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ORDINANCE BY THE NEW HAVEN BOARD OF ALDERS ESTABLISHING A
TEMPORARY TWELVE (12) MONTH MORATORIUM ON THE SUBMISSION AND
ACCEPTANCE OF APPLICATIONS FOR SITE PLANS, VARIANCES, SPECIAL
EXCEPTIONS, SPECIAL PERMITS, AND REZONING AMENDMENTS WITHIN THE
LONG WHARF RESPONSIBLE GROWTH PLAN (“MORATORIUM AREA”); PROVIDING
FOR AUTHORITY; LEGISLATIVE FINDINGS OF FACT; MORATORIUM AREA;
TEMPORARY MORATORIUM IMPOSED; DURATION OF TEMPORARY MORATORIUM;
AND SEVERABILITY.

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WHEREAS, pursuant to the 1921 Special Act (amended 1925), Connecticut Statutes and Title I, Article XIII, Section 2(B) of the Code of General Ordinances, “The Board of Alders is authorized, by Ordinance, to regulate the height and bulk of structures to be erected and to limit the use of lot areas; the minimum areas or dimensions of rear, side and front yards or outer and inner courts and other open spaces within and surrounding any structure; the density of population and the location and use of buildings, structures and land for trade, industry, residence or other purposes; to classify, regulate and restrict the location of trades and industries and the location of structures designed for special uses; to divide the City of New Haven into districts of such number, shape and areas as may be best suited to carry out the provisions of this act”; and

WHEREAS, the Board of Alders recognizes that the current zoning for the Long Wharf Area permits a wide number of industrial and commercial business uses; and

WHEREAS, the Board of Alders acknowledges that heavy industrial land uses have been declining since the 1960s in New Haven and throughout the United States; and

WHEREAS, the Board of Alders adopted the Long Wharf Responsible Growth Plan in 2019.; and

WHEREAS, the Long Wharf Responsible Growth Plan envisions transforming from an under-utilized industrial waterfront to pedestrian-friendly, walkable, bikeable, environmentally sustainable, mixed-use neighborhood;

WHEREAS, the Board of Alders recognizes that planning for such an economically important and complex undertaking such as this requires time and resources to develop a comprehensive and harmonious set of uses and zoning regulations for the Long Wharf Responsible Growth Plan Area without the undue influence of development pressure.

WHEREAS, the Vision 2025, the City’s Comprehensive Plan for Development makes clear that thoughtful and reasoned planning “should help identify the types of uses that could be allowed on Sargent Drive [and within the Long Wharf Responsible Growth Plan Area] (based on market and site feasibility) and opportunities for shared parking; improve the streetscape; and promote resident connectivity to the waterfront.; and

WHEREAS, the Board of Alders wishes to encourage planned and intentional growth within the Long Wharf Responsible Growth Plan Area that promotes and enhances the public’s general health, safety and welfare; and

WHEREAS, the Board of Alders further desires to solicit and include public participation in planning efforts related to the comprehensive growth of the Long Wharf Responsible Growth Plan Area; and

WHEREAS, the Board of Alders has determined that a moratorium on development would afford the opportunity and time required to consider and develop policies and regulations in a comprehensive manner related to the growth of the Long Wharf Responsible Growth Plan Area. NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERS OF THE CITY OF NEW HAVEN, CONNECTICUT AS FOLLOWS:

SECTION 1. AUTHORITY.

This Ordinance is enacted pursuant to 1921 Special Act (amended 1925), Connecticut Statutes, and under the home rule powers of the Connecticut General Statutes in the interest of the public health, safety and general welfare of the people of New Haven.

SECTION 2. LEGISLATIVE FINDINGS OF FACT.

The foregoing recitals are hereby incorporated herein, and are true and correct. The Board of Alders further finds that in order for the City Plan Department to have the ability to accurately assess, determine, and incorporate public feedback as to the the economic potential of a proposed zoning designation within the Long Wharf Responsible Growth Plan Area (moratorium area), and present such findings to the City Plan Commission and Board of Alders for action, it is necessary to place a moratorium on the submission and acceptance of land use applications for site plans, special permits, variances, special exceptions, development applications or rezoning entitlements within the Long Wharf Responsible Growth Plan Area

SECTION 3. LOCATION.

The location/boundary of the moratorium area shall be coterminous with boundary of the Long Wharf Responsible Growth Plan Area. This area is generally defined as Water Street to the North; New Haven Harbor along the East; Union Avenue along the West and Hallock Avenue to the South. This geographic area is depicted on Page 1 of the “Long Wharf Responsible Growth Plan”. A copy of the The Long Wharf Responsible Growth Plan is attached as Exhibit A, and incorporated by reference; the affected parcels are more particularly described in Exhibit B (the

“Moratorium Area”).

SECTION 4. TEMPORARY MORATORIUM IMPOSED.

The City of New Haven hereby imposes a moratorium on the submission and acceptance of applications for site plans, special permits, variances, special exceptions, development applications, or rezoning entitlements within the Moratorium Area. The adoption of this Ordinance is undertaken by the City of New Haven in good faith and is intended to further the goals of the City’s Comprehensive Plan of Development and the 1921 Special Act (amended 1925), Connecticut Statutes.

SECTION 5. DURATION OF TEMPORARY MORATORIUM.

The duration of this moratorium shall be for **twelve (12) months** from the the earlier of the enactment of this ordinance or upon repeal by the City of New Haven whichever occurs first. In addition, this moratorium shall not exceed **twelve (12) months** unless approved by the Board of Alders by a majority vote. The limited duration of the temporary moratorium has been established in order to accomplish appropriate planning for future development through the zoning ordinance amendment process as described in the 1921 Special Act (amended 1925), Connecticut Statutes and the City’s Comprehensive Plan of Development.

SECTION 6. SEVERABILITY.

It is declared to be intent of the Board of Alders of the City of New Haven, Connecticut, that if any section, subsection, sentence, clause or provision of this Ordinance shall be declared invalid, the remainder of this Ordinance shall be construed as not having contained said section, subsection, sentence, clause, or provisions and shall not be affected by such holding.