



**City of Bayonne**  
**DEPARTMENT OF MUNICIPAL SERVICES**  
**DIVISION OF PLANNING & ZONING**  
**MUNICIPAL BUILDING**  
**630 AVENUE C**  
**BAYONNE, NJ 07002**  
**TELEPHONE: 201-858-6110 Fax: 201-858-6185**  
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**JAMES M. DAVIS**  
**MAYOR**

September 15, 2022

Donald M. Pepe, Esq.  
Scarinci Hollenbeck Attorneys at Law  
150 Clove Road, 9<sup>th</sup> Floor  
Little Falls, NJ 07424

**Re: 101 East 2<sup>nd</sup> Street; Block 359, Lot 4.03**

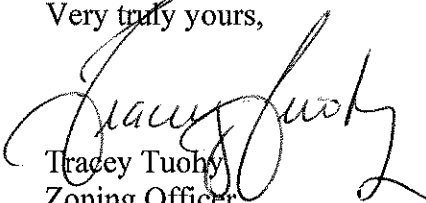
Dear Mr. Pepe:

I am writing in response to your letter dated September 7, 2022 requesting a zoning letter of determination for the above-referenced property. Please be advised that the property is located in the I-H – Heavy Industrial District. I have enclosed a copy of the I-H zoning regulations along with the IL-A and IL-B (Light Industrial Districts) which indicate permitted uses.

The present use of this property is industrial with a land description measuring 3.72 acres. Enclosed please find a copy of the Resolution approving the subdivision of the above-referenced property.

Furthermore, I have reviewed the City's zoning file for this property and found no outstanding zoning violations. Should you have any questions or require additional information, you may contact me at the above number.

Very truly yours,

  
Tracey Tuohy  
Zoning Officer

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**§ 35-5.17. I-H Heavy Industrial District. [Ord. No. O-95-111 § 35-5.11; Ord. No. O-01-19 § 19 [33-5.11]; Ord. No. O-09-01 § 2]**

- a. Permitted Principal Uses.
  - 1. All permitted principal uses in the IL-A and IL-B Districts, but not automobile service stations, car wash facilities and new automobile and motorcycle sales listed as "Other Commercial Uses."
  - 2. General industrial uses involving primary production from raw materials such as metals, botanic and other man-made or natural products.
  - 3. Chemical and petrochemical refining and manufacture.
  - 4. Tank farms and bulk storage of materials other than flammable and combustible liquids. Flammable and combustible liquids are permitted as conditional uses in accordance with the conditional use standards of Schedule II in subsection 35-5.28, Conditional Uses.
- b. Required Accessory Uses. Reserved.
- c. Permitted Accessory Uses.
  - 1. Permitted accessory uses in the IL-A and IL-B Districts.
- d. Permitted Conditional Uses. Subject to conditional use standards of Schedule II in subsection 35-5.28, Conditional Uses:
  - 1. Tank farms and bulk storage of flammable or combustible liquids.
  - 2. Automobile storage facilities for impounded or towed vehicles, subject to the following conditions:
    - (a) Facility operator must possess a valid towing license issued by the State of New Jersey.
    - (b) Facility operator must be licensed by the City of Bayonne under Section 4-29 et seq. of these Revised General Ordinances of the City of Bayonne.
    - (c) Vehicles shall be stored in the rear yard or side yard only.
    - (d) The area within which the vehicles are stored shall be fully enclosed with a fence or a wall a minimum of six feet in height.
    - (e) The area within which vehicles are to be stored shall be screened or otherwise protected from view from public streets, rights of way and adjacent properties by way of a fence, wall, landscaping, berm or any combination thereof.
    - (f) Accessory structures or buildings associated with the aforesaid use shall be located in the rear yard or side yard only.
    - (g) Where the use adjoins a designated redevelopment area, commercial zone

or residential zone; a buffer shall be provided having a minimum width as follows:

- (1) Minimum buffer to residential district or use: 50 feet.
- (2) Minimum buffer to redevelopment area or use: 250 feet.
- (3) Minimum buffer to commercial district or use: 150 feet.
- (h) Automobile storage facilities for impounded or towed vehicles shall be located in those sections of the I-H Heavy Industrial District east of Route 440 and north of East 5th Street only. In no event shall such a facility or use be located on property that fronts Route 440.
- (i) Automobile storage facilities for impounded or towed vehicles shall not be construed to include new or used vehicle sales lots, commercial parking lots, junkyards or outdoor storage facilities for the distribution and trans-shipment of vehicles for retail or wholesale trade.

e. Area, Yard and Structure Requirements.

- 1. Minimum area: one acre.
- 2. Minimum lot fronting: 125 feet.
- 3. Minimum frontage setback: 30 feet.
- 4. Minimum rear yard setback: 50 feet. (Where property abuts the waterfront, rear yard is reduced to not less than 25 feet.)
- 5. Minimum Side Yard 25 feet, except that the combination of both side yards must be at least 50 feet.
- 6. Maximum Height.
 

Principal Structure	None
Accessory Structure	None
- 7. Floor Area Ratio none.
- 8. Maximum lot coverage of principal and accessory structures: 80%. **[Added 11-10-2020 by Ord. No. O-20-58]**

f. Special Requirements.

- 1. All uses are subject to performance standards of subsection 35-5.27.
- 2. As certain land uses become obsolete in this zone and as the new Master Plan implements new zoning based on market driven needs; the following block and lots will form an "overlay zone district" which allows all "I-H" permitted principal, accessory and conditional uses by right. Concurrently, as an alternate, the overlay zoning also permits principal, accessory, and conditional

uses of the Highway Commercial/Selected Light Industrial District in the shaded area on the City Zoning Map between the H-C District and the I-H District.

Block and lots in the "T" Overlay Zone District

Block 412 - Lot 3 (6.43 ac.)

Block 415 - Lot 1 (2.59 ac.)

Block 415 - Lot 2 (7.53 ac.)

Block 416 - Lot 3 (17.56 ac.)

Block 417 - Lot 1 (6.22 ac.)

Block 417 - Lot 2 (2.07 ac.)

Block 417 - Lot 3 (8.99 ac.)

3. An applicant may opt to utilize the overlay zoning once an application for site plan approval is made to the Planning Board. The applicant must set a termination date for the Heavy Industrial Use which cannot coexist with the proposed Highway Commercial/Light Industrial Use.
4. Design Criteria - Reserved.

**§ 35-5.16. IL-A and IL-B Light Industrial Districts. [Ord. No. O-01-19 § 16 [33-5.10]]**

- a. Permitted Principal Uses.
  - 1. Business, executive, or administrative offices.
  - 2. Fully enclosed light manufacturing establishments, including the manufacture, assembly, packing or treatment of articles on merchandise from previously prepared materials, including:
    - (a) Pharmaceutical and cosmetics.
    - (b) Food processing.
    - (c) Electrical and electronic equipment.
    - (d) Woodworking, furniture, upholstery.
    - (e) Textiles and apparel.
    - (f) Awnings and Venetian blinds.
    - (g) Machine shops/tool and die/metal working.
  - 3. Wholesale storage, distribution and trucking services in the IL-B District only.
  - 4. Bus terminals.
  - 5. Research laboratories, including pilot facilities.
  - 6. Fully enclosed heavy commercial establishments:
    - (a) Electrical and plumbing sales and contracting.
    - (b) Building material sales and lumber yards.
    - (c) Dry cleaning plants.
    - (d) Lithography, printing, ruling and binding establishments.
    - (e) Photo processing plant.
    - (f) Office supplies and services.
  - 7. In the IL-A District only, other Commercial Establishments:
    - (a) Automobile service stations.
    - (b) Car wash facilities.
    - (c) New automobile and motorcycle sales.
- b. Required Accessory Uses. Reserved.
- c. Permitted Accessory Uses.

1. Accessory structures and uses, such as restaurants, cafeterias, offices, provided that they are on the lot of the principal use and are customarily incidental to a permitted principal use or structure.
  2. Storage of building and lumber materials, provided they are properly screened from adjacent uses.
- d. Permitted Conditional Uses. None.
- e. Area, Yard and Structure Requirements.
1. Minimum area:
 

IL-A	7,500 square feet
IL-B	20,000 square feet
  2. Minimum lot fronting:
 

IL-A	75 feet
IL-B	100 feet
  3. Minimum frontage setback:
 

Both Districts	30 feet
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  4. Minimum rear yard setback:
 

Both Districts	20 feet
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  5. Minimum Side Yard:
 

IL-A District	10 feet, except that the combination of both side yards must be at least 25 feet
IL-B District	20 feet, except that the combination of both side yards must be at least 50 feet
  6. Maximum Height (Both Districts):
 

Principal Structure	50 feet and not exceeding 4 stories
Accessory Structure	30 feet and not exceeding 2 stories
  7. Floor Area Ratio: None.
  8. Maximum lot coverage of principal and accessory structures (both districts): 80%. **[Added 11-10-2020 by Ord. No. O-20-58]**
- f. Special Requirements.
1. All uses are subject to performance standards of subsection 35-5.27.