

DRAFT ZONING

Communipaw Rezoning – NC-1 and NC-2 City of Jersey City, NJ February 2023

PUBLIC COMMENT:

Division of City Planning is accepting public comments till April 1, 2023

Comments should be emailed to eopper@jcnj.org and fespinoza@jcnj.org

Should you have any questions please email those listed above or call 201-547-5010 and ask to speak with Liz Oppen or Francisco Espinoza

HOW TO READ DOCUMENT:

>Text to be added is shown in yellow highlight like **this**

>Text to be removed is shown in strikethrough and gray highlight like ~~this~~

>Sections or clauses NOT to be changed are omitted or listed as **NO CHANGES**

>Editor Note are included to further clarify the amendments. They are not to be incorporated into the codified version of the municipal code once published to Municode. Editor note is shown in red text with asterisks like **** this ****

FOR MORE INFORMATION:

[12/15/22 Presentation Slides](#)

[12/15/22 Meeting Recording](#)

[Data Portal page – Phase 2 Implementation](#)

[C/A – Current Commercial Automotive Zoning](#)

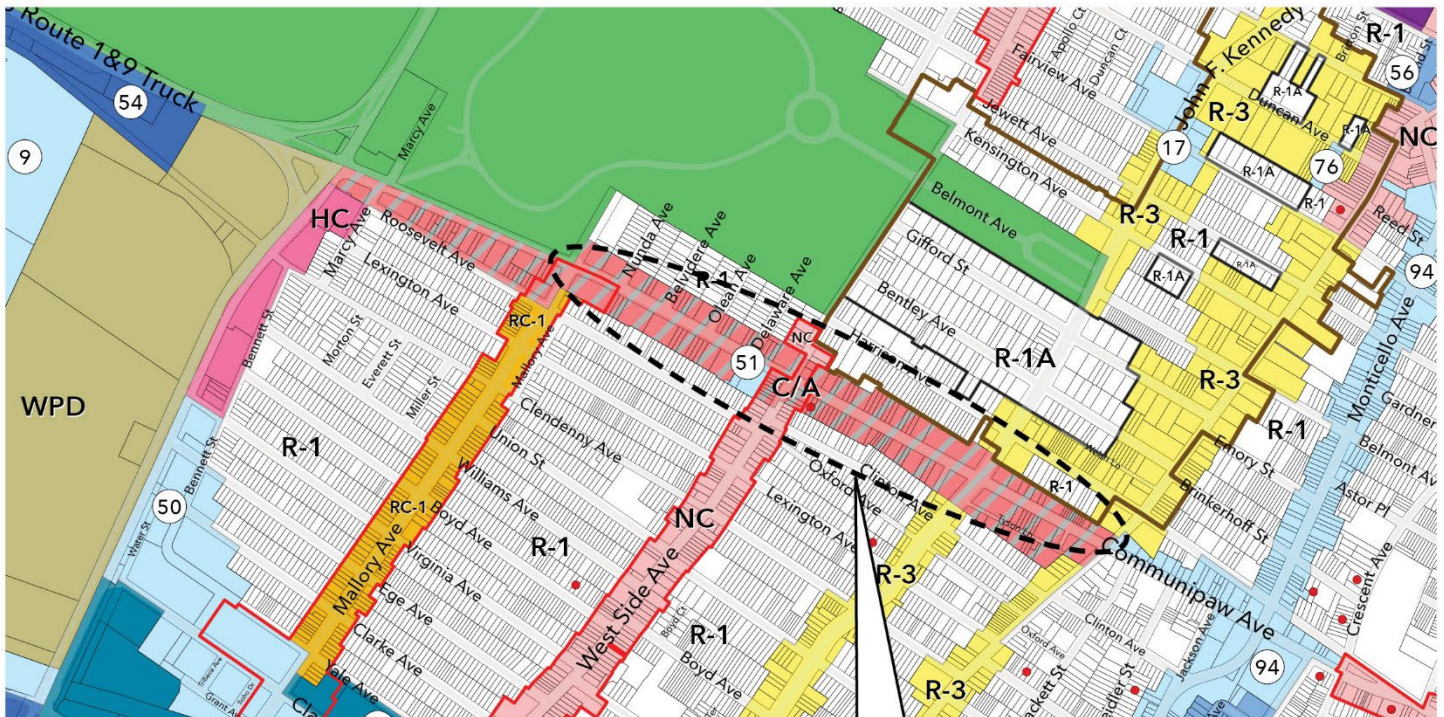
[NC – Current NC Zoning](#)



DRAFT ZONING MAP AMENDMENT

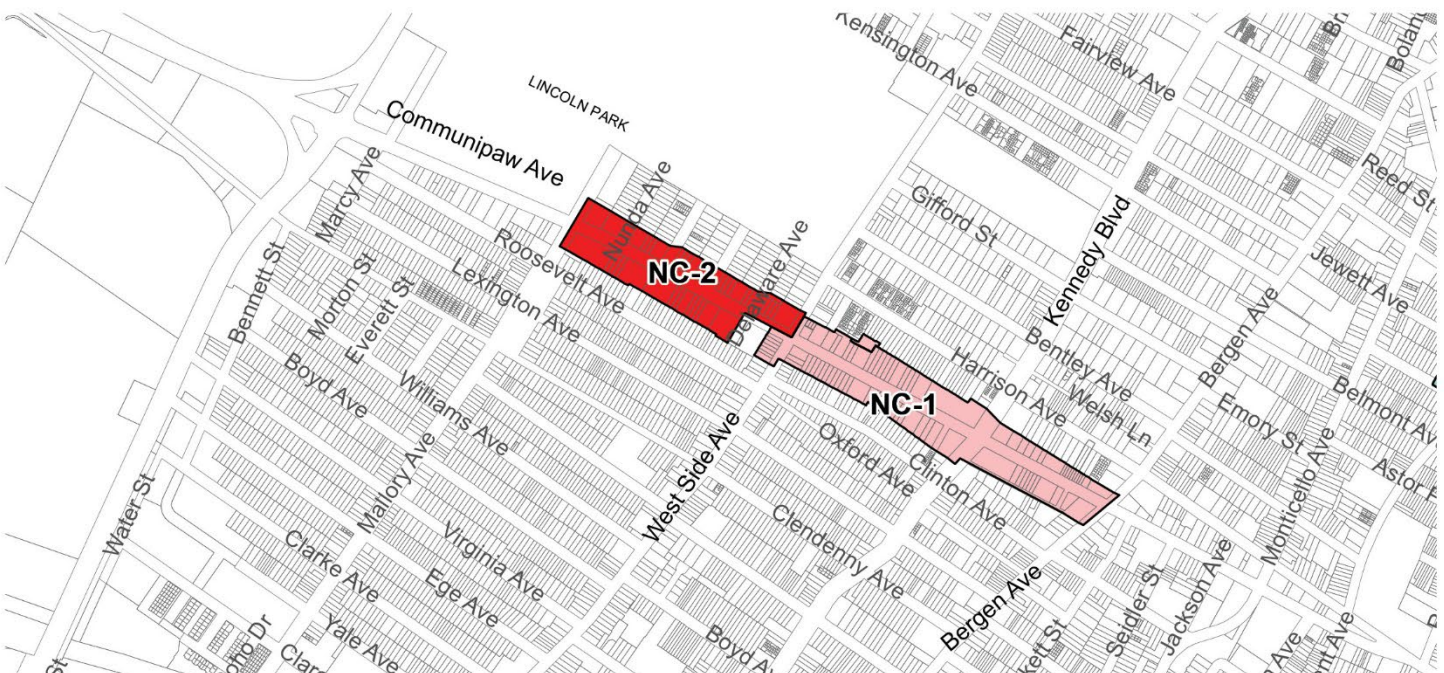
COMMUNIPAW AVENUE REZONING

FEB 2023



CURRENT ZONING AS OF FEB. 2023

PORTION OF COMMUNIPAW AVE
PROPOSED TO BE RE-ZONED



PROPOSED REZONING OF COMMUNIPAW AVE
BETWEEN MALLORY AVE AND BERGEN AVE

§ 345-46. NC-1 Neighborhood Commercial District 1 (five stories or less)

[Amended 8-16-2006 by Ord. No. 06-090; 11-8-2006 by Ord. No. 06-131; 3-14-2007 by Ord. No. 07-035; 3-12-2008 by Ord. No. 08-024; 1-25-2012 by Ord. No. 12-002; 3-25-2015 by Ord. No. 15-031 ; 11-14-2019 by Ord. No. 19-147]

****this is the language currently utilized for Neighborhood Commercial District Zones throughout the City)****

NO OTHER CHANGES

A. Purpose:

The purpose of this district is to recognize the existence and importance of neighborhood business districts and provide ground floor commercial in mixed-use buildings to promote walkability.

B. Permitted principal uses are as follows:

1. Retail sales of goods and services.
2. Offices.
3. Financial institutions without drive-thru facilities.
4. Restaurants, category one and two.
5. Theaters and museums.
6. Governmental uses.
7. Parks and playgrounds.
8. Residential apartments above ground floor.
9. Educational facilities, public and private, above ground floor.
10. Bars.
11. Child day care centers.
12. Medical offices.
13. Health clubs.
14. Cafes.
15. Any combination of the above.

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

1. Off-street parking.
2. Fences and walls.
3. Signs.
4. Sidewalk cafes associated with category one and two restaurants.
5. T.V., radio, and/or stereo systems accessory to bars and restaurants.
6. Live entertainment accessory to Category One restaurants only, subject to issuance of a "restaurant entertainment license" by the Division of Commerce and the restrictions as to decibel level, hours of operation, and location of entertainment providers attached to that license (see Ordinance #12-001), with the exception of properties on Lower John F. Kennedy Boulevard where no live entertainment shall be permitted.

D. Conditional uses:

1. Residential on the ground floor:

- a. Following conditions apply when no commercial uses are proposed:
 - i. Subject lot is not a corner lot.
 - ii. Subject lot is directly adjacent to other properties with ground floor residential.
 - b. Following conditions apply when ground floor commercial is proposed:
 - i. Residential uses are limited to a maximum of forty percent (40%) of the ground floor.
 - ii. Commercial uses shall be at least forty percent (40%) of the ground floor.
 - iii. The proposed building does not have an elevator.
- E. Bulk standards for Neighborhood Commercial Uses:
 - 1. All existing lots of record at time of the adoption of this section are considered conforming.
 - 2. Minimum lot size: Two thousand five hundred (2,500) square feet.
 - 3. Minimum lot width: Twenty-five (25) feet.
 - 4. Minimum lot depth: One hundred (100) feet.
 - 5. Front yard setback: None.
 - 6. Minimum side yard: None.
 - 7. Minimum rear yard: Fifteen (15) feet, provided, however, that where lot depth exceeds one hundred (100) feet, the minimum rear yard shall be increased by five linear feet for every ten (10) linear feet of increase in lot depth.
 - 8. Reserved.
 - 9. Maximum building height:
 - a. Five stories and sixty-four (64) feet for buildings without residential apartments above the ground floor.
 - b. Five stories and fifty-five (55) feet for buildings with residential apartments above the ground floor.
 - 10. Minimum floor to ceiling heights:
 - a. Ground floor: minimum floor to ceiling height is eleven (11) feet.
 - b. Upper floors: minimum floor to ceiling height is nine feet; however, the top floor may have a minimum floor to ceiling height of eight feet.
 - c. Drop ceilings for bathrooms, kitchens, corridors and other similar spaces are exempt from floor to ceiling minimums.
- F. Parking standards and requirements:
 - 1. Curb cuts are prohibited along Bergen Avenue, Brunswick Street, Coles Street, Central Avenue, Grand Street, Grove Street, Monmouth Street, Newark Avenue, and West Side Avenue. This shall result in zero parking permitted on lots with no other access to alternative rights-of-way.
 - 2. Curb cuts are only permitted to gain access to off-street parking areas with five parking spaces or more. This shall result in zero parking required where the minimum parking required is less than five spaces as per the parking standards and requirements of this zone.
 - 3. Minimum parking requirements:
 - a. For lots five thousand (5,000) square feet or greater that are not located on Kennedy Blvd:

- i. Residential uses shall provide a minimum of two-tenths (0.2) space per bedroom. For the purpose of calculating this requirement studio apartments shall be counted as one-bedroom apartments.
 - ii. For non-residential uses when the gross floor area of non-residential uses is greater than five thousand (5,000) square feet: one space per one thousand (1,000) square feet.
- 4. For all lots located on Kennedy Blvd:
 - i. Residential uses shall provide a minimum of three-tenths (0.3) space per bedroom. For the purpose of calculating this requirement studio apartments shall be counted as one-bedroom apartments.
 - ii. For non-residential uses when the gross floor area of non-residential uses is greater than five thousand (5,000) square feet: One space per one thousand (1,000) square feet.
- 5. For lots less than five thousand (5,000) square feet which are not located on Kennedy Blvd, off-street parking is not required.

§ 345-46.1 – NC-2 Neighborhood Commercial District 2 (Six stories or less).

A. Purpose:

The purpose of this district is to recognize the importance of neighborhood business districts and provide ground floor commercial in mixed-use buildings to promote walkability. To increase pedestrian safety, pedestrian scale aesthetics and environmental performance.

B. Permitted principal uses are as follows:

- 1. Retail sales of goods and services.
- 2. Offices.
- 3. Hotel
- 4. Financial institutions without drive-thru facilities.
- 5. Restaurants, category one, two and three.
- 6. Theaters and museums.
- 7. Governmental uses.
- 8. Parks and playgrounds.
- 9. Residential apartments above ground floor.
 - a. Compliance provision: lots that were formerly zoned C/A are subject to mandatory affordable housing set aside per Chapter 187 if the developer of such lot builds fifteen (15) or more residential units onsite or subdivides the lot and buildings fifteen (15) or more residential units in aggregate.
- 10. Educational facilities, public and private, above ground floor.

11. Civic use
12. Bars.
13. Child day care centers.
14. Medical offices.
15. Health clubs.
16. Cafes.
17. Business Incubators.
18. Any combination of the above.

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

1. Off-street parking.
2. Fences and walls.
3. Signs.
4. Sidewalk cafes associated with category one and two restaurants.
5. T.V., radio, and/or stereo systems accessory to bars and restaurants.
6. Meeting rooms and facilities
7. Home occupations
8. Live entertainment accessory to Category One restaurants only, subject to issuance of a "restaurant entertainment license" by the Division of Commerce and the restrictions as to decibel level, hours of operation, and location of entertainment providers attached to that license (see Ordinance #12-001).

D. Conditional uses:

1. Residential on the ground floor:
 - a. Following conditions apply when no commercial uses are proposed:
 - i. Subject lot is not a corner lot.
 - ii. Subject lot is directly adjacent to other properties with ground floor residential.
 - b. Following conditions apply when ground floor commercial is proposed:
 - i. Residential uses are limited to a maximum of forty percent (40%) of the ground floor.
 - ii. Commercial uses shall be at least forty percent (40%) of the ground floor.

E. Bulk standards for Neighborhood Commercial District 2 Uses:

1. All existing lots of record at time of the adoption of this section are considered conforming.

2. Minimum lot size: Two thousand five hundred (2,500) square feet.

3. Minimum lot width: Twenty-five (25) feet.

4. Minimum lot depth: One hundred (100) feet.

5. Front yard setback:

a. Setback shall be sufficient to provide a minimum sidewalk width of 15 ft

b. A green buffer/planting area with a minimum width of 3 ft shall be provided between the building facade and the 15 ft wide sidewalk. This green buffer shall incorporate a knee wall to protect the planting area. An integrated irrigation system is required. Runoff water is required to permeate into the ground below. Pedestrian scale lighting shall be incorporated into the green buffer. See Design Standards below for recommended landscape materials/treatments.

c. No awning or canopy should extend more than 5 ft off the building façade

6. Minimum side yard:

a. On lots less than 50 feet wide: None, except where there exists a window on the adjacent structure. In that instance, the building must be setback a minimum of 3 feet

b. On lots 50 feet wide or more: parking garage levels may be built to the side lot line, and residential or upper floors shall provide a minimum of five (5) on each side.

7. Minimum rear yard: Parking garages on the ground floor may have a zero-foot setback, all other floors shall have a minimum rear yard equal to 25% of the lot depth

8. Coverage Standards:

a. Standard on lots less than 5,000 square feet: a maximum of eighty (80%) lot coverage.

b. Standard on lots 5,000 square feet or more: a maximum of one hundred (100%) lot coverage if a parking garage is provided, and a maximum of eighty (80%) lot coverage if no parking is provided.

9. Maximum building height: Six stories and sixty-four (64) feet

10. Minimum floor to ceiling heights:

a. Ground floor: minimum floor to ceiling height is eleven (11) feet.

b. Upper floors: minimum floor to ceiling height is nine feet; however, the top floor may have a minimum floor to ceiling height of eight feet.

c. Drop ceilings for bathrooms, kitchens, corridors and other similar spaces are exempt from floor to ceiling minimums.

G. Parking standards and requirements:

1. Curb cuts on Communipaw Avenue shall be kept to a minimum. Where possible, curb cuts shall be located on side streets.

2. Curb cuts are only permitted to gain access to off-street parking areas with five parking spaces or more. This shall result in zero parking required where the minimum parking required is less than five spaces as per the parking standards and requirements of this zone.
3. No on-site parking is required for additions on structures for adaptive reuse of existing buildings.
4. Maximum width of curb cut: 10 feet
5. No parking is permitted for lots 50 feet wide or less.
6. Parking is permitted on lots that are greater than 50 feet wide, and parking is required for new construction on lots 75 feet wide and greater.
7. A minimum of ten percent (10%) of total parking spaces shall be dedicated charging locations for electric vehicles.
8. Minimum parking requirements and queuing standards for Category 3 restaurants:
 - a. One space per three hundred (300) square feet.
 - b. The queuing lane shall not conflict with ingress/egress and/or parking aisles required for circulation pertaining to any use on the site.
 - c. The queuing lane shall be contained on-site.
9. Minimum parking requirements for all other uses:
 - a. Residential uses shall provide a minimum of two-tenths (0.2) space per bedroom. For the purpose of calculating this requirement studio apartments shall be counted as one-bedroom apartments.
 - b. Hotels: 1 space: 8 rooms
 - c. For all non-residential or non-hotel room uses: when the gross floor area is greater than five thousand (5,000) square feet: one space per one thousand (1,000) square feet.
 - d. In no instance shall parking be permitted between the front building line and street line.

H. Design Standards:

- a. Given the historic and ongoing (in-part) industrial use of the area, industrial characteristics shall be incorporated in façade design of new structures. When appropriate, adaptive reuse is encouraged to maintain portions of the existing industrial fabric within the area. Materials evoking historic industrial building characteristics such as brick, stone, cast stone, metal, concrete, and wood shall be used.
- b. All façade vents for air conditioning or heating units shall be integrated into the window design such that vent grills and windows appear as a single unit.

c. Required green roof ratio: When building coverage exceeds sixty percent (60%), a green roof system is required of at least 200 square feet or ten percent (10%) of the lot area, whichever is greater. Green roof trays are acceptable.

d. At least twenty percent (20%) of every lot shall be landscaped with one of the following materials:

i. Reinforced lawn.

ii. Ground cover.

iii. Rain garden.

iv. Bioswales.

v. Plants that are native, non-invasive and proven drought resistant in an urban environment.