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RANDAL P. DAVIS
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December 12, 2023

City of Hartford
260 Constitution Plaza
Hartford, CT 06103

Sent via Email

Re: Text Amendment, Planning & Zoning Commission Decision Letter
Accela ID: PZ-TXTAMD-23-000005

Dear Applicant:

At its regular meeting of December 12, 2023, the Planning & Zoning Commission (PZC) met to consider the request for proposed changes to Zoning Regulations section 1.3.1 to add language for Unified Developments and section 3.5.1 and Figure 3.2-A to alter language related to Home Childcare uses. In this regard, the PZC approved the proposal as follows:

CITY OF HARTFORD
PLANNING & ZONING COMMISSION RESOLUTION
TEXT AMENDMENT PERTAINING TO UNIFIED DEVELOPMENTS
AND HOME CHILD CARE

- Whereas,** The City of Hartford Planning & Zoning Commission has reviewed the proposed text amendments to the Hartford Zoning Regulations (Regulations) Section 1.3.1 to establish application procedures for unified developments as defined and determined by the zoning administrator; and
- Whereas,** The City of Hartford Planning & Zoning Commission has reviewed the proposed text amendments to the Regulations Section 3.5.1 to modify the requirements associated with Group Child Care Homes and Family Child Care Homes as defined by the Office of Early Childhood and required by Public Act 23-142.
- Whereas,** The amendments as proposed to Section 3.5.1 will bring the City's Regulations into alignment with Public Act 23-142 and reduce permitting barriers for daycare providers which will increase access to child care options within the City.

PZ-TXTAMD-23-000005_PZC_DecisionLetter121223

Whereas, The amendments as proposed to Section 1.3.1 will streamline the application process for development projects which consist of multiple parcels while also providing necessary clarity within the Regulations to ensure non-conformities are not created and future projects are developed in alignment with the City's comprehensive plan.

Now therefore Be It

Resolved, The City of Hartford Planning & Zoning Commission hereby finds that the proposed Zoning Text Amendments are consistent with the Plan of Conservation & Development; and

Resolved, The City of Hartford Planning & Zoning Commission hereby approves the proposed zoning text amendments to Hartford's Zoning Regulations, which proposes to establish application procedures for unified developments and modify the requirements for Family Child Care Homes and Group Child Care Homes, with the following stipulation:

1. The effective date of these amendments shall be January 1, 2024.

Be It Further,

Resolved, This 12th day of December 2023.

Respectfully,



Erin Howard, AICP
Director of Planning

EH/ac

CC: Planning File



DEPARTMENT OF DEVELOPMENT SERVICES – PLANNING DIVISION
MEMORANDUM: *UNIFIED DEVELOPMENT TEXT AMENDMENT*

MEMORANDUM

To: Hartford Planning and Zoning Commission
Date: October 19, 2023. **Revised 12-12-23**
From: Michael D'Amato, AICP, CZEO, Consulting Planner
Subject: Unified Development Text Amendment

SUMMARY

With a many of Hartford's development involving the redevelopment of existing buildings and properties, projects often include multiple individual parcels. The language within the current regulations requires that a separate application be submitted for each project, permit sought and lot, which results in multiple applications which are essential identical. This creates further complication for applicants as buildings and sites which currently exist over multiple pieces of property are now forced to be reviewed individually as stand-alone projects. The City's regulations do not currently allow the Commission or staff to contemplate the developments as a single project unless there is "Master Plan" associated with the overall development.

The proposed amendment as shown below would allow for a single project that involves multiple parcels currently and maintained in common ownership to be reviewed as a single unified development for the purposes of demonstrating compliance with the City's Zoning Regulations.

CURRENT REGULATORY LANGUAGE

1.3.1 COMMON APPLICATION PROCEDURES

- A. **Applicability.** The common procedural provisions of this section apply to all of the procedures in this chapter unless otherwise expressly stated.
- B. **Application Procedures.**
 - (1) **Applicability.** This section 1.3.1 B. shall apply to applications for special permits, site plan reviews, zoning permits, and variances.
 - (2) **Authority to File.** Applications must be filed with the zoning administrator by the owner of the subject property. Applications may also be filed by the property owner's authorized agent.
 - (3) **Pre-Application Meetings.**

- (a) **Purpose.** Pre-application meetings provide an early opportunity for staff and applicants to discuss the procedures, standards and regulations required for development approval under these zoning regulations
 - (b) **Requirement.** Applicants are required to schedule pre-application meetings with staff regarding applications for the following types of projects: Multi-Unit Residential, Hotel/Apartment Hotel, Civic and Institutional Use, Intensive Park Use, River Use, Beer/Wine/Liquor Sales, Convenience Store, Drinking Place, Entertainment Assembly, Vehicle Fueling and Limited Service, Vehicle Service/Car Wash, Office Use involving new construction of more than 5,000 square feet, Adult Use, Infrastructure Use, Industrial Use, new construction in the DT districts, and any other project the zoning administrator determines is a major development project. Pre-application meetings are encouraged in all cases. An applicant's failure to schedule and attend a pre-application meeting (or meetings, if more than one meeting is required by the zoning administrator) shall render the application incomplete.
- (4) **Application Submittal Requirements.** Applicants must complete the online application form and attach all required corresponding documentation. If the Applicant is unable to access or use the online application, a paper copy shall be made available to them. If a paper application is submitted, supporting documents must be submitted in the following format: 3 edge-bound paper copies of all plans and paperwork, folded 8.5 inches by 11 inches or smaller if fewer than 12 sheets, or rolled if 12 sheets or more, and collated into 3 separate packets. Applications must also be labeled with the property address. Applications must include materials and information to assist the staff and the decision-making bodies in their consideration of the application, with specific application requirements further outlined in 1.3.2 through 1.3.8.
- (5) **Completeness of an Application.**
 - (a) An application will be considered complete and ready for processing only if it is submitted in the required number and form, includes all required information, does not contain significant inaccuracies or omissions, does not contain multiple minor inaccuracies or omissions, and is accompanied by the required fee amount.
 - (b) If an application is determined to be incomplete, the zoning administrator may provide notice to the applicant along with an explanation of key deficiencies in the application. Notice of an incomplete application may be provided by personal service, electronic mail, or first-class mail. Failure to provide such a notice shall not be construed as a finding that any submittal is complete, given the plain and clear language of these regulations regarding applicable requirements.
 - (c) No further processing of an incomplete application will occur. The application will only be returned to the processing cycle if and when all deficiencies are corrected and the application requirements are fully met, whether or not each and every such requirement was expressly included in the list of deficiencies given to the applicant by staff pursuant to 1.3.1 B.(5)(b). If an application is not complete within 60 days of the initial submission of the application to staff, the application will be deemed to have been withdrawn. No decision-making body has the authority to review an incomplete application.

- (d) Only upon the completion of an application in accordance with this section shall any legal period within which an application may be "deemed approved" commence. An incomplete application shall not suffice to establish the applicable effective date of these regulations, and shall not forestall the enactment or imposition of any regulations made effective prior to the date that a complete application is submitted.
- (e) Prior to the consideration of any application for any permit or approval by the decision-making body, an applicant may amend an application without prejudice.
- (6) **Separate Applications.** A separate application must be filed for each project, for each permit sought, for each lot.
- (7) **Rejection of an Application Prior to Full Review.** An application may be rejected prior to a full review if the decision-making body does not have legal authority to approve the application or if the application is not completed within 60 days of the application's initial submission to staff.

Prior Revisions show in highlighted red

Proposed revisions are shown in highlighted blue

PROPOSED AMENDMENT—MODIFICATIONS SHOWN IN RED.

- (6) **Separate Applications.** A separate application must be filed for each project, for each permit sought, for each lot unless such lot is to be improved as part of a unified development as specified in 1.3.1.B (8).
- (7) **Rejection of an Application Prior to Full Review.** An application may be rejected prior to a full review if the decision-making body does not have legal authority to approve the application or if the application is not completed within 60 days of the application's initial submission to staff.
- (new) (8) **Unified Developments:**
 - A. Separate parcels may be developed under a single application and site plan with bulk requirements applied to the entire development area when such parcels are contiguous, under common development, and are fully incorporated as part of a valid, integrated development as determined by the zoning administrator.
 - B. In instances where a unified development contains more than one principle use or multiple building types, the commission may review the application by special permit to determine that the design guidelines are generally met.
 - C. Applications for unified developments shall include all necessary easements which shall be filed on the land records and noted on the plans.
 - D. Parcels included within a unified development shall include a restriction which specifies such parcels are not to be treated separately without the issuance of a new approval and demonstration that, upon separation, each parcel will fully comply with all standards as set forth in the Regulations as of the time such separation is proposed.
 - E. All parcels contained within a unified development shall at the time of application and continuously thereafter be subject to land interest agreements such as an easement, leasehold, or other assignment of rights which create permanent or long-term (defined as greater than 20 years) common property interest in the development. The managing

party shall file the appropriate documentation declaring this restriction on the land records.