



NEW HAVEN CITY PLAN DEPARTMENT
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MEMO:

Re: Technical Memo of Proposed Changes to the New Haven Zoning Ordinance to Enact the Downtown for All Overlay District

By: Laura Brown

Date: 9/30/2025

1. Establish the Downtown for All Overlay District and the overlay area map in the New Haven Zoning Ordinance.

Article II (Establishment of Districts; Zoning Map), Section 2 (Districts enumerated; map adopted; interpretation) – Add the “Downtown for All Overlay District” and other recently adopted districts to the list of established districts.

Current Ordinance:

This section lists the established districts within the New Haven Zoning Ordinance.

Proposed Change to Ordinance:

The Downtown for All Overlay District will be added to the list of established districts. Additionally, the previously adopted Inclusionary Zoning Overlay Zone and Transit-Oriented Community Zone will be added to the list as they were not added in prior zoning text amendments.

Article VI (Other Districts), Section 59 (Reserved) – Create the “Downtown for All Overlay District” section within the New Haven Zoning Ordinance.

Current Ordinance:

This section is currently blank and previously held the regulations for the Whalley Avenue Overlay District until it was repealed in January 2020.

Proposed Change to Ordinance:

This section will be titled the “Downtown for All Overlay District” and will include details on the purpose of the district, a description of the tiered overlay areas (Inner Core and Outer Core), an embedded image of the district map for easy reference, and a note on the effective date.

2. Increase allowable density for units in multi-family dwellings.

Article V (Business and Industrial Districts), Section 42 (Use regulations for business and industrial districts), Table 3: Use Table, A. Residential Uses – In the “Residential Uses” portion of the table, increase allowable density requirements for dwelling units in multi-family dwellings.

Current Ordinance:

“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 the TOC zone shall have a maximum density of one unit per 500 sq. ft. of gross floor area of entire building, limited to gross floor area as defined in the New Haven Zoning Ordinance, and 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” and

“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”.

Proposed Change to Ordinance (*highlights* = additions to the existing ordinance text):

“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 area as defined in the New Haven Zoning Ordinance. Except that the TOC zone shall have a maximum density of one unit per 500 sq. ft. of gross floor area of entire building, limited to gross floor area as defined in the New Haven Zoning Ordinance, and except that the Downtown for All Overlay District shall have a maximum density of one unit per 400 sq. ft. of gross floor area of entire building and limited to gross floor area as defined in the New Haven Zoning Ordinance, and except that properties subject to Development or Land Disposition Agreements involving the City of New Haven which shall not be subject to the above density limitations” and

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 1,000 sq. ft. of gross floor area of entire building and limited to gross floor area as defined in the New Haven Zoning Ordinance. Except that the Downtown for All Overlay District shall have a maximum density of one unit per 400 sq. ft. of gross floor area of entire building and limited to gross floor area as defined in the New Haven Zoning Ordinance, and except that properties subject to Development or Land Disposition Agreements involving the City of New Haven which shall not be subject to the above density limitations”

The proposed update increases allowable density by reducing the maximum dwelling density calculation in business and industrial districts to one unit per 400 square feet when those underlying zones are in the Downtown for All Overlay District’s Inner or Outer Core Areas, to allow for greater unit yields per project. Since this metric is used to calculate the total number of units, it is possible that units could be less than 400 square feet as long as they meet the requirements of the Building Code. Maximum density in the Transit-Oriented Community zone at Union Station is one unit per 500 square feet of gross floor area and the allowable density for projects in the Inclusionary Zoning Overlay Zone is one unit per 600 square feet of gross floor area.

3. Allow rooming or boarding houses by Special Permit in the Downtown for All Overlay District.

Article V (Business and Industrial Districts), Section 42 (Use regulations for business and industrial districts), Table 3: Use Table, B. Transient Lodging – In the “Transient Lodging” portion of the table, allow rooming or boarding houses by Special Permit in the Downtown for All Overlay District.

Current Ordinance:

The Ordinance currently permits rooming or boarding houses by right in BA but not in BD zones, which comprise most of the Downtown for All Overlay District.

Proposed Change to Ordinance:

The proposed update allows rooming or boarding houses in the Downtown for All Overlay District by Special Permit. Special Permits require a public hearing by the City Plan Commission and consideration of factors including design and architectural compatibility, natural features, property values, and traffic impact.

4. Increase flexibility for multi-family dwellings in the Downtown for All Overlay District.

Article V (Business and Industrial Districts), Section 42 (Use regulations for business and industrial districts), Table 3: Use Table – In the “Residential Uses” portion of the table, allow multi-family residential dwellings in the BE and IL zones within the Downtown for All Overlay District.

Current Ordinance:

This table sets out uses allowed in each of the business and industrial districts. The zoning ordinance currently establishes that “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” are Not Permitted (X) in the BE Zone and Not Applicable (NA) in the IL zone. The zoning ordinance also establishes that “Dwelling units in multi-family dwellings located on first stories only in combination with upper story residential use” are Not Permitted (X) in the BE Zone and Not Applicable (NA) in the IL zone.

Proposed Change to Ordinance (*highlights* = additions to the existing ordinance text):

Footnotes (as listed below) will be added to the use table to increase the flexibility within zoning for dwelling units to be proposed within the BE and IL zones.

*In the Downtown for All Overlay District where the BE District is the underlying zone, dwelling units in multi-family dwellings that are located above the first stories of structures shall be **permitted as-of-right**.*

*In the Downtown for All Overlay District where the IL District is the underlying zone, dwelling units in multi-family dwellings that are located above the first stories of structures shall be **permitted by Special Permit**.*

*In the Downtown for All Overlay District where the BE District is the underlying zone, dwelling units in multi-family dwellings that are located on the first stories of structures shall be **permitted by Special Permit**.*

In the Downtown for All Overlay District where the IL District is the underlying zone, dwelling units in multi-family dwellings that are located on the first stories of structures shall be permitted by Special Permit.

The parcels within the boundaries of the Downtown for All Overlay District that have the BE or IL Districts as their underlying zone are areas suitable for multi-family dwelling uses due to their proximity to Downtown New Haven and the existing residential and mixed-use properties in the surrounding areas.

5. Increase the maximum Floor Area Ratio (FAR) to 12.0 in the Downtown for All Overlay District Inner Core and 6.0 in the Downtown for All Overlay District Outer Core.

Article V (Business and Industrial Districts), Section 43 (Bulk, yard and density regulations for business and industrial districts), (b) Maximum FAR, (1) Table 43.1 (FAR and Density Standards by District) – Allow a maximum of 12.0 FAR within the Downtown for All Overlay District Inner Core and a maximum of 6.0 FAR in the Downtown for All Overlay District Outer Core.

Current Ordinance:

The Ordinance currently permits a maximum FAR of 6.0 in the BD, BD-1, BD-2, BD-3 and BE zones, with a bonus of 25% over the permitted FAR available when under the Inclusionary Zoning Overlay Zone.

Proposed Change to Ordinance:

The proposed update allows a maximum FAR of 12.0 in the Downtown for All Overlay District Inner Core and a maximum FAR of 6.0 in the Downtown for All Overlay District Outer Core.

Within the Downtown for All Overlay District Inner Core, the maximum FAR allowed for developments that include a Hotel, Bed Breakfast, Motel or Tourist Home use shall remain at 6.0. All the hotels within the boundary of the Downtown for All Overlay District are within BD, BD-1, or BD-2 Districts which all currently permit a maximum FAR of 6.0. Therefore, this maximum of 6.0 for hotels will neither increase nor reduce the existing permitted FAR for hotels that are in Downtown.

Relationship of the Proposed Change to Other Existing Zoning Regulations:

FAR Reductions for BD-1 and BD-2 Districts that Abut Residence Districts

Parcels in the BD-1 that abut a residential district are additionally constrained by an FAR of 3.0 and parcels in the BD-2 that abut a residential district are constrained by an FAR of 2.5:

Section 43. Bulk, yard and density regulations for business and industrial districts of the New Haven Zoning Ordinance currently requires a reduced FAR on parcels that abut residentially zoned parcels. These types of bulk reductions based on proximity ensure adequate light and air between parcels, maintain privacy and prevent significant shadowing on adjacent buildings. The Zoning Ordinance states:

2. 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**.
3. 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**.

These required bulk reductions would still apply to the parcels that meet the requirements above. However, those parcels in the Outer Core that are not in the BD-1 or BD-2 Districts would be subject to the Downtown for All Overlay District Outer Core maximum FAR of 6.0 when abutting a residence district.

Inclusionary Zoning Overlay Zone FAR Bonus

The Inclusionary Zoning Overlay Zone FAR bonus would allow 25% over the permitted FAR in the underlying zone (e.g., the proposed maximum FAR of 12.0 in the Downtown for All Inner Core Area would allow the bonus to apply, resulting in a maximum FAR of up to 15.0).

6. Reduce the minimum yard regulations for parcels within the Downtown for All Overlay District.

Article V (Business and Industrial Districts), Section 43 (Bulk, yard and density regulations for business and industrial districts), (h) Yard Regulations

Current Ordinance:

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

This section precedes the list of front, side, and rear yard regulations for business and industrial districts in the zoning ordinance.

Proposed Change to Ordinance (**highlights** = additions to the existing ordinance text):

Section 43. (h) Yard Regulations.

*The following requirements shall apply in all business or industrial districts except for the BD, BD-1, BD-3 Districts (see subsection 43(h)(4)), CGD (see subsection 43(i)), and MULW District (see subsection 43(i)), the BA-1 District (see subsection 43(o)), the BA-2 District (see subsection 43(o)), **the Downtown for All Overlay District (where the requirements applicable to the BD zone shall apply)**, and except where a business or industrial district abuts a residence district (see § 47). These requirements shall apply to both principal and accessory buildings.*

With this addition, the minimum yard regulations for the BD District shall also apply to any parcels within the Downtown for All Overlay District. The BD District has no minimum yard regulations for front, side, and rear yards, so that same flexibility will extend to parcels within the overlay boundary.

7. Reduce required common amenity space within the Downtown for All Overlay District.

Article V (Business and Industrial Districts), Section 43 (Bulk, yard and density regulations for business and industrial districts), (l) Usable Open Space for the BC, BD, BD-1, BD-2, BD-3, TOC, MULW, CGD, and IL Districts – Reduce the minimum requirement for common amenity space per dwelling unit within the Downtown for All Overlay District.

Current Ordinance:

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.

Proposed Change to Ordinance:

The proposed update to this section reduces common amenity space requirements to a minimum of 25 sq. ft. per dwelling unit for developments proposed within the Downtown for All Overlay District.

8. Reduce the minimum building coverage and usable open space required in the RH-2 zone when within the Downtown for All Overlay District.

Article III (Residence Districts: District Regulations), Section 16 (RH-2 Districts: General High Density), (a) Residential uses, (1) Dwellings – Single-family, two-family and multi-family – Allow parcels that are within the Downtown for All Overlay District where the RH-2 District is the underlying zone to have the same minimum building coverage and minimum usable open space requirements as the BD District.

Current Ordinance:

*c. Maximum **building** coverage for **principal building** or **principal buildings**: 50% of lot area.*

*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.*

These existing sections of the ordinance provide that in the RH-2 District, the maximum allowed building coverage is 50% of the lot area and there is a variable minimum usable space requirement per dwelling unit depending on if it is a traditional dwelling unit, elderly housing unit, and has some form of private usable open space.

Proposed Change to Ordinance (**highlights** = additions to the existing ordinance text):

c. Maximum **building** coverage for **principal building** or **principal buildings**: 50% of lot area, except that in the Downtown for All Overlay District, this limit shall not apply, and the applicable rules for the BD district shall apply.

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, and except that in the Downtown for All Overlay District, the open space requirements applicable to the BD District shall apply. All **usable open space** shall be subject to standards enumerated in subsection (a)(1)g. of section 15 of this ordinance.

These additions will allow parcels that are within the Downtown for All Overlay District where the RH-2 District is the underlying zone to have the same minimum building coverage and minimum usable open space requirements as the BD District. The BD District has no minimum building coverage requirement. The BD District has a minimum usable open space requirement of 50 square feet per dwelling unit, except that if any point on the lot is located within a 1,000-foot radius of publicly accessible usable open space, then the minimum usable open space requirement is 25 square feet per dwelling unit. The parcels in RH-2 Districts within the Downtown for All Overlay District will now be provided with this same bulk flexibility as parcels in the BD District.