

**SPONSORED BY:  
SECONDED BY:**

**CITY OF HOBOKEN  
RESOLUTION NO.:**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOBOKEN,  
STATING THE CITY COUNCILS OPPOSITION TO BILLS S3274 AND  
A5172 THAT WOULD ELIMINATE HOME RULE OVER ZONING IN  
HOBOKEN**

**WHEREAS**, parallel legislation has been introduced in both houses of the New Jersey State Legislature by several of Hudson and Bergen County's State representatives, led by Senators Brian Stack and Nick Sacco, who are also Mayors of Union City and North Bergen, respectively, with the intent of imposing restrictive limitations on only a select group of ten (10) municipalities located east of the Palisades to "protect the unique views enjoyed by residents who live in the historic neighborhoods above those cliffs"; and

**WHEREAS**, it is possible that the bills will advance to a New Jersey legislative committee as early as January 14<sup>th</sup>, 2021 for a vote and therefore this Hoboken City Council want to request that the sponsors withdraw this legislation prior to the vote and to voice our opposition to the proposed bills in advance of any possible vote; and

**WHEREAS**, out of the ten (10) municipalities directly impacted by this proposed legislation, 100% of only two municipalities - Hoboken, NJ and Edgewater, NJ – fall within the area represented in the legislation: east of what is known as the Palisades to the Hudson River; and

**WHEREAS**, the proposed legislation would essentially allow two neighboring mayors to take control over Hoboken's land use decisions, rendering Hoboken's deliberative process to land use null and void, and as such, would severely impact all economic, housing and public safety decisions concerning Hoboken residents and taxpayers; and

**WHEREAS**, the proposed legislation is contrary to the very nature of New Jersey's "Home Rule" government which grants municipalities with a long list of powers and authorities, and

**WHEREAS**, land-use planning in particular is one area where there is a constitutional basis for municipal home rule when a municipality adopts zoning ordinances and establishes land use boards, like Hoboken has; and

**WHEREAS**, by taking away Hoboken's "Home Rule" ability to direct land use within its borders, such legislation would have a significant and negative impact on the City of Hoboken, which would be affected in its entirety, by considerably constraining the city's ability to address critical transportation, infrastructure, housing, and education investment needs; and

**WHEREAS**, Hoboken NJ is considered to be one of the most densely populated cities not only in the state of New Jersey, but also in the United States with a population of

approximately 53,000 residents as estimated by the U.S. Census Bureau within only 1.4 square miles; and

**WHEREAS**, the City of Hoboken partners with local developers to redevelop areas to meet the development and community needs of Hoboken under nine redevelopment areas/plans and included in these redevelopment plans are potential developer funded, critical infrastructure and resiliency upgrades, municipal and educational investments, and transportation upgrades, among others.

**WHEREAS**, it is home NJ Transit's Lackawanna Terminal, the 2<sup>nd</sup> busiest transportation hub in New Jersey, that it, along with neighboring NJ Transit currently undeveloped property, is planned to be fully redeveloped and upgraded into a 1.3 million square foot, mixed-use project anchored by a commercial building that is positioned to attract a world class commercial tenant ("Hoboken Yards") bringing construction and service jobs to New Jersey, upgrading a key transportation station and helping to expand and diversify Hoboken's ratable base - **a project that would create significant financial upside for NJ Transit, union jobs and economic development for the area, will potentially be rendered unfeasible under this proposed legislation;** and

**WHEREAS**, Hoboken is home to the North Hudson Sewerage Authority which manages the regional, sewerage infrastructure for Hoboken, Union City, Weehawken and West New York, and is in process of developing a long-term plan to upgrade its facilities and reduce combined sewer outflows, a project which depends on Hoboken partnering with local developers to make significant capital investments in its sewerage system – **a project that would significantly reduce pollution and stabilize the sewers, but would be delayed under this proposed legislation;** and

**WHEREAS**, Hoboken is home to the Hoboken Housing Authority, an aging federal housing complex built in the 1950's that is in desperate need of the rehabilitation and there is an effort underway to fully redevelop the HHA's main campus which houses 800 low income families and build new housing as part of a mixed income project, with market units that will effectively fund the entire cost of the redevelopment – **a project that would significantly improve the lives of many in Hoboken's low income community, and that would be rendered potentially not feasible under this proposed legislation;** and

**WHEREAS**, Hoboken is home to Stevens Institute of Technology, a highly ranked university that has been a leader in the areas of technology, engineering and business education and research is in process of completing their award winning new Student Center that will allow the school to follow its growth plan as well as bring all undergraduates students to live on campus – **Stevens' master plan including future upgraded education and research buildings will be blocked by this proposed legislation;** and

**WHEREAS**, Hoboken is focused on increasing its stock of affordable housing and has an affordable housing ordinance that requires 10% of total residential units built in larger scale projects be affordable as defined by COAH and also has provided bonus density for additional affordable housing – **already seen as a significant cost to build, this proposed legislation would further disincentivize the development of more affordable housing;** and

**WHEREAS**, Hoboken’s population has increased dramatically in the past two decades, but since the global financial crisis in 2010, there has been a demographic shift with more families staying resulting in dramatic enrollment increases in the public schools and therefore the need for new schools, open space and other community amenities – **funding for these needed community services to support the educational needs and quality of life of Hoboken residents would be at risk under this proposed legislation**; and

**WHEREAS**, like many municipalities, especially taking into the consideration the affect of the pandemic, Hoboken has seen municipal costs rise without concomitant increase in tax ratables – **curtailing the ability to grow and diversify the city’s ratable base as proposed under this legislation, will result in higher taxes for the entire city for the foreseeable future**.

**NOW, THEREFORE, BE IT RESOLVED**, that the Hoboken City Council, hereby request that the Senators Stack and Sacco, and Assembly members Chapparo, Mukherji and Mejia support their constituents in Hoboken, respect New Jersey’s Home Rule approach to land use and allow the Hoboken governing body to continue with its ordained zoning procedures to make decisions that are in the best interests of its residents by permanently withdrawing legislative bills S3274 and A5172; and

**BE IT FURTHER RESOLVED**, that the Hoboken City Council is requesting that a copy of this resolution be sent to all of the legislative sponsors referenced above and to the Mayors of all of the other nine towns impacted by this proposed legislation including Jersey City, Weehawken, West New York, Guttenberg, Edgewater, Fort Lee, Englewood Cliffs, Tenafly, and Alpine.

**Meeting Date: January 6, 2020**

**APPROVED:**

**APPROVED AS TO FORM:**

✓ Vote Record - CC - Resolution						
			Yes/Aye	No/Nay	Abstain/Alternate	Absent
	Phil Cohen		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Mike DeFusco		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	James Doyle		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted	Vanessa Falco		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Denied	Tiffanie Fisher		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Carried	Emily Jabbour		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ruben Ramos		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Michael Russo		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jennifer Giattino		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

