

City Clerk File No. _____ Ord. 10-132

Agenda No. _____ 3.E _____ 1st Reading

Agenda No. 4.D _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-132

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE CLARIFYING BUILDING HEIGHT AND GARAGES IN THE R-1 DISTRICT, OFF-STREET PARKING REGULATIONS, AND SIGNAGE IN THE WPD ZONE

WHEREAS, the Municipal Council, pursuant to NJSA 40:55D-62, may adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon; and

WHEREAS, the Municipal Council adopted the Land Development Ordinance, Chapter 345 of the Code of the City of Jersey City, on April 11, 2001, (Ordinance No. 01-042), and several amendments since then; and

WHEREAS, existing standards for building height and garages in the R-1 (residential) district have caused confusion which could easily be clarified with these amendments; and

WHEREAS, there is an increase in the number of valet parking lots citywide and existing off-street parking regulations do not address their unique needs, and curb cuts need to be regulated and limited citywide; and

WHEREAS, signage regulations within the WPD (Waterfront Planned Development) zone are inappropriate and impractical to the point that all new signs request a variance, signaling the need to revise the zoning standards; and

WHEREAS, the Municipal Council, pursuant to NJSA 40:55D-64, has sought and received the recommendations of the Jersey City Planning Board relative to these issues; and

WHEREAS, the Planning Board at its meeting of September 21, 2010 did vote to recommend that the Municipal Council amend the building height and garage standards in the R-1 zone, off-street parking regulations, and signage in the WPD zone; and

WHEREAS, the amendments to the Land Development Ordinance are attached hereto and made a part hereof, and are available for public inspection at the Office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the Land Development Ordinance, be and hereby is amended as per the attached document;

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- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.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 Clerk is hereby directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the 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 further 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.

APPROVED AS TO LEGAL FORM

Corporation Counsel

Robert D. Cotter, AICP, PP, Director
Division of City Planning
APPROVED: _____
APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE FACT SHEET**1. Full Title of Ordinance:**

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE CLARIFYING BUILDING HEIGHT AND GARAGES IN THE R-1 DISTRICT, OFF-STREET PARKING REGULATIONS, AND SIGNAGE IN THE WPD ZONE

2. Name and Title of Person Initiating the Ordinance, etc.:

Carl Czaplicki, Director, Department of Housing, Economic Development, and Commerce

3. Concise Description of the Plan Proposed in the Ordinance:

This Ordinance will amend the Land Development Ordinance (Zoning Ordinance) to clarify permitted building heights and garages in the R-1 (residential) district, to amend off-street parking regulations, and to amend signage regulations in the WPD (Waterfront Planned Development) zone.

4. Reasons (Need) for the Proposed Program, Project, etc.:

To relieve confusion about permitted building heights and garages in the R-1 zone, to better accommodate valet parking lots and limit curb cuts, and to allow for appropriate signage types and sizes in the WPD zone.

5. Anticipated Benefits to the Community:

Clarification of zoning standards, more appropriate off-street parking and signage regulations.

6. Cost of Proposed Plan, etc.:

None

7. Date Proposed Plan will commence:


Upon approval


8. Anticipated Completion Date: N/A**9. Persons Responsible for Coordinating Proposed Program, Project, etc.:**

Carl Czaplicki, Director, Dept of HEDC
Robert D. Cotter, City Planning Director
Nick Taylor, Acting Director, Division of Zoning

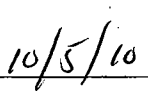
10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.


Division Director


Date


Department Director Signature


Date

SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE CLARIFYING BUILDING HEIGHT AND GARAGES IN THE R-1 DISTRICT, OFF-STREET PARKING REGULATIONS, AND SIGNAGE IN THE WPD ZONE

This Ordinance will amend the Land Development Ordinance (Zoning Ordinance) to clarify permitted building heights and garages in the R-1 (residential) district, to amend off-street parking regulations, and to amend signage regulations in the WPD (Waterfront Planned Development) zone.

Amendments to Article V of the Jersey City Land Development Ordinance

Material indicated by strikethrough like ~~this~~ is existing material that is intended to be deleted.
Material indicated by bold italic *like this* is new material that is intended to be enacted.

345-40. R-1 ONE AND TWO FAMILY HOUSING DISTRICT

- A. No Change
- B. No Change
- C. No Change
- D. No Change
- E. Bulk Standards for One and Two Family Dwellings:

- 1. No Change
- 2. No Change
- 3. No Change
- 4. No Change
- 5. No Change
- 6. No Change
- 7. Maximum Building Height:
3 stories with a minimum floor to ceiling height of 9 feet, a maximum floor to ceiling height of 12 feet, and a maximum of five additional feet between the top of the third floor and the topmost point of any peaked roof (where a peaked roof is deemed appropriate under the design standards), provided that a minimum of two (2) adjacent floors must be connected solely by means of a staircase internal to the unit, and provided that only one of the two internally connected floors may have a kitchen and/or a full bath.

For the purposes of calculating the maximum allowable building height an additional 12" (twelve inches) is assumed between the ceiling of each story and the floor above in accordance with the chart below:

Fl. to Ceiling ht	Fl. to fl. ht	Total bldg ht with flat roof	Total ht with peaked roof
9 ft	10 ft	30 ft	35 ft
10 ft	11 ft	33 ft	38 ft
11 ft	12 ft	36 ft	41 ft
12 ft	13 ft	39 ft	44 ft

In the case of varied floor to ceiling heights, the total permitted building height with a flat roof shall be the sum of the floor to ceiling heights of each floor plus twelve inches per floor. The total permitted building height with a peaked roof is five feet higher than with a flat roof.

- 8. Unchanged
- 9. Unchanged
- 10. Unchanged
- 11. Unchanged

F. Parking Standards for One and Two Family Dwellings:

1. Unchanged
2. Unchanged
3. Unchanged
4. Unchanged
5. Garages constructed as part of the ground floor of any new two family house shall comprise at least 50% of the ground floor interior space, shall be at least 13 feet wide and at least 44 feet deep except on corner lots where garage entrance(s) are located at the rear of the long side of the building, and shall accommodate at least two cars.
6. ***Garages constructed as part of the ground floor of any new single-family house are subject to area and dimensional requirements noted above if and when the subject building is converted into a two-family home. One-car garages approved as part of a single-family home are to be designed to enable expansion in depth to accommodate no less than a 13 foot wide by 44 foot deep garage.***
- 6- 7. Conversions of 1st Floor Commercial to Residential: No on-site parking required.

8/30/10

Material indicated by strikethrough like ~~this~~ is existing material that is intended to be deleted.
Material indicated by bold italic ***like this*** is new material that is intended to be enacted.

345-70. OFF-STREET PARKING AND LOADING

A. Zoning Standards:

1. Off-street parking shall not be located between the building and the street.
2. Parking lots with 10 or more spaces shall be planted with shade trees at a rate of one tree per 10 parking spaces in addition to required street trees and 5% landscaping.
3. Where parking structures front on a public right-of-way, the structure shall be "faced" with commercial or mixed uses on the ground floor.
4. All off-street parking lots, except those of one and two-family residences, shall be provided with curbing of poured-in-place concrete, so that vehicles cannot be driven onto required landscaped areas, buffer zones, interior roadways, internal walkways and street rights-of-way so that each parking lot has controlled entrances and exits and proper drainage control. Curbing of poured-in-place concrete shall be located to prevent any part of the vehicle from overhanging the street right-of-way, property line, interior roadways or internal walkways. Vehicular access to street from the parking lot shall be limited to driveways.
5. All parking spaces except those permitted for one and two family housing shall be located with access to each space from an aisle.
6. Required Residential parking shall be on site. Required parking for industrial, office and other employment uses may be on a separate lot as long as the parking spaces are within 500 feet of the use or portion of a complex served regardless of the number of spaces required by this Chapter. Such separate lots when used to meet the parking provision of this Chapter shall have the parking use added to the deed of the property.
7. Off-street loading facilities shall be located so that no vehicle being loaded or unloaded, maneuvering into a loading space or waiting to be parked into a loading space shall interfere with any traffic flow on a street, sidewalk, parking space, aisle, fire lane, driveway, railroad track or turning area nor shall they occupy any part of required lawn or buffer areas.
8. No parking space shall be less than eighteen (18) feet long and eight and one half (8.5) feet wide, ~~except that~~ ***with the following exceptions:***
 - a. ***valet parking lots, where approved by the Planning Board or the Zoning Board of Adjustment, may have reduced stall and aisle sizes. The project applicant is responsible for demonstrating to the Board that the lot can function and accommodate vehicles as proposed.***
 - b. compact car spaces, where approved by the Planning Board or the Zoning Board of Adjustment, shall not be less than sixteen (16) feet long and eight (8) feet wide. Aisles providing access to parking spaces shall have the following minimum

distances. Where the angle of parking is different on both sides of the aisle, the larger aisle width shall prevail.

(table remains unchanged)

9. *Except as otherwise regulated in this chapter, no more than a single 10 feet wide curb cut, driveway and/or garage door shall be permitted on any lot in the R-1, R-1A, R-1F, R-2, or R-3 zoning districts.*

9. 10. The number and design of off-street *parking and* loading spaces shall adhere to the following:

- a. Where more than one use is on a lot, the total number of spaces shall be the sum of the component requirements.

~~10.11.~~ No change

~~11. 12.~~ No change

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 Amend: 8/30/10

Use	Type of Signage	Maximum Area (sq. feet)	Number	Max. Height of sign (feet)	Minimum Setbacks of freestanding signs (feet)	Notes
WPD Waterfront Planned Development						
Townhouses						
	Nameplate only	1	1	N/A	N/A	Nameplate must be attached to the building
	Multi-Family Mid-Rise Apartments Building only	12	1	N/A	N/A	
	Retail, Offices, Mairnas, and Theatres Primary façade (building only)	20 sq. ft. or 5% of the 1 story of that portion of the façade applicable to the non-residential use, whichever is smaller	1 per use			
	Window	300 sq. ft. or 8% of the first story of that portion of the façade applicable to the non residential use, whichever is smaller				
	Secondary façade (building only)	No more than 25% of total glazed area of a storefront 4/2 the width of the primary façade	1 per use			
		1/2 the area of the primary façade sign				

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

ORDINANCE NO. Ord. 10-132
 TITLE: 3.E. OCT 27 2010 4.D. NOV 10 2010



Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Land Development Ordinance clarifying building and garages in the R-1 district, off street parking regulations and signage in the Waterfront Planned Development (WPD) Zone.

RECORD OF COUNCIL VOTE ON INTRODUCTION OCT 27 2010 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			FLOOD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING NOV 10 2010 8-0											
Councilperson <u>GAUGHAN</u> moved, seconded by Councilperson <u>LOPEZ</u> to close P.H.				COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	<u>ABSENT</u>			FULOP	✓			FLOOD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson moved to amend* Ordinance, seconded by Councilperson & adopted				COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VELAZQUEZ			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE NOV 10 2010 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	<u>ABSENT</u>			FULOP	✓			FLOOD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on OCT 27 2010

Adopted on second and final reading after hearing on NOV 10 2010

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on NOV 10 2010

Robert Byrne
 Robert Byrne, City Clerk

APPROVED:

Peter M. Brennan
 Peter M. Brennan, Council President

Date: NOV 10 2010

APPROVED:

Jerramiah T. Healy
 Jerramiah T. Healy, Mayor

Date NOV 15 2010

Date to Mayor NOV 15 2010

*Amendment(s):