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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 AREA (“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 Moratorium 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 the Moratorium Area from an under-utilized industrial waterfront to a pedestrian-friendly, walkable, bikeable, environmentally sustainable, mixed-use neighborhood; and

WHEREAS, the Board of Alders recognizes that planning for 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 Moratorium Area without the undue influence of development pressure; and

WHEREAS, the Vision 2025, the City’s Comprehensive Plan for Development makes it clear that thoughtful and reasoned planning “should help identify the types of uses that could be allowed on Sargent Drive [and by extension within the Moratorium 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 Moratorium 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 Moratorium Area; and

WHEREAS, the Board of Alders has determined that a moratorium on development would afford the opportunity and time required to consider, develop policies and regulations in a comprehensive manner related to the growth of the Moratorium 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 economic potential of a proposed uses and zoning designations within the 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 special permits, variances, site plans, special exceptions, development applications or rezoning entitlements within the Moratorium Area as specified herein.

SECTION 3. LOCATION.

The location/boundary of the Moratorium Area shall be coterminous with the boundaries defined in the Long Wharf Responsible Growth Plan. 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.

A. The City of New Haven hereby imposes a moratorium on the submission and acceptance of any and all applications related to further development in the Moratorium Area including but not limited to site plans, special permits, special exceptions, variances, Planned Development Districts, Planned Development Units 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 of New Haven’s Comprehensive Plan of Development and the 1921 Special Act (amended 1925), Connecticut Statutes.

B. Notwithstanding the foregoing, the repair, renovation or repurposing, including change of use, of existing buildings and the spaces therein shall be exempt from this moratorium, provided that the proposed use is allowed in the underlying zone as of right, by Special Permit or by Special Exception.

SECTION 5. DURATION OF TEMPORARY MORATORIUM.

The duration of this moratorium shall be the earlier of the following: twelve (12) months from the effective date of the enactment of this Ordinance or the effective date of repeal of this Ordinance by the Board of Alders, whichever occurs first.

Notwithstanding the foregoing, this moratorium shall not exceed twelve (12) months from the effective date of the enactment of this Ordinance unless expressly extended by a majority vote of the Board of Alders. The limited duration of this 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 of New Haven’s Comprehensive Plan of Development.

SECTION 6. SEVERABILITY.

It is declared to be intent of the Board of Alders 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.