

City Clerk File No. Ord. 10-158

Agenda No. 3.A 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-158

TITLE: ORDINANCE CONSENTING TO THE SALE AND ASSIGNMENT OF THE TAX EXEMPTION AND FINANCIAL AGREEMENT FROM ESSEX WATERFRONT URBAN RENEWAL ENTITY, LLC, TO LIBERTY TOWERS URBAN RENEWAL LLC, PURSUANT TO SECTION 9.1 OF THE FINANCIAL AGREEMENT AND THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20-1 ET SEQ.

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, Essex Waterfront Urban Renewal Entity, LLC, is an urban renewal company, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. [Entity]; and

WHEREAS, the Entity owns certain property known as Block 34, Lots C-1, E, F, G, H, A, B, N-2, U-1, 19 and 21 [now consolidated and known as Block 34, Lot 26] on the City's Official Tax map, consisting of approximately 1.88 acres, and more commonly known by the street address of 33 Hudson Street, Jersey City, New Jersey [Property], all of which is located within the boundaries of the Colgate Redevelopment Plan; and

WHEREAS, by the adoption of Ordinance 00-023 on April 12, 2000, as amended by the adoption of Ordinance 01- 021 on February 28, 2001, the Municipal Council of the City of Jersey City approved the tax exemption and authorized the execution of a financial agreement, with amendments for a mixed use project, consisting of 648 residential units, with a service charge calculated as 15% of annual gross revenue; and

WHEREAS, the Entity and the City executed a Financial Agreement on October 4, 2000 and an amendment thereto, as of March 18, 2001 [Financial Agreement and Amended Financial Agreement], with an estimated annual service charge of \$2,300,000; and

WHEREAS, on November 17, 2010, the Entity applied to the City for its consent to the sale of the project to Liberty Towers Urban Renewal LLC, urban renewal company formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq., [the New Entity] which has agreed to assume all obligations of the Entity under the Financial Agreement and its amendment; and

WHEREAS, pursuant to Section 9.1 of the Financial Agreement, upon written application by the Entity, the City is required to consent to the sale or transfer of a tax exemption if: 1) the New Entity does not own any other tax exempt projects; 2) the New Entity is formed and eligible to operate under the Law; 3) the existing Entity is not in default of its financial agreement; and 4) the New Entity agrees to assume all obligations of the existing Entity; and

WHEREAS, in addition, pursuant to Section 9.1 of the Financial Agreement and as permitted under N.J.S.A. 40A:20-22, for agreements negotiated prior to the 2003, an Entity seeking to sell a project, is required to pay the City an amount equal to 1% of the actual sales price, which is ordinarily the consideration stated in the deed to the New Entity; and

ORDINANCE CONSENTING TO THE SALE AND ASSIGNMENT OF THE TAX EXEMPTION AND FINANCIAL AGREEMENT FROM ESSEX WATERFRONT URBAN RENEWAL ENTITY, LLC, TO LIBERTY TOWERS URBAN RENEWAL LLC, PURSUANT TO SECTION 9.1 OF THE FINANCIAL AGREEMENT AND THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20-1 ET SEQ.

WHEREAS, based upon the projected the sales price, 1% of the sales price is estimated to be \$2,800,000, which sum will be paid at closing, anticipated to occur on or before January 10, 2011; and

WHEREAS, the New Entity will continue to pay 15% of annual gross revenue which in 2009 increased to approximately \$2,936,877 (from 2,300,000 in 2000).

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

A. The Application of Essex Waterfront Urban Renewal Entity, LLC, an urban renewal company formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. attached hereto, for Block 34, Lots C-1, E, F, G, H, A, B, N-2, U-1, 19 and 21, [now consolidated and known as Block 34, Lot 26] and more commonly known by the street address of 33 Hudson Street, to sell the project and transfer the tax exemption, is hereby approved, subject to payment to the City of 1% of the actual sales price therefore, estimated to be \$2,800,000.

B. The Mayor or Business Administrator is hereby authorized to execute a consent to assignment and assumption agreement with Liberty Towers Urban Renewal LLC, as well as any other documents appropriate or necessary to effectuate the sale and transfer of the Project and the tax exemption financial agreement, and the purposes of this ordinance.

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

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

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

F. The City Clerk and Corporation Counsel 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 accidental repealers of existing provisions.

NOTE: All material is new; therefore underlining has been omitted. For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

JM
11-17-10

APPROVED AS TO LEGAL FORM
Joanne Monahan
Corporation Counsel

APPROVED: _____
APPROVED: Gregory J. Romano
Business Administrator
ASST.

Certification Required
Not Required

**CONSENT TO ASSIGNMENT OF FINANCIAL AGREEMENT
AND
ASSUMPTION OF FINANCIAL AGREEMENT,
BETWEEN
LIBERTY TOWERS URBAN RENEWAL, LLC
AND
THE CITY OF JERSEY CITY**

THIS AGREEMENT dated the ___ day of _____, 201_, between the **CITY OF JERSEY CITY [City]**, located at 280 Grove Street, Jersey City, New Jersey 07302 and **LIBERTY TOWERS URBAN RENEWAL, LLC**, a New Jersey limited liability company having an office at _____

WHEREAS, pursuant to N.J.S.A. 40A:20-1 et seq., and Ordinance 00-023 adopted on April 12, 2000, the City approved a Long Term Tax Exemption and the execution of a Financial Agreement with Essex Waterfront Urban Renewal Company, LLC [Entity], for the construction of six hundred forty-eight (648) market rate residential rental units, twenty-four thousand (24,000) square feet of commercial/retail space above an eight (8) story parking structure, and more particularly described as Block 34, Lots C-1, E, F, G, H, A, B, N-2, U-1, 19 and 21 [now consolidated and known as Block 34, Lot 26], on the official Tax Map of the City of Jersey City [Project]; and

WHEREAS, the City and Essex Waterfront Urban Renewal Company, LLC, entered into a financial agreement dated October 4th, 2000, as amended by the adoption of Ordinance 01-021 on February 28, 2001 and executed on March 18th, 2001, [Financial Agreement]; and

WHEREAS, pursuant to an Agreement of Sale Essex Waterfront Urban Renewal Company, LLC, as seller agreed to sell the Project and assign the Financial Agreement to Liberty Towers Urban Renewal, LLC [the New Entity]; and

WHEREAS, the Financial Agreement provides that any sale of the Project or Assignment of the Financial Agreement is null and void unless approved by the City in advance; and

WHEREAS, by application dated November 17, 2010, Essex Waterfront Urban Renewal Company, LLC, formally requested that the City give its consent and approval to Essex Waterfront Urban Renewal

Company, LLC, sale of the Project and assignment of the Financial Agreement to Liberty Towers Urban Renewal, LLC; and

WHEREAS, by adoption of Ordinance _____ on _____, the Municipal Council of the City of Jersey City: consented to a sale of the Project from Essex Waterfront Urban Renewal Company, LLC to Liberty Towers Urban Renewal, LLC; consented to the assignment and continuation of all rights and obligations under the Financial Agreement in Liberty Towers Urban Renewal, LLC; and authorized the City Business Administrator to execute any documents necessary and appropriate to effectuate the foregoing; and

WHEREAS, the parties hereto now seek to memorialize the consent of the City to the assignment of the Financial Agreement and the assumption of all right and obligations of the Financial Agreement by Liberty Towers Urban Renewal, LLC;

NOW, THEREFORE, it is hereby agreed by and between the parties as follows:

1. The City hereby authorizes, approves and consents to the Assignment by Essex Waterfront Urban Renewal Company, LLC, of the Financial Agreement to Liberty Towers Urban Renewal, LLC and the continuation of all rights and obligations under the Financial Agreement in Liberty Towers Urban Renewal, LLC;

2. Liberty Towers Urban Renewal, LLC, hereby assumes all of the rights and obligations of the Entity (as that term is defined in the Financial Agreement) in the Financial Agreement.

3. The City acknowledges that as of the date hereof, the names and the addresses of the parties entitled to receive notice under and pursuant to paragraph 9.1 of the Financial Agreement shall be as follows:

Liberty Towers Urban Renewal, LLC

4. Pursuant to Section 9.1 of the Financial Agreement, upon written application by the Entity, the City is required to consent to the sale or transfer of a tax exemption if: 1) the New Entity does not own any other tax exempt projects; 2) the New Entity is formed and eligible to operate under the Law; 3) the

existing Entity is not in default of its financial agreement; and 4) the New Entity agrees to assume all obligations of the existing Entity.

5. In addition, pursuant to Section 9.1 of the Financial Agreement and as permitted under N.J.S.A. 40A:20-22, for agreements negotiated prior to the 2003, an Entity seeking to sell a project, is required to pay the City an amount equal to 1% of the actual sales price, which is ordinarily the consideration stated in the deed to the New Entity.

6. The original Financial Agreement dated October 4, 2000, and its amendment dated March 18, 2001, hereby remain in full force and effect.

Any and all capitalized terms in this Agreement shall be defined in accordance with and by reference to the Financial Agreement and/or N.J.S.A. 40A:20-1 et seq.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement as of the date first set forth above.

ATTESTED:

CITY OF JERSEY CITY

ROBERT BYRNE
CITY CLERK

JOHN KELLY
BUSINESS ADMINISTRATOR

WITNESS:

ESSEX WATERFRONT URBAN RENEWAL,
LLC

By:

WITNESS:

LIBERTY TOWER URBAN RENEWAL, LLC

By:



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-159

TITLE: **An Ordinance Dedicating That Ocean Avenue Between
Forrest Street and Oak Street Be Also Known as
"Christ the King Church Way"**

WHEREAS, throughout history, churches have played an important role in African American communities, providing leadership in social, political and economic arenas; and

WHEREAS, the cornerstone of Christ the King Church, the first African-American Catholic Church in the State of New Jersey and the Archdiocese of Newark was set at 768 Ocean Avenue on October 26, 1930; and

WHEREAS, Christ the King Church has been blessed with distinct and dedicated spiritual leaders during the past eight decades. The church has served its community spiritually while offering many commendable programs that enhance the quality of life of our elderly, youth, sick and the disenfranchised; and

WHEREAS, on November 19, 2010, Christ the King Church will celebrate its 80th anniversary at a banquet to be held at the Richfield Regency in Verona, New Jersey; and

NOW, THEREFORE BE IT ORDAINED, that the Municipal Council of the City of Jersey City offers best wishes to the Christ the King Church on the occasion and celebration of the 80th anniversary of the founding of the church and offers best wishes to the congregation and leadership of the church.

BE IT FURTHER ORDAINED, that the Municipal Council of the City of Jersey City deems it fitting and proper to honor Christ the King Church for its historic legacy, its service to its members and contributions to the greater community by dedicating that Ocean Avenue between Forrest Street and Oak Street be also known as "Christ the King Church Way."

- A. All ordinances and parts of ordinances herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as through codified and fully set forth therein. The City shall have the 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 Counsel 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 accidental repealers of existing provisions.

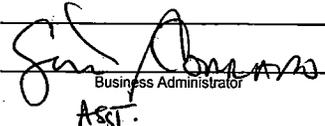
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APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: _____

APPROVED: 

Business Administrator

Certification Required
Not Required



Notes

An Ordinance Dedicating That Ocean Avenue Between Forrest Street and Oak Street Be Also Known as "Christ the King Church Way"

Map of:
768 Ocean Ave
Jersey City, NJ 07304-2727



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City Clerk File No. Ord. 10-160

Agenda No. 3.C 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-160

TITLE ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 53 (PERSONNEL) OF THE JERSEY CITY MUNICIPAL CODE, IMPLEMENTING ARTICLE XIII (RETIREE HEALTH AND MEDICAL BENEFITS) CONFIRMING THE PROVISION OF MEDICAL AND HEALTH INSURANCE BENEFITS TO CERTAIN ACTIVE EMPLOYEES AND RETIREES WITH 25 YEARS OF SERVICE CREDIT IN A STATE OR LOCALLY ADMINISTERED RETIREMENT SYSTEM, PURSUANT TO N.J.S.A. 40A:10-23, BUT LIMITING THE BENEFITS IN THE FUTURE TO ONLY THOSE EMPLOYEES WHO ALSO RETIRE WITH AT LEAST 15 YEARS OF SERVICE WITH THE CITY OF JERSEY CITY

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, New Jersey law authorizes local governments such as the City of Jersey City, to pay the cost of medical and health insurance coverage, including premiums for Part B of the Federal Medicare Program, for certain eligible retired employees, including their spouses and dependents, as defined therein; and

WHEREAS, the statutory authorization to pay for such coverage extends both to municipalities which are members of the New Jersey State Health Benefits Commission, pursuant to N.J.S.A. 52:14-17.38 and to those municipalities which are not members, pursuant to N.J.S.A. 40A:10-23; and

WHEREAS, pursuant to N.J.S.A. 52:14-17.38, in 1973 the City of Jersey City adopted a resolution, as a then member of the New Jersey State Health Benefits Commission, and committed itself to paying the cost of such coverage for eligible retirees, their spouses and dependents; and

WHEREAS, in 1973, N.J.S.A. 52:14-17.38 stated that retiree health benefits were available upon "retirement from a State or locally administered retirement system . . . based on 25 or more years of service credited in such retirement system; and

WHEREAS, in 1999, N.J.S.A. 52:14-17.38 was amended to allow a municipality to provide such benefits to employees who had 25 years of service credit in one or more State or locally administered retirement systems, and a period of service of up to 25 years, unless the municipality adopted a resolution requiring that all or a portion of up to 25 years of actual service, to be with it; and

WHEREAS, the City of Jersey City did not adopt a resolution or ordinance restricting actual service to the City of Jersey City, and provided medical and health benefits for retirees with less than 25 years of actual service to the City, so long as they had at least 25 years of service credit, in one or more State or locally administered retirement systems; and

WHEREAS, in 2007 the City of Jersey City withdrew from the New Jersey State Health Benefits Commission, and the Municipal Council approved a group contract to provide medical and health insurance coverage to both current employees and its eligible retirees through Horizon Blue Cross/Blue Shield of New Jersey, pursuant to N.J.S.A. 40A:10-23; and

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 53 (PERSONNEL) OF THE JERSEY CITY MUNICIPAL CODE, IMPLEMENTING ARTICLE XIII (RETIREE HEALTH AND MEDICAL BENEFITS) CONFIRMING THE PROVISION OF MEDICAL AND HEALTH INSURANCE BENEFITS TO CERTAIN ACTIVE EMPLOYEES AND RETIREES WITH 25 YEARS OF SERVICE CREDIT IN A STATE OR LOCALLY ADMINISTERED RETIREMENT SYSTEM, PURSUANT TO N.J.S.A. 40A:10-23, BUT LIMITING THE BENEFITS IN THE FUTURE TO ONLY THOSE EMPLOYEES WHO ALSO RETIRE WITH AT LEAST 15 YEARS OF SERVICE WITH THE CITY OF JERSEY CITY

WHEREAS, pursuant to N.J.S.A. 40A:10-23, the City of Jersey City is authorized to pay the cost of medical and health insurance coverage for employees, including their dependents and the premium charges under Part B of the Federal Medicare Program, who have “retired after 25 or more years of service... and a period of up to 25 years with the [City] at the time of retirement, such period of service to be determined by the [City], and set forth in an ordinance, or resolution, as appropriate”; and

WHEREAS, the City Council reaffirms its commitment to pay the cost of providing medical and health insurance coverage for its eligible employees, including the premium charges under Part B of the Federal Medicare Program for its active employees and its presently retired employees, including their spouses and dependents, pursuant to N.J.S.A. 40A:10-23; and

WHEREAS, as to all new employees, hired after the adoption of the within ordinance, the City of Jersey City has determined to clarify by ordinance that the City shall pay the cost of such medical and health benefits to its eligible retirees but only if they have at least 15 years of actual service with the City of Jersey City at the time of retirement, pursuant to N.J.S.A. 40A:10-23.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

A. The following amendments and supplements to Chapter 53 (Personnel) and of the Jersey City Code are adopted.

ARTICLE XIII
Retiree Medical and Health Benefits

§53-84 Eligibility for Retiree Medical and Health Benefits.

A. The City will pay the cost of retiree medical and health benefits, including the premium charges for Part B of the Federal Medicare Program, for certain Eligible Employees, as defined hereinafter, who retire from the City, pursuant to N.J.S.A. 40A:10-23.

B. "Eligible Employees" are defined as employees, including their spouses and dependents, who retire with:

1. At least 25 years of credited service in a State or locally administered pension system at the time of retirement; and
2. At least 15 years of actual service credit with the City of Jersey City.

C. The additional requirement of retiring with at least 15 years of actual service credit with the City of Jersey City, will only apply: 1) to new Eligible Employees, that is, those hired after the effective date of this ordinance, and 2) upon successful negotiation with each collective bargaining unit.

D. The amount of payment required from Eligible Employees, if any, shall be subject to collective bargaining or Executive Order of the Mayor.

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

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 53 (PERSONNEL) OF THE JERSEY CITY MUNICIPAL CODE, IMPLEMENTING ARTICLE XIII (RETIREE HEALTH AND MEDICAL BENEFITS) CONFIRMING THE PROVISION OF MEDICAL AND HEALTH INSURANCE BENEFITS TO CERTAIN ACTIVE EMPLOYEES AND RETIREES WITH 25 YEARS OF SERVICE CREDIT IN A STATE OR LOCALLY ADMINISTERED RETIREMENT SYSTEM, PURSUANT TO N.J.S.A. 40A:10-23, BUT LIMITING THE BENEFITS IN THE FUTURE TO ONLY THOSE EMPLOYEES WHO ALSO RETIRE WITH AT LEAST 15 YEARS OF SERVICE WITH THE CITY OF JERSEY CITY

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

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

E. The City Clerk and the Corporation Counsel 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 accidental repealers of existing provisions.

NOTE: All material is new, therefore, underlining has been omitted.

JM/he
11/04/10

APPROVED AS TO LEGAL FORM

Joanne Mendonca
1st Asst. Corporation Counsel

APPROVED: _____

APPROVED: Shirley A. Corrao
Business Administrator

ASST.

Certification Required
Not Required

City Clerk File No. Ord. 10-161

Agenda No. 3.D 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-161

TITLE: ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 53 (PERSONNEL) OF THE JERSEY CITY MUNICIPAL CODE, IMPLEMENTING ARTICLE XIII (RETIREE HEALTH AND MEDICAL BENEFITS) CONFIRMING THE PROVISION OF MEDICAL AND HEALTH INSURANCE BENEFITS TO CERTAIN ACTIVE EMPLOYEES AND RETIREES WITH 25 YEARS OF SERVICE CREDIT IN A STATE OR LOCALLY ADMINISTERED RETIREMENT SYSTEM, PURSUANT TO N.J.S.A. 40A:10-23, BUT LIMITING THE BENEFITS IN THE FUTURE TO ONLY THOSE EMPLOYEES WHO ALSO RETIRE WITH AT LEAST 20 YEARS OF SERVICE WITH THE CITY OF JERSEY CITY

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, New Jersey law authorizes local governments such as the City of Jersey City, to pay the cost of medical and health insurance coverage, including premiums for Part B of the Federal Medicare Program, for certain eligible retired employees, including their spouses and dependents, as defined therein; and

WHEREAS, the statutory authorization to pay for such coverage extends both to municipalities which are members of the New Jersey State Health Benefits Commission, pursuant to N.J.S.A. 52:14-17.38 and to those municipalities which are not members, pursuant to N.J.S.A. 40A:10-23; and

WHEREAS, pursuant to N.J.S.A. 52:14-17.38, in 1973 the City of Jersey City adopted a resolution, as a then member of the New Jersey State Health Benefits Commission, and committed itself to paying the cost of such coverage for eligible retirees, their spouses and dependents; and

WHEREAS, in 1973, N.J.S.A. 52:14-17.38 stated that retiree health benefits were available upon "retirement from a State or locally administered retirement system . . . based on 25 or more years of service credited in such retirement system; and

WHEREAS, in 1999, N.J.S.A. 52:14-17.38 was amended to allow a municipality to provide such benefits to employees who had 25 years of service credit in one or more State or locally administered retirement systems, and a period of service of up to 25 years, unless the municipality adopted a resolution requiring that all or a portion of up to 25 years of actual service, to be with it; and

WHEREAS, the City of Jersey City did not adopt a resolution or ordinance restricting actual service to the City of Jersey City, and provided medical and health benefits for retirees with less than 25 years of actual service to the City, so long as they had at least 25 years of service credit, in one or more State or locally administered retirement systems; and

WHEREAS, in 2007 the City of Jersey City withdrew from the New Jersey State Health Benefits Commission, and the Municipal Council approved a group contract to provide medical and health insurance coverage to both current employees and its eligible retirees through Horizon Blue Cross/Blue Shield of New Jersey, pursuant to N.J.S.A. 40A:10-23; and

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 53 (PERSONNEL) OF THE JERSEY CITY MUNICIPAL CODE, IMPLEMENTING ARTICLE XIII (RETIREE HEALTH AND MEDICAL BENEFITS) CONFIRMING THE PROVISION OF MEDICAL AND HEALTH INSURANCE BENEFITS TO CERTAIN ACTIVE EMPLOYEES AND RETIREES WITH 25 YEARS OF SERVICE CREDIT IN A STATE OR LOCALLY ADMINISTERED RETIREMENT SYSTEM, PURSUANT TO N.J.S.A. 40A:10-23, BUT LIMITING THE BENEFITS IN THE FUTURE TO ONLY THOSE EMPLOYEES WHO ALSO RETIRE WITH AT LEAST 20 YEARS OF SERVICE WITH THE CITY OF JERSEY CITY

WHEREAS, pursuant to N.J.S.A. 40A:10-23, the City of Jersey City is authorized to pay the cost of medical and health insurance coverage for employees, including their dependents and the premium charges under Part B of the Federal Medicare Program, who have “retired after 25 or more years of service... and a period of up to 25 years with the [City] at the time of retirement, such period of service to be determined by the [City], and set forth in an ordinance, or resolution, as appropriate”; and

WHEREAS, the City Council reaffirms its commitment to pay the cost of providing medical and health insurance coverage for its eligible employees, including the premium charges under Part B of the Federal Medicare Program for its active employees and its presently retired employees, including their spouses and dependents, pursuant to N.J.S.A. 40A:10-23; and

WHEREAS, as to all new employees, hired after the adoption of the within ordinance, the City of Jersey City has determined to clarify by ordinance that the City shall pay the cost of such medical and health benefits to its eligible retirees but only if they have at least 20 years of actual service with the City of Jersey City at the time of retirement, pursuant to N.J.S.A. 40A:10-23.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

A. The following amendments and supplements to Chapter 53 (Personnel) and of the Jersey City Code are adopted.

ARTICLE XIII
Retiree Medical and Health Benefits

§53-84 Eligibility for Retiree Medical and Health Benefits.

A. The City will pay the cost of retiree medical and health benefits, including the premium charges for Part B of the Federal Medicare Program, for certain Eligible Employees, as defined hereinafter, who retire from the City, pursuant to N.J.S.A. 40A:10-23.

B. "Eligible Employees" are defined as employees, including their spouses and dependents, who retire with:

1. At least 25 years of credited service in a State or locally administered pension system at the time of retirement; and
2. At least 20 years of actual service credit with the City of Jersey City.

C. The additional requirement of retiring with at least 20 years of actual service credit with the City of Jersey City, will only apply: 1) to new Eligible Employees, that is, those hired after the effective date of this ordinance, and 2) upon successful negotiation with each collective bargaining unit.

D. The amount of payment required from Eligible Employees, if any, shall be subject to collective bargaining or Executive Order of the Mayor.

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

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 53 (PERSONNEL) OF THE JERSEY CITY MUNICIPAL CODE, IMPLEMENTING ARTICLE XIII (RETIREE HEALTH AND MEDICAL BENEFITS) CONFIRMING THE PROVISION OF MEDICAL AND HEALTH INSURANCE BENEFITS TO CERTAIN ACTIVE EMPLOYEES AND RETIREES WITH 25 YEARS OF SERVICE CREDIT IN A STATE OR LOCALLY ADMINISTERED RETIREMENT SYSTEM, PURSUANT TO N.J.S.A. 40A:10-23, BUT LIMITING THE BENEFITS IN THE FUTURE TO ONLY THOSE EMPLOYEES WHO ALSO RETIRE WITH AT LEAST 20 YEARS OF SERVICE WITH THE CITY OF JERSEY CITY

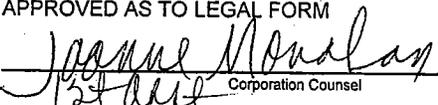
C. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

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

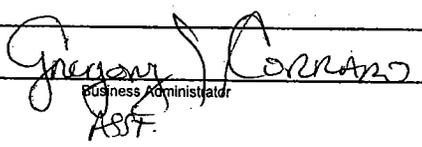
E. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to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

NOTE: All material is new, therefore, underlining has been omitted.

JM/he
11/01/10

APPROVED AS TO LEGAL FORM


Joanne Mondragon
Corporation Counsel

APPROVED: _____
APPROVED: 

Gregory Corrao
Business Administrator
ASF

Certification Required
Not Required

City Clerk File No. Ord. 10-162

Agenda No. 3.E 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-162

TITLE: ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 53 (PERSONNEL) OF THE JERSEY CITY MUNICIPAL CODE, IMPLEMENTING ARTICLE XIII (RETIREE HEALTH AND MEDICAL BENEFITS) CONFIRMING THE PROVISION OF MEDICAL AND HEALTH INSURANCE BENEFITS TO CERTAIN ACTIVE EMPLOYEES AND RETIREES WITH 25 YEARS OF SERVICE CREDIT IN A STATE OR LOCALLY ADMINISTERED RETIREMENT SYSTEM, PURSUANT TO N.J.S.A. 40A:10-23, BUT LIMITING THE BENEFITS IN THE FUTURE TO ONLY THOSE EMPLOYEES WHO ALSO RETIRE WITH AT LEAST 25 YEARS OF SERVICE WITH THE CITY OF JERSEY CITY

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, New Jersey law authorizes local governments such as the City of Jersey City, to pay the cost of medical and health insurance coverage, including premiums for Part B of the Federal Medicare Program, for certain eligible retired employees, including their spouses and dependents, as defined therein; and

WHEREAS, the statutory authorization to pay for such coverage extends both to municipalities which are members of the New Jersey State Health Benefits Commission, pursuant to N.J.S.A. 52:14-17.38 and to those municipalities which are not members, pursuant to N.J.S.A. 40A:10-23; and

WHEREAS, pursuant to N.J.S.A. 52:14-17.38, in 1973 the City of Jersey City adopted a resolution, as a then member of the New Jersey State Health Benefits Commission, and committed itself to paying the cost of such coverage for eligible retirees, their spouses and dependents; and

WHEREAS, in 1973, N.J.S.A. 52:14-17.38 stated that retiree health benefits were available upon "retirement from a State or locally administered retirement system . . . based on 25 or more years of service credited in such retirement system; and

WHEREAS, in 1999, N.J.S.A. 52:14-17.38 was amended to allow a municipality to provide such benefits to employees who had 25 years of service credit in one or more State or locally administered retirement systems, and a period of service of up to 25 years, unless the municipality adopted a resolution requiring that all or a portion of up to 25 years of actual service, to be with it; and

WHEREAS, the City of Jersey City did not adopt a resolution or ordinance restricting actual service to the City of Jersey City, and provided medical and health benefits for retirees with less than 25 years of actual service to the City, so long as they had at least 25 years of service credit, in one or more State or locally administered retirement systems; and

WHEREAS, in 2007 the City of Jersey City withdrew from the New Jersey State Health Benefits Commission, and the Municipal Council approved a group contract to provide medical and health insurance coverage to both current employees and its eligible retirees through Horizon Blue Cross/Blue Shield of New Jersey, pursuant to N.J.S.A. 40A:10-23; and

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 53 (PERSONNEL) OF THE JERSEY CITY MUNICIPAL CODE, IMPLEMENTING ARTICLE XIII (RETIREE HEALTH AND MEDICAL BENEFITS) CONFIRMING THE PROVISION OF MEDICAL AND HEALTH INSURANCE BENEFITS TO CERTAIN ACTIVE EMPLOYEES AND RETIREES WITH 25 YEARS OF SERVICE CREDIT IN A STATE OR LOCALLY ADMINISTERED RETIREMENT SYSTEM, PURSUANT TO N.J.S.A. 40A:10-23, BUT LIMITING THE BENEFITS IN THE FUTURE TO ONLY THOSE EMPLOYEES WHO ALSO RETIRE WITH AT LEAST 25 YEARS OF SERVICE WITH THE CITY OF JERSEY CITY

WHEREAS, pursuant to N.J.S.A. 40A:10-23, the City of Jersey City is authorized to pay the cost of medical and health insurance coverage for employees, including their dependents and the premium charges under Part B of the Federal Medicare Program, who have “retired after 25 or more years of service... and a period of up to 25 years with the [City] at the time of retirement, such period of service to be determined by the [City], and set forth in an ordinance, or resolution, as appropriate”; and

WHEREAS, the City Council reaffirms its commitment to pay the cost of providing medical and health insurance coverage for its eligible employees, including the premium charges under Part B of the Federal Medicare Program for its active employees and its presently retired employees, including their spouses and dependents, pursuant to N.J.S.A. 40A:10-23; and

WHEREAS, as to all new employees, hired after the adoption of the within ordinance, the City of Jersey City has determined to clarify by ordinance that the City shall pay the cost of such medical and health benefits to its eligible retirees but only if they have at least 25 Years of actual service with the City of Jersey City at the time of retirement, pursuant to N.J.S.A. 40A:10-23.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

A. The following amendments and supplements to Chapter 53 (Personnel) and of the Jersey City Code are adopted.

ARTICLE XIII
Retiree Medical and Health Benefits

§53-84 Eligibility for Retiree Medical and Health Benefits.

A. The City will pay the cost of retiree medical and health benefits, including the premium charges for Part B of the Federal Medicare Program, for certain Eligible Employees, as defined hereinafter, who retire from the City, pursuant to N.J.S.A. 40A:10-23.

B. "Eligible Employees" are defined as employees, including their spouses and dependents, who retire with:

1. At least 25 years of credited service in a State or locally administered pension system at the time of retirement; and
2. At least 25 Years of actual service credit with the City of Jersey City.

C. The additional requirement of retiring with at least 25 Years of actual service credit with the City of Jersey City, will only apply: 1) to new Eligible Employees, that is, those hired after the effective date of this ordinance, and 2) upon successful negotiation with each collective bargaining unit.

D. The amount of payment required from Eligible Employees, if any, shall be subject to collective bargaining or Executive Order of the Mayor.

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

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 53 (PERSONNEL) OF THE JERSEY CITY MUNICIPAL CODE, IMPLEMENTING ARTICLE XIII (RETIREE HEALTH AND MEDICAL BENEFITS) CONFIRMING THE PROVISION OF MEDICAL AND HEALTH INSURANCE BENEFITS TO CERTAIN ACTIVE EMPLOYEES AND RETIREES WITH 25 YEARS OF SERVICE CREDIT IN A STATE OR LOCALLY ADMINISTERED RETIREMENT SYSTEM, PURSUANT TO N.J.S.A. 40A:10-23, BUT LIMITING THE BENEFITS IN THE FUTURE TO ONLY THOSE EMPLOYEES WHO ALSO RETIRE WITH AT LEAST 25 YEARS OF SERVICE WITH THE CITY OF JERSEY CITY

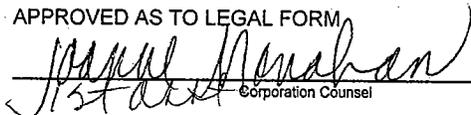
C. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

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

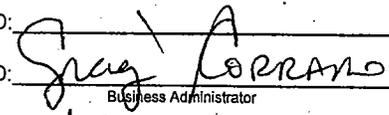
E. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to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

NOTE: All material is new, therefore, underlining has been omitted.

JM/he
11/17/10

APPROVED AS TO LEGAL FORM


Pamela Monahan Corporation Counsel

APPROVED: 

Greg Corrano Business Administrator
ASST.

Certification Required
Not Required

City Clerk File No. Ord. 10-163

Agenda No. 3.F 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 10-163

TITLE: ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 53 (PERSONNEL) OF THE JERSEY CITY MUNICIPAL CODE, IMPLEMENTING ARTICLE XIII (RETIREE HEALTH AND MEDICAL BENEFITS) CONFIRMING THE PROVISION OF MEDICAL AND HEALTH INSURANCE BENEFITS TO CERTAIN ACTIVE EMPLOYEES AND RETIREES WITH 25 YEARS OF SERVICE CREDIT IN A STATE OR LOCALLY ADMINISTERED RETIREMENT SYSTEM, PURSUANT TO N.J.S.A. 40A:10-23

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, New Jersey law authorizes local governments such as the City of Jersey City, to pay the cost of medical and health insurance coverage, including premiums for Part B of the Federal Medicare Program, for certain eligible retired employees, including their spouses and dependents, as defined therein; and

WHEREAS, the statutory authorization to pay for such coverage extends both to municipalities which are members of the New Jersey State Health Benefits Commission, pursuant to N.J.S.A. 52:14-17.38 and to those municipalities which are not members, pursuant to N.J.S.A. 40A:10-23; and

WHEREAS, pursuant to N.J.S.A. 52:14-17.38, in 1973 the City of Jersey City adopted a resolution, as a then member of the New Jersey State Health Benefits Commission, and committed itself to paying the cost of such coverage for eligible retirees, their spouses and dependents, from a State or locally administered retirement system . . . based on 25 or more years of service credited in such retirement system; and

WHEREAS, in 1999, N.J.S.A. 52:14-17.38 was amended to allow a municipality to provide such benefits to employees who had 25 years of service credit in one or more State or locally administered retirement systems, and a period of service of up to 25 years, unless the municipality adopted a resolution requiring that all or a portion of up to 25 years of actual service, to be with it; and

WHEREAS, the City of Jersey City has not adopted a resolution or ordinance restricting actual service to the City of Jersey City; and

WHEREAS, in 2007 the City of Jersey City withdrew from the New Jersey State Health Benefits Commission, and the Municipal Council approved a group contract to provide medical and health insurance coverage to both current employees and its eligible retirees through Horizon Blue Cross/Blue Shield of New Jersey, pursuant to N.J.S.A. 40A:10-23; and

WHEREAS, pursuant to N.J.S.A. 40A:10-23, the City of Jersey City is authorized to pay the cost of medical and health insurance coverage for employees, including their dependents and the premium charges under Part B of the Federal Medicare Program, who have "retired after 25 or more years of service... and a period of up to 25 years with the [City] at the time of retirement, such period of service to be determined by the [City], and set forth in an ordinance, or resolution, as appropriate"; and

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 53 (PERSONNEL) OF THE JERSEY CITY MUNICIPAL CODE, IMPLEMENTING ARTICLE XIII (RETIREE HEALTH AND MEDICAL BENEFITS) CONFIRMING THE PROVISION OF MEDICAL AND HEALTH INSURANCE BENEFITS TO CERTAIN ACTIVE EMPLOYEES AND RETIREES WITH 25 YEARS OF SERVICE CREDIT IN A STATE OR LOCALLY ADMINISTERED RETIREMENT SYSTEM, PURSUANT TO N.J.S.A. 40A:10-23

WHEREAS, the City Council reaffirms its commitment to pay the cost of providing medical and health insurance coverage for its eligible employees, including the premium charges under Part B of the Federal Medicare Program for its active employees and its presently retired employees, including their spouses and dependents, pursuant to N.J.S.A. 40A:10-23.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

A. The following amendments and supplements to Chapter 53 (Personnel) and of the Jersey City Code are adopted.

ARTICLE XIII
Retiree Medical and Health Benefits

§53-84 Eligibility for Retiree Medical and Health Benefits.

A. The City will pay the cost of retiree medical and health benefits, including the premium charges for Part B of the Federal Medicare Program, for certain Eligible Employees, as defined hereinafter, who retire from the City, pursuant to N.J.S.A. 40A:10-23.

B. "Eligible Employees" are defined as employees, including their spouses and dependents, who retire from the City with at least 25 years of credited service in any State or locally administered pension system at the time of retirement.

C. The amount of payment required from Eligible Employees, if any, shall be subject to collective bargaining or Executive Order of the Mayor.

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

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

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

E. The City Clerk and the Corporation Counsel 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 accidental repealers of existing provisions.

NOTE: All material is new, therefore, underlining has been omitted.

JM/he
11/17/10

APPROVED AS TO LEGAL FORM

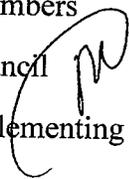
Janell Monahan
Corporation Counsel

APPROVED: _____

APPROVED: Gregory Romano
Business Administrator
AST

Certification Required
Not Required

Jersey City Law Department Memorandum

To: Peter Brennan, Council President and Council Members
From: Joanne Monahan, First Assistant Corporation Council 
Subject: Ordinance Amending Chapter 53 (Personnel) Implementing Article XIII
Date: November 17, 2010

Please defeat the prior ordinance introduced at the City Council meeting of November 10th, 2010.

Enclosed are three (3) separate versions of the ordinance with a minimum service requirement of 15 years, 20 years and 25 years, respectively.

The statute, which allows a municipality to elect to require that a minimum period of service be "with the employer". However, if so selecting, it does not allow time with autonomous agencies to be counted as "service with the employer", except for those agencies listed in the statute, that is: County Law Enforcement Officer, Municipal Police Department, Sheriff's Department or County Prosecutor.

If the Council cannot decide on any of these three, it is critical for the benefit of the current employees and retirees that the City at least adopt the simply 4th version. It retains the status quo (no minimum years of service with City), but at least codifies and corrects the 1973 resolution. The City has been out of the State Health Benefits Systems for the past three (3) years. The City must acknowledge that their benefits are now awarded by contract under N.J.S.A. 40A:10-23.

Your cooperation is appreciated.

JM/he

cc: Hon. Jerramiah T. Healy, Mayor
Jack Kelly, Business Administrator
Robert Byrne, City Clerk
William Matsikoudis, Corporation Counsel

City Clerk File No. Ord. 10-164

Agenda No. 3.6 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-164

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE PERTAINING TO NATURAL GAS TRANSMISSION PIPELINES

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; and

WHEREAS, the zones outlined in Article V of the Ordinance include, but are not limited to, R-1 One and Two Family Housing, R-2 Multi-family Attached, R-3 Multi-Family Mid-Rise, P/O Parks/Open Space, and M Medical; and

WHEREAS, the existing zones do not specifically permit utilities which are desired, nor prohibit natural gas transmission pipelines which are not desired; 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 November 15, 2010 did vote to recommend that the Municipal Council amend the Land Development Ordinance Sections III and 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

Joanne Monahan
Corporation Counsel

APPROVED:

APPROVED:
Business Administrator
ARST

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 NATURAL GAS TRANSMISSION PIPELINES

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 prohibit natural gas transmission pipelines in the R-1 One and Two Family Housing, R-2 Multi-Family Attached, R-3 Multi-Family Mid-Rise, P/O Parks/Open Space, and M Medical zones.

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

The amendments will prohibit natural gas transmission pipelines in various zones citywide.

5. Anticipated Benefits to the Community:

Prohibition of unwanted use.

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.:

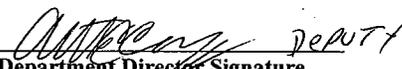
Carl Czaplicki, Director, Dept of HEDC
Robert D. Cotter, City Planning Director
Nick Taylor, Acting Director, Division of Zoning

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.


Division Director

4/Nov/2010
Date


Department Director Signature

NOV 5, 2010
Date

SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE PERTAINING TO NATURAL GAS TRANSMISSION PIPELINES

This Ordinance will amend Article V of the Land Development Ordinance (Zoning Ordinance) to prohibit natural gas transmission pipelines in the R-1 One and Two Family Housing, R-2 Multi-Family Attached, R-3 Multi-Family Mid-Rise, P/O Parks/Open Space, and M Medical zones.

11/6/10

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. Permitted principal uses are as follows

1. One family dwellings
2. Dwellings with two dwelling units
3. Houses of worship
4. Parks and playgrounds
5. Essential services
6. Schools
7. Governmental uses
8. Conversions of first floor commercial to a single residential unit per commercial unit converted, in addition to and regardless of the number of existing residential units (Provided, however, that the original storefront character including window configuration shall be maintained or restored as per the 1938 Tax Assessor's Photo).
9. Assisted living residences
10. Nursing homes
11. Senior housing
12. ***Public Utilities, except that natural gas transmission lines shall be prohibited***

C. No Change

D. No Change

E. No Change

F. No Change

G. No Change

H. No Change

I. No Change

J. No Change

K. No Change

L. No Change

M. No Change

11/6/10

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.

345-41. R-2- Multi-Family Attached Housing (four stories or less) District

A. No Change

B. Permitted principal uses are as follows:

1. Townhouses
2. Houses of worship
3. Parks and playgrounds
4. Essential services
5. Schools
6. Governmental uses
7. Along Palisades Avenue only, retail sales of goods and services and office uses on ground floor with apartments above
8. Conversions of 1st floor commercial to a residential unit
9. Assisted living residences
10. Nursing homes
11. Senior housing
12. ***Public Utilities, except that natural gas transmission lines shall be prohibited***

C. No Change

D. No Change

E. No Change

F. No Change

G. No Change

H. No Change

I. No Change

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.

~~345-42. R-3- MULTI-FAMILY MID-RISE DISTRICT~~

A. No Change

B. Permitted principal uses are as follows:

1. Mid-rise apartment buildings. (see 345-6 for definition)
2. Townhouses with no less than three dwelling units
3. Three and four family detached dwellings
4. Houses of worship
5. Parks and playgrounds
6. Essential services
7. Schools
8. Governmental uses
9. Office uses, including medical offices for no more than two practitioners, as part of the ground floor of mid-rise apartment buildings along John F. Kennedy Boulevard
10. Assisted living residences
11. Nursing homes
12. Senior housing
13. ***Public Utilities, except that natural gas transmission lines shall be prohibited***

C. No Change

D. No Change

E. No Change

F. No Change

G. No Change

H. ~~Buff~~ ***Bulk*** and Parking Standards for Houses of Worship, schools and governmental uses.
See R-1 Bulk and Parking Standards.

I. No Change

J. No Change

11/6/10

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.

345-55. P/OS Parks/Open Space District

- A. No Change
- B. Permitted principal uses are as follows:
 - 1. Parks and Playgrounds
 - 2. ***Public Utilities, except that natural gas transmission lines shall be prohibited***
- C. No Change
- D. No Change

11/6/10

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.

345-53. M Medical District

- A. No Change
- B. Permitted principal uses are as follows:
 - 1. Hospitals
 - 2. Medical offices
 - 3. Ambulatory care facilities
 - 4. Offices
 - 5. Diagnostic centers
 - 6. Rehabilitation centers
 - 7. Assisted living residences
 - 8. Nursing homes
 - 9. Senior Housing
 - 10. ***Public Utilities, except that natural gas transmission lines shall be prohibited***
- C. No Change
- D. No Change

City Clerk File No. Ord. 10-165

Agenda No. 3.H 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-165

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE TURNKEY REDEVELOPMENT PLAN**

WHEREAS, the Local Redevelopment and Housing Law, (NJSA 40A:12A-1 et seq.) permits municipalities to adopt and amend regulations dealing with areas declared to be "in need of redevelopment," and "in need of rehabilitation;" and

WHEREAS, the Municipal Council of the City of Jersey City, adopted the Turnkey Redevelopment Plan in May of 1980 and last amended in February of 2007; and

WHEREAS, areas within the Turnkey Redevelopment Plan, particularly the southwest corner of Dwight and Ocean Avenues would be more viable for development with revised zoning; and

WHEREAS, the Jersey City Planning Board, at its meeting of November 15, 2010 held a hearing on the proposed amendments and recommended adoption to the Municipal Council; and

WHEREAS, the Municipal Council has accepted the Planning Board's recommendation; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Turnkey Redevelopment Plan is attached hereto, and made a part hereof, and is 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 aforementioned amendments to the Turnkey Redevelopment Plan be, and hereby are, 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.

Clare Davis - Acting

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

APPROVED AS TO LEGAL FORM

Joanne Monahan

Joanne Monahan Corporation Counsel

APPROVED: *Paul Gagliardi*

APPROVED: *Gregg Romano*

Business Administrator
ASST

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 TURNKEY REDEVELOPMENT PLAN**

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

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

3. Concise Description of the Program, Project or Plan Proposed in the Ordinance:

This ordinance would amend the Turnkey Redevelopment plan to revise zoning for mixed-use buildings at the southwest corner of Dwight and Ocean Avenues. In anticipation of an affordable housing development, zoning would allow for an increase in height and density in exchange for required garage parking and green roof elements.

4. Reasons for the Proposed Project:

The existing zoning makes it very difficult to develop the site to the greatest extent possible. The site has been identified as a desired location for affordable housing which necessitates zoning revisions to be viable.

5. Anticipated Benefits to the Community:

Viable affordable housing development.

6. Cost of Proposed Program, Project, etc.: \$0.00, all work was done in house

7. Date Proposed Program or Project will commence: Upon Adoption

8. Anticipated Completion Date: N/A

9. Person Responsible for Coordinating Proposed Program, Project, etc.:

Robert D. Cotter, Director, City Planning 547-5050

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.

Acting Clare Davis
Division Director

11/10/10
Date

Carl Czaplicki
Department Director Signature

11/10/10
Date

Summary

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE TURNKEY REDEVELOPMENT PLAN

This ordinance would amend the Turnkey Redevelopment plan to revise zoning for mixed-use buildings at the southwest corner of Dwight and Ocean Avenues. In anticipation of an affordable housing development, zoning would allow for an increase in height and density in exchange for required garage parking and green roof elements.

TURNKEY Redevelopment Plan

Prepared by the

**DIVISION OF CITY PLANNING
Department of Housing, Economic Development & Commerce**

May 1980

**Amended August 1981
Amended September 1992
Amended March 1998
Amended March 2003
Amended April 2006
Amended February 2007
Proposed 11/10/10**

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I. DESCRIPTION OF PROJECT

Turnkey Redevelopment Area Boundary Description

Blocks 1318 (Partial), 1323 (Partial), 1324, 1325, 1326, 1329, 1330, 1331 and 1332 all lots

Beginning at the point of the intersection of the centerline of Fulton Avenue and Martin Luther King Jr. Memorial Drive; thence in an easterly direction along the centerline of Fulton Avenue a distance of approximately 1600 feet to the point at its intersection with the centerline of Ocean Avenue; thence in a northerly direction along the centerline of Ocean Avenue a distance of approximately 700 feet to the point at its intersection with the extension of the northern lot line of Lot 23 within Block 1323 across Van Cleef Street a distance of approximately 1500 feet to the point of its intersection with the centerline of Martin Luther King Jr. Memorial Drive; thence in a southerly direction along the centerline of Martin Luther King Jr. Memorial Drive a distance of approximately 700 feet to the point at its intersection with the centerline of Fulton Avenue the POINT AND PLACE OF BEGINNING.

II. REDEVELOPMENT PLAN GOALS AND OBJECTIVES

Renewal activities for the Turnkey project will be undertaken in conformity with, and will be designed to meet the following goals and objectives of the Redevelopment Plan.

A. Goals

1. To comprehensively redevelop the Turnkey Project Area through selective restoration and rehabilitation of Existing residential uses, by the elimination of negative and blighting influences and by providing new construction and site improvements where appropriate.
2. To provide for a variety of residential uses and housing types for both existing residents and prospective occupants in order to meet the housing needs of low, moderate and upper income families.
3. To provide for the improvement of the functional and physical layout of the project area for contemplated redevelopment and the removal of impediments for land disposition.
4. To provide for the overall improvement of traffic circulation through the elimination of unnecessary streets wherever possible and the development of new vehicular and pedestrian circulation systems which provide for the separation of vehicular and pedestrian traffic, as well as to provide for the maximum use of public transportation.
5. To provide for the maximization of private investment through the attraction of qualified developers capable of securing private financing commitments.

6. To provide for the stabilization and the increase of the tax base of the project area and the entire city by redeveloping non-revenue producing areas and by reestablishing investment confidence of the part of existing and future residents both within the area and in contiguous neighborhoods.
7. To provide for the coordination of redevelopment activities to promote a uniform attack on blight which reinforces already existing renewal and improvement programs in adjacent area in accordance with a plan that integrates the Turnkey Project with the existing physical and social fabric of the City of Jersey City.

B. Objectives

1. To construct new residential rental housing for low- and moderate-income families through the use of public and/or private financing.
2. To assist private owner occupants who wish to improve their structures through a rehabilitation incentive program.
3. To provide construction related (temporary) jobs, and permanent jobs through housing rehabilitation and construction of new housing and public improvements.
4. To assist small neighborhood commercial uses by providing relocation opportunities for the few commercial businesses located in areas designated for new residential development.
5. To provide necessary site improvements for both proposed and existing residential uses as well as commercial businesses, including new streets and sidewalks, street realignment, off-street parking, open space, recreational areas, new trees and selected planting materials where necessary.

III. TYPES OF PROPOSED REDEVELOPMENT ACTIONS

It is proposed to substantially improve and upgrade the Turnkey Project through a combination of redevelopment actions. These will include but not be limited to:

1. clearance of dilapidated structures;
2. retention and construction of sound compatible uses;
3. assembly into developable parcels the vacant and under-utilized land now scattered and varied ownership; and
4. provisions for a full range of public infrastructure necessary to service and support the new community.

IV. BUILDING DESIGN OBJECTIVES

1. All structures within the project area shall be situated with proper consideration of their relationship to other buildings, both existing and proposed, in terms of light, air, and usable open space, access to public right-of-way and off-street parking, height and bulk.

2. Groups of related buildings shall be designed to present a harmonious appearance in terms of architectural style and exterior materials.
3. Buildings shall be designed so as to be attractive from all vantage points.
4. Building setbacks shall be varied to the extent practicable in order to provide an interesting interplay of buildings and open spaces.

V. SPECIFIC OBJECTIVES

The following objectives shall apply to the entire study area. The proposals for each reuse parcel shall also conform, where appropriate, to the General Goals and Objectives discussed previously.

A. Submission of Redevelopment Proposals

Prior to commencement of construction, architectural drawings, specifications and site plans for the construction of improvements to the redevelopment area shall be submitted by the developers for review and approval by the Planning Board of the City of Jersey City and the Board of Commissioners of the Jersey City Redevelopment Agency.

B. Adverse Influences

No use or re-use shall be permitted, which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, objectionable dust or waste, undue noise or vibration or other objectionable features so as to be detrimental to the public health, safety or general welfare.

C. Restriction of Occupancy or Use

There shall be no restriction of occupancy or use of any part of the project area on the basis of race, creed, color or national origin.

D. Circulation and Open Space Design Objectives

1. Unless paved, all open space areas shall be landscaped and maintained in an attractive condition.
2. Open spaces for both residential rehabilitation and new construction shall be provided where feasible and be so located as to provide for maximum usability by tenants and to create a harmonious relationship of buildings and open space throughout the project area.
3. Sidewalk areas shall be adequately provided for the movement of pedestrians through and around the site.

4. Sidewalk areas shall be attractively landscaped and durably paved and shall be provided with adequate lighting.
5. Trees and shrubs shall be planted along the curb line at not more than 30-foot centers or in groupings in a regularly spaced pattern to further increase the aesthetic quality of redevelopment activities.
6. Areas designated as improved open space shall be in addition to all parking, loading, yard and setback requirements.

E. Off-Street Parking and Loading Objectives

1. Off-street parking and loading areas shall be coordinated with the public street system serving the project area in order to avoid conflicts with through traffic or obstruction to pedestrian walks and thoroughfares.
2. Any surface parking facilities shall be landscaped; large concentration of parking shall be avoided; poured-in-place concrete curbing shall be used in parking areas to prevent vehicles from encroaching upon planted areas.
3. All parking and loading areas abutting streets or residential zones shall be landscaped about their periphery with berms, shrubs, trees and/or ground-cover.
4. All required parking and loading areas shall be provided off-street. All such parking and loading areas shall be graded, paved with a durable, dust-free surface, adequately drained, well landscaped, and all access points shall be defined and limited in accordance with the Zoning Ordinance of the City of Jersey City

F. Landscape Design Objectives

1. All open space, including yards, shall be landscaped with lawns, trees, shrubbery and other appropriate plant material unless said open space is specifically designated for other activities which require paving or other treatment. All screen planting shall be evergreen and only species with proven resistance to the urban environment in this area will be acceptable. Screen planting shall be a minimum of four (4) feet high. Material shall be planted balled and burlapped, be heavy and of specimen quality as established by the American Association of Nurserymen. At initial planting, the material shall provide an opaque screen from the top of the shrub to within six (6) inches of grade. Other plant materials shall be heavy and of specimen quality as determined as above. All trees shall be minimum of three-and-one-half (3 ½) inches in caliper. All plants, trees and shrubs shall be installed in accordance with the Division of Planning planting schedules.
2. Prior to commencement of construction, architectural drawings, specifications and site plans for the construction of improvements to the project area shall be submitted by the developers to the Board of Commissioners of the Jersey City Redevelopment Agency and to the Planning Board of the City of Jersey City for review and approval so that compliance of such drawings, specifications and plans to the Redevelopment objectives can be determined.

G. Interim Uses

~~Interim uses may be established subject to agreement by the developers with the Planning Board that such uses will not have an adverse effect upon existing or contemplated development during the interim use period.~~

Interim uses may be established, subject to agreement between the developer(s) and the Planning Board that such use will not have an adverse affect upon existing or contemplated development during the interim use period. Interim uses must be approved by the Planning Board which may establish an interim use period of up to three (3) years in duration. Additional renewals of an interim use may be granted by the Planning Board.

H. Underground Utility Placement

All utility distribution lines and utility service lines to the project areas individual uses shall be located underground where feasible.

VI. **GENERAL PROVISIONS**

- A. The regulations and controls in this section (VI) will be implemented by appropriate covenants or other provisions or agreements for land disposition and conveyance executed pursuant thereto.
- B. The redeveloper shall begin and complete the development of the land and the construction of improvements agreed upon in the disposition contract with a reasonable amount of time as determined in the said disposition contract between the Jersey City Redevelopment Agency and the designated redeveloper.
- C. The redeveloper shall agree to retain the interest acquired in the project land until the completion of the construction and development in the area required by this plan and the disposition instruments and the redeveloper shall further agree not to sell, lease or otherwise transfer the interest acquired or any part thereof without prior written approval of the Jersey City Redevelopment Agency.
- D. No covenant, lease, conveyance or other instrument shall be affected or executed by the Jersey City Redevelopment Agency or by a redeveloper or any of his successors or assignees, whereby land within the project area is restricted by the JCRA or the redeveloper upon the basis of race, creed, color or national origin in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments.
- E. No building shall be constructed over an easement in the project area without prior written approval of the JCRA.
- F. The JCRA and the Jersey City Planning Board shall specifically reserve the right to review and approve the redeveloper's plans and specifications with respect to their

conformance to the Redevelopment Plan. Such a review shall be on the basis of a site plan and/or construction plans submitted to both agencies. No additional construction or alteration to existing or proposed construction shall take place until a site plan reflecting such additional or revised construction shall have been submitted to and approved by both the JCRA and the Planning Board. This pertains to revisions or additions prior to, during and after completion of the improvements.

- G. The provisions of this Plan specifying the redevelopment of the project area and the requirements and restrictions with respect thereto shall be in effect for a period of forty (40) years from the date of approval of this Plan by the City Council of Jersey City.
- H. All residential redevelopment proposals and construction plans shall meet applicable FHA and HFA minimum room size requirements prior to approval by the Redevelopment Agency and the Planning Board.
- I. *Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the Area shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval so that compliance of such plans with the redevelopment objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases.*

As part of any site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53 et seq. Such performance guarantees shall be in favor of the City in a form approved by the Jersey City Corporation Counsel. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of on and off site improvements within one (1) year of final site plan approval.

VII. GENERAL LAND USE PLAN

- A. Land Use Map, proposed land uses shall be shown on Map No. 3, Land Use Map.
- B. Land Use Provisions and Building Requirements
 - 1. Residential
 - a) Permitted Principal Uses
 - 1. One- and two- family detached dwellings
 - 2. Garden apartments
 - 3. Townhouses
 - 4. Row Houses
 - 5. Multi-purpose community center, providing such services as: housing management, meeting rooms, day care, social support and counseling, library, healthcare/first aid, security and indoor and outdoor recreation, and limited to lots fronting on Fulton, Dwight and/or Stegman
 - 6. Senior Housing
 - b) Accessory Uses Permitted
 - Off-street parking
 - Fences and walls

- Designed open space
- Utilities
- c) Conditional Uses
 - Housing Management Facility
- d) Regulations and Controls
 - Parcels designated residential shall be designed utilizing various materials to form a compatible overall architectural scheme

New construction of multi-family residential shall be designed to include:

1. An ornamental cornice at the roofline.
 2. Avoid blank walls, particularly at street level.
 3. Window detailing, including lintels and sills.
 4. A variety of horizontal and vertical architectural elements which harmonize the surrounding structures.
 5. Sidewalk shall be tinted French grey.
 6. Driveways shall be differentiated from the sidewalk through the use of different paving color and texture. Driveways are to be flush with the sidewalk, with driveway apron slopes shall extend no more than two and one-half feet.
 7. Fencing shall be wrought-iron or other decorative material; no chain-link or aluminum fencing is permitted.
 8. All parking shall be screened by the above mentioned fencing at the street frontage, including a 5' strip of hedge landscaping in addition to the fence.
 9. Interior property line adjacent to parking shall contain board-on-board fencing to screen it from its neighbors.
 10. The roof shall be flat unless incompatible with surrounding buildings.
 11. Buildings shall be designed to include a water table or water course and differentiate materials at the first floor. All first floor facades must be primarily masonry. No EIFS or synthetic materials are permitted at the first level. All facades and façade materials are subject to Board review and approval.
 12. Main entries shall have transom windows above.
 13. Street trees are to be included, spaced 35' apart for the length of each project.
 14. All rooftops, including garages, shall include patio areas accessible to tenants wherever possible.
 15. All front yard setbacks shall maintain the setback of the prevailing building line and not to exceed 20' from the curb.
- Designed open space shall be developed as an integral part in the overall design scheme

- Where any questions arise in terms of definitions or terminology, the Zoning Ordinance of the City of Jersey City shall govern
- Utilities shall be defined as: water, sewer, telephone, gas or electric service from a public or private utility company under the regulations of the New Jersey Public Utilities Commission.
- Conditional Use Standards for Housing Management Facility:
 1. Such use must be similar in style and bulk to the housing it is intended to serve
 2. No overnight storage of vehicles permitted.

The intent is to insure the parking for these buildings is on the side or rear yard and the building is established as a prominent feature on the street.

e) Maximum Height

* Residential uses shall not exceed three (3) stories or thirty-five (35) feet. All senior housing uses four (4) stories and fifty (50) feet.

f) Area, Yard and Bulk

1) One- and two-family detached dwellings

Maximum Building Coverage	-	60%
Minimum Lot Area	-	2,500 sq ft
Minimum & Maximum Front	-	Shall be consistent with the prevailing street setback, except that front yard setback may not be less than 5 feet nor greater than 20 feet
Minimum One Side	-	0 feet
Minimum Total Sides	-	5 feet
Minimum Rear	-	15 feet

The goal of the front yard setback requirement within this section is to have new development setback a distance that is consistent with the existing building line of the street.

All streets, even those which contain large tracts of vacant parcels, contain areas of development which have a definite street line formed by a fence, a hedge or a structure. It is the intent of the prevailing setback requirement to allow flexibility in design while maintaining the character of the neighborhood.

2) Garden Apartments

Maximum Building Coverage	-	30%
Minimum Lot Width	-	150 feet
Minimum Lot Depth	-	100 feet
Minimum Lot Area	-	15,000 sq ft
Maximum Density	-	25 units per acre

Minimum Yards: Front - 5 feet
Side - 20 feet per grouping
Rear - 25 feet

3) Townhouses and Row Houses

Maximum Building Coverage - 60%
Minimum Lot Width - 20 feet
Minimum Lot Depth - 100 feet
Minimum Lot Area - 2000 sq ft
Minimum Yards: Front - Prevailing as above
Side - 0 feet
Rear - 15 feet

4) Community Center

Maximum Building Coverage - 75%
Minimum Lot Width - 50 feet
Minimum Lot Depth - 100 feet

5) Senior Housing

- Minimum Lot Area: Ten Thousand (10,000) square feet.
- Minimum Lot Width: Eighty (80) feet.
- Minimum Lot Depth: Eighty (80) feet.
- Maximum Building Coverage: Sixty percent (60%).
- Maximum Density: Eighty (80) dwelling units per acre.
- Minimum and Maximum Yards:
 - Front: 0 Feet
 - Side: 0 Feet
 - Rear: 40 Feet
- Minimum Parking: 0.2 spaces per bedroom

g) Maximum off-street parking:

All residential uses shall provide a maximum of 2 spaces per dwelling unit.

Front-yard parking is prohibited except as necessary to dwellings specifically designed for handicapped residents.

h) Minimum off-street loading

Off-street loading shall conform to Article VII of the Zoning Ordinance of the City of Jersey City.

i) Maximum Sign Area

All residential uses: one (1) sign not to exceed two (2) square feet.

Billboards are expressly prohibited throughout the entire redevelopment area.

2. ~~Commercial Reuse Areas~~ *Mixed Use A*

a) Permitted Principal Uses

- Retail sales of goods and services
- Office uses
- Financial institutions
- Restaurants
- Public uses
- Management offices for designated urban renewal developers
- Community facilities for residential tenants of urban renewal development

b) Accessory Uses Permitted

- Residential units above first (1st) floor retail sales
- Off-street parking and loading
- Parking garages and lots

c) Conditional Uses – None permitted

d) Regulations and Controls

- Retail sales of goods and services shall be defined as grocery stores and pharmacies where all sales are under one roof, cleaning establishments such as dry cleaners and Laundromats with attendants, but in no instance shall bars, liquor stores, auto body shops or service stations be considered retail sales.
- Commercial operations for the sale of retail goods and services may have residential units located above first floor provided:
 - 1) the residential units shall be provided with separate ingress and egress other than that which is used for the purposes of the commercial operations; and
 - 2) the parking for residential dwelling units shall be counted separate and apart from any commercial parking.
- Public uses shall be limited to: parks, play-grounds, or governmental uses which shall be limited to: office, meeting, legislative or judicial functions and municipal facilities.

e) Maximum Height

- Retail sales with residential uses located above the first floor: four stories or forty (40) feet in height
- All other uses shall have a maximum height of three (3) stories or thirty-five (35) feet.

f) Area Yard and Bulk

- All commercial buildings, community facilities or management offices shall conform to the following regulations:

Maximum Building Coverage	-	60%
Minimum Lot Width	-	25 feet
Minimum Lot Depth	-	100 feet
Minimum Lot Area	-	2,500 sq ft
Maximum Height	-	4 stories

g) Minimum Off-Street Parking

- Retail sales of goods and services: one (1) space per 600 square feet of gross floor area.
- Restaurants one (1) space per each four seats.
- Existing commercial or public uses not acquired through this urban renewal program shall have no parking requirements.
- Office and financial institutions: one (1) space for each 1,000 square feet of gross floor area.
- Mixed-use commercial/residential one (1) space per 600 square feet of gross floor area for commercial use plus 0.75 space per each dwelling unit.
- Public uses shall be provided with a minimum of one (1) space per each six-hundred (600) square feet of gross floor area, excluding the first five-thousand (5,000) square feet of gross floor area for that use plus one (1) space for each official car assigned to that use.

h) Minimum Off-Street Loading

- Off-street loading shall conform to Article VII of the Zoning Ordinance of the City of Jersey City

i) Maximum Sign Area

- Billboards are expressly prohibited throughout the entire redevelopment area.
- Each business establishment shall be permitted not more than two (2) signs per store frontage illuminated in any way shall not exceed one-foot, six-inches (1'6") in height by the length of façade and may not project more than twelve inches (12").
- If more than one (1) sign is provided on any façade, one (1) sign shall be perpendicular to that façade. It shall not exceed five (5) square feet in area on any one (1) surface and must comply with the following:
 - a. it may not exceed one (1) foot in height;
 - b. it must be arranged to allow a minimum of eight-feet, six-inches (8'6") to the sidewalk below;
 - c. it may be internally illuminated but may not be flashing or illusory in nature;
 - d. only one (1) such sign will be permitted on each street frontage of the establishment;
 - e. it may not move or have any moving parts as elements.

- Under no circumstances shall fluorescent or glowing paint be permitted for any signage within the area. No signs or window graphics other than those specifically enumerated herein shall be permitted.
- All signage shall be subject to site plan review and approval by the Planning Board.

3. *Mixed Use B*

a) *Permitted Principal Uses*

- 1) *Multi-family mid-rise apartments above the ground floor*
- 2) *Retail sales of goods and services, and/or restaurants, and or financial institutions, required on all Ocean Avenue frontages*

b) *Accessory Uses Permitted*

- 1) *Off-street parking*
- 2) *Fences and walls*
- 3) *Designed open space*
- 4) *Utilities*
- 5) *Community space and management rooms accessory to residential units*

c) *Regulations and Controls*

New construction shall be designed to include:

2. *An ornamental cornice at the roofline.*
3. *Avoid blank walls, particularly at street level.*
4. *Window detailing, including lintels and sills.*
5. *A variety of horizontal and vertical architectural elements which harmonize the surrounding structures.*
6. *Sidewalk shall be tinted French grey.*
7. *Driveways shall be differentiated from the sidewalk through the use of different paving color and texture. Driveways are to be flush with the sidewalk, with driveway apron slopes shall extend no more than two and one-half feet.*
8. *Driveways and parking areas shall not be accessed from Ocean Avenue, and shall be located in garages within the building. No surface parking.*
9. *Parking shall be accessed by a maximum of one entry lane and one exit lane. This may be arranged as a single two-way driveway, or two one-way driveways.*
10. *Fencing shall be wrought-iron or other decorative material; no chain-link or aluminum fencing is permitted.*
11. *All surface parking shall be screened by the above mentioned fencing at the street frontage, including a 5' strip of hedge landscaping in addition to the fence.*
12. *Interior property line adjacent to parking shall contain board-on-board fencing to screen it from its neighbors.*
13. *The roof shall be flat.*

14. Buildings shall be designed to include a water table or water course and differentiate materials at the first floor. All first floor facades must be primarily masonry. No EIFS or synthetic materials are permitted at the first level. All facades and façade materials are subject to Board review and approval.
15. Main entries shall have transom windows above.
16. Street trees are to be included, spaced 35' apart for the length of each project, and with a minimum caliper of 3-3.5".
17. All rooftops, including garages, shall include patio areas accessible to tenants wherever possible.
18. All front yard setbacks shall maintain the setback of the prevailing building line and not to exceed 20' from the curb. The intent is to ensure parking areas are on the side or rear yard and the building is established as a prominent feature on the street.
19. Garages are to be screened with storefronts along Ocean Avenue, and with attractive openings which match the rhythm, pattern, and architectural style of the building along the side streets.
20. All facades with street frontage are to be treated as a front façade, with no blank walls and with appropriate architectural detail, window openings, and quality materials.
21. All setbacks above the first floor shall be designed as green roofs

- Where any questions arise in terms of definitions or terminology, the Zoning Ordinance of the City of Jersey City shall govern
- Utilities shall be defined as: water, sewer, telephone, gas or electric service from a public or private utility company under the regulations of the New Jersey Public Utilities Commission.

d) Maximum Height

- (1) five (5) stories and sixty feet where garaged parking is provided as required
- (2) minimum residential floor-to-ceiling height nine (9) feet;
- (3) minimum ground floor floor-to-ceiling height twelve (12) feet

e) Area, Yard and Bulk

- (1) Minimum Lot Area: Ten Thousand (10,000) square feet.
- (2) Minimum Lot Width: Eighty (80) feet.
- (3) Minimum Lot Depth: Eighty (80) feet.
- (4) Maximum Building Coverage:
 - i. With garaged parking, first floor parking garage may have one hundred percent (100%) coverage
 - ii. Above first floor garage, seventy percent (70%) building coverage
- (5) Maximum Density: One-hundred fifteen (115) dwelling units per acre.
- (6) Yard Setbacks:

- i. **Front: Maximum 0 Feet**
- ii. **Side: Minimum 0 Feet on first floor, minimum fifteen feet (15') on upper floors**
- iii. **Rear: with garaged parking, first floor maximum zero (0) feet, above first floor minimum thirty-five (35) feet.**

f) Minimum off-street parking

- (1) **Residential - 0.3 spaces per unit**
- (2) **Retail sales of goods and services: one (1) space per 600 square feet of gross floor area, excluding the first 5,000 sf**
- (3) **Restaurants one (1) space per each four seats, excluding the first 5,000 sf**
- (4) **Financial institutions: one (1) space for each 1,000 square feet of gross floor area, excluding the first 5,000 sf**
- (5) **There shall be secure bicycle parking at a minimum rate of 1 bicycle space per dwelling unit and 1 bicycle space per 5000 square feet of non residential use. A bicycle storage room, located in a convenient and accessible location from the sidewalk or the front entry of the building with no more than four vertical steps (ramps may be utilized) between the bicycle room and the sidewalk. Bike racks must permit the ability to secure the frame of the bike to the rack system.**

g) Minimum off-street loading

Off-street loading shall conform to Article VII of the Zoning Ordinance of the City of Jersey City.

h) Maximum Sign Area

- (1) **Billboards are expressly prohibited throughout the entire redevelopment area.**
- (2) **Each business establishment shall be permitted not more than one (1) sign per store frontage which may not be internally illuminated in any way shall not exceed one-foot, six-inches (1'6") in height by the length of façade and may not project more than twelve inches (12").**
- (3) **All signage shall be subject to minor site plan review and approval by the Planning Board.**
- (4) **One identification sign per lobby entry is permitted for residential uses which may list the building name and/or street address and shall not exceed 5 square feet.**

C. Deviation Requests

The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan, where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of

exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan. Notice shall be given, pursuant to the requirements of NJSA 40:55D-12. a. & b., for any relief requested under this section.

VIII. OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS

- A. The various elements of this Redevelopment Plan set forth above are in compliance with the requirements of State and Local Law and there are no additional requirements with respect to a redevelopment plan which have not been complied with.
- B. The Redevelopment Plan contains all provisions necessary to fulfill statutory requirements of the City of Jersey City.
- C. The Redevelopment Plan proposes to attain identifiable local objectives as to appropriate land use, density of population, improved public utilities, traffic circulation, recreational and community improvements and other public renovations.
- D. The following text referencing provision for the temporary relocation and permanent re-housing of persons residing within the Turnkey Study Area Redevelopment Project is presented to comply with statutory requirements of the State of New Jersey. The City of Jersey City, through the services of the Jersey City Redevelopment Agency staff, will provide displaced families and individuals with the opportunity of being relocated into decent, safe and sanitary housing which is within their financial means. This office will be staffed by qualified personnel who will actively assist the families and individuals being displaced in finding adequate accommodations. All families and individuals being displaced will be interviewed to determine re-housing requirements. In addition, a list of privately owned houses and apartments which have been inspected and certified as being safe, decent and sanitary will be maintained by the relocation staff from which individuals will be referred to such dwelling units which are within their financial means.

IX. PROCEDURE FOR AMENDING THE APPROVED PLAN

~~This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law, provided that in respect to any land in the project area previously disposed of for use in accordance with the Redevelopment Plan, written~~

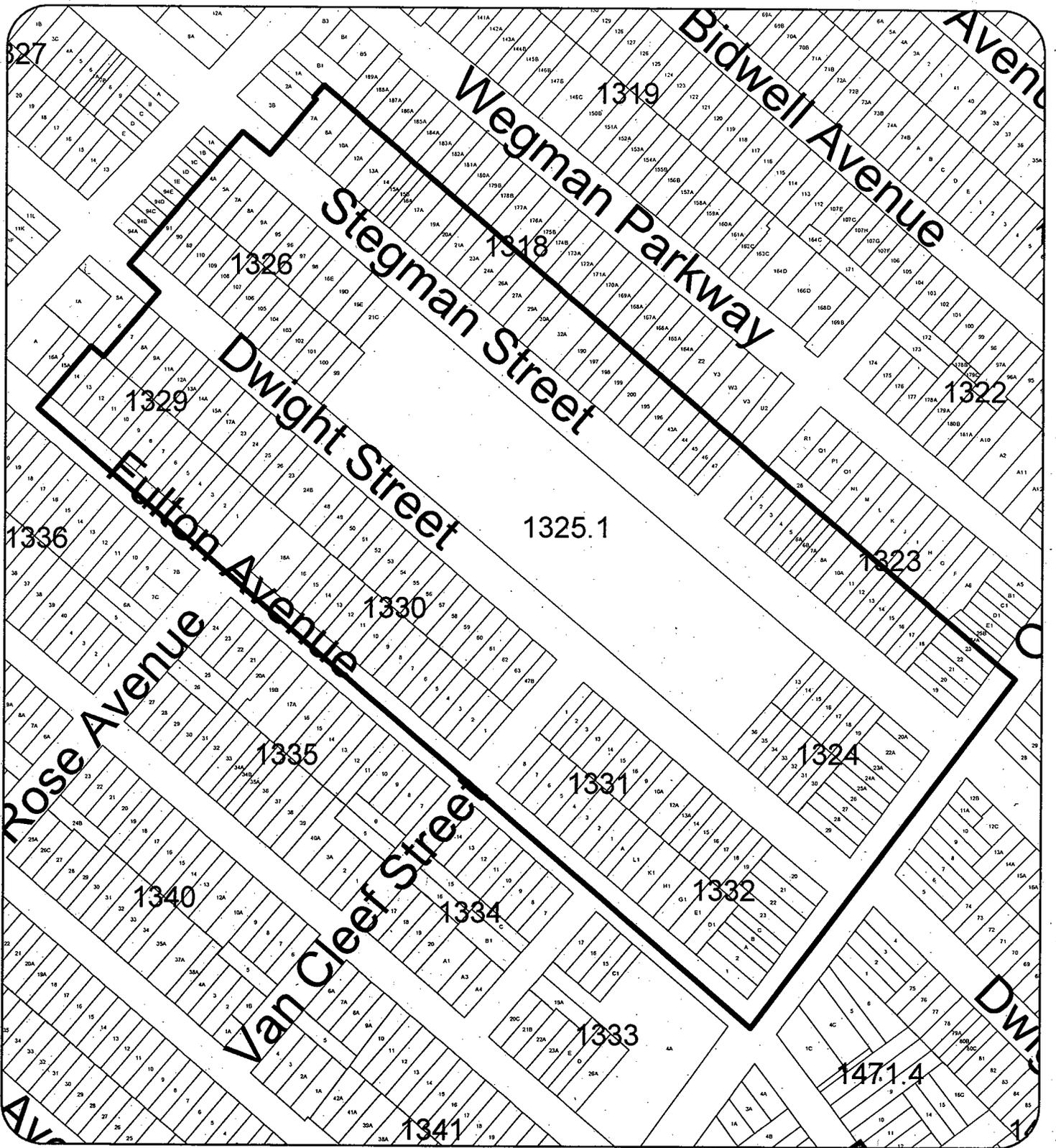
~~consent is received from the owner of such lands who interests therein are materially affected by such amendment or amendments.~~

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law. A fee of \$1,000 plus all costs for copying and transcripts shall be payable to the City of Jersey City for any request to amend this plan.

X. DEFINITIONS

- A. Density: A number expressing dwelling units per gross acre.
- B. Home Occupation: An occupation being conducted wholly or in part from a residence or its residential lot as an accessory use. Such occupations shall be conducted solely by resident occupants of the residential building, except that no more than two persons not a resident of the building may be employed and provided also that no more than the 900 square feet, or the equivalent of the first floor area of the building, whichever is smaller, shall be used for such purpose; that the livable floor area for the resident shall remain at least as large as that required of residences; that no display of products shall be visible from the street; that the residential character of the building shall not be changed; that no sign shall be displayed exceeding the maximum area permitted for signs on each of two sides, and said sign shall be placed inside the building or, if located outside, shall be attached flat outside the building; that the occupation shall be conducted entirely within either the dwelling unit or an accessory building, but not both, that no occupational sounds shall be audible outside the building; that no machinery or equipment shall be used which will cause interference with radio and television reception in neighboring residences; and that the use does not reduce the parking or yard requirements of the principal use.
- C. Office: A place for the transaction of business where reports are prepared, records kept and services rendered, but where no retail sales are offered and where no manufacturing, assembly or fabricating takes place.
- D. Banners: A banner shall be any announcement, declaration, demonstration display, illustration or insignia used to advertise or promote the interest of any person or product where the same is placed to be seen by the general public. The banner shall not exceed 24 square feet in area, shall not be lower than eight (8) feet above finished sidewalk elevation, nor higher than 18 feet above finished sidewalk elevation. The banner shall not extend more than eight feet from any building to which it is affixed. The banner may be attached flush to any building wall or extend perpendicular to any wall so long as it conforms to all other sections of this definition. The banner may be fabricated of any natural or synthetic fabric.
- E. Garden Apartment: A multi-family structure, a maximum three stories or thirty-five (35) feet in height, where apartments may be grouped into separate buildings containing a minimum of four (4) dwelling units and a maximum of twenty (20) dwelling units with two (2) to four (4) units adjacent to a stairway.

Maps



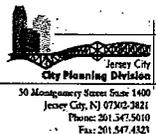
**Turnkey Redevelopment Plan
Boundary Map**

Legend

 Boundary

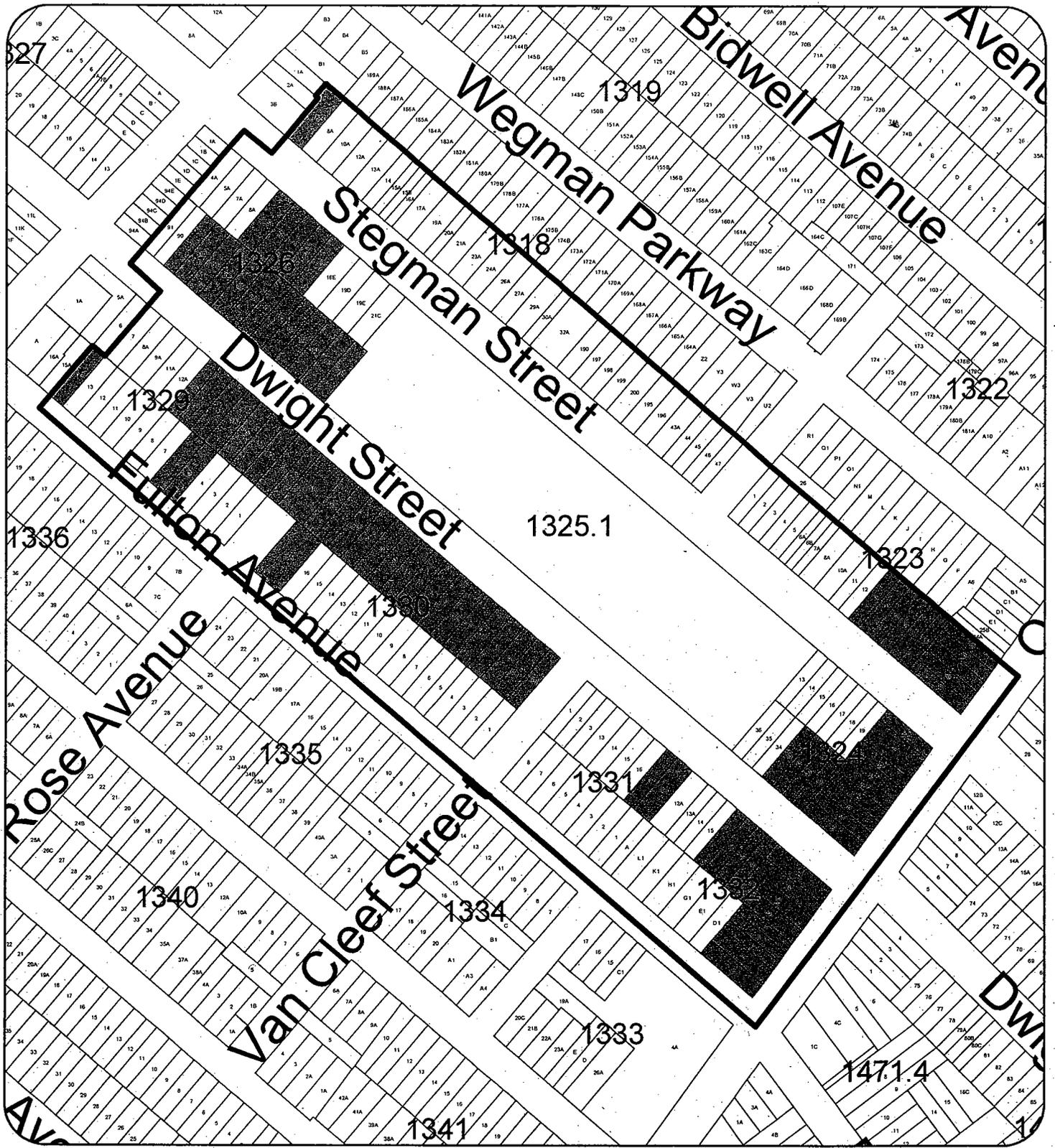


JERRAMIAH T. HEALY, Mayor
 Barbara A. Netchert, Director
 Department of Housing Economic Development and Commerce
 Robert D. Cotter, PP, AICP, Director
 Division of City Planning



1 inch = 200 feet





**Turnkey Redevelopment Plan
Acquisition Map**

Legend

-  Boundary
-  To Be Acquired

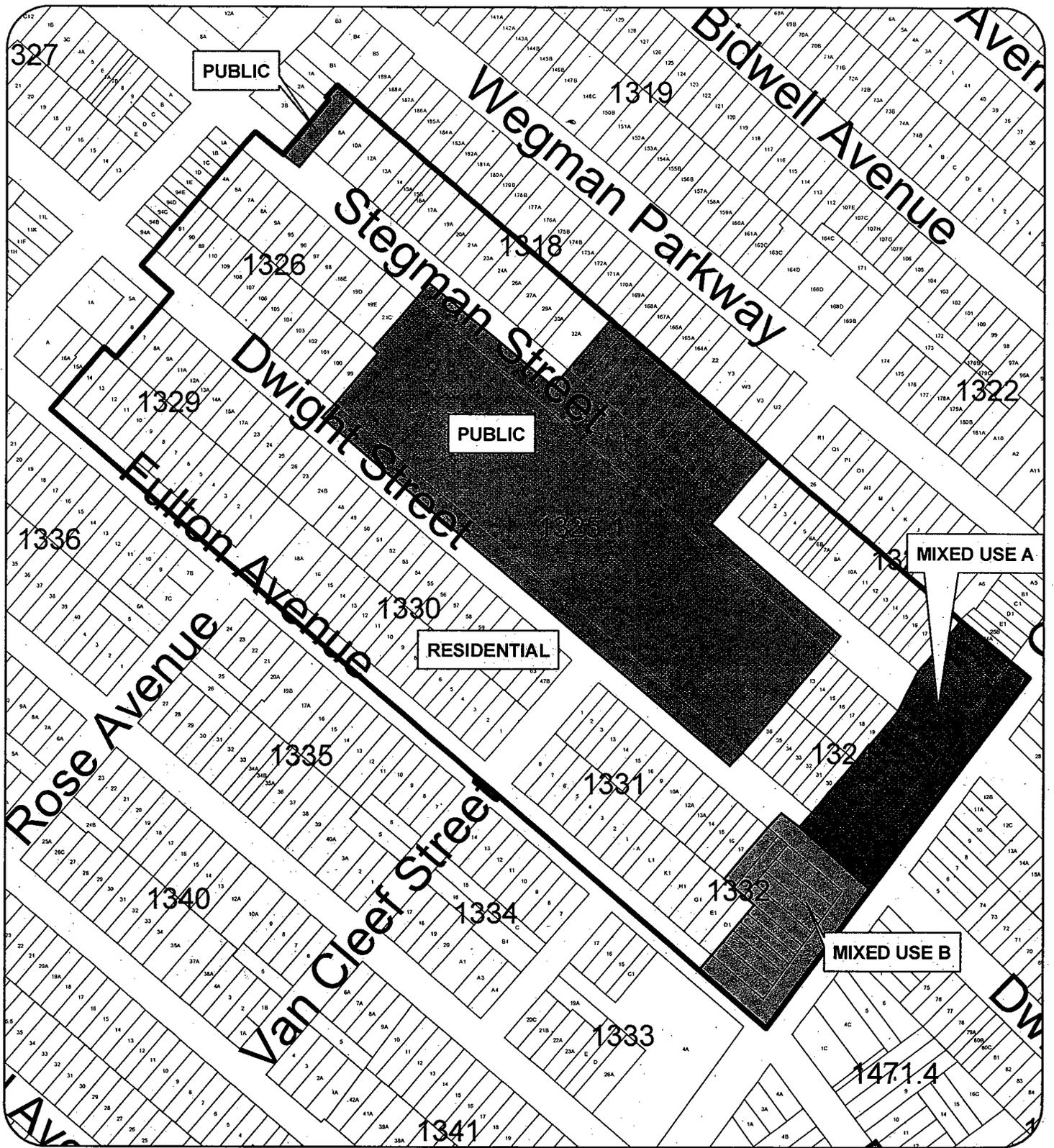


JERRAMIAH T. HEALY, Mayor
 Barbara A. Netchert, Director
 Department of Housing Economic Development and Commerce
 Robert D. Cotter, PP, AICP, Director
 Division of City Planning



1 inch = 200 feet





**Turnkey Redevelopment Plan
Land Use Map**

November 15, 2010

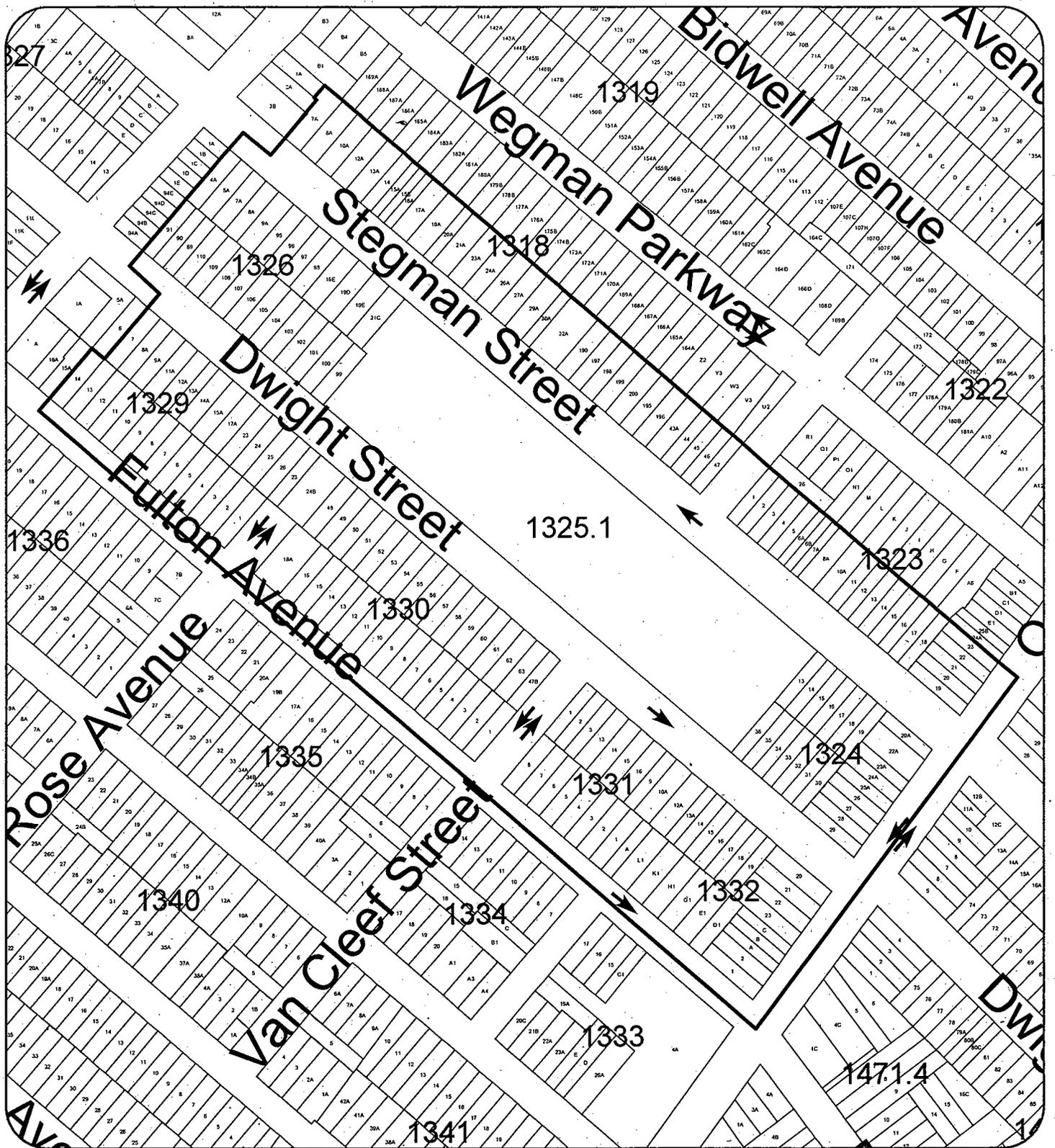
Legend

-  Mixed Use A
-  Public
-  Mixed Use B
-  Residential



1 inch = 200 feet

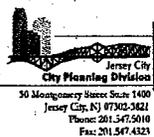




**Turnkey Redevelopment Plan
Circulation Map**



JERRAMIAH T. HEALY, Mayor
 Barbara A. Netchert, Director
 Department of Housing Economic Development and Commerce
 Robert D. Cotter, PP, AICP, Director
 Division of City Planning

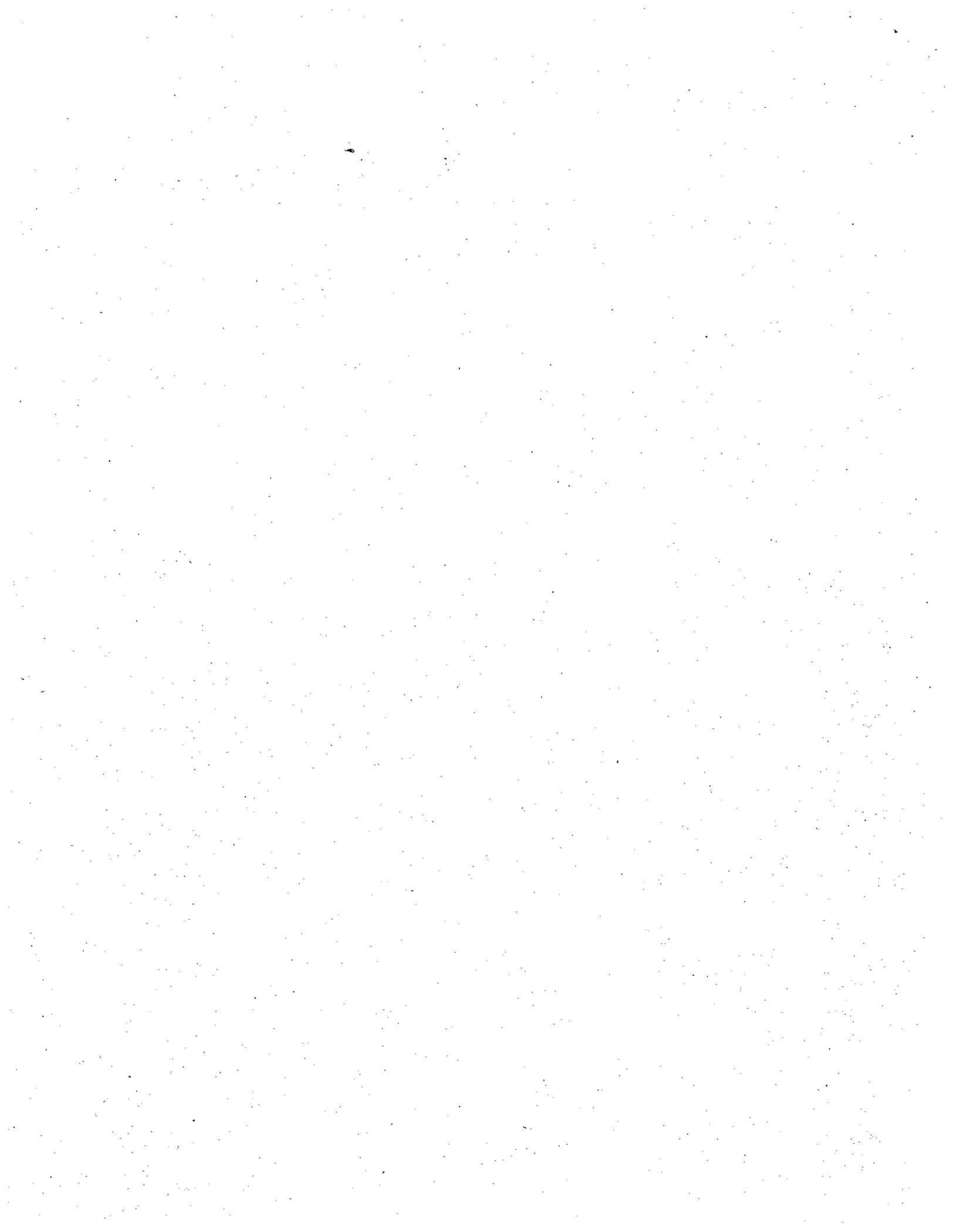


50 Montgomery Street, Suite 1400
 Jersey City, NJ 07302-3821
 Phone: 201.547.5010
 Fax: 201.547.4323



1 inch = 200 feet





City Clerk File No. Ord. 10-166

Agenda No. 3.1 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-166

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE ADJUSTING THRESHOLDS FOR SITE PLAN REVIEW AND CREATING REGULATIONS FOR ROOFTOP SOLAR PANEL INSTALLATIONS

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, existing thresholds for site plan review should be modified to permit minor site plans within redevelopment plan areas, and smaller conforming projects should be relieved from any review; and

WHEREAS, there is an increase in the number of rooftop solar panel arrays citywide but no standards have been set forth to date; 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 November 9, 2010 did vote to recommend that the Municipal Council adjust thresholds for site plan review and to create regulations for rooftop solar panel installations; 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.

Clare Davis - Acting
Robert D. Cotter, AICP, PP, Director
Division of City Planning

APPROVED AS TO LEGAL FORM

James Menahan
Corporation Counsel

APPROVED: *Paul Caspigli*
APPROVED: *Gregory Robinson*
Business Administrator
ASST.

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 ADJUSTING THRESHOLDS FOR SITE PLAN REVIEW AND CREATING REGULATIONS FOR ROOFTOP SOLAR PANEL INSTALLATIONS

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 adjust thresholds for site plan review and to create regulations for rooftop solar panel installations, which are currently not mentioned in the Land Development Ordinance.

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

The subject amendments will eliminate the need for site plan review on minor issues that comply with zoning and design standards, and will set forth guidelines for rooftop solar panel installation.

5. Anticipated Benefits to the Community:

Fewer small projects will need to go before the Planning Board or Zoning Board of Adjustment if compliant with the zoning and design standards; encouragement of rooftop solar panels.

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.

Clare Davis
Acting _____
Division Director
Carl Czaplicki

Department Director Signature

11/10/11

Date

11/10/11

Date

SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE ADJUSTING THRESHOLDS FOR SITE PLAN REVIEW AND CREATING REGULATIONS FOR ROOFTOP SOLAR PANEL INSTALLATIONS

This Ordinance will amend the Land Development Ordinance (Zoning Ordinance) to adjust thresholds for site plan review and to create regulations for rooftop solar panel installations, which are currently not mentioned in the Land Development Ordinance.

11/9/10

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:

345-16 WHEN SITE PLAN APPROVAL REQUIRED

A. Threshold for Major Site Plan Review

The following categories of site plans for new construction, rehabilitation and additions, pursuant to N.J.S.A. 40:55D-37a, fall within the major site plan review threshold and must receive Board approval prior to issuance of either a building permit or Certificate of Occupancy:

1. Creation of ten (10) or more dwelling units, regardless of number of structures and/or phases, and whether developed by one entity or several.
2. Projects on parcels of ten thousand (10,000) or more square feet
3. Projects whose total gross floor area is ten thousand (10,000) or more square feet.
4. Additions increasing gross floor area by 2,500 square feet or fifty percent (50%), whichever is less.
5. Additions increasing coverage, by all structures on a project parcel, by 2,500 square feet or fifty percent (50%), whichever is less.
6. Additions increasing gross floor area of all structures on a project parcel by fifty percent (50%) or 2,500 square feet, whichever is less.
7. Off-street parking facilities, except for one or two family structures meeting minimum parking requirements and meeting the minimum stall size requirements.
8. Changes in use requiring alteration of existing parking and/or loading facilities.
9. Changes in the volume and/or configuration of existing parking and/or loading facilities.
10. ~~All new construction, rehabilitation, alteration, or change in use of any property located within a duly adopted redevelopment area, regardless of above except for the following:~~
 - a. ~~Normal maintenance~~
 - b. ~~Health and safety upgrades~~
 - e. ~~Interior renovations~~
 - d. ~~Deck or balcony construction that otherwise complies with residential bulk standards of the applicable plan~~
 - e. ~~Installation of accessory structures that otherwise complies with requirements of the applicable plan~~

~~11. 10. Wireless telecommunication towers~~

B. Threshold for Minor Site Plan Review. The following categories of site plans for new construction, rehabilitation and additions, pursuant to N.J.S.A. 40:55D-37a, fall within the minor site plan review

threshold and must receive Board approval prior to issuance of either a building permit or Certificate of Occupancy.

1. Conversions, alterations, renovations and additions to existing storefronts
2. Wireless communication antennas
3. Projects whose total gross floor area is at least five thousand (5,000) and less than ten thousand (10,000) square feet.
4. *Any ancillary and/or mechanical equipment for a rooftop solar array which is located in any yard adjacent to a public right-of-way.*

C. *Threshold for Site Plan Review within Redevelopment Plan Areas.*

1. *Thresholds based on project size, gross floor area, lot area, additions, and all other criteria as outlined in §345-16(A) and (B) above shall apply to Redevelopment Plan Areas.*
2. *Applications for new signage within a Redevelopment Plan Area shall be considered a Minor Site Plan.*
3. *Site plan review shall not be considered necessary for the following site work:*
 - a. *Normal maintenance*
 - b. *Health and safety upgrades that are essentially interior and do not require any changes to the site plan at grade*
 - c. *Interior renovations*
 - d. *Deck or balcony construction that otherwise complies with residential bulk standards of the applicable plan*
 - e. *Installation of accessory structures that otherwise complies with all requirements of the applicable redevelopment plan, with the specific exception of backup generators, which shall require minor site plan review.*

11/9/10

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:

345-60 SUPPLEMENTARY ZONING REGULATIONS

- A. No Change
- B. No Change
- C. No Change
- D. 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 Zoning Board of Adjustment.***

~~G.~~ ***H.*** Accessory Structures and Uses Unless Regulated Elsewhere in this Chapter

1. No Change
2. No Change

- ~~H.~~ ***I.*** No Change
- ~~I.~~ ***J.*** No Change
- ~~J.~~ ***K.*** No Change
- ~~K.~~ ***L.*** No Change
- ~~L.~~ ***M.*** No Change
- ~~M.~~ ***N.*** No Change
- ~~N.~~ ***O.*** No Change
- ~~O.~~ ***P.*** No Change
- ~~P.~~ ***Q.*** No Change
- ~~Q.~~ ***R.*** No Change
- ~~R.~~ ***S.*** No Change
- ~~S.~~ ***T.*** No Change
- ~~T.~~ ***U.*** No Change
- ~~U.~~ ***V.*** No Change