

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: PUBLIC HEARING RE: ZONING ORDINANCE TEXT AMENDMENTS TO TITLE VI, VOLUME III, SECTION 65.E(4) “Parking Plan amendments to a planned development,” (Alder Marchand)

REPORT: 1512-07

ADVICE: The Commission makes no recommendation on the language of the Ordinance. The Commission recognizes the reality of the problem the Board of Alders seeks to address and urges the Board to engage in a broader and deeper study of the issues, while considering the legal risks of the Ordinance text amendment.

BACKGROUND

The intent of Overall Parking Plans, authorized in Section 29 (i) of the Zoning Ordinance, is to allow more efficient use of land owned or used by religious, educational, or hospital institutions by removing the requirement that parking for a certain use be supplied within 300 feet of that use – if the institution has a campus of buildings and an Overall Parking Plan. Overall Parking Plans require Special Exceptions. The Overall Parking Plan is simply a document that shows the quantity and location of required parking. There are no specific requirements in the Ordinance about what constitutes an OPP. **Overall Parking Plans do not relieve the institution from any other regulations regarding parking requirements or zoning.**

The detailed submission requirements of the Overall Parking Plans at the Medical District and Yale University Central and Science Hill Campus, and the former Hospital of St. Raphael (now YNHHSR campus) result from conditions of specific decisions by the Board of Aldermen, and by the Board of Zoning Appeals.

Alder Adam Marchand and his colleagues propose an amendment to the Zoning Ordinance Section 65 addressing Parking Plan Amendments to Planned Developments. The submission did not include a cover letter, so the intent of the amendment is inferred from the Whereas language in the accompanying Order. In summary this language mentions:

The need for balance between institutional parking needs and the welfare of City residents,
Quotes the 2003 Comprehensive Plan language regarding a lack of parking supply in the medical district, [at that time]

Cites the current update of the Comprehensive Plan (Vision 2025) concerning the need for enforcement of traffic and parking regulations to enhance efficiency and promote a better alignment of economic development and city planning policies as regards transportation and parking, and the need to partner with local employers to promote transportation demand management strategies ...to reduce the demand for parking.

The Whereas’ also state that significant increases in parking supply in the Medical District have not been accompanied by public review, since April 2007. [This last statement is not correct. See attached]

The amendments appear to require an entity which has an Overall Parking Plan to seek re-approval of that parking plan in its entirety prior to submission of any new zoning related actions such as:

Proposed zoning map amendments,
Proposed zoning regulation (text?) amendments,
Applications to the Board of Zoning Appeals for Variances or Special Exceptions
Applications to the City Plan Commission for Special Permits or Site Plan Review

The amendment then seeks to apply this requirement to both the entity which has received approval of an Overall Parking Plan –or to the owner of any parcel which is used to provide parking in an Overall Parking Plan, whether the owner is the institution or not.

Discussion with several Alders indicates that perhaps the first Whereas – regarding the balance between institutional parking needs and the welfare of city residents –comes from violation of general parking regulations as well as the need to enforce Residential Parking Zones (there are several posted streets in the vicinity of the medical district). These issues, while a recurring concern for decades, are better addressed by

enforcement of parking regulations, including the Residential Parking Zones by the appropriate authorities (Police and Transportation Traffic and Parking Departments).

Staff has concerns about the language, and about placement of the amendment in NHZO Section 65, Planned Development, which makes it applicability unclear; staff does not understand the intent of the suggested language, and is concerned that prohibiting new applications by both the institutions which submit OPPs and entities or owners of parking facilities used to provide spaces in OPPs, would unfairly and illegally limit is their rights as property owners.

CURRENT NHZO LANGUAGE:

Section 65.e (4) Parking Plan amendments to a planned development. Any amendment of 20 or more parking spaces to an Overall Parking Plan which covers an area including a planned development must be submitted for approval to the body that approved the original planned development: the Board of Alderman for a PDD; the Board of Zoning Appeals for a PDU. If an Overall Parking Plan covers an area that includes both a PDD and PDU, then changes shall be submitted to the Board of Aldermen for review and approval, provided, however, that the Board of Aldermen may elect to refer such amendment to the Board of Zoning Appeals for action. If an Overall Parking Plan covers an area of 150 or more acres, then (a) changes involving 100 or more parking spaces shall be submitted for review and approval to the Board of Aldermen, and (b) changes of less than 100 spaces shall be submitted for administrative review by the City Plan Department. Any request to change the borders of the area covered by an Overall Parking Plan must be submitted to the Board of Aldermen for review and approval, provided however that no parking plan shall cover two or more non-contiguous areas, excepting satellite lots that may service the primary area. Increased parking demand generated by employees working on temporary construction projects shall not require an application to amend an Overall Parking Plan, but shall be included in the application for city approval of the project. The proposed parking plan amendment shall include an account of all available parking and its use; an account of all parking fees charged and revenues collected; an account of current demand management efforts such as public transit subsidies, car pools, bicycle storage, satellite parking lots with shuttle service and others; a census of potential parkers, per section 12(b), with five-year and ten-year projections based on the applicant's expansion plans, if any; a detailed study of the utilization of on-street parking in the surrounding area; and such other information as the Board of Aldermen deems necessary. Any Overall Parking Plan that is or becomes out of compliance with conditions required by a city board or commission shall be updated and submitted for review/approval within 30 days of the effective date of this ordinance or within 30 days of the date of non-compliance.

PROPOSED NHZO LANGUAGE:

§65.e (4) is hereby amended by adding the following underlined text:

A current Overall Parking Plan must have been approved pursuant to this Section, notwithstanding any other provision of the Zoning Ordinance to the contrary, and notwithstanding any Overall Parking Plan approved prior to the effective date of this Section, prior to the submission of any new application proposing zoning map amendments, zoning regulation amendments, Variances, Special Exceptions, Special Permits, or Site Plan review for any project within the City of New Haven which meets either of the following criteria:

(a) is submitted by an entity which is subject to an Overall Parking Plan, OR;

(b) includes a parcel or partial parcel used to provide parking which is counted in an Overall Parking Plan.

PUBLIC HEARING

Public Hearing Transcript available – City Plan Commission meeting 1512, November 18, 2015.

HISTORY

Overall Parking Plans are authorized in Section 29 (i) of the Zoning Ordinance, but no detailed guidance is provided in the Ordinance concerning the content, format or maintenance of an OPP. Four institutions have had Overall Parking Plans at least since 1970: 1) Yale University for the Central and Science Hill Campus, 2) Yale

New Haven Hospital, Yale University School of Medicine and 3) Connecticut Mental Health Center which collaborate on the Medical District Parking Plan, and the former 4) Hospital of Saint Raphael (now part of Yale New Haven Hospital). Overall Parking Plans were initially connected with Section 66. Institutional Zone, but this zone was struck from the NHZO in 1975, leaving the Overall Parking Plan language orphaned in Section 29 (i).

1) Yale University Overall Parking Plan for the Central and Science Hill Campus: In a 1997 Decision by the BZA (Board of Zoning Appeals) concerning application 97-30-S & 97-31-V for several Variance and Special Exceptions by Yale University, the BZA attached 12 conditions to their approval which outlined new requirements for a Central Campus and Science Hill Overall Parking Plan. The requested relief enabled construction of a new dormitory at 55 Tower Parkway; at a site which had been a large surface parking lot of 321 space capacity, generating understandable concern from City officials, staff and the public in general about the impact of the loss of those spaces on the surrounding area, including the Broadway shopping area and the nearby Dixwell and Dwight neighborhoods. (The BZA Decision letter conditions are attached).

The University then submitted changes (location and number of spaces) to the OPP each time they submitted for zoning relief. Since this meant multiple submissions in a year, City Plan staff asked that the updates be summarized on an annual basis, understanding that any new uses would still be required to meet NHZO parking standards or apply for Special Exceptions via the BZA. In 2003, BZA Decision 03-24-S, PDU # 105 included a new requirement to add a census of faculty students and staff to the annual submissions. The Central and Science Hill Campus Parking Plan is amended yearly each December in order to record additions and deletions of spaces. Since 1997 Yale University has submitted numerous applications for zoning relief to the BZA, as well as several new Planned Development Districts. **All applications to the BZA (including Planned Development Units), and establishment of new or amendment of Planned Development Districts are subject to public hearings at the BOA, lots and garages of over 200 spaces are subject to Special Permit public hearing at the CPC.** (See attached)

2) & 3) Yale New Haven Hospital, Yale University School of Medicine & Connecticut Mental Health Center. The Medical Area Overall Parking Plan (MAOPP) for these three institutions with contiguous campuses, are described in a series of BZA, CPC and BOA reports beginning in the 1970's (see timeline). In 2006 in an effort to centralize information and improve function and clarity the Board of Alders in the Land Disposition Agreement for 55 Park Street and 2 Howe Street (Lot E) included requirements for maintenance of MAOPP records, and added a requirement for annual submission of a Transportation Demand Management (TDM) measures. The Medical District Overall Parking Plan and the TDM plan are submitted annually in December with a copy going to the BOA for their information. **All applications to the BZA (including Planned Development Units), and establishment of new or amendment of Planned Development Districts are subject to public hearings at the BOA, lots and garages of over 200 spaces are subject to public hearing at the CPC.** (See attached)

4) Hospital of Saint Raphael (now part of YNH) has had an Overall Parking Plan as part of their Planned Development District, the OPP was amended when significant changes were made to the PDD. There have been no requirements for annual updates; however YNH included the HSR parking resources in their 2014 update to MAOPP.

PLANNING CONSIDERATIONS

The Zoning Ordinance is under ongoing review and revision by the City Plan Commission per Section 64 (a) of the Zoning Ordinance; and there is always room for improvement. General direction for amendments are suggested in the Comprehensive Plan of Development, and in specific area plans such as The Coastal Program (2006), Route 34 West Planning, Downtown Crossing (ongoing), The Mill River District Plan (2013), and the Hill to Downtown Plan (2015). The Commission has proposed changes to implement recommendations of these plans; but amendments can also be triggered incrementally by the need to respond to changes in development patterns and practices, to modernize language, and to clarify procedures. The Alders point out the

need stated in the Comprehensive Plan to work with both reduced zoning requirements for parking and the provision and promotion of transit alternatives and transportation demand measures, as well as providing more housing near employment centers in order to make more efficient use of our limited city footprint.

The specific language of the text amendment is concerning. It is proposed for Section 65 where it would apply only to Planned Development Units and Planned Development Districts; yet the notwithstanding language is contrary to that, as appears the intent is to apply the language to Overall Parking Plans, however they were approved, whether or not the parcels included are within Planned Developments. This presents a circular logic, as OPPs plans are not authorized or described in Section 65.

The amendment appears retroactive – applying to OPPs approved prior to the effective date of the proposed text change – regardless of when they were approved. This is likely unenforceable as it is contrary to state statutes, case law and practice regarding zoning authority, which is generally not retroactive.

The amendment also appears to include any parcels which are included in a parking plan from the prohibition on any new “zoning applications” without regard to their ownership. This would place restrictions on the owners’ rights to use that parcel in a manner permitted under the law, whether or not that owner was the same as the holder of the Overall Parking Plan. This too would be unenforceable, because it restricts an owner (whether the institution responsible for the OPP, or a private party from whom they lease parking spaces) from enjoying property rights they currently have.

It also appears the intent of the text change is to require periodic reapprovals of a parking plan in its entirety, rather than the incremental approvals which now occur as part of each approval of new construction or addition or deletion of new buildings, and/or parking facilities over 20 spaces (Site Plan) or over 200 spaces (Special Permit).

The Commission needs to better understand the intended goals of the text change in order to help craft clear and language.

There is also a big picture here, one that requires a thoughtful review of city goals and objectives regarding required parking in the Zoning Ordinance and an assessment of the administration of Overall Parking Plans as well as Transportation Demand Management. The current procedures and reports are the result of specific decisions by the Board of Zoning Appeals in some cases and by the Board of Alders pursuant to specific sales of City land in others.

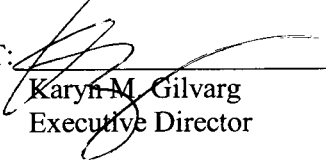
At the same time the City is progressively reducing its parking minimums. We can go further. By managing transportation demand to shift travel to transit (rail and bus) service, encouraging walking and bicycle commuting, the requirements for parking in the NHZO can be reduced, reducing the proportion of land or structures devoted to parking, reducing vehicle trips, encouraging more walking and bicycle riding with improved health as an additional benefit. Advice and recommendations from the Transportation Department would be helpful in determining what other measures the City can take in its policies and regulations beyond the Zoning Ordinance to increase Transportation Demand Management and extend its practice beyond a single institution. The Department can also advise how best to promote the growth and market use of transit services. The Parking Working Group Report, the recent Mobility Study conducted by Park New Haven and other recent studies can suggest a way to make better and more effective regulations and promote plans and services which can be applied City-wide.

ADVICE AND FINDINGS

The Commission makes no recommendation on the language of the Ordinance. The Commission recognizes the reality of the problem the Board of Alders seeks to address and urges the Board to engage in a broader and deeper study of the issues, while considering the legal risks of the Ordinance text amendment.

ADOPTED: November 18, 2015
Edward Mattison
Chair

ATTEST:


Karyn M. Gilvarg
Executive Director

**50 TOWER PARKWAY (BZA FILES 97-30-S, 97-31-V)
CONDITIONS APPROVED BY BZA JUNE 24, 1997**

1. The 110 dwelling Residence Hall shall be limited to Yale students, guests and associated staff use.
2. Future use shall be governed by the zoning ordinance in force at the time of the proposed change in use.
3. The parking relief granted shall remain in force only so long as the structure is in use as a Residence Hall.
4. An Overall Parking Plan in conformance with the provision of Section 29.1 of the New Haven Zoning Ordinance shall be submitted for review and approval by the New Haven Board of Zoning Appeals, prior to June 30, 1998. The City Plan Commission shall have thirty (30) days from the date of submission of the Overall Parking Plan to furnish written advice to the Board of Zoning Appeals.
5. The Overall Parking Plan work program, which shall be submitted on or before September 1, 1997 for review and approval by the Department of Traffic and Parking and City Plan Commission, shall include:
 - a. Yale-City coordination efforts to maximize short term parking availability in the Broadway area (i.e., end of "early bird" and monthly rates, rate revisions to discourage monthly parkers, car pool assignment preferences, bus and/or rail passes or discounts in lieu of parking, shuttle system revisions).
 - b. Measures to discourage student, employee and faculty use of on-street and short term parking facilities.
6. The Campus Parking Study shall be expanded to consider supply and demand impacts of alternate Broadway Commercial area development scenarios.
7. The Overall Parking Plan shall consider the impact of removal of Lot 71 as a parking resource for the Broadway Commercial District and address alternate parking resources for major area parking generators including the proposed Barnes & Noble store, York Square Cinemas, Toad's Place, Woolsey and Sprague Halls, and others as may be identified.
8. A Traffic Impact Plan for the overall area including Lake Place, Ashmun Street, Grove Street, Tower Parkway and York Square Place, taking into consideration the multiple construction projects, shall be acceptable to the City Engineer and Department of Traffic and Parking, prior to initiation of site work.
9. Because of the area impact of the removal of Lot 71 as a parking resource to Yale and the Community, a signage program including the following elements shall be presented for review and approval by the Director of Traffic and Parking and Executive Director of the City Plan Department prior to issuance of a superstructure permit for 50 Tower Parkway or prior to September 1, 1997, whichever is earlier:
 - a. At the juncture of Tower Parkway and Ashmun Street a map showing alternate parking resources of sufficient size so as to be read from passing cars shall be erected.
 - b. At each parking lot available to the public within 1000' of Lot 71 a map showing alternate parking resources of sufficient size so as to be read from a car shall be erected in a prominent public location.
 - c. A leaflet showing alternate parking resources to Lot 71.
 - d. A mailer that may be enclosed with event tickets for Toad's Place, Payne-Whitney Gym, Woolsey and Sprague Halls.
10. Parking Plan showing the number, location of parking spaces for construction workers shall be submitted for review and approval by the City Plan and Traffic and Parking Departments prior to issuance of any building permit for the Residence Hall.
11. Parking resources within 1000 feet of the Lot 71 block shall be monitored to assure that University related short term users do not overwhelm public lots.
12. The Board of Zoning Appeals reserves the right to review any and all materials required by these conditions of approval.

Attachment 2
Yale University Central & Science Hill
Developments Impacting Parking Plan

DATE	REPORT NO.	ADDRESS	DESCRIP	COMMENT
12/13/06	CPC 1397-03	195 Prospect	Forestry SPR	Park in new garage
PUBLIC HEARING 12/05/2006	BZA 06-16 S CPC-1397-07	115 Prospect St.	Social Science PDU 89	Consolidation of lots/new garage
PUBLIC HEARING 2006	BZA 06-160-S CPC 1403-05	115 Prospect St	"	SPR
6/18/08 PUBLIC HEARING	BZA 03/11/2008 CPC 1417-06	230 Whitney	Biology Bldg.	Not built
10/15/08	CPC 1421-01	1023 Chapel St	SPR	YAG
PUBLIC HEARING 11/18/2009 BOA	CPC 1434-05	SOM PDD hearing #120	155 Whitney Ave	
	CPC 1440-01	SOM	155 Whitney Ave	SPR
PUBLIC HEARING 10/20/2010 BOA	CPC 1445-08	PDD for new colleges	Propect & Sachem	
	CPC 1458-01	SPR new colleges		
6/19/2013	BZA? CPC 1480-01	168 Elm Street Hendrie Hall		
2/19/2014	1489-03	225 Prospect	Sterling Chem Lab reno	

**Attachment 3
Medical Area Parking Plan**

DATE	REPORT NO.	ADDRESS	DECRIP	COMMENT
7/18/2007	CPC 1403-06	Site Plan Review Sherm/Orch Sherm/Tyler	NHPA	Temp Lots
8/3/2007	CPC 1405-03	Site Plan Review	UAG YNHH CNH	Parking and Loading per LDA
10/17/2007 PUBLIC HEARING	BZA 07-93-S CPC 1409-12	55 Park Street	Fusco Park St LLC	MAOPP-SE Parking
	CPC 1410-09	55 Park Street	SPR	
1/16/2008 PUBLIC HEARING	CPC 1412-03	2 Howe Street	Pursuant to LDA	Lot E garage 845 spaces
PUBLIC HEARING	BZA # PDU 3 CPC 1418-06	390 Congress	YSM	PDU mod
2/19/2014	CPC 1489-04	904 Howard Valet Lot	SPR	parking spaces
4/16/2014	1490-01 (SPR)	Sherman Tyler Lot	SPR	473
PUBLIC HEARING 4/16/2014	1491-04 (SP)	Sherman Tyler Lot	Special Permit	Parking spaces time limited

Yale-New Haven Medical Center Parking History

Executive Summary

First Overall Parking Plan approved in 1970 as required by Section 66 Institutional Amendment to New Haven Zoning Ordinance since declared illegal and inoperative. No formal modification until 350 Congress Lab. Interim change increment to existing OPP. Summary in order of CPC approval dates follows:

- **PDU 3** – Yale School of Medicine (File Address – 333 Cedar ST)
General Plans for Cedar-York-S. Frontage-College-Congress Block, CPC 548, 06.04.63
Initial Action for Epidemiology & Public Health Building (EPH); additions for Library, Boyer Center, Health Center, Sterling Power Plant. B-Wing added, in YMCOPP Fall 2000 modification – CPC 1288-04, 09.20.00.
- **34 Park ST** – Connecticut Mental Health Center (CMHC)
Constructed as-of-right. No Zoning History on file. (Probably LDA that pre-dates our 1978 card file start)
- **PDD 35** – Yale New Haven Hospital (YNNH)
Yale-New Haven Medical Center Overall Parking Plan (YNHMCOPP, hereafter OPP) initially approved as B 70-66-S, 09.08.70 under §66.B.1.c. Institutional Development provision of the New Haven Zoning Ordinance which required an OPP be approved within 1 year of its passage. Institutional Amendment challenge declared invalid, is not operative. Only was removed in 1995 Recodification.
The OPP service area was defined as the area bounded by Howard-S. Frontage-College-Congress, the Rights Garage site, and several surface lots west of Howard AV between Davenport and Congress.
 1. General Plan, CPC 825-3a, 12.19.78 created PDD bounded by S. Frontage-York-Davenport (renamed York in 1990's)-Howard-Park for St. John building. Parking text refers to imminent construction of Air Rights Garage
Text note §66 declared void, states...
"Since this provision has been declared null and void by the courts, legal interpretation dictates that prior standards are reinstated until such time as new provisions are adopted. The Commission feels that the controls of a PDD are sufficiently inclusive to insure that the intent of the Zoning Ordinance with respect to parking requirements is met, notwithstanding the legal technicalities involved. In any case the Commission is satisfied that construction of the 2500 space Air Rights Garage will address the parking needs of the Medical Center in the comprehensive manner long sought by the City."
 2. General Plan Amendment, Children's Hospital Boundary Expansion, CPC 1113-01, 06.06.90 167 space underground garage on site. Mentions Lot 5 garage, then in planning. Renovate and add two floors to 1982 building (St John's), Memorial Unit, add Children's Hospital. Included Traffic Impact Study (TIS).
- **PDD 28** – Air Rights Garage
2500 Space Garage. CPC 732-01-04 dated 10.31.73 was approved under the Institutional Development provision of Section 66.B.1.c. for 2500 space garage, 70 KSF commercial space. Not specifically addressed but addition amended Overall Parking Plan, which noted garage was in planning.
- **PDD 54** – Physician's Building (800 Howard) + Lot 5 Garage
General Plans approved in CPC 979-02, 11.20.84 for 96KSF Ambulatory care center.
Parking was initially 200 surface spaces, with intent for future garage. Parking considered "as-of-right use."
677 Space Lot 5 Garage, six levels, General Plan approved in CPC 1177-01, 06.15.94
- **300 Congress AV** – Yale Psychiatric Institute (YPI)
BZA 85-200-S (CPC 1007-09, 12.18.85) approved parking within the Medical Center System. Allowed increase to 1500' walking distance for parking (Air Rights Garage). Visitor parking at Lot 5 garage.
- **PDU 87** – Yale Medical Center PDU (File Address – 789 Howard AV)
General Plan for York-Cedar-Congress-Howard block triggered by Brady Memorial Addition (12.5 KSF office autopsy, morgue), which required PDU designation. CPC 1143-05, 02.19.92. Parking – Included supply projects to 1995 with Facilities Renewal Projects. **Application included §2 ½-8 Barakas/Landino Traffic Impact/Site Access study that updated OPP. 4,343 spaces stated Supply where 3,658 required. Lot 5 garage no included.**
- **PDU 87** – Yale Medical Center
Minor addition for office, lab, morgue space triggered PDU designation, CPC 1143-05, 12.19.92.
Parking - 03.05.92 letter included supply tables. Projected 1995 requirement of 3658 spaces, 4343 space supply, not including then scheduled Lot 5 garage.
- **PDD 93** – 350 Congress Labs
440 KSF lab/teaching facility. CPC 1263-01, 01.20.99. 1000 car offsite garage approved (Amistad Garage)
Overall Parking Plan modified, CPC 1288-04, 09.20.00.

ZONING ORDINANCE TEXT AMENDMENT TO SECTION 65.E(4) "Parking Plan amendments to a planned development,"

TITLE VI, VOLUME III OF THE CODE OF ORDINANCES ORDER OF THE BOARD OF ALDERMEN APPROVING AMENDMENTS TO TITLE VI, VOLUME III, NEW HAVEN ZONING ORDINANCE, OF THE CODE OF ORDINANCES.

WHEREAS since 1970, the City has sought to balance the parking needs required by the operations of the City's large institutions with the welfare of city residents through the oversight of Overall Parking Plans for the areas including Yale University, Yale-New Haven Hospital, the Connecticut Mental Health Center, and the Hospital of St Raphael; and

WHEREAS the 2003 City of New Haven's Comprehensive Plan of Development states in Section VI, pg. 29 that: "the need for parking, in advance and support of new development, has been demonstrated," and "the lack of parking at the medical facilities and at Union Station will continue to have a deleterious effect on supply," and in Section VIII pg. 19 calls on new city planning efforts to "encourage high quality design of the transportation system in a manner contextual to the surrounding area;" and

WHEREAS the update to the Comprehensive Plan is even more explicit about the particular challenges of balancing new development and transportation needs, calling on the City to "Enforce traffic and parking laws stringently to enhance the efficiency of the existing transportation and parking system within the city," (V-21), and "Promote a better alignment of economic development and city planning policies, reflecting a broader context for transportation resources" (V-14), and "Partner with local employers to promote transportation demand management strategies such as, offering incentives for car pooling, transit use, etc., which reduces the demand for parking." (V-22); and

WHEREAS in accordance with such plans and the planning and zoning processes in our city, it is incumbent on this body to periodically review ordinances for compliance; and

WHEREAS Alders regularly hear from their constituents regarding the impact on our City of cars belonging to employees of and visitors to our large institutions. Careful oversight of these Overall Parking Plans and their impact on our neighborhoods is needed; and

WHEREAS the Medical Area in particular has seen changes on an unprecedented scale in the last decade, including the opening of the Smilow Cancer Hospital, the reconstruction and infill development of the Route 34 Connector, the new twelve-story, 500,000-square-foot biotech building at 100 College St, and the merger of Yale-New Haven Hospital with the Hospital of St Raphael; and

WHEREAS according to updates provided annually, the Medical Area Overall Parking Plan has grown from 7,131 parking spaces (2006) to 11,771 parking spaces (2014), providing for an estimated 14,000 staff and students plus 845,000 annual visitors; and

WHEREAS changes to Overall Parking Plans have been previously subjected to a public hearing and vote of approval by a city agency (either Board of Alders, Board of Zoning Appeals, or City Plan Commission) in September 1970, December 1985, March 1992, June 1997, September 2000, February 2001, October 2002, June 2006 and April 2007; and

WHEREAS eleven years ago, the New Haven Zoning Ordinance (§65.E(4)) was amended to require that any change of more than 100 spaces in an Overall Parking Plan covering a Planned Development District be submitted to the Board of Alders for review and approval; and

WHEREAS since 2007, no Overall Parking Plan has been subject to a single public hearing nor any review or approval by the Board of Alders or any city agency; and

WHEREAS this ordinance will benefit residents of all neighborhoods of New Haven by addressing issues that impact all who live and work here and all who have a stake in the health and welfare of our city, in a manner consistent with the 2003 plan of conservation and development as well as with the updated 2015 plan, as noted above;

NOW, THEREFORE, BE IT ORDAINED that

SECTION ONE: The New Haven Zoning Ordinance §65.E(4) is hereby amended by adding the following underlined text:

A current Overall Parking Plan must have been approved pursuant to this Section, notwithstanding any other provision of the Zoning Ordinance to the contrary, and notwithstanding any Overall Parking Plan approved prior to the effective date of this Section, prior to the submission of any new application proposing zoning map amendments, zoning regulation amendments, Variances, Special Exceptions, Special Permits, or Site Plan review for any project within the City of New Haven which meets either of the following criteria:

(a) is submitted by an entity which is subject to an Overall Parking Plan, OR;

(b) includes a parcel or partial parcel used to provide parking which is counted in an Overall Parking Plan.

This amendment shall take effect immediately upon adoption.

Background

Comprehensive Plan of Development, October 15, 2003, Section VI, "Downtown," available online at <http://www.cityofnewhaven.com/CityPlan/pdfs/PlanningPrograms/ComprehensivePlan/SectionVIDowntown.pdf>

Comprehensive Plan of Development, October 15, 2003, Section VIII, "Transportation," pg. 19, available online at <http://www.cityofnewhaven.com/CityPlan/pdfs/PlanningPrograms/ComprehensivePlan/SectionVIITransportation.pdf>.

New Haven Vision 2025: A Plan for a Sustainable, Healthy, and Vibrant City, September 2015, Section V, "Transportation," available online at <http://www.cityofnewhaven.com/cityplan/pdfs/Chapter%205%20-%20Transportation.pdf>

Information for 11/18/2015 CPC meeting item #1512-11

Communication received from Yale New Haven Hospital regarding suggested substitute language for the Zoning Text Amendment for Section 65 E(4) concerning Overall Parking Plans:

SECTION ONE: The New Haven Zoning Ordinance §65.E(4) is hereby amended by adding the following underlined text:

Any entity which is subject to an Overall Parking Plan must make its current Overall Parking Plan publicly available on its website, and to members of the general public upon request. All such entities also must establish a telephone number and email address to which local residents may submit complaints regarding improper or inappropriate parking in residential areas by employees and visitors or other concerns regarding the Overall Parking Plan, and publicize such telephone number and email address throughout the local community.

This amendment shall take effect immediately upon adoption.