

November 8, 2023

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The Honorable Alder Tyisha Walker-Myers
President, New Haven Board of Alders City of New Haven
165 Church Street
New Haven, CT 06510

RE: **ORDINANCE AMENDMENT TO TITLE IV OF THE CITY OF NEW HAVEN'S CODE OF ORDINANCES (THE FLOOD DAMAGE PREVENTION ORDINANCE) TO CORRECT INCONSISTENCY BETWEEN THE AMENDED FLOOD DAMAGE PREVENTION ORDINANCE (OR-2023-0021) AND RECENTLY APPROVED ZONING ORDINANCE CREATING "LIGHT INDUSTRIAL COASTAL OVERLAY" AREA WITHIN MIXED USE LONG WHARF DISTRICT.**

Dear President Walker-Myers:

On March 4, 1991, the Board of Alders of the City of New Haven adopted an ordinance amending the Code of Ordinances concerning flood damage prevention (the "Ordinance"). The Board of Alders recently approved an amendment to the Ordinance that sought to bring the City's flood damage prevention measures into compliance with recent updates to the State of Connecticut Building Code (in 2018 and 2022) and address other specific issues identified by the City Plan Department. See OR-2023-0021 and supporting materials. The current amendment seeks to clarify an inconsistency between the recently approved amendment and an amendment to the Zoning Ordinances that was approved by the Board of Alders at or around the same time. The City Plan Commission has reviewed this proposal and supports the language of the amendment submitted herein.

In September 2023, prior to the second reading and approval of OR-2023-0021, it came to our attention that certain language in the 2023 amendment to the Ordinance was in conflict with a pending amendment to the Zoning Ordinance that protected existing industrial uses in what is now known as the Light Industrial Coastal Overlay of the Mixed-Use Long Wharf District. To briefly summarize, the Zoning Ordinance recently adopted in connection with the new "Mixed Use Long Wharf District" includes a "Light Industrial Coastal Overlay" to allow certain, limited industrial uses to continue on property within the Special Flood Hazard Area. Specifically, the Light Industrial Coastal Overlay was created to ensure that existing manufacturing operations at the SARGENT/ASSA ABLOY headquarters could continue, and expand, as a permitted use.

At the same time, the flood ordinance amendment adopted in September 2023 (OR-2023-0021) includes language prohibiting the expansion of any industrial use listed under section "T. Industrial" of Table 3 of the Zoning Ordinances, with the exception of antenna or wireless sites and transmitting towers for radio/television. Because the property designated as part of the Light Industrial Coastal Overlay is also within a Special Flood Hazard Area, the recently amended flood

ordinance contradicts and negates the purpose of the Light Industrial Coastal Overlay—i.e., to allow ASSA ABLOY's existing industrial use (manufacturing) the ability to continue and expand.

The proposed flood ordinance amendment is intended to address this inadvertent conflict by stating that the specific industrial uses identified as permitted in the Light Industrial Coastal Overlay are an exception to the general prohibition against expansion of industrial uses in Special Flood Hazard Areas. The proposal is limited in scope and furthers the City's desire to support the continuation of manufacturing operation at the ASSA ABLOY property, without compromising the public health, safety, and general welfare goals of the original amendment. In addition, the proposed amendment reflects the alternate language submitted by the City Plan Commission on September 5, 2023.

Thank you for your consideration. Should any questions, comments or concerns arise, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'S. Sharp', is positioned above the printed name.

Sara A. Sharp