

PETITION FOR AN ORDINANCE TEXT and MAP AMENDMENT TO THE NEW HAVEN ZONING ORDINANCE TO REQUIRE AND INCENTIVIZE THE INCLUSION OF AFFORDABLE HOUSING UNITS IN MARKET RATE DEVELOPMENT

**WHEREAS**, Conn. Gen. Stat. Sec.8-2i authorizes any municipality to adopt zoning regulations implementing inclusionary zoning in order to promote the development of housing affordable to persons and families of low- and moderate-income; and

**WHEREAS**, Conn. Gen. Stat Sec 8-30g(a)(6) requires housing at affordability levels at 60% to 80% of state or area median income (“AMI”), but New Haven’s greatest need for housing is at 50% of AMI and lower; and

**WHEREAS**, the provision of safe, high quality and affordable housing in areas of high market rate growth is in accordance with the Vision 2025 Comprehensive Plan, the 2021 Board of Alders Legislative Agenda, and the recommendations of the 2019 Affordable Housing Task Force.

**WHEREAS**, Inclusionary Zoning seeks to counter exclusionary zoning that furthers patterns of racial and economic segregation and also to reduce barriers to production of affordable housing,

**WHEREAS**, in accordance with the provisions of 1925 Special Act No. 490, Section 5, Article XIII, Sections 2A-2F and Article VII of the Charter of the City of New Haven (the “Charter”) and Section 64(d)(1) of the New Haven Zoning Ordinance, the City Plan Department (“City Plan”) of the City of New Haven (the “City”), which serves as staff to the New Haven City Plan Commission, filed with the New Haven City Clerk for transmission to the Board of Alders of the City of New Haven (the “Board of Alders”) a Petition (the “Petition”) requesting that the Board of Alders adopt text amendments to the Zoning Ordinance with regard to the mandatory inclusion of affordable units within a newly-proposed Overlay District and in projects of substantial size and the creation of city-wide incentives for the development of those affordable units, as more particularly described in Schedule A attached (the “Text Amendments”); and.

**WHEREAS**, City Plan submitted sufficient plans, information and related supporting materials; and

**WHEREAS**, pursuant to Article XIII, Section 2E of the Charter, the Board of Alders referred the Petition to the New Haven City Plan Commission for a public hearing; and

**WHEREAS**, on [REDACTED], 2021, the City Plan Commission held a public hearing on the Petition after providing due notice of such hearing in accordance with the provisions of law; and

**WHEREAS**, on [REDACTED], 2021, the City Plan Commission rendered an advisory report to the Board of Alders after considering the factors set forth in Article VII of the Charter and Sections 64(d)(2) of the Zoning Ordinance recommending approval of the Petition, CPC Report No. [REDACTED]; and

**WHEREAS**, the Board of Alders finds that the Text Amendments and their provisions are in accordance with the Comprehensive Plan of Development of the City and are consistent with the land uses and the zoning classifications of neighboring parcels and with the standards set forth in Article XIII, Sections 2B through 2E of the Charter; and

**WHEREAS**, the Board of Alders further finds that after public notice, hearing, and due comment from the public, interested parties, and the various agencies of the City, including, without limitation, the Department of Transportation, Traffic and Parking, the Engineering Department, and the Office of Building, Inspection and Enforcement that the Text Amendments meet the objectives set forth in Zoning Ordinance, Article VII, Section 64(d) in that the Text Amendments are responsive to changes that have taken place in the City and in patterns of construction and land use, the supply of land and its peculiar suitability for various purposes, the purposes of zoning and the comprehensive plan of the City.

**NOW, THEREFORE BE IT ORDAINED** by the Board of Alders that the Text Amendments are hereby adopted with the modifications of the existing zoning requirements requested by City Plan as described in Schedule A attached hereto and made a part of this Ordinance, including without limitation the allowable Floor Area Ratio ("FAR") bonuses as indicated in attached Schedule A.

**BE IT FURTHER ORDAINED** by the Board of Alders that except as amended herein, the Zoning Ordinance and the Zoning Map of the City shall remain in full force and effect.

**BE IT FURTHER ORDAINED** by the Board of Alders that the recommended levels of tax abatement as determined by the Inclusionary Zoning policy will be granted in accordance with commensurate level of affordability as determined by the Inclusionary Zoning Policy. This does not cap or limit the tax abatement or the level of affordability but sets a minimum standard based on policy criteria.

**BE IT FURTHER ORDAINED** by the Board of Alders that Land Disposition Agreements entered with the City, would require a 20% minimum of residential units to be affordable at 50% AMI. This minimum could be adjusted based on other factors such as Community Benefits or other non- residential components of a project, as required by the City.

**BE IT FURTHER ORDAINED** that said Text Amendments shall take immediate effect on the day after the date of publication of notice of the adoption of the Zoning Ordinance Text Amendment in accordance with the requirements of Article IV, Section 3 of the Charter.