



Legislation Text

File #: LM-2020-0200, **Version:** 2

ORDINANCE TEXT AMENDMENT AND ZONING ORDINANCE MAP AMENDMENT TO CREATE NEW COMMERCIAL GATEWAY CORRIDORS DISTRICT.

WHEREAS, in accordance with the provisions of Article XIII, Sections 2A-2F of the Charter of the City of New Haven and Article VII, Sections 64(d)(1) and 65 of the New Haven Zoning Ordinance; and

WHEREAS, on application of the City Plan Department ("City Plan") for the rezoning of properties, generally adjacent to Whalley Avenue, as more particularly listed in Schedule A and depicted Schedule B attached hereto; and

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

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

WHEREAS, on November 20, 2019, the City Plan Commission held a public hearing on City Plan's application after providing due notice of such hearing in accordance with the provisions of law;

WHEREAS, on November 20, 2019, the City Plan Commission rendered an advisory report to the Board of Alders after considering the factors set forth in Article VII, Sections 64(d)(2) of the Zoning Ordinance recommending approval of City Plan's application, CPC Report No. 1558-06; and

WHEREAS, the creation of the Commercial Gateway District and its provisions are in accordance with the Comprehensive Plan of Development of the City and is consistent with 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 of the City of New Haven; and

WHEREAS, after public notice, hearing, and due comment from the public, interested parties, and the various agencies of the City of New Haven, including, without limitation, the Department of Transportation, Traffic and Parking, the Engineering Department, and the Office of Building, Inspection and Enforcement.

NOW, THEREFORE, BE IT ORDERED by the Board of Alders of the City of New Haven that the application of City Plan for the Commercial Gateway District on the above referenced tract of land meets the objectives set forth in Zoning Ordinance, Article VII, Section 64(d) and in C.G.S. § 8.2m in that it is responsive to:

1. 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 effect of a map change on the surrounding area, the purposes of zoning and the comprehensive plan of the City of New Haven; and
2. in the case of a map change, the size of the area involved. As a general policy, the City Plan Commission shall not consider favorably any petition which would result in a total contiguous area (separated only by streets and excluding the area of streets) of less than two acres in the case of a residence district, less than one acre in the case of a Business District, or less than four acres in the case of an Industrial District.

BE IT FURTHER ORDERED by the Board of Alders of the City of New Haven that the Commercial Gateway District is hereby adopted with the modifications of the existing zoning requirements requested by City Plan as described in Schedule C attached hereto and made a part of this Order and is hereby approved as the zoning

classification for the tracts referenced above, as shown on and described in Schedules A and B attached hereto and made part of this Order.

BE IT FURTHER ORDERED by the Board of Alders of the City of New Haven that the Zoning Map is hereby amended to designate the tracts referenced above as part of the Commercial Gateway District and hereby eliminating the Whalley Overlay District and the BB Zone from the Zoning Map.

Except as amended herein the Zoning Ordinance and the Zoning Map of the City of New Haven shall remain in full force and effect.

BE IT FURTHER ORDERED that the Board of Alders of the City of New Haven hereby removes in its entirety the Whalley Overlay District, marking Section 59 as Reserved, and all regulations pertaining to the Business B Districts-Automotive Sales (a/k/a BB Zone) from the Zoning Ordinance.

BE IT FURTHER ORDERED that said Zoning Ordinance and Zoning Map Amendment shall take immediate effect upon passage, subject to the requirements of Article IV, Section 3 of the Charter of the City of New Haven.