

O-20-20
03/18/20

AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 35 ZONING REGULATIONS.

WHEREAS, Bayonne Hospital has serviced the City of Bayonne since 1888, having grown over the last century both in facilities and services, making it a critical part of the Bayonne community; and

WHEREAS, it is in the City's best interest to maintain and support stability, future growth and development of the medical facility at its present location; and

WHEREAS, the City underwent a reexamination of its Master Plan in 2018 and under Section 1.5.a.vi, Section 1.5.b.viii and Section 2.5.a.vi of the Master Plan made various findings and comments related to the need to support Bayonne Medical Center; and

WHEREAS, Section 1.5.b.viii of the Master Plan specifically states "Objective: support Bayonne Hospital as the City's principal provider of health care services." and

WHEREAS, pursuant to N.J.S.A. 40:55D-62 the City 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 desires to adopt zoning that secures the present hospital use for the public's health safety and wellbeing; and

WHEREAS, the City is currently undergoing a period of growth and redevelopment with increased housing and commercial properties; and

WHEREAS, based upon the geographic nature of the City and its proximity to other population densities it is necessary to maintain a fully functional hospital within the City limit's and

WHEREAS, by creating a dedicated Hospital District zone the City shall insure access to its residents to medical facilities; and

WHEREAS, pursuant to N.J.S.A. 40:55D-62 et seq. the City hereby refers this Ordinance and proposed zoning amendments to the Planning board for a hearing and seeks their recommendations as to the consistency with the Master Plan of the City.

NOW THEREFORE, be it ordained by the Municipal Council of the City of Bayonne, as follows:

That the Revised General Ordinances of the City of Bayonne, Chapter 35, Zoning Regulations, Section 35-3 ESTABLISHMENT OF DISTRICT Subsection 35-3.1 Establishment of Zones, and Section 35-5 DISTRICT REGULATIONS be and are hereby amended and supplemented, as follows (**Additions** **between asterisks and/or in bold** and **deletions** {~~within brackets and/or struck through~~):

35-3 ESTABLISHMENT OF DISTRICTS.

35-3.1 Establishment of Zone Districts.

For the purposes of this chapter, the City of Bayonne is hereby divided into zone districts, as follows:

R-1	Single Family Residential District
R-2	Detached/Attached Residential
R-3	Medium Density Residential District
R-M	High Density Residential District
WD	Waterfront Development District
WR	Waterfront Recreational
C-1	Neighborhood Commercial District
C-2	Community Commercial District
CBD	Central Business District
ORS	Office/Retail Service
UBD	Uptown Business District
H-C	Highway Commercial/Selected Light Industrial
TDD	Transit Development Zone
TDO	Transit Development Overlay Zone
IL-A	Light Industrial District
IL-B	Light Industrial District
I-H	Heavy Industrial District
BMHD	Bayonne Metropolitan Harbor District

****H-1 Hospital District****

(Ord. No. O-95-12 § 33-3.1; Ord. No. O-97-43; Ord. No. O-01-19 § 3)

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35-5 DISTRICT REGULATIONS

35-5.20 H-1 Hospital District.

- a. The H-1 District shall comprise Block 164, Lot 5.01, Block 420.02, Lot 2.01, Block 159, Lots 14 and 15 Block 164, Lot 4.01**
- b. Purpose: The purpose and intent of this zone is to permit, expand and continue the use of an inherently beneficial, hospital use serving the residents of the City of Bayonne and in order to continue to function as an engine of economic development.**
- c. Permitted Principal Uses**

No building or premises shall be erected, altered or used except for uses designated in this district as follows:

- 1. Hospital and medical centers providing primary health care services for the diagnosis, care and treatment of human patients.**
- 2. Medical and dental laboratories and research facilities**

3. **Facilities for the education and training of hospital personnel, including but not limited to interns, hospital residents, nurses and technicians.**
 4. **Research and development laboratories related to medical use.**
 5. **Government and municipal use.**
 6. **Parking garage related to and serving the medical hospital facility.**
- d. **Required Accessory Uses.**
1. **Medical and dental offices**
 2. **Off-street parking and loading, parking structures and garages related to permitted hospital and/ or medical center.**
 3. **Off-street emergency vehicle ambulances or mobile hospital vehicles.**
 4. **Reserve.**
- e. **Permitted Accessory Uses.**
1. **Uses customarily and/or associated with the operation and administration of the principal use.**
 2. **Gift or flower shops, cafeteria, restaurant or snack bars and/or pharmacy provided said use or uses are associated with a hospital or medical center and maintains no exterior entrances or exists to the outside of the building.**
 3. **Signs.**
 4. **Child Care facilities serving hospital personnel and patients.**
 5. **Helipad provided approval from FCC and other federal/state aviation organization approval is granted.**
- f. **Prohibited Uses**
1. **Nursing Homes.**
 2. **Hospice.**
 3. **Long term chronic care facilities.**
 4. **Long term care facilities.**
 5. **Staff residences.**
 6. **Assisted Living and Memory care facilities.**
- g. **Bulk Requirements (Area, Yard and Structure).**
1. **Minimum Lot Area: 80,000 square feet**
 2. **Minimum Lot Width: 150 feet**
 3. **Minimum Lot Depth: 500 feet**
 4. **Maximum Building Height:**

Principal: 6 story / 120 feet

Accessory: 3 story / 45 feet

5. Minimum Setback:

Front: as existing;

Avenue E: 75 feet (new construction)

Broadway: 75 feet (new construction)

Side Yard: as existing:

East 29th Street: 10 feet for new construction

East 30th Street: 10 feet for new construction

Rear Yard: as existing: 10 feet for new construction

6. Maximum Building Coverage: 80%

7. Max. FAR: 5.6

h. Special Requirements.

- 1. Board at its discretion may request a traffic study for the proposed use, including anticipated car trips, drop/off and pick up areas, emergency vehicle parking areas, pedestrian circulation, loading requirements and other such details.**
- 2. A refuse and recycling operations plan should be submitted providing details on how the waste and bio-hazard waste disposal is handled, the responsible party for operations and management of the refuse and any contingency plan in case of emergency.**
- 3. Overnight parking of emergency vehicles such as ambulances and hospital mobile units are permitted on site, provided a detailed delineated parking plan showing the location of these vehicles is provided including, proposed fencing and buffering around these parking areas to show visual buffering from the public street.**

33-2 RULES OF INTERPRETATION AND DEFINITIONS

33-2.2 Definition of terms

~~*Hospital* shall mean an institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions and including, as an integral part of the institution, related facilities, such as laboratories, outpatient facilities, training facilities, medical offices, and staff residences.~~

Hospital/medical center: An institution specializing in giving clinical, temporary and emergency services of a medical or surgical nature to human patients, licensed by state law to provide facilities and services in surgery, obstetrics and general

medical practice. Such institutions include allied and adjunct medical facilities such as facilities for the education and training of hospital personnel, including but not limited to residents, interns, nurses, technicians and orderlies; medical schools, laboratories, research facilities, pharmacies, cafeterias, restaurants or snack bars, gift or flower shops; outpatient treatment and medical offices which may be in the same building or separate buildings provided this does not include nonaccessory, nonadjacent or independently operated medical offices, group medical practices or laboratories

~~Long term care facility/nursing facility/nursing home shall mean a facility that is licensed by the Division of Health to provide health care under medical supervision and continuous nursing care for twenty-four (24) or more consecutive hours to two (2) or more patients who do not require the degree of care and treatment which a hospital provides and who, because of their physical or mental condition, require continuous nursing care and services above the level of room and board.~~

Long Term Care Facility: A facility that is licensed by Division of Health to provide rehabilitative, restorative and/or ongoing skilled nursing care to patients or residents in need of assistance with activities of daily living. Long term care facilities include nursing homes, rehabilitation facilities, inpatient behavioral health facilities, long term chronic care facilities and hospice.

35-17 OFF STREET PARKING REGULATION

35-17.6 Parking Space Requirements

2. Institutional and Public Assembly Uses:

Use or Use Category	Minimum Spaces	Per Measurement Unit
Hospital	1 (on-site)	3 beds
Additional Requirement	1 (on site)	2 employees
	10% of overall total number of spaces	
Long Term Care Facility	1-3 (on-site)	3-beds 1 bed