City of New Haven

165 Church Street
New Haven, CT 06510
(203) 946-6483 (phone)
(203) 946-7476 (fax)
cityofnewhaven.com

Meeting Agenda

Tuesday, March 10, 2026

6:00 PM

Meeting can be viewed on Board of Alders YouTube.

Aldermanic Chambers

Legislation Committee

(Board of Alders Notice New Haven) The Legislation Committee of the Board of Alders will meet "in-person" on Tuesday, March 10, 2026, at 6:00 p.m. in the Board of Alders Chamber located at 165 Church Street, 2nd Floor; New Haven, CT to hear and act on the following items:

1) OR-2025-0027 ZONING MAP AMENDMENT TO CHANGE THE ZONING DESIGNATION OF TWO CERTAIN PROPERTIES; 1439 QUINNIPIAC AVENUE NEW HAVEN, CT (MBLU#125/1039/00200) AND 1445 QUINNIPIAC AVENUE NEW HAVEN, CT (MBLU# 125/1039/00300) FROM RS2 (GENERAL SINGLE FAMILY) TO RM1 (LOW MIDDLE DENSITY)

2) OR-2026-0006 ZONING MAP AMENDMENT TO CHANGE THE ZONING DESIGNATION OF 18 TOWER LANE AND 1B TOWER LANE FROM PLANNED DEVELOPMENT DISTRICT #15 TO THE BD-3 DISTRICT CENTRAL BUSINESS/MIXED USE.

3) OR-2025-0024 ORDINANCE AMENDMENT OF THE NEW HAVEN BOARD OF ALDERS ADOPTING THE CGA STATE STATUTE, CHAPTER 420H, REGULATION OF ADULT-USE CANNABIS, SEC. 21A-420C LICENSE REQUIRED FOR SALE, OFFERING, OR DELIVERY OF CANNABIS. PENALTIES. ENFORCEMENT POWERS OF THE COMMISSIONER, ATTORNEY GENERAL, AND MUNICIPALITIES.

Per Order: Hon. Richard Furlow, Chair
Attest: Hon. Michael Smart, City/Town Clerk

These items are on file and available in the Office of Legislative Services, City Hall, 165 Church Street, 2nd Floor, New Haven, Connecticut 06510.

For accessibility related accommodations, please call (203) 946 7651 (V) or (203) 946 8582 (TTY/TDD).

Public comment/testimony may also be submitted via email to publictestimony@newhavenct.gov before 2:00 pm on the day of the meeting.

This meeting may be viewed on the New Haven Board of Alders YouTube page.

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Text File

File Number: OR-2025-0027

Agenda Date: **Version:** 1 **Status:** In Committee

In Control: Legislation Committee **File Type:** Ordinance

Agenda Number: 1)

WHEREAS, on _____, 2025, pursuant to 1925 Special Act No. 490, § 5, Article VII § 3L and Article VI § 19, the Charter of the City of New Haven, and Section 64(d)(1) of the Zoning Ordinance, City of New Haven (the "Zoning Ordinance"), Refined Living LLC filed with the New Haven City Clerk for transmission to the Board of Alders a Petition requesting that the Board of Alders Amend the Map of the Zoning Ordinance to change portions of Quinnipiac Avenue from GENERAL SINGLE FAMILY (RS2) to LOW MIDDLE DENSITY (RM1); and

WHEREAS, on _____, 2025, pursuant to Article VII, Section 3L and Article XIII § 2 of the City of New Haven Charter, the Board of Alders referred the Petition to the New Haven City Plan Commission for a public hearing; and

WHEREAS, on _____, 2025, the City Plan Commission, following its public hearing, rendered an advisory report to the Board of Alders after considering the factors set forth in Section 64(d)(2) of the Zoning Ordinance recommending approval of the Petition, City Plan Commission Report No. _____; and

WHEREAS, the _____Committee of the Board of Alders, following its public hearing on the matter, accepted the recommendation of the City Plan Commission and on _____, 2025, recommended to the full Board with Favorable report that the Zoning Ordinance Map Amendments be adopted; and

WHEREAS, the Board of Alders finds that the Map Amendments to the Zoning Ordinance requested in the Petition are in accordance with the Comprehensive Plan of Development for the City of New Haven as such amendments will encourage reuse of existing and underutilized parcels for appropriate residential development consistent with the RM1 standards, and will encourage an appropriately transitional pattern of orderly and mutually beneficial residential development along Quinnipiac Avenue; and,

WHEREAS, the Board of Alders further finds that the Map Amendment to the Zoning Ordinance requested in the Petition is designed to lessen congestion in the streets, secure safety, promote health and the general welfare, provide adequate light and air, prevent the overcrowding of land, avoid undue concentrations of population, provide adequate provisions for all forms of transportation and other public requirements, reflect the character of the proposed zoning district

and its peculiar suitability for the uses to be allowed in such district, conserve the value of existing buildings, and encourage the most appropriate use of land in the City.

NOW THEREFORE BE IT ORDAINED by the Board of Alders of the City of New Haven that the Map Amendment to the Zoning Ordinance set forth in the Petition of Refined Living LLC , and shown in Attachment A, is hereby approved and that the Zoning Ordinance Map shall be amended in the manner set forth in Attachment C attached hereto which attachment is incorporated by reference. This Ordinance shall be effective on the day after the date of publication of this Ordinance Map Amendment.

Signed _____ Date _____

ZONING MAP AMENDMENT TO CHANGE THE ZONING DESIGNATION OF TWO CERTAIN PROPERTIES; 1439 QUINNIPIAC AVENUE NEW HAVEN, CT (MBLU#125/1039/00200) AND 1445 QUINNIPIAC AVENUE NEW HAVEN, CT (MBLU# 125/1039/00300) FROM RS2 (GENERAL SINGLE FAMILY) TO RM1 (LOW MIDDLE DENSITY)

City of New Haven

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Text File

File Number: OR-2026-0006

Agenda Date:

Version: 1

Status: In Committee and at Advisory Agency

In Control: Legislation Committee

File Type: Ordinance

Agenda Number: 2)

ZONING MAP AMENDMENT TO CHANGE THE ZONING DESIGNATION OF 18 TOWER LANE AND 1B TOWER LANE FROM PLANNED DEVELOPMENT DISTRICT #15 TO THE BD-3 DISTRICT CENTRAL BUSINESS/MIXED USE.

CHECK LIST FOR ALDERMANIC SUBMISSIONS

x	Cover Letter
x	Resolutions/ Orders/ Ordinances
x	Prior Notification Form
x	Fiscal Impact Statement - Should include comprehensive budget
x	Supporting Documentation
x	Disk or E-mailed Cover letter & Order

IN ADDITION IF A GRANT:

	Notice of Intent
	Grant Summary
	Executive Summary (not longer than 5 pages without an explanation)

Date Submitted: December 30, 2025

Meeting Submitted For: January 5, 2026

Regular or Suspension Agenda: Regular

Submitted By: **The New Haven Jewish Community Council Housing Corporation**

Title of Legislation:

PETITION TO AMEND THE NEW HAVEN ZONING ORDINANCE MAP TO CHANGE THE ZONING DESIGNATION OF 18 TOWER LANE AND 1B TOWER LANE FROM PLANNED DEVELOPMENT DISTRICT #15 TO THE BD-3 DISTRICT CENTRAL BUSINESS/MIXED USE.

Comments: Legistar File ID:

Coordinator's Signature:

Controller's Signature (if grant):

Mayor's Office Signature:

Call (203) 927-0802 or email aguzhnay@newhavenct.gov with any questions.

PLEASE NOTE CLEARLY IF UC (UNANIMOUS CONSENT) IS REQUESTED

*** SUSPENSION AGENDA ITEMS MUST BE DISCUSSED WITH PRESIDENT OF BOA***

12S4717.DOC

FISCAL IMPACT STATEMENT

DATE:	**December 30, 2025**		
FROM (Dept.):	**The New Haven Jewish Community Council Housing Corporation**		
CONTACT:	**Gustave Keach-Longo**	**PHONE**	**203-772-1816**

SUBMISSION ITEM (Title of Legislation):

PETITION TO AMEND THE NEW HAVEN ZONING ORDINANCE MAP TO CHANGE THE ZONING DESIGNATION OF 18 TOWER LANE AND 1B TOWER LANE FROM PLANNED DEVELOPMENT DISTRICT #15 TO BD-3 DISTRICT CENTRAL BUSINESS/MIXED USE.

List Cost: **Describe in as much detail as possible both personnel and non-personnel costs; general, capital or special funds; and source of funds currently budgeted for this purpose.**

	GENERAL	SPECIAL	BOND	CAPITAL/LINE ITEM/DEPT/ACT/OBJ CODE
A. Personnel	N/A			N/A
1. Initial start up	0	...		
2. One-time	0	...		
3. Annual	N/A	...		
B. Non-personnel	...	...		
1. Initial start up	N/A	...		
2. One-time	0	...		
3. Annual	0	...		

List Revenues: **Will this item result in any revenues for the City? If Yes, please list amount and type.**

NO	
YES	X

Other Comments: **Amending the Zoning Map to change the designation of these parcels from PDD#15 to BD-3 Zone will facilitate the construction of a new assisted living/senior residence (Tower Three) which will generate building permit fees, increased taxes and jobs.**

PRIOR NOTIFICATION FORM

NOTICE OF MATTER TO BE SUBMITTED TO THE BOARD OF ALDERMEN

TO (list applicable alder): Hon. Carmen Rodriquez

DATE: 12/30/25

FROM: Department/Office The New Haven Jewish Community Council Housing Corporation

Person Gustave Keach-Longo Telephone 203-772-1816

This is to inform you that the following matter affecting your ward(s) will be submitted to the Board of Alders.

PETITION TO AMEND THE NEW HAVEN ZONING ORDINANCE MAP TO CHANGE THE ZONING DESIGNATION OF 18 TOWER LANE AND 1B TOWER LANE FROM PLANNED DEVELOPMENT DISTRICT#15 TO BD-3 DISTRICT CENTRAL BUSINESS/MIXED USE.

Check one if this an appointment to a commission

☐ Democrat

☐ Republican

☐ Unaffiliated/Independent/Other _____

INSTRUCTIONS TO DEPARTMENTS

1. Departments are responsible for sending this form to the alderperson(s) affected by the item.
2. This form must be sent (or delivered) directly to the alderperson(s) **before** it is submitted to the Legislative Services Office for the Board of Aldermen agenda.
3. The date entry must be completed with the date this form was sent the alderperson(s).
4. Copies to: alderperson(s); sponsoring department; attached to submission to Board of Aldermen.

THE TOWERS
AT TOWER LANE

18 Tower Lane
New Haven, CT 06519
Tel (203) 772-1816
Fax (203) 777-5921
www.towerlane.org

December 30, 2025

VIA HAND-DELIVERY

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

Mr. Michael Smart
City/Town Clerk
City of New Haven
200 Orange Street
New Haven, CT 06510

Re: Petition to Amend the New Haven Zoning Ordinance Map to Change the Zoning Designation of 18 Tower Lane and 1B Tower Lane from Planned Development District #15 to the BD-3 District Central Business/Mixed Use

Dear President Walker-Myers and Mr. Smart:

We are pleased to present to the Honorable Board of Alders a Petition to Rezone The Towers at Tower Lane properties (18 Tower Lane (Map/Block/Parcel 238/0110/00400) and 1B Tower Lane (Map/Block/Parcel 239/0110/00402)) from Planned Development District #15 to the BD-3 District in order to facilitate the construction of a new building to be known as Tower Three. Tower Three will provide additional assisted living and support services for elderly and other low and moderate income residents. The Towers at Tower Lane, which consist of Tower One and Tower East, is a unique 54 year old independent and assisted living community in the Hill section of New Haven which serves low income, very low income and moderate-income elderly residents, allowing these residents to stay in the community with appropriate care services and avoid institutionalization.

The Tower Three project is anticipated to provide between 140-200 units of supportive low and moderate income housing. This undertaking directly implements Strategy 7.6 of Vision 2034, New Haven's Comprehensive Plan of Development, which encourages and prioritizes projects that combine affordable housing with long term care services to enable older residents to age in place while receiving coordinated care and services. Vision 2034 states that this strategy is a "high priority." Additionally, because the Towers is uniquely providing assisted living services to low and moderate-income populations, the State's Department of Economic and Community Development's Community Investment Fund has awarded The Towers at Tower Lane $155,000 to explore the development of Tower Three, and the State Department of Housing has similarly provided $300,000 in predevelopment funds.

This Zoning Petition as well as the associated requests to release certain easements on The Towers at Tower Lane properties are necessary for the development of Tower Three. The current zoning of The Towers at Tower Lane is Planned Development District #15 (PDD #15). PDD #15 was created in the late 1960's and was tailor-made for Tower One and later amended for Tower East. The PDD #15 zoning designation does not consider the possibility of a third building on The Towers'

THE TOWERS
AT TOWER LANE

18 Tower Lane
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properties. Additionally, PDD #15 requires extensive open space that was previously provided on the Church Street South parcel and which is no longer available to The Towers at Tower Lane because the Church Street South Project has been demolished, and the land dedicated to open space on that site will now be used for the Union Square project.

In contrast, the BD-3 District that the Petition requests be substituted for PDD #15 with respect to The Towers' properties will facilitate the development of Tower Three. The BD-3 District permits assisted living as a matter of right, allows dense development and is appropriate for a mixed-use development, which Tower Three will be. (Tower Three may include retail and other uses, including day care and possibly a small market and/or café.) The BD-3 zone is currently directly adjacent to The Towers' properties (the Pierpont at 9 Tower Lane) and is also the zoning district across Church Street South where the five City Crossing residential buildings are located. Tower Three will also be subject to the City's Inclusionary Zoning Ordinance.

This Petition complies with the requirements of Section 64(d)(2) of the Zoning Ordinance for a map change as well as the Charter requirements for a zoning amendment. as set forth in the attached Petition.

Finally, it should be noted that the Tower Three project will create both permanent and construction jobs as well as significant building permit fees.

For all of these reasons, we urge approval of this Petition.

Very truly yours,

Gustave Keach-Longo (GS)

Gustave Keach-Longo
President and Chief Executive Officer

cc: Laura Brown, Executive Director of the City Plan Department (*VIA Hand-Delivery*)
Michael Piscitelli, AICP, Economic Development Administrator (*VIA Email*)
Mayor Justin Elicker (*VIA Email*)

Attachment A: Petition for Zoning Map Amendment
Attachment B Proposed Ordinance for Zoning Map Amendment
Attachment C: Existing and Proposed Zoning Maps
Attachment D: Legal Description of Parcels to be Re-Zoned

ATTACHMENT A

CITY OF NEW HAVEN
BOARD OF ALDERS

In re Petition of The New Haven	:
Jewish Community Council Housing Corporation	:
To Amend the New Haven Zoning Ordinance	:
Map to Change the Zoning of Designation of	:
18 Tower Land and 1B Tower Lane from	:
Planned Development District #15 to the	:
BD-3 District Central Business/Mixed-Use	:

PETITION TO AMEND THE NEW HAVEN ZONING ORDINANCE MAP TO CHANGE THE ZONING DESIGNATION OF 18 TOWER LANE AND 1B TOWER LANE FROM PLANNED DEVELOPMENT DISTRICT #15 TO BD-3 CENTRAL BUSINESS/MIXED USE DISTRICT

Pursuant to 1925 Special Act No. 490, § 5, Article IV, §§ 3, 4 and 5, Article XIII § 2 of the Charter of the City of New Haven, and § 64(d)(1) of the Zoning Ordinance of the City of New Haven (the "Zoning Ordinance"), Petitioner, The New Haven Jewish Community Council Housing Corporation ("Petitioner"), hereby petitions the Board of Alders of the City of New Haven to amend the Zoning Ordinance Map to change the designation of 18 Tower Lane (Map/Block/Parcel 238/0110/00400) and 1B Tower Lane (Map/Block/Parcel 239/0110/00403) from Planned Development District #15 to BD-3-Central Business /Mixed-Use.

In support of this Petition, Petitioner represents as follows:

1. The Towers at Tower Lane consist of two connected independent living/assisted living residential towers for low and moderate-income elderly residents. These residential buildings, known as Tower One and Tower East, are located

respectively at 18 Tower Lane and 1B Tower Lane, which properties are owned by the Petitioner.

2. The Towers wishes to construct a third building to be known as Tower Three on its properties to provide low cost assisted living and independent living arrangements for additional members of the community.

3. The City recently adopted a new Comprehensive Plan of Development known as Vision 2034. Vision 2034 lists as a high priority implementing Strategy 7.6, which encourages and prioritizes projects that combine affordable housing with long term care services to enable older residents to age in place while receiving coordinated care and services. The Tower Three project is a project that implements Strategy 7.6.

4. The Towers at Tower Lane are currently part of Planned Development District #15 (PDD #15). PDD #15 was adopted by the Board of Aldermen in the late 1960's, was tailor-made for the Tower One project and was later amended to include the Tower East project.

5. PDD # 15 does not contemplate a third building on The Towers at Tower Lane properties. Additionally, PDD #15, like all Planned Development Districts, has a substantial open space requirement under Section 65 of the Zoning Ordinance, which is 250 square feet per dwelling unit and 150 square feet for each elderly dwelling unit. Prior to the demolition of the Church Street South Project, a substantial amount of the open space required for Tower One and Tower East was located on the Church Street South Project site that was also part of PDD #15. Now that the Church Street South Project has been demolished, the open space available and attributed to The Towers no longer exists (such land will be used for the Union Square Project). Moreover, if a Planned Development

designation for The Towers properties were retained, there would be additional open space required for the new 140-200 units that will be constructed in Tower Three, which open space is not available on The Towers' properties or elsewhere in PDD #15.

6. In contrast, the BD-3 Zoning designation will facilitate the development of Tower Three. The BD-3 District permits residential and assisted living unites as a matter of right, allows for dense development, provides for appropriate open space, and permits a mixed-use development, which Tower Three will be.

7. The BD-3 District is directly adjacent to The Towers' properties and is also the zoning district across Church Street South from Tower Lane, so that extending the BD-3 District to The Towers' properties is appropriate.

8. This request for a map amendment complies with the requirements for a zoning amendment under § 64(d)(2) of the Zoning Ordinance. A map amendment is needed because since PDD #15 was adopted in the late 1960's changes have taken place in the City and in the patterns of land use, including the supply of land and its peculiar suitability for elderly, assisted and supportive housing.

9. Additionally, in compliance with § 63(d)(2) of the Zoning Ordinance, no negative effect of a map change on the surrounding area is anticipated. The surrounding area is largely zoned BD-3.

10. As stated above, the map amendment being sought in this petition furthers the purposes of the City's Comprehensive Plan of Development and the Comprehensive Plan as required by § 63(d)(2) of the Zoning Ordinance and Article XIII, §2C of the City Charter. Moreover, other zoning districts have been considered for The Towers at Tower Lane properties and Tower Three, as required by § 63(d)(2) of the

Zoning Ordinance, including a new Planned Development District and the Transit Oriented Community District, and are not appropriate for the Tower Three project, because the uses contemplated for Tower Three are not permitted as of right and the parking limits may not be appropriate for the personnel who will provide services to the residents of Tower Three. Finally, the size of the area involved in this Petition is 4.5 acres, which is in excess of the minimum required acreage for a zoning map amendment under § 64(d)(2)c of the Zoning Ordinance.

7. As also required by Article XIII § 2C of the City of New Haven Charter, this Amendment is designed to lessen congestion in the streets, secure safety, promote health and the general welfare, provide adequate light and air, prevent the overcrowding of land, avoid undue concentrations of population, provide adequate provisions for transportation and other public requirements, reflect the character of the applicable zoning district and its peculiar suitability for the uses to be allowed in such district, conserve the value of existing buildings, and encourage the most appropriate use of land in the City, page 2.

8. As additionally required by Article XIII § 2B of the City of New Haven Charter, the proposed Amendment is uniform for each class of buildings or structures throughout the BD-3 District.

WHEREFORE, Petitioner requests that the Board of Alders amend the Zoning Map in the manner set forth in Attachment C, page 2.

Respectfully submitted

Petitioner
The New Haven Jewish Community Council Housing Corporation

By: Gustave Keach-Longo
Its: President and Chief Executive Officer

ATTACHMENT B

ZONING ORDINANCE MAP AMENDMENT APPROVING A CHANGE IN THE DESIGNATION OF 18 TOWER LANE AND 1B TOWER LANE FROM PLANNED DEVELOPMENT DISTRICT # 15 TO BD-3 -CENTRAL BUSINESS DISTRICT/MIXED-USE DISTRICT

WHEREAS, pursuant to 1925 Special Act No. 490 §5, Article XIII §2 of the Charter of the City of New Haven, and § 64(d)(1) of the Zoning Ordinance, City of New Haven (the "Zoning Ordinance"), The New Haven Jewish Community Council Housing Corporation (the "Petitioner") filed with the New Haven City Clerk for transmission to the Board of Alders a Petition (the "Petition") requesting that the Board of Alders amend the New Haven Zoning Ordinance Map (the "Zoning Map") (the "Map Amendment") to indicate that 18 Tower Lane and 1B Tower Lane located in the Hill section of New Haven, which property is owned by the Petitioner and is currently located in the Planned Development District #15 ("PDD #15"), be designated on such Zoning Map as being located in the BD-3-Central Business/ Mixed-Use District (the "BD-3 District"); and

WHEREAS, on _____, 2026 pursuant to the City of New Haven Charter and the Zoning Ordinance, the Board of Alders referred the Petition to the New Haven City Plan Commission for a public hearing and for its advice; and

WHEREAS, on _____, the City Plan Commission following its public hearing rendered an advisory report to the Board of Alders after considering the factors set forth in § 64(d)(2) of the Zoning Ordinance recommending _____ of the Petition, City Plan Commission Report No. _____ _____; and

WHEREAS, following the public hearing of the Board of Alders Legislation Committee on _____, the Committee issued a _____report; and

WHEREAS, the Board of Alders finds that the Map Amendment to the Zoning Ordinance requested in the Petition is in accordance with the Comprehensive Plan of Development and the Comprehensive Plan for the City of New Haven as such Amendment will facilitate the development of affordable housing that is combined with long term care services to enable older residents to age in place while receiving coordinated care and services, a priority of Vision 2034; and

WHEREAS, the Board of Alders further finds that the Map Amendment to the Zoning Ordinance requested in the Petition is designed to lessen congestion in the streets, secure safety, promote health and the general welfare, provide adequate light and air, prevent the overcrowding of land, avoid undue concentrations of population, provide adequate provisions for all forms of transportation and other public requirements, reflect the character of the applicable zoning district and its peculiar suitability for the uses to be allowed in such district, conserve the value of existing buildings, and encourage the most appropriate use of land in the City; and

WHEREAS, the Board of Alders further finds that the Map Amendment to the Zoning Ordinance requested in the Petition is uniform for each class of buildings or structures within the BD-3 District.

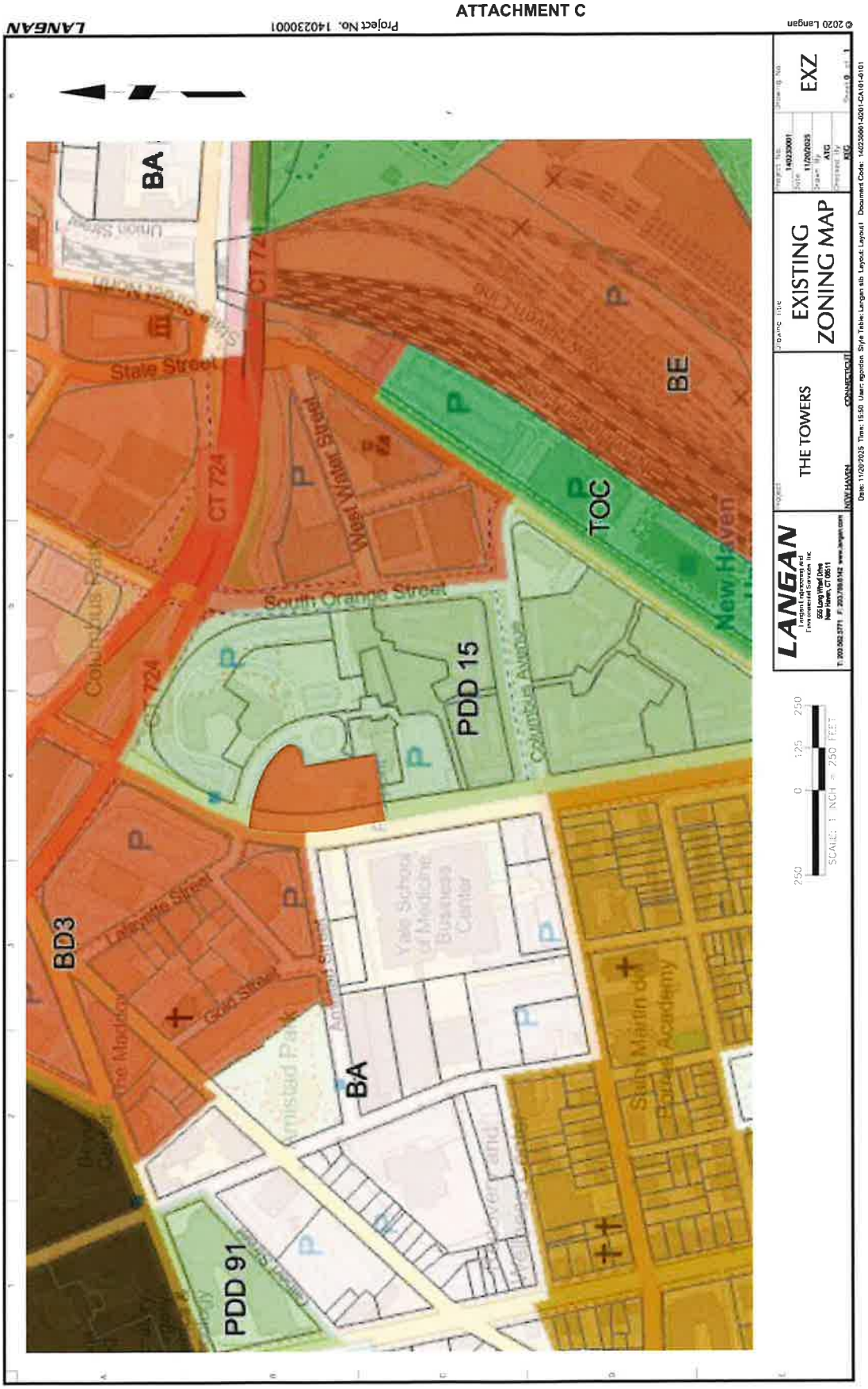
NOW THEREFORE BE IT ORDAINED by the Board of Alders of the City of New Haven that the Petition of The New Haven Jewish Community Council Housing Corporation for an Amendment to the Zoning Map to designate 18 Tower Lane

and 1B Tower Lane from Planned Development District #15 to BD-3 Central Business/Mixed Use District is granted and the Zoning Map shall be amended to designate 18 Tower Lane and 1B Tower Lane as being located in the BD-3 District. This Ordinance shall be effective on the day after the date of publication of notice of the adoption of this Ordinance.

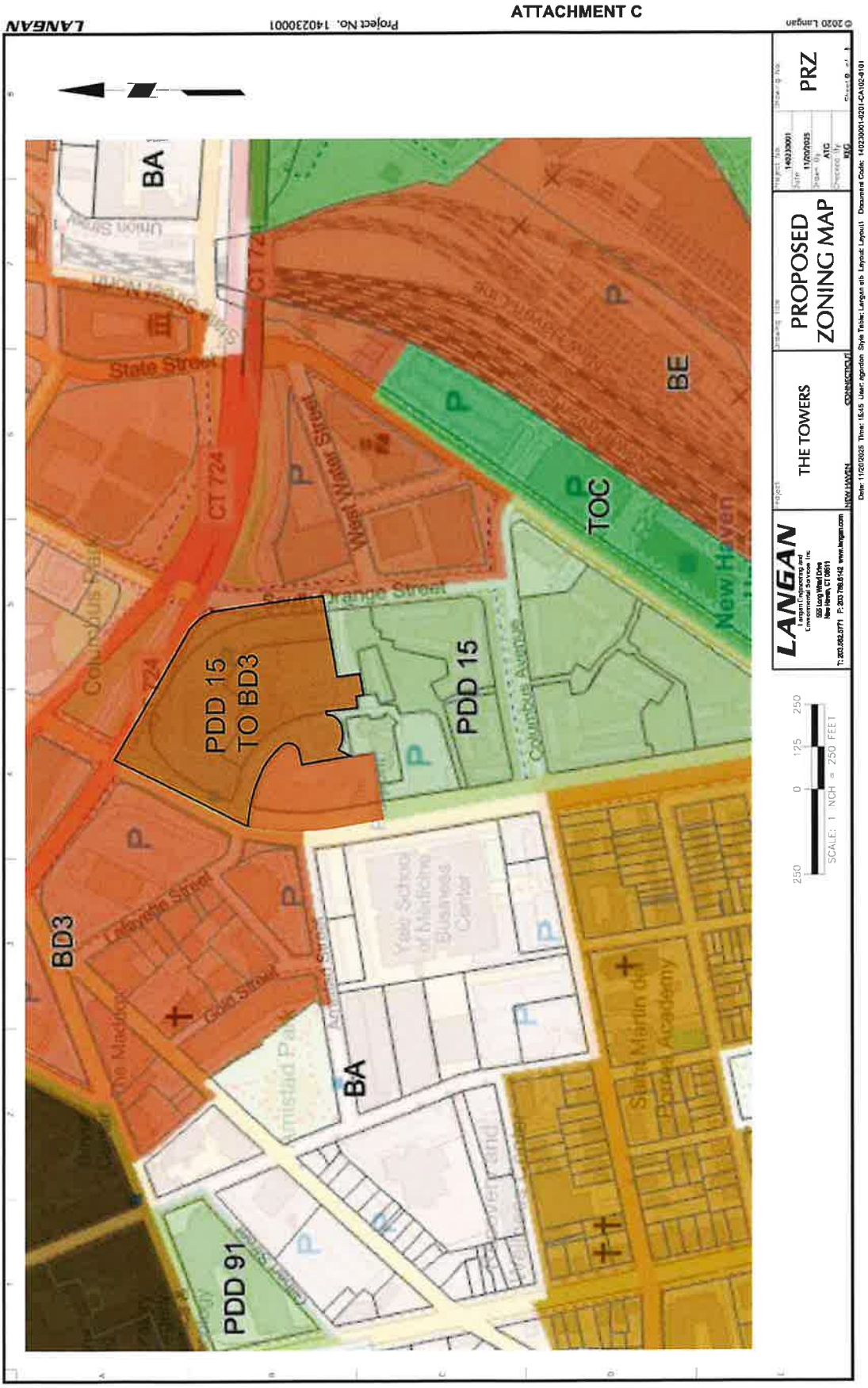
_____
Signed

_____
Date

ATTACHMENT C



ATTACHMENT C



December 4, 2025
140230001

MAP AMENDMENT LEGAL DESCRIPTION
PDD# 15 TO BD-3

Beginning at a point marking the intersection of the approximate centerline of Church Street South and the approximate centerline South Frontage Road;

Thence running southeasterly along said approximate centerline of South Frontage Road a distance of 494 feet more or less to the approximate centerline of South Orange Street;

Thence running southeasterly along said approximate centerline of South Orange Street a distance of 396 feet more or less to a point;

Thence running southwesterly in part through South Orange Street and in part along the southerly boundary line of land now or formerly of New Haven Jewish Community Counsel a distance of 239 feet more or less to a point;

Thence running southeasterly along the easterly boundary line of land now or formerly of New Haven Jewish Community Counsel a distance of 67 feet more or less to a point;

Thence running southwesterly along the southerly boundary line of land now or formerly of New Haven Jewish Community Counsel a distance of 67 feet more or less to a point;

Thence running northwesterly along the westerly boundary line of land now or formerly of New Haven Jewish Community Counsel a distance of 21 feet more or less to a point;

Thence running southwesterly along the southerly boundary line of land now or formerly of New Haven Jewish Community Counsel a distance of 34 feet more or less to a point;

Thence running northwesterly along the westerly boundary line of land now or formerly of New Haven Jewish Community Counsel a distance of 46 feet more or less to a point on the southerly side of Tower Lane;

Thence running southwesterly along said southerly side of Tower Lane a distance of 140 feet more or less to a point on the westerly side of Tower Lane;

Thence running northerly, easterly and northwesterly along said easterly side of Tower Lane a distance of 507 feet more or less to a point at the approximate centerline of Church Street South;

Thence running northeasterly along said approximate centerline of Church Street South a distance of 437 feet mor or less to the point of beginning.

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Agenda Date: **Version:** 1 **Status:** In Committee

In Control: Legislation Committee **File Type:** Ordinance

Agenda Number: 3)

WHEREAS: On October 1, 2024, the Connecticut General Assembly enacted new provisions that establish penalties for unfair and deceptive cannabis trade practices and grant municipal officials new enforcement powers.

WHEREAS: on March 17, 2025, the New Haven Board of Alders passed an ordinance amendment to the New Haven Code of Ordinances, amending Chapter 17 by adding Article XIX to establish retail license requirements for tobacco and smoking products; updating licensing fees in Article XX - Fees and Charges, as applicable to these retailers; and updating Chapter 16, Article VI, regarding the prohibition of tobacco, smoking, vapor, and nicotine products; and

WHEREAS: also, on March 17, 2024, the New Haven Board of Alders passed a Zoning Ordinance Amendment to establish zoning regulations for retailers of tobacco and/or vapor products, smoke shops, and smoking places; and

WHEREAS: by adopting this legislation by the Connecticut General Assembly, any person found in violation of this statute or as amended, who poses an immediate threat to public health and safety in relation to the sale, delivery, and offering of adult-use cannabis, the City of New Haven is empowered to impose fines upon that person through a civil legal process; and

WHEREAS: (b) no person except a delivery service, or an employee of a delivery service, subject to the restrictions set forth in section 21a-420z of the Connecticut General Statutes, acting in the course of such employee's employment, may deliver cannabis to consumers, patients, or caregivers; and

WHEREAS: (c) any violation of the provisions of this section shall be deemed an unfair or deceptive trade practice under subsection (a) of section 42-110b <https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fcga.ct.gov%2Fcurrent%2Fpub%2Fchap_735a.htm%23sec_42-110b&data=05%7C02%7Cagibbs%40newhavenct.gov%7C46c9fec3e245472d132908ddea56dc63%7Cdd83ce47326d4fe9a0e57530887f77ab%7C0%7C0%7C638924380992135237%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMiIsIkFOIjoiTWFpbCIsIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=9ZMWaer7yHKbZvVjUpOkX8ZslVM1M4vWnlW4SdqO2VM%3D&reserved=0> of the Connecticut General Statutes; and

WHEREAS: (d) (1) any municipality may, by vote of its legislative body, prohibit the operation of any business within such municipality that is found to be in violation of the provisions of this section or if such operation poses an immediate threat to public health and safety; and

WHEREAS: (2) if the chief executive officer of a municipality determines that a business within the municipality is operating in violation of the provisions of this section or poses an immediate threat to public health and safety, the chief executive officer may apply to the Superior Court for an order under subdivision (3) of this subsection; and

WHEREAS: (3) upon an application under subdivision (2) of this subsection, the Superior Court, upon a

finding that a business within the municipality is operating in violation of the provisions of this section or poses an immediate threat to public health and safety, may issue forthwith, ex parte and without a hearing, an order that shall direct the chief law enforcement officer of the municipality to take from such business possession and control of any merchandise related to such violation or immediate threat to public health and safety, which merchandise shall include, but need not be limited to, (A) any cannabis or cannabis product, (B) any cigarette, tobacco or tobacco product, (C) any merchandise related to the merchandise described in subparagraphs (A) and (B) of this subdivision, and (D) any proceeds related to the merchandise described in subparagraphs (A) to (C), inclusive, of this subdivision; and
WHEREAS: (4) As used in this subsection, (A) "cigarette" has the same meaning as provided in section 4-28h <https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fcga.ct.gov%2Fcurrent%2Fpub%2Fchap_047.htm%23sec_4-28h&data=05%7C02%7Cagibbs%40newhavenct.gov%7C46c9fec3e245472d132908ddea56dc63%7Cdd83ce47326d4fe9a0e57530887f77ab%7C0%7C0%7C638924380992153061%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMiIsIkFOIjoiTWFpbCIsIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=Jofr4xcmrOeba1GqIbtc48RIZTL0Qi0fcu0UvO86rXA%3D&reserved=0> of the Connecticut General Statutes, (B) "immediate threat to public health and safety" includes, but is not limited to, the presence of (i) any cannabis or cannabis product in connection with a violation of this section, or (ii) any cigarette or tobacco product alongside any cannabis or cannabis product, and (C) "operation" and "operating" mean engaging in the sale of, or otherwise offering for sale, goods and services to the general public, including, but not limited to, through indirect retail sales.

NOW THEREFORE, BE IT ORDAINED by the Board of Alders, that the Code of Ordinances be amended pursuant to CGA state statutes Sec. 21a-420c. be approved as follows:

(e) (1) Any person who violates any provision of this section shall be assessed a civil penalty of thirty thousand dollars for each violation. Each day that such violation continues shall constitute a separate offense.
(2) Any person who aids or abets any violation of the provisions of this section shall be assessed a civil penalty of thirty thousand dollars for each violation. Each day that such person aids or abets such violation shall constitute a separate offense. For the purposes of this subdivision, no person shall be deemed to have aided or abetted a violation of the provisions of this section unless (A) such person was the owner, officer, controlling shareholder or in a similar position of authority that allowed such person to make command or control decisions regarding the operations and management of another person who (i) is prohibited from selling or offering any cannabis or cannabis product under this section, and (ii) sold or offered any cannabis or cannabis product in violation of this section, (B) such person knew that such other person (i) is prohibited from selling or offering any cannabis or cannabis product under this section, and (ii) sold or offered any cannabis or cannabis product in violation of this section, (C) such person provided substantial assistance or encouragement in connection with the sale or offer of such cannabis or cannabis product in violation of this section, and (D) such person's conduct was a substantial factor in furthering the sale or offer of such cannabis or cannabis product in violation of this section.
(3) Any person who manages or controls a commercial property, or who manages or controls a commercial building, room, space or enclosure, in such person's capacity as an owner, lessee, agent, employee or mortgagor, who knowingly leases, rents or makes such property, building, room, space or enclosure available for use, with or without compensation, for the purpose of any sale or offer of any cannabis or cannabis product in violation of this section shall be assessed a civil penalty of ten thousand dollars for each violation. Each day that such violation continues shall constitute a separate offense.
(4) No person other than the Attorney General, upon complaint of the Commissioner of Consumer

Protection, or a municipality in which the violation of this section occurred, shall assess any civil penalty under this subsection or institute a civil action to recover any civil penalty imposed under this subsection . If a municipality institutes a civil action to recover any civil penalty imposed under this subsection, such penalty shall be paid first to the municipality to reimburse such municipality for the costs incurred in instituting such action. One-half of the remainder, if any, shall be payable to the treasurer of such municipality and one-half of such remainder shall be payable to the Treasurer and deposited in the General Fund.

(f) Nothing in this section shall be construed to prohibit the imposition of any criminal penalty on any person who (1) is prohibited from selling or offering any cannabis or cannabis product under this section, and (2) sells or offers any cannabis or cannabis product in violation of this section.

ORDINANCE AMENDMENT OF THE NEW HAVEN BOARD OF ALDERS ADOPTING THE CGA STATE STATUTE, CHAPTER 420H, REGULATION OF ADULT-USE CANNABIS, SEC. 21A-420C LICENSE REQUIRED FOR SALE, OFFERING, OR DELIVERY OF CANNABIS. PENALTIES. ENFORCEMENT POWERS OF THE COMMISSIONER, ATTORNEY GENERAL, AND MUNICIPALITIES.

CITY OF NEW HAVEN
BOARD OF ALDERS

Richard Furlow
Alder, Ward 27

Majority Leader

Vice Chair
Legislation Committee

Vice Chair
New Haven Land Bank

Member
Finance Committee
Black & Hispanic Caucus
Livable City Initiative Board
Resource Allocation Committee

62 Fairfield Street
New Haven, CT 06515-2812

Telephone: (203) 507-5796
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September 15, 2025

Hon. Tyisha Walker-Myers
President, Board of Alders
165 Church Street
New Haven, CT 06510-2010
Dear President Walker-Myers:

I respectfully submit to the Board of Alders, as a communication, the attached Ordinance Amendment entitled: **ORDINANCE AMENDMENT OF THE NEW HAVEN BOARD OF ALDERS ADOPTING THE CGA STATE STATUTE, CHAPTER 420H, REGULATION OF ADULT-USE CANNABIS, SEC. 21A-420C — LICENSE REQUIRED FOR SALE, OFFERING, OR DELIVERY OF CANNABIS. PENALTIES. ENFORCEMENT POWERS OF THE COMMISSIONER, ATTORNEY GENERAL, AND MUNICIPALITIES.**

The adoption of this legislation, enabled by the State of Connecticut, will authorize the City of New Haven to impose fines through a civil process on individuals and businesses found to be in violation of state statutes and municipal ordinances related to the unlicensed sale, offering, or delivery of cannabis. This is an important step toward safeguarding public health and safety, reducing unlawful activity, and ensuring that all cannabis-related enterprises operate in compliance with the law.

Our residents deserve a safe and orderly environment in which legitimate businesses can thrive. By providing the City with the authority to enforce these provisions locally, we can protect neighborhoods from illegal

operations, improve public confidence in lawful businesses, and help foster a well-regulated, responsible adult-use cannabis market.

Therefore, it is fitting and appropriate that the Board of Alders adopt this ordinance amendment to align New Haven's municipal code with state law and strengthen our local enforcement capabilities.

Thank you for your consideration of this request and for your continued commitment to the well-being of all New Haven residents.

Respectfully submitted,

Hon. Richard Furlow
Majority Leader
Alder, Ward 27

Attachment

..title

ORDINANCE AMENDMENT OF THE NEW HAVEN BOARD OF ALDERS ADOPTING THE CGA STATE STATUTE, CHAPTER 420H, REGULATION OF ADULT-USE CANNABIS, SEC. 21A-420C LICENSE REQUIRED FOR SALE, OFFERING, OR DELIVERY OF CANNABIS. PENALTIES. ENFORCEMENT POWERS OF THE COMMISSIONER, ATTORNEY GENERAL, AND MUNICIPALITIES.

..Body

WHEREAS: On October 1, 2024, the Connecticut General Assembly enacted new provisions that establish penalties for unfair and deceptive cannabis trade practices and grant municipal officials new enforcement powers.

WHEREAS: on March 17, 2025, the New Haven Board of Alders passed an ordinance amendment to the New Haven Code of Ordinances, amending Chapter 17 by adding Article XIX to establish retail license requirements for tobacco and smoking products; updating licensing fees in Article XX - Fees and Charges, as applicable to these retailers; and updating Chapter 16, Article VI, regarding the prohibition of tobacco, smoking, vapor, and nicotine products; and

WHEREAS: also, on March 17, 2024, the New Haven Board of Alders passed a Zoning Ordinance Amendment to establish zoning regulations for retailers of tobacco and/or vapor products, smoke shops, and smoking places; and

WHEREAS: by adopting this legislation by the Connecticut General Assembly, any person found in violation of this statute or as amended, who poses an immediate threat to public health and safety in relation to the sale, delivery, and offering of adult-use cannabis, the City of New Haven is empowered to impose fines upon that person through a civil legal process; and

WHEREAS: (b) no person except a delivery service, or an employee of a delivery service, subject to the restrictions set forth in section 21a-420z of the Connecticut General Statutes, acting in the course of such employee's employment, may deliver cannabis to consumers, patients, or caregivers; and

WHEREAS: (c) any violation of the provisions of this section shall be deemed an unfair or deceptive trade practice under subsection (a) of section 42-110b of the Connecticut General Statutes; and

WHEREAS: (d) (1) any municipality may, by vote of its legislative body, prohibit the operation of any business within such municipality that is found to be in violation of the provisions of this section or if such operation poses an immediate threat to public health and safety; and

WHEREAS: (2) if the chief executive officer of a municipality determines that a business within the municipality is operating in violation of the provisions of this section or poses an immediate threat to public health and safety, the chief executive officer may apply to the Superior Court for an order under subdivision (3) of this subsection; and

WHEREAS: (3) upon an application under subdivision (2) of this subsection, the Superior Court, upon a finding that a business within the municipality is operating in violation of the provisions of this section or poses an immediate threat to public health and safety, may issue forthwith, ex parte and without a hearing, an order that shall direct the chief law enforcement officer of the municipality to take from such business possession and control of any merchandise related to such violation or immediate threat to public health and safety, which merchandise shall include, but need not be limited to, (A) any cannabis or cannabis product, (B) any cigarette, tobacco or tobacco product, (C) any merchandise related to the merchandise described in

subparagraphs (A) and (B) of this subdivision, and (D) any proceeds related to the merchandise described in subparagraphs (A) to (C), inclusive, of this subdivision; and

WHEREAS: (4) As used in this subsection, (A) "cigarette" has the same meaning as provided in section 4-28h of the Connecticut General Statutes, (B) "immediate threat to public health and safety" includes, but is not limited to, the presence of (i) any cannabis or cannabis product in connection with a violation of this section, or (ii) any cigarette or tobacco product alongside any cannabis or cannabis product, and (C) "operation" and "operating" mean engaging in the sale of, or otherwise offering for sale, goods and services to the general public, including, but not limited to, through indirect retail sales.

NOW THEREFORE, BE IT ORDAINED by the Board of Alders, that the Code of Ordinances be amended pursuant to CGA state statutes Sec. 21a-420c**.** be approved as follows:

(e) (1) Any person who violates any provision of this section shall be assessed a civil penalty of thirty thousand dollars for each violation. Each day that such violation continues shall constitute a separate offense.

(2) Any person who aids or abets any violation of the provisions of this section shall be assessed a civil penalty of thirty thousand dollars for each violation. Each day that such person aids or abets such violation shall constitute a separate offense. For the purposes of this subdivision, no person shall be deemed to have aided or abetted a violation of the provisions of this section unless (A) such person was the owner, officer, controlling shareholder or in a similar position of authority that allowed such person to make command or control decisions regarding the operations and management of another person who (i) is prohibited from selling or offering any cannabis or cannabis product under this section, and (ii) sold or offered any cannabis or cannabis product in violation of this section, (B) such person knew that such other person (i) is prohibited from selling or offering any cannabis or cannabis product under this section, and (ii) sold or offered any cannabis or cannabis product in violation of this section, (C) such person provided substantial assistance or encouragement in connection with the sale or offer of such cannabis or cannabis product in violation of this section, and (D) such person's conduct was a substantial factor in furthering the sale or offer of such cannabis or cannabis product in violation of this section.

(3) Any person who manages or controls a commercial property, or who manages or controls a commercial building, room, space or enclosure, in such person's capacity as an owner, lessee, agent, employee or mortgagor, who knowingly leases, rents or makes such property, building, room, space or enclosure available for use, with or without compensation, for the purpose of any sale or offer of any cannabis or cannabis product in violation of this section shall be assessed a civil penalty of ten thousand dollars for each violation. Each day that such violation continues shall constitute a separate offense.

(4) No person other than the Attorney General, upon complaint of the Commissioner of Consumer Protection, or a municipality in which the violation of this section occurred, shall assess any civil penalty under this subsection or institute a civil action to recover any civil penalty imposed under this subsection. If a municipality institutes a civil action to recover any civil penalty imposed under this subsection, such penalty shall be paid first to the municipality to reimburse such municipality for the costs incurred in instituting such action. One-half of the remainder, if any, shall be payable to the treasurer of such municipality and one-half of such remainder shall be payable to the Treasurer and deposited in the General Fund.

(f) Nothing in this section shall be construed to prohibit the imposition of any criminal penalty on any person who (1) is prohibited from selling or offering any cannabis or cannabis product under this section, and (2) sells or offers any cannabis or cannabis product in violation of this section.