



City of New Haven

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Master

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Final Action:

Title: ORDINANCE AMENDMENT TO THE NEW HAVEN ZONING ORDINANCE
TEXT BY ADDING SECTION 12.5, RS-3, SPECIAL HERITAGE MIXED USE
ZONING DISTRICT, TO THE TEXT OF THE NEW HAVEN ZONING
ORDINANCE AS A NEW ZONING DISTRICT.

Notes:

OLS Staff:

Effective Date:

Related Files:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Board of Alders	12/05/2022	Referred	Joint Community Development/Legi slation			
	Action Text: This Ordinance was Referred to the Joint Community Development/Legislation						
	Notes: Concurrently referred to City Plan Commission, Transportation, Traffic and Parking, Parks and Public Works,						
1	Joint Community Development/Legislation	02/15/2023	Favorable Report	Board of Alders			
	Action Text: This Ordinance was Favorable Report to the Board of Alders						
1	Board of Alders	02/21/2023	Noted				
	Action Text: This Ordinance was Noted						
2	Board of Alders	03/07/2023	Approved As Amended				Pass
	Action Text: This Ordinance was Approved As Amended						
	Notes: Amended by Substitution and Enacted by Roll Call Vote of 21-0						

Text of Legislative File OR-2022-0035

ORDINANCE AMENDMENT TO THE NEW HAVEN ZONING ORDINANCE TEXT BY
ADDING SECTION 12.5, RS-3, SPECIAL HERITAGE MIXED USE ZONING DISTRICT,
TO THE TEXT OF THE NEW HAVEN ZONING ORDINANCE AS A NEW ZONING

..Title

ORDINANCE AMENDMENT TO THE NEW HAVEN ZONING ORDINANCE TEXT BY
ADDING SECTION 12.5, RS-3, SPECIAL HERITAGE MIXED USE ZONING DISTRICT,
TO THE TEXT OF THE NEW HAVEN ZONING ORDINANCE AS A NEW ZONING
DISTRICT.

..Body

Description and purpose. These districts exist for the protection of areas of large size that have historically been used to support single-family dwellings and agricultural uses and that are now being developed to combine single-family dwellings, agricultural uses, historic preservation and limited hospitality uses as well as to further and support the rehabilitation, restoration and/or adaptive reuse of *Historic Residential and Accessory Structures* as defined herein. Accordingly, the use of land and buildings within such areas is limited to single-family dwellings, multi-family dwellings, agricultural uses, and to such non-residential uses as support and harmonize with a medium-density residential area of historic and cultural significance. The non-residential uses permitted in the RS-3 District, subject to adequate conditions and safeguards, are hereby found and declared to be the only appropriate uses for such areas. It is hereby found and declared, further, that these regulations are necessary to the protection of these areas and that their protection is essential to the maintenance of a balanced community of sound residential areas of diverse types.

For purposes of this Section “*Historic Residential and Accessory Structures*” means a property or group of buildings listed or eligible for listing on the National or State Register of Historic Places.

Except as set forth herein, all RS-3 Districts are subject to the general provisions for residence districts set forth in Article IV as well as to all other provisions of this ordinance.

Uses permitted. In an RS-3 District a *building* or other *structure* may be erected, altered, arranged, designed or used, and a lot or structure may be used for any of the following purposes and no other:

(a) *Residential uses as follows.* The General Provisions for Residence Districts in Article IV shall also apply.

(1) *single-family and two-family dwellings* on individual *lots* or within a common interest ownership or planned community with private internal public or private roadways (individual *lot* lines shall not be required). *Building requirements:*

a. *Minimum lot area:* 4,000 sq. ft.

b. *Minimum average lot width:* 50 ft.

c. Minimum lot area per dwelling unit: 4,000 sq. ft, except 3,000 sq. ft. in the case of an efficiency unit and 2,250 sq. ft. in the case of an elderly housing unit

d. *Maximum building coverage:* Total coverage of *principal* and *accessory buildings* not to exceed 50% of lot area.

e. *Maximum building height:* Such height shall not exceed either three *stories* or an *average height* of 40 feet.

f. *Minimum yards:*

Front—20 ft., from edge of road (private or public)

Rear—15 ft.

Side— 6 ft.; in the case of a *corner lot*, at least 6. for the one *side yard*.

g. *Minimum parking:* One *parking space* for the first bedroom, and one-half parking space for each additional bedroom, rounded to the next higher number if a fraction. All *parking spaces* shall be located on the same *lot* and shall conform to section 29 and the remainder of the General Provisions for Residence Districts in Article IV.

h. *Maximum impervious surface coverage:* Total coverage of *building(s)* and paved area (parking and walkways) shall not exceed 70 percent of the *lot area*.

(2) *Multi-family Dwellings* on individual *lots* or within a common interest ownership or planned community with private internal public or private roadways (individual *lot* lines shall not be required). Building requirements as set forth in Section 12.5 (a)(1).

(3) *Residential accessory buildings, structures and uses, as regulated by paragraph 1 above and by the General Provisions for Residence Districts.*

(b) *Non-residential uses as follows:* The standards in paragraph (a)(1) above relating to minimum *lot area*, minimum *average lot width*, *maximum building coverage*, *maximum building height*, and minimum *yards* shall apply to non-residential *uses* except for pre-existing *non-conforming structures*.

Accessory uses customarily incidental to the following *uses* are permitted in connection with such *uses*.

Parking spaces required by this ordinance for the following *uses* may be located (by special exception under subsection 63(d) of this ordinance) on a separate *lot* in any district in which the *principal* use is permitted, provided the standards of section 29 are met.

Section 29 relating to parking and all other pertinent sections of the General Provisions for Residence Districts in Article IV shall apply to all such uses.

(1) *As of right:*

a. Home Occupations customarily and traditionally conducted in a *dwelling unit* as an *incidental use*, provided no such home occupation shall involve:

1. Any employee not resident in the *dwelling unit*;
2. Storage of a stock in trade or sale of commodities on the premises;
3. Use of more than 25% of the net floor area of the *dwelling unit*, or any space outside the *dwelling unit*;
4. External evidence of the *use* other than signs permitted by section 27;
5. Emission of offensive smoke, dirt, dust, vibration, odor, light, heat, glare, noise, electrical disturbance, or radioactive particles or rays.

b. Agriculture, including tilling of the soil and orchards, greenhouses, nurseries, and vineyards, but excluding the keeping of livestock except for the keeping of hens per section 34 of this ordinance. No substance producing odor or dust shall be stored within 200 feet of any *lot line* unless completely enclosed. Accessory uses shall include but not be limited to events of limited duration that are open to the general public including harvest festivals and similar activities. See Section 12.5 b. (2) (c) below for agricultural and non-agricultural accessory uses permitted by special exception.

As permitted As of Right in Residence Districts in this Ordinance:

c. Parks and other facilities for passive recreation as provided for in Residential Districts.

d. Reservoirs, dams, public utility substations and pumping stations, telephone exchanges, police stations, fire stations and post offices, with no industrial activities or outside storage.

e. *Religious institutions*, including parish houses, rectories, convents, and other facilities normally incidental to places of worship but excluding funeral homes and cemeteries.

Minimum parking: One (1) *parking space* for each eight seats in the largest place of assembly of such institution, based upon the maximum occupancy of both fixed and movable seats, located on the same *lot* or within 300 feet *walking distance*.

f. Cultural activities, including art galleries, libraries and museums.

Minimum parking: One *parking space* for each three employees, plus one *parking space* for each four seats in each place of assembly based upon the maximum occupancy of both fixed and movable seats, plus one *parking space* for each 1,000 square feet of *gross floor area* excluding any place of assembly, located on the same lot or within 300 feet *walking distance*.

g. Public and private elementary and secondary schools meeting all requirements of the compulsory education laws of the State of Connecticut, and adult education facilities connected with such schools, including *dormitories* connected with such schools but excluding fraternities

and sororities. Noise, odors, lights, smoke, dirt, and all other possible disturbing aspects connected with the operation of such uses shall be enclosed, screened or otherwise controlled to the extent that the operation of any such use shall not unduly interfere with the use and enjoyment of properties or streets in the surrounding area.

Minimum parking: One (1) *parking space* for each four seats in each place of assembly commonly having events open to the public, based upon the maximum occupancy of both fixed and movable seats, located on the same lot or within 300 feet *walking distance*.

h. Public and private colleges and universities, including *dormitories* connected with such institutions but excluding: fraternities and sororities, trade/or business schools and colleges, and schools and colleges operated as commercial enterprises. Noise, odors, lights, smoke, dirt, electrical disturbance, radioactive particles and rays, and all other possible disturbing aspects connected with the operation of such *uses* shall be enclosed, screened or otherwise controlled to the extent that the operation of any such *use* shall not unduly interfere with the use and enjoyment of properties or streets beyond the boundaries of such college or university.

Minimum parking: One *parking space* for each two full-time faculty members or the equivalent (two part-time members equaling one full-time member), plus one *parking space* for each three employees, plus one *parking space* for each three non-resident students, plus one *parking space* for each six beds if residents are allowed to keep automobiles, plus one *parking space* for each eight seats in each place of assembly (other than classrooms) commonly having one-half or more of its attendance made up of students (and otherwise having one *parking space* for each four seats) based on the maximum occupancy of both fixed and movable seats, located on the same lot or within 300 feet *walking distance*.

i. *Family daycare home.*

(2) *Where permitted by special exception under sub-section 63(d) of this ordinance:*

a. Temporary *uses* and *structures* such as rental offices, tents for weddings and other celebrations and assemblies, booths for charitable purposes and parking for special events.

b. Event facility in a *Historic Residential or Accessory Structure* hosting meetings, social events including, without limitation, weddings, banquets, workshops, corporate gatherings, education or training and similar gatherings. Outdoor events shall end no later than 11:00 p.m.; any amplified music at outdoor events shall end no later than 10:00 p.m. Events may be held outdoors on the grounds of the *Historic Residential Structure* between March and November.

c. Non-Agricultural Accessory Uses complementing agricultural activities including a tasting room, a gift shop, *Restaurant*, including seasonal outdoor seating and the retail sale of wine and wine-related products shall be accessory uses permitted by special exception.:

d. *Group daycare home.*