

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **ORDER OF THE BOARD OF ALDERS** of the City of New Haven concerning a working group related to amending the New Haven Zoning Ordinance Section 42.H. Use regulations for business and industrial districts and personal goods to add a use category for smoke shops. Create section 42.2, which restricts the sale of smoking paraphernalia.

Submitted by: Alder Richard Furlow

REPORT: 1650-17

ADVICE: Approval with recommendations

BACKGROUND

On August 1, 2022, the New Haven Board of Alders approved an amendment to the zoning ordinance to establish criteria for permitting adult use cannabis establishments. Since the adoption of this legislation permitting the use of recreational cannabis for adults, there has been an increase in “smoke” or vape shops” throughout the City of New Haven that supply smoking products and paraphernalia.

An Order of the New Haven Board of Alders has been submitted concerning creation of a working group related to amending the New Haven Zoning Ordinance Section 42 h. Use regulations for business and industrial districts and personal goods to add a use category for smoke shops. Create section 42.2, which restricts the sale of smoking paraphernalia.

This Order was submitted at the recommendation of the City Plan Director, who suggested that a working group be created to develop the details of an ordinance amendment to add smoke shops to the code. The working group should include, but not be limited to, staff from City Plan, Economic Development, LCI and Corporation Counsel.

PLANNING CONSIDERATIONS

Smoke shops are classified under the Personal Goods use found in section 42.H of the zoning regulations. This category includes such uses as sporting goods, musical instruments, and flower shops. It is permitted by right in the BA, BA-1, CGD, BA-2, BD, BD-1, BD-2, and BD-3 zones and is permitted by special exemption in the BC zones. As of the drafting of this report, there are no limits to the number, location, or dispersion distances of smoke shops. The referral from the Board of Alders requests the creation of a working group dedicated to amending section 42 to address this use as distinct from the uses already defined in the section. Designating smoke shops as their own use category and establishing guidelines for future permitting would be in line with the City’s Vision 2025 Plan of Development.

RECOMMENDATIONS

The Working Group should include residents who reside in the neighborhoods/areas with the highest density of smoke shops. The Working Group should also at least one representative of a neighborhood business located in an area with a high density of smoke shops.

ADVICE

The Commission recommends approval of the proposed Smoke Shop working group, with the recommendations described above.

ADOPTED: May 15, 2024
Leslie Radcliffe
Chair

ATTEST: _____
Laura E Brown
Executive Director, City Plan