cause to believe that a regulated activity is in progress, and for which no application has been filed.

13.5 Notice of Violation.

The Commission may issue a notice of violation to such person conducting such activity or maintaining such facility or condition which is in violation of the Act or these Regulations, stating the nature of the violation, the jurisdiction of the Commission, and prescribing the necessary action and steps to correct the violation including, without limitation, halting work in wetlands and watercourses. The Commission may request that the individual appear at the next regularly scheduled meeting of the Commission to discuss the unauthorized activity, and/or to provide a written reply to the notice or file an application for the necessary permit. Failure to carry out the action(s) directed in a notice of violation may result in issuance of the order provided in 13.6 or other enforcement proceedings as provided by law.

13.6 Cease and Desist.

If the Commission or its designated field agent finds that any person is conducting or maintaining any activity, facility, or condition which is in violation of the Act or these Regulations, the Commission or its duly authorized agent may issue a written order by certified mail, return receipt requested, to such a person conducting such activity or maintaining such facility or condition to immediately cease such activity or to correct such facility or condition. Within ten (10) calendar days of the issuance of such order the Commission shall hold a hearing to provide the person an opportunity to be heard and to show cause why the order should not remain in effect. The Commission shall consider the facts presented at the hearing and within ten (10) days of the completion of the hearing notify the person by certified mail that the original order remain in effect, that a revised order is in effect, or that the order has been withdrawn. The Commission shall publish notice of its decision in a newspaper having general circulation in the City of New Haven. The original order shall be effective upon issuance and shall remain in effect until the Commission affirms, revises or withdraws the order. The issuance of an order pursuant to this subsection shall not delay or bar an action pursuant to section 22a-44(b) of the Connecticut General Statutes, as amended.

13.7 Revocation of Permit.

The Commission may, following a public hearing, suspend or revoke a permit if it finds that the applicant has not complied with any of the conditions or limitations set forth in the permit or has exceeded the scope of the work as set forth in the application including application plans.

Prior to revoking or suspending any permit, the Commission shall issue notice to the permittee, by personal service or by certified mail, return receipt requested, setting forth the facts or conduct which warrants the intended action. The Commission shall hold a hearing to provide

the permittee an opportunity to show that he/she is in compliance with his/her permit and any and all requirements for retention of the permit.

13.8 Notice to Permittee.

The permittee shall be notified of the Commission's decision to suspend, revoke, or maintain a permit by personal service or certified mail within fifteen (15) days of the date of its decision.

13.9 Fine Authorized.

Any person who commits, takes part in, or assists in any violation of any provisions of these Regulations shall be fined not more than one thousand dollars for each offense, and in the case of a continuing violation, each day's continuance thereof shall be deemed to be a separate and distinct offense.

13.10 Restraining Order.

The Superior Court, in any action brought by the Commission, the City of New Haven or any person, shall have jurisdiction to restrain a continuing violation of these Regulations to issue orders directing that the violation be corrected or removed.

13.11 Costs, Fees, Expenses Allocation.

All costs, fees and expenses in connection with such action shall be assessed as damages against the violator. The Court may authorize the moneys collected pursuant to this Section to be used to restore the affected wetland or watercourse to its condition prior to the violation wherever possible.

SECTION 14 - BOND AND INSURANCE

14.1 Bond.

A security bond, letter of credit, escrow account, or improvement guarantee agreement between the applicant, the lender and the City, in a form approved by the Commission, may be required as a condition of the finding. The bond or surety shall be conditioned on compliance with all provisions of these Regulations and the terms, conditions, and limitations established in the permit.

14.2 Insurance.

The applicant may be required to furnish certification of adequate Public Liability Insurance coverage for any and all damages which might occur within one (1) year of completion of the operation or use. The Commission may determine the adequacy of the coverage.

SECTION 15 - CONFORMITY WITH STATE REGULATIONS

15.1 Suspension of Regulations upon CTDEP Notice.

The enforcement of these Regulations, or any part thereof, including maps and amendments, shall be suspended upon receipt of notice from CTDEP that such regulations are not in conformity with regulations promulgated by the Commissioner pursuant to the Inland Wetlands and Watercourses Act. Only the operation of such non-conforming section or sections shall be suspended.

15.2 Amendment to Conform with State Regulations Required.

The Commission shall initiate proceedings to amend such non-conformance, pursuant to the

amendment procedures of Section 22a-42a of the Connecticut General Statutes, Amendments to the Inland Wetlands and Watercourses Act.

SECTION 16 - REPORT TO CTDEP REQUIRED

The City shall furnish information to the CTDEP Commissioner in such form and manner as CTDEP may request.

SECTION 17 - CONFLICT AND SEVERANCE

- 17.1** If there is a conflict among the provisions of these Regulations, the provision which imposes the most stringent standards for use of wetland and watercourses shall govern.
- 17.2** If any section, subsection, sentence, or portion of these Regulations is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of these Regulations.
- 17.3** If there is a conflict between the provisions of these Regulations and the provisions of the Act, the provisions of the Act shall govern.

SECTION 18 - ASSESSMENT RELIEF

Any owner of wetlands and watercourses who may be denied a permit in connection with a regulated activity affecting such wetlands and watercourses shall, upon written application to the Assessor of the City of New Haven, be entitled to a revaluation of such property to reflect the fair market value thereof in light of the restriction placed upon it by the denial of such permit, effective with respect to the next succeeding assessment list, provided no such revaluation shall be effective retroactively.

SECTION 19 - FEES

- 19.1** Application fees are as stipulated in Section 17-201 of the Code of Ordinances of the City of New Haven, as amended.
- 19.2** Agencies, boards and commissions of the city, state and federal governments are fee exempt, except for publication costs.
- 19.3** There is no fee for a permit.

SECTION 20 - EFFECTIVE DATE

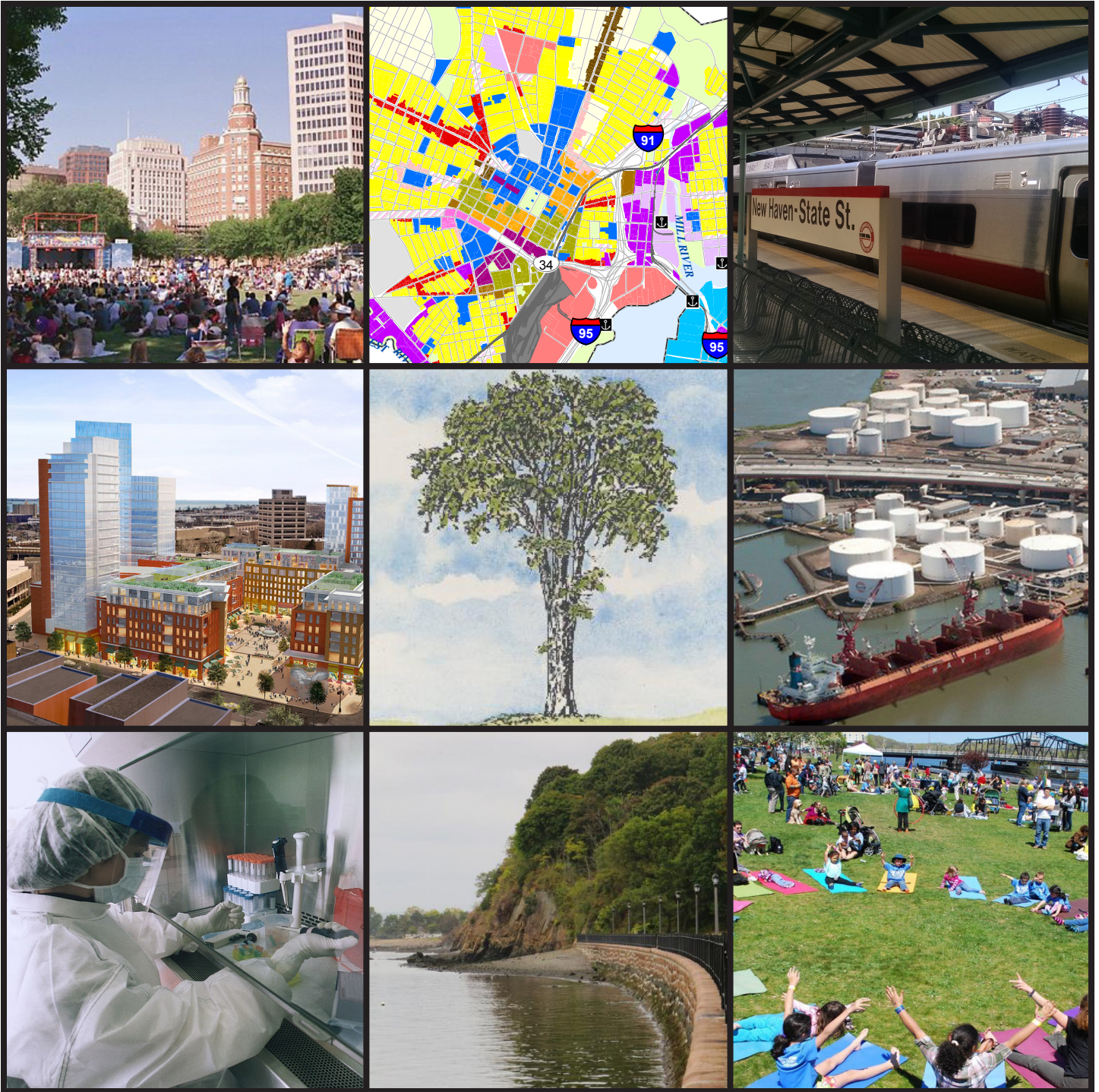
These Regulations shall become effective after adoption by the City Plan Commission upon filing notice thereof with the Office of the City Clerk, New Haven, Connecticut and upon publication of a notice in a newspaper having general circulation in the City of New Haven.

Adopted November 16, 1988

Amendment #8: Revised September 17, 2008

New Haven Vision 2025

A Plan for a Sustainable, Healthy, and Vibrant City



City of New Haven, Connecticut
Toni N. Harp, Mayor
November 2015

Vision 2025 compiled by New Haven City Plan Department:

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On behalf of the New Haven City Plan Commission:

Edward Mattison
Chairman

Roy Smith, Jr.
Vice Chair (former)

Adam J. Marchand
Aldermanic Representative (D-25)

Kevin DiAdamo
Member

Richard H. Miller
City Engineer (retired)

Leslie Radcliffe
Member

Maricel Ramos-Valcarel
Member

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With additional contributions from:

Mark Abraham, Executive Director, DataHaven, New Haven, CT
Charles Anyinam, GIS/Crime Statistics, New Haven Police Department
Clifford Atkins, Property Appraiser/Assessor, Assessor's Office, New Haven, CT
Rebecca Bombero, Director, Department of Parks, Recreation, and Trees, New Haven, CT
Joshua Borenstein, Managing Director, Long Wharf Theater, New Haven, CT
Bradley Bullis, Public Services Administrator for Adult Services, New Haven Free Public Library, New Haven, CT
William F. Clark, Chief Operating Officer, New Haven Board of Education, New Haven, CT
Michael Courtney, Manager, Assessor's Office, New Haven, CT
Frank D'Amore, Deputy Director, Office of Livable City Initiative, New Haven, CT
Barry Diggs, Supervisor of Scheduling, CTTRANSIT, New Haven Division
Donna DiNello, Records Supervisor, New Haven Police Department, New Haven, CT
Renee Dobos, Chief Operating Officer, New Haven Housing Authority, New Haven, CT
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Jon Foster, Rail Operations, Connecticut Department of Transportation, Newington, CT
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Douglas Hausladen, Director, Department of Transportation, Traffic, and Parking, New Haven, CT
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William Villano, Executive Director, Workforce Alliance, Inc., New Haven, CT
Alec Vincitorio, GIS Manager, Office of Information Technology, New Haven, CT
Will Warren, Economic Development Project Manager, REX Development, North Haven, CT
Carla Weil, Executive Director, Greater New Haven Community Loan Fund, New Haven, CT
Sarah Wilcox, Finance and Human Resources Manager, New Haven Open at Yale, New Haven, CT
Erin Wilson, Planner, Milone and MacBroom, Inc., Branford, CT
Anne Worcester, Tournament Director, Connecticut Open, New Haven, CT
Lauren Zucker, Associate Vice President of New Haven Affairs, Yale University, New Haven, CT

Special thanks to:

Members of the Community Management Teams, New Haven Development Commission, and New Haven Redevelopment Agency, as well as residents of New Haven for offering insight at various meetings and workshops



**CITY PLAN COMMISSION
NEW HAVEN, CONNECTICUT
RESOLUTION**

WHEREAS, It is the duty of the City Plan Commission to prepare a comprehensive plan pursuant to the Charter of the City of New Haven, Article VII, Section 3 L (3) (a), and Connecticut General Statutes (C.G.S.), Section 8-23: "Preparation, amendment or adoption of plan of conservation and development by planning commissions" and;

WHEREAS, An Act Creating a City Plan Commission in the City of New Haven, enacted by the State Legislature in 1913 states that "It shall be the duty of said City Plan Commission...to prepare a comprehensive plan for the systematic and harmonious development of the City...", and;

WHEREAS, The City Plan Commission finds that the Comprehensive Plan of Development "New Haven Vision 2025", dated September 2015, provides for the systematic and harmonious development of the city;

WHEREAS, The City Plan Commission prepared the Comprehensive Plan update in a manner consistent with Connecticut General Statutes and considered the community development action plan of the city; the need for affordable workforce housing; the need for protection of existing public surface and ground water drinking supplies; the need for protection of potential public surface and ground water drinking supplies; the use of cluster development and other development patterns to the extent consistent with soil types; terrain and infrastructure capacity within the municipality; the state plan of conservation and development, the regional plan of development, the physical, social, economic and governmental conditions and trends; the needs of the municipality including but not limited to, human resources, education, health, housing, recreation, social services, public utilities, public protection, transportation and circulation, cultural and interpersonal communications; the objectives of energy efficient patterns of development; the use of solar and other renewable forms of energy; and energy conservation;

WHEREAS, The Comprehensive Plan promotes housing choice and economic diversity in housing, including housing for both low and moderate income households, and encourages the development of housing which will meet the housing needs identified in the housing plan prepared pursuant to C.G.S. Section 8-37t and in the housing component and the other components of the state plan of conservation and development prepared pursuant to C.G.S. Section 16a-26.;

WHEREAS, The Comprehensive Plan makes provision for the development of housing opportunities, including opportunities for multi-family dwellings, consistent with soil types, terrain and infrastructure capacity for all residents of New Haven and for all residents of the South Central Connecticut planning region;

WHEREAS, The Comprehensive Plan is a statement of the policies, goals and standards for physical development of New Haven; and the policies, goals and standards for the economic development of the municipality; and is designed to promote with the greatest efficiency and

economy the coordinated development of New Haven and the general welfare and prosperity of its people;

WHEREAS, The Comprehensive Plan recommends the most desirable use of land within the city for residential purposes, recreational purposes, commercial purposes, industrial purposes, conservation and other purposes;

WHEREAS, The Comprehensive Plan recommends the most desirable density of population in the city and notes inconsistencies with the state plan of conservation and development;

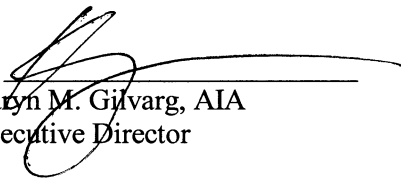
WHEREAS, The Comprehensive Plan is consistent with the Municipal Coastal Program requirements of the Connecticut Coastal Management Act, C.G.S., Sections 22a-101 to 22a-104 inclusive and makes reasonable consideration for restoration and protection of the ecosystem and habitat of Long Island Sound and is designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris in Long Island Sound;

WHEREAS, The South Central Regional Planning Commission approved the draft of the Comprehensive Plan update on June 15, 2015;

WHEREAS, The City Plan Commission held public hearings on June 17, 2015, July 15, and September 17, 2015, on the Comprehensive Plan pursuant to Connecticut General Statutes and is in compliance with laws and regulations governing the adoption of a Comprehensive Plan;

NOW THEREFORE BE IT RESOLVED, by the City Plan Commission of the City of New Haven, that the City Plan Commission does hereby adopt the "New Haven Vision 2025" update of the Comprehensive Plan of Development, for New Haven, Connecticut.

ADOPTED: September 17, 2015
Edward Mattison
Chair

ATTEST: 
Kathryn M. Gilvarg, AIA
Executive Director



**CITY PLAN COMMISSION
NEW HAVEN, CONNECTICUT
RESOLUTION**

WHEREAS, it is the duty of the City Plan Commission to prepare and amend a comprehensive plan pursuant to the Charter of the City of New Haven, Article VII, Section 3 L (3) (a), and Connecticut General Statutes (C.G.S.), Section 8-23: "Preparation, amendment or adoption of plan of conservation and development by planning commissions" and;

WHEREAS, an Act Creating a City Plan Commission in the City of New Haven, enacted by the State Legislature in 1913 states that "It shall be the duty of said City Plan Commission...to prepare a comprehensive plan for the systematic and harmonious development of the City....", and;

WHEREAS, the City Plan Commission finds that the Comprehensive Plan of Development "New Haven Vision 2025" provides for the systematic and harmonious development of the city;

WHEREAS, the City Plan Commission adopted "New Haven Vision 2025" on September 17, 2015;

WHEREAS, "New Haven Vision 2025" endorses the creation of neighborhood plans, which guide future development and are amendments to the City's Comprehensive Plan of Development;

WHEREAS, the City collaborated with a broad array of local stakeholders in creating the "Hill to Downtown Community Plan (2014)", a neighborhood plan intended to guide future development in the region of New Haven between the Hill neighborhood and Downtown;

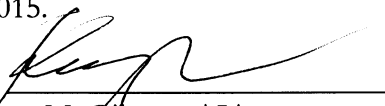
WHEREAS, subsequent to a public hearing held by the Legislation and Community Development Committees of the Board of Alders (March 2014), the City collaborated with key local stakeholders in making changes to the Hill to Downtown Community Plan, to be in accord with concerns raised by local residents.

WHEREAS, the full Board of Alders of the City of New Haven approved "New Haven Vision 2025" on November 5, 2015 and suggested that the text below be substituted in Housing and Neighborhood Planning chapter on page IV-27 under the section entitled "Hill," as well as, in "Executive Summary" on page lviii under the section entitled "Plan Implementation," under the sub-section entitled "Key Near-Term Actions," under Strategy 1-Establish the Hill-to-Downtown Steering Committee of the Hill to Downtown Community Plan (2014):

"An official Hill-to-Downtown Steering Committee model shall include the four Hill Alders or their designees, two designees from the Hill Management Teams [one from Hill North and one from Hill South elected by their respective Management Teams], two City of New Haven Officials designated by the Mayor [one from City Plan and one from Economic Development], and two representatives from local institutions or businesses nominated by the Mayor and approved by the Board of Alders."

NOW THEREFORE BE IT RESOLVED, by the City Plan Commission of the City of New Haven, that "New Haven Vision 2025" be amended accordingly and re-adopted with the updated document becoming effective on December 1, 2015.

ADOPTED: November 18, 2015
Edward Mattison
Chair

ATTEST: 
Karyn M. Gilvarg, AIA
Executive Director



City of New Haven

RECEIVED

165 Church Street
New Haven, CT 06510
(203) 946-6483 (phone)
(203) 946-7476 (fax)
cityofnewhaven.com

Master

File Number: LM-2015-0243

REC 01 2015
CITY PLAN DEPT.
165 CHURCH ST.
NEW HAVEN, CT 06510

File ID: LM-2015-0243 **Type:** Order **Status:** On File

Version: 2 **Reference:** **In Control:** City Clerk

File Created: 05/26/2015

File Name: **Final Action:** 11/05/2015

Title: RESOLUTION OF THE BOARD OF ALDERS APPROVING THE CITY PLAN COMMISSION'S NEW COMPREHENSIVE PLAN OF DEVELOPMENT

Notes: Not included in this file is the binder which includes the comprehensive plan. Awaiting for the link to be posted online to include. Otherwise the hard copies will be with Leg. Services

**CERTIFIED COPY
PASSED & APPROVED
ATTEST**

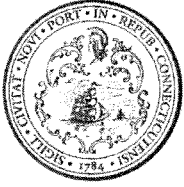
Jally K...

OLS Staff:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Board of Alders	06/01/2015	Referred	Joint Community Development/Legi slation			
	Action Text: This Resolution was Referred to the Joint Community Development/Legislation						
	Notes: concurrently referred to City Plan Commission, Transportation, Traffic and Parking, and Public Works						
1	Joint Community Development/Legislation	10/08/2015	Favorable Report	Board of Alders			
	Action Text: This Order was Favorable Report to the Board of Alders						
1	Joint Community Development/Legislation	10/08/2015					
1	Board of Alders	10/19/2015	Noted				
	Action Text: This Order was Noted						
2	Board of Alders	11/05/2015	Passed				Pass
	Action Text: This Order was Passed						



City of New Haven

165 Church Street
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(203) 946-7476 (fax)
cityofnewhaven.com

Signature Copy

Order: LM-2015-0243

File Number: LM-2015-0243

RESOLUTION OF THE BOARD OF ALDERS APPROVING THE CITY PLAN COMMISSION'S NEW COMPREHENSIVE PLAN OF DEVELOPMENT

WHEREAS, in accordance with the Special Act of 1913 creating a City Plan Commission in New Haven and in accordance with the Charter of the City of New Haven (Article VII, Section 3 L (3) (a)) it is the duty of the City Plan Commission to prepare a comprehensive plan and to recommend development plans for the improvement of the entire city;

WHEREAS, the City Plan Commission has prepared a draft update of the city's Comprehensive Plan of Development and submitted it for aldermanic review and approval; and

WHEREAS, the draft plan is prepared in a manner consistent with both local and state law, providing for the systematic and harmonious development of the city; and

WHEREAS, the City Plan Commission has held several community meetings and workshops, conducted a city wide survey that garnered 920 responses, and prepared or analyzed various data sources to prepare the plan; and

WHEREAS, the City Plan Commission will hold a public hearing on the plan in June this year; and

WHEREAS, the City Plan Commission has developed directives intended to improve the quality of neighborhoods, to maintain a regional standing, and to maintain a sense of place in New Haven; and

WHEREAS "New Haven Vision 2025" endorses the creation of neighborhood plans, which guide future development and are amendments to the City's Comprehensive Plan of Development;

WHEREAS the City collaborated with a broad array of local stakeholders in creating the "Hill to Downtown Community Plan", a neighborhood plan intended to guide future development in the region of New Haven between the Hill neighborhood and Downtown;

WHEREAS subsequent to a public hearing held by the Legislation and Community Development Committees of the Board of Alders, the City collaborated with key local stakeholders in making changes to the Hill to Downtown Community Plan, to be in accord with concerns raised by local residents.

BE IT HEREBY RESOLVED, the Board of Aldermen has reviewed the draft and approves

the new comprehensive plan of development as prepared by the City Plan Commission.

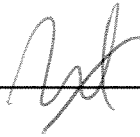
BE IT FURTHER RESOLVED by the Board of Alders of the City of New Haven that the Board of Alders hereby approves the Hill to Downtown Community Plan as recommended to be amended by the City and key local stakeholders, and dated November 2014.

BE IT FURTHER RESOLVED by the Board of Alders of the City of New Haven that the text below be substituted in "Summary," page xi, under the section entitled "Strategy 1: Continued Stakeholder Involvement," as well as in "Implementation," page 76, under the section entitled "Key Near-Term Actions: Establish the Hill-to-Downtown Steering Committee" of the Hill to Downtown Community Plan:

"An official Hill-to-Downtown Steering Committee model shall include the four Hill Alders or their designees, two designees from the Hill Management Teams [one from Hill North and one from Hill South elected by their respective Management Teams], two City of New Haven Officials designated by the Mayor [one from City Plan and one from Economic Development], and two representatives from local institutions or businesses nominated by the Mayor and approved by the Board of Alders."

At a meeting of the Board of Alders on 11/5/2015, this Order LM-2015-0243 was Passed.

Attest, City Clerk



Date

11/16/15

Signed, City Clerk



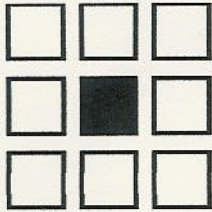
Date

11/16/15

Signed, Mayor

Date

NOV 16 2015
CITY CLERK
NEW HAVEN



New Haven Redevelopment Agency
165 Church Street, New Haven, CT 06510

Matthew Nemerson
Executive Director

Toni Harp, Mayor
Jorge Lopes, Chairman

July 15, 2015

Edward Mattison, Chair
New Haven City Plan Commission (CPC)
165 Church Street
New Haven, CT- 06510

Dear Mr. Mattison:

On behalf of the New Haven Redevelopment Agency (NHRA), I am writing to support the official adoption of New Haven Vision 2025 planning document which provides guidance to the future land use and planning in the city over the next decade. City Plan Director, Ms. Karyn Gilvarg, shared the draft document with us at our monthly meeting in May, 2015. In addition to this, City Plan staff regularly updated us about the plan during various stages of its development and considered our input in preparing draft recommendations.

This plan is our guide to stabilize inner city neighborhoods, increase housing opportunities for all, promote multi-modal transportation network, build a healthy city, and ensure a sustainable environment. The NHRA supports the preparation of neighborhood plans for the Fair Haven, Long Wharf, and Science Park areas (Newhallville/Dixwell neighborhoods) to connect residents to the waterfront and to available economic opportunities.

We urge you to adopt this plan as a critical first step in steering the anticipated population and housing growth in the city for the next decade in the right direction. Thank you for your time and consideration.

Sincerely,

Jorge Lopes, Chair
New Haven Redevelopment Agency

cc: Daisy Abreu, NHRA Co-Chair
Matthew Nemerson, Economic Development Administrator
Karyn Gilvarg, Executive Director, City Plan Department
Susmitha Attota, Assistant Director of Comprehensive Planning, City Plan Department



Toni N. Harp
Mayor

New Haven Development Commission
165 Church Street, New Haven, Connecticut 06510
Phone: (203) 946-2366 Fax: (203) 946-2391



Matthew Nemerson
Executive Director

July 14, 2015

Edward Mattison, Chair
New Haven City Plan Commission (CPC)
165 Church Street
New Haven, CT- 06510

Dear Mr. Mattison:

On behalf of the New Haven Development Commission (NHDC), I am writing this letter to endorse the New Haven Vision 2025 plan—the City of New Haven’s Comprehensive Plan update. At the June 9, 2015 NHDC meeting, City Plan staff member Ms. Susmitha Attota presented the draft recommendations of this planning document. Over the past two years, Ms. Attota attended NHDC meetings several times to brief us on key data findings, analyses, community feedback and also solicited input from us in developing the draft recommendations of the plan.

We have carefully reviewed the plan and believe that it provides a foundation for: achieving the most desirable land use pattern and density within the city, stabilizing our neighborhoods, re-connecting residents to the waterfront, enhancing our local economy, improving the streetscape, and ensuring a sustainable built and natural environment. We support the direction it provides in growing jobs, attracting and retaining businesses, enhancing the skills of local workforce, and building the city’s tax base.

Therefore, we strongly encourage the approval of this plan and look forward to implementing the community vision and planning recommendations over the next decade.

Sincerely,

Pedro Soto, Chair
New Haven Development Commission

- cc: Adam Marchand, CPC Member
- Leslie Radcliff, CPC Member
- Audrey Tyson, CPC Member
- Maricel Ramos-Valcarcel, CPC Member
- Kevin DiAdamo, CPC Alternate Member
- Giovanni Zinn, City Engineer
- Matthew Nemerson, Economic Development Administrator
- Karyn Gilvarg, Executive Director, City Plan Department
- Susmitha Attota, Assistant Director of Comprehensive Planning, City Plan Department



InfoNewHaven.com

203. 946.2366 Phone / 203. 946.2391 Fax

**SOUTH CENTRAL CONNECTICUT
Regional Planning Commission**

June 15, 2015

**RPC
Representatives**

Bethany:
Michael Calhoun

Branford:
Charles Andres

East Haven:
Vacant

Guilford:
Walter Corbiere

Hamden:
Ryszard Szczypek

Madison:
Christopher Traugh

Meriden:
David White

Milford:
Benjamin Gettinger

New Haven:
Kevin DiAdamo

North Branford:
Frances Lescovich

North Haven:
James Giulietti

Orange:
Vacant

Wallingford:
Vacant

West Haven:
Christopher Suggs

Woodbridge:
Peggy Rubens-Duhl

Susmitha Attota
Assistant Director of Comprehensive Planning
New Haven City Plan Department
165 Church Street
New Haven, CT 06510

**Re: City of New Haven: 2015 City of New Haven Comprehensive Plan Update
(New Haven Vision 2025)**

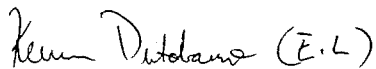
Dear Ms. Attota:

Thank you for sharing the City of New Haven 2015 Comprehensive Plan Update (New Haven Vision 2025). The Regional Planning Commission (RPC) reviewed the proposal at its meeting on Thursday, June 11, 2015.

By resolution, the RPC has determined that the 2015 Comprehensive Plan Update for the City of New Haven appears to be consistent with the policies and goals identified in both the State and Regional Plans of Conservation and Development.

Please contact us if you have any questions. Again, we appreciate your referring this matter to us.

Sincerely,



Kevin DiAdamo
Chairman, Regional Planning Commission

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LIST OF ACRONYMS

ACS	American Community Survey
ADA	Americans with Disabilities Act
AMI	area median income
BFE	base flood elevation
BOA	Board of Alders
C&D	construction and demolition
CAM	Coastal Area Management
CARE	Community Alliance for Research and Engagement
CDBG	Community Development Block Grant
CDBG-DR	Community Development Block Grant Disaster Recovery Program
CGS	Connecticut General Statutes
CLG	Certified Local Government
CMA	Consolidated Metropolitan Area
CMSC	Connecticut Main Street Center
CMT	Community Management Team
CNG	compressed natural gas
CO	carbon monoxide
ConnDOT	Connecticut Department of Transportation
CPC	City Plan Commission
CPTED	Crime Prevention through Environmental Design
CRS	Community Rating System
CSO	combined sewer overflow
CT DEEP	Connecticut Department of Energy and Environmental Protection
CTTRANSIT	Connecticut Transit
DECD	Department of Economic and Community Development
EDC	Economic Development Corporation
EPA	Environmental Protection Agency
ESG	Emergency Solutions Grant
ESL	English as a second language
ESWPAF	East Shore Water Pollution Abatement Facility
FAR	floor area ratio
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FIS	flood insurance study
GASSD	Grand Avenue Special Services District
GCC	Gateway Community College
GHG	greenhouse gas
GNHTD	Greater New Haven Transit District
GNHWPCA	Greater New Haven Water Pollution Control Authority
Gwh	gigawatt-hours



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LIST OF ACRONYMS

HANH..... Housing Authority of New Haven
HDC..... Historic District Commission
HOME HOME Investments Partnership Program
HOPWA..... Housing Opportunities for Persons with AIDS
IPCC Intergovernmental Panel on Climate Change
kW kilowatts
LCI..... Livable City Initiative
LDA Land Disposition Agreement
LEED..... Leadership in Energy and Environmental Design
LMA Labor Market Area
LTCP Long-Term Control Plan
LWLP Live, Work, Learn, Play
MDP..... Municipal Development Plan
Mgd million gallons per day
MSW..... municipal solid waste
MTA Metropolitan Transportation Authority
mW..... megawatts
NEC..... Northeast Corridor
NHDC..... New Haven Development Commission
NHLT New Haven Land Trust
NHRA New Haven Redevelopment Agency
NHZO New Haven Zoning Ordinance
NO₂nitrogen dioxide
NRD National Register District
NRZ..... Neighborhood Revitalization Zone
P&W Providence and Worcester Railroad
PILOT payment in lieu of taxes
PDD..... Planned Development District
PDU..... Planned Development Unit
PM..... particulate matter
ppm parts per million
QRCDC.....Quinnipiac River Conservation and Development Corridor
REX Regional Economic Development Agency
ROOF Real Options for Overcoming Foreclosure
RWA..... Regional Water Authority
SCRCOG South Central Regional Council of Governments
SCSU Southern Connecticut State University
sf..... square feet
SFHA Special Flood Hazard Area
SLEShore Line East

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LIST OF ACRONYMS

TCPU	transportation, communications, and public utilities
TDM.....	transportation demand management
TIP.....	Transportation Improvement Program
TTP.....	Transportation, Traffic, and Parking
URI.....	Urban Resources Initiative
VMT	vehicle miles traveled
WIA.....	Workforce Investment Act
WRAP.....	Winchester Revitalization Art Project
WRNSC	West River Neighborhood Services Corporation
WRWC	West River Watershed Coalition
YNHH	Yale-New Haven Hospital



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All maps within this document are created by New Haven City Plan Department using City of New Haven GIS parcel files as baseline data. These maps are for illustrative and community-based planning purposes only. Every reasonable effort has been made to assure the accuracy of the map and data provided; nevertheless, some information may not be accurate. The City of New Haven assumes no responsibility arising from the use of this information.

No warranty is made by the City of New Haven as to the accuracy, reliability or completeness of these data for individual or aggregate use with other data. Data used in these maps is compiled from various sources. Spatial information may not meet national map accuracy standards. This information may be updated without notification.



A. INTRODUCTION

New Haven is growing once again with large concentration of arts, culture and entertainment facilities of local, as well as regional significance; the presence of world-class educational/medical institutions; diverse and historic residential neighborhoods; multi-modal transportation systems; mixed-use commercial corridors; nearly 450 restaurants offering varied cuisines; approximately 350 retail establishments; and several public/private investments already underway or planned. The city is thus poised to become one of the best small cities in America in the near future. Although New Haven's population decreased by 25 percent between 1950 and 2000, including a 5.2 percent decrease between 1990 and 2000, the first decade of the 21st Century saw a reversal of this trend as the city's population increased by 5 percent, with a 4 percent increase in housing (US Census, 2010). Over the next decade, the population is forecasted to grow by nearly 15 percent over the next decade (CT Data Center, 2010 estimate). It is now one of the fastest growing cities in Connecticut. The shared community vision for the next decade is to further grow it into a sustainable, healthy, and vibrant city by building on existing strengths and opportunities.



Executive Summary

This update to the City’s 2003 Comprehensive Plan of Development was prepared in a manner consistent with Connecticut General Statutes (CGS) 8-23. It is a realistic assessment of existing conditions in the city, blueprint for the City’s vision for the next decade, and policy guide for achieving the City’s planning goals. The Plan update is necessary to both meet state statute requirements and to take a proactive and unified approach to guide future development and infrastructure investments within the city over the next decade through necessary changes to the City’s physical development policies and land use regulations. It responds to regional housing, economic, and transportation needs by analyzing socio-economic and housing trends of the past decade (as shown in the Databook) and recommending policies to stabilize the city’s position as a regional urban growth center over the next decade.

B. ACCOMPLISHMENTS OF PAST PLAN

The previous Comprehensive Plan of Development (2003) guided various sub-planning initiatives, planning projects, and large-scale developments in the city over the past decade. A list of accomplishments and progress made under each category discussed in Page II.29 of the 2003 Comprehensive Plan of Development are listed below (organized by planning topics):

Land Use Changes/Major Zoning Amendment Areas

- ❖ Grand Avenue (BA-1)
- ❖ Route 34 West (BA and RM-2)
- ❖ Hospital Area (BD-2)
- ❖ Former Coliseum Site (BD-3)
- ❖ Chapel Street (Expansion of BD-1)
- ❖ Lehman Brothers Property in East Rock (Changed from IL to RM-2)
- ❖ Register Site on Long Wharf (IL to BA)
- ❖ Union Street parcels in Wooster Square (BA to BD-1)
- ❖ West Rock: Rock View/Brookside(PDD)
- ❖ Yale School of Management (PDD)
- ❖ **New Residential Colleges at Yale** (PDD)
- ❖ Whalley Avenue Overlay Zone



Rendering of the approved new residential colleges at Yale overlooking Farmington Canal Trail near Prospect Street

Executive Summary



Housing and Neighborhood Planning Implementation Areas

New Neighborhood Forms:

- ❖ West Rock
- ❖ Quinnipiac Terrace

Neighborhood Revitalization In/Around Schools or Public Squares:

- ❖ Fair Haven K-8 School/Fair Haven on Grand Avenue/James Street
- ❖ Barnard School/West River
- ❖ Chatham Square/Fair Haven
- ❖ Clinton Avenue School Area
- ❖ John Daniels School Area

Transit-oriented Developments Implemented:

- ❖ Shartenberg Site (360 State Street)
- ❖ Former Union Trust Building in Downtown New Haven at 205 Church Street

Transit-oriented Developments Approved/Planned:

- ❖ Comcast site in Wooster Square at 630 and 673 Chapel Street
- ❖ 87 Union Street in Wooster Square
- ❖ Goatville in East Rock (State Street Lofts)

Municipal Development Plans Prepared and/or Adopted:

- ❖ River Street (adopted)
- ❖ Mill River (adopted)
- ❖ Route 34 West (prepared)

In addition, several small-scale housing rehab projects, such as the Putnam Street housing rehab project, were implemented across the city by the City or local non-profits using Community Development Block Grant (CDBG) and HOME Investments Partnership Program (HOME) funds. The New Haven residential licensing program was also established to address absentee landlords and eliminate blight.



View of Quinnipiac Terrace public housing development



View of 360 State Street mixed-use residential building



Rendering of the State Street Lofts –232 market rate apartments approved in East Rock neighborhood

Executive Summary



View of Science Park development in Newhallville neighborhood.

Economic Development Implementation Areas

Major Economic Development Initiatives Implemented:

- ❖ **Science Park** (development of new building at 25 Science Park and new mixed-use garage)
- ❖ Gateway Community College, Sargent Drive
- ❖ The Grove and The Grid entrepreneurship hubs
- ❖ 300 George Street—fully tenanted
- ❖ 900 Chapel Street
- ❖ 100 College Street (Downtown Crossing Phase I)
- ❖ Continuum of Care headquarters on Dwight Street
- ❖ Audubon Street
- ❖ New Haven Construction Workforce Initiatives—1 & 2 (training applicants to place them in construction fields)
- ❖ Mayor’s Community Arts Program (financial, technical, and marketing assistance to local artists and cultural programs)
- ❖ Project storefronts (encouraging temporary leases to fill empty storefronts and showcase local talent)

Recently Implemented Economic Development Initiatives (2014 - Present):

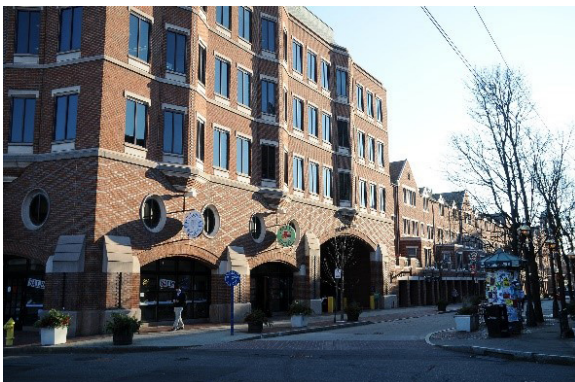
- ❖ Ignite! (web platform to raise funds for local community projects)
- ❖ Small Business Service Center (management and technical assistance to existing and startup businesses)
- ❖ New Haven Food Truck Festival

Major Site Specific Economic Development Initiatives Planned:

- ❖ Former Coliseum site mixed-use Development
- ❖ Downtown Crossing Phases II and III

Neighborhood Commercial Districts Revitalized:

- ❖ Westville Village
- ❖ Lower State Street
- ❖ **Audubon Street**



View of Audubon commercial district

Executive Summary



Transportation Implementation Areas

Intermodal Freight Improvements:

- ❖ Electrification of port area

Public Transportation Systems Implemented:

- ❖ Downtown/Union Station Connecticut Transit (CTTRANSIT) Free Shuttle
- ❖ Airport improvements—detention area
- ❖ **New State Street Train Station**
- ❖ Street Smarts initiative launched
- ❖ Complete streets
- ❖ Bike/ped improvements at select locations
- ❖ Traffic calming devices at select locations

Urban Boulevards Implemented:

- ❖ **Route 34 East** (between College and Orange Streets)

New Highway Connections:

- ❖ Re-configured Exit 46/Long Wharf Access
- ❖ Re-constructed Q Bridge
- ❖ Connecticut Department of Transportation (ConnDOT) Interstate 95 widening

Environment Implementation Areas

Landscape Areas Preserved:

- ❖ Morris Creek and Marion Street Area
- ❖ Quinnipiac River Marsh in Quinnipiac Meadows by New Haven Land Trust (NHLT)
- ❖ Essex Street marsh by NHLT
- ❖ Russell Street area
- ❖ West River open space
- ❖ Hemingway Creek



View of State Street Train Station



Rendering of Route 34 East urban boulevard currently under construction (Downtown Crossing Phase I)

Executive Summary



View of new playground equipment at Scantlebury Park in Dixwell neighborhood



View of Farmington Canal Greenway



Flooding problems persist on Union Avenue, home to Metro-North train station—the busiest in Connecticut. The City was recently awarded CDBG-DR funding to mitigate flooding issues in this area.

Park Planning:

- ❖ **New playground equipment** in various neighborhood parks and school sites (including Scantlebury Park as recommended within the 2003 Comprehensive Plan of Development)
- ❖ Cooperated with Connecticut Department of Energy and Environmental Protection (CT DEEP) on West Rock Ridge State Park
- ❖ Private Management of carousel at Lighthouse Point Park, Blake Rink, and golf course

Greenways and Trails:

- ❖ **Farmington Canal Greenway** (Phases I-III complete); Phase IV on-going
- ❖ West River Greenway officially designated
- ❖ Mill River Trail: volunteers established

Waterfront Improvements:

- ❖ Boathouse at Canal Dock's platform completed
- ❖ Flood gates repaired at Morris Cove
- ❖ West River tide gates modified
- ❖ Clifton Street boat Launch

On-going Coastal Resiliency Projects:

- ❖ Community Development Block Grant Disaster Recovery Program (CDBG-DR) project for mitigating flooding issues in Long Wharf
- ❖ CDBG-DR project for mitigating flooding issues in New Haven rail yard
- ❖ CDBG-DR project for mitigating flooding issues in Mill River area
- ❖ CDBG-DR project for **mitigating flooding issues on Union Avenue** (near train station)
- ❖ Bulkhead improvements in Quinnipiac River

The City is also currently working with the Federal Emergency Management Agency (FEMA) to enter the Community Rating Systems (CRS) program that enhances the City's commitment to floodplain protection and provides discounted rate on flood insurance for properties in Special Flood Hazard Areas (SFHAs).

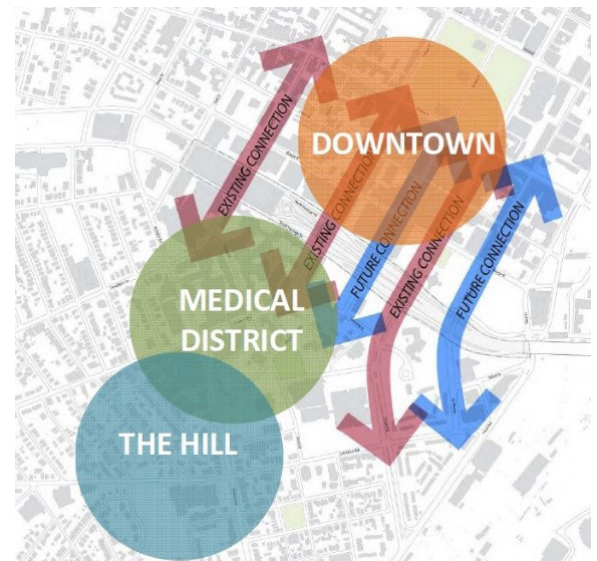
Executive Summary



Other Sub-Plans/Studies Conducted

- ❖ *New Haven Air Toxics Inventory (2004)*
- ❖ *New Haven Climate Change Action Plan (2004)*
- ❖ *Plan for Greenways & Cycling Systems (2004)*
- ❖ *New Haven Coastal Program (2006 City Plan Commission adopted)*
- ❖ *Port of New Haven Strategic Land Use Plan (2007)*
- ❖ *New Haven Future Framework (2008)*
- ❖ *New Haven Streetcar Assessment (2008)*
- ❖ **Downtown Crossing Study (Route 34 East) (2009)**
- ❖ *New Haven Union Station Transit Oriented Development Study (2008)*
- ❖ *Route 34 West Municipal Development Plan (2009)*
- ❖ *Route 34 Incentive Housing Zone Study (2010)*
- ❖ *Complete Streets Design Manual (Board of Alders adopted 2010)*
- ❖ *City of New Haven Natural Hazard Mitigation Plan (FEMA adopted 2005, updated 2011)*
- ❖ *Whalley Avenue Corridor Study (2010)*
- ❖ *Whalley Avenue Design Overlay District (New Haven Zoning Ordinance adopted 2010)*
- ❖ *New Haven Streetcar Preliminary Alignment and Implementation Plan (2011)*
- ❖ *New Haven Sustainability Plan (2012)*
- ❖ *City of New Haven Two-way Conversion (2014)*
- ❖ *Site and Architectural Design Guidelines (Board of Alders adopted 2012)*
- ❖ *Hill-to-Downtown Community Plan (2013)*
- ❖ *Mill River District Plan and Mill River Municipal Development Plan (2014 City Plan Commission adopted)*
- ❖ *Mobility Study (2014)*

In addition, as part of the nearly \$ 1.3 billion School Construction Program, at least 30 City schools have been re-built over the past decade to enhance the learning environment and provide year-round facilities that can be used by both schools and the community. Although the Comprehensive Plan does not cover policy issues relating to education (covered by the Board of



The Downtown Crossing Study started in 2007 when the City received federal High Priority Project Transportation funds to design and begin conversion of the eastern section of Route 34 between Union Avenue and Park Street from a depressed limited access highway into a pair of pedestrian-scale city streets.

Downtown Crossing Phases I-III:

Phase I, currently under construction, will be future home to Alexion Pharmaceuticals, a world-class bio-science company.

Phase 2 will involve restoring Orange Street's connectivity from Ninth Square to Union Station.

Phase 3 completes the project and will include the connections to Church Street and Temple Street, as well as, transforming MLK Boulevard and South Frontage Road into urban boulevards.



Executive Summary

Education) and crime (covered by New Haven Police Department), it is important to note that the nationally recognized New Haven school reform initiative and community-based policing efforts were further strengthened over the past decade. The school reform initiative’s purpose is to reduce high school dropout rates, engage the community in students’ learning, to academically and financially prepare students to succeed, and to increase retention of college graduates in New Haven. Community-based policing efforts are aimed at increasing communication among the police and local community through regular walking beats, monthly meetings, and increased surveillance. Most recently, the New Haven Board of Alders initiated the New Haven Works jobs pipeline program to promote skills training and placement opportunities for the workforce and re-connect it with local employers. While these efforts are gradually showing results, in the long term this is beneficial in not only producing desired results in education attainment, crime reduction, and enhancing employment opportunities but also for attracting families with children, further stabilizing neighborhoods, and promoting healthy communities.

Many of the recommendations within the 2003 Comprehensive Plan of Development have been either implemented or on-going, as discussed earlier. Some could not be undertaken yet due to staff capacity, budget constraints or market conditions.

C. PUBLIC INPUT & PLAN UPDATE PRIORITIES

The vision and the planning recommendations discussed within this document were developed through extensive public input. The City Plan Department staff (“staff”) attended nearly 50 meetings, visiting most Community Management Teams (CMTs) twice, since the initiation of planning process in December 2012. A community survey was conducted in 2013 and remained open for a period of two months, which provided opportunity for residents/businesses to offer input at their convenience. It garnered nearly 920 responses from all neighborhoods of the city. Staff also regularly updated the various planning boards and commissions of the city, i.e. City Plan Commission (CPC), New Haven Development Commission (NHDC), and New Haven Redevelopment Agency (NHRA) regarding the plan update progress, planning issues heard from residents, and draft planning recommendations. A community feedback form was distributed at all meetings, which was filled out and returned by many residents, as seen in the appendices. Staff also solicited input from active civic/non-profit associations within the city and held one-on-one



Community preference survey card distributed in 2013 at various key locations within the city, which garnered ±920 responses city-wide



More than 900 city residents completed the community survey that informed the recommendations of this document.

Executive Summary



meetings with interested residents and City department heads. In addition, **three community listening sessions** were held in the Route 34 West area (including residents from Dwight, the Hill, and West River neighborhoods); in Wooster Square/Downtown; and in Westville (including residents from Amity, Beaver Hills, Edgewood, West Rock, and Westville neighborhoods).

Based on this input, it is clear that the general planning focus in the city should be on promoting strategic neighborhood-based planning efforts to reinforce or strengthen a sense of place and distinct identity for each neighborhood. Residents are proud of the history of the city and therefore support more historic preservation efforts. Promoting quality, non-subsidized, and workforce housing developments within the city and improving housing affordability are key housing priorities. Growing skills of the local workforce to prepare for local and regional employers' needs and improving the quality of neighborhood commercial corridors are key priorities for economic development. Reducing greenhouse gas emissions by reducing fossil fuel emissions and encouraging multi-modal transportation systems, particularly enhancing the transit, bicycle/pedestrian and trails network, and promoting transit-oriented developments along major transit corridors are key transportation priorities. Adapting to emerging sea level rise and reducing the carbon footprint are key environmental priorities of the city.

This Plan update emphasizes sustainability in built as well as natural environments by recommending sustainable land use, transportation, economic development, and environmental policies. Without such policies in place, it would become increasingly difficult to mitigate adverse impacts on air quality, transportation networks, utilities, natural habitats, and financial resources if population and housing units grow as forecasted.



Community listening session in neighborhoods surrounding Route 34 West, October 2014



Community listening session in Westville, March 2015.



Community listening session in Wooster Square neighborhood, July 2014



Executive Summary

CONSERVATION & DEVELOPMENT POLICIES: THE PLAN FOR CONNECTICUT



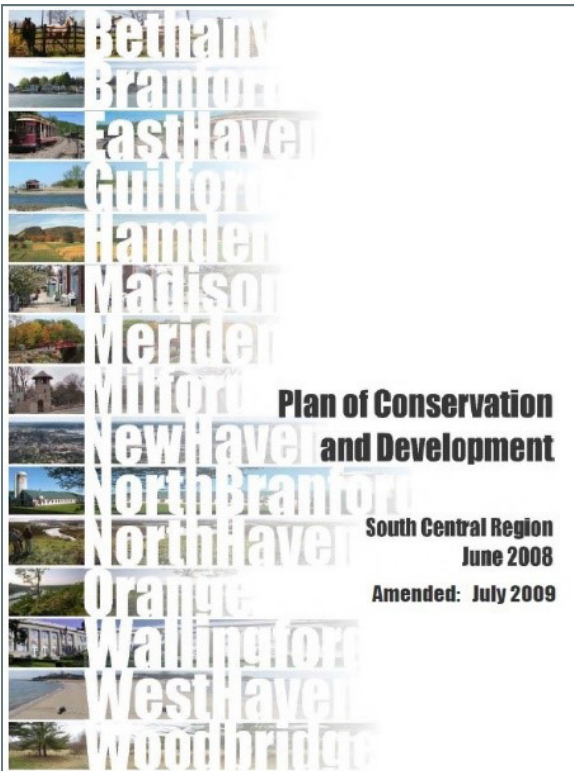
2013-2018

Prepared by the Office of Policy and Management
In accordance with Connecticut General Statutes Section 16a-29

D. CONSISTENCY WITH STATE AND REGIONAL PLANS

The recommendations discussed within the document are mostly consistent with *Conservation and Development Policies: The Plan for Connecticut 2013-2018* and regional *Plan of Conservation and Development* (amended 2009). However the area bounded by Church Street South, South Orange Street, Columbus Avenue, and South Orange Street is recommended as a development area and not as conservation area as identified within the State Plan (see Future Land Use map). This is in an urban location and the proposed recommendation reinforces connections between the train station and the surrounding neighborhood through transit-oriented development and job growth, as discussed within the Hill to Downtown Community Plan (2013).

As part of the regional transportation priorities, implementation of the New Haven-Hartford-Springfield commuter rail line; a transit stop in New Haven on the proposed high-speed rail service between New York and Washington, DC (NEC Future); a mixed-use parking garage at Union Station; and necessary improvements to Tweed New Haven Airport to connect to two to three hub cities are pivotal to enhance the city's regional standing as an urban growth center. The implementation of a Cross Town West CTRANSPORT bus route that connects residents in the western neighborhoods of the city directly to West Haven, Southern Connecticut State University (SCSU), and Hamden is needed to enhance transit and relieve some of the traffic congestion in this area, as well as in downtown New Haven. The recommended implementation of proposed West River, Mill River, and Harborside trails are both local and regional priorities to preserve air quality, connect residents with nature, and enhance recreational opportunities. The Plan update supports on-going regional coastal resiliency studies and advocates for renewed discussion on inter-city land use and transportation within the state and the region. The Plan update continues to advocate for the de-centralization of government-assisted affordable housing across the region. Collaborating with state and regional partners to regionalize arts programming, wherever feasible, would further help in branding the region as an arts and cultural destination.



Executive Summary



E. COMMUNITY VISION & PLANNING RECOMMENDATIONS

To summarize, the community vision is to continue to grow as a **sustainable, healthy, and vibrant city** over the next decade. The vision and recommendations within this document are guided by five planning themes for the future: Build, Connect, Adapt, Preserve, and Grow, as discussed below:

✓ *BUILD*

- ❖ Housing suitable for all incomes and ages
- ❖ Tax-generating developments
- ❖ Places for residents, jobs, and support services

✓ *CONNECT*

- ❖ Housing and transit
- ❖ Housing and support services
- ❖ Jobs and residents
- ❖ Support services and jobs

✓ *PRESERVE*

- ❖ Neighborhood character
- ❖ Historic character of the city
- ❖ Natural environment

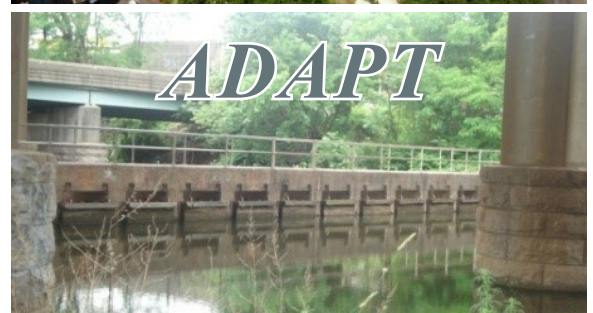
✓ *ADAPT*

- ❖ To climate change events
- ❖ To anticipated sea level rise
- ❖ To inland and coastal flooding
- ❖ To extreme temperatures

✓ *GROW*

- ❖ Skills of local workforce
- ❖ Small business assistance
- ❖ Public safety measures
- ❖ Regional standing and image of the city as the “greatest small city on the rise” in America!

A summary of recommendations categorized under these themes by planning topic is shown in the matrix on the following pages.





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Summary of Recommendations

Topic	Build	Connect	Preserve	Adapt	Grow
Land Use	<p style="text-align: center;">Near Term (1-3 years)</p> <p>...Developments compatible with the character of the surrounding area through the preparation, adoption, and implementation of a city-wide design guidelines manual.</p> <p>...Mixed-use developments along all of the city's commercial corridors, as indicated within the future land use map, through necessary zoning amendments.</p>	<p style="text-align: center;">Near Term (1-3 years)</p> <p>...Residents to jobs, transit, and community/ support services by pursuing necessary zoning amendments, as required, to implement the proposed future land use map of the city.</p> <p>...Residents to healthier food by expressly permitting community gardens in all residential zones where they can build a sense of neighborhood identity and by promoting access to healthier food choices through enhanced bicycle/pedestrian and transit networks.</p>	<p style="text-align: center;">Near Term (1-3 years)</p> <p>...Environmentally sensitive areas through the aggressive enforcement of coastal and wetlands regulations and establishing a systematic policy of compliance with environmental regulations as administered by the City and CT DEEP.</p>	<p style="text-align: center;">Near Term (1-3 years)</p> <p>...To changing market trends within the city by conducting a comprehensive community needs assessment periodically based on forecasted population, jobs, and housing trends</p> <p>...To changing market trends by preparing available vacant commercial/industrial spaces for development</p> <p>...To changing market trends by evaluating the City's approach to development review and permitting, and efficiently streamlining the permitting process, wherever appropriate.</p>	<p style="text-align: center;">Near Term (1-3 years)</p> <p>...Sustainable transportation systems by assessing the capacity of existing transportation systems in relation to the density and intensity of uses proposed in new developments.</p>
	<p style="text-align: center;">Medium/Long Term (>3 years)</p> <p>...Distinct identity for the city's neighborhood commercial corridors through the amendment of current zoning standards to better define the type, nature, and intensity of uses allowed and by incorporating form-based standards.</p> <p>...Transit-oriented developments with reduced parking requirements and appropriate densities in suitable locations to facilitate further transit use.</p>	<p style="text-align: center;">Medium/Long Term (>3 years)</p> <p>...Residents to the city's waterfront through the preparation of a redevelopment plan for Long Wharf and Canal/Belle Dock area and pursuing zoning amendments accordingly.</p> <p>...Residents to community facilities by encouraging such facilities to be located as focal points of large-scale new developments and by assessing the feasibility of re-using existing vacant community facilities in the city.</p> <p style="text-align: center;">Medium/Long Term (>3 years)</p> <p>...Residents to quality outdoor recreation through the development of an open space conservation plan for the city, which can be used not only to preserve historically significant natural resources but also serve as a guide for developing an integrated open space system within the built environment.</p>		<p style="text-align: center;">Medium/Long Term (>3 years)</p> <p>...To sea level rise and other coastal events by flood proofing structures in areas prone to repetitive floods (as discussed within the Environment chapter) and by reviewing, assessing, and revising the floodplain ordinances of the City periodically.</p>	<p style="text-align: center;">Medium/Long Term (>3 years)</p> <p>...General quality of life and health of the residents in all neighborhoods by promoting access to healthier food and increasing access to open spaces/recreational areas through improved and well-connected transportation network.</p> <p>...Sustainable mixed-use, transit-oriented developments by elevating existing land use standards, wherever appropriate.</p>



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Summary of Recommendations

Topic	Build	Connect	Preserve	Adapt	Grow
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Housing and Neighborhood Planning</p>	<p style="text-align: center;">Near Term (1-3 years)</p> <p>...Consensus among City officials, neighborhood stakeholders, and community members regarding implementation of the <i>Hill-to-Downtown Community Plan</i> through establishment of a Hill-to-Downtown Steering Committee.</p> <p>...Affordable, workforce housing developments through necessary Zoning Ordinance amendments and by exploring the feasibility of creating a housing trust fund for the city.</p>	<p style="text-align: center;">Near Term (1-3 years)</p> <p>...Residents/employees to housing counseling services and existing City-sponsored home ownership/rehab programs through an advanced marketing campaign.</p> <p>...Neighborhoods physically and socially by promoting neighborhood-based planning efforts and encouraging neighborhoods formation of non-profit neighborhood organizations and development corporations. Neighborhood plans are recommended at Long Wharf and Fair Haven to enhance waterfront access and economic development, and at Science Park to connect residents in Newhallville and Dixwell to this development and the Farmington Canal Trail.</p>	<p style="text-align: center;">Near Term (1-3 years)</p> <p>...Historic character of neighborhoods by encouraging thoughtful conversion of some of the existing National Register Districts (NRDs) into local districts i.e., Chapel Street, Ninth Square, Trowbridge Square, Orange Street, Dwight; by exploring new ways of enhancing community visibility and stewardship of historical properties such as seeking “Preserve America” designation for the city; and by making historic resources inventory publicly available so that more people can pursue historic rehabilitation tax credits to rehabilitate historic structures.</p>	<p style="text-align: center;">Near Term (1-3 years)</p> <p>...Existing housing stock to allow aging in place for older households through zoning amendments such as encouraging row housing within existing RM-1 and RM-2 residential districts.</p> <p style="text-align: center;">Medium/Long Term (>3 years)</p> <p>...Government-assisted public housing into existing urban fabric through contextual design, appropriate density, and integration with the surrounding area through the implementation of a City-wide design guidelines manual and enhanced transportation network.</p>	<p style="text-align: center;">Near Term (1-3 years)</p> <p>...City-wide homeownership rate for the next decade by at least three percent through effective workforce housing strategies; by marketing existing homeownership and housing rehab programs to low- and moderate-income buyers; and by encouraging large-scale multi-unit developments only when accompanied by a companion homeownership plan.</p> <p style="text-align: center;">Medium/Long Term (>3 years)</p> <p>...The number of sustainable and Leadership in Energy and Environmental Design (LEED) certified buildings within the city by implementing a far-reaching energy program focused on the use of renewable power sources within all new housing developments and encouraging more programs that help reduce energy costs in existing housing.</p>
	<p style="text-align: center;">Medium/Long Term (>3 years)</p> <p>...Diverse housing stock suitable for all abilities, ages, and incomes by identifying and seeking funding to promote quality, non-subsidized, mixed-income housing; inciting mixed-use developments with family-friendly amenities and support services; advocating for fair, equitable, and de-centralized government-assisted public housing at regional level; and better integrating supportive housing developments through enhanced transportation network.</p> <p>...High-density, multi-family developments at appropriate locations, considering impact of such developments on existing urban fabric relative to traffic, noise, surrounding area density, compatibility with nearby land uses, public convenience and safety, aesthetics, site design, and layout.</p>	<p style="text-align: center;">Medium/Long Term (>3 years)</p> <p>...Residents to jobs and support services by promoting residential densities and land use patterns that reduce vehicles miles traveled (VMT) as indicated in proposed future land use map of the city.</p> <p>...Neighborhoods physically and socially by promoting street connectivity along Route 34 corridor (north to south), from Downtown to Wooster Square, and from the Medical District to Union Station.</p> <p>...By promoting community interaction through effective programming and staffing of the Q-house (in Dixwell neighborhood) and adaptive re-use of existing community facilities such as Coogan Pavilion (in Edgewood Park) and Salpento Rink (in East Shore); and by encouraging dramatically new neighborhood forms at select locations, including Farnam Courts, Belle Dock, Science Park, Long Wharf, Mill River, and Church Street South.</p>	<p style="text-align: center;">Medium/Long Term (>3 years)</p> <p>...Existing high-quality housing stock and enhance the quality of distressed, privately-owned property through the City’s residential licensing program by expanding its functions through the allocation of additional resources.</p>		



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Summary of Recommendations

Topic	Build	Connect	Preserve	Adapt	Grow
Transportation	<p style="text-align: center;">Near Term (1-3 years)</p> <p>...Multi-modal transportation network within the city by developing a transportation master plan that supports the City’s land use and development goals and will assist in assessing funding for needed improvements and potential shortfalls, if any.</p> <p>...A continuous and inter-connected trail network within the city by updating the vision outlined in the <i>Plan for Greenways & Cycling Systems</i> (2004) and completing Phase IV of the Farmington Canal Trail.</p> <p>...A comprehensive and integrated bicycle and pedestrian network within the city by identifying and prioritizing the missing links and implementing solutions accordingly. Improve the quality of existing sidewalks within the Hill, Newhallville, and Dixwell neighborhoods and implement new sidewalks on city’s collector streets i.e., Russell Street, Quinnipiac Avenue, lower Valley Street, and Foxon Boulevard.</p> <p>...Appropriately sized, mixed-use parking facility at Union Station to support transit-oriented development and job growth.</p> <p>...Bicycle parking facilities within all public/private parking lots in the city, and on street at key locations within Downtown.</p> <p>...Dedicated and/or separated bike facilities on major arterials of the city, such as, Whalley Ave., Edgewood Ave., MLK Blvd., Grand Ave., Congress Ave., Forbes Ave., and Water St.</p> <p>...Wayfinding signage systems (Phase I) in Downtown New Haven and develop Phase II study for implementing wayfinding signs that connect to key neighborhood destinations.</p>	<p style="text-align: center;">Near Term (1-3 years)</p> <p>...Residents in the eastern neighborhoods to Downtown through enhanced bike/ped network.</p> <p style="text-align: center;">Medium/Long Term (>3 years)</p> <p>...residents to jobs, housing, and other support services through enhanced transit service that reduces headways; extends weekday and weekend service; and provides real time information on transit arrivals, delays, and departures.</p> <p>...Employees on the west side of the city who work in Hamden and West Haven through the promotion and subsequent implementation of the proposed Cross Town West route.</p> <p>...New Haven to New York and Boston and enhance regional economic competitiveness by advocating for a faster rail service to these destinations.</p> <p>...Residents/employees/students to local existing shuttle routes by exploring opportunities to combine Yale and CTTRANSIT shuttle routes and by encouraging U-Pass options for students at Yale, SCSU, and Albertus Magnus.</p> <p>...New Haven’s commercial air service to Florida and two to three hub cities.</p> <p>...Existing port district with freight railroads by extending rail service along Waterfront Street and to the North Yard.</p> <p>...Neighborhoods surrounding Route 34 corridor currently separated by large tracts of vacant land and the Medical District to Union Station and Downtown.</p>	<p style="text-align: center;">Near Term (1-3 years)</p> <p>...The quality of the natural environment by promoting the use of electric and hybrid vehicles and by implementing an effective travel demand management program.</p> <p>...The quality of the natural environment by reducing vehicle emissions at signals through the synchronization of existing traffic lights, especially within Downtown where major employers are located (signal studies recommended on Whalley, Whitney, and Dixwell Avenues).</p> <p style="text-align: center;">Medium/Long Term (>3 years)</p> <p>...The quality of the natural environment by transforming existing streets into “green streets.”</p>	<p style="text-align: center;">Near Term (1-3 years)</p> <p>...To sea level rise and other coastal/inland flooding events by ensuring that the design of complete streets considers the requirements for emergency vehicle access.</p> <p style="text-align: center;">Medium/Long Term (>3 years)</p> <p>...To sea level rise and other coastal flooding events by working with the Office of Emergency Management to identify, prioritize, and publish evacuation routes within the city based on a scenario-based approach.</p>	<p style="text-align: center;">Near Term (1-3 years)</p> <p>...The reliability, frequency, and efficiency of existing transit service within the city by partnering with CTTRANSIT to develop a bus transit needs analysis to identify and prioritize underserved routes and develop strategies accordingly and by implementing the recommendations of Parking and Transit Working Group (2013).</p> <p>...Paratransit service and ride share options within the city by partnering with Greater New Haven Transit District and CT Rides to expand current programs and services.</p> <p style="text-align: center;">Medium/Long Term (>3 years)</p> <p>...Public safety by implementing traffic calming solutions at poorly designed, high volume, and/or accident prone locations of the city including, Ella Grasso Blvd., upper Whalley Ave, upper State St., Clinton Ave., Foxon Blvd., Sargent Dr., and at James Hillhouse and King Robinson schools.</p> <p>...Public safety by promoting adequate lighting of sidewalks and parking lots and by promoting upgrades to the existing bus stops and bus shelters.</p> <p>...A sustainable transportation system to conserve energy and reduce greenhouse gas emissions by encouraging the use of natural gas and bio-diesel fuels.</p>



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Summary of Recommendations

Topic	Build	Connect	Preserve	Adapt	Grow
Transportation	<p>...Complete streets based on urban street design standards by updating the <i>Complete Streets Design Manual</i>, streamlining the process for accepting applications, and promoting transparency in decision making and implementation.</p> <p style="text-align: center;">Medium/Long Term (>3 years)</p> <p>...Two-way street systems on York Street, College Street, Church Street, George Street, Crown Street, Dwight Street, Howe Street, Tower Parkway, and Grove Street.</p> <p>...A truck routing system that curtails traffic on local streets and promotes the use of designated arterial connections.</p> <p>...the West River Greenway Trail by identifying funding sources as a first step to building new trails over the next decade.</p>				
	Near Term (1-3 years)	Near Term (1-3 years)	Near Term (1-3 years)	Near Term (1-3 years)	Near Term (1-3 years)
Economic Development	<p>...An all-inclusive economy by encouraging neighborhood-based economic development initiatives that considers a neighborhood's assets and opportunities and by supporting equitable distribution of resources.</p> <p>...A stronger Downtown core by promoting mixed-income, transit-oriented workforce housing developments that help increase economic activity beyond the traditional business hours, promote vibrancy, and attract potential employers to relocate to the city.</p> <p>...A comprehensive, city-wide, web-based mapping portal of all existing arts, culture, and tourism areas/facilities in New Haven to increase visibility, facilitate further use, and guide the location of sites for future venues.</p>	<p>...Residents/employees to City-sponsored small business/entrepreneur assistance programs and networking opportunities through enhanced marketing efforts.</p> <p>...Local workforce to local jobs by enhancing their skills through partnerships with workforce boards and educational institutions and preparing them for a technology-based economy predominant in the 21st century. Promote training opportunities in advanced manufacturing, life sciences, and arts clusters, which are proven to be the strengths of the New Haven economy.</p>	<p>...The quality of the natural environment by encouraging local businesses and industries to make energy-efficient structural, as well as, process-based improvements.</p> <p>...The quality of the natural environment by developing and requiring mandatory recycling practices at all local cultural/art events and through proper enforcement of these practices.</p> <p style="text-align: center;">Medium/Long Term (>3 years)</p> <p>...The quality of the natural environment by exploring the feasibility of sharing and re-using industrial waste within the city's light industrial areas.</p>	<p>...To sea level rise and other coastal/inland flooding events by participating in FEMA's Community Rating System so that all property owners in coastal areas, including businesses, can avail a discounted rate on their flood insurance costs.</p> <p style="text-align: center;">Medium/Long Term (>3 years)</p> <p>...To sea level rise and other coastal/inland flooding events by identifying and seeking new sources of funding to address and improve the resiliency of properties in V and VE flood zones.</p>	<p>...Neighborhood-based commercial corridors into Connecticut's Main Streets by improving land use and design standards, and marketing and coordinating efforts as outlined within CT Main Street's 'Building a Neighborhood Commercial District Revitalization Program Report' (May 2014).</p> <p>...Awareness among local workforce about career prospects in advanced manufacturing sector (manufacturing of medical devices and biotechnology, pharmaceutical, and aerospace products) which continues to be a strong component of regional economy.</p> <p>...Locally-owned destination businesses and restaurants that add to the uniqueness of the city by continuing to offer small business training and technical/financial assistance to small business owners and start-up entrepreneurs.</p>



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Summary of Recommendations

Topic	Build	Connect	Preserve	Adapt	Grow
<p>Economic Development</p>	<p>...A business-focused marketing campaign for the city using television and other local media to publicize recent growth trends and strategic assets for the city, particularly its unique concentration of arts, entertainment, cultural facilities, and restaurants.</p> <p>...Large-scale, mixed-use commercial developments in Long Wharf and enhance waterfront access and connectivity through the development of a sound land use plan for this area.</p> <p style="text-align: center; background-color: #cccccc;">Medium/Long Term (>3 years)</p> <p>...A fixed route, more frequent, and visible local commuting option that links Downtown to the neighborhood-based commercial districts to further enhance economic activity and vitality.</p> <p>...The tax base of the city and also create new economic opportunities by implementing the vision of <i>Hill-to-Downtown Community Plan</i>, <i>Mill River District Plan</i>, and <i>Downtown Crossing (Phase IV)</i> and redeveloping Route 34 West based on the recently approved zone change and design guidelines manual (January 2015) for this area.</p> <p>...City-wide fiber optic network to ensure that the entire city is well connected through wireless communication systems.</p>	<p>...Historically under-represented groups within the local workforce to local jobs by identifying deficiencies in each industry sector and promoting training and placement opportunities (through New Haven Works) accordingly.</p> <p>...Local college students to community-based voluntary activities while they are still in school and encourage their participation in the City’s boards and commissions. Encourage entrepreneurial opportunities to improve the retention of college graduates within the city.</p>			<p>...Tourism opportunities within the city by deploying “driverless” vans with pre-recorded tours and historic commentary up and down Chapel and Church Streets.</p> <p>...Career pathways for local high school students and enhance before/after school care programming of community-based facilities to further promote community building and economic development.</p> <p>...Jobs in agri-business/bioscience cluster, which is one of the emerging business clusters within the region, by opening a food processing incubator at the Goffe Street Armory site and by enabling urban farm siting locations through local land use regulations.</p> <p>...Informal science learning and innovation in Downtown New Haven by re-imagining long vacant 45 Church Street property as a creative center.</p> <p style="text-align: center; background-color: #cccccc;">Medium/Long Term (>3 years)</p> <p>...Regional economic activity within the city’s Port district by improving access and connectivity to the Port area.</p> <p>...The city’s image as an arts and entertainment destination by further enhancing employment opportunities within this sector through targeted vocational training; by regionalizing arts programming, where feasible; and by re-imagining a signature Marcel Breuer building on Long Wharf (vacant 10+ years) as a global creative consortium.</p> <p>...Green jobs within other industries besides the construction industry to ensure a sustainable economy.</p>



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Summary of Recommendations

Topic	Build	Connect	Preserve	Adapt	Grow
Environment	<p style="text-align: center;">Near Term (1-3 years)</p> <p>...An integrated and continuous trail network within the city by completing Phase IV of Farmington Canal trail and updating the vision of <i>Plan for Greenways & Cycling Systems</i> (2004).</p> <p>...The missing infrastructure for enhancing the existing bicycle/pedestrian network within the city and facilitate enhanced use of transit through the implementation of sustainable land use, housing, transportation, and economic development strategies to improve air quality.</p> <p>...Natural infiltration measures such as bioswales and other green infrastructure and source control measures in all city neighborhoods for sedimentation and erosion control and effective stormwater management, thus reducing urban heat island effect and allowing maximum rainwater capture.</p> <p>...Natural buffers around conservation areas to minimize adverse impacts from development activities and regularly maintain these buffers through periodic clean-ups.</p> <p>...Value-added improvements to the city’s park system to enhance its usage and promote safe access to parks, especially in underserved neighborhoods, by capitalizing on site and resource opportunities.</p>	<p style="text-align: center;">Near Term (1-3 years)</p> <p>...Residents to city parks by encouraging “friends of parks” groups to promote stewardship and also increase revenues.</p> <p>...All of the existing city parks and open spaces with safe pedestrian and bicycle access routes.</p> <p>...Residents to effective waste reduction and recycling strategies to eliminate pollutants from entering the city’s stormwater management system and to soil lead testing measures through advanced outreach campaign.</p>	<p style="text-align: center;">Near Term (1-3 years)</p> <p>...Archaeological sites and natural habitat through development standards that encourage sound land use practices and by making the city’s endangered species location map and map of archaeological resources publicly available to raise awareness among residents on the locations of these sites.</p> <p>...On-site healthy trees, to the extent possible, for all development/utility projects, and where such trees cannot be preserved due to poor health, encourage replacement of those trees.</p>	<p style="text-align: center;">Near Term (1-3 years)</p> <p>...To sea level rise and other coastal/ inland flooding events by continuing to strictly enforce the City’s floodplain ordinances to limit developments in SFHAs and by updating and adopting the <i>City of New Haven Natural Hazard Mitigation Plan</i> (last updated in 2011 and expiring in 2016) and Climate Action Plan (prepared in 2001).</p>	<p style="text-align: center;">Near Term (1-3 years)</p> <p>...The image of all city parks to make them accessible, inviting, exciting, and well maintained through landscape improvements, turf renovations, new signage, and site furniture. Repair deteriorated infrastructure such as bulkheads; parking lots; roadways; irrigation systems; tennis, basketball, and bocce courts; splash pads, and other support amenities.</p> <p>...Opportunities for promoting commercial, non-profit agriculture through amendments to the local land use regulations that help mitigate the urban heat island effect, as well as promote community cohesion.</p>
	<p style="text-align: center;">Medium/Long Term (>3 years)</p> <p>...An integrated and continuous trail network within the city by identifying and seeking funding to start work on the proposed West River Greenway Trail, identify partners for initiating the process of designating proposed Harborside and Fair Haven Trails as official greenways, and subsequently build these trails.</p>	<p style="text-align: center;">Medium/Long Term (>3 years)</p> <p>...Residents to the city’s waterfront by promoting ecotourism opportunities through selective acquisition of parcels along the waterfront.</p> <p>...Residents to year round indoor/recreational opportunities through effective programming and staffing at the new Q-House (currently in design stage) serving central neighborhoods of the city and by exploring the feasibility of re-using Coogan Pavilion and Salpento Rink as all-weather indoor community-based recreational centers serving western and eastern neighborhoods of the city, respectively.</p>	<p style="text-align: center;">Medium/Long Term (>3 years)</p> <p>...The quality of the natural environment by ensuring at least a 30 percent reduction in VMT in the city over the next decade by implementing effective land use, housing, transportation, and economic development strategies.</p>	<p style="text-align: center;">Medium/Long Term (>3 years)</p> <p>.....To sea level rise and other coastal/ inland flooding events by continuing to strictly enforce the City’s floodplain ordinances to limit developments in SFHAs and by updating and adopting the City’s Natural Hazard Mitigation Plan (last updated in 2011 and expiring in 2016) and Climate Action Plan (prepared in 2001), in addition to identifying and seeking funding opportunities to correct coastal, as well as inland, flooding issues within the city.</p>	<p style="text-align: center;">Medium/Long Term (>3 years)</p> <p>...Existing tree canopy in New Haven for the next decade similar to the Tree Haven 10K pledge for the city for the 2010-2014 period by identifying parcels or blocks with minimal or no tree canopy and relatively large amount of impervious surface and planting street trees in such areas.</p>



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F. PROPOSED FUTURE LAND USE MAP

An important function of the Comprehensive Plan of Development is to guide future land use decisions. Any zone changes proposed should be generally consistent with the Comprehensive Plan. If not consistent, the conditions at which the re-zoning is proposed should be carefully studied and the Comprehensive Plan must be amended accordingly to reflect the change in the conditions.

The proposed land use maps shown on pages xxxix and xli at the end of this section identify the City Plan Commission’s most desirable use of land for residential, industrial, and conservation areas and other purposes. Given the fully-developed nature of the neighborhoods, special attention is given to fitting new development within the fabric of the existing landscape. The Commission emphasizes an important strength of New Haven by providing for mixed-use opportunities in neighborhood commercial and general business settings. The proposed land use categories within the map are described in more detail below.

Low-density Residential

In keeping with the existing development pattern, the Commission recommends preservation of existing neighborhoods, and new development and infill housing in these areas as single-family environments at a density not to exceed 7,500 square feet (sf) per single-family lot.

Medium-density Residential

In keeping with the existing development pattern, the Commission recommends preservation of existing neighborhoods by promoting new development/infill housing with minimum lot size in the range of 5,400 sf to 6,000 sf and designed in a manner compatible with the prevailing neighborhood character. Conversion of existing residential structures to higher densities is discouraged.

High-density Residential

In certain areas, generally located near transit on arterials or Downtown, the Commission recommends higher density residential developments.



Example of a low-density residential property located on Oliver Road



Example of a medium-density residential property located on Orange Street



Example of a high-density residential property located on Tower Lane

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Example of a special high-density residential property located on Whitney Avenue

Special High-density Residential

The Commission recommends continuing the more restrictive high-density designation along significant thoroughfares, particularly Whitney Avenue, in order to prevent the encroachment of office or commercial uses and inappropriately-scaled residential buildings, and to preserve distinctive historic streetscapes.

Office Mixed Use

The Commission encourages mixed-use environments with office and residential uses at these locations. Stand-alone retail and commercial uses are discouraged.

Neighborhood Commercial Mixed Use

Neighborhood mixed-use areas generally correspond to neighborhood commercial districts and/or streets with a mix of traditional housing and sporadic commercial development. The environments are desirable for pedestrians and functional for neighborhood services, storefront retail, and office activity. Large format, stand-alone retail with extensive surface parking is discouraged in these areas. Form-based standards are encouraged to promote site design that improves the aesthetics of these districts.



Example of an office mixed-use property on Chapel Street.

General Commercial Mixed Use

Commercial mixed-use areas are general business zones found generally along major arterials. The Commission further recommends mixed-use environments (both commercial/residential and retail/office) where appropriate. A variety of uses at relatively higher densities than those observed in neighborhood commercial mixed-use are encouraged in these districts. Form-



Example of a neighborhood commercial mixed-use property located in East Rock neighborhood



Example of general commercial mixed-uses envisioned along lower Whalley Avenue

Executive Summary



based standards are also encouraged to promote site design that improves the walkability and aesthetics of these districts.

Large-scale Commercial Mixed Use

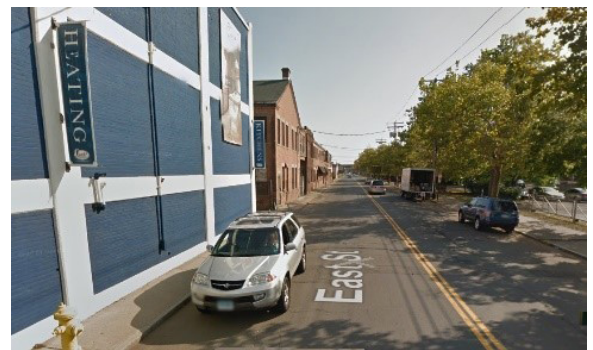
The Commission recommends continued development of sites in the Long Wharf area along Interstate 95 and at Canal/Belle Dock (south of Forbes Avenue) for office space, light industrial, residential, and retail and restaurant type uses. Particular attention should be paid to waterfront connections, careful site design, (minimal) signage, and flood protection. Adaptive re-use of sites is encouraged to the extent possible. Focus specific planning and redevelopment attention at Long Wharf with the intent to develop a framework for the redevelopment of the district into a more mixed-use, more dense urban, commercial, and coastal district, connected to Vietnam Veterans Memorial Park.



Rendering of Tysons West mixed-use development in Virginia: an example of large-scale commercial mixed use

Industrial

Industrial areas, generally found in Mill River, along River Street, lower West River, as well as, Quinnipiac Meadows, are intended to promote manufacturing/production activities and more intense employment generation in a manner consistent with light industrial zoning uses.



Existing view of industrial area in Mill River neighborhood

Industrial Mixed Use

Industrial mixed-use areas, proposed in Mill River and River Street area, are with some storefront retail/office space to enhance pedestrian activity and vibrancy in the area. Recreational/open space is also encouraged along the waterfront in coastal zone areas.



Source: Mill River District Plan (2014)

Rendering of a mixed-use, pedestrian-oriented industrial district envisioned in the Mill River area of the city

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Example of marine mixed-use property located on 100 South Water street

Marine Mixed Use

The Commission encourages development of these areas as a mix of water-dependent recreational boating, marinas, and shellfish operations of fishing and related activities and waterfront residential environments.

Downtown Commercial Mixed Use

In areas within Downtown or closer to the edge of Downtown, the Commission encourages high-density, mixed-use environments generally with pedestrian-level retail/restaurant-type uses, residential, and predominantly multi-floor office/commercial space.

Downtown Residential Mixed Use

In areas within Downtown or closer to the edge of Downtown, the Commission encourages high-density, mixed-use environments generally with pedestrian-level retail/restaurant/office-type uses and predominantly multi-floor residential space.



Example of Downtown commercial mixed-use building on 195 Church Street



Example of Downtown residential mixed-use building on 360 State Street.

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Downtown Medical Mixed Use

In areas closer to Yale New Haven Hospital and the Yale Schools of Medicine and Public Health or at the edge of Downtown, the Commission encourages high-density, mixed-use environments generally with pedestrian-level retail/restaurant/office-type uses and multi-floor medical/laboratory/technology space

Downtown Transit-oriented Mixed Use

The Commission recommends development of multi-storied mid- and high-rise buildings suitable for residential/commercial/medical research and office uses on parcels closer to Route 34 East (Downtown Crossing). Since these parcels are also closer to the city's transportation center at Union Station, reduced parking requirements within this district would enable a transit-, bike-, and pedestrian-friendly environment. Pedestrian-level retail/restaurant and other active uses are generally encouraged on the ground floor.

Institutional

The Commission recommends development of these areas for institutional uses, including core educational, government, and health care facilities. Many cultural facilities are also considered institutional uses.

Port

The Commission recommends development of the port area in a manner consistent with the needs of water-dependent port terminals, including sufficient space for storage, processing, and ancillary port services in a non-obnoxious manner.



Example of Downtown medical mixed-use building currently under construction at 100 College Street.



Example of Downtown transit-oriented mixed-use development proposed at former Coliseum site.



View of New Haven Port area



Picture of Yale University building in Downtown New Haven.



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Parks and Open Space

The Commission recommends protection of these areas as dedicated open space, deed-restricted conservation areas, and/or active recreational spaces.



View of Quinipiac River park used for community events.

NEW HAVEN VISION 2025 FUTURE LAND USE MAP



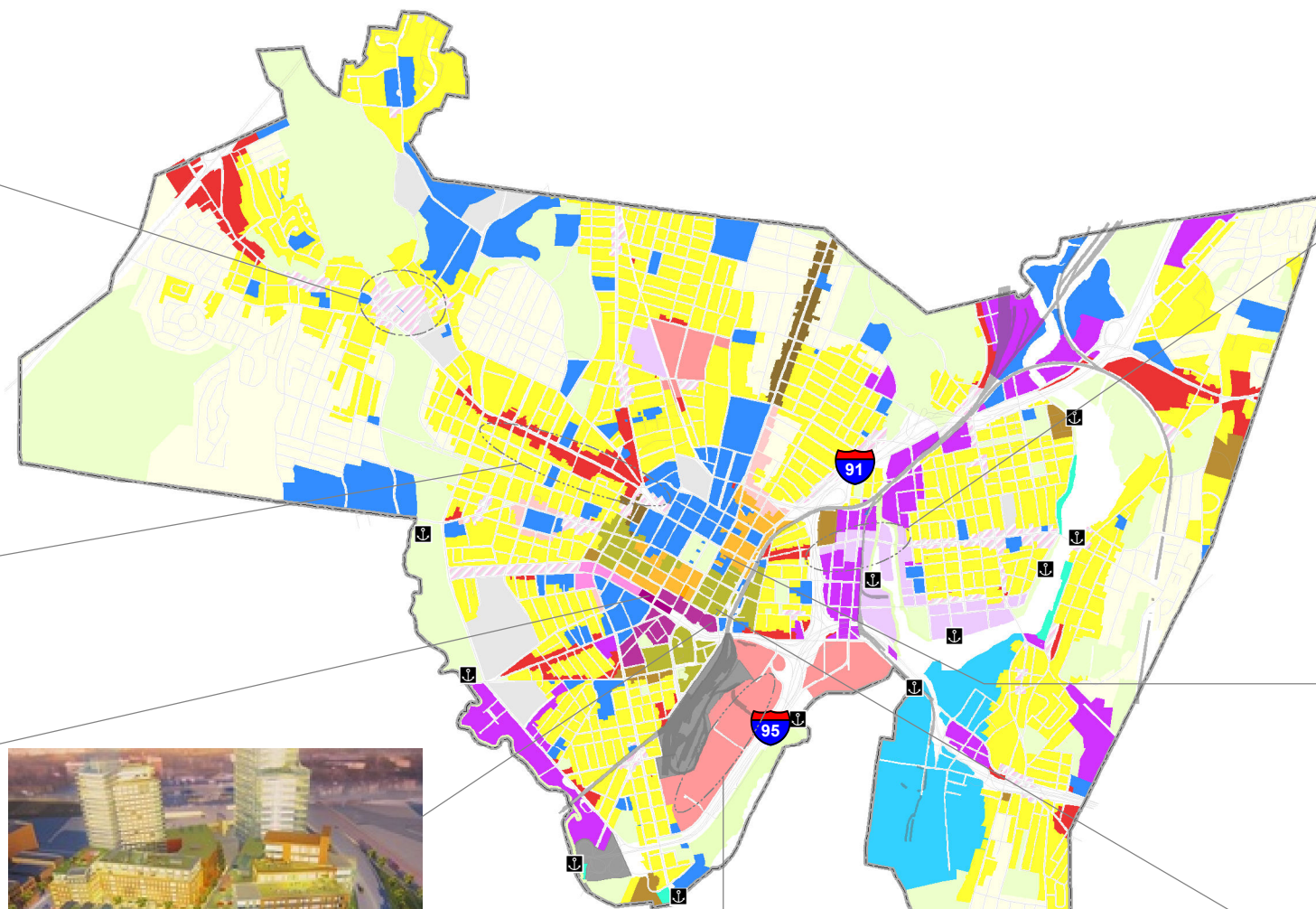
Neighborhood Commercial Mixed Use Area Example: Westville Village



General Commercial Mixed Use Area Example: Lower Whalley Ave



Downtown Medical Mixed Use Building Currently Being Built at 100 College Street



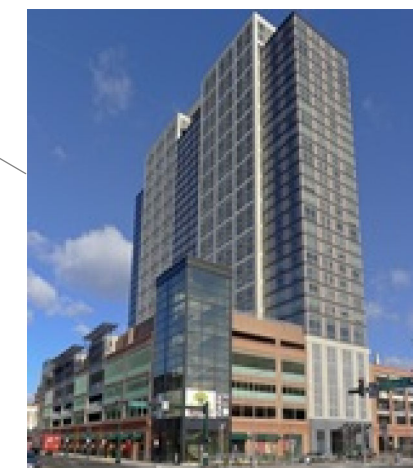
Rendering of the Proposed Downtown Transit-Oriented Mixed Use Development at Former Coliseum Site



Rendering of the Industrial Mixed Use Area Envisioned in the Mill River District Plan



Downtown Commercial Mixed Use Building at 195 Church Street



Downtown Residential Mixed Use Building at 360 State Street



Example of the Scale of Large Scale Commercial Mixed Use Development Envisioned on Sargent Drive

Proposed Land Use

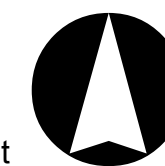
- Residential**
 - Low Density Residential
 - Medium Density Residential
 - High Density Residential
 - Special High Density Res
- Commercial**
 - Office Mixed Use
 - Neighborhood Commercial Mixed Use
 - Large-scale Commercial/Industrial Mixed Use
 - General Commercial Mixed Use

Downtown Mixed Use

- Downtown Residential Mixed Use
- Downtown Commercial Mixed Use
- Downtown Medical Mixed Use
- Downtown Transit-oriented Mixed Use
- Industrial**
 - Industrial
 - Industrial Mixed Use
- Parks and Open Space**
 - Parks and Open Space

Water Dependent

- Marine Mixed Use
- Port
- Other**
 - Institutional
 - Transportation
 - Cemetery
 - Waterfront Recreation Access**

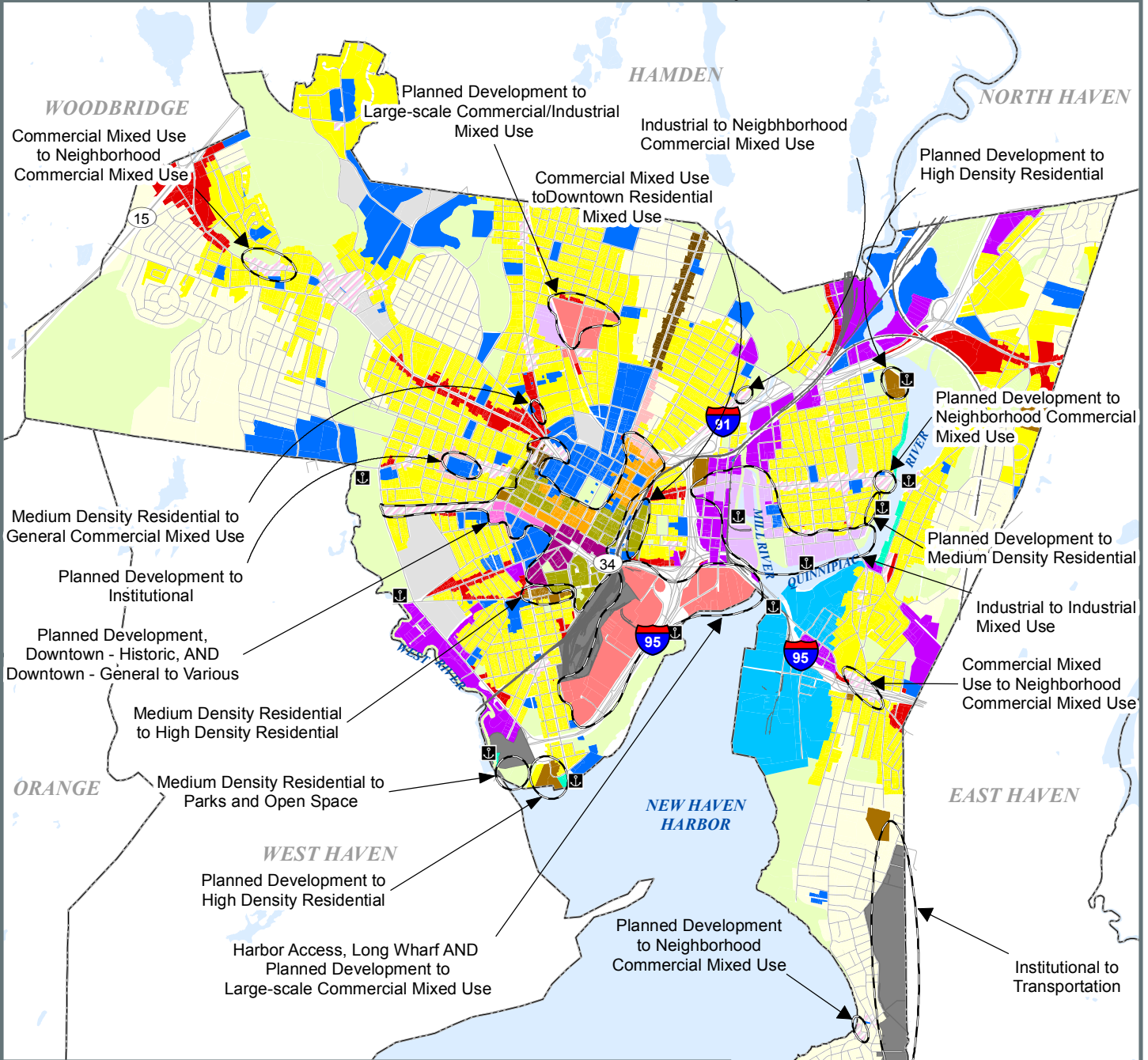




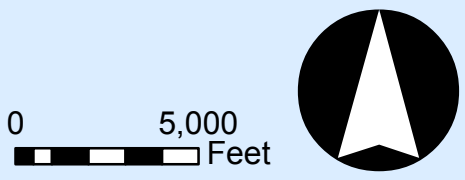
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NEW HAVEN VISION 2025

FUTURE LAND USE MAP CATEGORY CHANGES (2003 - 2015)



	Changes from 2003 plan	Downtown Mixed Use		Other	
Proposed Land Use			Downtown Residential Mixed Use		Institutional
Residential			Downtown Commercial Mixed Use		Transportation
	Low Density Residential		Downtown Medical Mixed Use		Cemetery
	Medium Density Residential		Downtown Transit-oriented Mixed Use		Waterfront Recreation Access
	High Density Residential	Industrial			
	Special High Density Res		Industrial		
Commercial			Industrial Mixed Use		
	Office Mixed Use	Parks and Open Space			
	Neighborhood Commercial Mixed Use		Parks and Open Space		
	Large-scale Commercial/Industrial Mixed Use	Water Dependent			
	General Commercial Mixed Use		Marine Mixed Use		
			Port		





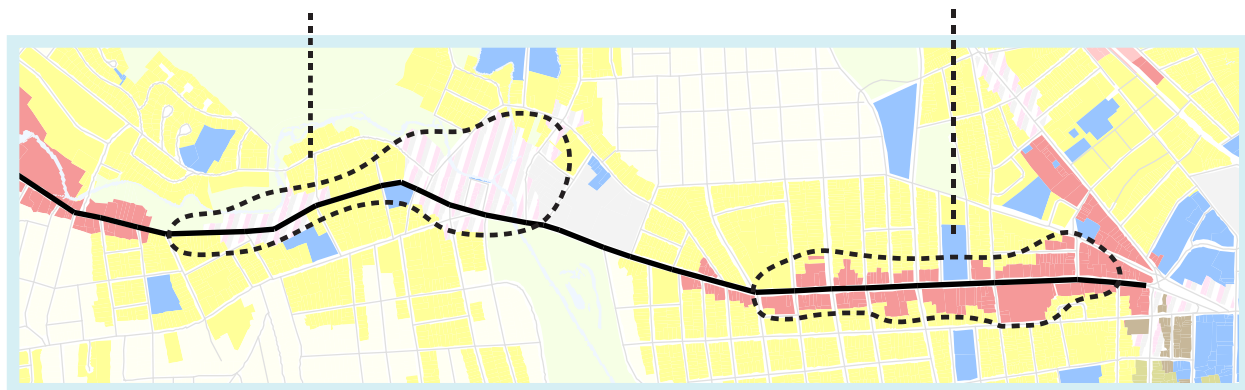
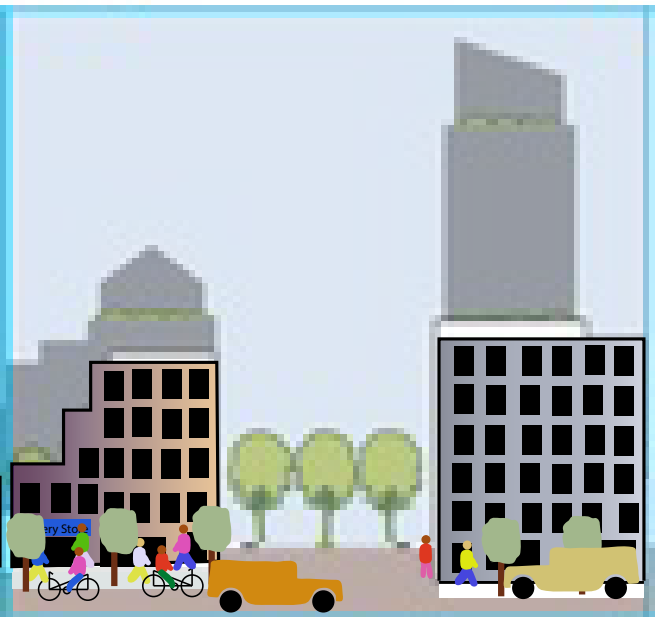
Whalley Avenue Conceptual Building Height Progression

Whalley near Westville Village

Whalley between Broadway and Boulevard

NEIGHBORHOOD COMMERCIAL DISTRICT

GENERAL COMMERCIAL DISTRICT



Note: Illustration to be used for conceptual purposes only. More technical analysis is needed to implement the vision.

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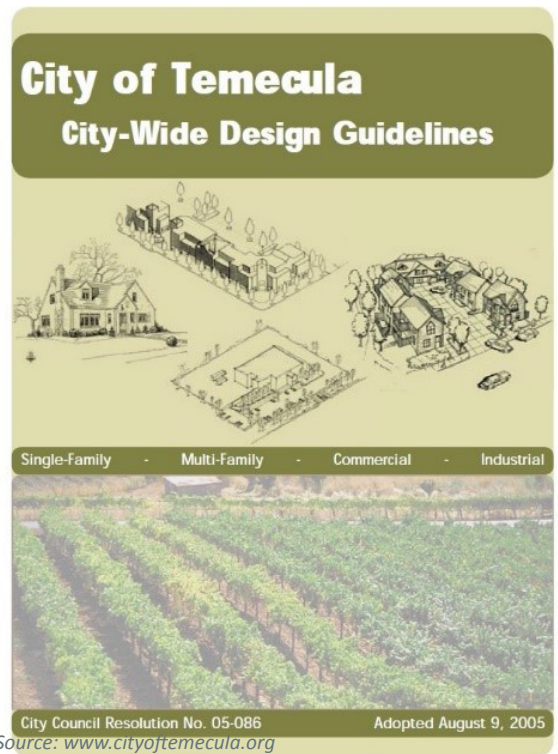
G. SUMMARY OF RECOMMENDATIONS

Recommended Zoning Amendments

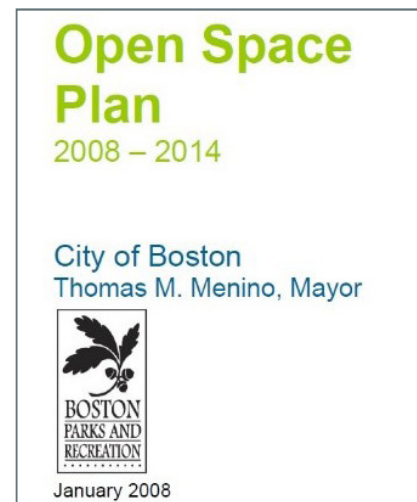
- ❖ Review existing Planned Development Unit (PDU) and Planned Development District (PDD) status
- ❖ Establish a licensing program for all convenience stores within the city
- ❖ Define the types of uses allowed in neighborhood mixed-use as opposed to general commercial mixed-use districts and consider form-based standards
- ❖ Develop new zoning standards for the proposed industrial mixed-use areas and large-scale commercial mixed-use areas
- ❖ Remove zoning and regulatory barriers to promote commercial and non-profit urban agriculture
- ❖ Allow single-room occupancy housing within and closer to Downtown, where there is immediate access to transit and support services, along with mandatory requirement of licensing and on-site manager
- ❖ Explore the feasibility of implementing regulations to encourage healthy food zones near schools and recreation centers
- ❖ Research options for proposing a change of land use and zoning in the existing industrial area located near West River
- ❖ Allow interim uses such as urban farming and temporary recreational events on vacant and under-utilized industrial sites of the city

Sub-Planning Studies Proposed

- ❖ City-wide design guidelines manual considering crime prevention through environmental design (CPTED) and universal design standards
- ❖ Regular update to the community needs assessment on socio-economic and housing data
- ❖ Neighborhood plans for Science Park (Newhallville/Dixwell), Long Wharf, and Fair Haven
- ❖ Bus transit needs analysis study
- ❖ Open space management plan
- ❖ Transportation master plan



Example of a city-wide design guidelines manual adopted by the City of Temecula, California, whose estimated population count in 2013 was 106,780.



Source: <http://www.cityofboston.gov/parks/openspace0814.asp>
Boston's *Open Space Plan* was prepared by the City's Parks Department to provide guidance on an integrated open space system with improved linkages to meet new or unmet needs and to protect natural resources and environmental base of the city's open space system, including both publicly- and privately-owned open spaces.

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Plan for Greenways & Cycling Systems New Haven, Connecticut



City Plan Department
City Of New Haven, Connecticut
John DeStefano, Jr., Mayor

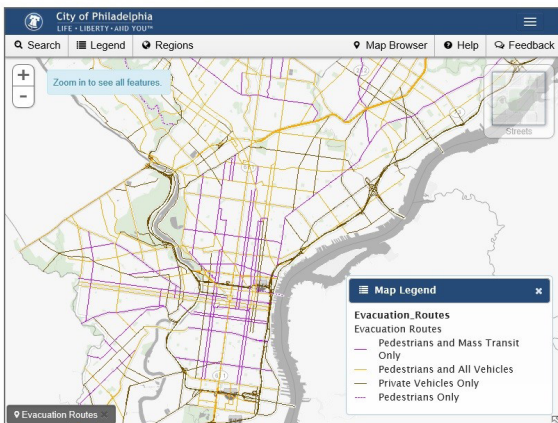
April, 2004

- ❖ Bike/ped analysis to identify missing links and implement solutions
- ❖ Traffic signal studies at Whalley, Whitney, and Dixwell Avenues (regional corridors)
- ❖ Truck routing study
- ❖ Shared parking study for Downtown New Haven
- ❖ Study for a fixed route, more frequent, visible local commuting option in Downtown
- ❖ Health impact assessments on public infrastructure and land use projects
- ❖ Update of the *City of New Haven Natural Hazard Mitigation Plan* (last updated in June 2011)
- ❖ Update of the *Climate Action Plan* (2004)
- ❖ Update of the *New Haven Air Toxics Inventory* (2004)
- ❖ Update of the *Plan for Greenways & Cycling Systems* (2004)
- ❖ Update of *City of New Haven Complete Streets Design Manual* (2010)
- ❖ Develop municipal development plans at Grand/Hamilton/Chapel, Exit 59 Area/Amity, Boulevard area, and Whalley Avenue
- ❖ Update New Haven Parks Master Plan (2001)

Mapping Projects Recommended (Inclusive of all Planning Topics)

- ❖ Mapping and publishing of city's **emergency evacuation routes** on a scenario-based approach
- ❖ Comprehensive web-based mapping portal of city's arts, cultural, and entertainment facilities
- ❖ Publishing of city's endangered species map and archaeological resources map
- ❖ Interactive parking map with public parking locations in the city and associated costs
- ❖ Update *New Haven Green Map* (2006)

CITY OF PHILADELPHIA: EVACUATION ROUTES



Philadelphia has an online, interactive emergency evacuation route map for all users as seen in the picture above.

Executive Summary



Housing and Neighborhood Planning Recommendations

New Neighborhood Forms

- ❖ **Farnam Courts**
- ❖ Church Street South
- ❖ Long Wharf
- ❖ Mill River
- ❖ Belle Dock
- ❖ Science Park

Neighborhood Revitalization Areas In/Around Existing Schools

- ❖ Lincoln Bassett School (West Newhallville)
- ❖ Wexlar Grant School (Dixwell)
- ❖ Fair Haven K-8 School (lower Fair Haven)
- ❖ Truman School (Hill)
- ❖ Barnard School (West River)

Neighborhood Revitalization around Public Squares

- ❖ Trowbridge Square
- ❖ Jocelyn Square
- ❖ Criscuolo Park

Neighborhood Revitalization around Job Centers

- ❖ **Science Park**
- ❖ SCSU
- ❖ River Street
- ❖ Mill River

New Local Historic Districts

- ❖ Chapel Street
- ❖ Ninth Square
- ❖ Trowbridge Square
- ❖ Orange Street
- ❖ Dwight Street
- ❖ New Haven Green



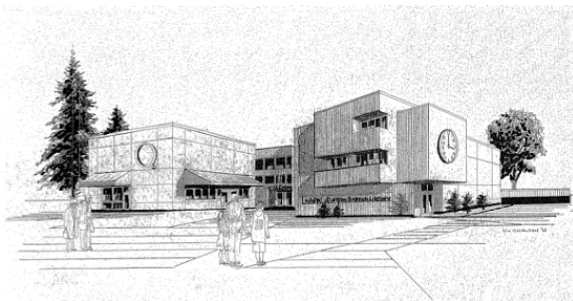
Rendering of the proposed re-building of Farnam Courts on Grand Avenue by Housing Authority. Construction is scheduled to begin in November 2016 and the timeline for completion is April 2017.



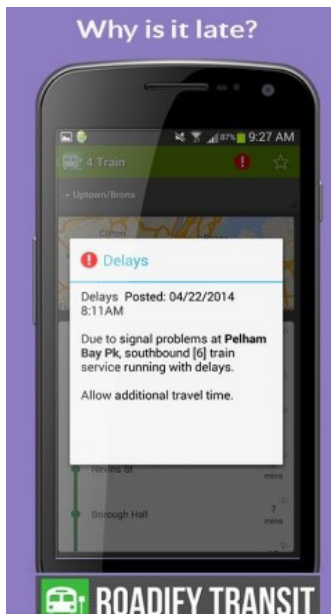
The newly built 245,000 sf office center on the historic Winchester Repeating Arms gun factory site at Science Park in Newhallville neighborhood. This building is now home to Yale's administrative offices, a print shop, and other offices



Coogan Pavilion in Edgewood



Rendering of the proposed re-design of Q House in Dixwell neighborhood.



Roadify transit app currently available on smart phones provides real time information on bus arrivals and departures in New Haven.

Federal Designations Recommended

- ❖ Choice Neighborhood
- ❖ Promise Zone
- ❖ Preserve America

Locations for Year-round Community-based Facilities Preferred

- ❖ **Coogan Pavilion** (Edgewood)
- ❖ **Q House** (Dixwell)
- ❖ Salperto Rink (East Shore)

New Policies/Targets Recommended

- ❖ Explore the feasibility of implementing a housing trust fund
- ❖ Increase homeownership rate by at least 3 percent for the next decade
- ❖ Promote smaller sized housing unit development in and around Downtown New Haven
- ❖ Pursue necessary zoning amendments to promote workforce housing and to allow aging in place. Expand the functioning of residential licensing program
- ❖ Raise awareness of City-sponsored rehab and homeownership programs through an advanced marketing campaign
- ❖ Expand existing energy efficiency programs and seek funding for new programs
- ❖ Develop Phase II of wayfinding signage to include key neighborhood destinations, including commercial corridors

Transportation Recommendations

Public Transit Recommendations

- ❖ Implement digital signage boards at select bus stops including Downtown and Union Station
- ❖ Promote the usage of GPS in local buses
- ❖ Improve existing bus stops and bus shelters and lighting of sidewalks
- ❖ Market **Roadify app** for smart phones to provide real time bus information
- ❖ Promote TransitChek

Executive Summary



- ❖ Explore the feasibility of operating local bus routes through local transit district
- ❖ Implement Cross Town West bus route
- ❖ Implement effective travel and parking demand management program
- ❖ Implement New Haven to Springfield high-speed rail service
- ❖ Implement NEC Future with a transit stop in New Haven
- ❖ Improve operating headways and service times at State Street Station
- ❖ Implement necessary Tweed New Haven Airport improvements to connect to two to three hub cities
- ❖ Expand U Pass options to other colleges/universities besides Gateway Community College (GCC)
- ❖ Explore opportunities to combine Yale and CTTRANSIT shuttle routes
- ❖ Extend rail service along Waterfront Street and to North Yard to improve freight operations
- ❖ Establish intra-coastal and cross-sound ferry services at Belle Dock
- ❖ Partner with Greater New Haven Transit District (GNHTD) and CT Rides to expand current programs and services
- ❖ Implement mixed-use parking garage at Union Station

Sidewalk Improvements Priorities

- ❖ The Hill
- ❖ Newhallville
- ❖ Dixwell

New Sidewalks Proposed

- ❖ Russell Street
- ❖ Quinnipiac Avenue
- ❖ Lower Valley Street
- ❖ Foxon Boulevard

Executive Summary



Dedicated bike lanes envisioned on Edgewood Avenue (above) and on MLK Boulevard (below).



South Frontage Road will be transformed into an urban boulevard as part of Downtown Crossing project implementation.

Dedicated and/or Separated Bike Lanes Recommended

- ❖ Whalley Avenue
- ❖ **MLK Boulevard**
- ❖ Grand Avenue
- ❖ Congress Avenue
- ❖ Forbes Avenue
- ❖ Water Street
- ❖ **Edgewood Avenue**

Traffic Calming Location Priorities

- ❖ Ella Grasso Boulevard
- ❖ Upper Whalley Avenue
- ❖ Upper State Street
- ❖ Clinton Avenue
- ❖ Foxon Boulevard
- ❖ Sargent Drive
- ❖ Near James Hillhouse High School
- ❖ Near King Robinson School

Urban Boulevards (Improvements) Recommended

- ❖ **Route 34 (East and West)**
- ❖ Route 10 (Ella Grasso Boulevard)
- ❖ Kimberly Avenue
- ❖ Foxon Boulevard
- ❖ Whalley Avenue

New Highway Connections

- ❖ Exit 59A/Wilbur Cross Parkway

Trails Priorities

- ❖ Completion of Phase IV of Farmington Canal trail
- ❖ West River Greenway trail
- ❖ Mill River trail
- ❖ Harborside trail

Federal Designations Recommended

- ❖ Walk Friendly Communities

Executive Summary



Transit-oriented Development Opportunities

- ❖ Church Street South
- ❖ **Former New Haven Coliseum**
- ❖ Route 34 corridor
- ❖ Whalley/Boulevard area
- ❖ Union Street parcels (Wooster Square)

New Access Connections

- ❖ **Long Wharf neighborhood** to Vietnam Veterans Memorial in Long Wharf Park
- ❖ Sargent Drive to the waterfront
- ❖ Downtown to Wooster Square through the extension of “Fair Street”
- ❖ East Rock neighborhood to Cedar Hill area
- ❖ North to south connections across Route 34 West
- ❖ East to west bike/ped connections from East Shore/Annex/Fair Haven Heights to Downtown

New Policies/Targets Recommended

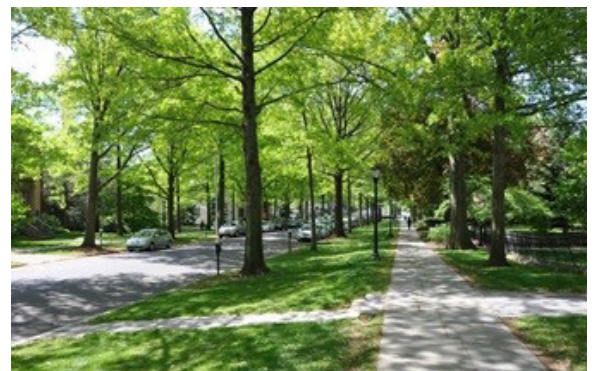
- ❖ Adopt multi-national Vision Zero policy, which aims to eliminate traffic fatalities
- ❖ Expand bicycle parking facilities in all public/private parking lots and on-street in Downtown
- ❖ Renewed discussion on inter-city transportation policy at regional and state level
- ❖ **Promote “green streets”**
- ❖ Streamline complete streets process and promote transparency in decision making and implementation
- ❖ Reduce greenhouse gas emissions by encouraging the use of compressed natural gas (CNG) and bio-diesel fuels
- ❖ Set a target to increase bike ridership at key Downtown intersections
- ❖ Work with CTRANSIT to allow bike racks at all transit stops
- ❖ Continue Street Smarts campaign and raise awareness on existing transit and bike routes and public parking locations



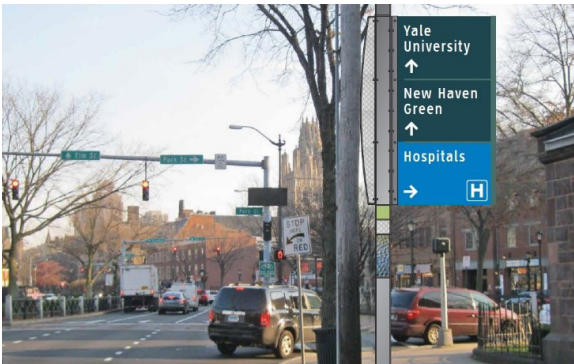
Transit-oriented development envisioned at former New Haven Coliseum site.



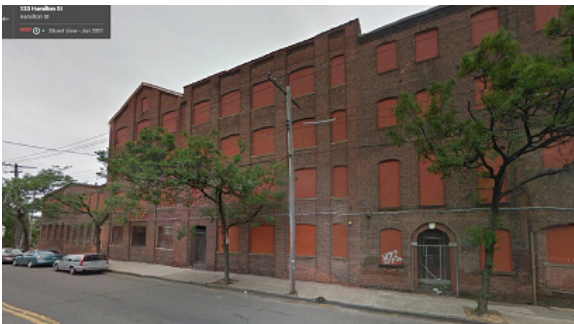
A conceptual view of a trail along Long Wharf Park that would help enhance residents’ access to the waterfront.



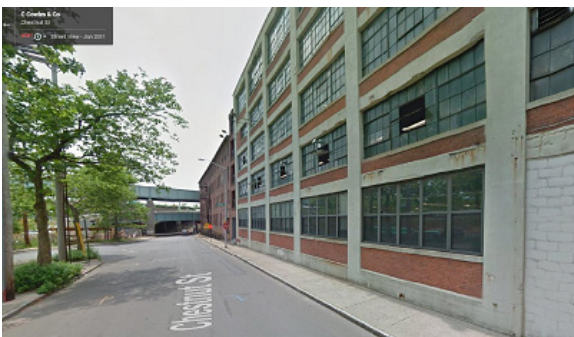
Hillhouse Avenue is an example of a green street.



Wayfinding signage would help visitors reach their destinations easily and also promote economic development. The current wayfinding system in the city is over thirty years old.



Clock Tower site in Wooster Square/Mill River area



Cowles site on Chestnut Street



Strauss Adler Building site on Olive Street

Economic Development Recommendations

Priority Projects/Programs

- ❖ Transformation of neighborhood commercial corridors into CT Main Streets
- ❖ Implementation of Downtown Crossing Phases II and III
- ❖ Former Coliseum Site development
- ❖ Implementation of **Wayfinding signage Phase I**
- ❖ Development of Route 34 West between Sherman Avenue and Route 10
- ❖ Participation in FEMA's CRS
- ❖ Expansion of workforce training programs
- ❖ Expansion of small business assistance programs

Large-scale Economic Development Opportunities

- ❖ Long Wharf
- ❖ Belle Dock
- ❖ Port of New Haven
- ❖ Mill River area
- ❖ Former Coliseum site
- ❖ Route 34 corridor

Downtown Infill Development Opportunities

- ❖ State Street lots
- ❖ 205 Church Street lot
- ❖ Frontier parking lot
- ❖ City-owned parking lot at Wall/Orange/Elm
- ❖ Parking deck by George and York

Site Specific Economic Development Initiatives

- ❖ CTTRANSIT, James Street
- ❖ **Clock Factory**, Hamilton Street
- ❖ Ives Place, Mill River area
- ❖ **Cowles Site**, Water Street
- ❖ Luciani Vito Site, Water Street
- ❖ High School in the Community site, Water Street
- ❖ Wyatt/Williams Energy site
- ❖ **Strauss Adler building** site, Olive Street

Executive Summary



Mixed-use Commercial Areas/Neighborhood Commercial Districts

- ❖ Water Street
- ❖ Whalley Avenue
- ❖ Grand Avenue
- ❖ Dixwell Avenue
- ❖ State Street/Cedar Hill
- ❖ Kimberly Square
- ❖ Congress Avenue
- ❖ Foxon Boulevard
- ❖ Forbes Avenue

Cultural/Outdoor Recreational Opportunities

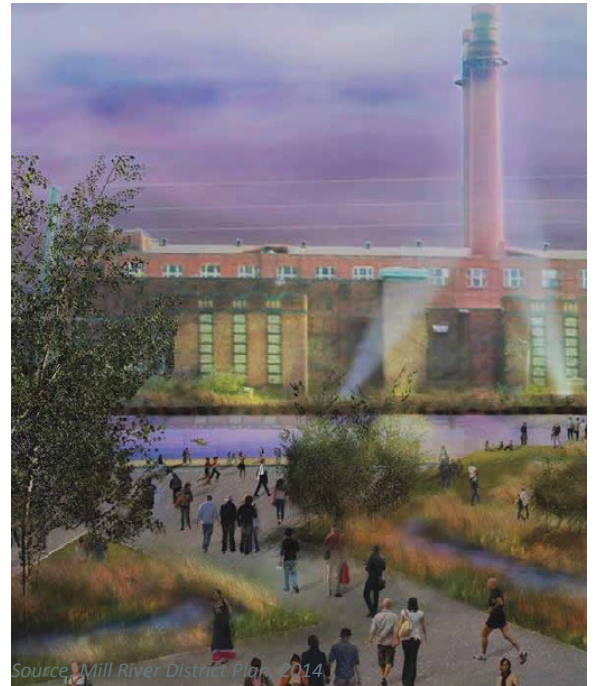
- ❖ Dover Beach Park
- ❖ Canal Dock and Long Wharf Areas
- ❖ West River Memorial Park
- ❖ Quinnipiac River Park
- ❖ **Former Simkins site** in Mill River area (interim uses)

Arts Integration Opportunities

- ❖ Re-imagining 45 Church Street as a creative center
- ❖ Re-imagining a signature Marcel Breuer building on Long Wharf as a global creative consortium
- ❖ Pursuing a vacant property on Chapel Street as a continuing education center for baby boomers
- ❖ Deploying “driverless” vans up and down Chapel and Church Streets with pre-recorded tours and historic commentary using technology

New Policies/Targets Recommended

- ❖ Promote an “all-inclusive” economy by expanding economic opportunities along neighborhood commercial corridors
- ❖ Prepare local workforce for a **technology-based economy** predominant in the 21st century
- ❖ Enhance economic competitiveness and strengthen New Haven’s positioning as a regional urban growth center
- ❖ Maintain and increase economic activity and vibrancy in Downtown New Haven



Source: Mill River District Plan, 2014

Waterfront locations such as the Simkins site could be used as open space or for art/seasonal/recreational events.



The local workforce should be prepared for a technology- and education-based economy predominant in the city and the region.



Executive Summary



Regionalization of arts programming is recommended to brand the region as a “place to be” for arts, culture, and entertainment.



Urban farms and commercial food production should be promote by permitting them in all zones of the city.

- ❖ Improve land use and design standards in neighborhood commercial districts
- ❖ Promote urban agriculture as an interim use on existing under-utilized industrial sites following appropriate clean up
- ❖ Develop business-focused marketing campaign using television and other local media
- ❖ Raise awareness on City-sponsored small business/entrepreneur assistance programs
- ❖ Encourage neighborhood associations/organizations to organize annual business festivals to showcase local artists’ talent and skills
- ❖ Promote bi-lingual education and workforce training
- ❖ Improve the retention of college graduates by involving them in community-based activities and City boards/commissions
- ❖ Continue to partner with local educational institutions to promote career pathways for local students
- ❖ Promote vocational training opportunities for local youth in life sciences, arts, and technology
- ❖ Raise awareness and training opportunities on career prospects in advanced manufacturing sector, which has a strong presence in the region
- ❖ Implement coastal resiliency improvements for businesses/properties located in V and VE flood zones
- ❖ Integrate arts/culture/history into the city’s wayfinding signage program
- ❖ Create innovative recurring funding sources for arts programming by naming buildings after philanthropists; encourage novel social media platforms for funding events together
- ❖ **Regionalize arts programming**, wherever feasible, to brand the region as an arts and cultural destination
- ❖ Explore the feasibility of passenger-related maritime activity in Port area
- ❖ **Enable urban farm siting locations** and support commercial food production in all zones of the city, including industrial zones

Executive Summary



- ❖ Support the expansion of city-wide fiber optic network to promote easy business and enhance economic competitiveness
- ❖ Promote commercial recycling programs and sharing of industrial waste, wherever feasible
- ❖ Require mandatory recycling practices at all local events
- ❖ Promote the growth of “green jobs” in other industries besides the construction industry

Environment Recommendations

Trails Priorities

- ❖ Completion of Phase IV of Farmington Canal trail
- ❖ West River Greenway trail
- ❖ Mill River trail
- ❖ Harborside trail

Park Planning

- ❖ Improvements to West River Memorial Park
- ❖ Official Adoption of Parks Master Plan Update

Coastal Resiliency Improvements

- ❖ Mill River (near English Station)
- ❖ Long Wharf and Rail Yard area
- ❖ East Shore
- ❖ River Street area
- ❖ **Morris Cove**

New Policies/Targets Recommended

- ❖ Partner with the public and private sector companies to ensure at least 30 percent reduction rate in VMT for the city over the next decade
- ❖ Encourage the implementation of **source reduction methods** to reduce stormwater runoff
- ❖ Continue to utilize renewable power sources for all City-owned buildings and educate private property owners regarding the benefits of using renewable power sources to the natural environment
- ❖ Support and promote commercial and non-profit urban agriculture as one important method of mitigating the urban heat island effect



View of properties at risk at Pardee Seawall in Morris Cove neighborhood.



Source reduction methods such as rain barrels could be used to reduce runoff from stormwater. Rain barrels collect and store rainwater from rooftops, which could be used later to water plants and yards.

Executive Summary



Recently implemented Edgewood bioswale near Edgewood School.



Plazas such as the Pitkin plaza located in Downtown New Haven help promote opportunities for community interaction, create identity, and increase a community's value.



Pedestrian safety enhancements at the intersection of Ella T. Grasso Boulevard and Rev. Dr. Martin Luther King, Jr. Boulevard would improve access between West River Memorial Park and Edgewood Park.

- ❖ Continue to seek improvements to upstream wastewater treatment facilities and support statewide regulation of non-point sources of pollution
- ❖ Implement flood proofing and context-sensitive coastal resiliency measures along the coast, incorporating structural measures where necessary, and pursuing zoning amendments based on the future land use map of the city
- ❖ **Continue to implement bioswales** (such as the recently installed Edgewood Avenue bioswale) in all neighborhoods to promote natural infiltration of water, reduce flooding, and increase ground water recharge
- ❖ Raise awareness among residents through brochures, email lists, and online materials regarding the importance of preserving plant and natural habitat areas to maintain a balanced ecosystem
- ❖ Demonstrate the value of urban spaces through the **revitalization of public plazas** in and around the central city
- ❖ Continue to enhance the image of all city parks to make them accessible, inviting, exciting, and well maintained
- ❖ Seek to expand opportunities to **promote safe access to the existing parks** and enhance programming in underserved neighborhoods by capitalizing on site and resource opportunities when available
- ❖ Encourage and support formation of “friends for parks” promote stewardship of parks
- ❖ Expand tree canopy in those parcels or blocks where there is minimum or no tree canopy with relatively large amount of impervious surface
- ❖ Continue to support community garden programs, plan short- and long-term locations with defined leases, encourage the location of farmers markets, and provide resources when possible
- ❖ Support the remediation of soils for urban farms and community gardens to allow safe and healthy food to be grown



H. PLAN IMPLEMENTATION

The summary of recommendations matrix (shown earlier) lists the short-term and medium-/long-term recommendations of the Plan. However, some recommendations may take more than 10 years to implement depending on staff capacity, market conditions, and financial resources. Since the Plan is visionary and conceptual in nature, more detailed technical analyses and studies must be undertaken to implement specific recommendations. Also, many of these projects and programs require substantial City, State, and Federal investments. One way of achieving faster results is to integrate the Comprehensive Plan recommendations within the City’s Capital Improvement Program.

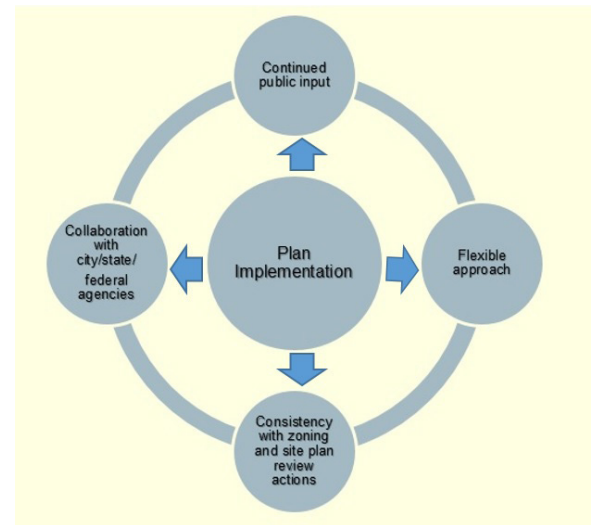
The **recommendations can be successfully implemented** only when there is continued collaboration, communication, and transparency during and after decision making among various City departments (i.e., City Plan, Livable City Initiative, Transportation, Economic Development, Parks, and Engineering), who are the responsible agencies for implementation.

This document was developed through extensive public input. Even moving forward, City staff should continue to engage the residents and various City boards/commissions to seek their input when implementing recommendations.

Cities thrive when the neighborhoods succeed and regions thrive when the cities succeed in implementing their visions. Keeping this in mind, the recommendations should be collectively implemented through partnerships at various levels including residents, neighborhood management teams, civic/non-profit associations, elected/appointed officials, institutional partners, and State/Federal/regional agencies.

A flexible approach must be adopted during implementation because in some instances the results of the technical analyses may suggest re-assessment of the proposed recommendations. Re-assessing the recommendations and policies outlined within this document periodically and making necessary amendments to the Plan would help ensure that it does not become obsolete.

The shared community vision and recommendations mentioned in this document should be publicized extensively among residents, local boards/commissions, elected/appointed officials, developers, non-profits, and other interested/affected agencies





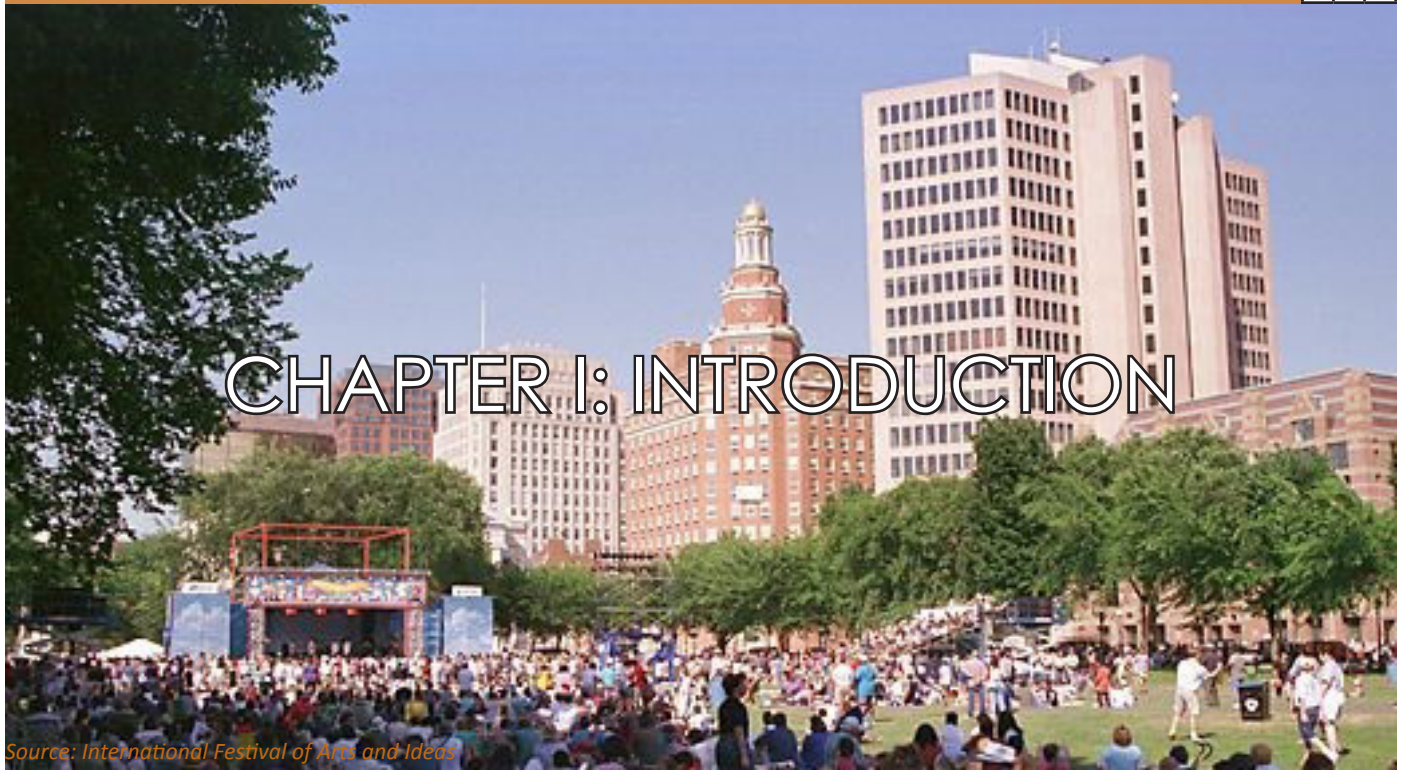
Executive Summary

to achieve maximum desired results. All actions related to zoning and site plan review should be made generally consistent with the recommendations of this Plan.

Key Near-Term Actions

Strategy 1—Establish the Hill-to-Downtown Steering Committee of the Hill-to-Downtown Community Plan (2014).

- ❖ An official Hill-to-Downtown Steering Committee model shall include the four Hill alders or their designees, two designees from the Hill Management Teams (one from Hill North and one from Hill South elected by their respective Management Teams), two City of New Haven officials designated by the mayor (one from City Plan and one from Economic Development), and two representatives from local institutions or businesses nominated by the mayor and approved by the Board of Alders.



Source: International Festival of Arts and Ideas

A. LEGAL STANDING

A Comprehensive Plan is a policy document regarding physical growth and development of the city; it is also called a Plan of Conservation and Development. This update of the 2003 Comprehensive Plan (“Plan”) of Development, titled *New Haven Vision 2025*, is prepared in accordance with (CGS) Section 8-19: Creation of planning commissions and Section 8-23: Preparation, amendment or adoption of plan of conservation and development. This duty is also codified within the City charter under Article VII, Section 3 L (3) (a) which states that “it shall be the duty of the City Plan Commission to prepare and recommend development plans for the improvement of the entire City or any portion thereof.”

The 2003 Plan has been updated in a manner consistent with CGS Section 8-23, which requires that Comprehensive Plans of all municipalities within the state be updated at least once every ten years. The plan update also takes into account recommendations outlined within the 2013-2018 State of Connecticut’s Plan of Conservation and Development pursuant to Section 16a-29 of CGS, and the South Central Connecticut Regional *Plan of Conservation and Development* (amended in July 2009) pursuant to Section 8-35a of CGS. The Plan shows the Commission’s most desirable use



Introduction

COMPREHENSIVE PLAN OF DEVELOPMENT NEW HAVEN, CONNECTICUT



City of New Haven
John DeStefano, Jr., Mayor

2003 Comprehensive Plan

of land within the City of New Haven for residential, recreational, commercial, industrial, conservation, and other purposes, and for the areas most desirable for increased population density in the city.

B. RELATIONSHIP TO OTHER PLANS

This plan supersedes and replaces the *Comprehensive Plan of Development for the City of New Haven* (2003), as amended. It takes into account various planning efforts conducted and policy documents prepared and adopted in recent years, and guides all sub-area planning in the city over the next decade. (See Appendix for chart on relationship to other plans.)

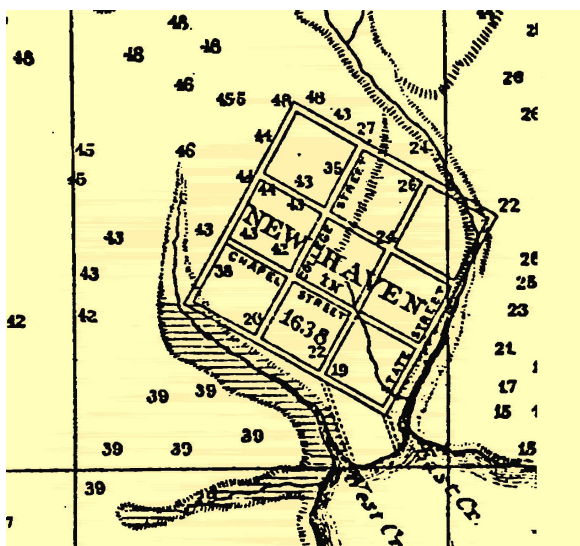
C. PROCESS FOR AMENDMENTS

Proposed amendments to this document shall be submitted to the City Plan Department for administrative processing. The Executive Director of the City Plan Department may submit an amendment on behalf of the Commission or on behalf of the City Plan Department. The Executive Director shall forward all proposed amendments to the City Plan Commission for consideration in accordance with state and local law and the Commission’s rules and regulations. The Executive Director may submit an analysis and advice on any proposed amendment.

Proposed amendments to the New Haven Zoning Ordinance, the New Haven Coastal Program, active and proposed redevelopment plans, active and proposed Municipal Development Plans, and all other development plans prepared or reviewed by the City Plan Commission shall be reviewed for their consistency with this document and forwarded to the appropriate body for adoption: the Board of Alders, the Redevelopment Agency, or the Development Commission.

D. PLANNING HISTORY

The City of New Haven is generally recognized as the first English-speaking colonial American city to adopt a physical plan. In 1639, Surveyor John Brockett laid out a grid of nine blocks, organized around a central common block. The so-called “**Nine Square Plan**” is an early example of the grid patterns later used in Philadelphia (1682), Detroit (1700), New Orleans (1718), and Savannah (1733). The New Haven Green, the original central block, is a National



Nine Square Plan

Introduction



Historic Landmark and the Nine Square Plan is recognized by the American Institute of Certified Planners as a National Historic Planning Landmark.

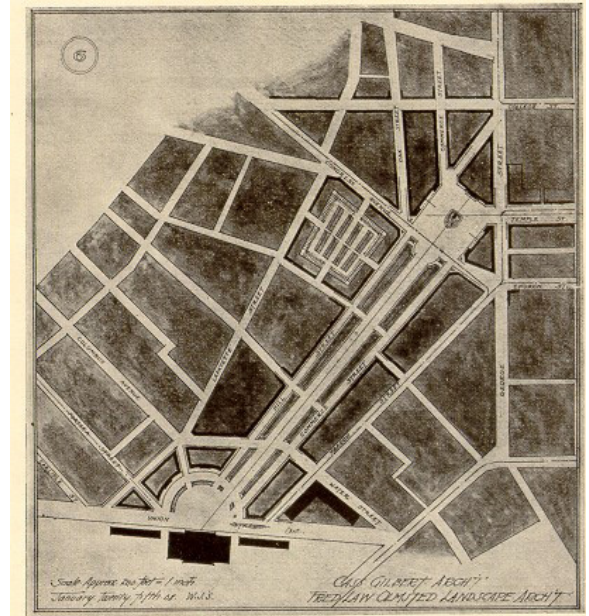
As the city developed, a series of roads radiated away from the nine squares to points north, east and west. In the colonial era, New Haven grew slowly with little expansion outside of the original squares. A map dated 1748 shows moderate expansion along Water Street and the harbor area, with rural and agriculture lands to the north.

During the colonial era, the New Haven Colony extended from the Housatonic River to the Hammonasset River and even briefly included a portion of the east end of Long Island. Soon after the Revolutionary War, New Haven reorganized as a city in 1784. The modern city boundary began to take shape as portions of the original town (including the present towns of Hamden, West Haven, East Haven, North Haven, and Woodbridge) were incorporated as separate municipalities.

The late 19th and early 20th century was a period of dramatic growth and industrialization for New Haven. In response, the City of New Haven began to formalize and codify its land use regulations and a parks commission was also established. A Board of Health and a Building Inspector's Office were established early in the century. As the City Beautiful movement swept the nation, the New Haven Civic Improvement Committee was formed in 1907. **Cass Gilbert and Frederick Law Olmsted prepared the first modern city plan** and presented it to the Committee in 1910. The plan was the City's first documented attempt to accommodate dramatic population growth and improve the quality of life in the city by advancing transportation, aesthetic, and environmental improvements.

In 1913, the State of Connecticut enabled, and the City of New Haven established, one of the nation's first City Plan Commissions. In 1925, the State enabled and the City later established zoning districts. These actions are the foundation for land use planning and the roles and responsibilities of the City Plan Commission to the present day.

In 1942, consultant **Maurice E.H. Rotival prepared a new comprehensive plan** for the City Plan Commission. The plan, coming at the start of World War II and additional industrial expansion in the City, advocated economic development east



Gilbert and Olmsted Plan, 1910



Rotival Plan, 1942



Introduction

toward the harbor and attractive residential development to the west of downtown. In addition, Rotival recommended extensive expansion of the transportation system, including an enhanced cross-town road system and port access up the Quinnipiac River. Perhaps Rotival's most important contribution to the city's planning history is his appreciation of New Haven as the central city of the region:

It is obvious that this role cannot be maintained or increased but by enhancing existing assets and re-establishing others which have completely disappeared like, for instance, the contact of the city with its natural waterfront.

The City's next comprehensive plan, the Short Approach Master Plan of 1953, was strategically focused on transportation issues. Short Approach identified a preferred location for the Interstate highway system (1956) and the redesign of present-day I-91, moving the line to the east side of Wooster Square. The Connecticut Turnpike (I-95 through the New Haven area) opened in 1958.

In 1957, Land Use, Thoroughfare and Community Facility Plans (later known collectively as the "Workable Program") replaced Short Approach as the City's comprehensive plan. The Workable Program was updated and revised periodically during the 1960s.

In many ways, the Workable Program coincided with a shift in land use planning from a comprehensive to a more project-specific approach. As federal and state funding sources mandated strategic project plans in target areas, a wave of Urban Renewal and Redevelopment (and later Municipal Development Plans) plans were prepared and approved by the City Plan Commission.

These plans, which were prepared by the New Haven Redevelopment Agency and/or the New Haven Development Commission, focused on strategic improvements in specific target areas. Redevelopment, in particular, has made a lasting impression on the city's physical environment and on the modern transportation system. During the tenure of then Mayor Richard Lee (1954-70), the City of New Haven was recognized nationally for its redevelopment efforts.

Introduction



The following are among the plans and studies prepared, some of which were also officially adopted in the later half of 20th century:

- 1955 Oak Street Redevelopment Plan
- 1958 Wooster Square Redevelopment and Renewal Plan
Long Wharf Redevelopment Plan
- 1959 Middle Ground Program (Newhallville, Dwight, Fair Haven and Hill)
- 1960 Dixwell Redevelopment and Renewal Plan
- 1963 Hill High School Redevelopment Plan
Dwight Renewal and Redevelopment Plan
Community Renewal Program (multiple years)
- 1966 Temple – George Redevelopment Plan
- 1968 State Street Redevelopment and Renewal Plan
Newhallville Redevelopment and Renewal Plan
- 1969 Fair Haven Redevelopment and Renewal Plan
- 1973 Hill Redevelopment and Renewal Plan
- 1975 Taft – Adams Housing Site Development Plan
- 1979 Orange Street Municipal Development Plan (MDP)
- 1980 Quinnipiac River Municipal Development Plan
- 1981 Science Park Municipal Development Plan
- 1987 Mill River Municipal Development Plan
- 1995 Downtown Municipal Development Plan
- 2002 *River Street Municipal Development Plan*
- 2003 *Comprehensive Plan of Development*
- 2004 *New Haven Air Toxics Inventory*
New Haven Climate Change Action Plan
Plan for Greenways & Cycling Systems
- 2005 *City of New Haven Natural Hazard Mitigation Plan*
- 2006 *New Haven Coastal Program*
- 2007 *Port of New Haven Strategic Land Use Plan*
Route 34 Municipal Development Plan
- 2008 New Haven Future Framework
New Haven Streetcar Assessment
Downtown Crossing Study (Route 34 East)
New Haven Union Station Transit Oriented Development Study



- 2010 Route 34 Incentive Housing Zone study
Complete Streets Design Manual
Whalley Avenue Corridor Study
Whalley Avenue Design Overlay District (New Haven Zoning Ordinance [NHZO])
- 2011 *New Haven Streetcar Preliminary Alignment and Implementation Plan*
City of New Haven Natural Hazard Mitigation Plan Update
- 2012 New Haven Sustainability Plan
- 2013 *City of New Haven Two-way Conversion*
- 2014 *Mill River District Plan*
Mobility Study
Hill to Downtown Community Plan

In addition to these plans, planning efforts have also focused on historic preservation, coastal management and community services. The Historic District Ordinance (part of the New Haven Zoning Ordinance) and the Historic District Commission were established in 1970. The city’s first local historic district, Wooster Square, was established the following year, followed by Quinnipiac (established in 1977) and City Point (established in 2001).

Community Services planning coincides with the federal Community Development Block Grant (CDBG) program. The Department of Housing and Urban Development administers CDBG and a number of other federal grant programs, including the Emergency Solutions Grant (ESG), HOME Investments Partnership Program (HOME), and Housing Opportunities for Persons with AIDS (HOPWA) programs. The City of New Haven as an “entitlement” prepares a Consolidated Plan every five years and a strategic plan every year.

E. COMMUNITY INVOLVEMENT

This Plan Update document was prepared with extensive public input. A variety of approaches were used to involve residents, and elected/appointed officials at every step of the process such as: attending Community Management Team (CMT) meetings, conducting community listening sessions/workshops, and **soliciting input** through written feedback, emails, and conducting and electronic/paper copy survey. The public involvement component comprised of two phases:



Flyer soliciting public input



More than 900 city residents completed the community survey that informed the recommendations of this document.

Introduction



Phase 1 (December 2012 – December 2013) involved initial updates on trends and statistics and discussion of planning issues at all of the 12 Community Management Teams (CMTs) in the city, City planning boards/commissions, non-profit/civic associations (Elm City Cycling, New Haven Food Policy Council, Cedar Hills Merchants Association, Community Alliance for Research and Engagement [CARE], etc.), and Mayor’s Nights Out. Regular internal briefings were provided to the staff of the Livable City Initiative (LCI); Transportation, Traffic, and Parking Department (TTP); and the Economic Development Department.

A city-wide community preference survey was conducted to prioritize planning issues and arrive at a consensus on planning vision. It garnered **±920 responses from residents all across the city**. In addition, a community feedback form was also distributed at all meetings, which was completed and returned by some residents (See Appendix). The feedback gathered from Phase I outreach helped in framing the planning vision for the city for the next decade.

Phase 2 (May 2014 – September 2015) involved development of draft planning recommendations through **community listening sessions** (workshops) in some neighborhoods and through discussions at all 12 CMTs. City Plan staff also involved all department heads (e.g., Economic Development Administration; TTP; LCI; Engineering; Parks and Recreation; and Arts, Culture, and Tourism) during the draft plan document development stage and incorporated their feedback on plan recommendations.

Monthly updates on various planning topics were given at the City Plan Commission (CPC) meetings from December 2012 to June 2013 and from March 2015 to September 2015. Residents and other agencies sent written comments to the Department through the community feedback form or via email, which are included within the Appendices of this document. The Appendices also include details on all input received at all stages of the plan update process. One-on-one meetings were held with interested residents, advocacy groups, and Alders.

The CPC held three public hearings on June 17, July 15, and September 17, 2015 before approving the final draft of this document. A section of the City Plan Department’s web site has been dedicated to the plan update since 2012 and includes staff contact information, an electronic copy of the New Haven Data Book, copies of community presentations, meeting notes of



July 2014 Community Listening Session in Wooster Square



October 2014 Community Listening Session in Route 34 Area



March 2015 Community Listening Session in Westville



workshops conducted, survey questionnaire and results, maps, and the final draft of the entire document.

The Commission appreciates the contributions of residents as well as city department heads and the Board of Alders, who routinely contribute to the dialogue on land use matters. Based on the responses received from Phase 1 and Phase 2 outreach, there is a general consensus among residents on the following planning themes for the city for the next decade:



- ✓ ***BUILD***
- ❖ Housing suitable for all incomes and ages.
- ❖ Tax generating developments.
- ❖ Places for residents, jobs, and support services.



- ✓ ***CONNECT***
- ❖ Housing and transit.
- ❖ Housing, jobs, and support services.
- ❖ Jobs and residents.
- ❖ New Haven to Southern Connecticut and metro New York regions.



- ✓ ***PRESERVE***
 - ❖ Neighborhood character.
 - ❖ Historic character of the city.
 - ❖ Natural Environment.
- ✓ ***ADAPT***
 - ❖ To climate change events.
 - ❖ To anticipated sea level rise.
 - ❖ To inland and coastal flooding.
 - ❖ To extreme temperatures.
 - ❖ To changes in the local and national economy.

Introduction



✓ *GROW*

- ❖ Skills of local workforce.
- ❖ Small business assistance.
- ❖ Public safety measures.
- ❖ Transit and non-motorized mobility options
- ❖ Image of the city as the “greatest small city in America!”



F. GUIDING PRINCIPLES FOR RECOMMENDATIONS

Planning recommendations for the next decade have been developed based on the following guiding principles derived from community input, as shown below.

LAND USE

- ❖ Capitalize on New Haven’s natural assets: the harbor, East and West Rock, and its three rivers.
- ❖ Build on New Haven’s excellent institutions of education, research, and health care.
- ❖ Encourage sustainable developments within the city by allowing a mix of land uses that, to the extent possible, rely on existing community facilities and infrastructure.
- ❖ Facilitate enhanced connections to transit, bike, and pedestrian walkways.
- ❖ Connect to support services, community facilities, open spaces, and recreational facilities.
- ❖ Promote **design compatibility** among a variety of land uses.
- ❖ Promote integration of food policies and planning into city’s land use activities.
- ❖ Increase density and transit-oriented development in central New Haven and along arterials.
- ❖ Encourage pipeless, low-impact developments that consume less energy and with no wastage of water.





HOUSING AND NEIGHBORHOOD PLANNING

- ❖ Promote **diverse housing stock** suitable for people of all ages and incomes.
- ❖ Increase homeownership rate.
- ❖ Improve housing affordability.
- ❖ Enhance quality of the housing stock.
- ❖ Preserve existing, historic housing stock.
- ❖ Encourage environmentally sustainable housing developments.
- ❖ Enhance physical and social connectivity within and among neighborhoods.

TRANSPORTATION

- ❖ Promote safe, efficient, reliable, and accessible public transit system throughout the city to connect residents to jobs, services, and their community.
- ❖ Consider placemaking as a strategy beyond traffic for transportation improvements.
- ❖ Adopt more progressive, multi-modal and context-based design principles.
- ❖ Advocate for faster and more efficient **regional transit** connections.
- ❖ Promote a more sustainable transportation system within the city and the region.
- ❖ Improve mobility for people of all ages and abilities.
- ❖ Increase pedestrian and bicycle connectivity for all i.e., from ages eight to eighty.
- ❖ Encourage employers to raise public awareness of Street Smarts, bike-to-work, transit, and available parking options within the city.
- ❖ Enhance public safety particularly for the city's most vulnerable users.
- ❖ Adopt multi-national Vision Zero policy, which aims to eliminate traffic fatalities
- ❖ Maximize the assets and infrastructure with respect to the availability of parking on city streets.





ECONOMIC DEVELOPMENT

- ❖ Promote sustainable and balanced economic growth.
- ❖ Continue to promote business retention and attraction in the city.
- ❖ Support start up and small and minority-owned businesses.
- ❖ Enhance the skills of local workforce.
- ❖ Promote revitalization of the existing business corridors in the city, to the extent the market allows.
- ❖ Support private sector efforts to maintain positive trends of reduction in vacancy rates within Downtown commercial and office space.
- ❖ Promote the redevelopment of industrial areas of the city to retain and create jobs.
- ❖ Remediate brownfields and where appropriate, propose interim used for such sites.
- ❖ Continue improvements to infrastructure to promote economic development, such as roadway enhancements, coastal resiliency planning, and information technology implementation.
- ❖ Reinforce the city's position as a world-class destination for **arts, cultural, and entertainment** events.
- ❖ Continue to raise awareness of economic development and workforce development initiatives in the city.
- ❖ Continue efforts to integrate the economic development of Downtown with complementary development initiatives in the Medical Center and Long Wharf areas.
- ❖ Enhance New Haven's economic competitiveness within the region.
- ❖ Support the development and growth of New Haven core industries: education, medical, and research institutions.





ENVIRONMENT

- ❖ Improve air quality.
- ❖ Maintain drinking water quality.
- ❖ Remediate polluted sites.
- ❖ **Protect and preserve natural assets** and environmentally sensitive areas.
- ❖ Encourage increased positive use of city parks to enhance public health and to encourage community cohesion and environmental awareness.
- ❖ Encourage the creation of safe open space opportunities, community gardens, and urban farms.
- ❖ Protect floodplains from inappropriate development so as to prevent the loss of life or property due to flooding.
- ❖ Implement measures to correct existing flooding issues.
- ❖ Mitigate the impacts of sea level rise.
- ❖ Promote awareness and education regarding coastal flooding issues.
- ❖ Provide sustainable food options for all neighborhoods.
- ❖ Encourage energy conservation and greenhouse gas reduction.

Introduction



The subsequent chapters discuss specific recommendations for each planning topic that would help achieve the community vision of a.....

...sustainable, healthy, and vibrant city where:

- the neighborhoods are well connected and revitalized;*
- residents are adequately connected to jobs, transit, and support services;*
- small and minority-owned businesses are thriving;*
- the Downtown core continues to remain a vibrant regional business and cultural center;*
- the neighborhood business corridors are transformed into Main Streets;*
- local workforce is trained for 21st century jobs;*
- the city stabilizes its position as a regional growth center;*
- a continuous and inter-connected bike/pedestrian facilities system exists;*
- adequate housing, employment and recreational opportunities exist for all;*
- the parks serve as focal points for community interaction and are well connected with a system of trails and pedestrian network within the city and along the waterfront;*
- the city's wealth of natural, historic, and cultural resources are preserved and enhanced;*
- there is a high quality of built and natural environment;*
- public health and safety are prioritized in planning decisions;*
- residents are well prepared to deal with emergencies and natural disasters; and*
- the city is also recognized as a destination for families with children, and a hub for entrepreneurs.*



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CHAPTER II: COMMUNITY OVERVIEW

A. COMMUNITY CONTEXT

New Haven is a **major transportation hub** located at the junction of I-95 and I-91 serving as both the gateway to New England and a core city of the New York-New Jersey-Connecticut Consolidated Metropolitan Area (CMA).

New Haven’s Union Station is the 10th busiest Amtrak station in the country and the third busiest non-Manhattan station in the Metro-North network, after Stamford and White Plains. Connecticut Transit’s (CTTransit) New Haven Division buses, Greater New Haven Transit District paratransit, and Shoreline East commuter rail also provide access throughout the region.

New Haven is the seat of New Haven County, one of eight counties in the State of Connecticut. In addition, New Haven is the central city for the Greater New Haven Transit District, the New Haven Labor Market Area, the New Haven Workforce Investment Area, the New Haven Tourism District, and the **South Central Regional Council of Governments (SCRCOG)**.

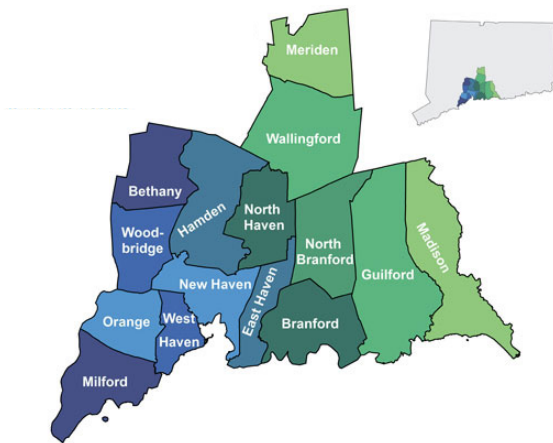
In 1638, the first European settlers, consisting of approximately 500 English Puritans, settled at the site of present day New Haven.



New Haven is centrally located on the major transportation corridors that connect the cities of the northeast.



Community Overview



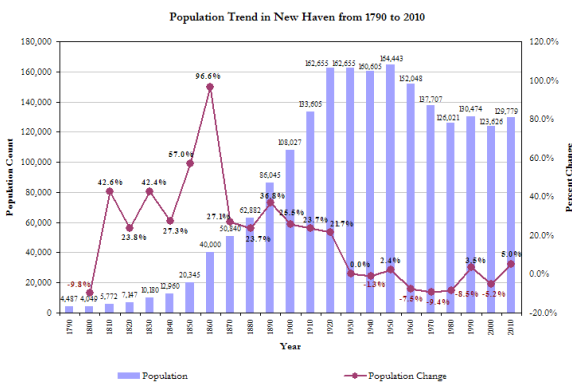
Source: South Central Regional Council of Governments
SCRCOG is the regional planning organization for the New Haven region.

Surveyor John Brockett laid out the new settlement as a grid of nine squares. In accordance with English custom, the central square was held in common. To this day, the New Haven Green continues as a public open space, recognized both as a National Historic Landmark and an urban planning milestone.

Since its incorporation as a City in 1784 and throughout the first half of the 19th century, New Haven experienced strong and steady growth similar to that in emerging American cities. With its fertile lands perfect for agricultural use, and its strategic location at the mouth of three rivers and along Long Island Sound, New Haven was positioned perfectly to become the regional commercial and residential center of Southern Connecticut. Beginning around 1850, New Haven’s economic and employment opportunities expanded as the city’s manufacturing industries began to flourish. During this era, the city became a national leader in carriage manufacturing and a home to large-scale producers of rubber goods, clocks, pianos, beer, guns and military equipment, and a wide range of other products.

From 1880 to 1920, New Haven’s population jumped from 62,882 to 162,655. Most of this population growth was comprised of immigrants from Ireland, southern Italy and eastern Europe, as well as African-Americans migrating from the South. New Haven’s population remained relatively stable through the Great Depression to the end of World War II.

Following the end of World War II, similar to most major cities in the Northeast and Midwest, the city experienced a substantial decline of its manufacturing sector and a 25 percent drop in population from the late 1940’s through the early 2000’s. According to the most recent US Census estimates (December 2014), New Haven’s population of 130,741 makes it the second largest city in Connecticut after Bridgeport.



Source: US Census Decennial Estimates, 1790-2010
After decades of decline, New Haven’s population is on the rise.

B. DEMOGRAPHIC CHARACTERISTICS

In a reversal of trends from the past 50 years, New Haven experienced a **population growth of 6,153 people** (a 5 percent increase) from 2000 to 2010. It is also now one of the fastest growing cities in Connecticut and New England. The population projections provided by Connecticut State Data Center indicate that if existing trends continue, the city may grow by nearly 13 percent over the next decade i.e., 2015-2025.

Community Overview



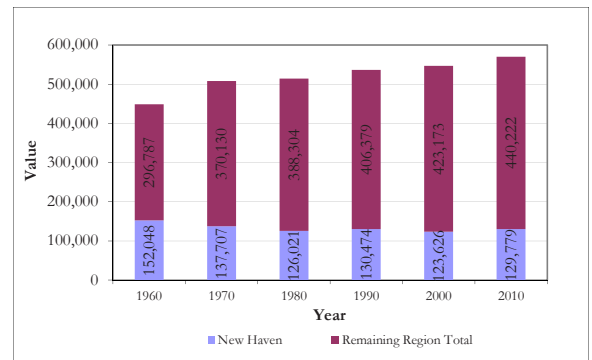
While New Haven’s population had seen a steady decline since the mid-1950’s, its suburbs experienced their greatest growth in the 1960’s and 1970’s. Towns such as Madison, Guilford, Bethany and North Branford have seen triple digit percentage population growth over this time. Taken as a whole, the region has grown from 448,835 people in 1960 to 570,610 people in 2013. This represents a 27 percent increase. These changing dynamics are similar to what has happened across the state, with central cities losing their population while the growth has shifted initially to an inner ring of suburban towns (in the 1930’s through the 1960’s) and then further out to the surrounding towns in an outer ring, such as Woodbridge, Orange, Guilford and Madison in the 1970’s through the 1990’s. Since the 1990 census, the overall growth of the region has been modest, but primarily concentrated in the outer ring of suburbs.

While **New Haven’s overall share of the regional population has declined over the past four decades**, this trend peaked with the 2000 census. Demographic trends indicate that due to the increase observed in immigrant population within the past two decades, **New Haven is now home to the largest Hispanic population within the state** (35,591 people).

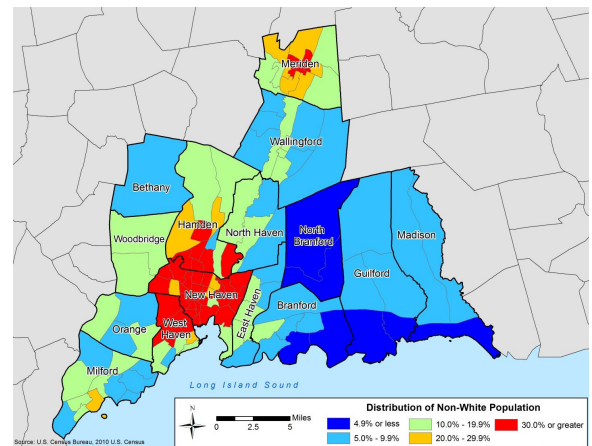
In New Haven, population density has seen a 19 percent decrease since 1960. However, the city continues to be the most densely populated city within the South Central Connecticut region. In 1960, there were over 8,000 people per square mile living in New Haven; while for the last three decades overall population density has remained steady at roughly 6,500 per square mile. Within the region, New Haven and West Haven have the highest density of population and are fully built out, while Branford, East Haven and Hamden also share the characteristic of being largely developed, moderate density inner ring suburbs with very limited population growth projected.

Population by Age

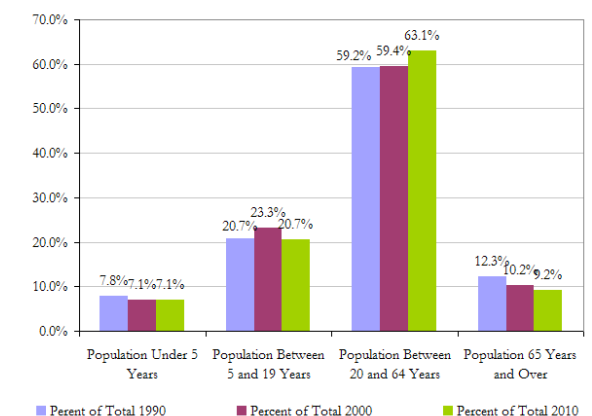
While the city’s population grew by 5 percent from 2000 to 2010, the **majority of this growth is exhibited in the percent of the population between 20 and 64 years of age** (nearly 3.5 percent increase). There was a slight increase in the total population under 5 years of age although as a percent of total this group remained nearly the same as it was in 2000. Another notable difference observed between 2000 and 2010 is the decrease in the percent of total population between 5 and 19 years of age (nearly 2.5



The City of New Haven’s population now comprises a smaller percentage of the regional population than it once did.



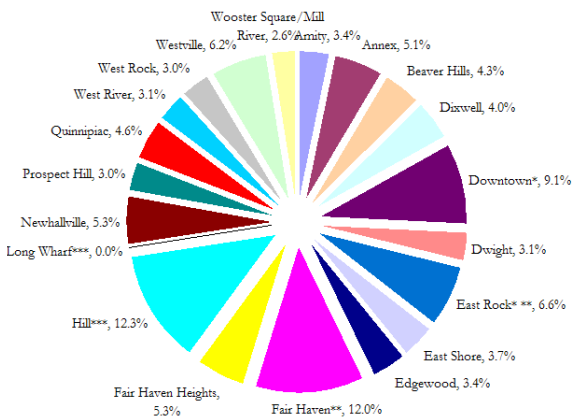
Source: US Census Bureau. Decennial Census Reports, 2010
 Much of the region’s non-white population is concentrated in New Haven and its inner ring suburbs.



Source: US Census Decennial Estimates, 1990-2010
 New Haven’s working age population is growing.



Community Overview



Note: Due to rounding, totals may not add up to 100.0 percent.

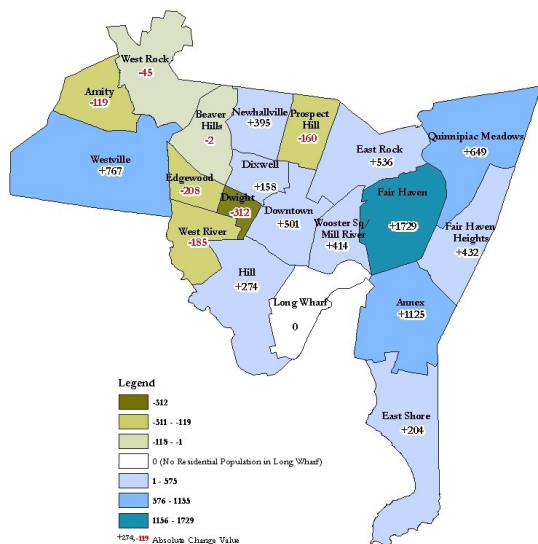
Source: DataHaven estimates based on block and block-group level data from 2000 and 2010 Decennial Census. Illustration by New Haven City Plan Department.

* Downtown and East Rock have split block groups. 1420.02 is 50 percent Downtown and 50 percent East Rock; and 1420.03 is 34 percent Downtown and 66 percent East Rock.

** East Rock and Fair Haven have split block groups. 1424001 is 51 percent East Rock and 49 percent Fair Haven; and 1425.01 is 29 percent East Rock and 71 percent Fair Haven.

*** For purposes of neighborhood estimates, 100 percent of housing and population in Tract 1402 (split Long Wharf/Hill) is assigned to Hill. No housing developments exist in Long Wharf; therefore there is no residential population.

Nearly a quarter of city residents live in either the Hill or Fair Haven.



Note: City-wide change in total population from 2000 to 2010 is +6,153 people.

Source: 2010 Census Estimate and DataHaven Estimates

Most of the city's population growth has occurred on the east side of the city.

percent decrease). This group remained nearly the same as in 1990. The elderly population is also found to be decreasing since 1990.

Population by Neighborhood

New Haven's diverse neighborhoods provide a multitude of living environments for residents. The Hill and Fair Haven neighborhoods occupying roughly 915 acres and 780 acres of land respectively are home to more residents than any other areas in the city. With 15,682 residents in the Hill and 13,683 residents in Fair Haven, these two neighborhoods alone account for almost 25 percent of the city's total population. The next most populous neighborhoods, East Rock, Westville and Downtown, account for slightly less than 20 percent of the city's population. Among the neighborhoods with a residential population base, Wooster Square is the smallest (2,008). The next least populous neighborhoods are the West Rock, West River, and Prospect Hill neighborhoods. In terms of residential density, Dwight is the most densely populated neighborhood in the city, followed by Downtown. The least densely populated neighborhoods are Westville and the East Shore.

Population Change in Neighborhoods

The neighborhoods in the eastern section of the city i.e., Fair Haven, Quinnipiac Meadows, Fair Haven Heights, Annex, and East Shore appear to have grown with a combined population increase of nearly 4,000 people from 2000 to 2010.

Population by Race and Ethnicity

Large numbers of Irish, Italian and eastern European immigrants began to arrive in New Haven between 1850 and 1930 providing a labor force for the city's growing railroads, metal-working and garment industries. Subsequent migration of African-Americans from the South and an influx of immigrants from Puerto Rico characterized the mid-20th century (1920-1980). Over the last 30 years, New Haven has become even more diverse. Racial and ethnic diversity is seen across the city's neighborhoods with strong, historical concentrations in certain sections of New Haven. For example, there is a large African-American community in Newhallville and Beaver Hills. The city's Hispanic population has historically been concentrated in Fair Haven, but it has grown to become the largest ethnic group in Fair Haven Heights as well, including immigrants from the Caribbean and Central and South

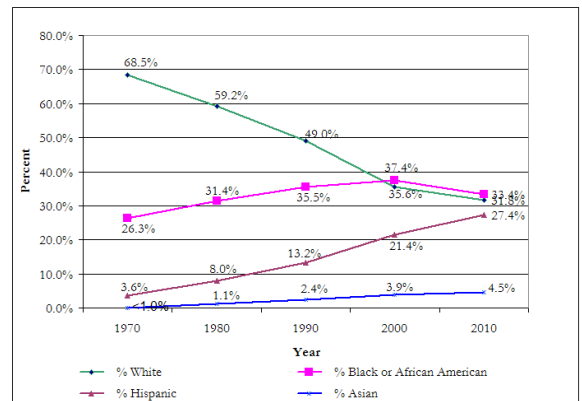
Community Overview



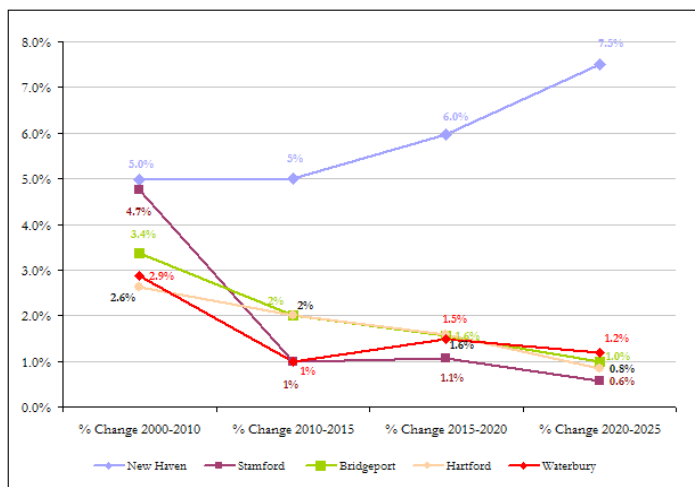
America. The Hill and Quinnipiac Meadows neighborhoods are more ethnically mixed with both African-American and Hispanic residents. Non-Hispanic white residents are most heavily concentrated in the Wooster Square, East Rock, Westville, and East Shore neighborhoods. The Hispanic and Asian population has been steadily increasing over the past two decades.

Population Projection

The population projections provided by Connecticut State Data Center indicate that if the existing trends continue (13 percent growth over the next decade, with an estimated population of 154,737) the **city may have relatively higher population than peer cities** Stamford, Bridgeport, Hartford, and Waterbury.



Source: US Census Bureau Decennial Estimates, 1970-2010
 The city's population has becoming increasing diverse over the past 40 years.



Source: US Census Bureau and CT State Data Center at University of Connecticut Libraries MAGIC, 2012

Among the state's largest cities, New Haven's population is projected to grow faster over the next decade.



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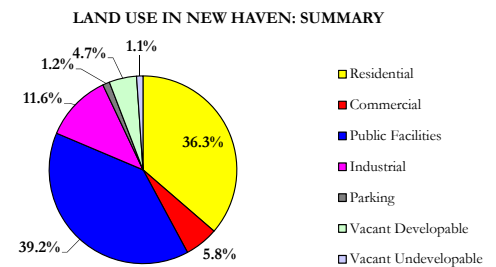
CHAPTER III: LAND USE



A. EXISTING LAND USE

New Haven is the most densely developed city within the SCRCOG region. However, single-family homes still constitute 18 percent of the city’s land area, while parks and open spaces account for just over 15 percent of the city. College and university properties, which include the large holdings of Yale University and Southern Connecticut State University, account for 10 percent of the city. The large amount of college and university property, as well as the presence of major regional facilities (hospitals, government offices, etc.) results in a **large amount of tax-exempt property in New Haven** (nearly 40 percent). Approximately 4,000 acres of New Haven’s nearly 10,100 acres of land is exempt from municipal taxation.

Commercial and industrial uses occupy a small percentage of all land in the city, but are concentrated in certain neighborhoods. Industrial uses are largely located along Long Wharf, the East Shore neighborhoods, and Mill River. This category generally includes the port district along Waterfront Street and north of Forbes Avenue and along Ella T. Grasso Boulevard by the West River.



Note: At least 111 acres (1.1 percent) of vacant land is undevelopable due to the presence of wetlands and other environmentally sensitive lands.

Source: City of New Haven Assessor’s Database, 2011

Public facilities, which are largely tax exempt, occupy the plurality of land within the city.



Land Use

The dearth of vacant land in New Haven is well documented. There are only 484 acres of vacant land, 111 of which are considered undevelopable. Vacant industrial land includes a number of side lots, parking areas, and environmentally-sensitive locations. Some of these sites are also under-utilized and contaminated brownfields.

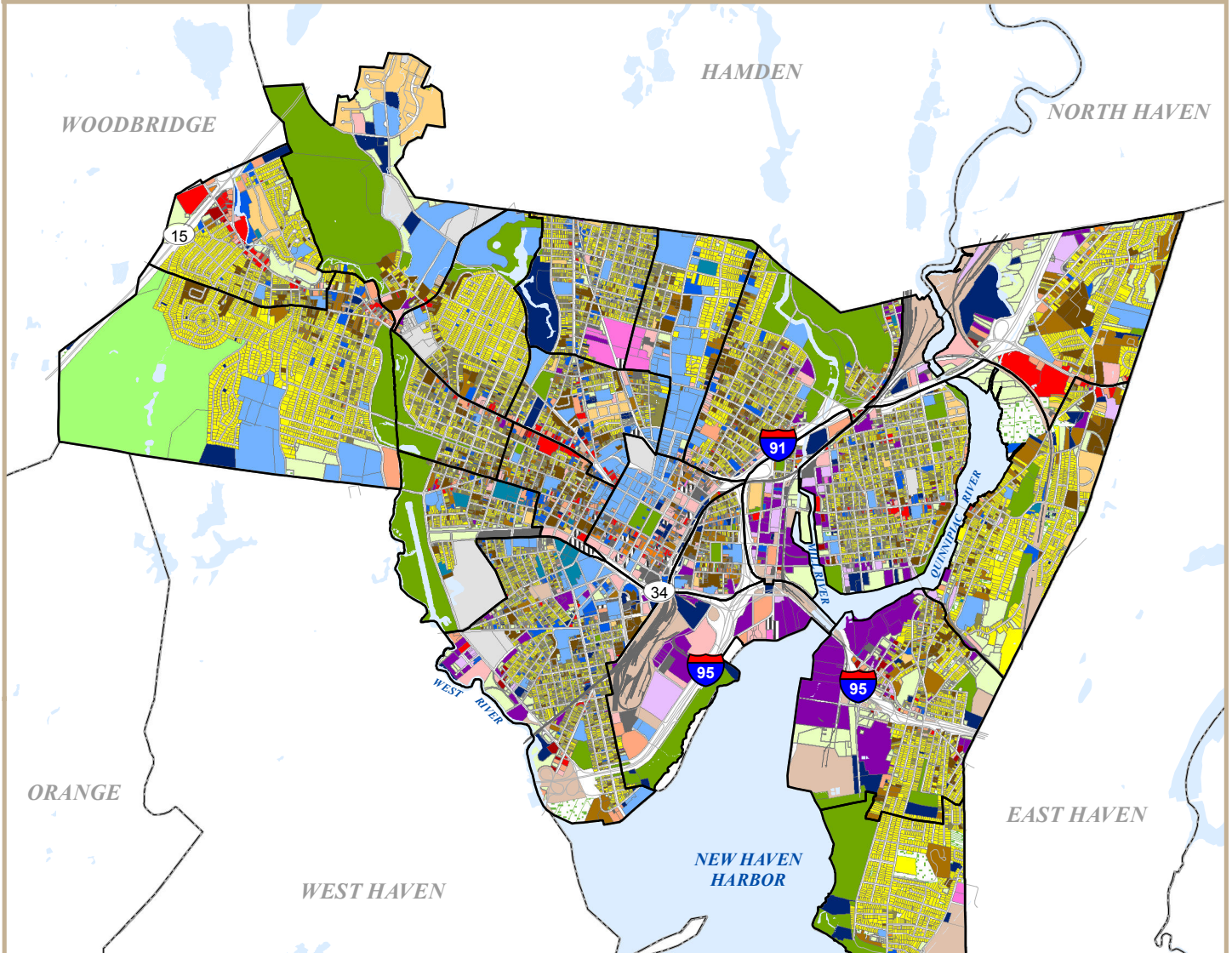
The map on the opposing page shows locations of all existing land uses within the city, while the following table shows the distribution of these existing land uses within the city by sub-categories.

Summary Table of Existing Land Uses in New Haven by Acreage

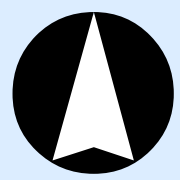
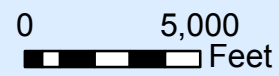
LAND USE	Acres	Square Miles	Percent of Total
Residential			
Single Family	1,796	2.8	17.8
Two-Family	643	1.0	6.4
Three-Family	405	0.6	4.0
Condos	192	0.3	1.9
Small Apartment Building	71	0.1	0.7
Large Apartment Building	379	0.6	3.8
Special Needs Housing	226	0.4	2.2
Sub-Total	3,713	5.8	36.7
Commercial			
Automotive Sales and Service	24.6	0.0	0.2
Bank/Professional/Business Office	178.5	0.3	1.8
General Retail	138.9	0.2	1.4
Hotels/Motels/Inns	17.4	0.0	0.2
Mixed-use	97.2	0.2	1.0
Restaurants/Clubs/Taverns	47	0.1	0.5
Specialty Commercial	68.3	0.1	0.7
Commercial Recreation	20.1	0.0	0.2
Sub-Total	592	0.9	5.9
Public Facilities			
Cemetery	212	0.3	2.1
College/University	443	0.7	4.4
Cultural/Religious/Charitable/Non-Profit	181	0.3	1.8
Government Offices, Facilities, Real Estate	391	0.6	3.9
Government Owned Vacant Land	299	0.5	3.0
Hospital/Health Care Facility	47	0.1	0.5
Parks and Open Space	1,590	2.5	15.7

NEW HAVEN VISION 2025

EXISTING LAND USE MAP



Neighborhood Boundary	Recreation
Existing Land Use	Parks and Open Space
Residential	University Golf Course
Single Family	Public Facilities
Two Family	Educational Institutions
Three Family	Cultural/Religious/Charitable/Non-Profit
Condos	Hospital/Health Care Facility
Apartments	Government Offices, Facilities, Real Estate
All Other Residential	Vacant Land
Commercial & Industrial	Vacant Undevelopable
Bank/Professional/Business Office	All Other Vacant
General Retail	Parking
Automotive Sales and Service	Parking Garage
All Other Commercial	Parking Lot
Mixed Use	Other
Manufacturing and Production	Cemetery
Storage and Warehousing	Exempt
Research and Development	
Transportation & Utilities	





Land Use

LAND USE	Acres	Square Miles	Percent of Total
Schools	341	0.5	3.4
University Golf Course	505	0.8	5.0
Sub-Total	4,010	6.3	39.7
Industrial and Transportation			
Manufacturing and Production	95.1	0.1	0.9
Research and Development	57.9	0.1	0.6
Storage and Warehousing	398.2	0.6	3.9
Transportation & Utilities	634.8	1.0	6.3
Sub-Total	1,186	1.9	11.7
Parking			
Parking Garage	24.1	0.0	0.2
Parking Lot	97.2	0.2	1.0
Sub-Total	121.3	0.2	1.2
Vacant Land			
Vacant Commercial	84.7	0.1	0.8
Vacant Industrial	232.5	0.4	2.3
Vacant Residential	167.1	0.3	1.7
Sub-Total	484.3	0.8	4.8
TOTAL	10,106.6	15.8	100

Source: City of New Haven Assessor's Database, 2011

B. PLANNING CONSIDERATIONS

- ❖ Population projections indicate that New Haven would likely grow by 13 percent (nearly 15,000 people) over the next decade. However, the amount of available vacant land in the city to accommodate any new developments is limited (nearly 5 percent). Only half (2.5 percent) of this vacant land could be used for residential/commercial purposes.
- ❖ The city has a large share of tax-exempt property (nearly 40 percent), which is comprised of college/university properties, hospitals, parks, and religious institutions.
- ❖ In order to grow the tax base of the city and accommodate the projected new growth in population, there is a need to encourage opportunities for infill development, where ever feasible, and also to promote high-density developments at appropriate locations, such as the city center and along transit-served arterials.

Land Use



- ❖ The other half of the available vacant land in the city (2.5 percent) constitutes industrial land. Some vacant industrial sites are difficult to develop due to soil contamination and associated high costs of clean up. There is a need to prevent under-utilized sites from abandonment, which could eventually contribute to blight and higher incidence of crime. Specialized and applied industrial/manufacturing uses present opportunities for high quality skilled labor and jobs.
- ❖ Community preferences indicate that residents support more mixed-use developments with direct access to community and support services, retail, jobs, and transit to ensure self-sufficiency and sustainability.
- ❖ Some uses currently existing within the **neighborhood commercial districts** are having a negative impact on the surrounding area. Also, the **aesthetics of these commercial districts/corridors** need to be further improved through placemaking tools to make them more inviting and further promote economic activity that serves the local population better, including health, food, clothing, and other goods choices.
- ❖ The city's public waterfront area near Long Wharf/ Canal and Belle Dock remains largely under-utilized. Public access to the waterfront should be enhanced, and programming increased.
- ❖ Integrate public health and food policies within land use planning to prevent obesity and encourage access to outdoor exercise and healthy food. One example is to implement a healthy food zone near schools and key community facilities. Many communities across the United States are adopting such zones near schools to promote public health including Baltimore, Maryland in the northeast.

C. **GUIDING PRINCIPLES FOR RECOMMENDATIONS**

- ❖ Capitalize on New Haven's natural assets: the harbor, East and West Rock, and its three rivers.
- ❖ Build on New Haven's excellent institutions of education, research, and health care.



Existing view of Grand Avenue—a neighborhood-based commercial corridor in Fair Haven neighborhood.



Existing view of Dixwell Plaza—a neighborhood-based commercial corridor in Dixwell neighborhood.



- ❖ Encourage sustainable developments within the city by allowing a mix of land uses that, to the extent possible, rely on existing community facilities and infrastructure.
- ❖ Facilitate enhanced connections to transit, bike, and pedestrian walkways.
- ❖ Connect to support services, community facilities, open spaces, and recreational facilities.
- ❖ Promote design compatibility among a variety of land uses.
- ❖ Promote integration of food policies and planning into city’s land use activities.
- ❖ Increase density and transit-oriented development in central New Haven and along arterials.
- ❖ Encourage pipeless, low-impact developments that consume less energy and with no wastage of water.
- ❖ Connect neighborhoods to support services, community facilities, open spaces, and recreational facilities.

D. RECOMMENDATIONS

New Developments

- ❖ Accommodate the projected new population growth for the city in a sustainable and cost efficient manner i.e., where an increase in density is appropriate, where there is adequate school capacity, and where development can be supported by adequate transit and public facilities. Encourage energy conservation and low-impact development. (See Opportunities Map within Housing and Neighborhood Planning section).

Land Use Compatibility

- ❖ Ensure design compatibility among diverse land uses by encouraging contextual infill developments that keep up with the (preferred) character of the area.
- ❖ Ensure that the nature and location of proposed new developments are mindful of (a) protection of the Grand List and taxable property; (b) design, which encourages an outward-looking presence and free flow of people; (c) appropriate concentration of facilities and efficient use of current lands. To that end, **prepare a design guidelines manual for the City** and institute a process to review and approve developments based on these guidelines.



City of Temecula City-Wide Design Guidelines

Single-Family - Multi-Family - Commercial - Industrial

City Council Resolution No. 05-086 Adopted August 9, 2005

Source: www.cityoftemecula.org

Example of a city-wide design guidelines manual adopted by the City of Temecula, California, whose estimated population count in 2013 was 106,780.

Land Use



- ❖ Discourage stand alone, big box developments unless accompanied by upper floor mixed-use environment on Grand Avenue, Dixwell corridor, State Street, Chapel Street, and in Westville Village.
- ❖ Encourage regulations and standards for allowing temporary signage during events and festivals.

Zoning Amendments

- ❖ Amend zoning regulations to ensure consistency with the future land use map recommendations of the Comprehensive Plan, which provides guidance on desired development patterns in the city.
- ❖ Review existing Planned Development Unit (PDU) and Planned Development District (PDD) status within the Zoning Ordinance. Particular attention should be given to de-map some of the existing PDDs in the city.
- ❖ Amend the Zoning Ordinance to further restrict siting of potentially nuisance uses. To begin, establish a licensing program for all convenience stores within the city.
- ❖ Amend zoning regulations to **clearly define the types of uses allowed in neighborhood mixed-use areas** as opposed to general commercial mixed-use districts (as shown in future land use map). Propose changes to bulk dimensions such as setbacks, yards, lot widths, etc., within neighborhood mixed-use districts by considering form-based standards and allowing higher densities near transit nodes.
- ❖ Amend the zoning standards for general commercial districts to allow a variety of uses at relatively higher densities than those allowed in neighborhood mixed-use commercial districts, with specific consideration to form-based site design.
- ❖ Develop new zoning standards to allow the development of the proposed industrial mixed-use areas in the city, as identified in the future land use map.
- ❖ Develop new zoning standards to allow the development of the **large-scale commercial mixed-use areas proposed in Long Wharf area**. (See future land use map.) The Commission further recommends the preparation of a redevelopment plan for this area so as to carefully consider market potential and to research options for enhancing waterfront connectivity.



Source: Office of Economic Development

Illustrations of a neighborhood commercial mixed-use area



Existing view of Long Wharf neighborhood at Sargent Drive and Church Street South intersection



Many communities across the United States have implemented healthy food zones near schools and community centers including Baltimore, Maryland in the northeast.

- ❖ Remove any remaining zoning and regulatory barriers to promote commercial and non-profit urban agriculture, including vertical agriculture and the use of temporary structures to extend the growing season (greenhouses, hoop houses, storage units, poly houses, high tunnels, overwintering structures, and shade houses).
- ❖ Explore the feasibility of implementing regulations to encourage **healthy food zones** and discourage the consumption of unhealthy foods and alcohol near schools and recreation centers to reduce youth obesity.
- ❖ Research options for proposing a change of land use and zoning in the existing industrial area of the city located near West River.
- ❖ Allow interim uses such as urban farming and temporary recreational events that would require minimum clean up on vacant and under-utilized industrial sites of the city.
- ❖ Pursue Zoning Ordinance amendments to allow the construction of single room occupancy housing within and closer to Downtown, where there is immediate access to transit and support services. The Commission further encourages that such housing should be allowed only with licensing and with an on-site manager.

Development Review and Permitting

- ❖ Evaluate the City's approach to development review and permitting, consider options to efficiently streamline the permitting process, and use City-wide permit software, wherever appropriate.
- ❖ Re-evaluate permitting process for temporary restaurants (such as food trucks and mobile food vendors) and itinerant vendors to facilitate and encourage entrepreneurial food vending, without creating neighborhood nuisances.

Use and Development Regulations

- ❖ Encourage siting of port-related uses only in the core port area, generally coinciding with the district of the New Haven Port Authority.
- ❖ Use redevelopment and other tools to address nuisance and deterioration issues, including uses that are deleterious to neighborhoods in general.

Land Use



- ❖ Continue to use the city’s **Land Disposition Agreement (LDA)** to advance housing and neighborhood objectives, including appropriate densities, home ownership and contextual design.

Site Development Standards

- ❖ Elevate site development standards by reducing the amount of on-site impervious surface, increasing landscaped areas, encouraging low-impact development, lowering the maximum allowable floor area ratio (FAR), and reducing allowable signage.

Site Preparation

- ❖ In order to enhance the supply of available commercial/ industrial space, the City and economic development agencies must continue to prepare suitable business locations.
- ❖ Develop and maintain a comprehensive and accurate database of existing land uses within the city, which can serve as a benchmark to guide future developments.
- ❖ Conduct a comprehensive community needs assessment periodically to determine future land requirements based on the forecasted population, jobs, and housing trends.

Environmental Compliance

- ❖ For brownfields and other under-utilized sites, establish a systematic policy of compliance with environmental regulations as administered by the city and the Connecticut Department of Energy and Environmental Protection (CT DEEP). (Also see Environment chapter.)

Access/Mobility

- ❖ Encourage transit-oriented land use developments with reduced parking requirements and appropriate densities in suitable locations in the center city and along transit-served arterials to facilitate further transit use.
- ❖ Assess the capacity of existing transportation systems in relation to the density and intensity of uses proposed in new developments, in order to promote mobility of all roadway users effectively and efficiently. (Also see Transportation chapter.)

A Land Disposition Agreement (LDA) is a contract between the city and a developer when the sale of government owned land occurs. This is routinely used by the city as a tool to regulate development and advance housing and neighborhood objectives.



Coogan Pavilion in Edgewood could be re-used to promote year round indoor/outdoor recreational options for residents in the west side of the city.

Open Space Plan

2008 – 2014

City of Boston
Thomas M. Menino, Mayor



January 2008

Source: <http://www.cityofboston.gov/parks/openspace0814.asp>

Boston’s Open Space Plan was prepared by the City’s Parks Department to provide guidance on an integrated open space system with improved linkages to meet new or unmet needs and to protect natural resources and environmental base of the city’s open space system, including both publicly- and privately-owned open spaces.

Parking

- ❖ Discourage large-scale surface parking and, if approved, allow it to be time restricted. The time restriction will provide for a periodic review of the marketplace and development potential. (Also see Transportation chapter.)

Community Facilities

- ❖ Encourage community facilities to be focal points of large-scale new developments.
- ❖ Assess the feasibility of **re-using existing vacant or under-utilized community facilities** in the city for promoting community interaction and addressing indoor recreational and healthy exercise needs of residents, to the extent feasible.

Open Space/Recreation

- ❖ Develop an **open space conservation plan** for the city, which can be used not only to preserve historically ecologically significant open lands, whether publicly or privately owned, but also to serve as a guide in providing accessible, quality outdoor recreation to all residents of the city and to wildlife corridors.
- ❖ Partner with non-profit organizations such as the New Haven Land Trust to acquire vacant lands, to build an integrated trail network with the city (See Environment chapter.)

Floodplains

- ❖ Continue to restrict land clearing activities and development of low-lying areas through the enforcement of the City’s floodplain, soil erosion and sediment control, and wetland ordinances.
- ❖ Encourage flood proofing of structures in areas prone to repetitive floods. To that end, identify and seek pre-disaster mitigation funding and other sources of funding available at the state and federal level to implement flood proofing measures within the city.
- ❖ Repair or rebuild hard shoreline edges such as bulkheads and seawalls.
- ❖ Encourage “living shoreline” measures such as salt marsh restoration to protect both hardened shorelines and natural ones.

Land Use



- ❖ Review, assess, and revise the floodplain ordinances of the City periodically to protect the health, safety, and welfare of residents.
- ❖ Delineate base flood elevations (BFEs) at the parcel level, as designated by the Federal Emergency Management Agency (FEMA), on official City maps and publish them on the City web page so that they can be used by all residents and potential developers. (Also see Environment chapter.)
- ❖ Develop and publish city-wide stormwater management plans and contingencies.

Environmentally Sensitive Areas

- ❖ Continue to protect salt marshes, tidal wetlands, inland wetlands, and other riparian assets from inappropriate development through the aggressive enforcement of wetlands, soil erosion and sediment control, and coastal district regulations.
- ❖ Reduce non-point source pollution of New Haven's rivers.

Sustainability

- ❖ Promote energy conservation in public, private, and institutional buildings.
- ❖ Elevate existing land use standards, wherever appropriate within the City's Zoning Ordinance and other City ordinances, to reflect a commitment to sustainable transportation systems and economic development.
- ❖ Integrate health and food system policies and planning into City land use activities.
- ❖ Partner with New Haven Food Policy Council, CARE, Urban Resources Initiative (URI), and other related organizations to implement the land use recommendations of the **Food Action Plan** officially adopted by the Board of Alders in 2013.
- ❖ Expressly permit community gardens in all residential zones, where they can provide fresh food and build a sense of neighborhood identity.
- ❖ Enable and encourage the use of yards and shared space for home gardens and residential composting.
- ❖ Encourage grocery stores in areas with limited access to food.

The New Haven Food Policy Council's mission is to build and maintain a food system that nourishes all people in a just and sustainable manner.

Source: <http://www.cityofnewhaven.com/government/foodcouncil.asp>

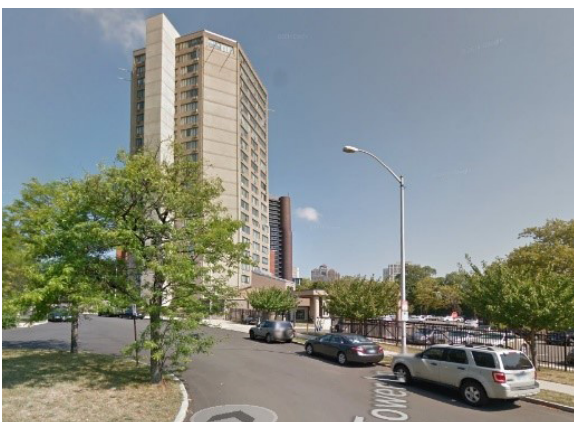
The City of New Haven Food Action Plan (adopted in 2013) was prepared by the Food Policy Council to increase access to healthy food for all people in New Haven, to strengthen New Haven's local food economy, and to encourage healthy food choices among residents.



Example of a low-density residential property located on Oliver Road.



Example of a medium-density residential property located on Orange Street.



Example of a high-density residential property located on Tower Lane.

- ❖ Enable urban farm siting in residential, commercial, light industrial, and mixed-use zones.
- ❖ Increase access to open spaces and recreational areas and enhance pedestrian/bicycle mobility to prevent obesity and improve the health of the residents.
- ❖ Promote re-use of existing buildings.

E. FUTURE LAND USE MAP

The proposed land use map (see page III-18) identifies the City Plan Commission’s most desirable use of land for residential, industrial, conservation, and other purposes. Given the fully-developed nature of most neighborhoods, special attention is given to fitting new development within the fabric of the existing landscape. The Commission emphasizes an important strength of New Haven by providing for mixed-use opportunities in neighborhood commercial and general business settings. The proposed land use categories within the map are described in more detail below.

Low-density Residential

In keeping with the existing development pattern, the Commission recommends preservation of existing neighborhoods, and new development and infill housing in these areas as single-family environments at a density not to exceed 7,500 sf per single-family lot.

Medium-density Residential

In keeping with the existing development pattern, the Commission recommends preservation of existing neighborhoods by promoting new development/infill housing with minimum lot size in the range of 5,400 sf to 6,000 sf and designed in a manner compatible with the prevailing neighborhood character. Conversion of existing residential structures to higher densities is discouraged.

High-density Residential

In certain areas, generally located near transit, on arterials, or Downtown, the Commission recommends higher density residential developments.

Land Use



Special High-density Residential

The Commission recommends continuing the more restrictive high-density designation along significant thoroughfares, particularly Whitney Avenue, in order to prevent the encroachment of office or commercial uses and inappropriately-scaled residential buildings, and to preserve distinctive historic streetscapes.

Office Mixed Use

The Commission encourages mixed-use environments with office and residential uses at these locations. Stand alone retail and commercial uses are discouraged.

Neighborhood Commercial Mixed Use

Neighborhood mixed-use areas generally correspond to neighborhood commercial districts and/or streets with a mix of traditional housing and sporadic commercial development. The environments are desirable for pedestrians and functional for neighborhood services, storefront retail, and office activity. Large format, stand-alone retail with extensive surface parking is discouraged in these areas. Form-based standards are encouraged to promote site design that improves the aesthetics of these districts. (See conceptual rendering on the following page.)

General Commercial Mixed Use

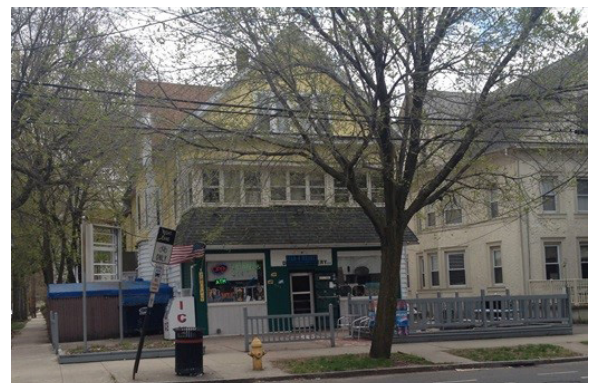
Commercial mixed-use areas are general business zones found generally along major arterials. The Commission further recommends mixed-use environments (both commercial/residential and retail/office) where appropriate. A variety of uses at relatively higher densities than those observed in neighborhood commercial mixed-use are encouraged in these districts. Form-based standards are also encouraged to promote site design that improves the walkability and aesthetics of these districts.



Example of a special high-density residential property located on Whitney Avenue.



Example of an office mixed-use property on Chapel Street.



Example of a neighborhood commercial mixed-use property located in East Rock neighborhood.



Conceptual example of general commercial mixed-use properties



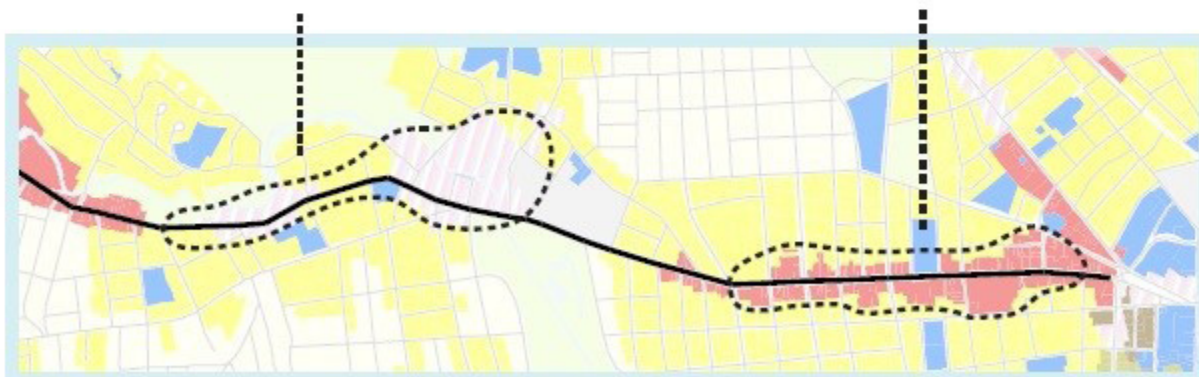
Whalley Avenue Conceptual Building Height Progression

Whalley near
Westville Village

Whalley between
Broadway and Boulevard

NEIGHBORHOOD COMMERCIAL DISTRICT

GENERAL COMMERCIAL DISTRICT



Note: Illustration to be used for conceptual purposes only.
More technical analysis is needed to implement the vision.

Land Use



Large-scale Commercial Mixed Use

The Commission recommends continued development of sites in the Long Wharf area along Interstate 95 and at Canal/Belle Dock (south of Forbes Avenue) for office space, light industrial, residential, and retail and restaurant type uses. Particular attention should be paid to waterfront connections, careful site design, (minimal) signage, and flood protection. Adaptive re-use of sites is encouraged to the extent possible. Focus specific planning and redevelopment attention at Long Wharf with the intent to develop a framework for the redevelopment of the district into a more mixed-use, more dense urban, commercial, and coastal district, connected to Vietnam Veterans Memorial Park.



Rendering of Tysons West mixed-use development in Virginia: an example of large-scale commercial mixed-use.

Industrial

Industrial areas, generally found in Mill River, along River Street, lower West River, as well as, Quinnipiac Meadows are intended to promote manufacturing/production activities and more intense employment generation in a manner consistent with light industrial zoning uses.



Existing view of industrial area in Mill River neighborhood.

Industrial Mixed-use

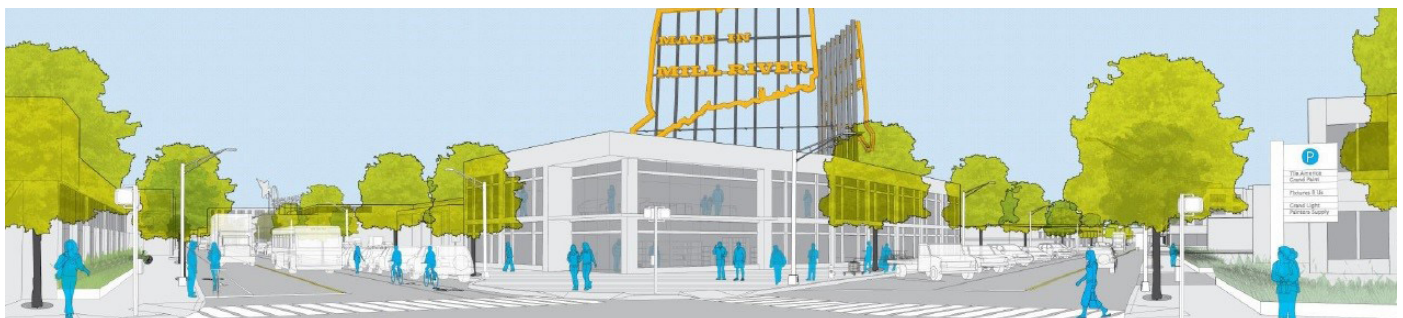
Industrial mixed-use areas, proposed in Mill River and River Street area are with some store front retail/office space to enhance pedestrian activity and vibrancy in the area. Recreational/open space is also encouraged along the waterfront in coastal zone areas.



Example of marine mixed-use property located on 100 South Water street.

Marine Mixed-use

The Commission encourages development of these areas as a mix of water-dependent recreational boating, marinas, and shellfish operations of fishing and related activities and waterfront residential environments.



Rendering of a mixed-use, pedestrian-oriented industrial district envisioned in the Mill River area of the city (Mill River District Plan, 2014)



Example of Downtown commercial mixed-use building on 195 Church Street.

Downtown Commercial Mixed-use

In areas within Downtown or closer to the edge of Downtown, the Commission encourages high-density, mixed-use environments generally with pedestrian-level retail/restaurant type uses, residential, and predominantly multi-floor office/commercial space.

Downtown Residential Mixed-use

In areas within Downtown or closer to the edge of Downtown, the Commission encourages high-density, mixed-use environments generally with pedestrian-level retail/restaurant/ office type uses and predominantly multi-floor residential space.

Downtown Medical Mixed-use

In areas closer to Yale New Haven Hospital and the Yale Schools of Medicine and Public Health or at the edge of Downtown, the Commission encourages high-density, mixed-use environments generally with pedestrian-level retail/restaurant/office type uses and multi-floor medical/laboratory/technology space



Example of Downtown medical mixed-use building currently under construction at 100 College Street.



Example of Downtown residential mixed-use building on 360 State Street.

Land Use



Downtown Transit-oriented Mixed-use

The Commission recommends development of multi-storied mid- and high-rise buildings suitable for residential/commercial/medical research and office uses on parcels closer to Route 34 East (Downtown Crossing). Since these parcels are also closer to the city's transportation center at Union Station, reduced parking requirements within this district would enable a transit, bike, and pedestrian friendly environment. Pedestrian-level retail/restaurant and other active uses are generally encouraged on the ground floor.

Institutional

The Commission recommends development of these areas for institutional uses, including core educational, government, and health care facilities. Many cultural facilities are also considered institutional uses.

Port

The Commission recommends development of the port area in a manner consistent with the needs of water-dependent port terminals, including sufficient space for storage, processing, and ancillary port services in a non-obnoxious manner.

Parks and Open Space

The Commission recommends protection of these areas as dedicated open space, deed-restricted conservation areas, and/or active recreational spaces.



Example of Downtown transit-oriented mixed-use development proposed at former Coliseum site.



Picture of Yale University building in Downtown New Haven.

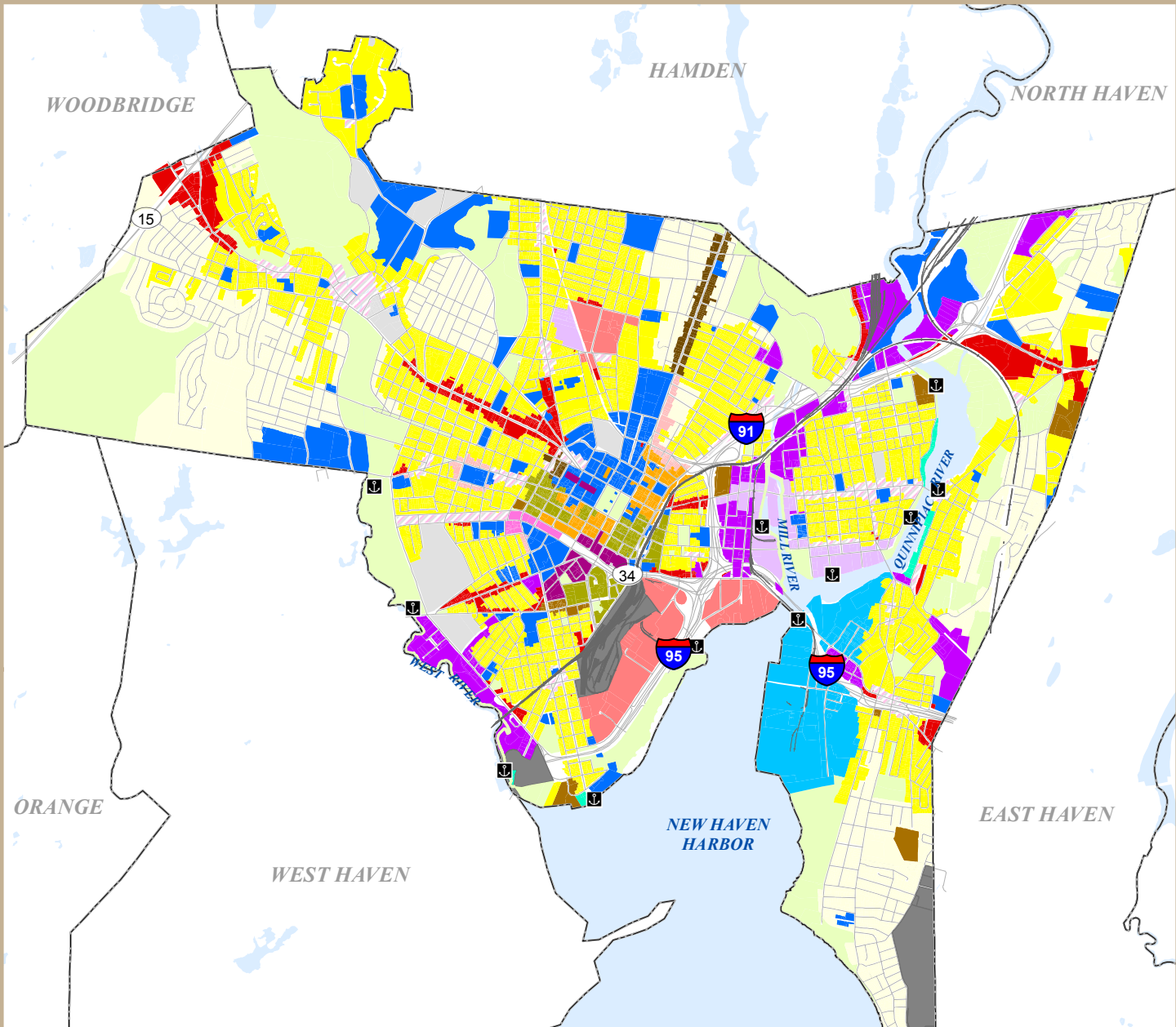


View of Quinnipiac River park used for community events.



View of New Haven Port area.

NEW HAVEN VISION 2025 FUTURE LAND USE MAP



Proposed Land Use

Residential

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Special High Density Res

Commercial

- Office Mixed Use
- Neighborhood Commercial Mixed Use
- Large-scale Commercial/Industrial Mixed Use
- General Commercial Mixed Use

Downtown Mixed Use

- Downtown Residential Mixed Use
- Downtown Commercial Mixed Use
- Downtown Medical Mixed Use
- Downtown Transit-oriented Mixed Use

Industrial

- Industrial
- Industrial Mixed Use

Parks and Open Space

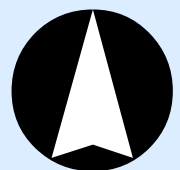
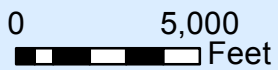
- Parks and Open Space

Water Dependent

- Marine Mixed Use
- Port

Other

- Institutional
- Transportation
- Cemetery
- Waterfront Recreation Access**





Build...

F. SUMMARY OF RECOMMENDATIONS

- ❖ ...developments compatible with the character of the surrounding area through the preparation, adoption, and implementation of a city-wide design guidelines manual.
- ❖ ...mixed-use developments along all of the city's commercial corridors, as indicated within the future land use map, through necessary zoning amendments.
- ❖ ...distinct identity for the city's neighborhood commercial corridors through the amendment of current zoning standards to better define the type, nature, and intensity of uses allowed and by incorporating form-based standards.
- ❖ ...transit-oriented developments with reduced parking requirements and appropriate densities in suitable locations to facilitate further transit use.

Connect...

- ❖ ...residents to jobs, transit, and community/support services by pursuing necessary zoning amendments, as required, to implement the proposed future land use map of the city.
- ❖ ...residents to healthy food by expressly permitting community gardens in all residential zones where they can build a sense of neighborhood identity and by promoting access to healthy food choices through enhanced bicycle/pedestrian and transit network.
- ❖ ...residents to community facilities by encouraging such facilities to be located as focal points of large-scale new developments and by assessing the feasibility of re-using existing vacant community facilities in the city.
- ❖ ...residents to quality outdoor recreation through the development of an open space conservation plan for the city, which can be used not only to preserve historically significant natural resources but also serve as a guide for developing an integrated open space system within the built environment.
- ❖ ...residents to the city's waterfront through the preparation of a redevelopment plan for Long Wharf and Canal/Belle Dock area and pursuing zoning amendments accordingly.



Preserve...

- ❖ ...environmentally sensitive areas through the aggressive enforcement of coastal and wetlands regulations and establishing a systematic policy of compliance with environmental regulations as administered by the City and CT DEEP.

Adapt...

- ❖ ...to sea level rise and other coastal events by flood proofing structures in areas prone to repetitive floods (as discussed within the Environment chapter) and by reviewing, assessing, and revising the floodplain ordinances of the City periodically.
- ❖ ...to changing market trends within the city by conducting a comprehensive community needs assessment periodically based on forecasted population, jobs, and housing trends.
- ❖ ...to changing market trends by preparing available vacant commercial/industrial spaces for development.
- ❖ ...to changing market trends by evaluating the City's approach to development review and permitting, and efficiently streamlining the permitting process, wherever appropriate

Grow...

- ❖ ...sustainable mixed-use, transit-oriented developments by elevating existing land use standards, wherever appropriate.
- ❖ ...sustainable transportation systems by assessing the capacity of existing transportation systems in relation to the density and intensity of uses proposed in new developments.
- ❖ ...general quality of life and health of the residents in all neighborhoods by promoting access to healthy food and increasing access to open spaces/recreational areas through improved and well-connected transportation network.



CHAPTER IV: HOUSING & NEIGHBORHOOD PLANNING

A. GENERAL CHARACTERISTICS

New Haven is a mature city with an overall land use pattern that owes much to its rapid growth during the latter part of the 19th century and into the mid-20th century before the application of modern zoning. New Haven's housing stock is older and has a larger percentage of renter-occupied and multi-family units than the average across the state and the region. Of New Haven's more than 54,000 dwelling units, approximately one quarter (25 percent) are single-family homes, 17 percent are two-family homes, 24 percent are in three- and four-unit buildings and 34 percent are in buildings with five or more units.

The city's **traditional pattern of development** in its older residential neighborhoods, in particular the two- and three-family detached houses, can be found throughout Fair Haven, Newhallville, the Hill and also in parts of the East Rock, Fair Haven Heights, and Dwight neighborhoods. Generally these areas fall within the RM-1 and RM-2 zoning districts, which permit new residential development at a maximum density between 10 units per acre (with a minimum lot size of 6,000 square feet for RM-1) to 20 units per acre (with a minimum lot size of 5,400 square feet for RM-2), depending on site configuration.



Recent residential rehabilitation on Putnam Street maintains the traditional character of the city's housing stock.



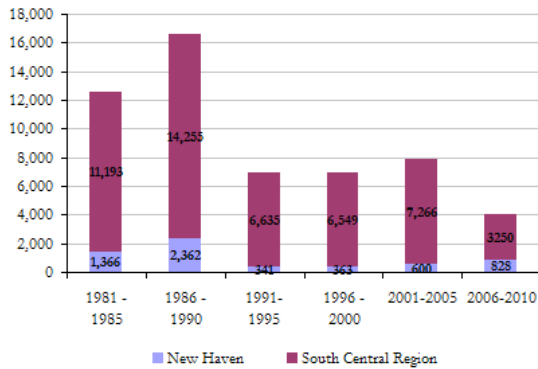
Housing & Neighborhood Planning

In the more suburban sections of the city, such as Westville, East Shore, and Morris Cove, single-family homes are protected by specific zoning categories (RS-1 and RS-2) that allow only one dwelling unit per lot, with some limited exceptions based on existing non-conforming properties, planned developments, and zoning variances.

Housing Sector Activity

Over the last 30 years, annual **housing production figures in both City of New Haven and the New Haven region have dropped** to a substantially lower annual baseline of below 200 units and 1,000 units respectively primarily due to economic factors such as limited job creation and decreasing manufacturing employment, as well as the national economic recession for the post-2008 period.

Permit Activity in New Haven & the South Central Region
1981 - 2010



Source: Annual Construction Report Excel Tables, DECD 1981-2011

The number of home construction permits in both New Haven and the region has dropped over the past 20 years.

In contrast to this historical trend, over the past decade, despite the recession in 2008, New Haven has seen a wave of new construction activity focused primarily on conversion of existing office and manufacturing spaces into residential units, as well as the completion and occupancy of **360 State Street**, with approximately 500 rental housing units, which is the first new residential high rise in the city in over 30 years. Additional construction in the development pipeline includes both conversions of existing industrial loft space to residential occupancy, such as 1040 State Street, as well as new residential construction focused on areas adjacent to transit access such as the Wooster Square neighborhood and the Downtown area, closer to both Union Station and State Street Station.



360 State Street luxury apartment building is the first new residential high rise built in the city in the past 30 years.

Housing in Neighborhoods

While the **total housing stock increased in New Haven by nearly 4 percent from 2000 to 2010**, the most new house housing units were constructed in the city's Downtown (nearly 24 percent increase). This increase is due in part to the construction of the apartment building at 360 State Street (approximately 500 new luxury apartment units).

All neighborhoods to the north and east of Downtown i.e., East Rock (4.1 percent increase), Wooster Square/Mill River (6.8 percent increase), Fair Haven (8 percent increase), Quinnipiac Meadows (10.1 percent increase), Fair Haven Heights (3.9 percent increase), Annex (9.5 percent increase), and East Shore (5.2 percent increase) gained housing units from 2000 to 2010. Some

Housing & Neighborhood Planning



condominium complexes and apartment buildings were built in these neighborhoods over the past decade, which contributed to this increase. Neighborhoods within the central portion of the city seemed to have lost some housing units, except for the Dixwell neighborhood, where there was nearly 7.2 percent increase.

Of the neighborhoods in the western section of the city, West Rock lost the most housing (35.4 percent decrease), which is mostly attributable to the demolition of the West Rock/Brookside affordable housing development in recent years, which is currently under re-development. The housing increase observed in Westville (10.4 percent increase) is mainly due to the construction of the multi-family development at Blake Street i.e., Wintergreen at Westville, in addition to other minor housing developments.

This dataset is a good indicator of the increasing market for multi-family housing in New Haven in recent years.

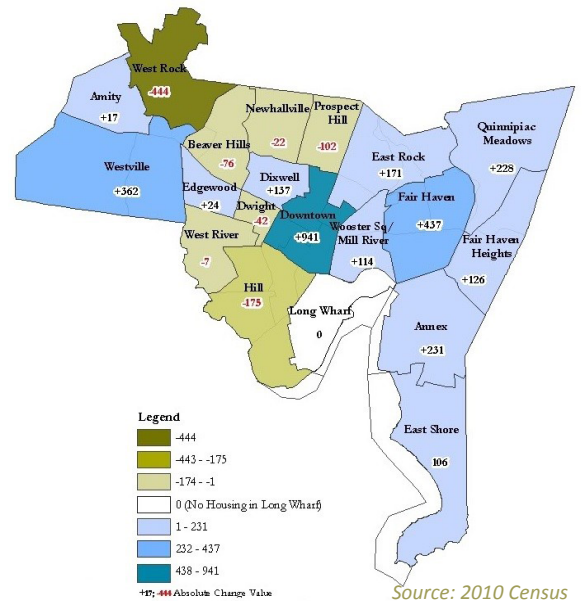
Owner Occupancy

According to the 2010 US Census, 29.5 percent of all occupied housing units in New Haven were owner-occupied. Although down slightly from the values observed in 1980 and 1990, owner occupancy has been relatively steady over the past decade. In 1990, 31.8 percent of the city’s occupied housing units were owner occupied and in 1980, 30.7 percent were owner occupied.

Homeownership rates are generally found to be lower in cities with high population density such as New Haven, where there are limited single- and two-unit housing developments. However, as an important bellwether statistic of neighborhood planning, improving the rate of homeownership has been a longstanding policy in the City. The policy is appropriate given the apparent relationship between homeownership and neighborhood stability. Homeowners have a long-term stake in the community, contribute directly to the property tax base, and are on-site stewards of real estate.

Distressed Housing

Distressed and deteriorated housing continue to be core issues related to neighborhood planning in New Haven. New Haven, like the rest of the nation, was impacted severely with displacement of families in the city during the recession beginning in 2008, causing increase in blight and instability within some of the city’s neighborhoods .



City-wide changes in total housing from 2000 to 2010

Source: 2010 Census



Housing & Neighborhood Planning

The City's residential licensing program requires owners of all properties with four or more units to acquire a license from the City, which is issued following an inspection by the Housing Division staff and ensures that the housing code is implemented accordingly.

Therefore, in 2008, the City of New Haven, along with other partner agencies, appointed a ROOF (Real Options for Overcoming Foreclosures) committee to offer counseling and technical assistance to homeowners of foreclosed properties in the city. Since its inception in 2008, ROOF has offered counseling services to nearly 2,000 property owners within the city, saved homeowners from foreclosure, helped tenants secure stable housing after foreclosure, and turned vacant and foreclosed properties into fully rehabbed rental and homeownership units.

The City also has a **residential licensing program** to combat neglect by absentee landlords and deal with blight on residential properties. In addition, the City's neighborhood specialists conduct regular walk-throughs within neighborhoods to identify distressed properties, update their housing inventory, discuss housing issues with residents at monthly CMTs, and enforce the housing code.

In spite of these efforts, a number of factors negatively impact the stability of the city's housing stock. High rates of families in poverty (29.7 percent in 2010) and low median family incomes (\$35,122 in 2010) place additional stress on the housing stock often leading to deferred maintenance of general repairs, landlord/tenant issues, and foreclosures.

Well over 70 percent of the city's housing stock is more than 50 years old. The age of the housing stock generally increases the costs for rehabilitation, including costs to remove lead paint and underground petroleum storage tanks and repair long-term structural damage.

There are a number of similarities in the neighborhoods with high levels of distressed housing. The Hill, Newhallville, and Fair Haven are older, denser neighborhoods with lower income levels in the community. As such, there is a wide set of needs ranging from small paint/improvement programs to marketing for the transition to new homeowners. Often the market for new homeowners is limited to the local population as the availability of inner city homes is not as well known on a regional basis. (See Vacant Properties map in Databook in the Appendix of this document).

Housing Affordability

The cost of housing in Connecticut remains high relative to national and state averages. This was also well documented in the **Regional Land Use Plan**. Census data indicate that housing costs for all housing types in New Haven increased by nearly 5 percent

The Regional Land Use plan estimates that 40,000 households in the region i.e., approximately one in every five households spends over 30 percent of total household income on housing. SCRCOG estimates a shortfall of 8,000 affordable housing units in the region!

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from 2001 to 2012, whereas, they increased by nearly 35 percent from 1996 to 2001. The median sales value of multi-family housing increased at a higher rate (34 percent increase) than the median sales value of single-family homes (nearly 30 percent increase) over the past ten years. This is contrary to the trend observed from 1996 to 2001 when the median value of single-family sales increased by nearly 36 percent and median value of multi-family sales increased by nearly 29 percent. In general, the increase in values of multi-family homes indicates the increasing demand for multi-family housing within the city.

In New Haven, the **cost burden for renters and home owners is significant**. A significant portion of owners and renters in New Haven can be considered cost-burdened since they paid more than 35 percent of their incomes on housing costs in 2010. (See Databook in Appendix). When the incomes of these householders were analyzed, it was found that nearly half (52 percent) of these households had incomes less than the median household income for the city (\$33,526). Further breakdown by age of the householder by income indicates 80 percent of householders less than 25 years of age (young adults) and 65 percent of householders 65 years and over (elderly) had incomes less than the median household income.

Government-assisted Public Housing

The Connecticut Department of Economic and Community Development (DECD) maintains the affordable housing appeals list as part of the program and implementation of CGS Section 8-30g. The list calculates “assisted housing” as that percentage of housing units that are either (a) Assisted Housing Units – housing for occupancy by low- and moderate-income households that is currently receiving or previously has received government aid; (b) Ownership Housing – housing financed with mortgages from Connecticut Housing Finance Authority and/or Farmer’s Home Administration; or (c) Deed Restricted Properties – deeds encumbered by affordable housing covenants.

According to DECD published data on **government-assisted affordable housing** in New Haven, affordable housing in the city was found to have decreased by nearly 3.5 percent from 2000 to 2010. However, a closer look at the background data for these data sets indicated that there were several errors in the reporting and compilation of the datasets, especially for the years between 2000 and 2005, such as: incorrect project addresses across various

“Despite the rising demand for rentals and more modest and affordable ownership options, the supply of such units in Connecticut has not increased enough to meet the demand, leading to higher rental costs and continued high prices to own a home.” (Partnership for Strong Communities, October 2012).



Recently re-built government-assisted Brookside housing development in West Rock neighborhood.



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Source: City Plan Department (based on back up datasets from DECD), 2012

The number and ratio of affordable housing units within the city has increased since 2000.

years; inconsistent project names resulting in duplication of affordable housing unit counts for some years; incorrect number of total affordable housing units within each project; incorrect unit counts, etc. Therefore, City Plan Department staff performed a detailed analysis of affordable housing within the city for the period between 2000 and 2010 by obtaining the background datasets from DECD and consulting the Housing Authority of New Haven and the Office of Livable Cities Initiative staff who manage affordable housing projects within the city.

The results indicated that **affordable housing in the city increased** from 17.2 percent of total housing in 2000 to 21.0 percent of total housing in the city in 2010. This does not represent the current value since it does not include Section 8 housing vouchers issued after 2010. Also, the new affordable housing units (206 units) constructed as part of the West Rock/Brookside Housing development are not included in this list.

Historic Preservation



View of the Dwight Street National Register District

New Haven is rich in historic resources, including a wide variety of historic residential neighborhoods and landmarks, both buildings and places. There are **19 National Register Historic Districts** (NRDs) in the city and three local historic districts. There are also 32 properties or sites on the National Register that are individually listed. Approximately 6,000 properties have been identified in surveys conducted by the Connecticut Historical Commission as possibly being eligible for listing on the National Register. These include the recently surveyed modernism architecture properties as well. Also, there are two State Historic Districts in Westville and Hill North.

The City of New Haven is a Certified Local Government (CLG) under 101 (c)(1) of the National Historic Preservation Act of 1966. The CLG status is conferred to enhance the role of local governments in historic preservation by formalizing and strengthening local programs and its links with the Connecticut Historical Commission. As a Certified Local Government, the City acknowledges and assumes many responsibilities for the protection of historic resources, including three local historic districts: Wooster Square (est. 1970), Quinnipiac River (est. 1978) and City Point (est. 2001). These districts contain a total of 502 properties.

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Institutional Development

New Haven is home to several large institutions that are key to its economic prosperity and national and global visibility; they include Yale New Haven Hospital, Southern Connecticut State University (SCSU), **Yale University**, Gateway Community College (GCC), Albertus Magnus College, Hopkins School, state and federal courts and other government offices, and a number of smaller institutions such as the Mary Wade Home, Job Corps, etc. They contribute jobs and other positive direct and indirect economic impacts to the regional economy. They provide job and skill training and collaborate with City departments in health and academic studies. They participate in training and marketing partnerships. They allow use of their facilities for meetings and civic, cultural, and sporting events. They provide direct community services, educate teachers, and provide technical training for the construction, hospitality, and health care industries.

These institutions hold large tracts of tax-exempt land that would otherwise constitute a significant portion of the City's real estate tax base. Their operations also impose substantial costs for roadways and other municipal infrastructure, as well as for emergency services. Properties owned by these institutions may sit vacant or underutilized for an extended period of time due to changing facility requirements.

Planning for the growth of these institutions is a delicate balance between maintaining quality of life for their host communities and their need to construct, renovate, and re-purpose buildings to meet ever-changing institutional requirements. All of these institutions, whether in public ownership, like Southern Connecticut State University and Gateway Community College, or private non-profits, like Yale University and Albertus Magnus College, engage in informal and formal ongoing relationships with civic and community organizations, such as the Community Management Teams and other community service and development organizations.



Yale's recently opened School of Management at 165 Whitney Avenue was completed in 2012 and allows enrollment to increase from 450 students to 600.



Housing & Neighborhood Planning

B. PLANNING CONSIDERATIONS

- ❖ The city's neighborhoods have unique and organic qualities, which contribute to a profound "sense of place" and an agreeable urban living environment. The prevailing land use pattern is a classic example of the sort of development that inspired "new urbanist" design philosophy (higher densities, pedestrian and transit connections, front porches overlooking treed streets, high quality aesthetics, etc.).
- ❖ The city's most stable neighborhoods, in general, are pedestrian-oriented, aesthetically pleasing and environmentally sound. There are walk-to-work options and convenience goods in accessible locations. Community services, including schools, parks, and playgrounds are within a reasonable walking distance of many homes.
- ❖ This contextual urban environment is among the city's most important assets and must be stewarded against inappropriate infill, conversions, encroachments, and other potentially deleterious/ nuisance influences.
- ❖ In some areas, the urban environment is a healthy mix that contributes to a high quality of life. In East Rock, for example, a number of small grocers and specialty retail shops are co-mingled in a residential environment. Generally speaking, the neighborhood functions well, with stable conditions, a pleasing environment, and rising property values.
- ❖ In other areas, nuisance and poorly operated uses have had an adverse effect on surrounding land use. Distressed property is seen more in older, lower income neighborhoods. Various factors contribute to the deteriorating influences, including poor structural condition, limited marketability, public safety concerns, and the overall condition of the surrounding area.
- ❖ In addition, higher density zoning complicates infill and flag lot development by allowing for densities often higher than the prevailing character of some areas.
- ❖ Since there are few opportunities for new development in the city, appropriate infill and redevelopment are central housing and neighborhood development strategies.

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- ❖ Aggressive code enforcement and property turnover (from tax delinquency to resale) will continue to stabilize neighborhoods and advance a comprehensive redevelopment strategy.
- ❖ Formal redevelopment plans, though largely expired in recent years, can be an ideal complement to the current Livable City approach. Neighborhood-based redevelopment plans provide an opportunity to target specific deteriorated properties (both existing and in the future) in a more streamlined manner than the sometimes cumbersome foreclosure process.
- ❖ Promoting affordable workforce housing remains an integral component to the City's housing strategy. The city currently lacks opportunities for transitional, single-room occupancy housing suitable for young adults, seniors, persons with disabilities, etc.
- ❖ New Haven has the region's largest percentage of government-assisted public housing properties. A balanced approach of market-rate and affordable units, spread more evenly across the entire South Central Connecticut region is therefore needed.
- ❖ Community survey responses indicate that preservation of the city's housing stock is one of the top housing priorities for the residents. The other priorities were: promoting workforce housing developments and encouraging quality, non-subsidized housing stock.

C. **GUIDING PRINCIPLES FOR RECOMMENDATIONS**

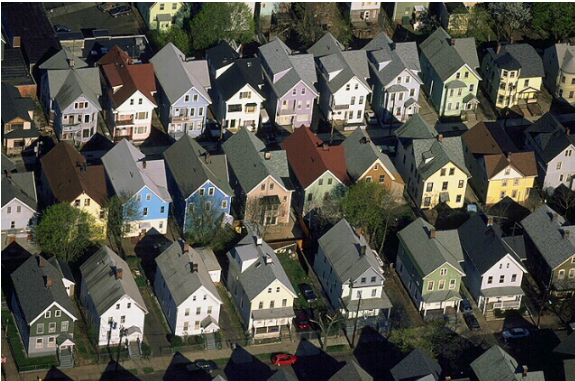
- ❖ Promote diverse housing stock suitable for people of all ages and incomes.
- ❖ Encourage dense, mixed-use housing opportunities along transit corridors.
- ❖ Increase homeownership rate.
- ❖ Improve housing affordability.
- ❖ Enhance quality of the housing stock.
- ❖ Preserve existing, historic housing stock.
- ❖ Encourage sustainable housing developments.
- ❖ Enhance physical and social connectivity among neighborhoods.



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D. RECOMMENDATIONS

Housing Diversity



New Haven’s developed context of two- and three-family detached housing allows for significant flexibility in meeting family and non-family housing needs.

- ❖ Identify and prioritize areas for the development of new/ infill housing to cater to households of diverse age groups such as college students, families, and empty nesters. (See Opportunities Map at the end of this section). The Commission further encourages the provision of family-friendly amenities and other support services within such developments.
- ❖ Ensure that **adequate rental and homeownership opportunities exist for people of all incomes**, especially in transition areas affected by business/infrastructure investments, institutional expansion, and/or changing market trends. To that end, the Commission encourages the City to identify and seek new sources of funding to assist in the development of quality, non-subsidized mixed-income housing stock.
- ❖ Encourage siting of elderly housing developments near walkable areas/transit corridors. Where feasible, allow aging in place as housing needs change, by encouraging universal design or retrofitting homes for lifetime use through Zoning Ordinance amendments. For example, in certain high- and medium-density residential districts encourage the provision of row housing on individual lots, or of “granny flats.”
- ❖ Prepare a comprehensive housing database and housing needs analysis for the city and update these periodically, based on changing demographic and market needs.
- ❖ Partner with regional planning agency to promote housing policies aimed at **fair, equitable, and de-centralized** distribution of government-assisted affordable housing within the region.
- ❖ Better integrate supportive housing developments into the rest of the city by enhancing physical connectivity and access to jobs and community services. As a first step, increase planning coordination among various City departments such as the Housing Authority of New Haven (HANH), City Plan, Engineering, Economic Development, and TTP to improve quality of life of people inhabiting these developments.

New Haven has the highest share of affordable housing in the region and second highest in the state. The relatively low income levels of city residents coupled with the lack of adequate affordable housing supply anywhere in the region is creating significant pressure on the City to make housing more affordable. Therefore, promoting fair, equitable, and de-centralized affordable housing within the region is critical.

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Housing Density

- ❖ Encourage the provision of **high-density, multi-family developments at appropriate locations** in the city. (See Opportunity Map). The Commission further supports the provision of community/open spaces that allow civic interaction and/or community services to be part of such developments.
- ❖ Encourage appropriately higher housing densities on certain existing, non-conforming properties located within RM-1 and RM-2 districts.
- ❖ Consider the impact of moderate- and high-density developments on the existing urban fabric, relative to traffic, noise, density of surrounding area, compatibility with nearby land uses, public convenience, public safety, aesthetics, site design and layout, etc. To that end, the Commission recommends the preparation, adoption, and implementation of a city-wide design guidelines manual.
- ❖ Continue to reinforce the urban environment and sense of place within large-scale private developments through site plan and design review and through contingencies on public funding.
- ❖ Encourage and support the redevelopment of government-assisted housing in a manner that enhances the urban environment through contextual urban design, appropriate density, and integration with the surrounding area. The Commission further recommends enhanced connectivity to the surrounding area and the provision of mixed-uses such as neighborhood retail and support services for these housing developments.
- ❖ For publicly-owned sites that are sold, continue to use the City's LDA as a tool to mandate the desired density, homeownership, and design of such developments.

New Haven's population is forecasted to grow by 13 percent over the next decade, but available vacant land is limited (approximately 5 percent). Therefore, in order to grow and yet keep housing affordable, high-density, multi-family developments are needed at select locations (such as transit corridors) within the city along with context-sensitive infill development opportunities.



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Home Ownership

- ❖ Aim for achieving at least a three percent increase in the homeownership rate by assessing housing needs and affordability periodically and by developing effective housing strategies to meet this estimate. In order to achieve this goal, the Commission supports advanced marketing of existing homeownership and housing rehab programs to low-and middle-income buyers and encourages the construction of large, multi-unit developments only when accompanied by a companion homeownership plan. Further, streamline the process and time taken to qualify for such programs so that more residents can take advantage of these.
- ❖ Work with public and private employers in the city to encourage employees to participate in government-sponsored homeownership programs. Continue and expand major employers' homeownership programs.
- ❖ Secure additional funding through state- and federally-operated financial programs aiming at moderate-income (workforce) households (i.e., those earning 80–120 percent of area median income [AMI]).
- ❖ Advocate for the approval of the legislative bill (currently pending) requiring higher share of PILOT (payment in lieu of taxes) and other such state reimbursed payments from all non-profit and tax-exempt institutions. The Commission recommends the provision of a more predictable, uniform, and stabilized tax base within the city.
- ❖ Enhance access to housing counseling services such as pre-purchase education, down payment assistance, and foreclosure literacy and intervention, for all first-time home buyers within the city.
- ❖ Continue to raise awareness among at-risk homeowners or owners of foreclosed homes on foreclosure prevention and intervention through programs such as ROOF.

Housing Affordability

- ❖ Support the provision of affordable, workforce (middle-income) housing within the city. To that end, explore the feasibility of incentivizing developers who provide **workforce housing** through reduced parking, where appropriate, and other incentives.

Workforce housing is defined as housing for persons with disabilities/special needs, young adults (students, artists, etc.), and seniors living on fixed incomes, young families who just started their careers, small business owners, and teachers, and other low- to moderate-income professionals. The income ranges of workforce households are generally between 50–80 percent of the area median income (referred to as low-moderate-income householders by HUD) and between 80–120 percent of the area median income (referred to as moderate-income householders by HUD).

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- ❖ Explore the feasibility of creating a “**housing trust fund**” (or other such dedicated revenue stream) for the City to support the creation of affordable units within large-scale developments, where financing such units becomes difficult without an increase in density.
- ❖ Compile and publish a list of all non-profit /housing agency services within the city that low- and moderate-income families can refer in finding adequate housing within the city.
- ❖ Partner with non-profit associations providing emergency, transitional, or affordable housing within the city using federal money and assist them in identifying suitable sites for locating such developments. To that end, pursue Zoning Ordinance amendments to allow the construction of single-room occupancy housing within and closer to Downtown, where there is immediate access to transit and support services. The Commission further encourages licensing and the requirement of an on-site manager to be part of the amendment.
- ❖ Partner with neighboring towns/municipalities and the region to assess housing needs, create affordable housing opportunities, and coordinate funding. Advocate for a balanced regional housing policy.

Housing Quality

- ❖ Ensure that all housing within the city meets or exceeds the quality standards established within the City’s Housing and Building Code. To that end, continue to enforce the housing code through the City’s residential licensing program and expand the functioning of this program by allocating additional resources.
- ❖ Encourage the revitalization of distressed, privately-owned property through enforcement of existing regulations for interior and exterior maintenance and through the creation of clear consequences for delinquent private owners, moving aggressively to housing court and other necessary actions while protecting the rights and needs of non-owner occupants.
- ❖ Update the City’s inventory on the quality of housing stock within the city regularly, so as to accurately identify all substandard housing stock.

Some communities in the country have adopted voluntary inclusionary zoning ordinances to encourage workforce housing production, such as New Castle County, Delaware.

In Connecticut, some communities encourage developers to provide payment-in-lieu of building affordable housing units, which is also called a housing trust fund. The City of Stamford allows developers to pay into a City fund, or make payment to another approved organization whose focus is on affordable housing development and initiatives, such as those developed for the towns of Bethel and New Milford and the City of Norwalk.



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- ❖ Use the City's legal authority to eliminate vacant, substandard housing units when rehab is determined to be economically not feasible and encourage new construction on buildable lots in a manner consistent with the desired character.
- ❖ Encourage the stabilization and revitalization of publicly-owned property through a timely disposition process.
- ❖ Continue to partner with the Health Department in promoting lead safe housing for all residents and to that end, educate residents on the hazards of lead paint and abatement methods.
- ❖ Amortize adaptive reuse of incomplete building forms and uses to eliminate blighting influences.
- ❖ Encourage buffering of blighting influences such as unmaintained yards, unscreened storage, glaring lights, and noise from public view on all residential properties.

Historic Preservation

- ❖ Maintain the City's status as a Certified Local Government and utilize available funding streams.
- ❖ Adhere to a preservation-based philosophy to ensure high quality efforts across a broad spectrum of uses, depending on the financial viability of the situation. To that end, encourage thoughtful **conversion of some of the existing NRDs into local districts**, e.g., Chapel Street, Ninth Square, Trowbridge Square, Orange Street, Dwight, and the Green.
- ❖ Educate property owners about Secretary of Interior's design standards for all renovations/new constructions proposed within the historic districts, and about the available historic tax credit programs.
- ❖ Maintain accurate inventory of eligible historic properties in City's database to inform planning and development actions appropriately and create an interactive web page to make it publicly accessible.
- ❖ Identify historic structures that can be successfully used to meet the City's affordable housing goals. Low-income housing and historic rehabilitation tax credits can be combined when historic structures are rehabilitated for affordable housing.

Properties in Local Historic Districts (LHDs) are subject to diligent review and oversight of the Local Historic District Commission (HDC) for any new constructions or renovations proposed. The HDC members meets once a month, hold public hearings on proposals, and vote accordingly.

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- ❖ Collaborate with the New Haven Preservation Trust, State Historic Preservation Office, and other local stakeholders to develop historic identity and landmark location signs, implement gateway signage, and embed historic themes within marketing products for city neighborhoods.
- ❖ Encourage and support the inclusion of eligible historic resources within the National Register of Historic Places. To that end, pursue NRD nomination for Elm Street, which is listed as eligible for NRD status.
- ❖ Promote inter-agency cooperation and coordination to implement the most effective preservation programs and services.
- ❖ Explore new ways to promote awareness and appreciation of New Haven’s historical heritage and resources such as seeking “**Preserve America**” designation for the city.

Sustainability

- ❖ Encourage transit-oriented, high-density developments near transit corridors, i.e., within one half-mile of a rail station or one quarter-mile of a high-frequency bus corridor. To that end, the Commission urges the implementation of Hill to Downtown Community Plan vision to promote redevelopment of Church Street South and neighboring area based on community vision. Promote mixed-use housing developments such as housing with retail/support services to minimize transportation demand.
- ❖ Promote residential densities and land use patterns that reduce local vehicles miles traveled (VMT) movements. (See Future Land Use map).
- ❖ Encourage energy conservation and green building designs in new/infill developments, including appropriate green buildings standards, use of green technologies, and careful site planning. Encourage low-impact development to that end by implementing a far-reaching energy program focused on the use of renewable power sources within new and existing housing in the city. Encourage more programs that help reduce energy costs in existing old housing stock.

Thirteen towns in Connecticut currently have Preserve America designation, including Bridgeport. This designation is offered by the federal government “to communities that protect and celebrate their heritage, use their historic assets for economic development and community revitalization, and encourage people to experience and appreciate local historic resources through education and heritage tourism programs. The grants offered can be used to prepare signs, flags, banners, and other promotional materials on the history of the city.”
(www.Preserveamerica.org)



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Community survey responses indicate that encouraging neighborhood specific planning is one of the top planning priority for the residents for the next decade. Such planning should involve “Connecting neighborhoods physically, socially, and psychologically—no one should feel unwelcome anywhere.”(Community Survey Response, 2013).

The proposed rebuilding of the Q house in Dixwell, the existing Coogan Pavilion, and the site of currently unused Salpento rink in East Shore could promote community cohesion and offer indoor/outdoor recreation for the residents in central, western, and eastern neighborhoods of the city respectively, if programmed and staffed effectively.

E. GENERAL RECOMMENDATIONS FOR NEIGHBORHOOD STABILIZATION

- ❖ Promote **neighborhood specific planning** aimed at revitalizing neighborhoods based on history, character, and demographic make-up as opposed to a one-size fits all approach. To that end, encourage neighborhoods to form neighborhood organizations beyond CMTs and obtain a 501 (c) (3) status, and to discuss neighborhood planning based issues on a monthly basis, partner with the City to implement neighborhood improvements, foster community engagement, and pursue competitive grants.
- ❖ Encourage neighborhoods to form non-profit development corporations to identify and seek state/federal funding for housing rehab/lead abatement, acquisition/demolition of vacant and sub-standard housing, and new construction. Conduct workshops to educate them on the proper organization and operation of such corporations and to connect them with successful development corporations within the city who have a track record of achieving desirable results.
- ❖ Evaluate existing neighborhood redevelopment plans in terms of their current status (such as the Long Wharf redevelopment plan), implementing specific recommendations, and associated costs.
- ❖ Promote social integration among neighborhoods through physical connectivity and by offering adequate opportunities and neighborhood rec center facilities for community interaction. The Commission recommends more effective programming of current community-based facilities for **community cohesion** and recreation.
- ❖ Provide adequate, energy-efficient lighting and better quality sidewalks on all residential streets to enhance safety, pedestrian mobility, connectivity, and promote vibrancy in neighborhoods.
- ❖ Identify neighborhoods having high concentrations of foreclosed homes and vacant/underutilized sites and develop comprehensive, neighborhood-based strategies to stabilize these neighborhoods.
- ❖ Continue to pursue federal designations such as Choice Neighborhoods and Promise Zone to revitalize low- and very low-income neighborhoods within the city.

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- ❖ Promote the revitalization of residential areas and neighborhood commercial districts in and around facilities included in the **School Construction Program**, including Lincoln Bassett School (West Newhallville), Wexler Grant School (Dixwell), Fair Haven K-8 School (lower Fair Haven), Truman School (Hill), and Barnard School (West River).
- ❖ Promote the revitalization of residential areas clustered around significant public spaces, including Trowbridge Square (potential local historic district), Jocelyn Square, Criscuolo Park, and job centers, including Science Park, SCSU, River Street, and Mill River.
- ❖ Encourage the development of dramatically new neighborhood forms as part of revitalization programs at select locations, including Farnam Courts, Belle Dock, Science Park, Long Wharf, Mill River, and **Church Street South**.
- ❖ Enhance the waterfront residential communities in Hill/City Point, Long Wharf, Fair Haven and elsewhere by encouraging compatible development and land uses with minimal adverse impacts on the surrounding area.
- ❖ Preserve existing community gardens and green space in the development of vacant public lots, thereby contributing to the desirability and development potential of the surrounding area.
- ❖ Continue development of watershed or riverside trail systems to connect parks and neighborhoods.
- ❖ Encourage context sensitive design of new/infill developments, which respects community character, is visually appealing and functional, and contributes to a sustainable built environment. To that end, develop and adopt a design guidelines document for the City that integrates Crime Prevention through Environmental Design (CPTED) and Universal Design guidelines and institute a process to implement these.
- ❖ Encourage institutions to periodically meet with City staff to discuss any plans for proposed expansion of their facilities since these would have an impact on the surrounding neighborhoods in terms of traffic, hours of operation, etc.

As a city of neighborhoods, each residential area has distinct qualities that form a foundation for redevelopment. In many instances, the city's status as a Certified Local Government is a beneficial technique to advance a revitalization effort. Likewise, the re-construction of school facilities has provided an unparalleled opportunity to link neighborhood revitalization with the public school system.

Due to its proximity to Union Station, the Church Street South housing development allows for more intensive, transit-oriented neighborhood planning. Zone changes must be pursued consistent with the vision of Hill to Downtown Community Plan.



Proposed Church Street South housing redevelopment as envisioned in the Hill to Downtown Community Plan (2014).



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F. RECOMMENDATIONS BY NEIGHBORHOOD

In addition to the recommendations developed under various planning topics, the following strategies are recommended to further stabilize the neighborhoods of the city:

Canal and Belle Dock

The Canal and Belle Dock areas provide the city with its best opportunity to create water-dependent, community-focused amenities at the harbor. The current construction of the **new Canal Dock Boathouse** facility (scheduled for completion in 2017) at this location re-establishes community access to the waterfront. The proposed strategy is to create a critical mass of commercial mixed-use developments just landward of the public waterfront that are compatible with the existing Maritime Center, Sports Haven, and Williams Terminal. While all new uses should relate to the water in either design or function, water-dependent emphasis is placed on development of an intermodal transportation connection/high speed ferry service via the deep-water slip at the Belle Dock site. Coastal resiliency measures are recommended along the coast to mitigate impacts of coastal flooding during major storms.



Rendering of the Boathouse facility at Canal Dock currently under construction which will reconnect city residents with the waterfront and provide a focal point for community-oriented recreational/educational programs.

City Point

At City Point, the emphasis is a neighborhood-scale waterfront. This is accomplished by improving waterfront access at Howard Avenue and South Water Street, and diligently protecting the neighborhood from industrial and transportation-intensive land uses along Sea Street. Similar attention must be paid to traffic calming and pedestrian-friendly streets. Cut-through traffic from Interstate 95 should be discouraged either through changes to the existing street network or implementation of traffic calming devices. **Historic preservation** continues to be a priority within the local historic district. Coastal resiliency measures are recommended along the coast to mitigate the impacts of flooding due to major storms.



Distinctive single-family and two-/three-family houses from the mid- to late-19th century enhance the historic character of City Point neighborhood.

Dixwell and Newhallville

Strategic and targeted planning efforts are recommended within Dixwell and Newhallville neighborhoods such as: consolidation of vacant and underutilized sites, sliver lots, and/or non-conforming lots to create sizable opportunity sites for development; improving existing traffic and street network around these sites; and promoting development through partnerships with local

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non-profits and other city agencies. Planning that promotes **better integration of Science Park** with the adjacent residential neighborhoods is encouraged. Vacant former convenience stores may be amortized to promote residential development on these sites. New sources of funding should be identified and pursued to implement traffic calming solutions near King/Robinson Magnet School, James Hillhouse High School, and Amistad High School.

Revitalization of **Dixwell Plaza and a new Q House**, and programming of youth services continues to be a priority. The City should continue to work with merchants and other key stakeholders in Dixwell in seeking “Main Street” designation for the Dixwell corridor, so as to obtain customized technical assistance, ongoing support, and competitive grants. The renewed Q house (currently in design stage) would hopefully meet the recreational needs of the residents and enhance community interaction. Improve natural surveillance and the image of the neighborhoods through physical improvements to the existing streetscape (better lighting, tree trimming, sidewalks, and landscaping). Local regulations should be carefully reviewed to allow community gardens and urban agriculture options, increasing access to healthy food within both neighborhoods. Public safety measures should be continued to be implemented by partnering with the Police Department.

Continued police surveillance of the Farmington Canal Heritage Greenway trail is recommended so that more residents can take advantage of this trail for their walking/biking needs. Further encourage the use of this trail by partnering with local schools and private institutions to provide occasional educational and recreational programs along the trail. Resident interaction and capacity could be enhanced by their neighborhood heritage, culture, and history.

Downtown

Downtown New Haven is considered the cultural capital of Connecticut and is home to a wide range of commercial, residential, and institutional uses and signature public spaces. The neighborhood is a **core component** of not just the local economy but also the regional economy. Therefore, the Commission recommends that both new development and redevelopment activities be attentive to mixed-use, **quality site planning**, and landscaping.



A strategic plan is recommended for Newhallville/Dixwell neighborhoods to better integrate Science Park (Tract A image above), which houses many innovative corporations, to the surrounding area.



Pursuing Main Street designation for Dixwell commercial corridor (above) and programming the proposed Q House community center (below) effectively are the priorities for Newhallville and Dixwell neighborhoods for the next decade.





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The vibrant intersection of Chapel Street and College Street lies at the heart of the city's traditional downtown core.

Site Plan and Design Review

For significant development and minor alterations, site plan review and much needed design review processes are recommended. This review is intended to maximize mixed-use, contextual design, and synergy with surrounding uses. Close attention should be paid to the scale of new development, location of parking, pedestrian-level comfort, storefront retail, provisions for transit and cyclists, etc.

Historic Preservation and Contextual Infill Development

In the neighborhood's National Register Historic Districts, preservation is a guiding principle for new development. While not practical or financially viable in every instance, adherence to a preservation-based philosophy will ensure high-quality efforts across a broad spectrum of uses. The Commission recommends thoughtful consideration to converting the existing national districts i.e., Chapel Street, Ninth Square, Orange Street, and the Green to local districts.

Streetscape Details

Pedestrian comfort can be vastly improved though attention to public and private signage as well as better quality and organization of street furniture. Sign standards, including a prohibition of pole signs, are recommended.

New Haven Green

The New Haven Green remains the focal point of Downtown and a signature region-wide asset. That said, the Green is remarkably under-protected from a regulatory perspective. A formal process can be accomplished through designation of the Green as a Local Historic District, under the regulatory purview of the New Haven Historical Commission. A restoration plan is needed.

Land Use

The desired land use pattern within Downtown is for a dense and diverse mix of commercial/residential/office uses with pedestrian-oriented retail and amenities. Due to the current transformation of the Route 34 corridor into an urban boulevard, a new land use category is proposed along the corridor and nearby Medical District for the current update, as discussed below.

Current projects planned for Downtown are:
Phase IV of Farmington Canal Greenway Trail and Phase I of Wayfinding signage.

Current plans being developed are:
mobility study (parking study), traffic signal studies at select locations, the Federal Transit Administration's Alternatives Analysis study (transit study), Coliseum site Phase II, and Downtown Crossing Phase III.

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Residential Mixed-use

The Commission encourages continued allowance of **mixed-use residential developments** at appropriate densities within Downtown to promote vibrancy and facilitate further transit use. Mixed income housing will help preserve affordability Downtown. Stand-alone retail is discouraged, unless accompanied by upper floor residential space.

Commercial Mixed-use

The office market withstood a blistering recession and has emerged as a leading destination in Connecticut. Although there is limited opportunity for substantial new development, the plan emphasizes infill opportunities at State Street lots, 205 Church Street parking lot, Frontier lot, City-owned lot at Wall/Orange/Elm, parking deck at George and Park Streets, Downtown Crossing (Route 34 East) infill parcels, and **Live, Work, Learn, Play (LWLP)** site (old Coliseum site). The Commission encourages complementary retail in storefronts. Stand-alone retail is discouraged, unless accompanied by an upper floor mixed-use environment. With that in mind, the Commission encourages development of a dry goods/general store on the Route 34 corridor.

Medical (Technology) Mixed-use

Transit-oriented, **medical technology-related mixed-use environments are encouraged along Route 34** corridor to the east of Howe Street. The Commission emphasizes that development within this area should have reduced parking so as to encourage transit-oriented developments. Stand-alone retail is discouraged; mixed-use environments with pedestrian-level retail/restaurant/office type uses and medical-related research type facilities on upper floors are encouraged.

Institutional Land Use

The proposed gateway signage developments at Yale University are central to the long-term viability of the neighborhood. The Commission emphasizes that the nature and location of proposed development should be mindful of (a) protection of the grand list and taxable property; (b) design that encourages an outward presence and free flow of people; (c) appropriate placement and adequacy of parking/transportation systems; and (d) concentration of facilities and efficient use of current lands.

The mixed-use residential market is booming in Downtown with the advent of 360 State Street apartment complex. Hundreds of units are either planned as renovations to existing buildings or as new constructions such as 205 Church Street (145 units), 188-196 College Street (160 units), 1249 Chapel Street (140 units), and the former Coliseum site (524 units).



Approximately 524 new residential units are being planned at the former Coliseum site.



Rendering of 100 College Street building located on Route 34 East currently under construction. Alexion Pharmaceuticals will be the first tenant occupying 300,000 square feet of the 425,000 sf building, with 300 employees initially, but with plans to add 300 more over the next five years. Alexion has a market cap of \$19.21 billion and operations in 30 countries, and is an industry leader in developing treatments for rare diseases.



Housing & Neighborhood Planning

Movement of People

Access, mobility and parking are among the most perplexing issues for the neighborhood. The recommendations herein provide a broad policy outline to coincide with capital improvement programming. While considerable attention and study has been paid to the complexities of the one-way system, the need for on-street parking and the considerable volume of traffic on arterial roads leave limited opportunities to modify the system. Two-way systems are possible (subject to a review of the recent detailed study) on Church Street, Park Street, York Street, and College Street.

The need for parking, in advance and support of new development, has been demonstrated. Although not located in the Downtown neighborhood, the limited parking at the medical facilities and at Union Station will continue to have a deleterious effect on supply and must be seen as a Downtown-related issue. A two-tiered approach is proposed for meeting the parking demand: 1) short-term expansions of parking capacity, focused on remote parking sites and 2) medium-to long-term opportunities to build appropriately-sized, mixed-use parking facilities in line with the new models of parking facilities suggested in the *Hill to Downtown Community Plan* vision.

The density in the neighborhood, and in many of the surrounding environs, supports 10-minute headways for public transit, especially at peak times. Extending service to late evening hours and weekends and improvements and better marketing of the system to discretionary riders will ultimately benefit the neighborhood as well as the rest of the city. Concurrently, improved facilities for transit users such as shelters, waiting areas, and real time information at shelters and via smartphone apps, are encouraged.

As a top priority, the City of New Haven must complete **Phase IV of the Farmington Canal Heritage Greenway**, the Vision Trail, and the development of parcels along Route 34 East. Abutting residential areas (i.e. Wooster Square, Dwight, Dixwell, Hill North and South, and East Rock) are located close enough to encourage a bike-to-work environment. Likewise, the need to share the roadways with bicyclists is clear and beneficial for the neighborhood. As part of the regular roadway maintenance program, additional designated bike lanes and shared lane signage are encouraged. The missing gaps within the existing bike network should be identified and resolved accordingly.



The completion of Phase IV of the Farmington Canal greenway trail and the Vision trail thus connecting residents to the city's waterfront is a top priority for the next decade.

Housing & Neighborhood Planning



Improvements to Route 34 and the congestion in and around Downtown ramps impede the growth and development of the neighborhood. While efforts are underway to transform this area into an urban boulevard with more pedestrian-friendly connections across the highway, partnerships with local employers to promote transportation demand management (TDM) strategies (such as incentives for employee ride sharing, transit use, encouraging telecommuting or commuting at off-peak hours) are recommended.

Providing a frequent, local commuting option for people who work in Downtown such as a bus rapid transit system or a light rail/streetcar is beneficial in boosting local economy and reducing vehicle emissions. The routes of such system should extend along the major arterials of the city connecting the neighborhoods, and ultimately adjacent towns, to further promote economic development of local commercial/retail corridors. As a short-term alternative, the possibility of expanding existing Downtown shuttle service to include more routes and additional services available to the public should be considered in coordination with CTRANSIT, Yale University, and Yale New Haven Hospital.

Dwight

Within the Dwight neighborhood, **preservation of existing historic housing** stock remains a priority. To that end, support the creation of a local historic district, which would subject any proposed developments affecting the historic character of the neighborhood to review by the local Historic District Commission (HDC). Promote aggressive housing code enforcement to eliminate blight and encourage more homeownership options by robustly marketing City-offered home buyer assistance program. Increase open space opportunities within new/infill developments and enhance Whalley Avenue streetscape through wayfinding signage, traffic calming, and landscaping. Pedestrian-oriented, mixed-use environments with a combination of retail and support services on ground floor are encouraged on Whalley Avenue. The City should continue to seek official designation of Whalley Avenue as one of Connecticut's "Main Streets" to avail technical assistance, ongoing support, and competitive grants. Amendments to the current zoning standards on Whalley Avenue are recommended to encourage a variety of uses at appropriate and increased densities and to promote site design that considers form-based standards. Bike-to-work environment should be further encouraged by resolving the existing gaps in the existing bicycle/pedestrian network.



This Queen Anne style former residence on Lynwood Place illustrates how the historic character has been retained when it was converted from institutional and office space to a religious non-profit organization use.



Housing & Neighborhood Planning

East Rock and Cedar Hill



Homes on Orange street contributing to the historic character of Orange Street National Register District in East Rock neighborhood.

Due to its close proximity to Downtown and the relatively higher concentration of working adults (generally between 20 and 64 years), bike-to-work environment and transit-oriented developments should be encouraged within the East Rock neighborhood. This could be done through the promotion of **residential and mixed-use developments** at relatively higher densities at appropriate locations and through the enhancement of existing bicycle/pedestrian and transit network. Support services, besides retail, are encouraged on State Street as part of a mixed-use environment. Connections to the currently disconnected network of public facilities and natural features (i.e. to the Ralph Walker ice skating rink at Blake Field on State Street; Blake Field, southeast of East Rock school; East Rock Park; and the undeveloped riverfront of the Mill River) that currently form a barrier limiting pedestrian access to the Cedar Hill neighborhood should be restored. Support neighborhood-driven efforts to establish and maintain a Mill River Trail. Pursue new sources of funding to conduct technical analysis and implement the East Rock neighborhood's district-wide improvements, such as those proposed by consultants Clough Harbor & Associates in 2010.

Increase policing in Cedar Hill area and improve natural surveillance through streetscape improvements and new street or trail connections to the adjacent East Rock neighborhood. Shared parking among East Rock School, Blake Field, and the parking lot across from East Rock school, at the corner of Willow and Mitchell Streets is encouraged so as to improve the current parking situation near the school. Public safety must be ensured through the implementation of adequate traffic calming measures near East Rock School on Willow Street, as well as on Upper State Street (in Cedar Hill). In general, bike/pedestrian/vehicular access must be improved between Fair Haven and Willow Street area.

East Side (Annex, Quinnipiac Meadows, Fair Haven Heights, and East Shore)

Since all of the eastern neighborhoods are geographically separated from the city primarily by New Haven Harbor, the Mill River, and I-91 and have similar planning issues, they are grouped for the purpose of this discussion. The eastern side of the city experienced a significant population and housing gain over the past decade. This side of the city needs more connections to the Downtown, where jobs and key educational/health care institutions are located, with

Housing & Neighborhood Planning



adequate transit and bike/pedestrian network. Traffic calming measures and complete streets are required at Foxon Boulevard and Forbes Avenue to ensure adequate public safety at these locations. The **development of support services along with retail** is encouraged along Foxon Boulevard and Forbes Avenue. Close attention should be paid to the scale of new development, location of parking, pedestrian-level comfort, provisions for transit and cyclists, traffic calming, and sign standards.

The East Shore neighborhood is remarkably stable and well-connected to the waterfront. The Commission recommends stewardship of public waterside resources, compatible infill development policies, and code enforcement to ensure the long-term viability of this neighborhood. At **Lighthouse Point Park**, capital improvements are a priority such as improvement of park infrastructure and continued maintenance as well as implementation of wayfinding signage. In completing these improvements, the Lighthouse Point will be better positioned as a signature park. Coastal resiliency measures should be undertaken to prevent any loss of lives or property during major coastal flooding events.

Long-term planning for Quinnipiac Meadows follows the lead of the Quinnipiac River Conservation and Development Corridor (QRDC). The QRDC recognizes the Meadows as an environmentally-sensitive section of the industrially-zoned waterfront. North and west of Interstate 91 (south of the landfill), industrial zoning is appropriate; however, the focus should be on job-creating uses, limitations on automotive-related uses, and vastly improved site design. Any development north of the landfill and/or behind the Route 80 commercial area should be outside of the tidal wetlands. These environmentally sensitive locations are appropriate solely as protected open space.

Residents in this side of the city need an indoor (suitable for all types of weather) facility for physical activity and organizing community-based events. Efforts must be made to reuse an existing community facility (such as a school) through effective programming, to the extent possible.



Farren Street in Fair Haven Heights offers convenience retail to residents in the eastern neighborhoods of the city..



The Lighthouse Point Park in Morris Cove neighborhood offers recreational opportunities for local as well as area residents.



Housing & Neighborhood Planning

Fair Haven



Transforming Grand Avenue into a Main Street is one of the priorities for Fair Haven neighborhood for the next decade.

Continue to focus on revitalization efforts on **Grand Avenue** to promote vibrancy and strengthen local economy within this commercial corridor. Connect the residential area to the existing rivers surrounding Fair Haven through the implementation of the Fair Haven greenway as envisioned within the *Plan for Greenways & Cycling Systems* (2004). This greenway will loop around the bottom of the Fair Haven peninsula along the banks of the Mill and Quinnipiac River and then through the high peaks of East Rock Park. North of Criscuolo Park, several key sites must be addressed for residential redevelopment. CPTED techniques are encouraged, such as aggressive code enforcement, elimination of sub-standard and blighted housing stock, improvements to the streetscape, rehabilitation of existing substandard housing stock, etc.

Since there is a high concentration of immigrants within this neighborhood, community cohesion efforts (such as organization of neighborhood festivals and sports events) are encouraged to promote the integration of the immigrant (Hispanic) community with local residents. Promote a sense of pride and belonging among residents by incorporating gateway and wayfinding signage reflecting their rich cultural heritage.

The Commission supports the vision of the **Grand Avenue Special Services District (GASSD)**, to create a “business-robust Avenue: clean, safe, filled with customers, and vibrant with business opportunities.” (<http://www.grandavenuessd.org/>). In order to achieve this vision, the City should continue to seek official designation of Grand Avenue as one of Connecticut’s “**Main Streets**” to avail technical assistance, ongoing support, and any competitive grants that are available.

Between Ferry Street and Criscuolo Park, the *River Street Municipal Development Plan* (2002) accurately reflects the City’s interest in historic preservation and mixed-use and light industrial redevelopment. However, frequent flooding events, increased flood insurance costs, and site clean-up costs have stalled further development of these sites solely for light industrial business uses, as envisioned within the plan. Therefore, continued government intervention and assistance is necessary to promote redevelopment of these sites. A broader range of land uses besides light industrial could be encouraged at these locations such as office, retail, and restaurant uses. The commission recommends the development of a strategic plan in Fair Haven to promote the development of

The Grand Avenue Special Services District was established according to Section 37-3 of the New Haven Code of Ordinances on March 24, 2009. It is home to the largest concentration of Latino owned businesses in New Haven offering ethnically diverse products and services.

In March 2014, the City of New Haven contracted with Connecticut Main Street Center (CMSC) to assess the feasibility of transforming New Haven’s neighborhood commercial corridors into Connecticut Main Streets and thus promote revitalization of these corridors through effective partnerships among various public and private stakeholders.

CMSC’s resource team recommended that the City develop a Neighborhood Revitalization Task Force at City Hall, as a first step, attend Main Street training sessions, learn best practices, build partnerships, and streamline the process for those who want to do business in New Haven.

Housing & Neighborhood Planning



vacant sites along River Street; to facilitate increased economic activity along Grand Avenue; to promote historic preservation and rehabilitation of residential properties; to enhance public access to the river; and to implement coastal resiliency measures. The 50-foot easement retained by the City along the southern edge is an excellent opportunity for improved infrastructure, i.e. shoreline protection complete with public access such as the planned trail.

Hill

Within the Hill neighborhood, the vision is to encourage transit-oriented, mixed-use, and mixed-income developments on key opportunity sites such as the former Yale Nursing School site and Church Street South. Promote vibrancy in the neighborhood by encouraging safe and aesthetic pedestrian-oriented amenities and services. Improve connections to northern neighborhoods of Route 34 corridor, to the Downtown and Medical District and to Union Station. Key infrastructure improvements needed are: extension and realignment of Lafayette Street to provide direct access between College Street and Union Avenue, re-establishing connections between Church Street and Union Avenue through the extension of Columbus Avenue, and making Church Street South the main street connecting Downtown to the neighborhood. A new public square, Union Square, is envisioned as a community open space near the Church Street South site.

Promote the official adoption and implementation of the **vision of the *Hill-to-Downtown Community Plan*** (2014) and establish a Hill-to-Downtown Steering Committee. The Committee shall include the four Hill alders or their designees, two designees from the Hill Management Teams (one from Hill North and one from Hill South elected by their respective Management Teams), two City of New Haven officials designated by the mayor (one from City Plan and one from Economic Development), and two representatives from local institutions or businesses nominated by the mayor and approved by the Board of Alders.

Long Wharf

Planning for Long Wharf is focused on two central themes: land use and transportation. From a land use perspective, due to the widening of Interstate 95 in recent years, efforts to connect the neighborhood to the waterfront through the implementation of a network of streets across I-95 (as envisioned in Long Wharf Redevelopment Plan) are yet to be realized. Connections to Downtown and the Hill are limited by the rail yard. The future



Vision illustrated in *Hill-to-Downtown Community Plan*.



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Construction is already underway to convert the former New Haven Register building at 40 Long Wharf Drive to a 200,000 square foot Jordan’s Furniture store featuring both retail and family entertainment opportunities.

land use approach must rely heavily on adaptive reuse of vacant buildings such as the old Gateway Community College campus, the vacant Pirelli building, the former New Haven Register building, portions of the New Haven Food Terminal, and the medical building at Church Street South Extension. Sargent Drive is well positioned to be a light industrial/commercial mixed-use corridor due to the already existing light industrial/commercial uses such as Assa Abloy, Sargent Manufacturing Company, Regional Water Authority, IKEA Home Furnishings, and the proposed Jordan’s furniture store on the **New Haven Register site**. The immediate access to I-95 is an added benefit in attracting a regional customer base to these sites without causing major traffic impacts within the city.

Focus specific planning and redevelopment attention at Long Wharf with the intent to develop a framework for the redevelopment of the district into a more mixed, denser urban commercial and coastal district. Such planning should help identify the types of uses that could be allowed on Sargent Drive (based on market and site feasibility) and opportunities for shared parking; improve the streetscape; and promote resident connectivity to the waterfront. Zoning amendments are recommended in this area based on the plan directives.

Along the waterfront side, cultural and environmental enhancements to the Vietnam Veteran’s Long Wharf Park continue to be a priority. This strategy also includes mitigation of the adverse impacts resulting from Interstate 95. Suitable alternatives would include a spatially larger park, including measures to widen the park east and west, and measures to curtail coastal soil erosion and encourage coastal resiliency.

Port District

The plan calls for enhancements to the Port of New Haven in support of its **important role in the regional transportation system**. Within the port district (as designated by original boundary of the New Haven Port Authority), several improvements should be completed. First, re-establishment of the Waterfront Street railroad spurs will improve intermodal connectivity. Second, acquisition of vacant land within the district by the Port Authority will advance a more efficient use of land. Working with terminal operators, efficient landside connections could be provided for feeder barge service. Third, care should be taken to improve port aesthetics, largely through tree plantings and landscaping in areas



New Haven’s port district plays a major economic role as a regional center for the storage and distribution of petroleum products (gasoline and heating oil) throughout Connecticut and Western Massachusetts.

Housing & Neighborhood Planning



outside of berths and parking lots. The proposed Harborside Trail must be accommodated even in the port area, connecting Forbes Avenue bike facilities to East Shore and the Shoreline Greenway.

Prospect Hill

The Prospect Hill neighborhood is one of the most stable neighborhoods in the city with its large lots and historic buildings. The focus in this area should be to discourage subdivision of large lots and the encroachment of institutional uses to further maintain the existing residential character. Preservation of historic homes continues to be a priority. Encourage bike-to-work environment by enhancing existing bicycle/pedestrian connectivity to Downtown.

West Hills/Westville (Amity, Westville, Beaver Hills, Edgewood, and West Rock)

Since the western neighborhoods of the city are geographically linked to the Whalley Avenue commercial corridor and share common interest in connecting the existing parks to the proposed West River Greenway Trail, these are grouped for the purpose of this discussion.

For the West Hills/Westville area, the designation of **West River Greenway Corridor** as a regional greenway is a priority. This would help promote much needed recreational and educational opportunities for nearby residents and is also a first step in implementing the vision of a West River Greenway Trail connecting West River, West Rock, and Beaver Ponds Parks (as envisioned in the *Plan for Greenways & Cycling Systems*, 2004). The West River Greenway Trail envisioned in the *Plan for Greenways & Cycling Systems* (2004) could be further expanded by proposing connections to the Farmington Canal Heritage Trail to the east and Woodbridge and West Rock Park Preserves to the west. Programming of services within the existing parks and enhancing public safety are critical to encourage further use.

The Commission supports the efforts of the West River Watershed Coalition (WRWC) and recommends that the city revive its Environmental Advisory Committee, with representation from WRWC members, residents, Greater New Haven Water Pollution Control Authority (GNHWPCA), and City staff. The key functions of this committee would be to advise elected officials on critical environmental policies/plans submitted for their review and adoption; to gather more public input on environmental matters;

The West River Watershed Coalition was formed in 2013 by residents and other non-profit partners in the western part of the city with a goal of improving the quality of the natural environment in neighborhoods adjacent to the West River.

As a result of their advocacy efforts, a West River Watershed Management Plan is being prepared by consultants Fuss O'Neil in collaboration with Connecticut Fund for Environment. The Greater New Haven Water Pollution Control Authority also agreed to prepare an update to the long range sewer separation plan to explore the feasibility of implementing green infrastructure. The West River Greenway has been officially designated as a Connecticut Greenway by the Connecticut Greenways Council.



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Existing view of Westville Village in Westville neighborhood.

and to ensure the continuous monitoring and implementation of various environmental plans, as proposed.

Land use changes are recommended along Whalley Avenue, near **Westville Village**, to promote dense, mixed-use developments with reduced parking requirements. Service-related commercial uses such as child care, banking facilities, etc., should be encouraged within the Westville Village business district. The Commission also encourages the development of a small format grocery store in this area. Opportunities for dense, mixed-use re-development exist at 500 Blake Street and 781 Blake Street.

Westville has a significant concentration of empty nesters and senior households (Databook findings). Transit-oriented, senior housing development is therefore encouraged along with support services for aging in place within this neighborhood for residents who plan on downsizing, yet are left with fewer options currently.

A proposed Cross Town West bus route will help provide direct CTTRANSIT access to Hamden and West Haven from the west side of the city and improve access to the SCSU campus, as well as the City educational campus on Ella Grasso Boulevard. Traffic calming measures are needed on Whalley Avenue, Valley Street, Fitch Street, Fountain Street, and Blake Street. Pedestrian crossings should be improved at intersecting streets on Ella Grasso Boulevard to ensure pedestrian safety between the West River Memorial Park and the surrounding neighborhoods. Connect the missing links in existing bicycle/pedestrian network at Fitch Street, Fountain Street, and on Edgewood Avenue. A **dedicated bike path** is envisioned along Edgewood Avenue connecting the west side of the city to the Downtown.



A dedicated bike lane is envisioned along Edgewood Avenue connecting the west side of the city to the Downtown.

Reviving Edgewood's Coogan Pavilion as a community center and programming the hours of operation and activities for existing public swimming pools located in schools nearby (Hillhouse and Career High Schools) would help in promoting indoor recreational options for residents and further enhances community interaction.

Enhanced partnerships with Yale University and SCSU for use of their ample athletic fields and facilities are suggested.

West River

Within the West River neighborhood, West River watershed management; the implementation of West River Greenway Corridor Trail; redevelopment of vacant parcels on Route 34;

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improvement of West River commercial district (West River triangle); and traffic calming at Ella Grasso Boulevard and Route 34 are priorities.

For land use recommendations, the Commission recommends mixed-use developments with ground floor pedestrian environments such as retail and support services, and residential uses on upper levels on the vacant parcels along Route 34 corridor (temporarily being used as parking lots). A **dedicated bike lane** is recommended along the north side of Martin Luther King Jr. Boulevard from Route 34/Ella Grasso Boulevard intersection connecting to the Downtown. Within the vacant parcels, north-south pedestrian connectivity is recommended to re-knit the neighborhoods long separated by the highway. The Commission encourages re-configuration of traffic lanes on Route 34 west so as to transform this highway into an urban boulevard. Traffic calming measures are needed along Route 34 corridor, especially at the intersection of Ella Grasso Boulevard where pedestrian access to the park is currently difficult.

The West River neighborhood is the only Neighborhood Revitalization Zone (NRZ) within the city. The West River Neighborhood Services Corporation (WRNSC), formed after the award of the NRZ status (in 2005), currently meets on a monthly basis to discuss residents' issues and improve overall quality of life within the neighborhood. However, WRNSC could not yet fully implement its vision and visibility within the neighborhood. Particularly, for the West River commercial district (bounded by Ellsworth, Norton Parkway, Derby Avenue/George Street), key physical conditions and reduction of perception of crime; promotion of resident/merchant interaction through business festivals; and creation of marketing products that help attract new businesses are yet to be realized. Advocate for new sources of funding for the NRZ either at the state level or through partnership with local residents and merchants to coordinate, manage, and implement commercial district improvements.

Housing rehabilitation, aggressive code enforcement, and streetscape improvements are recommended to eliminate blight and reduce the perception/incidence of crime within this neighborhood.



Existing view of the Dunkin' Donuts store located in West River triangle district. The proposed revitalization of this commercial district is critical to promote economic development and stabilize the surrounding area.



A cycle track is envisioned along north side of MLK Boulevard connecting Route 34 neighborhoods to the Downtown.



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West Rock

Enhanced transit connectivity to the newly redeveloped Rockview/Brookside housing is a priority in West Rock neighborhood. This neighborhood had the maximum concentration of 5 to 19 year olds in 2010, who will be part of the future workforce of the city over the course of the next decade. Programming of youth services and provision of support services for working parents and single mothers are therefore critical. Better integration of this development, both physically and socially, with the rest of the city and with Hamden neighbors and retail corridors is needed through improved sidewalk connections, effective programming of youth and adult services, organization of community-based festivals and events, and connecting West River and Beaver Pond Parks through a continuous system of trails would aid promoting interaction among West Rock residents and surrounding neighborhoods.

Enhancing transit service and trail connections to this area would benefit the retail market as well. Support increased police surveillance during off-peak hours to ensure the safety of residents walking or biking early in the mornings or late in the evenings.

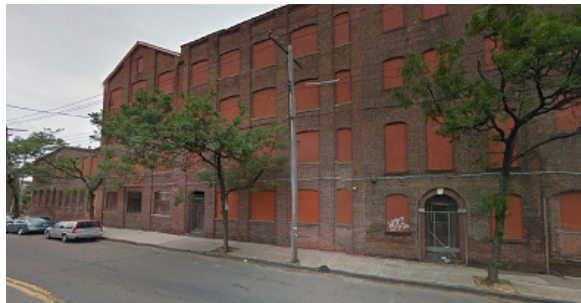


The recently re-built West Rock housing development needs enhanced transit and trail connections to re-connect residents in this area with the rest of the city.

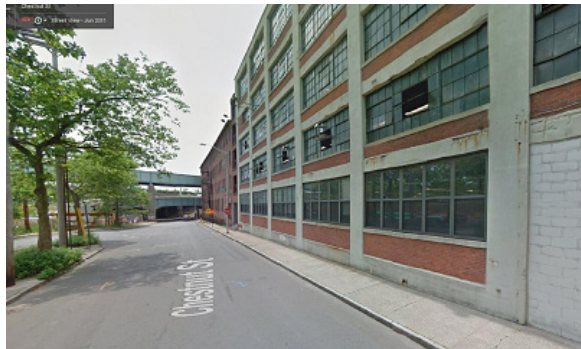
Wooster Square/Mill River

Due to its proximity to Downtown and both rail stations, this neighborhood is well-suited for promoting transit-oriented developments at appropriate densities. Several **opportunities for contextual infill development** exist on parcels between Union Street and Olive Street; on Water Street; and to the east of Interstate 91, within the Mill River District. These include the High School in the Community site (167 Water Street), Saint Michaels Church Corporation sites (234, 240, and 250 Greene Street), Ives Place (50 Ives Place), Clock Tower site (133 Hamilton Street), the vacant office building owned by Vito Luciani (109 Water Street), and the vacant industrial building owned by Cowles and Company (83 Water Street). English Station, the site of an abandoned power plant, is also located within the Mill River neighborhood and is heavily contaminated. In 2013, CT DEEP mandated that the owners clean up the property. Zoning amendments are needed to prepare these sites for near-term development opportunities and to propose interim uses on abandoned industrial sites.

Direct connectivity to the neighborhood from the Downtown is encouraged through the proposed extension of Fair Street to connect to Olive Street. Any enhancements proposed to transit service would be instrumental in marketing new housing



Contextual infill development opportunities exist for various parcels in the neighborhood including the Clock tower site (pictured above) and the Cowles site (pictured below).



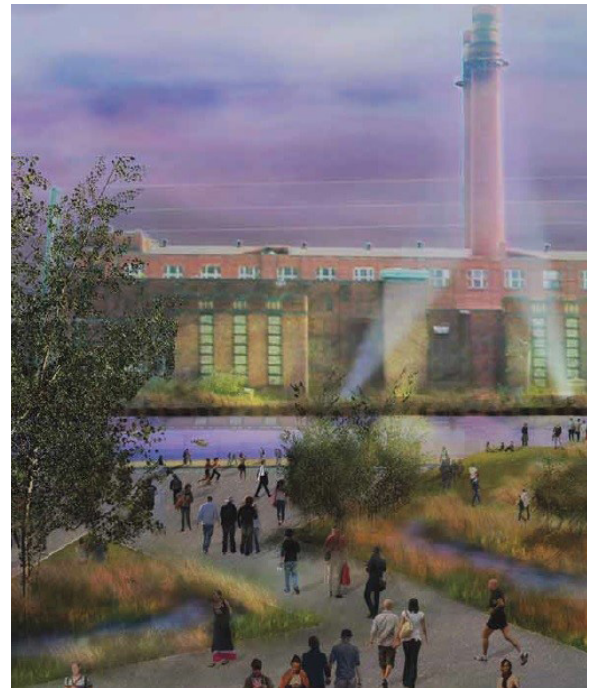
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developments for employees who work in Downtown but choose to live in Wooster Square. A bike-to-work environment is encouraged through the proposed completion of the last phase of the Farmington Canal Heritage Trail (proposed through Olive Street) and the Vision Trail, as well as, filling any missing links within the existing bicycle/pedestrian network.

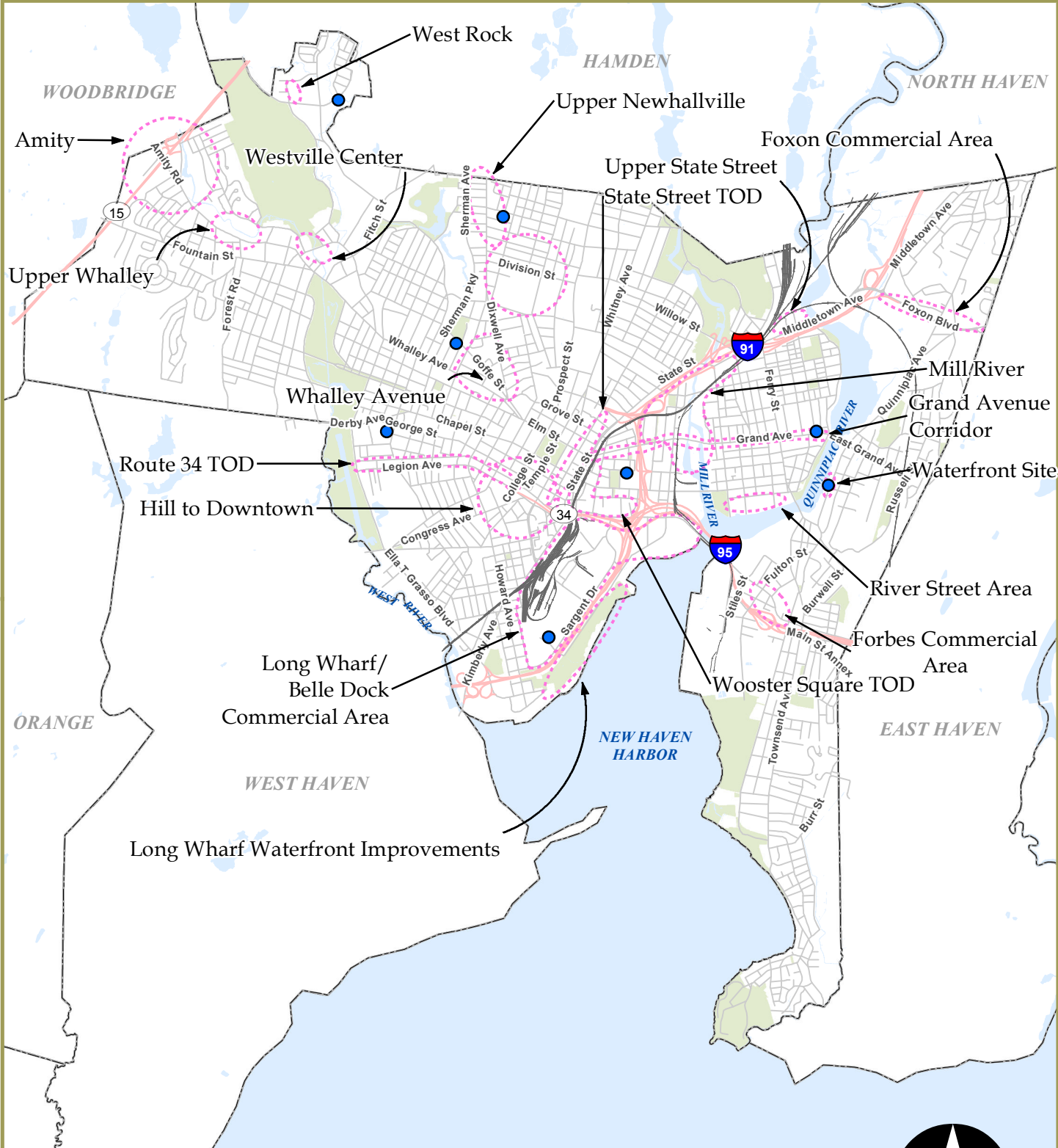
Continuous pedestrian activity is also encouraged on Grand Avenue from Olive Street in Wooster Square to Front Street in Fair Haven. While general commercial mixed-use developments are encouraged between Olive Street and Interstate 91, light industrial mixed-use developments are encouraged to the east of Interstate 91 on Grand Avenue. Return of first floor spaces to retail uses and general aesthetics of this corridor should be improved through gateway signage, cleaning up abandoned signage, implementing better sidewalks and lighting, façade improvement, regular garbage clean up, and beautification. A parking study of Grand Avenue is required to understand current parking scenarios and identify opportunities for shared parking. The Commission recommends the extension of Grand Avenue Special Services District, to the west of James Street, within the Mill River area, to promote physical and economic development within this vital commercial corridor. **Waterfront sites** that are hard to develop due to existing site remediation issues and emerging coastal planning issues could perhaps be used as open space and/or for art/recreational events.

Within the Mill River District, implementation of the recommendations of the *Mill River District Plan* and the Municipal Development Plan are a priority. Redevelopment of better integration of the Farnam Courts housing development with the surrounding neighborhood is needed. The Farnam site could become mixed-income housing as low income units are more widely dispersed. The historic character of the neighborhood should be preserved through the local historic district status. Coastal resiliency measures are recommended along the waterfront near the vacant Simkins site.



Waterfront sites such as the Simkins site could be used as open space or for art/seasonal recreational events.

NEW HAVEN VISION 2025 NEIGHBORHOOD PLANNING OPPORTUNITIES



- Development Site
- Opportunity Areas for Further Study
- Parks and Open Space

0 5,000 Feet



Build...

G. SUMMARY OF RECOMMENDATIONS

- ❖ ...consensus among City officials, neighborhood stakeholders, and community members regarding implementation of the *Hill-to-Downtown Community Plan* through establishment of a Hill-to-Downtown Steering Committee.
- ❖ ...diverse housing stock suitable for all abilities, ages, and incomes by identifying and seeking funding to promote quality, non-subsidized, mixed-income housing; inciting mixed-use developments with family-friendly amenities and support services; advocating for fair, equitable, and de-centralized government-assisted public housing at regional level; and better integrating supportive housing developments through enhanced transportation network.
- ❖ ...high-density, multi-family developments at appropriate locations, considering impact of such developments on existing urban fabric relative to traffic, noise, surrounding area density, compatibility with nearby land uses, public convenience and safety, aesthetics, site design, and layout.
- ❖ ...affordable, workforce housing developments through necessary Zoning Ordinance amendments and by exploring the feasibility of creating a housing trust fund for the City.

Connect...

- ❖ ...residents/employees to housing counseling services and existing City-sponsored home ownership/rehab programs through advanced marketing campaign.
- ❖ ...residents to jobs and support services by promoting residential densities and land use patterns that reduce VMT as indicated in proposed future land use map of the city.
- ❖ ...neighborhoods physically and socially by promoting street connectivity along Route 34 corridor (north to south), from Downtown to Wooster Square, and from Medical District to Union Station.



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- ❖ ...neighborhoods physically and socially by promoting community interaction through effective programming and staffing of Q-house (in Dixwell neighborhood) and adaptive re-use of existing community facilities such as Coogan Pavilion (in Edgewood Park) and Salpento Rink (in East Shore); by encouraging dramatically new neighborhood forms at select locations, including Farnam Courts, Belle Dock, Science Park, Long Wharf, Mill River, and Church Street South;
- ❖ neighborhoods physically and socially by promoting neighborhood-based planning efforts and encouraging the formation of non-profit neighborhood organizations and development corporations. Neighborhood plans are recommended at Long Wharf and Fair Haven to enhance waterfront access and economic development, and at Science Park to connect residents in Newhallville and Dixwell to this development and the Farmington Canal Trail.
- ❖ ...historic character of neighborhoods by encouraging thoughtful conversion of some of the existing NRDs into local districts i.e., Chapel Street, Ninth Square, Trowbridge Square, Orange Street, Dwight; by exploring new ways of enhancing community visibility and stewardship of historical properties such as seeking “Preserve America” designation for the city; and by making historic resources inventory publicly available so that more people can pursue historic rehabilitation tax credits to rehabilitate historic structures.
- ❖ ...existing high-quality housing stock and enhance the quality of distressed, privately-owned property through the City’s residential licensing program by expanding its functions through the allocation of additional resources.

Preserve...



Adapt...

- ❖ ...existing housing stock to allow aging in place for older households through zoning amendments such as encouraging row housing within existing RM-1 and RM-2 residential districts.
- ❖ ...government-assisted public housing into existing urban fabric through contextual design, appropriate density, and integration with the surrounding area through the implementation of a City-wide design guidelines manual and enhanced transportation network.

Grow...

- ❖ ...city-wide homeownership rate for the next decade by at least 3 percent through effective workforce housing strategies; by marketing existing homeownership and housing rehab programs to low- and moderate-income buyers; and by encouraging large-scale multi-unit developments only when accompanied by companion homeownership plan.
- ❖ ...the number of sustainable and LEED certified buildings within the city by implementing a far-reaching energy program focused on the use of renewable power sources within all new housing developments and encouraging more programs that help reduce energy costs in existing housing.



Housing & Neighborhood Planning

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CHAPTER V: TRANSPORTATION

A. GENERAL CHARACTERISTICS

Located at the junction of Interstate 91 and Interstate 95, as well as a key access point to the Northeast Corridor rail line, New Haven is the highway and rail gateway to New England. It is the **largest seaport in the state** and the region and also the first city in Connecticut to have joined the national complete streets movement in 2008 by adopting the City's *Complete Streets Design Manual*, balancing the needs of all roadway users including pedestrians, bicyclists, and motorists.

Journey to Work Data

For a U.S. city of its size, New Haven has substantial share (45 percent) of commuters who use a form of transportation other than driving alone. Approximately 15 percent of all commuters travel via carpool, close to 14 percent walk to work, while over 11 percent use a form of public transportation. Of the 10 largest cities in New England, only Boston has a higher percentage of residents who travel to work via non-motorized transportation. Also, out of this same group of cities, New Haven ranked highest in the percentage of people who walked to work.



Aerial view of New Haven seaport: largest in the state and the region.



Transportation



View of the partially constructed Q bridge in New Haven overlooking Quinnipiac river. More than 150,000 vehicles cross this bridge per day (2006 ConnDOT data).

Vehicular Circulation

There are 255 miles of roadway in the city, ranging from Interstate highways to purely local residential streets. Of these roadways, 88 percent are locally-maintained public roads and 12 percent are state-maintained roads and highways. There are 43 locally-maintained bridges in the city. By volume, average daily **traffic is highest on Interstate 95** (129,500 vehicles per day). The highest volumes on arterial roads are Whalley Avenue (19,300) and Ella T. Grasso Boulevard (18,100). Of the arterial roads, several are operating at or near capacity. These include State Street, Derby Avenue, Forest Road, and Quinnipiac Avenue.

Bicycle/Pedestrian Counts

New Haven has roughly **40 miles of bike lanes, bike paths, and sharrows** at present. According to 2011 U.S. Census American Community Survey (ACS) estimates, 31.3 percent of total occupied units in the city (nearly 15,300 occupied units) or 17.4 percent of workers (16 years and over) have no vehicle available. The ACS estimates indicate that at least 13 percent of workers (7,600 people) walk to work and 4 percent of workers (nearly 2,000 people) bike to work. The proportion of the total population who bike to work in New Haven increased from 0.5 percent in 1980 to 4 percent in 2011. Further, these figures do not represent city residents' walks to school and other errands, recreational rides or walks, walking or biking to reach mass transit, walking to and from parking lots, or occasional commutes done by biking and walking. (2012 Bike and Pedestrian Plan; Elm City Cycling, 2012). The City has also been conducting point-in-time counts of bicyclists and pedestrians at key intersections; cyclist and pedestrian volumes have increased by 95 percent and 45 percent respectively at specific key intersections in Downtown from 2009 to 2011



New Haven's Rock to Rock annual biking event drew more than 1,200 cyclists to city streets between East Rock and West Rock in April 2015. Picture above was taken at the East Rock summit.

Congestion

Outside the Interstate network, the most significant roadway congestion is in areas of the city that serve as through travel corridors for suburb-to-city commuters, such as Whalley Avenue, Amity Road, and Ella T. Grasso Boulevard. Air quality impacts resulting from this congestion are substantial. As shown in detail in Chapter VII, the city is in non-compliance status for two criteria air pollutants: ozone and particulates. Traffic volumes and congestion on Interstates are a major focus of regional transportation planning. Of these new investments, the largest state-wide is the \$1.6 billion reconstruction of Pearl Harbor Memorial Bridge.

Transportation



Passenger Rail

New Haven has long been a center for rail transportation. Historic **Union Station is serviced by three distinct carriers:** Metro-North Railroad, Amtrak, and Shoreline East. These services provide a unique competitive advantage for New Haven, both for use by residents and for use by the business community. Reducing traffic congestion largely will be dependent on the future adequacy of the rail system and improvements to parking/connecting transit at the stations.

Amtrak: New Haven is situated along two lines of service for Amtrak: the Boston–Washington “**Northeast Corridor**” and the New Haven–Vermont inland New England route. On the latter, New Haven serves as the terminus for Amtrak’s Vermonter Line that runs to Burlington, Vermont by way of Springfield, Massachusetts. New Haven is also a stop and service point for Amtrak’s high-speed Acela Express service, which complements Northeast Regional service.

New Haven remains the 11th busiest Amtrak station in the country with a total ridership of 740,902. This represents 42.8 percent of all Amtrak riders in the state. Ridership in Connecticut increased by 95 percent from 1999 to 2011, whereas, ridership in New Haven alone has increased by 195 percent due to the implementation of Acela Express train service and other improvements to rail infrastructure.

Shore Line East: The Shore Line East (SLE) rail service is operated by Amtrak, under contract from the State of Connecticut, and operates between New London and New Haven on tracks owned by Amtrak. There are seven stations on the line, many of which have been upgraded within the last three years to provide increased parking and bi-directional operation via a second platform.

Significant to Shore Line East Service was the replacement of the Pearl Harbor Memorial (Q) Bridge. Due to the impacts on vehicular travel that were anticipated, in 2002, the Connecticut Department of Transportation (ConnDOT) (under the leadership of SCRCOG) built a new **commuter rail station on State Street to facilitate direct access to Downtown**. Additionally, there is increased service during the duration of the project. For example, service was extended south of New Haven to Stamford. Also, several of the stations servicing SLE have undergone renovations in association with the I-95 improvements. These changes have



Union Station is New Haven’s primary rail passenger gateway, with long distance service from Amtrak, as well as Metro-North and Shoreline East commuter rail services. The Hartford Line commuter service scheduled to open in 2016 will also utilize this facility.



The electrified Northeast Corridor rail route between New York and Boston has experienced a doubling of ridership since 1999. With further investment in catenary modernization, bridge repair, and other infrastructure investment, it will continue to play a major role in the region’s transportation future as Amtrak ridership is anticipated to grow by more than 50 percent due to these improvements.



Transportation



State Street Station was opened in 2002 to provide easier access to downtown for Shoreline East riders and has limited service.

caused an increase in ridership by 107 percent from 2000 to 2010. Drops in service from 1997 to 1999 were due to construction along the line by Amtrak in preparation for Acela Express Service.

Metro-North Railroad: New Haven is the northerly terminus of Metro-North Railroad’s New Haven Line. The Metropolitan Transportation Authority (MTA) operates the line under a service contract and subsidy from the State of Connecticut.

In 2011, annual ridership on the New Haven Line totaled 38.2 million, a 21.4 percent increase from 2000. Annual ridership, which includes commuters to New York City, reverse commuters to intermediate destinations, and non-commuter travel was projected to increase 37 percent between 1999 and 2020 as indicated in 2003 Comprehensive Plan (a 1.5 percent annual increase). The largest segment of growth was seen in intermediate-distance commuting to destinations other than New York City, such as Stamford. In 2011, intermediate commuters comprised 21 percent of total New Haven line ridership.

With 3,737 daily inbound weekday and 3,579 weekday outbound boardings, New Haven was one of the busiest stations along the New Haven Line in 2011. Of these boardings, nearly 45 percent were at peak hour and 55 percent were at off-peak hours. During weekends, inbound station boardings (8,400 for both days) were relatively higher than outbound station boardings (7,899 for both days).

Planned Hartford Line: Planned Hartford Line rail service will operate at speeds up to 110 mph, cutting travel time between Springfield and New Haven to as little as 73 minutes. Travelers at New Haven, Wallingford, Meriden, Berlin, Hartford, Windsor, Windsor Locks, and Springfield will be able to board trains approximately every 30 minutes during the peak morning and evening rush hour and hourly during the rest of day, with direct or connecting service to New York City and multiple frequencies to Boston or Vermont (via Springfield). New train stations also are planned at North Haven, Newington, West Hartford, and Enfield.

Public Bus System

The public bus system is operated by CTRANSIT, under contract with ConnDOT. The New Haven Division is the **second largest bus transportation system in the state**. The service area covers 476 square miles, including New Haven and all or part of 19 surrounding towns. The 23 service routes cover 462 directional miles, largely



Bus transit accounts for roughly 11 percent of the commuter travel for New Haven residents. The New Haven Green is the main transfer point for much of the city’s bus transit network, operated by CTransit.

Transportation



radiating from downtown New Haven across the major roadways to the outlying suburbs, as seen in the map on the following page.

On an average weekday, CTTRANSIT carries approximately 30,000 passengers. Highest daily ridership is seen on the D route (Dixwell Avenue and Grand Avenue) with a total of 7,535 riders and the B route (Whalley Avenue and West Haven) with a total of 5,771 riders. These were the busiest routes in the city in 2000 as well. Together, these routes carry 45 percent of the system’s passenger load.

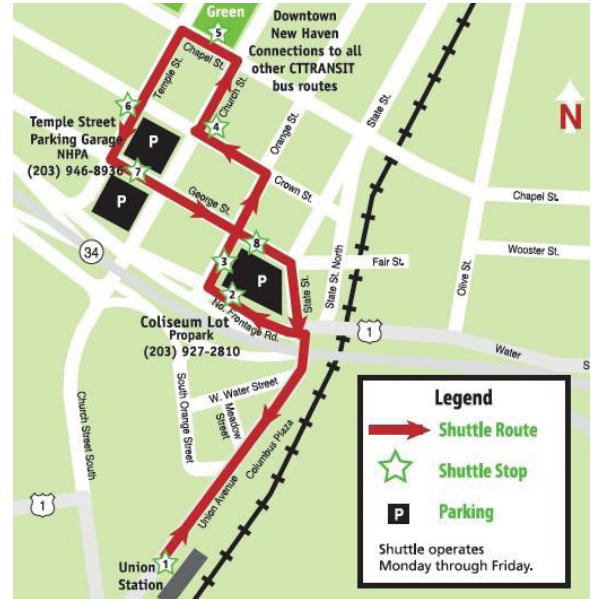
Connecticut Transit Shuttle System

The **CTTRANSIT Downtown to Union Station free shuttle service**, launched in September 2009, provides service to passengers traveling from Union Station to Downtown. Ridership on this service is growing fast with a nearly 430 percent increase in riders observed from 2009 (22,292 riders) to 2010 (118,636 riders) and another 40 percent increase in riders observed from 2010 (118,636 riders) to 2011 (166,076 riders) thus indicating the demand for this type of service connecting Downtown and Union Station. Besides this, private shuttle services are offered by Yale University and Yale–New Haven Hospital (YNHH) for their students and employees. (See Databook).

Waterborne Transportation

The **Port of New Haven is the largest in the state** by volume shipped. According to the 2012 Connecticut Deep Water Port Strategy Study conducted by Moffatt & Nichol for the Connecticut Department of Economic Development, “New Haven handled the fifth largest volume of domestic trade of gasoline and other distillates in 2010. This high ranking underscores the strong demand volume being served by these facilities. New Haven is the origin of the Buckeye Pipeline, which connects directly into Hartford and Springfield, Massachusetts and supplies aviation fuel to Bradley International Airport. Additionally, New Haven and New London host two of the three National Strategic Heating Oil Reserve sites.”

In contrast to the operations in the state’s other two major ports, Bridgeport and New London, the port terminals in New Haven are entirely privately owned and operated, consisting primarily of petroleum storage, processing and distribution terminals on both the east and west sides of New Haven Harbor. Gateway Terminals, Inc., which is based on the east side of the harbor, is the largest

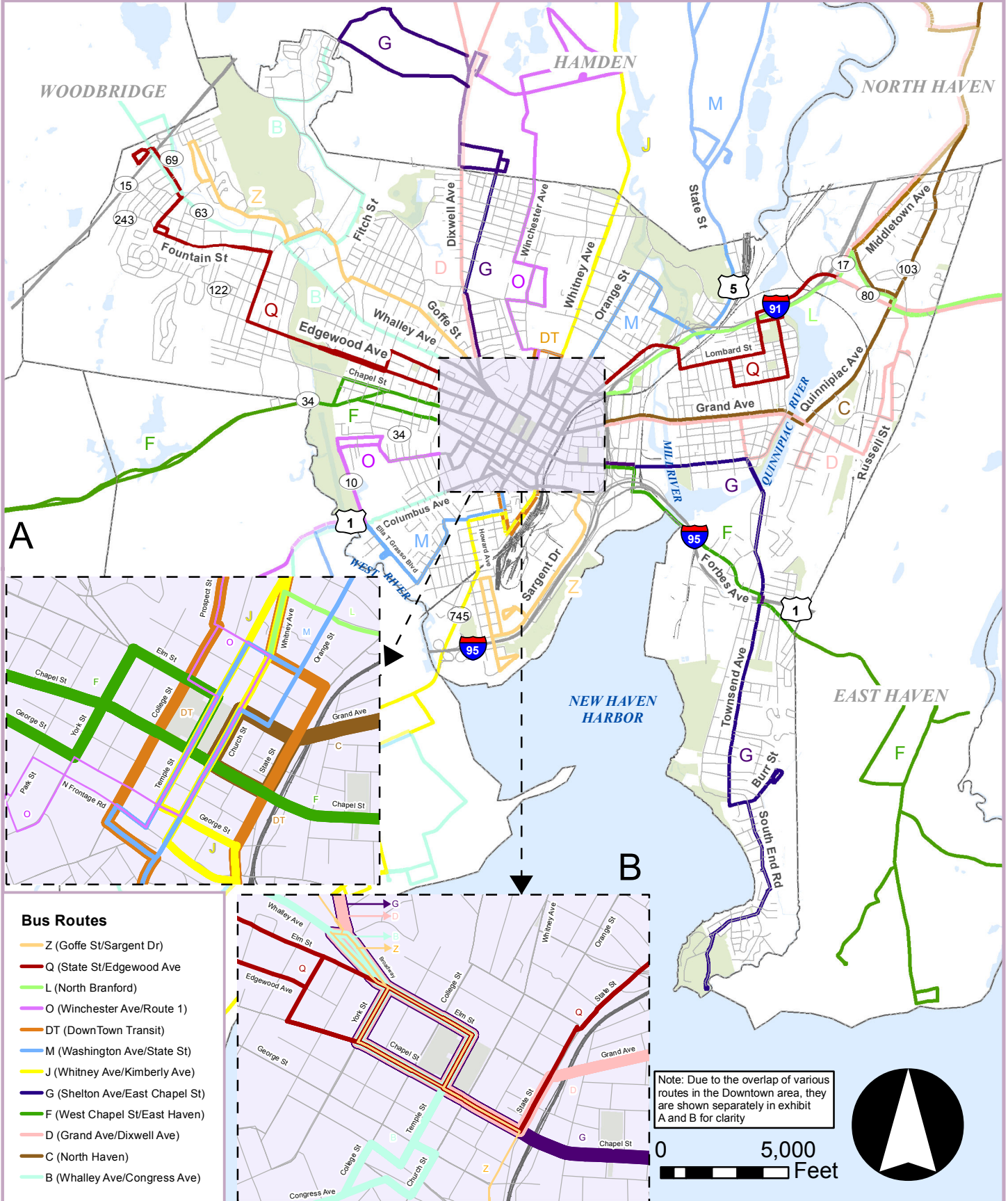


Downtown New Haven CTTRANSIT Shuttle route.



New Haven harbor is a regional distribution center for petroleum products, as well as the export of scrap metal.

NEW HAVEN VISION 2025 EXISTING CT TRANSIT BUS ROUTES



Note: Due to the overlap of various routes in the Downtown area, they are shown separately in exhibit A and B for clarity

0 5,000 Feet



Transportation



port operator. Other major terminals include Magellan and Motiva. During the past decade, port traffic has become even more focused on petroleum and related products which currently account for over 80 percent of freight volume. Other major commodities moved through the port include manufactured goods and scrap materials, primarily scrap iron and steel for export to Asia.

Freight Railroads

Freight railroad service in New Haven is provided by the Providence and Worcester Railroad (P&W) and by CSX Corporation in neighboring North Haven. Service generally runs north (along a route to Hartford and West Springfield, Massachusetts) and north and east along the Northeast Corridor tracks. Freight activity between New Haven and New York City is more limited by the heavy volume of commuter rail service. Largely due to the expanded Gateway Terminal operations on Chapel Street, P&W's business has increased from a low baseline to a volume of several train loads per week.

New rail connections are planned for Waterfront Street via the Tomlinson Bridge. Port-area rail service has been dormant since structural damage occurred in the early 1990's. The new Tomlinson Bridge has rail tracks along its northern side. Planned extensions would run further east along Forbes Avenue and south along Waterfront Street.

Enhancing rail facilities is essential to the long-term development of the Port of New Haven. By linking the Waterfront Street area back to the rail grid, there is an **opportunity to reduce local truck movements and to make the port truly intermodal**. The success of the Gateway Terminal intermodal site on Chapel Street illustrates the potential at Waterfront Street and the North Yard.

Air Transportation

While many city residents utilize the major airports located in the New York, Hartford, and Boston areas, direct air transportation to New Haven is limited to the services provided at Tweed New Haven Airport, a regional facility straddling the border of New Haven and East Haven. Runway safety extensions of 1,000 feet were completed in 2009 giving Tweed an effective runway length of just under 5,200 feet. Currently, Tweed New Haven's passenger service consists of four daily American Airways flights to Philadelphia operated on DH-8 commuter aircraft. Scheduled passenger activity has increased on this route by nearly 20 percent



Both waterborne and rail freight operations are crucial to relieving the traffic congestion of the region's local roads and Interstate highways.



Transportation



Tweed New Haven Airport's passenger terminal and parking area have the operational capacity to accommodate a substantial increase in scheduled airline service. Economic and runway length issues have so far hampered efforts to attract additional air carriers.

over the last five years, but still **the facility is substantially below its operational capacity** for scheduled services. The airport's primary role remains as a regional general aviation facility. The vision for the next decade is to attract commercial service to Florida and two to three hub cities. Efforts should be made to implement the capital improvement program in a manner that protects nearby residents from undue hardship.

Greenways and Trails

The proposed trail system provides opportunities both for recreation and for enhanced transportation/mobility. (See maps on following pages.) Non-motorized transportation is already established in New Haven. **Residents are engaged in walking and cycling to work**, largely by sharing the road with vehicles. Various planning efforts in recent years identify New Haven's greenways and cycling systems infrastructure as a tremendous untapped resource. Four trail systems are identified for their near-term potential as transportation elements:



Both off-road facilities, such as the Farmington Canal Trail (above) and on-road shared lane bicycle routes (below) play a critical role in encouraging use of non-vehicular travel modes.

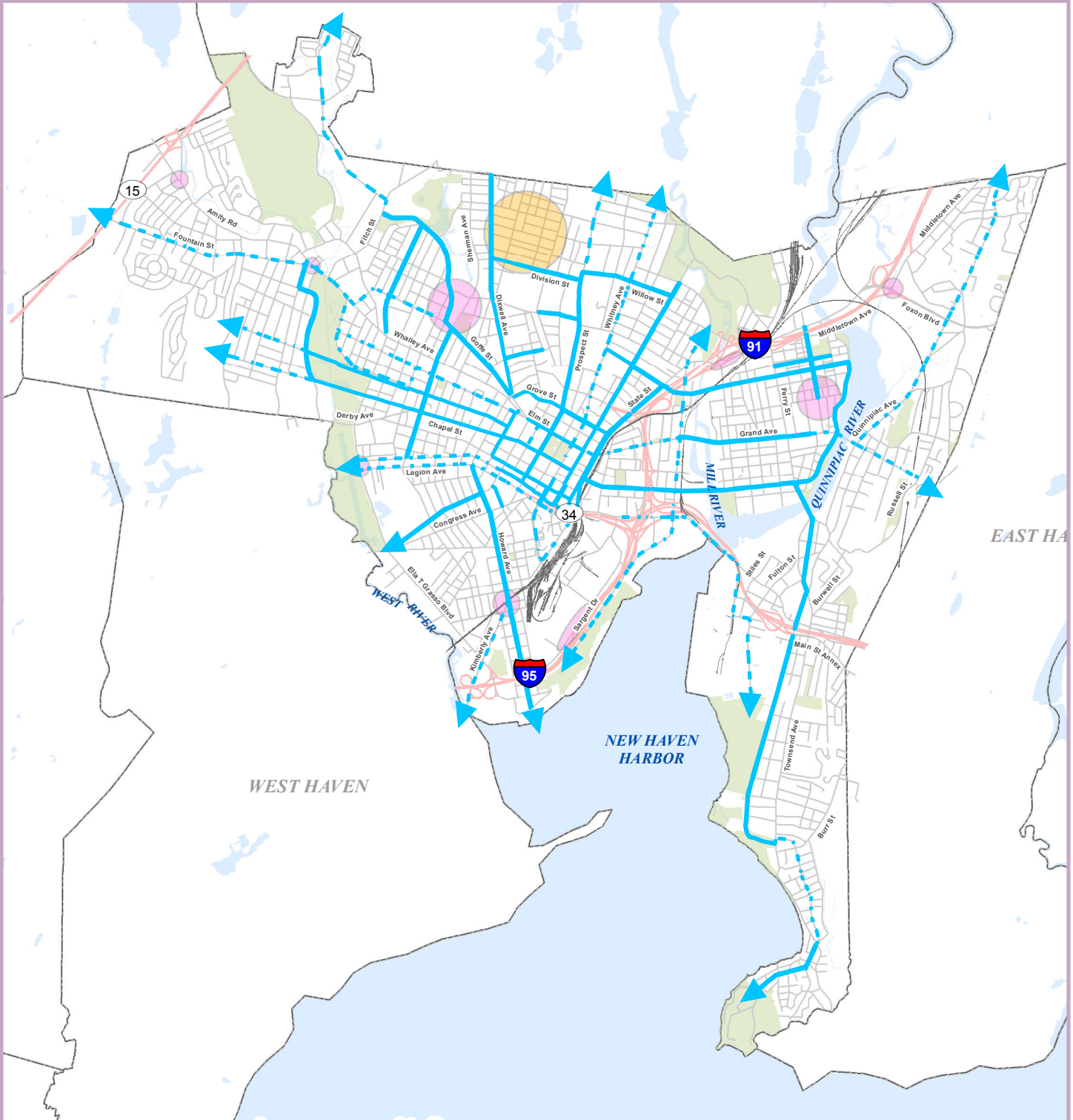
- ❖ The Farmington Canal Greenway parallels much of Dixwell Avenue—one of the largest commuting routes into the city from the north.
- ❖ The proposed Harborside Trail parallels Interstate 95 and provides opportunities to reach the waterfront and Downtown.
- ❖ In Fair Haven, an existing linear park along Front Street can be expanded south through the River Street MDP and then north along the Mill River. Connections can be made across the railroad to East Rock and across Chapel Street to the Harborside Trail.
- ❖ Along the western border, existing trail systems in West Rock, Edgewood, and West River Parks can be connected through a series of easements and limited on-road crossings. In doing so, the project could connect Route 34 and the Harborside Trail.



In spite of these opportunities, an integrated system will depend on creative multi-modal transportation solutions. Generally speaking, these solutions will involve reduced on-street parking and/or careful striping of new cycling lanes. This is the case along Route 34, Howard Avenue, and in the East Rock area for example. As part of regular transportation planning programs, Street Smarts techniques can be incorporated in a systematic manner.

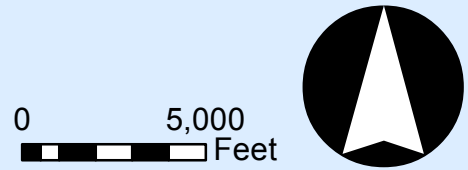
NEW HAVEN VISION 2025

EXISTING & PROPOSED BIKE/PED NETWORK



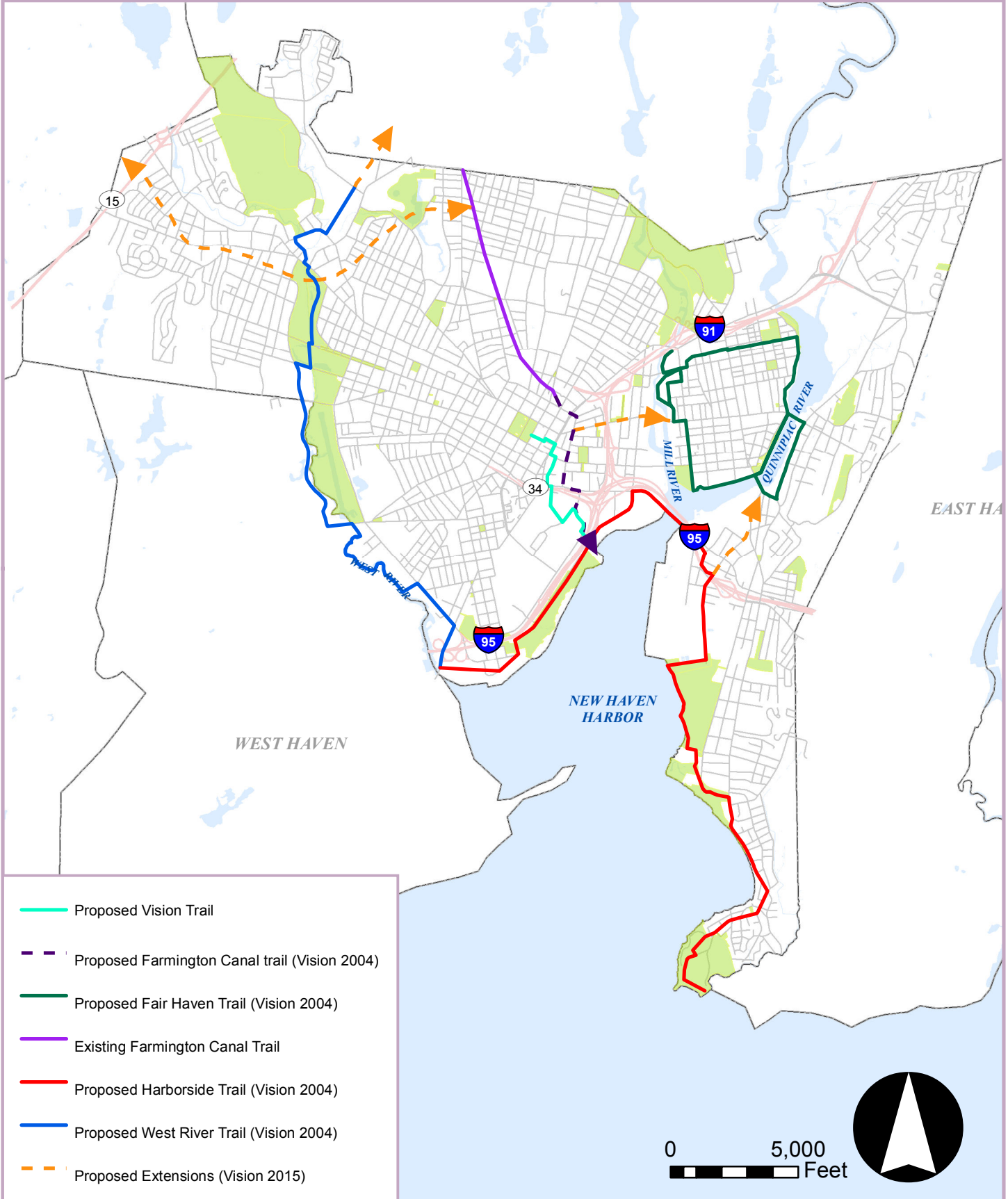
Note: Existing and proposed greenways and trails are mapped separately on the following page.

Bike Lanes	Planned Circulation Study
Existing Bike Lanes/Sharrows	Proposed Traffic Calming Locations
Proposed Connections	Parks and Open Space



NEW HAVEN VISION 2025

EXISTING & PROPOSED GREENWAYS & TRAILS





B. PLANNING CONSIDERATIONS

- ❖ Mobility in New Haven is greatly enhanced by choice: vehicular transportation, public transit, passenger and freight rail, waterborne, and non-motorized options are all part of the system.
- ❖ While these options exist, there is limited complementary activity. For example, park and ride options are limited and intermodal connections at the port are restricted by infrastructure.
- ❖ While there has been a significant shift in the City's transportation policy over the past decade, from promoting automobile mobility to promoting multi-modal transportation, a still significant portion of the population continues to use automobiles for primary travel.
- ❖ CTTRANSIT, Metro-North and Shoreline East are integral to improving mobility. Headways and operation of service during off-peak hours in some key locations in the city remain the salient issue on both CTTRANSIT and Shoreline East. Over time, the failure to balance transportation investment will continue to have environmental and economic consequences.
- ❖ The Port of New Haven is an unparalleled transportation asset. Intermodal connectivity, including freight railroad connections, is essential to growing the port in a manner that protects surrounding neighborhoods and eases demand on the Interstates.
- ❖ Though not likely in the near term, the long-term promise of passenger and freight ferry service must be further explored and studied in detail.
- ❖ Tweed New Haven Airport is remarkably underused given the size of the local market. Efforts should be made to implement the capital program in a manner that protects nearby residents from undue hardship.
- ❖ Commuter rail to Hartford and Springfield represents a new opportunity to broaden mobility and to preserve capacity along Interstate 91. Consideration should be given to connecting with Bradley Airport for both passenger and freight purposes.



Transportation

- ❖ The design and placement of transportation facilities is an important factor in New Haven’s urban form. Incorporation of urban street design standards should be among the highest transportation considerations. Inappropriate truck routes, particularly when used as highway bypass routes, have a deleterious effect on the surrounding area and should be curtailed.
- ❖ This is certainly the case at Long Wharf, where increasing capacity must not surpass the City’s prevailing interest in waterfront improvements—including Long Wharf Park, Canal Dock, and the Harborside Trail with connections back to Sargent Drive, Belle Dock, and Downtown.
- ❖ Similarly, the concept of transit-oriented development has not been fully developed in New Haven. The larger transportation facilities are bounded by incompatible land uses. State Street Station represents the first substantial connectivity among residential, office, and transportation land uses.
- ❖ An integrated and continuous network of trails, sidewalks, and bicycle facilities is integral to further encouraging modal shift within the city.
- ❖ Planning studies indicate that the lack of adequate transportation choices is one of the largest barriers to economic development in a city. A high-speed passenger rail service from New York to Boston with a travel stop at New Haven is therefore helpful in stabilizing the city’s regional standing as an urban growth center.
- ❖ Community survey responses indicate that expanding public transportation opportunities along with improving public safety and enhancing bike/ped connectivity are rated as the top transportation priorities for the next decade by residents.

C. GUIDING PRINCIPLES FOR RECOMMENDATIONS

- ❖ Promote safe, efficient, reliable, and accessible public transit system throughout the city to connect residents to jobs, services, and their community.
- ❖ Consider placemaking as a strategy beyond traffic for transportation improvements.
- ❖ Adopt more progressive, multi-modal, and context-based design principles.

Transportation



- ❖ Advocate for faster and more efficient regional transit connections.
- ❖ Promote a more sustainable transportation system within the city and the region.
- ❖ Improve mobility for people of all ages and abilities.
- ❖ Increase pedestrian and bicycle connectivity for all i.e., from ages eight to eighty.
- ❖ Encourage employers to raise public awareness of Street Smarts, bike-to-work, transit, and available parking options within the city.
- ❖ Enhance public safety, particularly for the city's most vulnerable users.
- ❖ Adopt multi-national Vision Zero policy, which aims to eliminate traffic fatalities.
- ❖ Maximize the assets and infrastructure with respect to the availability of parking on city streets.

D. RECOMMENDATIONS

General Transportation Planning

- ❖ Mitigate any transportation investments made in the city that would have severe environmental and economic consequences. Also, link these efforts with regional transportation improvements to mitigate congestion and manage future growth and development effectively.
- ❖ Encourage parallel investment in **alternative/intermodal transportation**, Street Smarts, and other congestion mitigation measures. Promote coordination among regional and state partners, major public and private employers, and local utility companies to enhance the existing transportation network within the city and effectively implement TDM strategies.
- ❖ Encourage high-quality, context-sensitive design of the city's transportation system. Ensure that plans for public streets, sidewalks, signage, and traffic control/intersection improvements are reviewed by the City Plan Commission to enhance the urban fabric and help mitigate adverse effects. Context-sensitive design based on urban street standards are further emphasized on Whalley Avenue, Chapel Street, Ella Grasso Boulevard, Kimberly Avenue, and Foxon Boulevard.

The primary transportation goal is to encourage a modal shift in the city, from a population largely dependent on single-occupant vehicles to a population with a wide range of options including public transit, bike, and pedestrian systems. In general, transit and bike/pedestrian improvements must complement each other and accommodate needs of people of all ages and abilities.



Transportation

- ❖ Ensure adequate maintenance of existing transportation infrastructure within the city.
- ❖ Continue to raise public awareness of Street Smarts and existing public transit/bicycle/trail network within the city.
- ❖ Continue to raise public awareness on the transportation, public health, and environmental benefits of bicycling and walking within the city.
- ❖ Advocate for renewed discussion on inter-city transportation policy at the regional level given the inter-relatedness of large-scale transportation decisions.

Transportation and Land Use

- ❖ Promote a better alignment of economic development and City planning policies, reflecting a broader context for transportation resources.
- ❖ Promote transit and bike/ped connectivity to the eastern neighborhoods of the city (east of New Haven Harbor), which experienced a significant increase in population and housing over the past decade (See Databook for trends).
- ❖ Encourage north-south connectivity among neighborhoods adjacent to the Route 34 corridor, where large tracts of vacant land currently exist due to urban renewal programs of the 1950s.
- ❖ Advocate for increased mass transit service to the currently underserved areas of the city, such as the redeveloped West Rock neighborhood, where there is a demand for such service. To that end, prepare a **bus transit needs analysis** to analyze areas of critical transit need within the city based on demographics, existing service routes, and frequencies.
- ❖ Facilitate increased public transit use in the city through increased densities, reduced parking requirements, and integrated pedestrian and bicycle network, wherever appropriate. Foremost among the opportunities for transit-oriented development are Church Street South, the former New Haven Coliseum site, Route 34 corridor, Whalley/Boulevard area, and Union Street parcels in Wooster Square. The Commission encourages re-use of Church Street South in manner that reflects its positioning between downtown and Union Station. A mixture of uses compatible with this prime geographic setting is encouraged.

New York City Transit, New York City DOT, and New York State DOT jointly conducted a Bus Transit Needs Analysis in 2004 as part of Phase I to identify unmet transit service needs within the city. This study looked into demographic data, ridership data, and trip origin and destination data. Currently, they are exploring ways to implement selected new bus routes based on Phase I and Phase II study results.

(<http://www.nyc.gov/html/brt/html/about/choosing-routes.shtml>)

Transportation



- ❖ In areas of highway system preservation and expansion, aggressively seek noise pollution controls for the protection of residents, recreation facilities, schools and other sensitive locations.
- ❖ Advocate for sound regional land use policies to preserve capacity along Foxon Boulevard, Whalley Avenue, and in the Route 34 West area.
- ❖ Advance a more sound land use policy within the Port of New Haven by relocating and/or closing tank farms to appropriate areas.
- ❖ Increase opportunities for multi-purpose trips by promoting mixed-use developments on opportunity sites (as identified within the Opportunities Map), thereby reducing VMT and mitigating impacts on air quality.
- ❖ Prepare and adopt a **Transportation Master Plan** to develop strategies to implement a transportation network that supports the City's land use and development goals (as identified within the Capital Improvements Program) and will assist in identifying funding for transportation improvements needed and potential funding shortfalls, if any. Aim at improving system-wide transportation rather than individual locations.
- ❖ Encourage the design of transportation facilities in accordance with existing community characteristics and nearby land uses. Ensure that all handicap accessibility improvements made are zoning compliant by law.
- ❖ Continue to implement the vision of a **continuous and inter-linked trail network** within the city (*Plan for Greenways and Cycling Systems*, 2004). Update and adopt this plan to link the existing Farmington Canal trail with the proposed West River Greenway and to further extend to Woodbridge toward the west (see Existing and Proposed Trails map).
- ❖ Work with ConnDOT to implement the vision of **Union Station Transportation Center's Transit-oriented Development (TOD) Plan** prepared by W-ZHA and others in September, 2013.
- ❖ Encourage shared parking options within mixed-use developments to reduce the need for creating new parking facilities and shared driveways for parking in medium- and high-density residential areas.

A Transportation Master Plan guides a City's investments in transportation systems based on community vision and also assesses existing and potential funding streams for implementing this vision over a five to ten year time period.

Greenways and trails have social, economic, and environmental benefits. They promote non-vehicular mobility, ensures resource protection, and also meet recreational needs of residents.

The Union Station TOD consists of a re-merchandising strategy to enhance passenger experience and reinforce Union Station's role as a gateway to New Haven and recommends the development of a new parking garage north of Station's existing parking garage. This station is owned by ConnDOT and therefore, the implementation of this vision needs ConnDOT'S approval.



Transportation

Community survey responses indicate that many employees in Downtown New Haven would be interested in taking the bus home if there were reduced headways during peak hours and extended hours of service in the evenings and weekends.

The current bus system within the city is owned and operated by CTTRANSIT, which operates throughout the state. Any recommendations to service improvements need regional input and consensus.

The recommendations of Parking and Transit Working Group (2013) include: (a) installation of a digital signage network at downtown bus stops with real time information on bus arrivals and departures (b) installation of a transit board at Union Station (c) marketing the Roadify app currently available on smart phones (d) promoting free shuttle service from Union Station to Medical District (e) promoting express shuttle service from neighboring towns and cities to New Haven by partnering with Yale New Haven Hospital (f) promoting Transit Check, which allows employers and commuters to use pre-tax dollars to pay for commuting and save on taxes and (g) marketing existing taxi services by promoting Metro Taxi's app available on smart phones and simplifying their use through zone pricing.

- ❖ Consider conducting health impact assessments when making transportation decisions on public infrastructure and land use to mitigate any adverse impacts.

Public Transit

Bus/Shuttle service improvements:

- ❖ Partner with neighboring municipalities to advocate for general service improvements within the region such as reduced headways (10 minute service on major lines during peak hours), **extended hours of service to meet employee needs**, extended weekend service, etc., thereby enhancing reliability and frequency of service.
- ❖ **Work with CTTRANSIT** in developing a transit bus needs analysis, as discussed in the previous section.
- ❖ Revive the proposed Cross Town West service linking West Haven to Hamden through west side of New Haven.
- ❖ Explore the feasibility of developing a local commuter option within the Downtown to mitigate traffic congestion and reduce VMT, such as bus rapid transit, light rail, etc.
- ❖ Educate public about available ride sharing (such as Dial-A-Ride, Zip Car, etc.) and paratransit services within the city.
- ❖ Work with CT Rides and local employers to develop more extensive carpooling and car sharing programs. To that end, expand the current car sharing program in New Haven.
- ❖ Implement the **recommendations outlined within Parking and Transit Working Group report** (Greater New Haven Chamber of Commerce, July 2013) and Mobility Study report (See Housing chapter).
- ❖ Improve coordination among CTTRANSIT bus service, Greater New Haven Transit District (GNHTD), and all public (CTTRANSIT) and private shuttle services (YNHH and Yale University) operating within the city. To that end, foster partnership between CTTRANSIT and Yale University to combine some of the existing shuttle services and routes for faster, efficient, and open door (public use) service.
- ❖ **Expand U-pass** (low cost transportation options) beyond GCC to also include students at Yale, SCSU, and Albertus Magnus.

Transportation



- ❖ Promote upgrades to the existing bus shelters and bus stops within the city to promote safety and accessibility (including American with Disabilities Act [ADA] accessible features) thereby further enhancing transit usage.
- ❖ Explore the feasibility of creating a local transit district to operate public transit service within the city.

Passenger Rail Service Improvements:

- ❖ Advocate for a faster rail service from New Haven to New York and Boston to enhance the economy of the region and to further stabilize the city's positioning as a regional growth center.
- ❖ Advocate for additional train service at State Street Station by improving operating headways and service times, especially for reverse commuters.
- ❖ Continue to participate in the **planning for the future Northeast Corridor service** and advocate strongly for upgrades to the existing mainline between Boston and New York City and strongly oppose so called in-land routes that would skip New Haven and, in turn, pivot economic growth away from coastal cities.

Airport Improvements:

- ❖ Promote safety and service improvements at Tweed New Haven airport as identified within their Master Plan Update (Connecticut Center for Economic Analysis, 1999) and within the Freight Cargo Study (SCRCOG, 2014).
- ❖ Enhance air transportation by implementing limited hub service in a manner that protects nearby residents from undue hardship.
- ❖ Attract commercial service to Florida and two to three hub cities.

Para-Transit service Improvements:

- ❖ Partner with GNHTD to raise awareness on currently available paratransit services within the city and to identify and remove any limitations to benefit all of the special needs population living in the city.

Freight

- ❖ Pay attention to neighborhood preservation, environmental protection, and traffic congestion when planning for freight movements so as to minimize any adverse impacts to city neighborhoods.

GCC Students can avail a special transportation pass (U-Pass) that is valid for unlimited trips during a 31-day period on all local CTTRANSIT buses for a low cost.

North East Corridor (NEC) Future—Federal Railway Administration's Rail Investment Plan—recommends a \$38 billion capital investment (in 2010 dollars) in Amtrak owned and operated infrastructure between Boston and Washington. This will allow for more frequent in-state service and faster regional service to major cities (e.g., Philadelphia and Washington).



Transportation

New Haven’s geographic position and transportation connections are a competitive advantage benefitting both economic development and mobility. Enhancing access to the city’s freight railroads would help curtail some of the existing truck traffic on local streets.

- ❖ Encourage the growth and development of the Port of New Haven within the district of the New Haven Port Authority.
- ❖ Establish intra-coastal and cross-sound ferry services at Belle Dock. To that end, promote the expansion of existing freight rail connections as planned within the I-95 New Haven Harbor Crossing Corridor Improvement Project.
- ❖ Encourage **full access between freight railroads and the port district**, in particular by extending rail service along Waterfront Street and to the North Yard.
- ❖ Establish a truck routing system that curtails truck traffic on local streets and promotes the use of designated arterial connections. As a parallel effort, work with the Department of Motor Vehicles and local police to better enforce existing truck regulations.
- ❖ Revise the Zoning Ordinance to restrict the locations of high turnover storage and warehousing uses to areas with adequate access to highways and/or freight railroads.
- ❖ Implement the transportation recommendations of the *Port of New Haven Strategic Land Use Plan* (PB Americans & FHI, Inc., 2007). These include: analyzing the internal public street network to better accommodate truck operations and improving access to staging sites, working with terminal operators to provide efficient land side connections for Feeder Barge service, improving traffic flow within the Port area (truck routing and off-street waiting facilities), providing adequate loading space in and around Waterfront Street, and promoting the use of existing railroad service and access for a future north side rail connection.

Bicycle and Pedestrian Network

- ❖ Promote a comprehensive and integrated bicycle and pedestrian network within the city by identifying and prioritizing the missing links and implementing solutions accordingly.
- ❖ Encourage the appropriate placement of pedestrian and bicycle facilities, including dedicated bike racks, bike lanes, bump-outs/refuge islands, and signage within on-going and proposed street improvements.
- ❖ Encourage private owners to locate publicly available **bicycle sharing system** throughout the city.



A Divvy bike sharing station in Chicago. Bike sharing systems have been built in hundreds of cities around the world in the past decade, and allow visitors, workers, and residents to inexpensively use bicycles for transportation needs .

Transportation



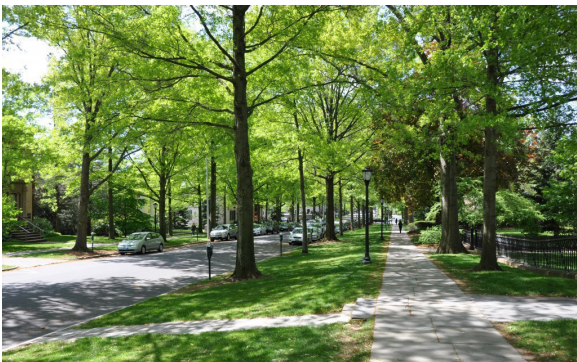
- ❖ Identify locations where frequent pedestrian- and bike-related accidents or collisions occur and develop targeted solutions.
- ❖ Improve the quality of existing sidewalks and implement new sidewalks on city's collector streets e.g., Russell Street, Quinnipiac Avenue, lower Valley Street, and Foxon Boulevard. The Commission further recommends special focus on promoting pedestrian access to the parks. Ensure that adequate lighting is provided on existing sidewalks within the Hill, Newhallville, and Dixwell neighborhoods.
- ❖ Continue to monitor and update bicycle/pedestrian counts at key intersections in Downtown and set a target of increasing bicycle ridership.
- ❖ Work with CTRANSPORT to continue to allow bicycle infrastructure on transit facilities and to provide bicycle parking racks at transit stops.
- ❖ Collaborate with neighboring towns in SCRCOG and cities in the state to promote bicycle and pedestrian connectivity beyond the city limits.
- ❖ Advocate for the amendment of CGS 14-286b to allow the establishment of two-way protected bicycle lanes within the city.
- ❖ Implement the last phase of Farmington Canal Trail and secure funding to update the vision and officially adopt and implement the other proposed greenway routes identified within the *Plan for Greenways & Cycling Systems* (City of New Haven, 2004).
- ❖ Promote bicycle connectivity from Downtown to the eastern neighborhoods of the city, which experienced significant population and housing growth over the past decade.
- ❖ Implement dedicated and/or separated bicycle facilities on major arterials of the city e.g., Whalley Avenue, Edgewood Avenue, MLK Boulevard, Whitney Avenue, Grand Avenue, Congress Avenue, Forbes Avenue, and Water Street.
- ❖ Explore new ways of seeking community visibility as a bike/ped friendly community such as obtaining a **Walk Friendly Communities** designation by the League of American Bicyclists.

The Plan for *Greenways & Cycling Systems* (2004) recommended:
official designation and completion of West River Greenway Trail;
design and subsequent construction of the Harborside Trail;
re-construction and enhancement of the Vision Trail; and
completion of Fair Haven and Quinnipiac River Trail system with waterfront connections to Willow Street (via the Conrail pedestrian bridge) and to the Harborside Trail (via Chapel Street).

Walk Friendly Communities designation is awarded to “communities that have demonstrated a commitment to improving and sustaining walkability and pedestrian safety through comprehensive programs, plans, and policies.” (www.walkfriendly.org)
Example: Seattle, Washington



Transportation



Hillhouse Avenue, an example of a Green Street.

- ❖ Transform the City’s significant transportation corridors into “**Green Streets**” through implementation of adequate landscaping, pedestrian- and bicycle-oriented features, traffic calming devices, and other green infrastructure.
- ❖ Continue to raise public awareness on Street Smarts and Share the Streets initiatives of the City to promote bicycling and walking in New Haven.
- ❖ Partner with local advocacy organizations such as Elm City Cycling to raise public awareness on existing bicycling routes within the city and further expand the existing bike-to-work program to include all major employers of the city.
- ❖ Encourage public pedestrian connectivity within all new developments, especially with block lengths greater than 250 feet.
- ❖ Transform Route 34 corridor into an urban boulevard with more pedestrian-friendly connections across the highway. Continue implementation of Phases II and III of Downtown Crossing.



The creation of ground floor retail spaces as “liners” for parking structures, such as the Temple Street Garage (above), allows the continuation of the pedestrian-oriented street frontage.

Parking

- ❖ Allow parking reductions and shared parking options within new/infill developments proposed in high-density areas of the city.
- ❖ Encourage public-private partnerships to develop structured parking facilities, wherever appropriate.
- ❖ Continue to monitor parking utilization rates of City-owned garages (operated by Park New Haven), to efficiently manage parking supply based on demand.
- ❖ Discourage stand alone surface parking lots, and if approved, ensure they are time restricted and adequately screened with landscaping from public right-of-way.
- ❖ In order to meet the parking demand within Downtown, encourage short-term expansions of parking capacity, focused on remote parking sites and medium- to long-term opportunities to build appropriately-sized, **mixed-use parking facilities** in line with the new models of parking facilities suggested in the *Hill-to-Downtown Community Plan* vision.
- ❖ Promote **bicycle parking within all public/private parking** lots in the city and on-street, at key locations within Downtown.



A secure indoor bicycle parking area was included in the construction program of the new downtown campus for Gateway Community College.

Transportation



- ❖ Manage short-term and long-term street parking effectively, to improve access to local businesses.
- ❖ Educate the public on available parking options within the city, including parking for the disabled in the Downtown. As a first step, develop a publicly accessible interactive parking map for the city with information on parking locations and associated costs.
- ❖ Identify and designate short-term loading zones and passenger drop-off locations within Downtown New Haven. Also, work with local businesses and property owners to stage deliveries during off-peak hours to mitigate traffic congestion during peak hours.
- ❖ Enforce traffic and parking laws stringently to enhance the efficiency of the existing transportation and parking system within the city.
- ❖ Partner with local employers to promote TDM strategies, such as offering incentives for car pooling, transit use, etc., that reduce the demand for parking.
- ❖ Work with events organizers to plan ahead and inform the public in advance on special parking arrangements and rates within Downtown during specific events.

Complete Streets

- ❖ Continue to **implement Complete Streets projects** within the city to promote active living and independent mobility, encourage healthy lifestyles, increase community safety, mitigate air quality impacts, and promote civic interaction.
- ❖ Streamline the process for reviewing Complete Streets applications and identify new funding sources and implementation strategies.
- ❖ Encourage coordination among various City Departments (e.g., Transportation, Engineering, Public Works, and City Plan) and other private agencies such as the utility companies to share resources, prioritize, and implement Complete Streets projects.
- ❖ Establish performance standards in terms of VMT reduction or miles of bicycle lanes or sidewalks created to meet Complete Streets goals, and periodically monitor and update these standards. To that end, update the existing manual (adopted in 2010) to include urban street design standards (based on traffic speeds, roadway types, and volumes) and construction standards for bike/ped facilities.



city of new haven COMPLETE STREETS DESIGN MANUAL



The City of New Haven adopted the *Complete Streets Design Manual* for the city in 2010. Since then, several improvements have been made on city streets to balance the needs of all roadway users. Some of these include designation of sharrows and bike lanes on city streets.



Transportation

A steady flow of vehicular and non-vehicular traffic would enhance vibrancy, promote economic growth, and help improve the air quality within the city.

While considerable attention and study has been paid to the complexities of the one-way system, the need for on-street parking and the considerable volume of traffic on arterial roads leaves few opportunities to modify the system.

Community survey responses and meetings with residents indicate that adequate street lighting is particularly needed within the Hill, Newhallville, and Dixwell neighborhoods to enhance safety and further encourage walking and biking and prevent health-related illnesses.

- ❖ Promote transparency in decision making and implementation of Complete Streets projects by creating an online web page where general public can track their requests and know the status.

Access and Safety

- ❖ **Synchronization of existing traffic lights**, especially within the Downtown where major employers are located, is recommended. Signal upgrades are needed on the east side of Downtown and Route 34 corridor. Signal studies are recommended on Whalley Avenue, Whitney Avenue, and the Dixwell corridor, all of which currently serve as regional transportation corridors.
- ❖ **Two-way systems** may be possible (subject to more detailed study) on York Street, College Street, Church Street, George Street, Crown Street, Dwight Street, Howe Street, Tower Parkway, and Grove Street.
- ❖ Promote accessibility for all roadway users, including persons with special needs and/or disabilities, by implementing universal design standards for all transportation projects.
- ❖ Promote safe, continuous, and direct bike/pedestrian access to local schools, parks, elderly and low-income housing developments, employment and shopping centers, and other recreational/community facilities.
- ❖ Ensure pedestrian safety by implementing traffic calming solutions at poorly designed, high volume, and/or accident prone locations of the city. These include (but are not limited to) traffic calming on: Ella Grasso Boulevard (at the intersection with Route 34); upper Whalley Avenue (at the intersection with Amity Road); Whalley Avenue (at the intersection with Fountain Street and Amity Road); near James Hillhouse and King Robinson Schools; Kimberly Avenue (at the intersection with Howard Avenue and Plymouth Street); upper State Street (at the Willow Street exit); Clinton Avenue (in Fair Haven); Foxon Boulevard (off of Interstate 91 north); and Sargent Drive (near Church Street South extension).
- ❖ Develop and promote walking and bicycling infrastructure to improve access to food stores that sell fresh food and other healthy produce. To that end, provide **adequate street lighting** on existing sidewalks and walking routes/trails.

Transportation



- ❖ Encourage connections between food processing and food production operations and local composting operations (or other waste minimization technologies) to reduce long-distance transport of food waste.
- ❖ Advocate for a new exit 59A off the Wilbur Cross Parkway, thereby enhancing access to West Rock and SCSU, and new interchange connections at Route 34 and Long Wharf, supporting a new local road and Harbor Access project.
- ❖ Establish north-to-south and east-to-west access connections among all neighborhoods of the city while also addressing concerns on public safety and cut-through traffic. Particular attention must be paid to connect neighborhoods surrounding Route 34 corridor that were separated due to Urban Renewal programs of the 50s.
- ❖ Transform the Route 34 corridor, which is currently designated as a route for carrying hazardous materials, into an urban boulevard with more pedestrian connections. The Commission encourages re-directing the hazardous materials route toward Ella Grasso Boulevard.
- ❖ New access connections are recommended to connect the Long Wharf neighborhood to Vietnam Veterans Long Wharf Park, Sargent Drive to the waterfront; Downtown to Wooster Square through the extension of 'Fair Street', and the East Rock neighborhood to Cedar Hill area.
- ❖ Ensure that the proposed improvements to the Interstate 95 and Route 34 corridor occur in a timely manner with minimal disruption to nearby residents. Also, ensure that residents as well as employees working in New Haven are well-informed on any traffic impacts (such as lane closures and diversions) affecting their access to jobs and housing during peak hours.
- ❖ Develop and implement Phase II of wayfinding signage to enhance visitor experience by promoting access to neighborhood gateways and other key destinations within city neighborhoods.

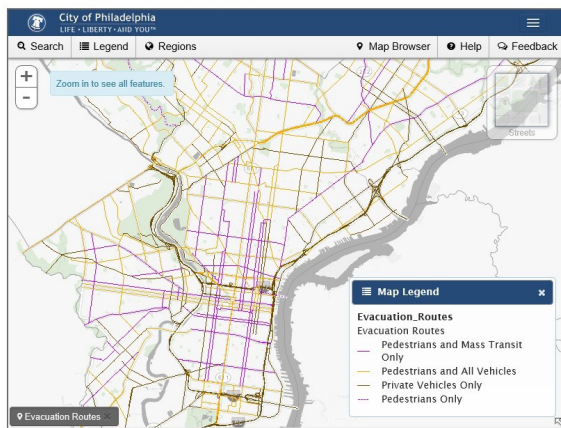
Transportation and Emergency Planning

- ❖ Ensure that transportation planning efforts are consistent with the hazard mitigation planning and other emergency planning (fire/ambulance services) efforts.



Transportation

CITY OF PHILADELPHIA: EVACUATION ROUTES



Philadelphia has an online, interactive emergency evacuation route map for all users.

Nearly 57 percent of people living in New Haven are employed outside New Haven and nearly 77 percent of people employed in New Haven live outside New Haven (based on Databook results). Planning studies indicate that the lack of adequate transportation choices is a barrier to promoting economic development in a region.

- ❖ Coordinate with the Office of Emergency Management to identify, prioritize, and publish **emergency evacuation routes** within the city, on a scenario-based approach, as part of pre-hazard mitigation planning.
- ❖ Ensure that the design of complete streets takes into consideration the requirements for access of emergency vehicles.

Regional Transportation

- ❖ Promote continued coordination and partnership with the regional planning agency to implement a sustainable transportation network within the city, as well as the region.
- ❖ Advocate for a more direct and frequent bus service within the city and a faster (one-hour), more efficient rail service connecting New Haven to New York and Boston. This would help connect New Haven’s neighborhoods to the Downtown (where major employers are located) and the Downtown to the region thus strengthening the city’s positioning as a regional growth center.
- ❖ Support the implementation of **Cross Town West** transit link to connect the west side of the city to Hamden and West Haven.
- ❖ Coordinate with CTTRANSIT and the region to address gaps in existing transit routes within the region to better connect residents, jobs, and housing.
- ❖ Advocate for implementing new park and ride facilities across the region.
- ❖ Advocate for transit supportive capital investments within the regional Transportation Improvement Program (TIP).
- ❖ Continue to advocate for the implementation of intelligent transportation systems within the region to enhance the reliability and efficient of the system and manage traffic congestion effectively.
- ❖ Advocate for the construction of a second garage at Union Station to support the city’s transit-oriented development initiatives.

Sustainable Transportation Network

- ❖ Encourage the development of transit-oriented, mixed-use developments to reduce VMT and mitigate air quality impacts.

Transportation



- ❖ Promote multi-modal transportation through enhanced transit, bike, and pedestrian network. To that end, support the implementation of the proposed West River, Fair Haven, and Harbor Side Trails and the completion of Phase IV of Farmington Canal trail. Also, update the City's *Complete Streets Design Manual* to include new construction standards and new signal plans for bicycles.
- ❖ Support the implementation of a frequent and dedicated transit service (such as bus rapid transit or light rail) between the Downtown and Union Station for local commuting.
- ❖ Promote direct street connectivity to key employment and business centers to reduce VMT.
- ❖ Encourage the transformation of existing streets into "green streets" (based on roadway type) through adequate landscaping, more tree planting, installation of pervious surfaces, installation of pavements with reduced heat reflectivity, and implementation of other green infrastructure.
- ❖ Reduce vehicle emissions at signals through improved signal timing and coordination. To that end, perform signal studies for major arterials within the city and the entire Downtown.
- ❖ Continue to promote the use of electric and hybrid vehicles to conserve energy and reduce vehicle emissions.
- ❖ Continue to implement electric charging stations and other related technologies (like the station implemented in the port area) to conserve energy and reduce green-house gas emissions by encouraging the use of compressed natural gas (CNG) and bio-diesel fuels.
- ❖ Continue to implement energy-efficient street lighting devices.
- ❖ Partner with local employers and businesses to implement an effective travel demand management program, which includes options such as telecommuting, Transit Check, encouraging travel during off-peak hours, etc.
- ❖ Encourage the use of alternative trip generation methodologies for transit-oriented developments as opposed to the traditional trip generation forecasts, which primarily depend on the number of automobile trips.



Build...

E. SUMMARY OF RECOMMENDATIONS

- ❖ ...multi-modal transportation network within the city by developing a transportation master plan that supports the City’s land use and development goals and will assist in assessing funding for needed improvements and potential shortfalls, if any.
- ❖ ...a continuous and inter-connected trail network within the city by updating the vision outlined in the *Plan for Greenways & Cycling Systems* (2004) and completing Phase IV of the Farmington Canal Trail.
- ❖ ...a comprehensive and integrated bicycle and pedestrian network with the city by identifying and prioritizing the missing links and implementing solutions accordingly. Improve the quality of existing sidewalks within the Hill, Newhallville, and Dixwell neighborhoods and implement new sidewalks on city’s collector streets i.e., Russell Street, Quinnipiac Avenue, lower Valley Street, and Foxon Boulevard.
- ❖ ...appropriately sized, mixed-use parking facility at Union Station to support transit-oriented development and job growth
- ❖ ...bicycle parking facilities within all public/private parking lots in the city, and on street at key locations within Downtown.
- ❖ ...dedicated and/or separated bike facilities on major arterials of the city i.e., Whalley Avenue, Edgewood Avenue, MLK Boulevard, Grand Avenue, Congress Avenue, Forbes Avenue, and Water Street.
- ❖ ...complete streets based on urban street design standards by updating the *Complete Streets Design Manual*, streamlining the process for accepting applications, and promoting transparency in decision making and implementation.
- ❖ ...two-way street systems on York Street, College Street, Church Street, George Street, Crown Street, Dwight Street, Howe Street, Tower Parkway, and Grove Street.
- ❖ ...a truck routing system that curtails traffic on local streets and promotes the use of designated arterial connections.
- ❖ ...the West River Greenway Trail by identifying funding sources as a first step to building new trails over the next decade.



Connect...

- ❖ ...wayfinding signage systems (Phase I) in Downtown and develop Phase II study for implementing wayfinding signs that connect to key neighborhood destinations.
- ❖ ...residents to jobs, housing, and other support services through enhanced transit service that reduces headways; extends weekday and weekend service; and provides real time information on transit arrivals, delays, and departures.
- ❖ ...employees on the west side of the city who work in Hamden and West Haven through the promotion and subsequent implementation of the proposed Cross Town West route.
- ❖ ... New Haven to New York and Boston and enhance regional economic competitiveness by advocating for a faster rail service to these destinations.
- ❖ ...residents/employees/students to local existing shuttle routes by exploring opportunities to combine Yale and CTTRANSIT shuttle routes and by encouraging U-Pass options for students at Yale, SCSU, and Albertus Magnus.
- ❖ ...New Haven's commercial air service to Florida and two to three hub cities.
- ❖ ...existing port district with freight railroads by extending rail service along Waterfront Street and to the North Yard.
- ❖ ...residents in the eastern neighborhoods to Downtown through enhanced bike/ped network.
- ❖ ...neighborhoods surrounding Route 34 corridor currently separated by large tracts of vacant land and the Medical District to Union Station and Downtown.

Preserve...

- ❖ ...the quality of natural environment by reducing vehicle emissions at signals through the synchronization of existing traffic lights, especially within Downtown where major employers are located (signal studies recommended on Whalley, Whitney, and Dixwell Avenues;
- ❖ ...the quality of the natural environment by transforming existing streets into "green streets."
- ❖ ...the quality of the natural environment by promoting the use of electric and hybrid vehicles and by implementing an effective travel demand management program.



Adapt...

- ❖ ... to sea level rise and other coastal/inland flooding events by ensuring that the design of complete streets considers the requirements for emergency vehicle access a
- ❖ ...to sea level rise and other coastal/inland flooding events by working with the Office of Emergency Management to identify, prioritize, and publish evacuation routes within the city on a scenario-based approach.

Grow...

- ❖ ...the reliability, frequency, and efficiency of existing transit service within the city by partnering with CTRANSPORT to develop a bus transit needs analysis to identify and prioritize underserved routes and develop strategies accordingly and by implementing the recommendations of Parking and Transit Working Group (2013).
- ❖ ...paratransit service and ride share options within the city by partnering with Greater New Haven Transit District and CT Rides to expand current programs and services.
- ❖ ...public safety by implementing traffic calming solutions at poorly designed, high volume, and/or accident prone locations of the city including, Ella Grasso Boulevard, upper Whalley Avenue, upper State Street, Clinton Avenue, Foxon Boulevard, Sargent Drive, and at James Hillhouse and King Robinson Schools;
- ❖ ...public safety by promoting adequate lighting of sidewalks and parking lots and by promoting upgrades to the existing bus stops and bus shelters.
- ❖ ...a sustainable transportation system to conserve energy and reduce greenhouse gas emissions by encouraging the use of natural gas and bio-diesel fuels.



CHAPTER VI: ECONOMIC DEVELOPMENT

A. THE NEW HAVEN ECONOMY

The **New Haven region has a diverse economic base** focused on health care, education, biotechnology and biomedical research, professional services, software and application development and advanced manufacturing. Within the city, the employment changed dramatically, with shifts in aggregate numbers, in types of industries, and in the location of major job centers in the latter half of the 20th century. Employment figures reached 92,000 in 1990 at the tail end of a long-term economic expansion. The recession of the early 1990s heavily impacted the city's employment base, with total employment at a decade-low 72,000 in 1997. Since then, employment has rebounded significantly. The 2000 employment base of 77,890 represented an 8 percent increase from 1997. While the city experienced decreases in employment base from 2002 to 2005 (with 73,160 total jobs in 2005), **employment was on the rise during the latter half of the decade** with 4.4 percent increase in employment from 2005 to 2006 and another 3 percent increase from 2006 to 2011, despite the severe economic recession experienced nationwide from 2007 to 2009.

Due to the presence of world-class educational and medical institutions, multi-modal transportation network, and diverse arts, cultural, and entertainment facilities, New Haven is uniquely positioned to be the hub of knowledge/ innovation based economy within the region and the state in the 21st century. Maximizing New Haven's connection to the global economy and enhancing the city's status as a regional transportation center are both key goals of the city's economic development strategy.



Economic Development

Unemployment

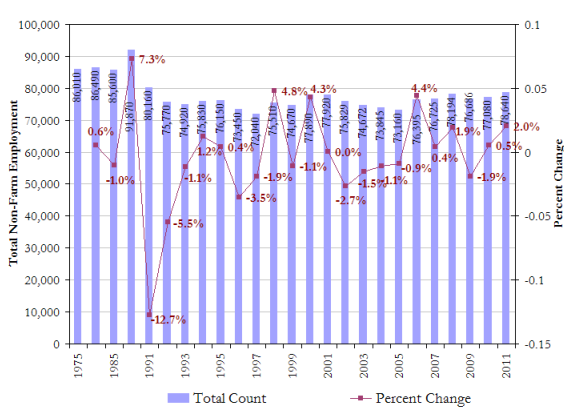
While the unemployment rate in the city decreased from 1997 to 2000, it has increased significantly from 3.3 percent in 2000 to 13.2 percent in 2010. A similar trend was observed state-wide and among other peer cities as well. **Recent unemployment figures mirror the slow recovery** from the post-2008 recession, with a peak rate reaching 13.2 percent in 2010 and now recovering to a post-recession level of 6.7 percent in early 2015. (See Databook in Appendices for further information.)

Employment by Sector

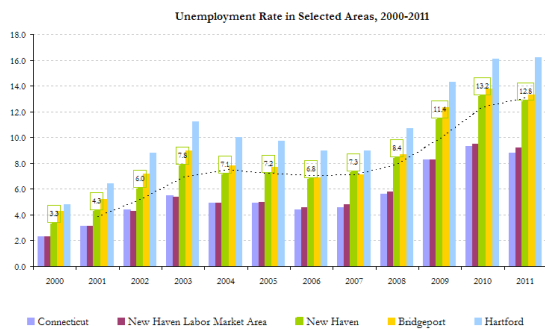
While New Haven's mid-century economy was characterized by a diverse set of goods-producing industries, including heavier industries (metal works, armaments, etc.) and non-durable goods (textiles, food products, etc.), industrial production employment has been declining for over 40 years. In the interval since the last Comprehensive Plan, deregulation, international competition, and industry-specific consolidation have had profound impacts on what have historically been the city's largest private-sector employers, including Frontier Communications (formerly SNET) and UIL Holdings (formerly United Illuminating and Southern Connecticut Gas) as well as the local banking sector. Since the depths of the 2008 recession, the local economy has emerged with greater diversity and even stronger focus on the knowledge base provided by the education and health care sectors. Manufacturing continues to be an important component to the city's employment base, but with far greater specialization, fewer employees, and **advanced technology manufacturing** processes. Meanwhile, service industries (in particular health services and education services) have led a rebound in total employment.

New Haven remains the central employment destination within the total **17-town Labor Market Area (LMA)**. Approximately 30 percent of the LMA's 265,000 jobs are in New Haven, including 44 percent of all jobs in transportation, communications, and public utilities (TCPU) and professional services. By comparison, total employment in the adjacent cities of Meriden (26,710), Wallingford (24,380), and North Haven (21,490) is more focused on the local government, manufacturing, and retail sectors.

Education and health care continue to dominate the employment base in both the South Central Region and the City of New Haven. The largest local employers are Yale University, with approximately 12,000 employees, and Yale-New Haven Hospital, which has

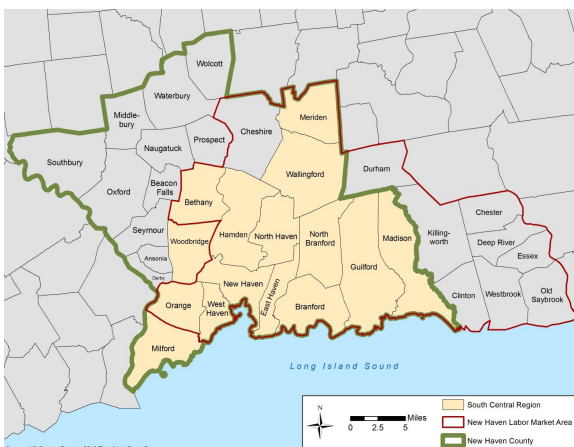


The number of jobs within the city has grown in recent years, even in the years following the economic crash of 2008.



Source of both charts: CT Department of Labor, 2012

Unemployment in the City of New Haven remains higher than both the New Haven Labor Market Area and state as a whole.



Geographic boundaries of New Haven Labor Market Area, SCROG, and New Haven County.

Economic Development



merged with the Hospital of St. Raphael, and now has a total of approximately 11,000 employees. Quinnipiac University, Southern Connecticut State University, Gateway Community College, and Albertus Magnus College also contribute to the role of New Haven as an educational center. Other large health sector employers include Temple Medical Center and American Medical Response.

In 2014, Frontier Communications acquired the former business lines of AT&T (previously SNET) in New Haven, thus becoming the largest non-institutional private employer in New Haven, with approximately 2,000 employees. Frontier has indicated that New Haven will remain a regional headquarters. Other large private sector employers include First Niagara Bank (formerly New Alliance); Comcast Communications; UIL (formerly United Illuminating and Southern Connecticut Gas); Knights of Columbus; Assa Abloy; Higher One, Inc.; WalMart; and Covidien.

Overall, the basic economy within the region is organized into three broad sectors: education; advanced manufacturing; and health care.

Education: With the largest overall basic employment (17,187) and location quotient (3.09), educational services is a core element to the region's economy. The strength of this industry includes the higher education cluster: Yale University, Southern Connecticut State University, Gateway Community College, Albertus Magnus, University of New Haven, and Quinnipiac University. Aside from its core educational functions, this sector is increasingly active in local economic initiatives. In particular, Yale University's technology transfer activities have been instrumental in the **siting of new biotechnology companies** in the region.

Advanced Manufacturing: Although many of the city's traditional manufacturing companies have moved operations overseas, others have opened or modified to meet the needs of the global marketplace. A good example of the shift is the former Acme Chemical on Chapel Street. The company is now a division of Von Roll Isola, producing world-class insulating materials. Cyclone Microsystems, located at 370 James Street, designs and manufactures intelligent communications controllers. Science Park, located in the former Winchester Arms factory complex, has been transformed over the last decade from a vacant manufacturing center to a multi-tenant business and industrial park. A number of biotechnology and high technology manufacturing companies have sited at Science Park, as well as at 300 George Street.

The bio-science career ladder is a collaboration between the City's Economic Development Corporation, CURE (a state-wide biotech organization), SCSU, and other workforce development partners.



Economic Development



Yale University School of Medicine (Sterling Hall) lies at the core of the city's health care and biomedical research sector.



Biotech workers are an important component of the regional economy.



Alexion Pharmaceuticals' world headquarters under construction at 100 College Street represents the growing importance of the biotechnology sector in the city's overall economic profile.

Health Care: Given the sheer size of the health care industry across the country, the health services sector is highest in total employment (48,813) and second highest in basic employment (13,235). Within the New Haven region, its 2011 location quotient was 1.37. The medical services industry is concentrated around Yale-New Haven Hospital, as well as many associated facilities, such as the Temple Medical Center and **Yale School of Medicine**.

Pharmaceutical and Biotechnology Research and Production: Combining aspects of both advanced manufacturing and health care, chemicals and allied products, which includes a significant portion of businesses in the biotechnology sector, accounts for approximately **4,000 jobs regionally**. Within the New Haven region, the largest companies in this sector include Alexion Pharmaceuticals, which is expanding its presence within city with an impending move from Cheshire to a **500,000 square foot, twelve-story purpose-built research center** at 100 College Street.

Other significant biotech companies include Clinical Data Associates, Ikonyosis, and Transgenomic at 5 Science Park; Achillion Pharmaceuticals at 300 George Street; Covidien (in both New Haven and North Haven); Idexx Laboratories at 670 State Street; Kolltan Pharmaceuticals at 300 George Street; and Marinus Pharmaceuticals at 142 Temple Street; as well as regional employers such as Axerion Therapeutics, Celldex Therapeutics, Bristol Myers Squibb, and Gilead Sciences in Branford, PerkinElmer, in Branford and Shelton, and Novartis.

A 16,500-square-foot genomics research facility was opened at Mount Sinai in Branford last fall and has a staff of 19 people. This facility is expected to more than double its workforce over the remainder of this year by adding another 30 employees.

Labor Force Characteristics

Out of the nearly 100,000 people in 16 years and over age group in New Haven in 2011, 66,685 (64.1 percent) were in the civilian labor force and 37,349 (35.9 percent) were not in the labor force. Compared to the state and peer cities like Stamford, Bridgeport, and Hartford, New Haven had the second highest percentage of population not in labor force, next to Hartford.

Wages

Total annual wages for all industries in the New Haven Workforce Investment Act (WIA) region in 2011 was nearly \$16.3 billion,

Economic Development



with more than a quarter of these wages (\$4.7 billion) earned by workers in New Haven. The average annual wage for all industries in the city generally increased from 2005 to 2010 and from 2010 to 2011. Only the average annual wage in construction industry and in local/municipal government jobs dropped slightly from 2010 to 2011. (See Employment chapter in Databook--Appendices for WIA boundaries).

Even though **health care and social assistance sector had the highest share of total employment** and highest total annual wages in the city in 2011, the average annual wage (\$58,107) was not the highest for this industry. The top three industries with the highest average annual wages in the city in 2011 were management of companies and enterprises (\$118,187); finance and insurance (\$90,024); and professional, scientific, and technical services (\$89,416).

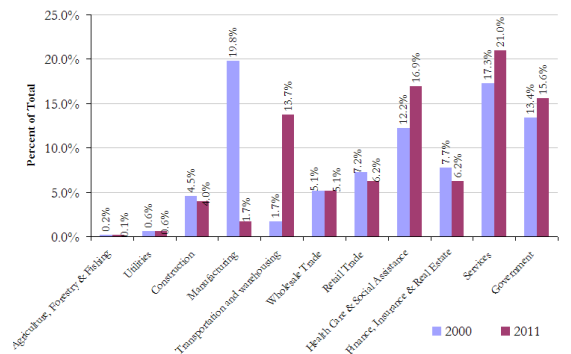
Employee Commuting Patterns

New Haven had the second highest count of jobs (72,616) compared to peer cities like Hartford, Stamford, Norwalk and Danbury in 2010. Nearly **57 percent of people living in New Haven were employed outside New Haven** and nearly 77 percent of people employed in New Haven lived outside New Haven.

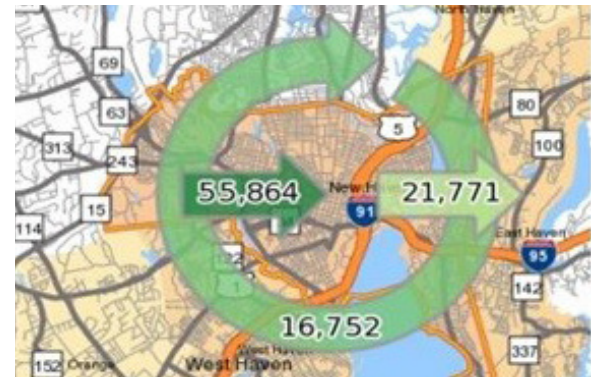
When compared to the neighboring towns in the region, **New Haven had the lowest percentage of population commuting to a different town to work** (nearly 45 percent) in 2010. The 12 percentage point gap between employment outside New Haven and commuting to work outside New Haven is likely due to workers who telecommute or commute infrequently. The majority of the people commuting for work to New Haven were from neighboring towns such as Hamden, North Haven, Branford, and East Haven. The majority of the people living in New Haven commuting outside of the city for work go to West Haven.

State of the Workforce

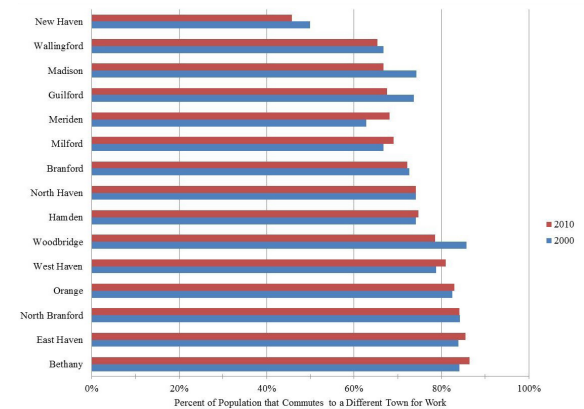
Research conducted by Workforce Alliance, Inc., in 2009 on the skills of workforce indicated that many **people with high school diplomas lacked the required analytical, reading, and math skills** to enter a community college. For example: 42 percent of students entering Gateway Community College needed developmental writing skills, 58 percent needed developmental reading skills, and 94 percent needed developmental math skills in 2008. These figures also exceed national averages.



Percent of Total Annual Wages for Key Industries in New Haven WIA, 2000 and 2011



Jobs inflow and outflow in 2010



Jobs inflow and outflow in 2010

Research conducted by Workforce Alliance, Inc., in 2009 on the skills of workforce indicated that many people with high school diplomas lacked the required analytical, reading, and math skills to enter a community college.



Economic Development

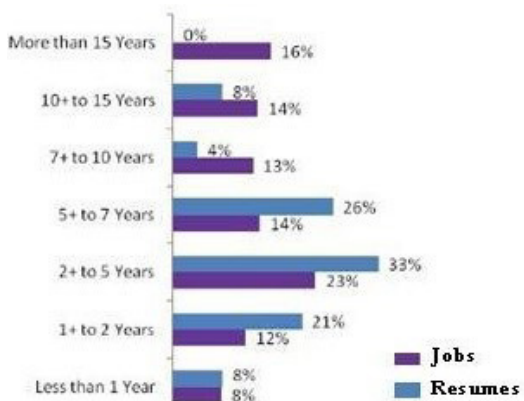
As of 2005, more than 7,000 disconnected young adults between the ages of 18 and 24, unemployed and not in school, lived in the South Central Connecticut region with the majority living in New Haven. In addition, out of the 43,000 children between 0 and 4 years of age more than 50 percent lived in the region's poorest communities.

They represent the largest share of workforce entrants for the next decade. (State of the Workforce Report, 2005)

The lack of literacy skills has also been a barrier to ex-offenders finding jobs, accessing training, and staying out of prison in future. Although 92 percent of prisons offer education programs, only 30 percent of inmates take part in it.

A presentation made by Workforce Alliance in 2012 shows that there is a mismatch between labor supply and labor demand within the city. New Haven has a **large supply of students (16 percent of resumes) and entry-level candidates (18 percent of resumes)**, whereas mid-career roles are more in demand (71 percent of postings). The city had the lowest percentage of job seekers with a bachelor's degree or higher (39 percent of resumes), but the highest percentage of employers seeking candidates with a bachelor's degree or higher (70 percent of postings). **Only 30 percent of candidates in the city had 10 years or more of experience**, compared to 42 percent in the larger SCRCOG region.

In an October, 2011 presentation at Governor Malloy's Jobs Summit, McKinsey & Company reported that, "the U.S. workforce will continue to grow until 2020 but under current trends workers will not have the right skills for the available jobs...progress on four dimensions is essential: develop the U.S. workforce's skills, expand U.S. workers' global share, spark emerging industries and speed up regulatory decision-making." Based on these trends, it is evident that enabling the workforce of the city to become competitive in the job market is a top priority for the overall economic growth and development of the city.



Source: Workforce Alliance, 2012
Jobs inflow and outflow in 2010



View of the historic English Station site located in Mill River industrial area.

Industrial Land Use Patterns

As manufacturing employment has dropped with the city over the past 40 years, former manufacturing buildings in the Long Wharf area have increasingly become the focus for large-scale retail, educational, and health services uses, such as IKEA and the future Jordan's Furniture at opposite ends of Sargent Drive. Other former industrial buildings have been re-purposed for residential use, such as Brewery Square. However, many under-utilized industrial buildings and sites have been demolished or recycled for lower intensity uses, such as warehouses, transportation, and waste processing facilities. This is particularly true in the **Mill River District** and the **port area**. The City recently adopted a Mill River District Plan (2014) for the revitalization of Mill River industrial area.

Economic Development



Port of New Haven

Of the nearly 10,100 acres of total land in New Haven, just over 1,100 (nearly 12 percent) are classed industrial. Approximately 85 percent of all industrial space is located in just six neighborhoods, all located east of Downtown. Port-related uses, primarily petroleum processing, storage and distribution, and scrap/waste material storage, account for over 25 percent of all industrial-class property but a much smaller share of industrial employment or economic activity. The map on the following page indicates noteworthy vacancies in the industrial sector.

Commercial Sector

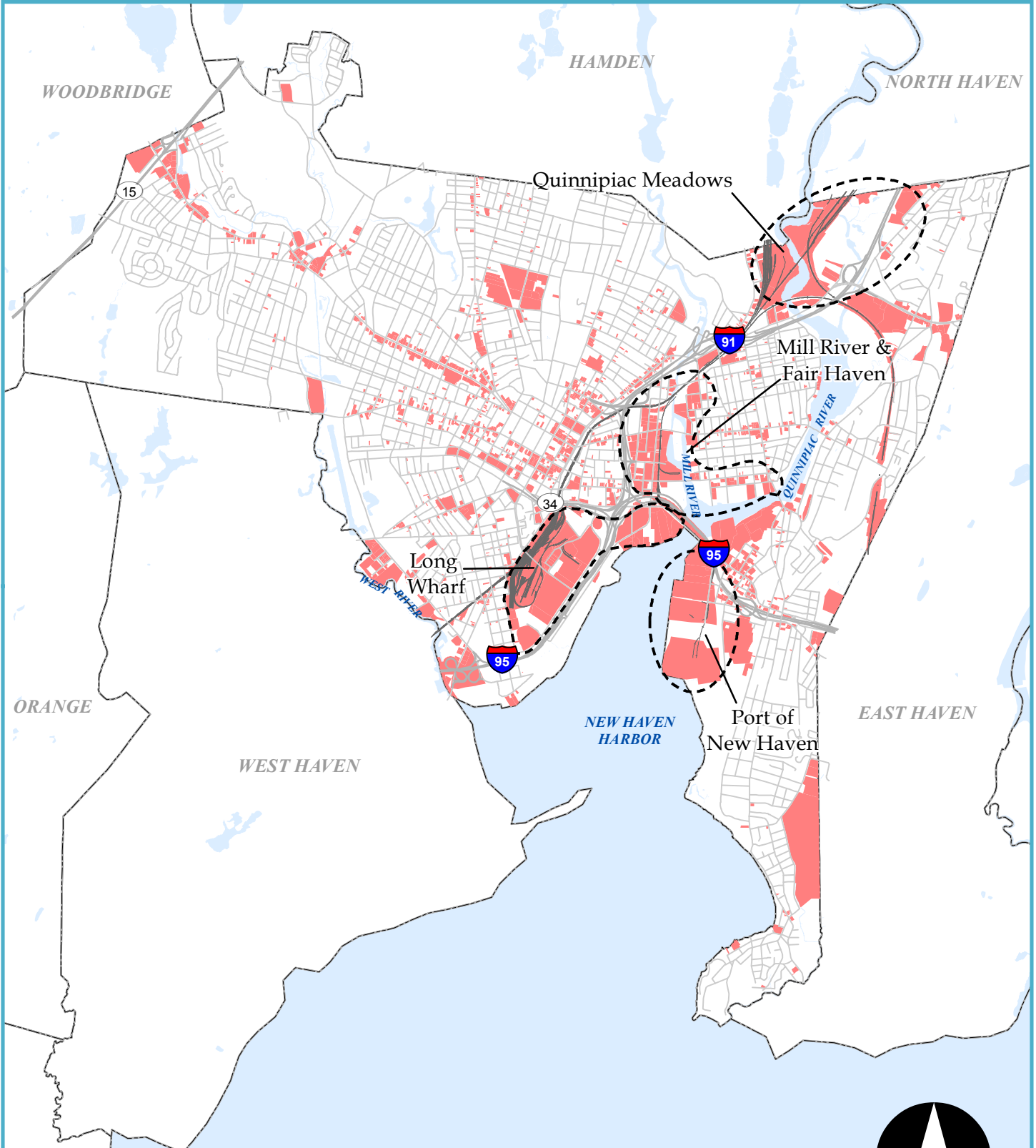
Commercial class property, including office space in Downtown and throughout the city, represents 15 percent of all assessed land in New Haven. The demand for office space correlates with the trends in economic activity and employment. In comparison to the state's other large office markets, New Haven is remarkably stable. In 2013, the vacancy rate (Class A and Class B space) in the greater New Haven office market hovered around 15 percent, which was significantly lower than the vacancy rates in Hartford and Fairfield Counties.



Particularly in the downtown core, the low vacancy rate is due to a comparatively small inventory of general market office space, the absence of strong competition from surrounding suburban office centers, and the withdrawal from this inventory of **several recent office to residential conversions**, such as 227 Church Street (now the Eli Apartments), 205 Church Street (the former Union Trust/Connecticut Trust building) and the former office space at 900 Chapel Street, which is currently marketed as Residences on the Green. Yale University and other non-profit uses play a significant role in the commercial office market.




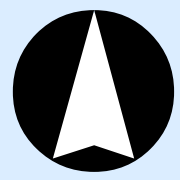
The site of the former Chapel Square Mall at 900 Chapel Street has been converted to a residential and retail mixed-use development over the past decade.

NEW HAVEN VISION 2025 COMMERCIAL/INDUSTRIAL CONCENTRATIONS



 Areas of Significant Vacancy/Underused Areas
 Commercial and/or Industrial Land Use Concentrations

0 5,000
 Feet



Economic Development



Retail Sector

While the development of new downtown retail destinations is limited, in certain cases, there is an opportunity for contextual infill development of new or expanded retail centers. This is particularly the case along existing mixed-use **neighborhood commercial corridors**, such as Dixwell Avenue, Grand Avenue, State Street, and Whalley Avenue. In other areas, more specialized, neighborhood-oriented retail is appropriate. Retail opportunities in Downtown are also addressed in Housing and Neighborhood Planning chapter under Downtown sub-section.

The three busiest shopping districts in Downtown New Haven are the Audubon/Whitney District, Broadway Shopping District, and Chapel Historic District. Over the past decade, Downtown retail options increased with the opening of several new stores, especially at the Broadway Shopping District, such as Urban Outfitters (43 Broadway), J Crew (29 Broadway), Origins (11 Broadway), American Apparel (51 Broadway), GANT Clothing, (268 York St) and an Apple Store (65 Broadway). In addition, two new supermarkets were opened in and near Downtown: Elm City Market at 360 State Street in Downtown and Stop and Shop in Dwight neighborhood (150 Whalley Avenue).

Neighborhood Commercial Districts

As a city built around the fabric of its neighborhoods, the city's **smaller commercial districts are an integral component of the quality of life in New Haven**. In general, the small number of large retail and so-called power centers has helped to **preserve the identity of the smaller commercial districts**. Although the business mix continues to evolve, much of the original architectural character and the district layouts has been retained. These pedestrian-oriented storefronts and commercial buildings are located in most neighborhoods. Smaller markets, non-durable goods, and other convenience stores are often within walking distance of a residential population.

Still, **the neighborhood commercial districts are among the most at-risk sections of the city**. There are price pressures from larger chain stores and suburban strips as well as internal pressure within the district. The internal pressures relate to the intrusion of nuisance uses, the lack of off-street parking, lack of common hours, and incompatible urban design (particularly signage).

Neighborhood businesses could be re-connected to economic opportunities by revitalizing neighborhood commercial corridors throughout the city.



Existing view of Dixwell Plaza shopping center in Dixwell neighborhood.

The city's Buy Local initiative aims to strengthen New Haven's small and minority-owned businesses by gaining them access to large-scale vendor opportunities with the City, Yale University, and YNHH.

City Economic Development staff have recently completed (June 2014) an assessment of targeted neighborhood commercial districts and began implementation of a "Main Streets" approach, partnering with residents and local business owners to promote economic revitalization.



Economic Development

Certain uses, if not properly operated can have a deleterious effect on the district and the surrounding neighborhood. These include convenience stores, package stores, automotive-related uses, taverns, and adult uses. Although most of these uses require special review by the City Plan Commission or the Board of Zoning Appeals, enforcement of conditions remains a priority concern. Of note, grandfathered uses do not typically require periodic review, often leading to lower levels of property stewardship. Over time, the success of the neighborhood business districts depends on the mix of uses—properly operated—in order to generate sufficient customer traffic.

Urban design issues relate to the compatibility of new construction and renovations to the existing and prevailing building form. New buildings are too often pre-designed structures more suitable to suburban locations. Similarly, renovated façades often fail to respect the inherent architectural qualities of the building mainly through inappropriate signage. Likewise, site planning must account for the urban environment, including provisions for shared parking.

Arts, Cultural, and Entertainment Facilities

New Haven welcomes over 1.3 million visitors each year who enjoy the largest university art collection in the world (Yale University Gallery), the largest collection of British Art outside the United Kingdom (Yale Center for British Art), and an always dynamic theater, dance, visual and gallery scene. The city is a **host to 442 creative businesses and organizations** including professional schools, performing arts groups, museums, and publications—all components of sheltering organizations such as Yale University (Yale museums, the Lyman Center for Performing Arts, the Educational Center for the Arts, etc). Together, these businesses, museums, and creative organizations constitute 15 percent of New Haven’s 2,939 businesses. Nearly 7.5 percent of all New Haven’s workers (more than 5,600) work in these cultural core businesses.

Performance groups, architectural firms, graphic and web design firms, bookstores, galleries/exhibition spaces, media publications, photography, colleges/universities, and libraries are the top ten components of New Haven’s cultural core. Exact employment figures were unavailable for these businesses. However, the range of business size by number of employees was available for key businesses listed within Bureau of Labor Statistics web page.



Existing view of Wooster Street (Little Italy) in Wooster Square neighborhood, home to many historic homes with distinct architectural features.

New Haven has the largest concentration of arts and entertainment organizations within the region providing a unique identity to the city. These arts organizations attract visitors not just locally but from all across the globe. This programming plays a vital role in fostering economic development in the city as well as enhancing quality of life for city residents.

Economic Development



These data indicate that the majority of creative businesses within New Haven’s cultural core are small, with nearly 70 percent having fewer than 10 employees

New Haven **hosts more than twenty summer festivals** including the hugely successful New Haven Jazz Festival and the International Festival of Arts and Ideas. The city and its immediate suburbs are home to six colleges and universities that provide a significant base of resources and institutional support for the arts. These cultural assets have the ability to draw from a wide geographic area and contribute to New Haven’s economy in a significant way.

These art and entertainment events have a huge economic impact on the city and the region. In June 2012, New Haven’s International Festival of Arts & Ideas events alone attracted 143,637 people to New Haven for an arts-related event, an increase of 28 percent from the 2011 festival (Source: Hartford Courant, 2012). The total economic impact was \$25,114,478, an approximately 28 percent increase from the previous year. Among those who attended this festival, New Haven-area residents accounted for 51 percent; other areas of the state constituted another 34 percent; and 15 percent came from out of state, with the largest numbers from Massachusetts, New York, Pennsylvania, and California.

The arts are complemented by a full array of sports including the New Haven Open Tennis Tournament, held in the 13,000 seat Connecticut Tennis Center; college sports hosted by Yale and Southern Connecticut State Universities; and the Floyd Little Athletic Center on Sherman Parkway owned by New Haven Public Schools. Additionally, the many colleges and universities in New Haven provide sporting facilities and events, including regional events.

Several municipal initiatives help ensure the preservation and growth of art and artists within the city. These include Project Storefronts, Mayor’s Community Art Program, Percent for Art program, and Winchester Revitalization Art Project (WRAP) as discussed within Chapter IX of the Databook—Appendices.



New Haven’s International Festival of Arts and Ideas held annually in June is a major regional draw for visitors.



Economic Development

B. PLANNING CONSIDERATIONS

- ❖ The expansion of the economic base across diverse sectors provides a solid foundation for business development. Basic industries, including advanced manufacturing, education, and health care, will attract compatible businesses and institutions to the city. Clustering activities are consistent with recent City policy and are well-suited to the business climate in New Haven.
- ❖ The lack of easily developable property will impair new business development. Brownfields, parking and access issues, and physical deterioration all complicate economic development efforts.
- ❖ Similarly, the inappropriate conversion of industrial property to lower intensity or non-economic use will have a long-term, deleterious effect on the city's economic base. Areas most at-risk for conversions include the Long Wharf food terminal, Mill River, the upper State Street area, and the lands in and around the port terminals.
- ❖ Transportation and access remain central issues for New Haven. Various highway projects, if not adequately managed, staged, and phased, will encourage businesses to seek suburban and even exurban locations.
- ❖ The Port of New Haven is an integral component to the regional economy, providing access to energy, raw materials, and international markets. The port's direct economic impact, however, is limited. Therefore, the spatial needs of the port must be accommodated in an efficient manner without absorbing additional land that may be suitable for more intense (basic industries, jobs, taxes, etc.) economic development.
- ❖ At the same time, port traffic can spur indirect economic development through value-added manufacturing and warehouse functions.
- ❖ Although the demographic changes within the city are increasing demand for retail services, there is limited land available for suburban-oriented developments. However, contextual infill retail opportunities do exist. In particular, redevelopment of the Dixwell Plaza and certain sections of Whalley Avenue are top candidates for additional retail activity within an urban setting.

Economic Development



- ❖ The city's neighborhood commercial districts, including Grand Avenue, Westville Center, and State Street, are unique assets that must be stewarded from incompatible suburban-oriented redevelopment. Design review and targeted business development are prime issues for these districts.
- ❖ Community survey responses and data findings indicate that connecting residents to local jobs, enhancing the skills of local workforce to meet the requirements of current and potential employers, and encouraging and sustaining local entrepreneurs are key economic development priorities for the next decade.

C. GUIDING PRINCIPLES FOR RECOMMENDATIONS

- ❖ Promote sustainable and balanced economic growth.
- ❖ Continue to promote business retention and attraction.
- ❖ Support start-up and small businesses.
- ❖ Enhance the skills of local workforce.
- ❖ Promote revitalization of all of the existing business corridors in the city.
- ❖ Support private sector efforts to maintain positive trends of reduction in vacancy rates within Downtown commercial and office space.
- ❖ Promote the redevelopment of industrial areas of the city.
- ❖ Remediate brownfields and where appropriate, propose interim uses for such sites.
- ❖ Continue improvements to infrastructure to promote economic development, such as roadway enhancements, coastal resiliency planning, and information technology implementation.
- ❖ Reinforce the city's position as a world-class destination for arts, cultural, and entertainment events.
- ❖ Continue to raise awareness on economic development and workforce development initiatives in the city.
- ❖ Continue efforts to integrate the economic development of Downtown with complementary development initiatives in the Medical Center and Long Wharf areas.
- ❖ Enhance New Haven's economic competitiveness within the region.



D. RECOMMENDATIONS

Balanced Economic Growth

- ❖ Coordinate economic development efforts with land use, housing, transportation, and environmental planning and implementation efforts since a healthy economy is only possible when the neighborhoods are revitalized; when there is an improvement in the overall quality of life; and when jobs are easily accessible to people of all ages, incomes, and abilities.
- ❖ Promote an all-inclusive economy within the city by encouraging neighborhood-based economic development initiatives that take into account a neighborhood's assets and opportunities and by supporting equitable distribution of resources.
- ❖ Continue to strengthen the Downtown core by promoting mixed-income, transit-oriented "work force" housing developments that help increase economic activity beyond the traditional business hours, promote vibrancy, and attract potential employers to relocate to the city.
- ❖ Support efforts to increase the concentration of other "basic" industries such as business and financial/professional services (including auditing, accounting, tax filing, credit reporting, architecture, investment companies, etc) and manufacturing and advanced materials production that bring revenues from outside the city and further enhance and diversify the local economy.
- ❖ Ensure that zoning of land for commercial and industrial purposes is adequate to meet the current and future employment needs of the residents. As a first step, maintain an accurate database of all commercial/industrial properties in the city. Pursue Zoning Ordinance amendments based on the mixed-use commercial and industrial land use classifications proposed within the future land use map of this document.

Economic Development



- ❖ Continue to enhance the skill set of New Haven’s workforce, especially in low-income neighborhoods where the majority of the future workforce is located (based on Databook results) and **connect them to local job opportunities**. Specifically, focus on preparing them for a technology-based economy predominant in the 21st century. Also, **prepare them for jobs in bio-medical and life sciences industry** that continues to dominate New Haven city and the region.
- ❖ Continue to work toward enhancing New Haven’s economic competitiveness and strengthening its positioning as a regional growth center by investing in transit and bike/ped improvements and managing traffic and parking demand effectively.
- ❖ Continue to work with the Greater New Haven Chamber of Commerce and Regional Economic Development Agency (REX) in coordinating, planning, and implementing regional economic activities with a special focus on attracting more living wage jobs to the region.

In January 2012, the New Haven Board of Aldermen created “New Haven Works,” a jobs pipeline to connect local workforce to jobs through partnerships with local institutions. As of 2014, 323 members were hired or placed, 674 members became ready to hire, 1,526 residents became members, and 2,319 residents attended orientation. (New Haven Works Annual Report, 2014)

New Haven’s economy is primarily based on “Eds and Meds” due to the presence of Yale University and Yale-New Haven Hospital, which are the (top two) major employers in the city.

Business Attraction and Retention

Attraction:

- ❖ Continue to maintain and increase economic activity and vibrancy in Downtown New Haven—the commercial core of the city and a destination for unique shopping, restaurants, and entertainment and professional/government services. The Commission recommends the continuance of these efforts, as well as, encourages investment in a fixed route, more frequent, and visible local commuting option that links Downtown to the neighborhood-based commercial districts to further enhance economic activity and vitality.
- ❖ Reduce vacancies in Downtown New Haven through enhanced marketing and promotion of key sites; recommending upgrades to older buildings; and encouraging reuse of selective commercial buildings for mixed-use residential purposes with an active ground floor environment (such as pedestrian-oriented retail uses).



Economic Development

The City of New Haven Façade Improvement Program helps to fight blight in New Haven neighborhoods and stimulate economic rehabilitation through programmatic matching grants that typically leverage \$1 of public façade money into \$12.85 in private investment.

The Mill River District was awarded a Community Development Block Grant Disaster Recovery Program(CDBG-DR) grant of \$192,000 in 2014 to plan coastal resiliency improvements within the district.

- ❖ Continue to encourage façade improvement of commercial/mixed-use properties in the city to eliminate blight and further stimulate economic growth through the city's **Façade Improvement Program**. Market this program more robustly so that more business owners can take advantage of this program.
- ❖ Continue to encourage the location of locally-owned destination businesses and restaurants that add to the uniqueness of the city.
- ❖ Promote beautification of the Port District and improve access and connectivity to the port area to further increase regional economic activity within the port.
- ❖ Implement the vision of Downtown Crossing (Route 34 East) project and the Hill to Downtown plan and develop Route 34 West (based on recently approved zone change and design guidelines manual) to create new economic opportunities within the city and also enhance the city's tax base.
- ❖ Implement the recommendations of the **Mill River District Plan**, including exploration of an Industrial Preservation Zone for the district, rezoning of the Grand Avenue corridor as a General Business (BA) or BA-1 throughout the district, exploration of context-based zoning for pre-existing industrial buildings and the waterfront area, and creation of a PDD for the Farnham Courts complex. The goal for this area is to preserve existing light industrial/ manufacturing sector in the city; encourage more pedestrian activity and visibility; and attract new investments.
- ❖ Continue to utilize economic development planning as a tool to prepare sites for the development of targeted industries. Develop a sound land use plan for the Long Wharf and Canal/Belle Dock area where opportunities exist for promoting large-scale, mixed-use commercial developments and enhancing waterfront access. The Commission recommends adaptive reuse of existing vacant buildings on Sargent Drive, to the extent possible.

Economic Development



- ❖ **Improve land use and design standards** and marketing and coordinating efforts within the city's neighborhood-oriented commercial districts and transform them into Connecticut Main Streets by implementing the action steps outlined in 'Building a Neighborhood Commercial District Revitalization Program report' (Connecticut Main Street Center, May 2014). The commission recommends that more specific attention be given to the following areas: Dixwell Plaza, Grand Avenue, Westville Village, Whalley Avenue, Kimberly Square, and State Street, including Cedar Hill.
- ❖ Evaluate the City's approach to development review and permitting, and consider options to efficiently streamline the permitting process, wherever appropriate.
- ❖ Re-evaluate permitting process for temporary restaurants and other itinerant vendors (such as food trucks and mobile food vendors) to facilitate and encourage entrepreneurship.
- ❖ Improve the aesthetics and quality of developments on all development corridors of the city such as Church Street, Dixwell Avenue, Whalley Avenue, Kimberly Avenue, Route 34, Grand Avenue, and Middletown Avenue. Build on **Phase I of the Wayfinding Signage Program** and more local signage initiatives to create neighborhood gateways at these locations as Phase II.
- ❖ Develop plans for streetscape enhancements in the neighborhood business corridors.
- ❖ Pursue amendments to state grant programs, which would allow for acquisition and remediation of brownfield sites and allow for the use of condemnation in order to facilitate a public-purpose taking. For properties not acquired, landscape considerations should be further incorporated into the site plan review process, particularly through additional regulations concerning soil removal, blasting, and/or significant proposed grade changes.



Land use and design standards in mixed-use commercial districts should be improved through the incorporation of form-based elements and effective streetscaping, thus promoting compact, mixed-use, and pedestrian-oriented developments with appropriate scale and densities that enhance neighborhood identity and further increase economic activity in these areas.



The City in partnership with the Town Green Special Services District (TGSSD) is currently bidding on recommended designs for wayfinding signage within the Downtown (as part of Phase I), utilizing federal grant money to help visitors reach their destinations easily and further promote economic development. The installation of signs will be most likely complete by early 2016.



Economic Development

The agri-business/agri-bioscience cluster is one of the emerging business clusters in the region (CEDS, 2013-2018). In New Haven, plans are underway to open a food processing incubator at the old Goffe Street Armory site to meet the growing demand for this type of facility.

A 2014 joint report by SCRCOG, the New Haven Chapter of the NAACP, and the Workforce Alliance highlights the difficulty that New Haven residents face in accessing suburban job opportunities due to limited public transportation services in the region. Some of the areas for further evaluation include transit routes serving areas outside downtown and schedule changes to better align with workforce needs.

Several efforts are already underway to attract and retain businesses such as: encouraging mixed-use developments including high-density, transit-oriented residential developments; promoting Arts and Ideas and other events within the green; coordinating with local restaurant owners in promoting New Haven restaurant week; implementing bike/ped and traffic calming infrastructure; and reducing parking requirements.

- ❖ Consider the possibility of promoting urban agriculture, such as community gardens, following appropriate clean up on some of the existing brownfield sites by working with DEEP and the United States Environmental Protection Agency (EPA) in addressing associated risks and implementing site cleanups accordingly. This would have a multitude of benefits besides promoting economic development such as mitigation of public health concerns, elimination of blight, improved neighborhood aesthetics, improved access to healthy food, and fostering of community building efforts.
- ❖ Continue to advocate for state investments and implement a regulatory environment at the City level to further expand economic opportunities within the **agri-business and bioscience cluster**.
- ❖ Continue to maintain and improve the inventory of targeted infill development sites and available vacant commercial/industrial spaces by area, land use and zoning, utilities available, lease terms, and taxes.
- ❖ Encourage **multi-modal transportation planning** within the city by promoting transportation infrastructure and traffic calming improvements and effective transportation demand management strategies. (Also see Transportation chapter recommendations).
- ❖ Develop a business-focused marketing campaign for the city using television and other local media as a means to publicize the recent growth trends and strategic assets of the city, particularly its unique concentration of arts, entertainment, cultural facilities, and restaurants.

Retention:

Targeted Recruiting

- ❖ Continue to encourage economic development professionals, commercial brokers, and leaders in the community to engage in high-end target recruiting and retention efforts and thus **build a deeper economic base in the region**.
- ❖ Mentor and facilitate the entry of historically under-represented groups within local workforce (such as minorities, women, immigrants, etc.) by identifying deficiencies in each industry sector and through effective partnerships with local educational institutions and workforce development boards/professionals.

Economic Development



- ❖ Continue to connect local jobs and workforce through job training and placement opportunities, as discussed earlier under Business Attraction.

Small Business Assistance

- ❖ Continue to offer technical/financial assistance and counseling **services for small business owners** and start-up entrepreneurs within the city.
- ❖ Raise awareness on City-sponsored **small business/entrepreneur assistance programs** and networking opportunities through enhanced marketing efforts.
- ❖ Continue to maintain effective partnership with the Economic Development Corporation (EDC/REX) and other partners to solicit feedback from small businesses and organizations through e-mails, surveys, regular meetings, and networking events.
- ❖ Encourage neighborhood associations/organizations to organize annual business festivals to showcase local artists' talent and skills and further promote the local economy.

Education and Training

- ❖ Support person-to-person outreach initiatives to encourage literacy, including English as a second language (ESL) and other forms of bilingual education and workforce training.
- ❖ Improve the retention of college graduates within the city by involving them in community-based voluntary activities while they are still in school. Engage them in community building efforts by encouraging entrepreneurship opportunities, encouraging their participation in the City's boards and commissions, and partnering with local businesses and organizations to offer paid or unpaid internships.
- ❖ Continue to support school reform efforts and the **New Haven Promise program** as options to encourage career opportunities for New Haven public school students and graduates.

The City recently (2015) launched a Small Business Service Center to help small, aspiring small businesses and entrepreneurs to develop and grow by providing capital and technical assistance.



The Grid in New Haven (95 Orange Street) is a co-working space that draws entrepreneurs from all over the state as part of State-sponsored innovation hub and connects high-potential companies and entrepreneurs in and around New Haven with resources to grow and succeed.

New Haven Promise is a phased scholarship and support program with the goals of cultivating an aspiration for a college education in New Haven public school students, building community and parental engagement, and growing economic development in the City of New Haven. More than 550 Promise scholars were funded in the city over the past four years.



Economic Development

Advanced manufacturing companies produce highly specialized products, pay higher wages, and typically employ local workforce.

Connecticut’s Dream It! Do It! brings together a coalition of business and trade associations, educational institutions, economic development and workforce organizations, and manufacturers from throughout the state to focus on enhancing Connecticut’s manufacturing workforce and the industry.

The increasing costs of flood insurance coupled with loss of business during major storm events is making it difficult to retain existing coastal businesses or attract new businesses to vacant sites along the coast.

- ❖ Continue to partner with local educational institutions to encourage career pathways for local high school students and undergraduate students that promote practical learning experiences that can lead into industry recognized credit at the higher education level. To that end, maintain strong relationships with local educational institutions and businesses to better understand local industry needs and train local workforce accordingly.
- ❖ Encourage enhanced before/after school care programming and programming of other community-based facilities and provide vocational training opportunities for local youth to further promote community building and economic development.
- ❖ Continue to raise awareness among local workforce about career prospects in **advanced manufacturing sector** (manufacturing of medical devices, biotechnology, pharmaceutical, and aerospace products), which continues to be a strong component of regional economy.
- ❖ Continue to promote programs such as “**Connecticut’s Dream it! Do it!**” in local high schools and community colleges and advocate for additional state investments into this program to further expand employment opportunities in this sector including Southern Connecticut State University’s Bio Lab.
- ❖ Continue to capitalize on city’s image as an arts and entertainment destination by further enhancing employment opportunities within this industry cluster. To that end, partner with local educational institutions to offer targeted vocational training opportunities in key art clusters that indicate a promising future for the growth of local, as well as regional, economy.

Coastal Area Development

- ❖ The Commission recommends participation in **FEMA’s Community Rating System (CRS) program** so that all property owners in coastal areas, including businesses, can avail a discounted rate on their flood insurance costs.
- ❖ Identify and seek new sources of funding to address and improve the resiliency of properties within the V and VE flood zones.

Economic Development



- ❖ Encourage a diverse mix of retail, restaurant, and open space uses besides light industrial uses on the parcels located along the coast in Mill River and Fair Haven (River Street) as discussed within the Land Use chapter.

Arts, Culture, and Tourism

- ❖ Develop a **comprehensive, city-wide web based mapping portal of all existing arts, culture, and tourism areas/facilities in New Haven** to increase visibility, facilitate further use, and guide the location of sites for future venues. Such type of portal could also include details of economic impacts of each facility, which is useful in seeking competitive grants as well as links to local art councils and commissions.
- ❖ Continue to encourage local artisans to apply for the Mayor's Community Arts Grant program to promote and celebrate cultural diversity in city neighborhoods.
- ❖ Continue to support the **temporary re-use of vacant and under-utilized building façades** to showcase art murals through the City's Project Storefronts program, thus improving the aesthetics in commercial areas.
- ❖ Integrate arts, culture, and history into Phase 2 of the city's wayfinding and gateway signage systems to enhance neighborhood identity and further attract visitors/retail customers to neighborhood commercial corridors.
- ❖ Partner with local private institutions, major employers, arts organizations, and other non-profit organizations to increase programming, marketing, and funding opportunities for arts and cultural events in New Haven and further stabilize New Haven's positioning as a regional, as well as, world-class destination for arts and entertainment.

A Smart Phone app has been achieved for historic New Haven Green, the oldest green in continuous use in America.
(www.OTTOCAST.com)



This empty storefront at 55 Church Street was temporarily re-used as a free clothes store in 2011 through the Project Storefronts program.



Economic Development

With a two percent residential vacancy rate (among the lowest in the United States) plus 2,000+ units of residential housing to be constructed in the immediate future, the City anticipates a robust growth in public art installations incorporating signature digital experiences



The historic Palace Theater was re-opened and re-branded as the College Street Music Hall in 2015. The former 3,500 seat golden era of beaux arts movie theater and performance hall is now a 2,650 adaptable seating venue for concerts with state-of-the-art sound and lighting systems.

- ❖ Continue to support and maintain existing cultural facilities, programs, and events and explore new opportunities for **integrating arts in future development projects within the city**. To that end, the vision for the next decade includes: re-imagining 45 Church Street (vacant 9 years) as a creative center for 21st Century informal science learning and innovation in downtown New Haven; re-imagining a signature Marcel Breuer building on Long Wharf (vacant 10+ years) as a Global Creative Consortium to bring world-renowned studio, digital, and decorative artists to New Haven to enjoy a fellowship for a year; and pursuing a vacant property on Chapel Street as a premiere continuing education center for “Baby Boomers” in a new signature building.
- ❖ Continue to work with New Haven Arts Council, New Haven Historic Preservation Trust, Greater New Haven Chamber of Commerce, and other related organizations to organize historic/cultural tours to enhance visitor experience and further **increase awareness of local arts, culture, history, and architecture**.
- ❖ Continue to encourage increased collaboration among local artists, designers, and product engineers to leverage artistic talent to attract and grow product-based design businesses.
- ❖ Engage local artists as key stakeholders in community-based planning efforts so as to further support the development of art spaces and better understand the housing/working needs of local artists and promote the creation of such spaces accordingly; also explore the possibility of promoting arts, culture, and entertainment-type uses as interim uses on some of the existing under-utilized/abandoned industrial sites.
- ❖ Encourage the integration of artists in the design and redevelopment of the city’s waterfront along Mill River, Long Wharf, and Canal/Belle Dock areas to promote a working waterfront and further increase the city’s tourism activity.

Economic Development



- ❖ Advocate for increased funding at the state level for arts, culture, and tourism within New Haven and **create innovative recurring funding sources** within the city. To that end, encourage naming of buildings for philanthropists with “reserves” for the general enjoyment of the arts and create novel social media platforms for funding events together with an exploration of on-line sponsorship to help generate funding for non-profit arts and humanities operating budgets.
- ❖ Partner with the state and region to regionalize arts programming whenever/wherever possible to achieve a new brand: THE PLACE TO BE! To that end, explore opportunities to pursue conventions and visits to the region’s major culturally significant cities such as Newport, Rhode Island, Hartford, and New Haven.
- ❖ Explore the feasibility of encouraging passenger-related maritime activity at the core port area (deep-water access is available at various sites east of the Maritime Center and at Canal Dock) and east of the Tomlinson Bridge. These locations are ideal for passenger-related maritime activities, such as cruise ship docking and passenger ferries.
- ❖ Enhance tourism dollars and visitor revenues by encouraging opportunities for **water-dependent recreation at the city’s waterfront** by Long Wharf/Canal Dock area. Integrate art, architecture, and history within such waterfront recreational developments to promote New Haven’s identity as the arts capital for the region.
- ❖ Explore the feasibility of deploying “driverless” vans up and down Chapel and Church Streets with pre-recorded tours and historic commentary using technology.

Sustainability

- ❖ Continue to enhance the growth of arts, culture, and tourism industry within New Haven to achieve a sustainable economy.
- ❖ Encourage local businesses and industries to **conserve energy** by making energy efficient structural as well as process-based improvements.
- ❖ Enable urban farm siting locations and support commercial food production and processing in accordance with the vision set forth in the *Mill River District Plan* to promote food independence within the city.

With ever reduced levels of funding by the State of Connecticut, the National Endowment for the Arts, and National Endowment for the Humanities, it is a priority of the Department to create recurring funding sources now being explored by the City. The City envisions to be a leader in promoting shared programming to reduce overhead costs for hosting events.



The City is developing a public waterfront recreation center on New Haven Harbor incorporating historic architectural elements removed from the Yale Adee Boathouse prior to its demolition and reusing them in new interpretive displays and exhibits. This project will provide a venue for water-dependent recreation and education, public access to the water for boating and viewing, and indoor and outdoor spaces for community activities focused on the harbor.

With 22 LEED certified buildings, New Haven is a leader in energy conservation in the state and ranked second in New England.



Economic Development

The lack of adequate technological advancements would impact the city's economic competitiveness, sustainability, as well as overall quality of life in the near future.

Studies indicate that green jobs enhance the local economy by rebuilding a strong middle class and providing pathways out of poverty for the low-income population. In addition to these economic and social impacts, they also help protect the natural environment (US Green Jobs Council).

- ❖ Support the **expansion of city-wide fiber optic network** to ensure that the entire city is well connected through wireless communication systems. Also, encourage private network providers to enhance the speed of existing broadband networks and foster partnerships among various providers to effectively manage public/private Internet traffic and security. The Commission further recommends that careful consideration should be given to the design and location of any new wireless communication facilities within the city so that they do not adversely impact a community's character.
- ❖ Promote commercial recycling programs and encourage all new/existing businesses to promote waste reduction through recycling. Perhaps, the city could consider requesting all potential commercial developers (applicants) to include a waste reduction plan during official site plan review process.
- ❖ Explore the feasibility of sharing and re-using industrial waste within the city's light industrial areas.
- ❖ Develop and require mandatory recycling practices at all local cultural/art events and enforce these requirements effectively through the allocation of additional resources.
- ❖ Continue to encourage the **growth of green jobs** within the city to ensure a sustainable future. The Commission recommends the promotion of green jobs training opportunities to other industries besides the construction industry. The City should set a definite target for increasing the number of green jobs in the city over the next decade, identify partners and new sources of funding, and acknowledge the achievements of employers who meet or exceed a threshold number of green jobs based on the organization size.



Build...

E. SUMMARY OF RECOMMENDATIONS

- ❖ ...an all-inclusive economy by encouraging neighborhood-based economic development initiatives that considers a neighborhood's assets and opportunities and by supporting equitable distribution of resources.
- ❖ ...a stronger Downtown core by promoting mixed-income, transit-oriented workforce housing developments that help increase economic activity beyond the traditional business hours, promote vibrancy, and attract potential employers to relocate to the city.
- ❖ ...a fixed route, more frequent, and visible local commuting option that links Downtown to the neighborhood-based commercial districts to further enhance economic activity and vitality.
- ❖ ...the tax base of the city and also create new economic opportunities by implementing the vision of *Hill-to-Downtown Community Plan*, *Mill River District Plan*, and Downtown Crossing (Phase IV) and redeveloping Route 34 West based on the recently approved zone change and design guidelines manual (January 2015) for this area.
- ❖ ...a business-focused marketing campaign for the city using television and other local media to publicize recent growth trends and strategic assets for the city, particularly its unique concentration of arts, entertainment, cultural facilities, and restaurants.
- ❖ ...a comprehensive, city-wide, web based mapping portal of all existing arts, culture, and tourism areas/facilities in New Haven to increase visibility, facilitate further use, and guide the location of sites for future venues.
- ❖ ...large-scale, mixed-use commercial developments in Long Wharf and enhance waterfront access and connectivity through the development of a sound land use plan for this area.
- ❖ ...city-wide fiber optic network to ensure that the entire city is well connected through wireless communication systems.



Connect...

- ❖ ...local workforce to local jobs by enhancing their skills through partnerships with workforce boards and educational institutions and preparing them for a technology-based economy predominant in the 21st century. Promote training opportunities in advanced manufacturing, life sciences, and arts clusters, which are proven to be the strengths of the New Haven economy.
- ❖ ...historically under-represented groups within the local workforce to local jobs by identifying deficiencies in each industry sector and promoting training and placement opportunities (through New Haven Works) accordingly.
- ❖ ...residents/employees to City-sponsored small business/entrepreneur assistance programs and networking opportunities through enhanced marketing efforts.
- ❖ ...local college students to community-based voluntary activities while they are still in school and encourage their participation in the City's boards and commissions. Encourage entrepreneurial opportunities to improve the retention of college graduates within the city.

Preserve...

- ❖ ...the quality of the natural environment by encouraging local businesses and industries to make energy efficient structural, as well as, process-based improvements.
- ❖ ...the quality of the natural environment by exploring the feasibility of sharing and re-using industrial waste within the city's light industrial areas.
- ❖ ...the quality of the natural environment by developing and requiring mandatory recycling practices at all local cultural/art events and through proper enforcement of these practices.

Adapt...

- ❖ ... to sea level rise and other coastal/inland flooding events by identifying and seeking new sources of funding to address and improve the resiliency of properties in V and VE flood zones.
- ❖ ...to sea level rise and other coastal/inland flooding events by participating in FEMA's Community Rating System so that all property owners in coastal areas, including businesses, can avail a discounted rate on their flood insurance costs.



Grow...

- ❖ ...neighborhood-based commercial corridors into Connecticut's Main Streets by improving land use and design standards, and marketing and coordinating efforts as outlined within CT Main Street's 'Building a Neighborhood Commercial District Revitalization Program Report' (May 2014).
- ❖ ...awareness among local workforce about career prospects in advanced manufacturing sector (manufacturing of medical devices, biotechnology, pharmaceutical, and aerospace products) which continues to be a strong component of regional economy.
- ❖ ...the city's image as an arts and entertainment destination by further enhancing employment opportunities within this sector through targeted vocational training; by regionalizing arts programming, where feasible; and by re-imagining a signature Marcel Breuer building on Long Wharf (vacant 10+ years) as a global creative consortium.
- ❖ ...tourism opportunities within the city by deploying "driverless" vans with pre-recorded tours and historic commentary up and down Chapel and Church Streets.
- ❖ ... regional economic activity within the city's Port district by improving access and connectivity to the Port area.
- ❖ ...locally-owned destination businesses and restaurants that add to the uniqueness of the city by continuing to offer small business training and technical/financial assistance to small business owners and start-up entrepreneurs.
- ❖ ...career pathways for local high school students and enhance before/after school care programming of community-based facilities to further promote community building and economic development.
- ❖ ...jobs in agri-business/bioscience cluster, which is one of the emerging business clusters within the region, by opening a food processing incubator at the Goffe Street Armory site and by enabling urban farm siting locations through local land use regulations.
- ❖ ...green jobs within other industries besides the construction industry to ensure a sustainable economy.
- ❖ ...informal science learning and innovation in Downtown New Haven by re-imagining long vacant 45 Church Street property as a creative center.



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CHAPTER VII: ENVIRONMENT

A. OVERVIEW

New Haven is located at the confluence of the Mill and Quinnipiac Rivers as they drain into a long and protected harbor at Long Island Sound. The shoreline and tidal wetland areas gradually give way to uplands accented by dramatic trap rock ridge formations at **East Rock** and West Rock.

The environmental health of New Haven is addressed relative to air quality, water quality, and landscape conditions. The recommendations that follow are anchored first in ecological sustainability with ancillary benefits to the region's quality of life and to policies, as well as, regional planning initiatives.

Air Quality

According to CT DEEP, air quality in Connecticut has improved in recent years. The 2010 annual report on air quality for the New England region published by DEEP states that concentrations for most of the other criteria pollutants (nitrogen dioxide [NO₂], carbon monoxide [CO], and **particulate matter [PM]**) measured at monitoring sites throughout New England either declined or remained at historically low levels. A variety of DEEP



View of Mill River and East Rock

Particulate matter and ground level ozone have been linked to numerous health effects, primarily associated with the aggravation of asthma. With asthma rates of nearly 25 percent among school-age children and susceptible elderly populations living in areas of compromised air quality, the issue is one that must be addressed at the local level.

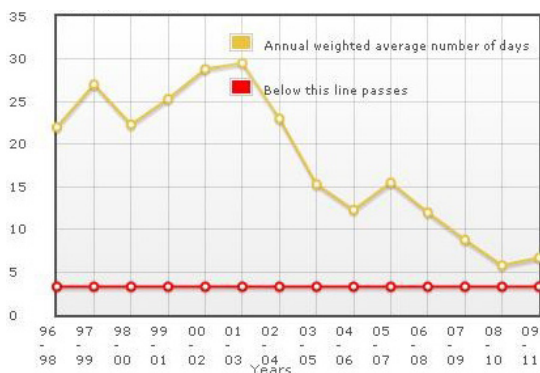


Non-attainment areas are areas that have poorer air quality than National Ambient Air Quality standards.

and EPA regulations have assisted in improving air quality. Of note, unleaded gasoline and vehicle emissions standards have contributed significantly to the change.

Among the key air pollutants, the state as a whole remains in **non-attainment status** for ozone. **Ozone pollution** is usually caused from gases that come out of tailpipes, smokestacks, and many other sources. Children and teens; adults 65 years of age and older; people with existing lung diseases, chronic pulmonary, and cardiovascular diseases; and people who work or exercise outdoors are generally affected by ozone pollution causing respiratory and breathing problems.

New Haven also is **non-attainment for particulate matter**. Particulates, both PM 10 and PM 2.5, encompass a number of airborne substances that originate from mobile and stationary locations. These may aggravate respiratory function and affect children with asthma.

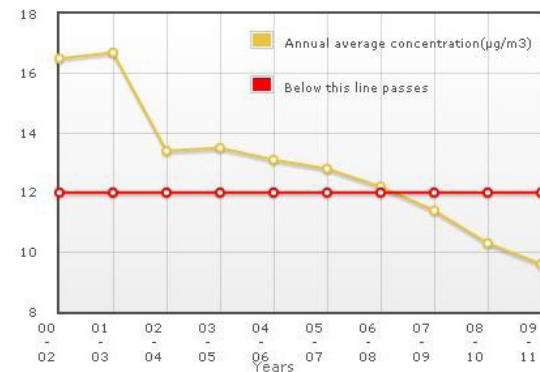


Source: American Lung Association, 2013
Ozone pollution in New Haven County, 2000-2011

Energy Efficiency

In addition to monitoring the key air pollutants, the City of New Haven has also been monitoring **greenhouse gas (GHG) emissions**, which contribute to global warming, and hazardous air toxics, which pose a variety of environmental health issues. The 2001 air toxics inventory found that the New Haven community emitted 16.4 tons of GHGs per capita, similar to other medium-sized cities, but well ahead of state and national averages. By 2009, these emissions per capita reduced to 12.2 tons, nearly a 25 percent decrease since 2001. An analysis of emissions by sector indicates that the majority of these emissions were from commercial and residential sector properties in New Haven in 2009, whereas the majority of GHG emissions in Connecticut were from the transportation sector when monitored in 2007 (2009 data unavailable) as shown in the Databook. The GHG emissions for the industrial sector increased by nearly 5 percent from 1999 to 2009, whereas they decreased considerably for all other sectors.

The GHG emissions from businesses and homes primarily come from fossil fuels burned for heat, the use of certain products that contain greenhouse gases, and the handling of waste. For the transportation sector, they primarily come from burning fossil fuel for automotive uses such as petrol and diesel. For the industrial sector, they primarily come from certain types of chemical reactions necessary to produce goods from raw materials.



Source: American Lung Association, 2013
Particle Pollution in New Haven County, 2000-2011

Many scientists across the globe believe that these greenhouse gas emissions are responsible for causing extremities in climate conditions that were observed in recent years, such as increased severity of cyclones, decreased rainfall, increased incidence of drought, sea level rise, and a general increase in extreme temperatures.

Environment



Deregulation of the electric industry presents an environmental and economic challenge to the city and its residents. From an environmental perspective, the reliance on traditional power sources contributes to climate change and continues to compromise air quality. Viable domestic and renewable sources are necessary to offset potential shortages and rising costs associated with a competitive marketplace and the nation's increasing dependence on imported oil.

The City and the community have taken several steps to improve energy efficiency, largely based on demand-side management, fixture retrofits, and peak saving programs. The City of New Haven's energy management program, which includes all of the aforementioned elements, has realized over \$13 million in cost savings.

The energy consumed in New Haven consists of: electricity, transportation fuels, and fuels used for heating and hot water such as natural gas and heating oil. In all three categories, patterns of energy use in the city changed in the past ten years.

Electricity use in the city totaled 1000 gigawatt-hours (Gwh) in 2010, which is about 4 percent more than was consumed in 1999. Municipal operations represented approximately 5 percent of this total. There has been a decrease of approximately 14 percent in GHG emissions and energy use in the transportation sector.

The amount of energy consumed in the form of natural gas and liquid fuels (primarily heating oil, heavy fuel oil, and liquid petroleum gas) increased by roughly 3 percent from 1999 to 2009. However, during this time, the fuel mix shifted significantly from dirtier liquid fuels—which dropped by almost half—to cleaner burning natural gas. As a result, emissions from burning these fuels dropped significantly despite the overall slight rise in consumption.

Several accomplishments were made over the past decade in ensuring a sustainable environment within the city, some of which are listed below:

- ❖ **5 new fuel cell installations** that make the New Haven a leader in renewable energy adoption in the state.
- ❖ New Haven was the first municipality in Connecticut to sign up for the statewide "20 percent by 2010" campaign on sustainable energy—a commitment to generate 20 percent of energy from renewable sources.



The state's largest photovoltaic array panel (3,920 panels) with a 140.8 kW system was installed on the IKEA store at Sargent Drive in 2012.



Environment



Phoenix Press on James Street installed a 100 kW wind turbine to provide a third of its electricity needs in 2010.

- ❖ The city was the first in Northeast to purchase B50 bio-diesel for its municipal fleet in 2007.
- ❖ New Haven is the leader in the CTCleanEnergyOptions program, which allows residents to sign up for clean electricity through their local utility.
- ❖ New Haven is host to **Connecticut's first and largest commercial wind turbine**, which was installed at Phoenix Press, a family run business, to offset a third of electric needs for the printing plant.
- ❖ In 2005 the City of New Haven became the fourth city in the United States, and the only one on the East Coast, to pass an ordinance allowing free metered parking for hybrid and alternative fuel vehicle cars.
- ❖ The City created its own High Performance School Energy Standards for its 1995-launched City-wide School Construction Program, which maximizes energy efficiency and community involvement. After the development of Leadership in Energy and Environmental Design (LEED) and the expanded use of ENERGY STAR, the City incorporated both standards into its existing framework.
- ❖ Environmental boasts a 196 panel, 72.4 kilowatt (kW) solar array agreement with PSEG regarding the 140 megawatt (mW) expansion of their existing New Haven Station Plant. Modifications to the existing plant and targeted air quality projects will ensure a net air quality benefit for New Haven's residents.



360 State street mixed-use building is the first building in the city to obtain LEED platinum status with a 400 kW fuel cell on site to produce clean, renewable power and a rooftop garden.

Moving forward, the city will require a continued commitment to sustainable environmental policy and a systematic approach to energy efficiency and development of renewable energy resources to further improve air quality and ensure a high quality environment.

Water Quality

New Haven lies at the nexus of several bodies of water. To the west flows the West River, to the east, the Mill River and the Quinnipiac River. All three empty into New Haven Harbor, and eventually Long Island Sound. While much of the historic wetlands have been filled along the harbor and Mill River, extensive wetlands cover much of the Quinnipiac and remain an important part of the local environment. These waterways are not only valuable and potential resources for human use, but they are home to thousands of species of fish, birds, mammals, and invertebrates.

Environment



As stewards of these resources, it is our responsibility to manage them responsibly, to improve them, and to maintain them for generations to come.

Water Quality in Long Island Sound

The city has a long history of heavy industry and commercial traffic, and the waterways have been subjected to pollution. Much of this has settled at the bottom of rivers and the harbor, and over the years, the water quality of the rivers and the Sound has improved drastically. Between 1988 and 2008, chemical discharges into the Sound's watershed have decreased from 35.1 million pounds to 3 million pounds per year, a drop of 91.5 percent. Despite this improvement, the Sound is considered an "impaired body of water" under the Clean Water Act. The main water quality issues in the Sound are high bacterial levels, high nitrogen levels, and low oxygen levels (also known as hypoxia). Many lifeforms cannot tolerate hypoxic conditions, and hypoxic waters therefore become depleted of the fish and shellfish that are vital to a healthy ecosystem. At certain times of year, especially in August, as many as 190 square miles of the Sound can become hypoxic.

All of these problems are caused by the release of wastewater into the Sound (discussed in detail in the following section). High bacterial levels result from stormwater runoff and combined sewer overflows (CSOs). Wastewater, even when properly treated, can have high levels of nitrogen. Though not toxic itself, the nitrogen in wastewater causes ecological changes in the Sound that results in hypoxia. In order to manage these problems, the States of Connecticut and New York have formed the Long Island Sound Study, a research and management body that drafted a 15-year management plan to improve water quality in the Sound. The City of New Haven participates in this plan by working to reduce CSOs and nitrogen emissions into the Sound.

Drinking Water Quality

New Haven's water needs are met by three main fresh water sources. More than 80 percent of tap water comes from lakes to the north, with the rest sourced from the Quinnipiac and Mill River aquifers in Cheshire and Hamden, and the Housatonic River aquifer in Derby and Seymour. New Haven has good drinking water quality. New Haven's water has low quantities of Safe Drinking Water Act-designated pollutants in most cases, and meets the standard safe levels of contaminants in drinking water. Watersheds are maintained by the South Central Connecticut



Environment

Regional Water Authority (RWA) through direct ownership and conservation easements, which encompass over 26,000 acres throughout the New Haven area.

The majority of New Haven residents receive their tap water from RWA. The Regional Water Authority provides water to multiple municipalities in the Greater New Haven area, serving a total population of approximately 430,000, of which 124,000 are in New Haven. The per capita water usage adjusted to population count indicated that in 1987, per-capita water usage in Greater New Haven totaled 58,927 gallons whereas, in 2008, that figure was 42,805 gallons—a 27 percent decrease. Overall the trend shows that water use has had a significant—and statistically relevant—drop over the previous years. A number of factors underlie this downward trend in water use, the most important of which likely include a shift away from heavy industry and manufacturing in the New Haven area, economic trends, and the introduction of more efficient technologies in homes.

Sewage and Stormwater

One of the most important issues for any city is the issue of wastewater, including sewage and stormwater. In New Haven, these two forms of wastewater are closely connected, and a major reason for our rivers and harbor areas failing to meet water quality standards. The dedicated stormwater system in New Haven is owned and operated by the City. During a rain or storm event, water running over man-made structures such as streets, gutters, and buildings picks up oils, fuel, and other chemicals that, untreated, have a negative impact on waterways. According to the EPA, stormwater runoff is responsible for approximately 70 percent of all water pollution in lakes, rivers, and creeks. Effective stormwater management requires working with the natural environment and **reducing impervious built cover**. The City needs to consider **more effective non-point source pollution prevention and mitigation programs**, including exploring options to shift stormwater costs to a more fair allotment based on impervious cover ownership and use throughout the city.

New Haven’s centralized wastewater system is owned and operated by the Greater New Haven Water Pollution Control Authority. Created as a regional wastewater authority in 2005, GNHWPCA provides wastewater services to New Haven, Hamden, East Haven, and Woodbridge. Sewage in all four municipalities is pumped through 30 pump stations to the East Shore Water



View of rooftop garden installed on mixed-use building at 360 State Street

Several communities across the country are adopting a major policy shift in protecting the quality of the natural environment and ensuring sustainability by encouraging natural infiltration measures as opposed to promoting standard hard engineering conventional methods for managing stormwater runoff.

Environment

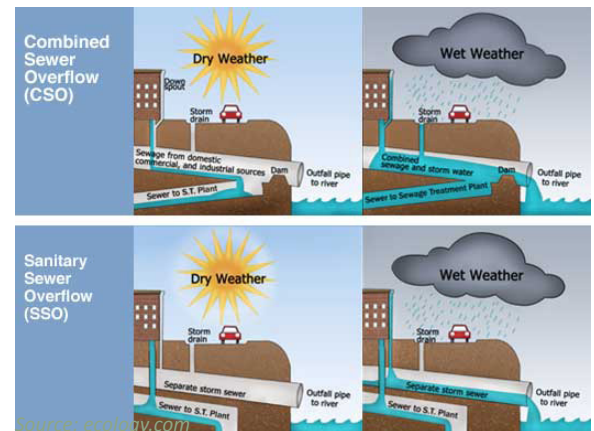


Pollution Abatement Facility (ESWPAF) in New Haven where it is treated and discharged into New Haven Harbor. Unlike other municipalities served by the GNHWPCA, New Haven has a combined sewer collection system in certain sections of the city. Combined sewers collect both sewage and stormwater runoff within the same piping network. During heavy rain events, this system is used to its full capacity and wastewater sometimes overflows into our local rivers and harbor. When this condition occurs it is called a **combined sewer overflow (CSO)** event. CSOs are permitted and regulated by DEEP under the National Pollution Discharge Elimination System permit program.

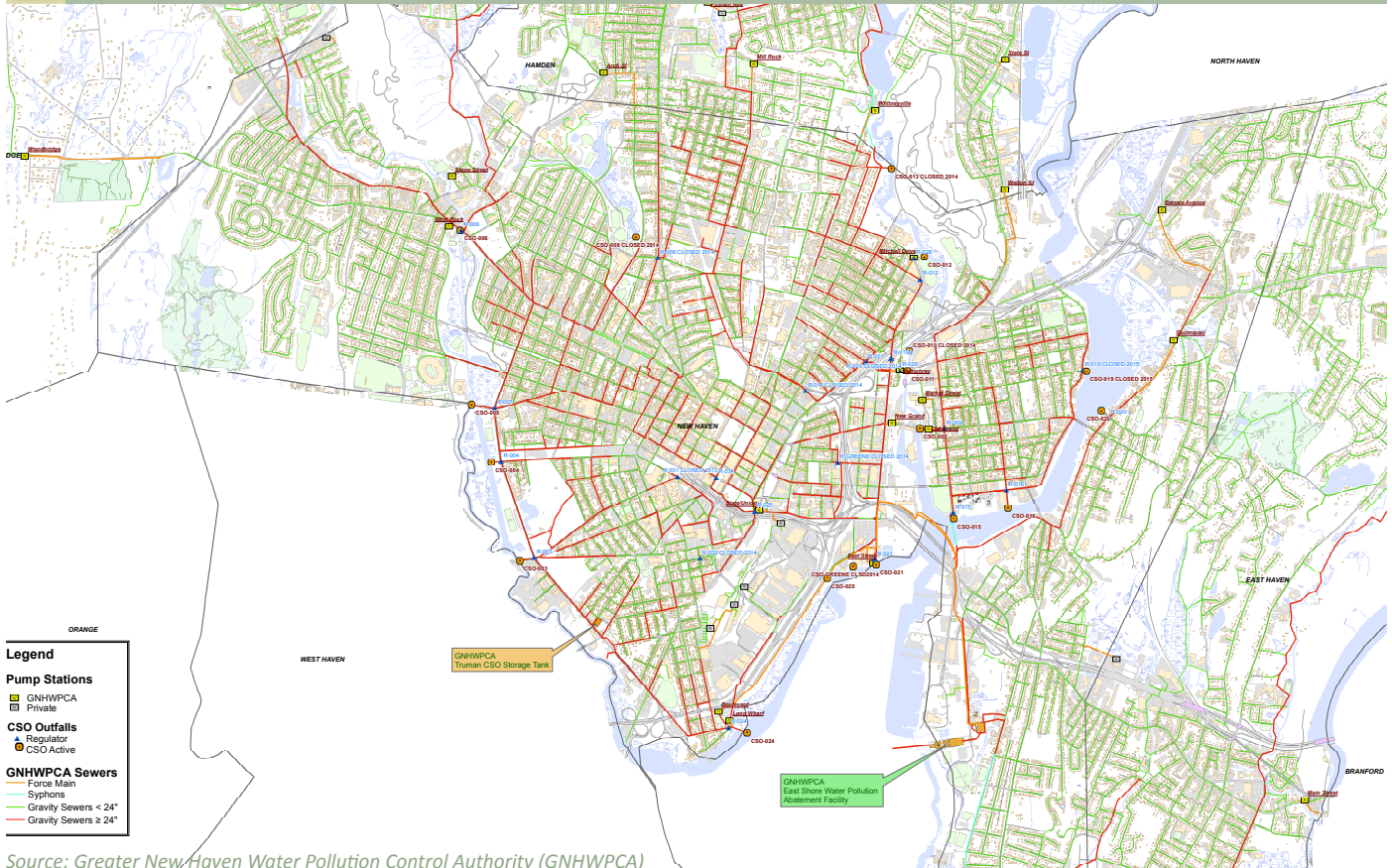
The GNHWPCA's ESWPAF has a permitted design capacity of 40 million gallons per day (mgd) and processes approximately 26.5 mgd on an average dry weather day (i.e. no rainfall) with roughly 18.0 mgd from City of New Haven sewer users. Therefore, under dry weather conditions the ESWPAF currently operates at approximately 66 percent capacity.

The ESWPAF has the ability to provide both primary and secondary treatment beyond the design capacity up to 60 mgd of sewage on a wet weather day (i.e. day with rain) and can provide primary treatment and disinfection for flows up to 115 mgd. All flows exceeding the maximum capacity of the ESWPAF and the wastewater collection system overflow at some or all of the **13 permitted CSO outfalls throughout the City of New Haven** (see map on following page). Currently, CSO events occur between 30 and 35 times in any given year depending on the duration and intensity of rain events. Hydraulic models predict that the ESWPAF currently treats approximately 89 percent of the combined sewer flow while approximately 11 percent of the flow overflows at the CSO outfalls during a two-year rainfall event (2.05 inches of rain in 6 hours).

Further plans to eliminate CSOs during the two-year rainfall event lie within the implementation of the CSO Long Term Control Plan (LTCP). Prior to regionalization, the City of New Haven began implementing the CSO LTCP in order to improve the water quality of the West River, Mill River, Quinnipiac River, New Haven Harbor, and ultimately Long Island Sound. The GNHWPCA has continued with implementation of the CSO LTCP. CSO volumes have been reduced by 66 percent on an annual basis since 1997 through implementation of projects included in the CSO LTCP.



Sanitary sewers prevent untreated sewage from overflowing into rivers and the harbor during heavy rainfall.



Source: Greater New Haven Water Pollution Control Authority (GNHWPCA)

There are currently 13 CSOs outfalls in New Haven. An additional five have been closed since 2014.



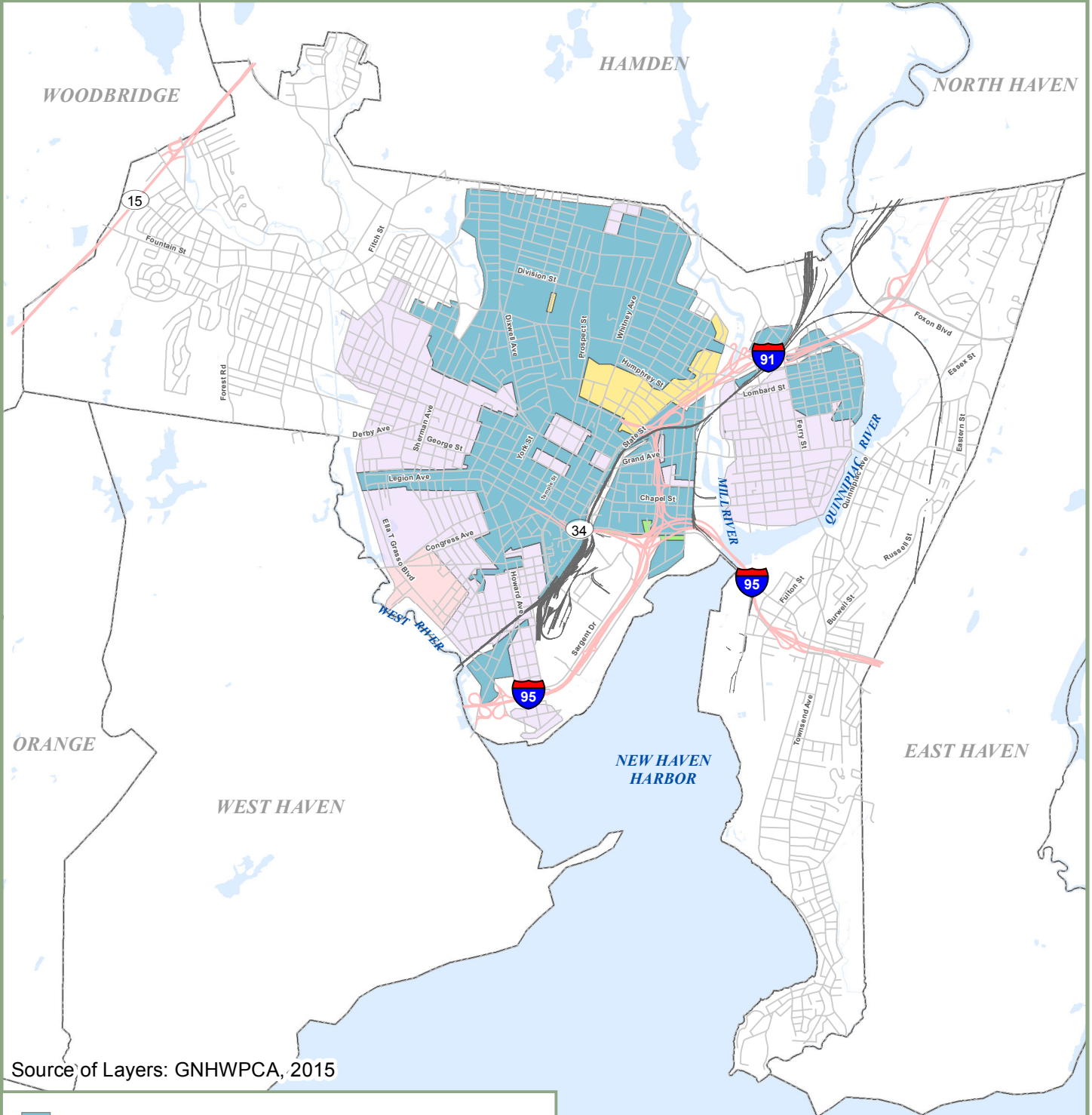
View of recently installed bioswale at Edgewood School. With the help of federal grant money, the City plans on installing nearly 200 bioswales all across the city, within the next two to three years, to manage stormwater runoff effectively.

The benefits, when implementation of the CSO LTCP is complete, will include eliminating 100 percent of CSOs for the average annual rainfall (including the two-year design storm), reducing basement backups and street flooding, and protecting critical shoreline areas. In addition to these measures, the GNHWPCA is currently conducting a study to explore the feasibility of implementing **green infrastructure** projects to assist in the goal.

Parks and Open Space

New Haven has a total of 121 parcels of open space which comprise just over 2,000 acres. Of these, there are 33 major areas for recreational use totaling 1,860 acres.

NEW HAVEN VISION 2025 STATUS OF SEWER SEPARATION MAP



Source of Layers: GNHWPCA, 2015

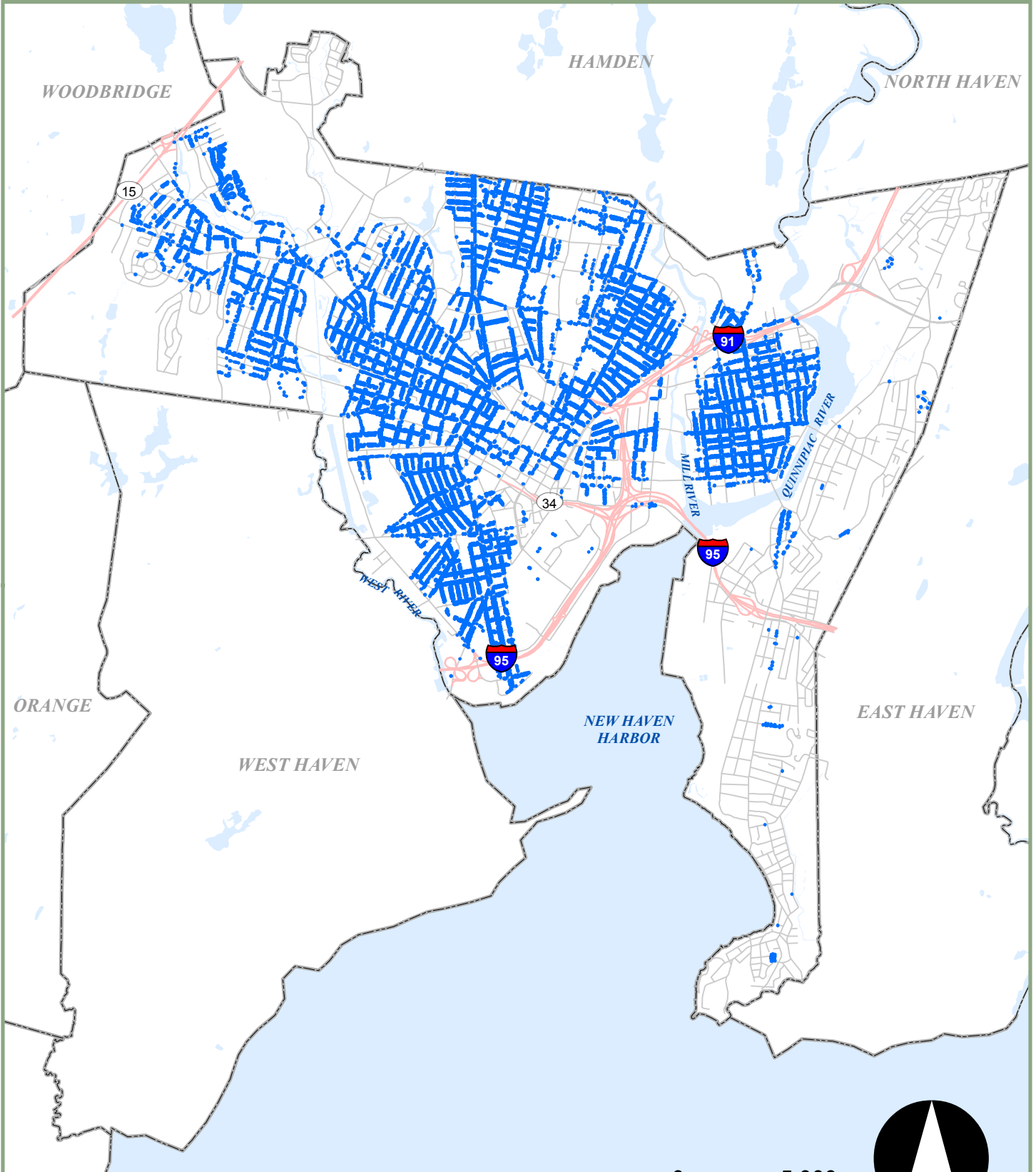
- Completed
- Under Construction
- Under Design
- Combined
- Originally Separated
- Combined Area Served by Truman CSO Storage Tank

0 5,000
Feet



NEW HAVEN VISION 2025

EXISTING AND PROPOSED SEWER CONNECTIONS



● Active sewer connections

Source of Layers: GNHWPCA, 2015

0 5,000
Feet



Environment



The city has four important public squares. The first is the **New Haven Green**, the central public space of the original nine square layout of 1638. It is the oldest public square in the country and plays host to a number of summer festivals. Another important public square is **Wooster Square**. This beautiful urban square comes alive each spring when the dozens of cherry trees lining the perimeter burst into full bloom providing a visual cascade of white and pink flowers and filling the air with a sweet fragrance. The next is historic **Trowbridge Square**. This square was laid out as part of the egalitarian social vision of local ministers in the early 19th century. Trowbridge Square area was designed to be a smaller copy of the original nine squares layout with the square itself centering the development. Today this historic site and neighborhood is undergoing a renaissance after years of decline. The last significant public square is **Chatham Square**, a formal neighborhood square anchoring the northeast part of Fair Haven.

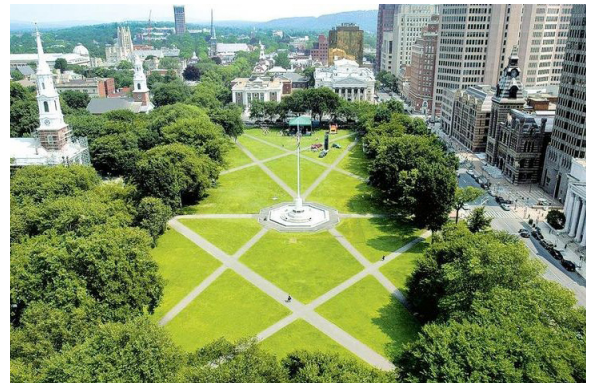
The largest recreational parks in the city are major geological features. The largest of these two trap rock promontories is East Rock Park, comprising 442 acres. This City-owned park features many hiking/walking trails and picnic areas, and the view from the top of the park overlooks the city and harbor. The other trap rock promontory is the State-owned and historically significant West Rock Park with 355 acres of quiet woodland and hiking/biking trails. It was here in West Rock Park that the famous “regicides” of early New Haven hid out in caves to avoid capture by the forces of England’s King Charles II after the restoration of the monarchy in the middle 17th century.

Among the significant recreation-oriented parks are Edgewood Park, West River Memorial Park, Lighthouse Park (including a boat launch), East Shore Park, Fort Hale Park, and Long Wharf Park. These facilities, along with a variety of additional smaller sites provide a broad mixture of passive and active recreation.

In 2009, the City of New Haven partnered with URI and announced a five-year commitment of planting 10,000 trees in the city, i.e., up to 2,000 each year. To date, the city planted an average of 600 trees between 2009 and 2014 and is set to reach its target of planting 10,000 trees by 2016.

Solid Waste

New Haven’s waste is composed of residuals from containers and packaging (31 percent); food scraps (13 percent); yard trimmings



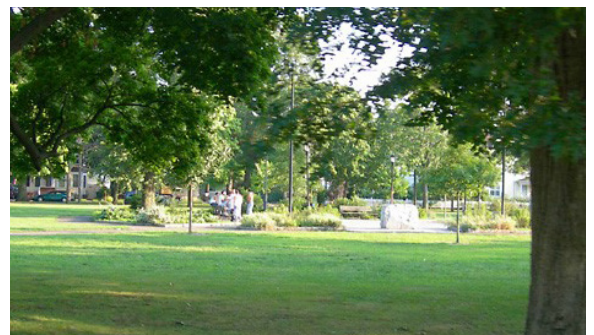
New Haven Green



Wooster Square



Trowbridge Square



Chatham Square



Environment

(13 percent); durable goods (18 percent); and non-durable goods such as paper, rubber, and textiles (24 percent). These figures show that while increasing the recycling rate of paper and plastic packaging is a worthwhile goal, much progress can also be made by encouraging repair and reuse of durable goods such as appliances, and by purchasing products with reduced packaging.

The City provides waste and recycling receptacles to most residences for curbside collection as a public service, and to many commercial entities on a fee-paying basis. Waste is collected weekly and bulk collections are scheduled periodically. All municipal solid waste (MSW), construction and demolition (C&D) debris, and recycled materials leave New Haven via the City's transfer station. About 90 percent of the City's MSW is burned along with natural gas to generate electricity. The remaining 10 percent of MSW is not incinerated and is sent to a landfill along with the incinerator ash.

There is virtually no landfill space left in the state. For this reason, resource recovery is vital, as it both reduces the landfill burden and saves money. In New Haven, recycling is collected and sent to a single stream sorting facility where recyclables are grouped according to material type and sold as feedstock for industrial processes. Whereas MSW is costly to dispose of, recycling saves the City money and provides income from the sale of recycled material. For every ton of recyclable material diverted from the waste stream, the City saves \$105. Sending the remaining waste to **landfills and incinerators has significant impacts** on the environment and public health.

For these reasons, both financial and environmental, the City should work to increase the recycling rate and reduce the amount of waste sent to incinerators and landfills. This will require a two-part strategy: first, through better waste management, including recycling and composting and second, through the reduction of the amount of waste that is generated in the first place. Source reduction is the fastest, easiest, and most cost-effective means of minimizing the environmental impact of waste. The City currently has in place residential a recycling program for up to six units, which includes curbside pick up or drop off at recycling center, and commercial and multi-family recycling programs for businesses and residences with more than six units.

Landfills produce a toxic liquid called leachate, as well gaseous pollutants such as methane, carbon dioxide, and other volatile compounds. Incinerators, though they save scarce landfill space and generate electricity, are sources of sulfur dioxide, nitrogen oxides, chloride, hydrogen fluoride, carbon monoxide and dioxide, dioxins, furans, metals, dust, and volatile organic compounds.

Environment



Coastal Areas

As a shoreline community, New Haven is home to many coastal resources. Tidal wetlands and salt marshes are among the City's most significant environmental assets and integral components of coastal ecology. Tidal wetlands provide nutrients and habitats for shellfish and coastal organisms, and are popular nesting and feeding spots for shorebirds. Much of New Haven's tidal areas were filled in over the last century. In non-filled areas, tide gates have dried much of the remaining salt marsh. Natural tidal areas are still found at Vietnam Veterans Memorial Long Wharf Park ("Long Wharf Park") and along the North Haven town line to the east side.

The lower Mill River and Quinnipiac River areas are the center of the City's aquaculture industry. New Haven Harbor is home to high quality and quantity oyster beds and is a central contributor to Connecticut's premier status in the industry. The \$62 million Connecticut oyster industry represents 94 percent of all production in the Northeast. Dockside facilities are located on the rivers. The eight distinct coastal land areas based on geographic setting are: West River, City Point, **Long Wharf**, Canal and Belle Dock, Fair Haven, Quinnipiac Meadows, Port District, and East Shore.

Coastal area planning plays an important role in the city's land use development. Historic and more contemporary land use patterns are shaped in relationship to the city's waterfront and riverfront locations. Current conditions within the coastal zone suggest a number of opportunities to affect positive change. These opportunities directly relate to immediate concerns, including real estate development pressures, environmental issues, the presence of deteriorating waterfront property, and planned transportation improvements. The City Plan Commission's **Harbor Plan** (2002) adopted in 2002 emphasizes a balance of economic development, environmental sustainability, and cultural enrichment along the waterfront. Considering the changes that occurred in Long Wharf area over the past decade, an updated plan is needed with the intent to develop a framework for the redevelopment of this area into a more mixed-use, more dense, commercial and coastal district.

The Coastal Management District comprises approximately 3,700 acres and 5,300 parcels of land. Over 40 percent of all land in the district is exempt property, including large areas of protected open space and park land, as well as institutional and government



View of Long Wharf pier which is home to the historic Schooners Amistad and Quinpiack.



The City's Harbor Plan, which dates from 2002, is in need of an update in order to address present day conditions.



Over the past decade, coastal and inland flooding events have increased in Connecticut causing property damage all over the state, including New Haven, and disrupting quality of life for many residents. Three flash floods, two major summer storms (Hurricane Irene in 2011 and Hurricane Sandy in 2012), and 16 major winter storms were recorded in Connecticut between 2003 and 2010.

facilities. Just under 700 acres (19 percent) of all district land is used for residential purposes. There are over 5,600 residential units, not including apartments and condominiums, within the district. Commercial and industrial uses, including the Port of New Haven, comprise the balance of coastal area lands. All development activities within the Coastal Management District are currently regulated through the City’s Coastal Area Management (CAM) District regulations.

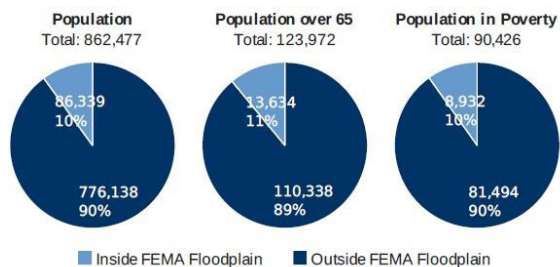
Flood Mitigation

New Haven lies in the zone of westerly prevailing winds and often experiences cyclonic disturbances that have crossed the country from the west or southwest. It is also exposed to coastal storms, some of tropical origin, that move up the Atlantic coast with heavy rainfall. In late summer and autumn these storms may attain hurricane intensity. Most **inland flooding** in New Haven is caused by storms with heavy rainfall.

In order to provide a national standard without regional discrimination, the 100-year flood has been adopted by FEMA as the base flood for purposes of floodplain management. This flood has a 1 percent chance of being equaled or exceeded each year and is expected to be exceeded once on the average during any 100-year period. Similarly, a 500-year flood has a 0.2 percent chance of occurring in a given year. The 500-year floodplain is shown to indicate areas of moderate flood hazard.

FEMA has information to demonstrate areas within the City of New Haven that are **vulnerable to flooding** such as recently updated (2013) Flood Insurance Rate Maps (FIRM) and a Flood Insurance Study (FIS). In some areas of the city, flooding occurs from heavy rains with a much higher frequency than those mapped by FEMA. These frequent flooding events occur in areas of the city with insufficient drainage, where conditions may cause localized flash floods, and where tidal influences may exacerbate drainage problems. According to Connecticut’s Natural Hazard Mitigation Plan (2010), a moderate **Category 2 hurricane** was expected to strike Connecticut once every ten years, whereas a **Category 3 or 4 hurricane** is expected before the year 2040. These frequencies are based partly on the historic record.

According to the FIRMs updated in 2013, approximately 2,564 acres of land in New Haven are located within the **high risk flood zones** with at least a 1 percent chance of flooding (A, AE, AO and



Source: NOAA, 2013 (Based on US Census 2010 Estimates)

A Snapshot of Flooding Risk in New Haven County



Hurricane Irene’s Impact on Edgewood Park



Shoreline Erosion at Long Wharf Park due to Hurricane Irene.

Environment



VE flood zones). The total includes actual river and stream ways, as well as parts of the East Shore/Tweed Airport area that are located in East Haven. The map on the following page illustrates special flood zones in and around Union Station, Boulevard/Kimberly and the Port District. New buildings or uses within these zones are subject to the revised regulations provided within the Flood Damage Prevention District, Section 56 of the New Haven Zoning Ordinance. The Flood Damage Prevention District allows the same uses as that of the underlying zone with additional design/development restrictions to minimize damage in the event of flooding.

Climate Change and Sea Level Rise

New Haven's climate is characterized by moderate but distinct seasons. The average mean temperature is approximately 52 degrees, with summer temperatures in the mid-70s (daily average) and winter temperatures in the mid-30s Fahrenheit. Extreme conditions raise summer temperatures to near 100 degrees and winter temperatures to below zero. Mean snowfall is approximately 52 inches per year and average annual precipitation is 52.3 inches. The continued increase in precipitation only heightens the need for hazard mitigation planning, as the occurrence of floods and other hazards may change in accordance with the greater precipitation.

The Intergovernmental Panel on Climate Change (IPCC) concludes that there has been a global mean rise in sea level between 10 and 25 cm (approximately 4 to 10 inches) over the last 100 years (Neumann et. al., 2000). Relative **sea level rise in Connecticut** in the same time period is estimated as between 1.5 and 3.0 millimeters per year. In Connecticut, the current rates of sea level rise are 2.54 millimeters (0.10 inches) per year in Bridgeport and 2.03 millimeters (0.08 inches) per year in New London. These trends exceed the global mean trend of sea level rise of around 1.52 ± 0.51 millimeters (0.06 ± 0.02 inches) per year (Environmental Defense, 2004). Including the effects of regional subsidence, sea level is likely to rise two feet along most of the Atlantic coast in the next 100 years (US DOT, 2002). The Nature Conservancy, a global conservation organization, has also developed future scenarios for flooding in New Haven due to sea level rise that are included within the Databook. (See Appendix).

The areas susceptible to sea level rise in New Haven are the areas surrounding New Haven Harbor, the tidal areas of the Quinnipiac and Mill Rivers, and the lower reaches of the West River. In general,



Flooding at IKEA located on Sargent Drive, along Long Wharf Coast, due to Hurricane Sandy in 2012.



Sea Level Rise Due to Hurricane Irene Impact at Morris Cove in 2011



Environment



Floodgates installed at Dean Street in Morris Cove neighborhood.

areas below an elevation of four to five feet are vulnerable to rising sea level. Transportation infrastructure at risk includes the railroad station and track yards, Tweed-New Haven Airport and parts of Interstate 95. Port facilities on the water's edge, docks, jetties, and other facilities are deliberately set at an optimal elevation relative to the water level, and therefore a rise in sea level leaves them at a suboptimal elevation. The most vulnerable areas are those where topography is relatively flat, such as the Morris Cove neighborhood, areas adjacent to the harbor, and properties along the Quinnipiac River estuary that are accessed from Middletown Avenue. The City currently has in place **structures that prevent shoreline erosion**, such as bulkheads and seawalls. The existing riprap at Criscuolo and Quinnipiac Parks protect the shoreline up to the level of the current high tide.

The City's flood prevention ordinance is useful in implementing flood proofing measures within new developments/and rehabilitation activities proposed in existing developments. In addition to this, coastal resiliency measures must be undertaken along the coast to prevent loss of lives or property due to sea level rise. Funding is needed to assist private property owners in mitigating the impacts of sea level rise.



B. PLANNING CONSIDERATIONS

- ❖ The harbor area is enriched with a number of assets, including an extensive park system, a working port district, and ecologically significant tidal marshes.
- ❖ These assets are compromised by adverse environmental impacts including air and water pollution and inappropriate use of coastal area land, as well as the spatial constraints largely derived from railroad and highway rights-of-way.
- ❖ The City will require a continued commitment to sustainable environmental policy and a systematic approach to energy efficiency and development of renewable energy resources to further improve air quality and ensure a high quality environment.
- ❖ To mitigate the range of adverse impacts associated with the highway, the City must be proactive with regard to environmental protection, contextual design, construction operations, and land preservation.
- ❖ The City's approach should be based on a commitment to quality of life issues, balancing economic development, environmental protection and cultural enrichment.
- ❖ Moreover, the approach must account for the coastal area as a unique resource in need of a critical mass of sustainable activities.
- ❖ This critical mass includes not only the traditional pattern of commercial development, but also a commitment to mixed-use environments and public access.
- ❖ Given the land constraints along the waterfront, redevelopment and long-term spatial planning strategies must be employed to achieve a critical mass.
- ❖ Due to the recurring coastal events experienced over the past decade and the rising sea levels, coastal resiliency measures must be undertaken along the coast to prevent loss of lives or property due to sea level rise.
- ❖ In order to ensure a sustainable and high-quality environment, source reduction methods should be adopted for waste management and stormwater management.
- ❖ A major policy shift is needed in stormwater management i.e., from promoting hard engineering solutions to promotion of natural infiltration measures.



C. GUIDING PRINCIPLES FOR RECOMMENDATIONS

- ❖ Improve air quality and surface water quality.
- ❖ Continue to protect drinking water quality.
- ❖ Protect and preserve environmentally sensitive areas.
- ❖ Encourage the creation of safe open space opportunities and community gardens.
- ❖ Encourage increased positive use of city's parks to enhance public health.
- ❖ Protect floodplains from inappropriate development so as to prevent the loss of life or property due to flooding.
- ❖ Implement measures to correct existing flooding issues in the city.
- ❖ Mitigate the impacts of sea level rise.
- ❖ Promote awareness and education regarding coastal flooding issues.
- ❖ Provide sustainable food options for all neighborhoods.
- ❖ Encourage energy conservation and greenhouse gas reduction.

D. RECOMMENDATIONS

Natural Systems

- ❖ Continue to monitor environmental indicators on air and water quality for the city and establish a set of baseline indicators for further improving these indicators over the next decade; update these indicators periodically and assess progress made.
- ❖ Promote conservation of natural habitat and archaeological sites through development standards that encourage sound land use practices. To that end, publish the **city's endangered species** location map (prepared by CT DEEP) and map of archaeological resources on City web page and raise awareness on protecting these habitats/resources.
- ❖ Work with private property owners of environmentally significant sites contributing to the natural heritage to propose conservation easements to preserve such sites.



Peregrine Falcon, one of the endangered species, found on East Rock cliff.

Environment



- ❖ Continue to enhance public health and quality of life by allocating adequate resources for a litter-free urban environment that is free of trash, litter, graffiti, and other blight inducing elements.
- ❖ Facilitate the linkage of all existing and proposed trail networks within the city (*Plan for Greenways & Cycling Systems*, 2004) and increase public access to city's waterfront. To that end, the Commission recommends assessment of opportunities along waterfront to promote ecotourism and selective acquisition of parcels along waterfront for **promoting access to waterways** and thus capitalizing on the city's wealth of natural resources.
- ❖ Continue to seek funding to remediate contaminated sites (aka brownfields). To that end, explore the feasibility of promoting urban farms, community gardens, and other recreational uses as interim uses for such sites.



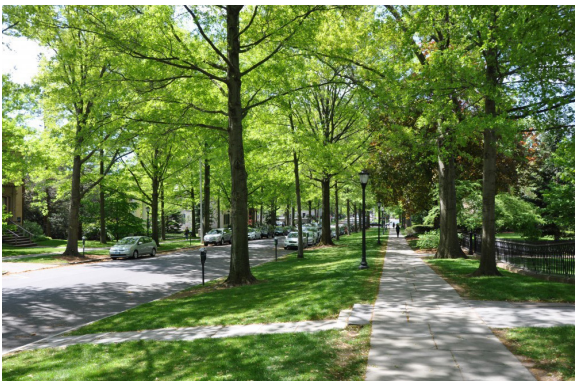
A conceptual view of a trail along Long Wharf Park which would help enhance residents access to the waterfront.

Air Quality

- ❖ Partner with the public and private sector companies to ensure at least 30 percent reduction rate in VMT for the city over the next decade. To that end, build the missing infrastructure for enhancing existing bike/pedestrian network and facilitate enhanced use of transit through the implementation of effective land use, housing, transportation, and economic development strategies (as discussed in previous chapters). Promote residential densities and land use patterns that facilitate increased transit use and further reduce local VMT movements.
- ❖ Continue to pursue broad reductions in pollutants, ozone, particulate matter, and other air toxic emissions from point, area, and mobile sources, according to priorities identified by the Connecticut Air Toxics Inventory (updated in 2005). To that end, continue to encourage the use of diesel-powered on- and off-road vehicles to reduce automobile emissions, expand car-sharing programs, and encourage private owners to locate publicly available bicycle sharing facilities throughout the city.
- ❖ Partner with local employers to encourage transportation demand management strategies such as telecommuting, carpooling, van pooling, Transit Check, etc.



Environment



Hillhouse Avenue, example of a green street



Rain barrels could be used to reduce runoff from stormwater by collecting and storing rainwater from rooftops and using it later to water plants and yards.

- ❖ Continue to promote complete streets policy within the city. The Commission recommends an update to the *Complete Streets Design Manual* (prepared in 2010) to include urban street design standards that help implement “green streets.”
- ❖ Encourage the implementation of **source reduction methods** to reduce stormwater runoff. Explore the feasibility of sharing and re-using industrial waste within the city’s light industrial areas to reduce the amount of waste generated. Identify and seek new sources of funding to educate residents about various source reduction methods and assist them in implementing these methods.
- ❖ Continue to utilize renewable power sources for all City-owned buildings and educate private property owners regarding the benefits of using renewable power sources to the natural environment. Encourage the use of green technology, green building standards, and careful site planning within all types of existing and new developments in the city. To that end, identify and secure new sources of funding to implement a far reaching energy program within the city.
- ❖ Encourage full access between freight railroads and the Port District, in particular by extending rail service along Waterfront Street and to the North Yard to reduce some of the existing commercial vehicular traffic.
- ❖ Support and promote commercial and non-profit urban agriculture as one important method of mitigating the urban heat island effect.
- ❖ Designate a portion of development sites to be used for natural landscaping to improve public health and reduce energy costs associated with artificial cooling.
- ❖ Continue to retain existing trees, to the extent possible, and aim at further increasing the tree canopy to improve aesthetics and public health, as well as mitigate adverse effects of air pollution.

Water Quality

- ❖ Promote aggressive implementation of sewer separation throughout the city by GNHWPCA, as proposed within the CSO LTCP (1999).
- ❖ Continue to seek improvements to upstream wastewater treatment facilities and support statewide regulation of non-point sources of pollution.

Environment



- ❖ Continue to regularly update the *City of New Haven Natural Hazard Mitigation Plan* (last updated in 2011), consistent with the Disaster Mitigation Act of 2000.
- ❖ Continue to ensure that all coastal planning efforts are consistent with the City of New Haven's Coastal Area Management District regulations.
- ❖ Update and adopt New Haven's Harbor Management Plan to more accurately reflect current conditions, issues, and opportunities for the development of New Haven Harbor and to guide inland water activities and public access on Long Island Sound.
- ❖ Promote natural infiltration measures for sedimentation and erosion control and effective stormwater management and thus reduce urban heat island effect. To that end, continue to implement the City's green regulations through the City's site plan review process.
- ❖ Raise awareness among city residents regarding waste reduction and recycling strategies to eliminate pollutants from entering the city's stormwater management system.
- ❖ Continue to maintain and improve the city's drainage system to protect water quality and prevent any adverse environmental impacts.
- ❖ Advocate for a **cleaner and well-maintained Long Island Sound** and support periodic dredging of New Haven Harbor. To that end, advocate for a dredged materials management plan for EPA Region 1 (which includes Connecticut) with a goal of mitigating adverse impacts associated with dumping the dredged material in Long Island Sound.

Flood Protection

- ❖ Continue to update and adopt the *City of New Haven Natural Hazard Mitigation Plan* (last updated in 2011) to identify locations prone to frequent flooding within the city and seek funding opportunities to implement strategies to correct existing coastal, as well as inland flooding issues within the city.
- ❖ Continue to enforce the city's floodplain ordinances to limit development in Special Flood Hazard Areas (SFHAs) of the city, as identified by FEMA. To that end, publish the updated flood maps for the city (last updated in 2013) online that show locations of all SFHAs within the city and base flood elevations (BFEs) on all parcels.



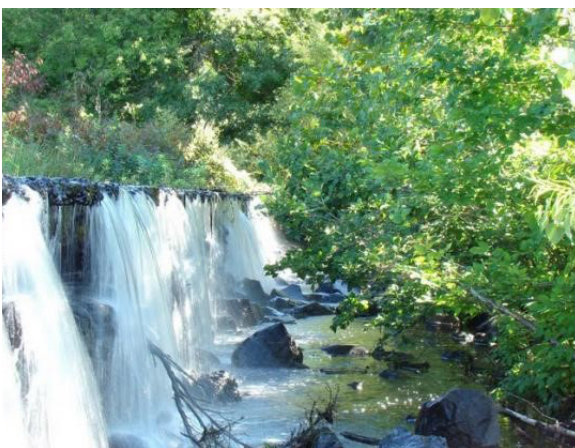
The marsh located by the Quinnipiac River (an inlet of Long Island Sound) consists of unique wetland habitat and endangered species. National Audubon Society had designated this marsh as an Important Bird Area due to the presence of large number of migratory birds. The combined sewer outflow system in the city continues to be a major problem to this estuary.



Environment



View of properties at risk at Pardee seawall in Morris Cove neighborhood.



The Pond Lily dam located in New Haven Land Trust's Pond Lily Nature Preserve, at the intersection of Whalley Avenue and Amity Road, will be removed by the end of this year through a federal grant received in 2013 to preserve endangered fish species and promote their free passage along the West River and to eliminate likely hazards due to dam failure during major storm events.

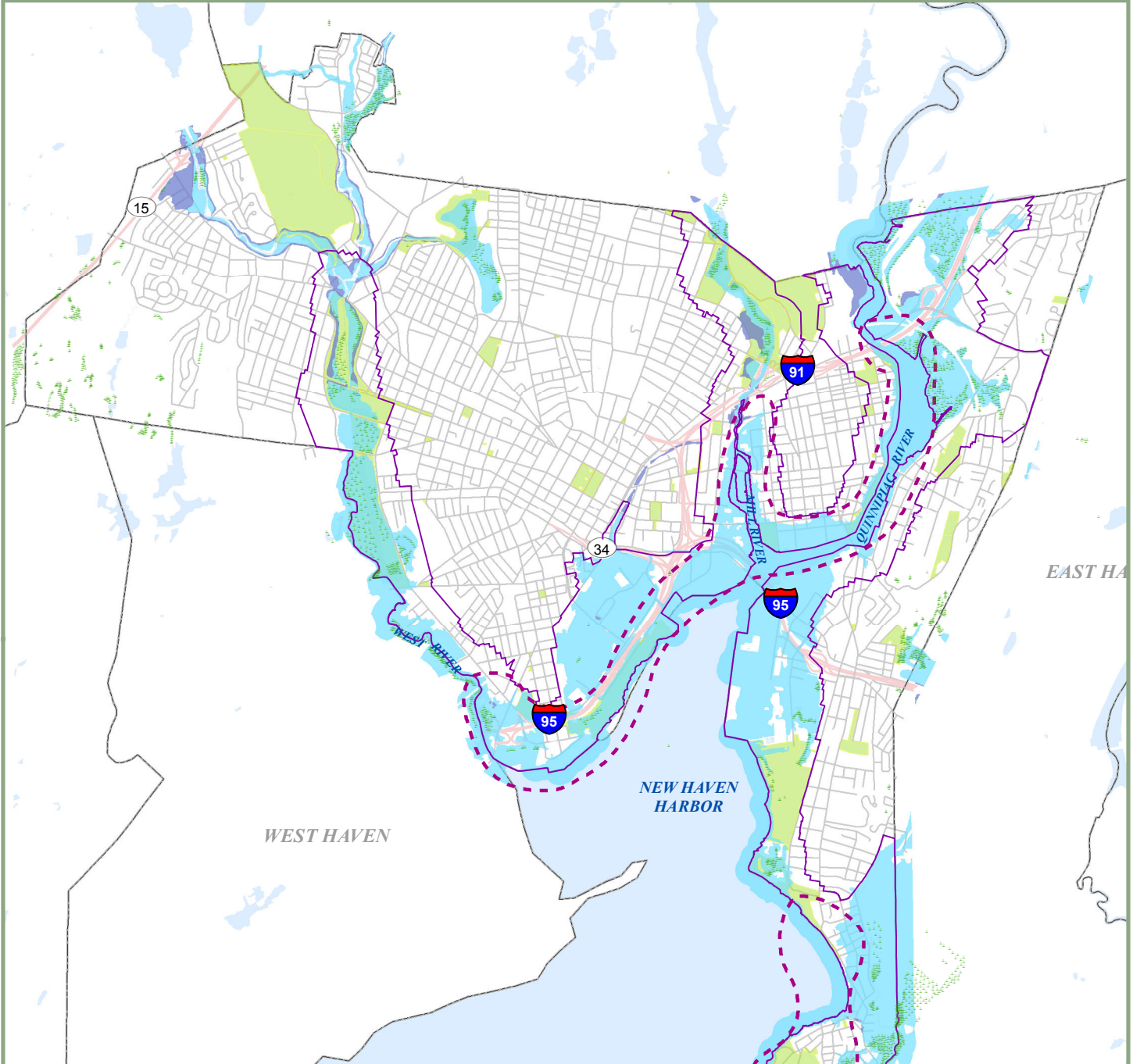
- ❖ Implement flood proofing and coastal resiliency measures along the coast to prevent loss of life or property and **mitigate adverse impacts of sea level rise**. To that end, identify and seek (pre-disaster mitigation) funding opportunities to assist property owners in elevating any non-conforming, existing properties in coastal areas above BFEs; to implement coastal resiliency measures; and to ensure compliance with the floodplain ordinances of the city.
- ❖ Implement shoreline stabilization measures as recommended within the *New Haven Coastal Program* (2006) and increase plant and natural buffer along the coast. The Commission further recommends implementation of context sensitive coastal resiliency measures for the coast, incorporating structural measures where necessary, and pursuing zoning amendments based on the future land use map of the city (as discussed in Land Use chapter).
- ❖ Continue to enforce the city's Coastal Area Management District regulations for all new constructions and major renovations proposed within the coastal zone boundary.
- ❖ Continue to implement bioswales (such as the recently installed Edgewood Avenue bioswale) to promote natural infiltration of water, reduce flooding, and increase ground water recharge. To that end, identify specific locations within all neighborhoods of the city where bioswales could be implemented to allow maximum rainwater capture.

Habitat Protection

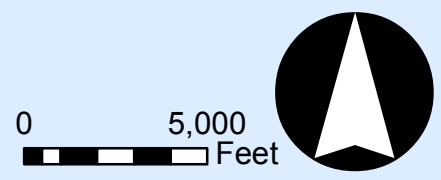
- ❖ Continue to protect the city's endangered species by **regulating development activities** at locations where such species are found. To that end, publish a list of all endangered species found in the city according to state DEEP's most recent inventory and the endangered species map prepared by DEEP on City web page.
- ❖ Support natural buffers around conservation areas to minimize adverse impacts from development activities and regularly maintain these buffers through periodic clean ups.
- ❖ Continue to promote conservation easements as a tool to local or regional land trusts to protect, conserve, and maintain existing plant and natural habitat.

NEW HAVEN VISION 2025

CURRENT & PROPOSED ENVIRONMENTAL SYSTEMS



-  Existing Wetlands
-  Existing Parks and Open Space
-  Existing Coastal Area Management Boundary
-  Existing 100 Year Flood Area
-  Existing 500 Year Flood Area
-  Proposed Areas for Coastal Resiliency Infrastructure





Environment

- ❖ Raise awareness among residents through brochures, email lists, and online materials regarding the importance of preserving plant and natural habitat areas to maintain a balanced ecosystem.

Parks and Open Space

Greenways

- ❖ Update and officially adopt the City's *Plan for Greenways & Cycling Systems*, originally prepared in 2004, to more closely reflect the current vision for a continuous and inter-connected network of trails within the city.
- ❖ Partner with non-profit organizations such as the New Haven Land Trust to acquire adequate vacant lands and easements to link the proposed network of trails within the city and to buffer some of the existing industrial/commercial land by the waterfront.

Open Spaces

- ❖ Develop an open space conservation plan for the city, which can be not only used to preserve historically significant open lands but also serve as a guide in providing accessible, quality outdoor recreation to all residents of the city.
- ❖ Demonstrate the value of urban spaces through the **revitalization of public plazas** in and around the central city.

Parks and Recreation

- ❖ Pursue specific value-added improvements to the City's park system in a manner consistent with Parks Master Plan (prepared in 2001). To that end, update this plan and promote official adoption to better coordinate proposed park improvements with the City's Capital Improvements Program.
- ❖ Continue to **enhance the image of all City parks** to make them accessible, inviting, exciting, and well maintained. This can be accomplished through landscape improvements, turf renovations, and new signage and site furniture. The Commission further recommends repair of deteriorated infrastructure such as bulkheads; parking lots; roadways; irrigation systems; tennis, basketball, and bocce courts; splash pads; and other support amenities.



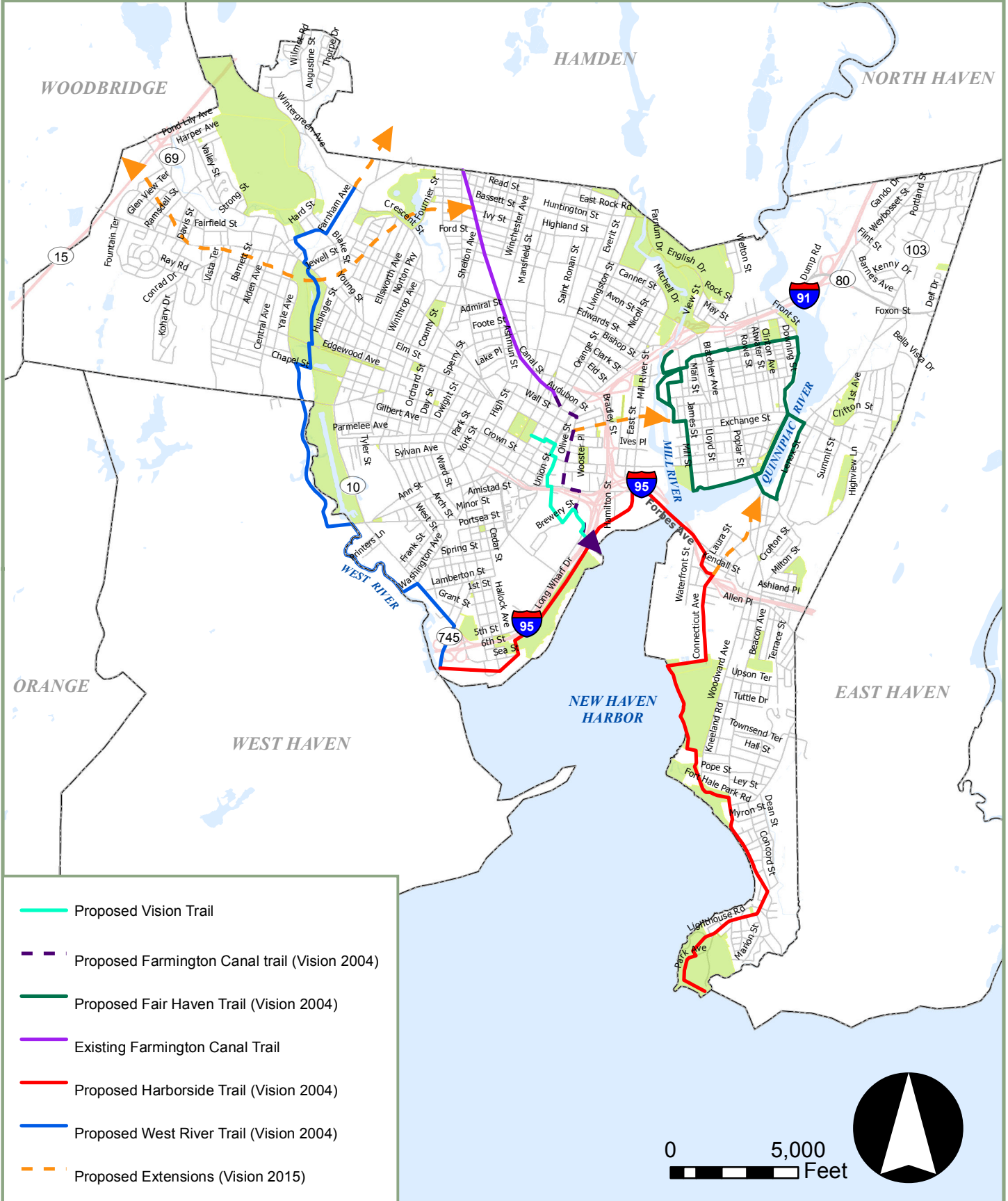
Plazas such as the Pitkin plaza located in Downtown New Haven (pictured above) help promote opportunities for community interaction, create identity, and increase a community's value.



Like most other neighborhood parks in the city, Galvin Park located in the Hill neighborhood has been renovated in 2007 with state of the art playground equipment and new splash pads as can be seen in the picture above.

NEW HAVEN VISION 2025

EXISTING & PROPOSED GREENWAYS & TRAILS





Environment



Safe pedestrian access should be promoted at all city parks to further increase their use. For instance, the West River Memorial Park is currently separated from the West River neighborhood by Route 10 /Ella Grasso Boulevard, which is a four-lane state highway with high vehicle speeds that have caused several pedestrian crashes in the past.



New Haven is famously known as “Elm City” since the nation’s first public tree planting program started in the city with the planting of elm and buttonwood trees on New Haven Green in the 18th century. In 2009, the City of New Haven partnered with Yale’s Urban Resources Initiative and revived this program by pledging to plant 10,000 public trees in five years (aka Tree Haven 10K pledge).

- ❖ Seek to expand opportunities to **promote safe access** to the existing parks and enhance programming in underserved neighborhoods by capitalizing on site and resource opportunities when available.
- ❖ Although not part of the City’s park system, the Commission encourages increased maintenance and capital improvements (to support a larger user base) at West Rock Ridge State Park.
- ❖ Conduct a comprehensive recreational needs assessment to set priorities for funding improvements in City parks.
- ❖ Encourage better management of City’s irrigation systems by identifying plant species that consume less water and planting them accordingly.
- ❖ Encourage and support formation of “friends for parks” that promote stewardship of parks.

Trees and Landscaping

- ❖ Continue to foster partnership between the City and URI to establish a goal for enhancing the tree canopy in New Haven for the next decade similar to the **Tree Haven 10K** pledge for the city for the 2010-2014 period. To that end, the Commission recommends that the tree canopy should be enhanced in those parcels or blocks where there is minimal or no tree canopy with relatively large amount of impervious surface.
- ❖ Update the City’s *Complete Streets Design Manual* to include urban street design standards and promote the design of “green streets”.
- ❖ Encourage private retailers and businesses to increase trees on their properties by offering incentives such as free planting materials and landscaping assistance. To that end, emphasize the value of urban forestry and tree programs to the city’s quality of life through intensive community education and implementation programs.
- ❖ Continue to maintain existing city trees and encourage preservation of on-site (healthy) trees, to the extent possible, for all development/utility projects. Encourage replacement of trees that could not be preserved due to unhealthy condition. The Commission further recommends that efforts should be made to monitor, maintain, and enhance the city’s elm trees.

Environment



- ❖ Allocate adequate resources for the Parks Department to inventory trees, assess the health of the trees, and document and update the City's tree inventory.
- ❖ Continue to promote the City's Adopt a Tree program, through which residents can partner with the City to care for and improve the appearance of a tree.

Community Maintained Green Spaces and Gardens

- ❖ Continue to support **community garden programs** by planning short- and long-term locations with defined leases, encouraging new locations for **farmers markets**, and providing resources when feasible. The Commission further emphasizes that these spaces should foster community building across generational and other social lines, provide opportunities for locally-grown produce, and enhance civic pride. Such type of commercial and non-profit urban agriculture is also useful in mitigating the urban heat island effect.
- ❖ Update the city's green map, which shows all community-maintained gardens and green spaces within the city and make it publicly available to raise awareness of available options to access healthy food within the city, especially in inner city neighborhoods.
- ❖ Support the remediation of soils for urban farms and community gardens to allow safe and healthy food to be grown. Studies indicate that New Haven has the highest number of cases for childhood lead poisoning in Connecticut and soil lead levels above the residential standard of 400 parts per million (ppm) are widespread in neighborhoods throughout New Haven. The Commission therefore recommends that the City raise measures for the remediation of lead in soils such as keeping the soil where children play covered and encouraging only the growth of fruits and fruiting vegetables on such soils.

New Haven has nearly 50 community gardens that are managed by New Haven Land Trust. These gardens enable community building efforts, improve neighborhood aesthetics, promote neighborhood health, and provide healthy food choices to the residents nearby.



Among New Haven's many community gardens are, from top to bottom, Winchester Garden in Dixwell neighborhood, Davenport Children's Garden in the Hill neighborhood, and Chapel Seed in West River neighborhood..



City Seed manages farmers markets that sell fresh local produce in Fair Haven, the Hill, Wooster Square, Downtown, and Edgewood neighborhoods and a mobile market through partnership with Common Ground High School and Urban Farm.



Build...

E. SUMMARY OF RECOMMENDATIONS

- ❖ ...an integrated and continuous trail network within the city by completing Phase IV of Farmington Canal Trail and updating the vision of *Plan for Greenways & Cycling Systems* (2004).
- ❖ ...an integrated and continuous trail network within the city by identifying and seeking funding to start work on the proposed West River Greenway Trail, identify partners for initiating the process of designating proposed Harborside and Fair Haven Trails as official greenways, and subsequently build these trails.
- ❖ ...the missing infrastructure for enhancing the existing bicycle/pedestrian network within the city and facilitate enhanced use of transit through the implementation of sustainable land use, housing, transportation, and economic development strategies, as discussed in previous chapters, to improve air quality.
- ❖ ...natural infiltration measures such as bioswales and other green infrastructure and source control measures in all city neighborhoods for sedimentation and erosion control and effective stormwater management, thus reducing urban heat island effect and allowing maximum rainwater capture.
- ❖ ...natural buffers around conservation areas to minimize adverse impacts from development activities and regularly maintain these buffers through periodic clean ups.
- ❖ ...value-added improvements to the city's park system to enhance its usage and promote safe access to parks, especially in underserved neighborhoods, by capitalizing on site and resource opportunities.



Connect...

- ❖ ...residents to city parks by encouraging “friends of parks” groups to promote stewardship and also increase revenues.
- ❖ ...all of the existing city parks and open spaces with safe pedestrian and bicycle access routes.
- ❖ ...residents to the city’s waterfront by promoting ecotourism opportunities through selective acquisition of parcels along the waterfront.
- ❖ ...residents to effective waste reduction and recycling strategies to eliminate pollutants from entering the city’s stormwater management system and to soil lead testing measures through advanced outreach campaign.
- ❖ ...residents to year round indoor/recreational opportunities through effective programming and staffing at the new Q-House (currently in design stage) serving central neighborhoods of the city and by exploring the feasibility of re-using Coogan Pavilion and Salperto Rink as all-weather indoor community-based recreational centers serving western and eastern neighborhoods of the city, respectively.

Preserve...

- ❖ ...the quality of the natural environment by ensuring at least a 30 percent reduction VMT in the city over the next decade by implementing effective land use, housing, transportation, and economic development strategies, as discussed in previous chapters.
- ❖ ...archaeological sites and natural habitat through development standards that encourage sound land use practices and by making the city’s endangered species location map and map of archaeological resources publicly available to raise awareness among residents on the locations of these sites.
- ❖ ...on-site healthy trees, to the extent possible, for all development/utility projects, and where such trees cannot not be preserved due to poor health, encourage replacement of those trees.



Adapt...

- ❖ ...to sea level rise and other coastal/inland flooding events by implementing flood proofing, coastal resiliency, and shoreline stabilization measures along the coast.
- ❖ ...to sea level rise and other coastal/inland flooding events by continuing to strictly enforce the City's floodplain ordinances to limit developments in SFHAs and by updating and adopting the *City of New Haven Natural Hazard Mitigation Plan* (last updated in 2011 and expiring in 2016) and Climate Action Plan (prepared in 2001), in addition to identifying and seeking funding opportunities to correct coastal, as well as inland, flooding issues within the city.

Grow...

- ❖ ...the image of all city parks to make them accessible, inviting, exciting, and well maintained through landscape improvements, turf renovations, new signage and site furniture. Repair deteriorated infrastructure such as bulkheads; parking lots; roadways; irrigation systems; tennis, basketball, and bocce courts; splash pads; and other support amenities.
- ❖ ...opportunities for promoting commercial, non-profit agriculture through amendments to the local land use regulations that help mitigate the urban heat island effect, as well as promote community cohesion.
- ❖ ...existing tree canopy in New Haven for next decade similar to the Tree Haven 10K pledge for the city for the 2010-2014 period by identifying parcels or blocks with minimal or no tree canopy and relatively large amount of impervious surface and planting street trees in such areas.












CONNECTICUT INLAND WETLAND SOILS

NEW HAVEN, CONNECTICUT

LEGEND

Poorly Drained and Very Poorly Drained soils - Poorly drained soils occur where the water table is at or just below the ground surface, usually from late fall to early spring. The land where poorly drained soils occur is nearly level or gently sloping. Many of our red maple swamps are on these soils. Very poorly drained soils generally occur on level land or in depressions. In these areas, the water table lies at or above the surface during most of the growing season. Most of our marshes and bogs are on these soils.

Alluvial and Floodplain soils occur along watercourses occupying nearly all level areas subject to periodic flooding. These soils are formed when material is deposited by flowing water. Such material can be composed of clay, silt, sand or gravel. Alluvial and floodplain soils range from excessively drained to very poorly drained.

-  Open Water
-  River, Brook, Stream
-  Town Boundary
-  State Boundary
-  County Boundary
-  Interstate Highway
-  US Route Highway
-  State Route Highway
-  Highway Ramp
-  Local Road
-  Railroad

EXPLANATION

This map is prepared as a guide to assist town commissions and the public in identifying the general location of areas that may be designated as Inland Wetland Soils as defined in the Inland Wetlands and Watercourses Act, Connecticut General Statutes Section 22a-38. Wetland soils include "any of the soil types designated as poorly drained, very poorly drained, alluvial, and floodplain by the National Cooperative Soil Survey, as may be amended from time to time, of the Natural Resources Conservation Service of the United States Department of Agriculture."

The minimum size delineation is approximately 3 acres. This map does not show all the soils designated as Inland Wetland. There may be Inland Wetlands as large as 3 acres as inclusions in Non-wetland map units. Conversely, there may be Non-Wetlands as inclusions in soils designated as Inland Wetlands. The presence or

absence of water on the soil surface does not necessarily designate an area as Inland Wetlands. Long narrow drainage delineations, which may have been designated as Inland Wetlands, may have been slightly enlarged cartographically in order to show them at the mapped scale.

As Inland Wetlands are determined by soil type, an on-site examination of the soil profile, horizons and features, by a certified Soil Scientist, is necessary to confirm the presence or absence of soils designated as Inland Wetlands.

This map does not indicate the locations of regulated tidal areas, upland review areas, nor all permanent or intermittent water courses.

DATA SOURCES

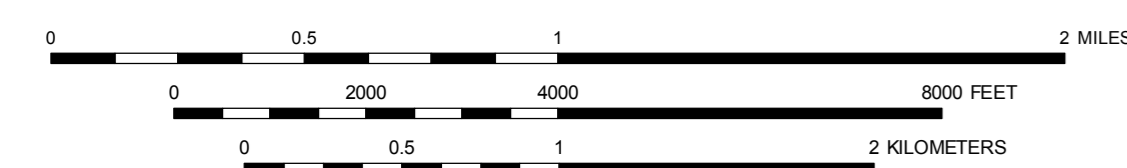
SOIL DATA - Soil map units shown on this map are from the 2007 Soil Survey Geographic Database (SSURGO) database produced by the USDA, Natural Resources Conservation Service (NRCS). The soils were mapped at a scale of 1:12,000 with a minimum size delineation of three acres. Enlargement of this map beyond the original source scale will not show additional detail and can cause misunderstanding of the detail of mapping. For the most recent soils data contact the NRCS.

BASE MAP DATA - Based on data originally from 1:24,000-scale USGS 7.5 minute topographic quadrangle maps published between 1969 and 1992. It includes political boundaries, railroads, airports,

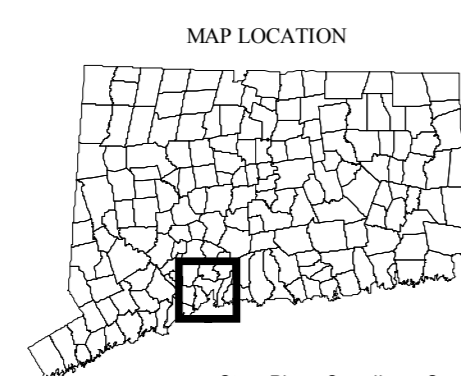
hydrography, geographic names and geographic places. Streets and street names are from Tele Atlas copyrighted data. Base map information is neither current nor complete.

RELATED INFORMATION - This map is intended to be printed at its original dimensions in order to maintain the 1:24,000 scale (1 inch = 2000 feet).

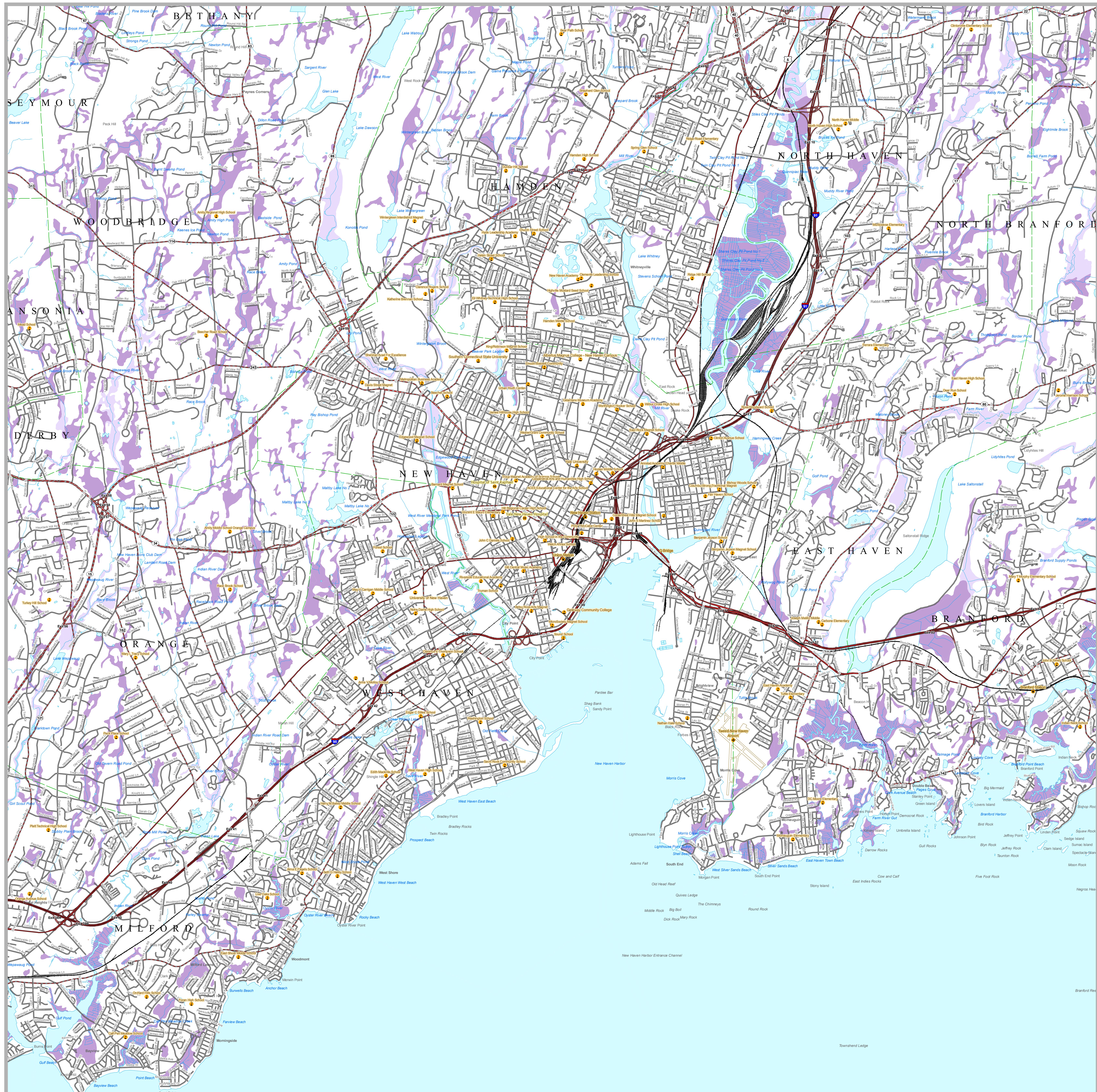
MAPS AND DIGITAL DATA - Visit the CT ECO website for this map and a variety of others. Visit the NRCS website for the soils data shown on this map. Visit the CT DEP website to download the base map digital spatial data shown on this map.



SCALE 1:24,000 when map is printed at original size (48 x 36 in)



State Plane Coordinate System of 1983, Zone 3105
Lambert Conformal Conic Projection
North American Datum of 1983



STATE OF CONNECTICUT
DEPARTMENT OF
ENVIRONMENTAL PROTECTION
79 Elm Street
Hartford, CT 06106-5127

Map prepared by CT DEP
October 2009
Map is not colorfast
Protect from light and moisture

