

## NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

**RE:** **ORDER OF THE BOARD OF ALDERS** Petition to Amend the New Haven Zoning Ordinance Text for the BD-3 District: Central Business/Mixed-Use Districts – Green Ordinances and Standards for Public Plazas in Commercial Developments. (Submitted by: Aicha Woods, Director of the City Plan Department, City of New Haven.)

**REPORT:** **1569-04**

**ADVICE:** **Approve**

**EXISTING ZONE(S):** BD-3  
**PROPOSED ZONE:** To remain BD-3  
**APPLICANT:** City of New Haven  
**ARCHITECT:** N/A  
**ENGINEER:** N/A  
**ATTORNEY:** N/A

### SUBMISSION

Application includes: Checklist Coversheet for Aldermanic Submissions; Cover Letter from Aicha Woods to President Tyisha Walker-Meyers, dated April 23, 2020; Petition for Amendment to New Haven Zoning Ordinance; Ordinance RE: Zoning Ordinance Text Amendment for Green Ordinances And Standards for Public Plazas in Commercial Developments in the BD-3 Zone; Fiscal Impact Statement. Received May 2019.

### BACKGROUND

The BD3 zone, created specifically to encourage the development of the City’s commercial Life Science and Biotech sector, will benefit from these new zoning incentives. Commercial Lab buildings in particular have larger floor plates than other types of buildings and will benefit from the potential of increased size based on higher allowable FAR potential.

Just like the Commercial Gateway District, larger medical/laboratory building typologies in this zone must attain points on the Sustainability Score Card. Points grant the developer additional square footage. This zoning text amendment will provide two main pathways for achieving an FAR bonus in the BD3 zone up to 8. The first is through incentives to use Green Building practices and to mitigate storm water impacts. The incentives offered build on existing zoning language but amplify the impact, as is appropriate for a larger scale of development. The second pathway is through the provision of Privately Owned Open Space (POPS)-Urban Plazas that have clear design guidelines. The proposed language for these guidelines is built off of models that have been time tested and replicated in cities around the country.

In summary, the BD-3 zone was imagined to support the bioscience sector of the New Haven economy and the larger buildings it demands. However, this text amendment does not provide that FAR as-of-right. Instead, the impacts of the larger building must be mitigated either through excellence in environmental sustainability or by giving back to the community through excellence in design of publicly available open spaces.

### SUMMARY OF PROPOSED CHANGES

- Increase the allowable FAR to 8.
- Up to FAR of 6 is permitted as of right; above 6, sustainability strategies and/or public plazas must be implemented to “earn” additional building square footage.
- Improves upon the existing sustainability scorecard.
- Creates strong design guidelines for public spaces.

## PLANNING CONSIDERATIONS

Here is the purpose of the BD-3 Zoning District: *Business D-3 Districts—Central Business/Mixed-Use*. These districts in the urban core are reserved for intensive development, including multi-story and mid and high rise buildings. They provide for mixed uses, including hospital outpatient clinics, other medical clinics, biotechnology research centers, high and medium density residences, offices, and commercial uses, including retail shops and restaurants. These districts also connect the city's central business and medical and educational districts with each other and with the city's transportation center at Union Station. The Central Business/Mixed Use districts are pedestrian, bicycle and transit friendly. Uses on the ground floors of nonresidential and mixed use buildings that face public rights-of-way in these districts should include retail and active uses that are in part or in whole transparent from sidewalks and streets.

The purpose statement for the zone calls for mid- to high-rise buildings but the zone itself limits FAR in such a way as to prevent the density called for in the zone. The zone specifically calls for biotechnology research centers, which are enabled by this proposed zoning amendment by permitting the larger floor plates the use demands.

Further, the Comprehensive Plan states: "The Commission recommends development of multi-storied mid- and high-rise buildings suitable for residential/commercial/ medical research and office uses on parcels closer to Route 34 East (Downtown Crossing). Since these parcels are also closer to the city's transportation center at Union Station, reduced parking requirements within this district would enable a transit-, bike-, and pedestrian-friendly environment. Pedestrian-level retail/ restaurant and other active uses are generally encouraged on the ground floor." (xxxix.)

This amendment de-emphasizes parking and promotes a pedestrian-friendly environment by encouraging ground-level plaza for the benefit of the community and those who will work at the new bioscience center.

The Comprehensive Plan also calls for: "[Building] the tax base of the city and also create new economic opportunities by implementing the vision of Hill-to-Downtown Community Plan, Mill River District Plan, and Downtown Crossing and redeveloping Route 34..." (xxxi) By adapting the zoning of this area to its intended purpose, the additional tax revenue and job creation will be a great benefit to the City and its residents.

As required by Article VII Section 3L and Article XIII Section 2 of the City of New Haven Charter, the proposed Zoning text amendment is in accordance with the Comprehensive Plan of Development for the City of New Haven as the amendment will encourage an appropriately transitional pattern of orderly and mutually beneficial development along Route 34, and will allow for greater scale while still in harmony with adjacent uses. As also required by Article VII Section 3L and Article XIII 2, this amendment is designed to increase sustainability measures, enhance the pedestrian experience, secure safety, promote health and the general welfare, provide adequate light and air, prevent the overcrowding of land, provide adequate provisions for transportation and other public requirements, reflect the character of the applicable zoning districts and their peculiar suitability for the uses to be allowed in such districts, conserve the value of existing buildings, and encourage the most appropriate use of land in the City.

## ADVICE

Approve

**ADOPTED:** May 20, 2020  
Edward Mattison  
Chair

**ATTEST:**   
Aicha Woods  
Executive Director, City Plan Department