

Ordinance of the City of Jersey City, N.J.

File No. Ord. 23-051
Agenda No. 3.5 (1st Reading)
Agenda No. 4.5 (2nd Reading and Final Passage)



AN ORDINANCE OF THE JERSEY CITY MUNICIPAL COUNCIL FOR THE AMENDMENTS TO CHAPTER 345-21 OF THE LAND DEVELOPMENT ORDINANCE REGARDING APPLICATIONS AND CHECKLISTS TO MAKE THE ZONING DETERMINATION LETTER REQUIRED UPON STAFF REQUEST.

COUNCIL AS A WHOLE offered and moved adoption of the following ordinance:

WHEREAS, pursuant to NJSA 40:55D-10.3 et seq. specifies that a municipality may adopt by ordinance a checklist by which to review applications for development in order to determine completeness

WHEREAS, on April 25, 2023, the Planning Board held a public hearing on Amendments to the Land Development Ordinance regarding checklist requirements for the zoning determination letter; and

WHEREAS, the Planning Office has complied with all applicable procedural requirements; and

WHEREAS, all testimony having been formally heard for this matter; and

WHEREAS, Tanya Marione, P.P., A.I.C.P. Division Director for the City of Jersey City Planning Division testified with respect to the Amendments prepared by the Planning Division; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JERSEY CITY AS FOLLOWS:

The proposed amendments to the Land Development Ordinance, attached hereto, as recommended by the Jersey City Planning Board on April 25, 2023, and hereby is, adopted

BE IT FURTHER ORDAINED THAT:

A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

C. This ordinance shall take effect at the time and in the manner as provided by law.

D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.

E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

APPROVED AS TO LEGAL FORM

Business Administrator

Corporation Counsel

An Ordinance of the Jersey City Municipal Council for the amendments to Chapter 345-21 of the Land Development Ordinance regarding applications and checklists to make the zoning determination letter required upon staff request.

RECORD OF COUNCIL VOTE ON INTRODUCTION – May 24 2023						
RIDLEY	AYE	SALEH	AYE	DEGISE	AYE	9-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	GILMORE	AYE	WATTERMAN, PRES	AYE	

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING – Jun 14 2023						
RIDLEY	AYE	SALEH	AYE	DEGISE	AYE	9-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	GILMORE	AYE	WATTERMAN, PRES.	AYE	


SPEAKERS:
Jeanne Daly

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY –						
RIDLEY		SALEH		DEGISE		
PRINZ-AREY		SOLOMON		RIVERA		
BOGGIANO		GILMORE		WATTERMAN, PRES.		


RECORD OF FINAL COUNCIL VOTE – Jun 14 2023						
RIDLEY	AYE	SALEH	AYE	DEGISE	AYE	9-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	GILMORE	AYE	WATTERMAN, PRES.	AYE	

Adopted on first reading of the Council of Jersey City, N.J. on **May 24 2023**
Adopted on second and final reading after hearing on **Jun 14 2023**


This is to certify that the foregoing Ordinance was adopted
by the Municipal Council at its meeting on Jun 14 2023



City Clerk



Joyce E. Watterman, President of Council
Approved: Jun 14 2023



Steven M. Fulop, Mayor
Date to Mayor: Jun 15 2023
Approved: Jun 15 2023

An Ordinance of the Jersey City Municipal Council for the amendments to Chapter 345-21 of the Land Development Ordinance regarding applications and checklists to make the zoning determination letter required upon staff request.

FACT SHEET -

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the ordinance.

Project Manager

Tanya Marione, Director of Planning		201-547-5010	tanyam@jcnj.org
Department	Department of Housing, Economic Development, and Commerce		
Division	Division of Planning		

Note: Project Manager must be available by phone during agenda meeting (Wednesday prior to council meeting @ 1:00 p.m.)

Meeting	Regular Meeting of Municipal Council - May 24 2023
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Purpose

Amending the planning checklist to make the zoning determination letter only required upon the planner's request
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Cost (Identify all sources and amounts)

0

Contract term (include all)

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ATTACHMENTS:

Proposed Amendments 345-31 ZDL optional RESO P23-080 LDO Amendment for Checklist ZDL

Approved by
Tanya Marione, Director of Planning
Annisia Cialone, HEDC Director
Jeremy Jacobsen, Attorney
John Metro, Business Administrator

Status:
Approved - May 10 2023
Approved - May 10 2023
Approved - May 12 2023
Approved - May 17 2023

PROPOSED AMENDMENTS TO THE CHAPTER 345-31 OF THE LAND DEVELOPMENT ORDINANCE REGARDING APPLICATIONS AND CHECKLISTS TO MAKE THE ZONING DETERMINATION LETTER REQUIRED UPON STAFF REQUEST

4/12/2023

Text to be added is shown in bold italics and yellow highlight like **this**

Sections and/or text that not be amended is listed in bold all caps as **NO CHANGES**

§ 345-31. - Applications and checklists.

A. **NO CHANGES**

B. **NO CHANGES**

C. General Development Checklist.

NOTE TO APPLICANTS: In the column marked "Submitted - No" you will find certain items marked with an "X", which are the items determined to be deficient as per the requirements of the Jersey City Land Development Ordinance. If you request a waiver, you shall supply detailed reasons for the request.

	SUBMITTED			WAIVER REQ'D	STAFF REMARKS
	YES	NO	N/A		
I. FORMS AND AFFIDAVITS					
1. General Development Application					
2. Affidavit of Submission					
3. Affidavit of Ownership					
4. Affidavit of Performance					
5. 10% Ownership Disclosure Form					
6. Certificates of tax, payroll and water bills paid					
7. Letter of Rejection from Zoning Officer (upon staff request)					
8. Application Fees					
a) Initial Deposit					
b) Full Application Fee (upon staff review)					
c) Proof of payment/copy of receipt					
9. Demolition Determination Memo					
10. Determination of Significance Memo					
11. Affordable Housing Checklist Form					
12. Utility/Infrastructure/Refuse Form					

NO OTHER CHANGES

**RESOLUTION OF THE PLANNING BOARD OF
THE CITY OF JERSEY CITY**

For: Approval and Recommendation of Amendments to Chapter 345-31 of the Land Development Ordinance regarding applications and checklists to make the zoning determination letter required upon staff request

Case: P23-080

WHEREAS, on April 25, 2023, the Planning Board held a public hearing on Amendments to the Land Development Ordinance regarding checklist requirements for the zoning determination letter; and

WHEREAS, the Planning Office has complied with all applicable procedural requirements; and

WHEREAS, all testimony having been formally heard for this matter; and

WHEREAS, Tanya Marione, P.P., A.I.C.P. Division Director for the City of Jersey City Planning Division testified with respect to the Amendments prepared by the Planning Division; and

WHEREAS, after discussion and consideration of the Amendments as presented, the Planning Board makes the following initial findings of facts:

1. The City, pursuant to NJSA 40:55D-10.3 et seq. specifies that a municipality may adopt by ordinance a checklist by which to review applications for development in order to determine completeness.

2. Matt Ward, P.P., A.I.C.P. testified and presented the Amendments prepared by the Planning Division, which plan is made a part of the record herein.

WHEREAS, for the submissions made to the Planning Board, the testimony and evidence presented and based upon the entire record, the following further findings of facts and conclusions of law were made:

1. All of the initial findings of facts as set forth in paragraph 1 and 2 and the "WHEREAS" paragraphs are hereby incorporated by reference herein as further findings of facts.

2. The Planning Board has determined that it is in the best interest of the City to adopt this resolution and clearly state that this resolution shall be, and here is, the report of the Planning Board as required by the Municipal Land Use Law, to the City Council containing the Planning Board's recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the City of Jersey City that, based upon the forgoing findings of facts and conclusions of law, including all testimony and evidence presented at the hearing and based upon the reports submitted to the Planning Board, that it is hereby recommended to the City Council that it adopt amendments to chapter 345-31 of the land development ordinance regarding applications and checklists to make the zoning determination letter as set forth herein and that this resolution shall be considered the report of the Planning Board to the City Council.


BE IT FURTHER RESOLVED, that this Resolution will be published within ten (10) days of the date of the adoption of this resolution in the official newspapers of publication of the Planning Board of the City of Jersey City.

**RESOLUTION OF THE PLANNING BOARD OF THE CITY OF JERSEY CITY
FOR**

**Approval and Recommendation of Amendments to the Land Development
Ordinance regarding Checklist items related to the zoning determination
letter**


VOTE: 6-0

COMMISSIONER	YES	NO	ABSTAIN	ABSENT
Christopher Langston, Chairman	X			
Stephen Lipski	X			
Vidya Gangadin	X			
Darlene Green	X			
Dr. Vijaya Desai	X			
Dr Orlando Gonzeles	x			


Christopher Langston (May 11, 2023 15:50 EDT)
Christopher Langston,
Chairman
Jersey City Planning Board


Cameron Black (May 11, 2023 10:51 EDT)
Cameron Black, Secretary
Jersey City Planning Board
Division of City Planning

Approved as to Legal Form:


Santo T. Alampi (May 11, 2023 09:29 EDT)
Santo T. Alampi, Esq.

Date of Meeting: April 25, 2023
Date of Memorialization: May 9, 2023