

City Clerk File No. Ord. 12-004

Agenda No. 3.D 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 12-004

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE PERTAINING TO THE COMMERCIAL/AUTOMOTIVE DISTRICT

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, Article V of the Ordinance lays out permitted uses in zones citywide, including the C/A Commercial Automotive zone; and

WHEREAS, the existing C/A zone limits permitted uses to those directly involving automotive uses, however other compatible uses such as restaurants, banks, and offices would not present a conflict to the zone and in fact already exist in the zone; and

WHEREAS, expanding the list of permitted uses and bulk standards for these uses would benefit the C/A district; 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

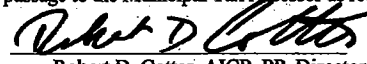
WHEREAS, the Planning Board at its meeting of December 13, 2011 did vote to recommend that the Municipal Council amend the Land Development Ordinance Section V; and

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- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.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


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 THE COMMERCIAL/AUTOMOTIVE DISTRICT

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 expand the permitted uses in the Commercial/Automotive Zone and modify bulk standards to accommodate such uses.

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

The existing permitted uses in the Commercial/Automotive district are limited, and there is no conflict in expanding the permitted uses to include other compatible uses including banks, restaurants, and offices. These uses already exist in the zone and this will bring them into compliance. Revised bulk standards are proposed to accommodate these uses.

5. Anticipated Benefits to the Community:

The amendments will make existing non-conforming uses permitted, and will allow future development of compatible but currently prohibited uses.

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

DEC 15, 2011
Date


Department/Director Signature

12/15/11
Date

As of 12/6/11

§345-49 C/A Commercial/Automotive District

A. No Change

B. Permitted principal uses are as follows:

1. Retail sales of goods and services.
2. Auto sales.
3. Auto repair and services.
4. Service Stations
5. Auto Body Shops
6. **Financial institutions**
7. **Restaurants, all categories.**
8. **Offices**

C. Uses incidental and accessory to the principal use, such as

1. Offices
2. Fences and walls
3. Signs.
4. Parking
5. Car washes, all categories

D. Bulk Standards for Commercial/Automotive District:

1. Minimum Lot Size: Ten thousand (10,000) square feet.
2. Minimum Lot Width: One hundred (100) feet.
3. Minimum Lot Depth: One hundred (100) feet.
4. **Maximum Minimum Front Yard Setback: Five feet; *Setback may exceed five feet if the entire yard adjacent to the right-of-way is fully landscaped and provides a pedestrian pathway to the building entrance. Additionally, garage bays with overhead doors must be set back twenty (20) feet between overhead doors and right-of-way to allow for queuing. Garage bays shall be limited to fifty percent (50%) of the front building façade width.***
5. Side Yard: Zero feet. ***On corner lots, setback may exceed zero feet if the entire yard adjacent to the right-of-way is fully landscaped and provides a pedestrian pathway to the building entrance.***
6. Minimum Rear Yard: Five feet
7. Minimum Building Height: Thirty (30) feet
8. Maximum building and lot coverage: Ninety (90) percent
9. ~~Overhead doors shall be limited to fifty percent (50%) of the front building façade width~~
10. A six foot high decorative brick wall is required along the rear lot line if the parcel abuts residential uses or zones.

E. Minimum Parking Standards for Commercial/Automotive District:

1. No Change
2. No Change
3. No Change
4. ***Financial institutions: one space per five hundred (500) sq. ft. of gross floor area***
5. ***Restaurants: one space per five hundred (500) sq. ft. of gross floor area***
6. ***Offices : one space per five hundred (500) sq. ft. of gross floor area***

SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE PERTAINING TO THE COMMERCIAL/AUTOMOTIVE ZONE

This Ordinance will amend Article V of the Land Development Ordinance (Zoning Ordinance) to expand the permitted uses in the Commercial/Automotive Zone and modify bulk standards to accommodate such uses.

12-004
Robert Byrne

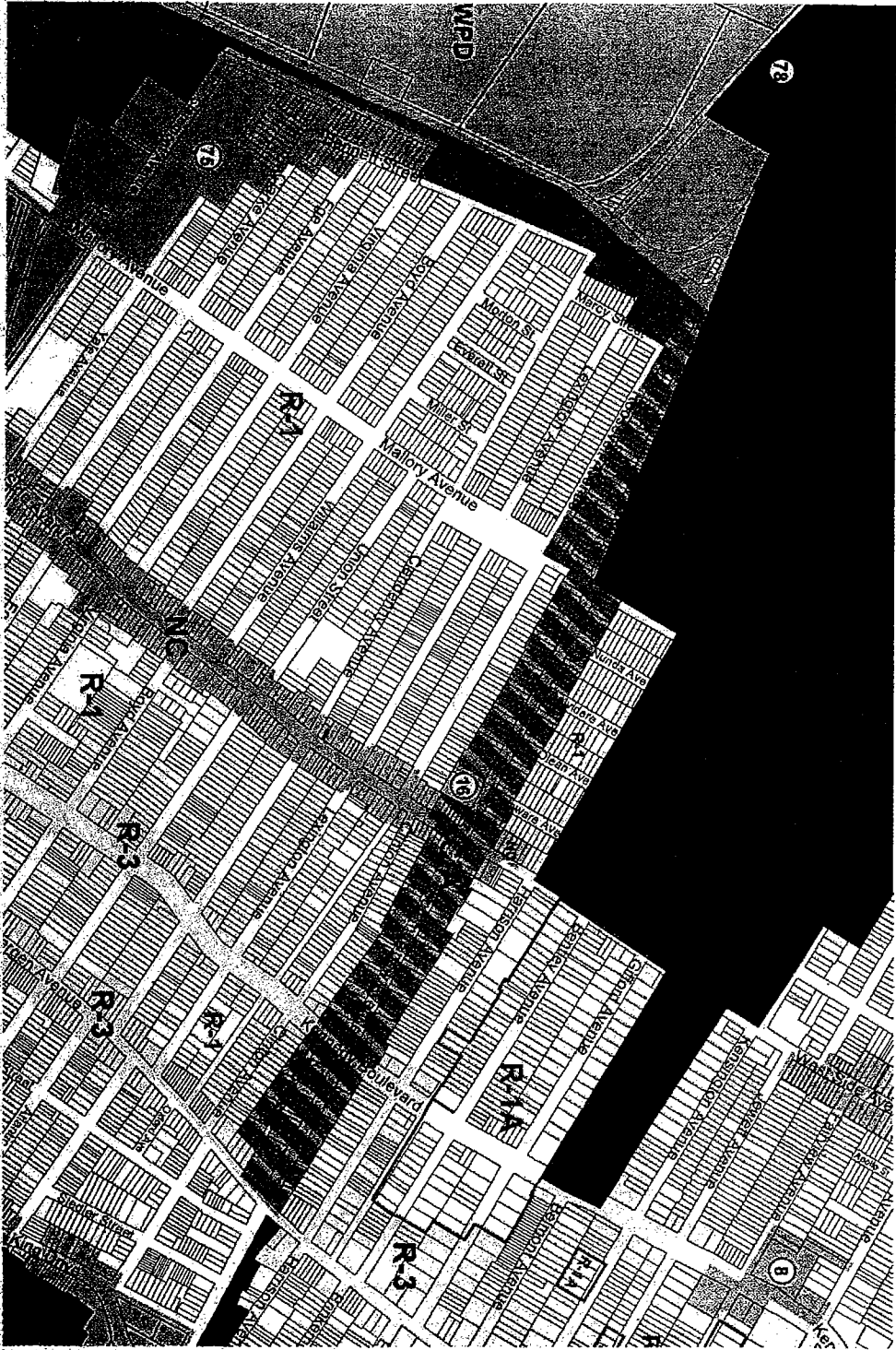
From: Kristin Russell
Sent: Wednesday, January 04, 2012 3:48 PM
To: Robert Byrne
Subject: C/A Map
Attachments: CA.pdf

Robert,
Attached is a pdf map of the C/A zone. The C/A amendments do not affect the boundaries of the zone; it will be staying the same.

Jeff, our map-maker-extraordinaire, is on vacation so I hope that this map will suffice. I will bring copies to Caucus on Monday.

Kristin J. Russell, PP, AICP
Senior Planner

Division of City Planning
30 Montgomery St., Suite 1400
Jersey City, NJ 07302
phone: 201.547.5010
fax: 201.547.4323



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

ORDINANCE NO. Ord. 12-004

TITLE: 3.D JAN 11 2012 4.D JAN 25 2012



Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Land Development Ordinance pertaining to the Commercial Automotive District.

RECORD OF COUNCIL VOTE ON INTRODUCTION								JAN 11 2012 9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

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

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING								JAN 25 2012 9-0			
Councilperson <u>BRENNAN</u> moved, seconded by Councilperson <u>DONNELLY</u> to close RH.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

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

JASON BURG
YVONNE BALZER

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				MASSEY			

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

RECORD OF FINAL COUNCIL VOTE											
JAN 25 2012 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			MASSEY	✓		

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

Adopted on first reading of the Council of Jersey City, N.J. on JAN 11 2012

Adopted on second and final reading after hearing on JAN 25 2012

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JAN 25 2012

Robert Byrne, City Clerk

APPROVED:

Peter M. Brennan, Council President

*Amendment(s):

Date: _____
APPROVED:

Jeremiah T. Healy, Mayor
JAN 30 2012

Date _____

Date to Mayor JAN 26 2012