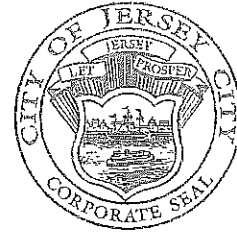


City Clerk File No. Ord. 15.137

Agenda No. 3.B 1st Reading

Agenda No. 4.B 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.137

TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS FOR THE ADDITION OF SHORT TERM RENTAL USE TO CHAPTER 345 ARTICLE I (DEFINITIONS) AND ARTICLE V, SECTION 60 – SUPPLEMENTARY ZONING

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, 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 municipal council seeks to permit short term rental use throughout all of Jersey City; and

WHEREAS, the Planning Board voted to recommend adoption of this amendment by the Municipal Council at their October 6, 2015 regular meeting;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the Jersey City Land Development Ordinance, be and is hereby amended as follows (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):

Amendment to Jersey City Land Development Ordinance for Chapter 345, Article I, Section 6. Definitions:

SHORT TERM RENTAL — The accessory use of a Dwelling Unit for occupancy by someone other than the unit's owner or permanent resident for a period of less than 30 consecutive days.

Amendment to Jersey City Land Development Ordinance for Chapter 345, Article V, Section 60 – Supplementary Zoning:

A-X. Unchanged

Y. Short Term Rental

1. *Short Term Rentals are permitted as an accessory use to a permitted principal residential use in all zoning districts and redevelopment plan areas where residential uses are permitted.*
 - a. *The person offering a Dwelling Unit for Short-Term Rental use must be the owner or lessee of the residence in which the Short-Term Rental activity occurs. Short-Term Rental activity may occur in a habitable accessory building located on the same premises as the residence.*
 - b. *No person offering a Dwelling Unit for Short-Term Rental use shall be required to obtain any license for such use, including but not limited to licenses that would otherwise be required by Section 188 or Section 254-82,*

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS FOR THE ADDITION OF SHORT TERM RENTAL USE TO CHAPTER 345 ARTICLE I (DEFINITIONS) AND ARTICLE V, SECTION 60 – SUPPLEMENTARY ZONING

unless such person offers more than 5 separate Dwelling Units for Short-Term Rental use in the City. Any person offering more than 5 separate Dwelling Units for Short-Term Rental use in the City must:

i. obtain a license pursuant to Section 254-82 to offer each Dwelling Unit for Short-Term Rental. The City shall have discretion to accept and reject such licenses.

ii. ensure that the Short-Term Rental use is clearly incidental to the principal residential uses permitted in the zone where each such Dwelling Unit is located.

c. There shall be no sign identifying the Short-Term Rental use, and there shall be no identification of such Short-Term Rental use upon any mailbox.

d. The Short-Term Rental use shall be conducted in a manner that does not materially disrupt the residential character of the neighborhood.

e. No equipment or process shall be used in such Short-Term Rental which creates glare, fumes, odors, or other nuisance factors detectable to the human senses outside the lot on which the Short-Term Rental is conducted.

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 hereby 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



Corporation Counsel

Robert D. Cotter, PP, FAICP
Director of Planning

APPROVED: _____

APPROVED: 

Business Administrator

Certification Required

Not Required

RESOLUTION/ORDINANCE FACT SHEET – NON-CONTRACTUAL

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

Full Title of Ordinance/Resolution

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS FOR THE ADDITION OF SHORT TERM RENTAL USE TO CHAPTER 345, ARTICLE I (DEFINITIONS) AND ARTICLE V, SECTION 60 – SUPPLEMENTARY ZONING

Initiator

Department/Division	Law Department	Law Department
Name/Title	Jeremy Farrell	Corporation Counsel
Phone/email	(201) 547-4667	JFarrell@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

This ordinance will allow short term rentals accessory uses in all zoning districts and redevelopment plan areas where residential use is permitted.

I certify that all the facts presented herein are accurate.

Signature of Department Director

Date

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



ORDINANCE NO. Ord. 15.137
 TITLE: 3.B OCT 14 2015 4.B OCT 28 2015

Ordinance of the Municipal Council of the City of Jersey City
 adopting amendments for the addition of short term rental use to
 Chapter 345 Article I (Definitions) and Article V, Section 60 -
 Supplementary Zoning.

RECORD OF COUNCIL VOTE ON INTRODUCTION OCT 14 2015 6-1											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	ABSENT			RIVERA	✓		
RAMCHAL	ABSENT			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO		✓		COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING OCT 28 2015 9-0											
Councilperson <u>WATTERMAN</u> moved, seconded by Councilperson <u>OSBORNE</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

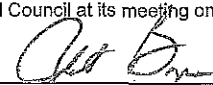
RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

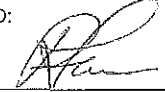
RECORD OF FINAL COUNCIL VOTE OCT 28 2015 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

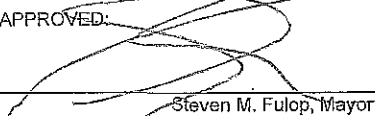
Adopted on first reading of the Council of Jersey City, N.J. on OCT 14 2015
 Adopted on second and final reading after hearing on OCT 28 2015

This is to certify that the foregoing Ordinance was adopted by
 the Municipal Council at its meeting on OCT 28 2015

 Robert Byrne, City Clerk

APPROVED: 
 Rolando R. Lavarro, Jr., Council President

Date OCT 28 2015

*Amendment(s):

APPROVED: 
 Steven M. Fulop, Mayor
 Date OCT 29 2015

Date to Mayor OCT 29 2015