

**CHECK LIST FOR ALDERMANIC SUBMISSIONS**

<input checked="" type="checkbox"/>	Cover Letter
<input checked="" type="checkbox"/>	Resolutions/ Orders/ Ordinances
<input checked="" type="checkbox"/>	Prior Notification Form
<input checked="" type="checkbox"/>	Fiscal Impact Statement - Should include comprehensive budget
<input checked="" type="checkbox"/>	Supporting Documentation (if applicable)
<input checked="" type="checkbox"/>	Disk or E-mailed Cover letter & Order

**IN ADDITION IF A GRANT:**

<input type="checkbox"/>	Notice of Intent
<input type="checkbox"/>	Grant Summary
<input type="checkbox"/>	Executive Summary (not longer than 5 pages without an explanation)

Date Submitted: May 25, 2022

Meeting Submitted For: June 6, 2022

Regular or Suspension Agenda: Regular Agenda

Submitted By: City Plan Department

Title of Legislation:

**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 AREA ("MORATORIUM AREA"); PROVIDING FOR AUTHORITY; LEGISLATIVE FINDINGS OF FACT; DEFINITIONS; MORATORIUM AREA; TEMPORARY MORATORIUM IMPOSED; DURATION OF TEMPORARY MORATORIUM; AND SEVERABILITY.**

Comments:

LEGISTAR FILE ID OR-2022-0019

Coordinator's Signature:

MPL

Controller's Signature (if grant):

Mayor's Office Signature:

[Signature]



## NEW HAVEN CITY PLAN DEPARTMENT

165 CHURCH STREET, 5<sup>th</sup> FL., NEW HAVEN, CT 06510  
TEL (203) 946-6378 FAX (203) 946-7815

May 25, 2022

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

**RE:**

**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 AREA ("MORATORIUM AREA"); PROVIDING FOR AUTHORITY; LEGISLATIVE FINDINGS OF FACT; DEFINITIONS; MORATORIUM AREA; TEMPORARY MORATORIUM IMPOSED; DURATION OF TEMPORARY MORATORIUM; AND SEVERABILITY.**

Dear President Walker-Myers;

Historically, the Long Wharf area developed as an industrial waterfront where marine and industrial land uses flourished due to the maritime activity located along the Long Island Sound. These land uses consisted of water-borne shipping lanes for cargo and fishing. However since the 1960's, global economic competitiveness related to labor costs, land availability, and transcontinental logistics has shifted the nature of maritime activity. This creates new opportunities for maritime areas to be re-visioned to meet the needs of a changing economy and reconsidering how we value and develop water adjacent lands. The City's Comprehensive Plan of Development Vision 2025 acknowledges this by stating "As manufacturing employment has dropped within the city over the past 40 years, former manufacturing buildings in the Long Wharf area have increasingly become the focus for large-scale retail, education, and health services uses, such as IKEA and the future Jordan's Furniture at opposite ends of Sargent Drive."

To address the opportunities along waterfront, the Long Wharf Responsible Growth Plan (the "Plan") was adopted in 2019 as part of the New Haven Comprehensive Plan of Development (New Haven Comprehensive Plan-Vision 2025). The Plan supports the improved streetscapes and waterfront connectivity discussed in the Vision 2025 Plan and further envisions transforming the industrial uses along Long Wharf into a series of diverse and vibrant mixed-use communities with residential, commercial and recreational opportunities. The Plan addresses the area's resilience against future climate-change induced weather events and sea level rise; needed

infrastructure improvements to support new development; and the anticipated costs and revenues associated with the proposed development.

While the City's Comprehensive Plan of Development suggests such transformation for economic, environmental, and social sustainability, the current zoning in the Long Wharf area was prescribed in the 1960's. This 1960's model supported greater industrial use along the waterfront. As a result, the area is currently under an industrial zoning designation. Given the proximity of Interstate 95 and Interstate 91, there are a number of industrial land uses seeking to occupy the City's waterfront space including but not limited to gas stations and truck repair facilities that are not aligned with the Plan. The City's zoning ordinance is an important tool to guide private investment towards the City's goals for Long Wharf.

Developing a comprehensive, appropriate, and forward-thinking zoning plan for Long Wharf will require time, ingenuity, and evaluation. The City Plan Department is proposing a twelve-month moratorium on development in the Long Wharf district to afford ample time to review existing planning studies, evaluate current market trends, as well as create and adopt appropriate zoning for the area.

This moratorium aligns with the City's Comprehensive Plan of Development because it allows for adequate time for the City to:

- Create a framework for the redevelopment of the Long Wharf District into a more mixed, denser urban commercial and coastal district
- Enact zoning recommendations based on the Plan
- Ensure that future development is focused on the key principles outlined in the plan including: emphasizing the public realm, integrating existing buildings and industries, staged redevelopment, equitable development, creating a new "front door", transit orientation, climate resilience, creating jobs, reconnecting the city to the waterfront, and serving as a new major area for new development.
- Prioritize cultural and environmental enhancements to the Vietnam Veterans' Long Wharf Park
- Consider land constraints including flood and coastal resilience as well as remediation of brownfields and propose interim uses for such sites

The Board of Alders has from time to time issued moratoriums on land use types or zoning elements when it was determined that such a moratorium was in the public interest. We hope you will consider this request and we would be happy to address any concerns you may have.

Thank you for your consideration.

Respectfully,

Laura E. Brown  
Executive Director

Cc: Albert Lucas, Director of Legislative Services

..title

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.

..body

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.

# **PRIOR NOTIFICATION FORM**

## **NOTICE OF MATTER TO BE SUBMITTED TO THE BOARD OF ALDERS**

TO (list applicable alders of):

**Honorable Tyisha Walker-Myers,  
President**

**Alder Carmen Rodriguez, Ward 6**

WARD # **City wide**

DATE: **May 25, 2022**

FROM: Department/Office **City Plan Department**

Person

**Laura E. Brown,  
Executive Director**

Telephone

**203-946-6380**

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

### **PETITION:**

**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; DEFINITIONS; MORATORIUM AREA;  
TEMPORARY MORATORIUM IMPOSED; DURATION OF TEMPORARY  
MORATORIUM; AND SEVERABILITY.**

Check one if this an appointment to a commission

☐

Democrat

☐

Republican

☐

Unaffiliated/Independent/Other

### **INSTRUCTIONS TO DEPARTMENTS**

--	--

**FISCAL IMPACT STATEMENT**

DATE: May 25, 2022  
FROM (Dept.): City Plan Department  
CONTACT: Laura E. Brown, Executive Director PHONE (203) 946-6380

**SUBMISSION ITEM (Title of Legislation):**

**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; DEFINITIONS; MORATORIUM AREA; TEMPORARY MORATORIUM IMPOSED; DURATION OF TEMPORARY MORATORIUM; AND SEVERABILITY.**

List Cost: n.a.

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

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

NO	<input checked="" type="checkbox"/>
YES	<input type="checkbox"/>

1. One-time

2. Annual

**Other Comments:** This will increase the Grand List and protect jobs



**PETITION TO DECLARE A 6 MONTH PLANNING MORATORIUM ON VARIOUS ZONING LAND USES IN THE LONG WHARF RESPONSIBLE GROWTH PLAN (LWRGP) AREA TO PREVENT CERTAIN USES THAT ARE INCOMPATIBLE WITH LONG WHARF RESPONSIBLE GROWTH PLAN DEVELOPMENT GOALS AND CLIMATE AND RESILIENCY PRIORITIES**

MAP: Source: Long Wharf Responsible Growth Plan Executive Summary

