



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 11-150

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE PERTAINING TO SUPPLEMENTARY REGULATIONS - FIRE ESCAPES

WHEREAS, the Municipal Council, pursuant to N.J.S.A. 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, Article V of the Ordinance includes Supplementary Zoning Regulations which address yard regulations and exceptions for features such as fire escapes which are necessary for the safety of residents and required by Building and Fire Code; and

WHEREAS, the existing provisions for fire escapes are outdated and do not reflect the current standards set forth by the Fire Code and the proposed changes will bring the two into unison; and

WHEREAS, the Municipal Council, pursuant to N.J.S.A. 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 October 18, 2011 did vote to recommend that the Municipal Council amend the Land Development Ordinance Section V; 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- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.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 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.

Robert D. Cotter, AICP, PP, Director
Division of City Planning

APPROVED AS TO LEGAL FORM

Corporation Counsel

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 PERTAINING TO SUPPLEMENTARY REGULATIONS - FIRE ESCAPES

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 Article V of the Land Development Ordinance (Zoning Ordinance) to modify fire escape provisions in the Supplementary Zoning regulations.

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

The changes will bring the zoning requirements into conformity with fire code standards.

5. Anticipated Benefits to the Community:

Accommodate fire code

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

OCT 21, 2011
Date



Department Director/Signature

10/21/11
Date

SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE PERTAINING TO SUPPLEMENTARY REGULATIONS - FIRE ESCAPES

This Ordinance will amend Article V of the Land Development Ordinance (Zoning Ordinance) to modify fire escape provisions in the Supplementary Zoning regulations. The changes will bring the zoning requirements into conformity with fire code standards.

As of 9/28/11

§345-60 Supplementary Zoning Regulations

- A. No Change
- B. No Change
- C. No Change

D. Yard Regulations.

1. Projections and Encroachments: Minimum required yards shall be entirely free of buildings, structures (excluding parking, patios and walkways) or parts thereof and no building or structure shall project into any minimum required front, side or rear yard nor shall any use be made of any such yard, except as follows:

- a. Cornices and eaves may project not more than two feet into any required yard.
- b. Sills, leaders and similar ornamental or structural features may project six inches into any required yard.
- c. An open fire escape, **where required by fire code**, may project into a required rear yard not more than **three five** feet **and shall be the minimum width necessary to meet fire code. Enclosed fire escapes shall not be permitted to encroach into the rear yard.**
- d. Uncovered steps may project not more than four feet into any required front and rear yard.
- e. Television and radio aerials masts, outdoor fireplaces and children's playground equipment are permitted in any required rear yard.
- f. Window wells affording light and air to basement and cellar areas are permitted in all required yards.
- g. Balconies, as defined in this chapter, may project into a required rear yard not more than five feet, may project into a

required sideyard not more than eighteen (18) inches, and may project into a required front yard not more than twelve (12) inches, provided that no single balcony shall extend along more than fifty (50) percent of the width of the building.

2. No Change
3. No Change
4. No Change

E. No Change

F. No Change

G. Solar Panels

1. Solar panels are exempt from the rooftop area limits of 20% as outlined in F.2 above.
2. Ancillary solar equipment located on the roof is subject to height and rooftop area limits of 20% of rooftop area as outlined in F.1 and F.2 above.
3. Any solar array equipment design which satisfies the criteria as outlined in §345-16B(4) is not subject to review before the Planning Board ~~of~~ ~~or~~ Zoning Board of Adjustment.

H. No Change

I. Accessory Structures and Uses Unless Regulated Elsewhere in this Chapter.

1. No Change
2. Standards for Specific Accessory Uses.
 - a. No Change
 - b. Swimming Pools.
 - i. Pools for private use shall be located on a lot containing a residential building. Pools shall be located in the rear yard only. Setbacks shall be measured from the water's edge and no pool shall occupy more than seventy-five percent (75%) of the rear yard. A deck around the pool shall be a separate structure and such decks shall also

meet the setback standards for the pool. All pools shall adhere to the setbacks as set forth in this Chapter for accessory structures.

- ii. Pools in multi-family developments and in hotels shall not be located within the front yard. All pools shall be landscaped to be below grade with setbacks measured from the water's edge adhering to the requirements for a principal structure. No pool shall occupy more than fifty percent (50%) of the area part of the ~~of the~~ yard in which it is located.
- iii. All lighting shall be screened from dwelling units in the area to prevent direct or reflected light from being a nuisance. No public address system shall be erected with any pool. All health and safety codes shall be met in the erection and maintenance of a pool.
- iv. Enclosure of swimming pools shall be required as set forth in the Uniform Construction Code.

c. No Change

- J. No Change
- K. No Change
- L. No Change
- M. No Change
- N. No Change
- O. No Change
- P. No Change
- Q. No Change
- R. No Change
- S. No Change
- T. No Change
- U. No Change

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

ORDINANCE NO. Ord 11-150
3.F NOV 22 2011 4.F DEC 14 2011



Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Land Development Ordinance pertaining to supplementary regulations-Fire Escapes.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
NOV 22 2011 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓						

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
DEC 14 2011 8-0											
Councilperson <u>GAUGHAN</u>				moved, seconded by Councilperson <u>SOTTOLANO</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓						

✓ Indicates Vote YVONNE BALZER 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.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				LAVARRO			
LOPEZ				RICHARDSON							

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
DEC 14 2011 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓						

✓ Indicates Vote N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on NOV 22 2011
 Adopted on second and final reading after hearing on DEC 14 2011

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on DEC 14 2011

Robert Byrne
 Robert Byrne, City Clerk

APPROVED:
Peter M. Brennan
 Peter M. Brennan, Council President

Date: DEC 14 2011
 APPROVED:

Jerramiah T. Healy
 Jerramiah T. Healy, Mayor

Date: DEC 19 2011

Date to Mayor DEC 15 2011

*Amendment(s):