

**TOWN OF GUTTENBERG
COUNTY OF HUDSON, STATE OF NEW JERSEY**

ORDINANCE #26-20

**AN ORDINANCE AMENDING THE TOWN’S ZONING ORDINANCE CONCERNING
BULK STANDARDS AND ADDITIONAL REGULATIONS APPLICABLE TO THE
PARTICULAR CONDITIONAL USE - MULTIFAMILY MID-RISE RESIDENTIAL**

WHEREAS, the Town of Guttenberg (“the Town”) has adopted a comprehensive zoning ordinance codified as Chapter 28 of the Revised General Ordinances of the Town of Guttenberg (“Zoning Ordinance”); and

WHEREAS, the Town Planner has recommended certain amendments to the Town’s Zoning Ordinance concerning the bulk standards applicable to the particular conditional use – multifamily mid-rise residential; and

WHEREAS, the Mayor and Council previously requested that the Joint Planning-Zoning Board of the Town review the within amendments to the Zoning Ordinance concerning bulk standards applicable to the particular conditional use – multifamily mid-rise residential; and

WHEREAS, the Joint Planning-Zoning Board reviewed the within amendments to the Zoning Ordinance in conjunction with the Town Planner, and has provided the Mayor and Council with a report recommending its adoption; and

WHEREAS, the Mayor and Council accept the Town Planner and Joint Planning-Zoning Board’s recommendations in this regard;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey that the Revised General Ordinances of the Town of Guttenberg is hereby amended as follows:

SECTION I.

Subsubsection 1. “Bulk Regulations” of Subsection c. “Multifamily Mid-Rise Residential” of Section 9.3 “Standards Applicable to Particular Conditional Uses” of Chapter 28 “Zoning” of the Town’s Revised General Ordinances (the Town’s Zoning Ordinance) is hereby amended to read in its entirety as follows:

1. Bulk Regulations

- (a) Minimum lot area: 20,000 square feet only associated with corner parcels.

- (b) Minimum lot width: 100 feet.
- (c) Minimum lot depth: 200 feet.
- (d) Minimum front yard setback: 10 feet.
- (e) Minimum side yard setback: 0 feet. If a side yard is proposed then the minimum setback is 5 feet.
- (f) Minimum rear yard setback: 5 feet.
- (g) Maximum building height inclusive of indoor garage parking: 8 stories and 90' exclusive of roof appurtenances.
- (h) Maximum impervious surface coverage inclusive of building coverage: 90%.
- (i) Minimum open space: 10%.

1-A. Bulk Regulations

- (a) Minimum lot area: 5,000 square feet.
- (b) Minimum lot width: 50 feet.
Minimum lot depth: 100 feet.
- (d) Minimum front yard setback: 5 feet.
- (e) Minimum side yard setback: 3'-1".
- (f) Minimum rear yard setback: 5 feet.
- (g) Maximum building height inclusive of indoor garage: 4 stories and 50 feet.
- (h) Maximum impervious surface coverage: 90%.
- (i) Minimum open space: 10%.

1-B Bulk Regulations

- (a) Minimum lot area: 7,500 square feet.
- (b) Minimum lot width: 75 feet.
- (c) Minimum lot depth: 100 feet.
- (d) Minimum front yard setback: 5 feet.
- (e) Minimum side yard setback: 3'-1" each side.
- (f) Minimum rear yard setback: 5 feet.
- (g) Maximum building height inclusive of indoor garage: 5 stories and 60 feet.
- (h) Maximum impervious surface coverage: 90%.
- (i) Minimum open space: 10%.

1-C Bulk Regulations

- (a) Minimum lot area: 10,000 square feet.
- (b) Minimum lot width: 100 feet.
- (c) Minimum lot depth: 100 feet.

- (d) Minimum front yard setback: 5 feet.
- (e) Minimum side yard setback: 3'-1".
- (f) Minimum rear yard setback: 5 feet.
- (g) Maximum building height inclusive of indoor garage: 6 stories and 70 feet.
- (h) Maximum impervious surface coverage: 90%.
- (i) Minimum open space: 10%.

SECTION II.

Subsubsection 2. "Additional Requirements" of Subsection c. "Multifamily Mid-Rise Residential" of Section 9.3 "Standards Applicable to Particular Conditional Uses" of Chapter 28 "Zoning" of the Town's Revised General Ordinances (the Town's Zoning Ordinance) is hereby amended by the addition of the following provision:

- (f) Where a basement or below grade parking is proposed, a preliminary rock evaluation shall be required to address the presence/absence of bedrock/rock within the area of excavation. The report shall present an informed strategy for means and methods of removal for that specific rock and an impact statement on the adjacent properties.

SECTION III.

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION IV.

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency.

SECTION V.

Codification. The Town Clerk shall have this Ordinance incorporated in the official copies of the Revised General Ordinances. The Town Clerk and the Town Attorney be and are hereby authorized and directed to correct any typographical error and to change any heading, chapter

numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those headings and numbers and existing provisions of the Revised General Ordinances of the Town of Guttenberg, or as they may otherwise deem appropriate, even if headings, chapter numbers, article numbers and section numbers are otherwise provided for in this Ordinance.

SECTION VI.

This Ordinance shall take effect upon passage and publication as required by law.

Summary of Ordinance

This Ordinance amends the Town's Zoning Ordinance, in particular to the bulk standards and additional requirements applicable to the particular conditional use – multifamily mid-rise residential.

/S/ Alberto Cabrera
Introduction: 9.28.20
Adoption: 10.26.20