

City Clerk File No. Ord. 09-001

Agenda No. 3.A 1st Reading

Agenda No. \_\_\_\_\_ 2nd Reading & Final Passage



# ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 09-001

**TITLE: ORDINANCE ADOPTING SUSTAINABLE GREEN BUILDING STANDARDS FOR CITY-OWNED BUILDINGS AND MUNICIPAL PROJECTS IN THE CITY OF JERSEY CITY**

**WHEREAS**, the City of Jersey City desires to promote sustainable green building standards in accordance with U.S. Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED®) guidelines; and

**WHEREAS**, the City of Jersey City intends that sustainable green building practices will require resource conservation, reduce waste generated by construction projects, increase energy efficiency and promote the health and productivity of residents, workers and visitors to the City; and

**WHEREAS**, the City of Jersey City has determined that it is in the best interest of the City of Jersey City to enact an Ordinance stating that it shall be the policy of the City to undertake construction projects which incorporate the LEED® Rating System and to adopt and implement LEED® for Existing Buildings Standards

**WHEREAS**, it is the policy of the Mayor to establish green building standards and propose them to the Municipal Council of the City of Jersey City.

**NOW, THEREFORE, BE IT ORDAINED**, by the Municipal Council of the City of Jersey City that:

## **Green Building Initiative for Municipal Projects.**

### **1. Definitions**

“USGBC” is hereby defined as the U.S. Green Building Council, a non-profit organization located at 1015 18<sup>th</sup> Street, N.W., Suite 508, Washington, DC 20036.

“LEED® Standards” are hereby defined as the “Leadership in Energy & Environmental Design” standards and guidelines, as amended and supplemented by USGBC, which are on file with the Office of the City Clerk of the City of Jersey City.

“LEED® Accredited Professional” means a person who has been designated a LEED® accredited professional by the Green Building Certification Institute.

“Construction” is defined as the erection of a new principal or accessory building or structure on a lot or property; alterations and the act of creating an addition to an existing building.

**“Building”** is defined as a structure built, erected and framed of component structural parts, designed for the housing, shelter, enclosure and support of individuals, animals, or property of any kind.

**“Structure”** is defined as that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built or composed of parts joined together in some definite manner and permanently attached to the ground.

**“Municipal Project” or “Project”** means construction of New Buildings owned by the City of Jersey City, renovations to buildings owned by the City of Jersey City, or construction or renovation of other buildings funded more than 50% by the City of Jersey City, where cost of such construction or renovation meets or exceeds one-million dollars (\$1,000,000), as calculated on the date of enactment of this ordinance and as indexed for inflation using the Construction Consumer Price Index, as reported by Engineering News Record.

**“New Building”** means any Building not previously erected prior to construction.

**“Green Building”** means the design, construction, and operation of Buildings that mitigates the environmental, economic, and social impact of buildings.

**“Historic Building”** means a Building that is listed in or formally determined eligible for the National Register of Historic Places, the New Jersey Register of Historic Places, Buildings in Historic Districts, or Buildings identified in an adopted historic resources survey as eligible for designation.

**“Renovation”** means any rehabilitation, repair, remodeling, change, addition or modification to an Existing Building.

**“LEED®-NC Certified Rating”** means that a Building or other Project that has earned 26-32 points as such points as defined in the LEED® Standard entitled “LEED® for New Construction & Major Renovations” as amended and supplemented, and has satisfied all prerequisites as specified therein, thus meeting a “Certified Level.”

**“LEED®-NC Silver Rating”** means that a Building or other Project that has earned 33-38 points as such points as defined in the LEED® Standard entitled “LEED® for New Construction & Major Renovations” as amended and supplemented, and has satisfied all prerequisites as specified therein, thus meeting a “Silver Level.”

**“LEED®-EB Gold Rating”** means that a building or other project that has earned 40-47 points as such points as defined in the LEED® Standard entitled “LEED® for Existing Buildings” as amended and supplemented, and has satisfied all prerequisites as specified therein, thus meeting a “Gold Level.”

**“LEED®-NC Platinum Rating”** means that a Building or other Project that has earned 52-59 points as such points as defined in the LEED® Standard entitled “LEED® for New Construction & Major Renovations” as amended and supplemented, and has satisfied all prerequisites as specified therein, thus meeting a “Platinum Level.”

**ENERGY STAR™** is hereby defined as those products which meet the energy efficiency standards set forth by the United States Environmental Protection Agency (EPA) and the U.S. Department of Energy for compliance with its ENERGY STAR® program.

**2. Application of LEED®-NC Green Building Rating System to Municipal Projects**

- (a) The "Leadership in Energy & Environmental Design (LEED®) Green Building Rating System and guidelines are herein incorporated by reference, as amended and supplemented, and as may be found by contacting the U.S. Green Building Council, 1015 18<sup>th</sup> Street, N.W., Suite 508, Washington, DC 20036, and as are on file with the Office of the City Clerk for the City of Jersey City.
- (b) Subject to sections (e) and (f) below, there is hereby adopted as the minimum standard for each Municipal Project the LEED®-NC Silver Rating. For all such Municipal Projects, A LEED® Accredited Professional must certify each Municipal Project as having achieved, at a minimum, the LEED®-NC Silver Rating.
- (c) Subject to sections (e) and (f) below, all Municipal Projects must, in their design and construction, earn the U.S. EPA's Energy Star™ Building Label.
- (d) Except where waived pursuant to sections (e) and (f) below, specifications and terms for all bids, contracts, or agreements for those Municipal Projects which require public advertisement for bids under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq, shall be modified to require adherence at a minimum to the LEED®-NC Silver Rating, and ENERGY STAR™ Building Label requirements above.
- (e) The Chief Architect of the City of Jersey City shall review each Municipal Project and determine whether or not the total cost of adhering to the LEED®-NC Silver Rating and achieving the ENERGY STAR™ Building label on that project shall exceed by 20 % of the cost anticipated in the absence of the LEED® and ENERGY STAR™ requirements, in which case he or she shall recommend to the Business Administrator of the City of Jersey City such modifications for amendments to the Project necessary to assure that the costs remain within the amount appropriated for such Project, up to and including waiver of the LEED®-NC Silver Rating requirement, the ENERGY STAR™ Building Label Requirement or both.
- (f) Where cost of the Project's adherence to the LEED®-NC Silver Rating and the ENERGY STAR™ Building Label Requirement exceeds by 20% of the cost otherwise anticipated in the absence of its application, the Business Administrator is hereby empowered to waive application of either or both requirements for the entire project or for any specifications or portions thereof as he or she deems necessary and appropriate.
- (g) Where the Business Administrator has waived application of LEED® Silver Rating or the ENERGY STAR™ Building Label requirement pursuant to section (f) above, A LEED® Accredited Professional must certify each Municipal Project as having achieved, at a minimum, the LEED®-NC Certified Rating.
- (h) The Business Administrator of the City of Jersey City shall select, from among the next three municipal projects, one project which will adhere to the LEED®-NC Platinum Rating and achieve the ENERGY STAR™ Building Requirement. That Project will be viewed as a pilot Project and will be evaluated by the City Chief Architect who will make further recommendations to the Municipal Council of the City of Jersey City, concerning the feasibility of application of the LEED® Platinum Rating to future municipal projects.

**3. Application of LEED®-EB Green Building Rating System to Existing Municipal Buildings**

- (a) Subject to sections (c) and (d) below, there is hereby adopted as the minimum standard the LEED®-EB Silver Rating. All existing municipal buildings must be evaluated by a LEED® Accredited Professional to determine if LEED Standards may be applied to achieve, at a minimum, the LEED®-EB Silver Rating.
- (b) The Chief Architect of the City of Jersey City, in consultation with Business Administrator, shall determine the estimated cost of modifying the existing municipal building and implementing the operational procedures necessary to achieve the LEED®-EB Silver Rating.
- (c) The Business Administrator may waive application of the LEED®-EB Silver Rating requirement for the Existing Municipal Buildings where:
- (i) The total estimated cost of modifying the existing municipal building and devising and implementing the operational procedures necessary to achieve the LEED®-EB Silver Rating exceeds either 1% of the Building's current market value or \$20,000.
  - (ii) Modification of the Existing Municipal Building or implementation of operational procedures necessary to achieve the LEED®-EB Silver Rating would be impracticable, or would materially compromise the health, safety, or general welfare of the public.
- (d) Where the Business Administrator has waived application of LEED®-EB Silver Rating requirement pursuant to section (c) above, A LEED® Accredited Professional must evaluate each Existing Municipal Building to determine if LEED Standards may be applied to achieve, at a minimum, the LEED®-EB Certified Rating.
- (e) The Business Administrator may waive application of the LEED®-EB Certified Rating requirement for the Existing Municipal Buildings where:
- i. The total estimated cost of modifying the Existing Municipal Building and devising and implementing the operational procedures necessary to achieve the LEED®-EB Certified Rating exceeds either 1% of the Building's current market value or \$20,000.
  - ii. Modification of the Existing Municipal Building or implementation of operational procedures necessary to achieve the LEED®-EB Certified Rating would be impracticable, or would materially compromise the health, safety, or general welfare of the public.
- (f) **Exemption for Historic Buildings.** The provisions of this section shall not apply to any Historic Building.
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
  - B. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
  - C. This ordinance shall take effect at the earliest possible time provided by law.
  - D. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new, therefore underlining is omitted.

WM/igp  
1/7/09

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_

APPROVED: B. O'Keilly  
Business Administrator

Certification Required

Not Required



# ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 09-002

TITLE: **ORDINANCE CREATING INCENTIVES FOR VOLUNTARY COMPLIANCE WITH SUSTAINABLE GREEN BUILDING STANDARDS IN THE CITY OF JERSEY CITY**

**WHEREAS**, the City of Jersey City desires to encourage but not require sustainable green building standards in all building construction and rehabilitation projects; and

**WHEREAS**, the City of Jersey City intends that sustainable green building practices will encourage resource conservation, reduce waste generated by construction projects, increase energy efficiency and promote the health and productivity of residents, workers and visitors to the City; and

**WHEREAS**, the City of Jersey City has determined that it is in the best interests of the City of Jersey City to enact an Ordinance stating that it shall be the policy of the City to encourage construction projects which incorporate the LEED® Rating System; and

**WHEREAS**, U.S. Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED®) standards is one sustainable green building rating system and there are other sustainable green building rating systems, and the City of Jersey City should add additional acceptable rating systems to its incentive program as they are identified and reviewed; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Municipal Council of the City of Jersey City that:

## **Green Building Incentives**

1. The City of Jersey City shall promote sustainable green building practices in accordance with U.S. Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) guidelines in the municipality through the methods provided in this section. The LEED standards are incorporated herein by reference, as amended and supplemented, and may be found at <http://www.usgbc.org>, or by contacting the U.S. Green Building Council, 1015 18th Street, NW, Suite 508, Washington, DC 20036.
2. Applications for development are encouraged, but are not required, to comply with LEED criteria.
3. Only projects involving an application for LEED accreditation meeting a minimum of 26 points for LEED - New Construction, and 32 points for LEED - Existing Buildings on the LEED rating system, or the minimum rating to be designated an LEED Certified development, whichever is greater, shall be eligible for the incentives in this section.
4. Review of applications proposing to meet a minimum accreditation level of LEED Certified shall be expedited by COJC staff by receiving priority review before other applications, except where the other applications are for affordable or workforce housing.
5. A refund of building permit application fees required and shall be provided upon the

applicant's written request, accompanied by submission of proof of LEED certification by the USGBC, within one year of such certification, as follows: 1. LEED Platinum = 25 percent refund of fees; 2. LEED Gold = 20 percent refund of fees; 3. LEED Silver = 15 percent refund of fees; and 4. LEED Certified = 10 percent refund of fees.

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the earliest possible time provided by law.
- D. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

Note: All material is new, therefore underlining is omitted.

WM/igp  
1/7/09

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

*BO. Reilly*  
Business Administrator

Certification Required

Not Required

City Clerk File No. Ord. 09-003

Agenda No. 3.C 1st Reading

Agenda No. \_\_\_\_\_ 2nd Reading & Final Passage



# ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 09-003

**TITLE: AN ORDINANCE AMENDING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT), ARTICLE VI (DEPARTMENT OF ADMINISTRATION), OF THE CITY OF JERSEY CITY CODE TO INCLUDE A REQUIREMENT FOR THE PURCHASE OF GREEN PRODUCTS AND MATERIALS WHENEVER FEASIBLE**

**WHEREAS**, the City of Jersey City Municipal Council [City] desires to protect the environment and the health and safety of its residents, work force and visitors; and

**WHEREAS**, the City, whenever possible, wishes to purchase Green Products, which do minimal or no damage to the environment, present the least potential threat to human health and to the City's natural systems and offset carbon emissions; and

**WHEREAS**, the City intends to meet the foregoing goal by purchasing goods and services that minimize the negative impact on the environment and protect the environment through the use of efficient, renewable energy, recycled, and low toxicity products, which, when compared with competing products of the same nature, have a lesser or reduced effect on human health and the environment [Green products]; and

**WHEREAS**, the City Code at Chapter 3, Article VI, Section 3-51 (F) (q) already provides for development of "a comprehensive, consistent and effective procurement effort intended to stimulate the market for recycled products, reusable products and products designed to be recycled," and

**WHEREAS**, the City Code at Chapter 3, Article VI, Section 3-51 (F) (t) states: "This section establishes a recycled product procurement policy required pursuant to federal law (42 U.S.C. Section 6962 of the Resource Conservation and Recovery Act)"; and

**WHEREAS**, the City wishes to expand upon Chapter 3, Article VI, Section 3-51 (F) by setting forth a policy that establishes a requirement for the City to purchase or lease Green products, unless there are demonstrable reasons not to do so, such as health, safety, performance prohibitions, and/or cost considerations.

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS

1) That the City's Code at Chapter 3, Article VI, Section 3-51, subsection (F) (3) "Green Products Procurement Policy" be and hereby is amended to include be as follows:

A. The following amendments to Chapter 3 (Administration of Government) Article VI (Department of Administration) are hereby adopted:

ADMINISTRATION OF GOVERNMENT

ARTICLE VI

Department of Administration

§ 3-51. Purchasing; Division of Purchasing and Central Services.

A. Through E. No Change.

F. Division of Purchasing and Central Services; Purchasing Agent in charge; qualifications; functions.

(1) No Change.

(2) No Change.

(3) **Green Product Procurement Policy.** Under the direction of the Business Administrator, the Purchasing Agent shall purchase Green Products pursuant to the following policy:

(a) **Purpose.** This Subsection shall be known as the "Green Products Procurement Policy." Its purpose is to promote the purchase of products which minimize damage to human health and the City's natural environment, to reduce carbon emissions in the City and to stimulate the market for recycled, reused, and biodegradable products.

(b) **Definitions.** For the purposes of subsection F(3) the following definitions apply:

"Biodegradable" means the ability of a substance, material, or product ingredient to readily decompose by the action of microbes.

"Cleaning Product" means a dishwashing detergent or compound, household cleaner, commercial cleaner, industrial cleaner, metal cleaner, degreasing compound or other substance used or intended to be used for cleaning purposes.

"Conventional Products" are hereby defined as those products which the Purchasing Agent has evaluated for their effects on human health and the environment and has determined inappropriate for classification as Green Products, or those products that the Purchasing Agent has not yet so evaluated.

"Electronic Device" means:

[1] any cathode ray tube, any product containing a cathode ray tube, any liquid crystal display (LCD), plasma screen or other flat panel television or computer monitor or similar video display product, any battery containing lead, cadmium, lithium or silver, any computer central processing unit that contains one or more circuit boards and includes any desktop computer or any laptop computer or computer peripherals including but not limited to, any keyboard, mouse and other pointing device, printer, scanner, facsimile machine and card reader, and any copier, but not including any automobile, or large piece of commercial or industrial equipment containing a cathode ray tube, a cathode ray tube product, a flat panel display or similar video display device that is contained within, and not separate from, the larger piece of equipment, or any device used by emergency response personnel; or

[2] any other device powered by electricity designated by the Purchasing Agent.

“ENERGY STAR™ Products” are hereby defined as those products which meet the energy efficiency standards set forth by the United States Environmental Protection Agency (EPA) and the U.S. Department of Energy for compliance with its ENERGY STAR® program.

“ENERGY STAR™ Electronic Device” is hereby defined as any ENERGY STAR™ product that meets the definition of an Electronic Device.

“Excessive Costs” are hereby defined as costs of purchasing Green Products where either the immediate cost of purchasing the Green Product exceeds by 75% the immediate cost of the comparable Conventional Product in the current fiscal year, or where the average yearly cost of the Green Product exceeds by 75% the average yearly cost of comparable Conventional Product when amortized over the entire lifetime of both products. When evaluating the costs of Green Products and comparable Conventional Products, the Purchasing Agent shall compare total costs of each including, but not limited to: the costs of maintenance, insurance, disposal, replacement, safety and health, training, material management and potential liability costs.

“Green Products” are hereby defined as those products which the Purchasing Agent has determined would have a lesser or reduced negative effect on human health and the environment when compared with comparable Conventional Products and services, where such comparison includes consideration of all phases of the product’s life cycle, including raw materials acquisition, production, manufacturing, packaging, transportation, distribution, operation, maintenance, and disposal, including potential for reuse or ability to be recycled.

“Green Purchasing” is hereby defined as the practice of purchasing Green Products.

“Green Seal” is the non-profit organization, located at 1001 Connecticut Avenue, NW, Suite 827, Washington, DC 20036-5525 which evaluates and certifies products based on each product’s environmental impact throughout its life cycle.

“Green Seal™ Certified Products” are those products which Green Seal has evaluated and tested for environmental impact and has awarded the Green Seal™ certification, and which maintain such standards so as to allow such certification.

“Pre-Consumer Waste Material” means materials or by-products generated after manufacturing of a product is completed, but before the product reaches the end-use consumer. Pre-consumer waste material does not include home scrap, which is those scrap metals or by-products generated by a company that can be used by the generating company or parent company.

“Post-Consumer Waste Material” means only those materials generated by a consumer which have served their intended end use and which have been separated or diverted from solid waste. Wastes generated during production or an end product are excluded. All materials collected from residential sources in a municipal recycling program may be considered post-consumer.

“Recycled Content” means the total amount of Pre-Consumer Waste Material and Post-Consumer Recovered Material introduced as a feed

stock in a material production process, usually expressed as a percentage.

"Recyclable Product" means a product which, after its intended end use, twenty-five percent (25%) of the product has been diverted from the solid waste stream for use as a raw material in the manufacture of another consumer or procurable product. For the purposes of this definition, burning or composting of products may not be considered diversion.

"Recycled Material" means material and byproducts that have been recovered or diverted from solid waste and that can be utilized in place of raw or virgin material in manufacturing a product. It is derived from post-consumer recycled material, manufacturing waste, industrial scrap, agricultural waste, and other waste material, but does not include material or byproducts generated from, and commonly reused within, an original manufacturing process.

"Toxic or Hazardous Substance" means any substance that, because of its quantity or concentration, or physical or chemical characteristics, poses a significant present or potential harm to human health and safety or the environment if released into the workplace or environment."

"Purchasing Agent" is hereby defined as the Purchasing Agent for the City of Jersey City or his or her designees.

- (c) **Mandatory Product Evaluation.** The Purchasing Agent shall, in consultation with the City department(s) ordering or leasing the product(s), evaluate all products in the categories listed in subsections (l)-(n) below for their environmental impact. The Purchasing Agent shall then classify as Green Products those products which, considering the totality of their life cycle, have a reduced effect on human health and the environment, when compared with comparable products that serve a similar function.
- (d) **Permitted Product Evaluation.** The Purchasing Agent may, in consultation with the City department(s) ordering or leasing the product(s), evaluate for environmental impact such other products as he or she deems appropriate and may classify as Green Products those products which, considering the totality of their life cycle, have a reduced effect on human health and the environment when compared with comparable products that serve a similar function.
- (e) **Guidance for Green Product Classification.** The Purchasing Agent, when evaluating and classifying products as "Green products," shall consult:

[1] the Comprehensive Procurement Guideline for Products Containing Recovered Materials, as set forth in part 247 of Title 40 of the United States Code of Federal Regulations;

[2] the EPA's Affirmative Procurement Plan entitled "EPA's Final Guidance on Environmentally Preferable Purchasing"; and

[3] the U.S. Department of Health and Human Service's booklet entitled "Purchasing Green products and Services at the U.S. Department of Health and Human Services" issued by the office of the Assistant Secretary for Administration and Management, Office of Acquisition Management and Policy in July, 2006 (and as amended and supplemented).

[4] Any similar instructional materials recently or later made available by the EPA, the U.S. Department of Health and Human Services, or the N.J. Department of Environmental Protection which may be reasonably instructive in determining whether a product should qualify as a Green Product.

**(f) Classification of Third-Party Certified, Recycled, and Biodegradable Products.** When determining whether to classify a product as a Green Product, the Purchasing Agent shall give substantial consideration to whether products which have achieved GreenSeal™ certification or equivalent third-party certification, whether products are Biodegradable, whether products are Recyclable Products and whether products are composed of 10% or greater Recycled Content. GreenSeal™ Certified Products and products which have achieved equivalent third-party certification shall be classified as Green Products unless they contain dangerous levels of Toxic or Hazardous Substances, as defined in section (i), or unless there is a compelling reason not to so classify them. Compelling reasons against classification of such products as Green Products may include, but are not limited to:

- [1] excessive distance a product must be shipped throughout its life-cycle
- [2] environmentally harmful packaging
- [3] product's lack of fuel efficiency or energy efficiency
- [4] product's emission of chlorofluorocarbons (CFCs); and
- [5] product's significant lack of durability.

**(g) Requirement for Purchasing Green Products.** Subject to paragraph (h) below, the Purchasing Agent shall purchase Green Products over comparable Conventional Products whenever the cost of the Green Product does not exceed by 25% the cost of Comparable Conventional Product, and may purchase Green Products over comparable Conventional Products when the cost of Green Product does not exceed by 75% the cost of the comparable Conventional Product. When evaluating the cost of a Green Product and a comparable product, the Purchasing Agent shall compare total costs over the life of the item, including, but not limited to: the costs of maintenance, insurance, disposal, replacement, safety and health, training, material management and potential liability costs.

**(h) Waiver of Green Product Preference.** Wherever there exists one or more significant concerns regarding the purchase or lease of a Green Product, including Excessive Costs, health, safety, performance, compatibility, lack of availability within a reasonable period of time, or statutory prohibitions the Purchasing Agent may waive the preference for purchasing a Green Product and may purchase, lease, or allow the purchase or lease of comparable Conventional Products to the extent such concerns require, subject to section (i)[3]. Reasons for such a waiver shall be detailed in writing by the Purchasing Agent and maintained in the Office of the Purchasing Agent.

**(i) Toxic or Hazardous Substances.** The presence of Toxic or Hazardous Substances is to be considered in product classification and purchasing as follows:

- [1] The Purchasing Agent shall not classify as Green Products any products which he or she determines contain dangerous levels of Toxic or Hazardous Substances, including, but not limited to lead, mercury, cadmium, hexavalent chromium, polybrominated biphenyls or polybrominated diphenyl ethers.

[2] The Purchasing Agent shall consider a product's achievement of Green Seal Certification or equivalent third-party certification as compelling evidence that the level of Toxic or Hazardous Substances in the product is not dangerous.

[3] The Purchasing Agent shall not select products with dangerous levels of Toxic or Hazardous Substances for purchase or lease except where:

[a] Purchasing Agent has waived the Green Product requirement pursuant to material concerns specified in subsection (h) above; and

[b] There is no comparable Conventional Product available that addresses the material concerns necessitating the waiver but does not contain dangerous levels of Toxic or Hazardous Substances.

- (j) **Maintenance of Information about Green Products.** The Purchasing Agent shall develop and maintain lists, descriptions and other relevant documentary information about Green Products and recycled products and make such information available to all City departments whenever possible.
- (k) **Purchasing or Lease Contract Specifications.** The Purchasing Agent shall review and modify current and future procurement requirements so that contract specifications, clauses and solicitation language address the standards of subsection F(3).
- (l) **Electronic Devices.** In accordance with subsections [1]-[5] below, the Purchasing Agent shall evaluate all Electronic Devices purchased or leased by the City for environmental impact, and determine whether all such electronic devices shall be to classified as Green Products.

[1] Except as indicated in paragraph (i) above, Electronic Devices issued the ENERGY STAR™ title shall be considered Green Products for the purposes of this Ordinance.

[2] The Purchasing Agent may also classify Electronic Devices which are not ENERGY STAR™ products as Green Products. In determining such classification, the Purchasing Agent shall consult those guidelines and standards issued, or to be issued, by the New Jersey State agency which is, or will be, charged with establishing energy-efficient guidelines, in addition to the guidelines denoted in paragraph (e) & (f) above.

[3] Subject to sections [4] & [5] below, when purchasing or leasing new Electronic Devices or replacing existing Electronic Devices the City shall select those which are both ENERGY STAR™ products and Green Products, where available, over those which are Green Products but not ENERGY STAR™ Products.

[4] In accordance with section (i) above, wherever an ENERGY STAR™ electronic device contains dangerous levels of Toxic or Hazardous Substances, it shall not be considered a Green Product and shall not be selected over other Electronic Devices which are Green Products.

[5] Whenever valid concerns regarding the purchase or lease of a ENERGY STAR™ Electronic Device exist, including health, safety, performance, availability, statutory prohibitions and/or excessive costs, the Purchasing Agent may waive the requirement for purchasing the ENERGY STAR™ Electronic Device, and may purchase, lease, or allow the purchase or lease of comparable non-ENERGY STAR™ products to the extent such concerns require. Reasons for such a waiver shall be

detailed in writing by the Purchasing Agent and maintained in the contract file.

(m) **Carpets.** In accordance with [1] & [2] below, the Purchasing Agent or his or her designee shall evaluate all carpets, carpet cushions, and carpet adhesives purchased or leased by the City for environmental impact, and determine whether all such products shall be classified as Green Products:

[1] The Purchasing Agent may consider any widely accepted industry recommendations for reduced volatile organic compounds when classifying carpeting products in addition to the guidelines denoted in paragraphs (e) and (f) above.

[2] No carpet, carpet cushion, or carpet adhesive purchased by any City department shall contain the following volatile organic compounds in any significant concentration:

- [a] for carpet 4-phenylcyclohexene, formaldehyde or styrene;
- [b] for carpet cushions, butylated hydroxytoluene, formaldehyde or 4 phenylcyclohexen e; and
- [c] for carpet adhesives, folmaldehyde or 2-ethyl-hex anol.

(n) **Miscellaneous Products.** The following are hereby designated for Green Product Evaluation. The Purchasing Agent, in consultation with the City department ordering the product, shall evaluate all products within each category as to each product's environmental impact to determine if each product shall be classified as a Green Product:

- [1] Cleaning Products
- [2] antifreeze
- [3] insulation products
- [4] recycled plastic products
- [5] re-manufactured laser printer toner cartridges
- [6] paint
- [7] re-manufactured tires and products made from recycled tire rubber, including rubber mats and play field surfaces
- [8] lights and light bulbs.

(o) **Reclassification.** The Purchasing Agent shall have the authority to change classification status of any product by either adding or removing such product from the list of Green Products provided he or she has good cause to reclassify and does so according to the principles set forth in subsections (e)(f) & (i). Good cause to reclassify shall include but not be limited to:

- [1] Changes in the physical makeup or manufacture of the product or packaging which result in a material change in the product's net impact on human health, safety, or the environment.
- [2] Changes in the distribution or transportation of the product which result in a material change in the product's net impact on human health, safety, or the environment.
- [3] Purchasing Agent's discovery of information previously unknown to him or her regarding the presence or absence of dangerous levels of Toxic or Hazardous Substances in the product, the threat any such substances impose, or newly discovered hazards of substances previously not considered hazardous.
- [4] Purchasing Agent's discovery of information previously unknown to him or her regarding product's net impact on human health, safety, or the environment.
- [5] Changes in the product's status as a Green Seal™ product, an ENERGY STAR™ product or other comparable changes in third-party certification status.

- B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- C. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- D. This ordinance shall take effect at the time and in the manner as provided by law.
- E. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

Note: All new material is underlined; words in [brackets] are omitted. For purposes of advertising only, new matter is **boldface** and repealed matter by *italics*.

WM/igp  
1/7/09

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_

APPROVED: \_\_\_\_\_



Business Administrator

Certification Required

Not Required

City Clerk File No. Ord. 09-004

Agenda No. 3.D 1st Reading

Agenda No. \_\_\_\_\_ 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 09-004

**TITLE: ORDINANCE AMENDING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT) ARTICLE VI (DEPARTMENT OF ADMINISTRATION), OF THE CITY OF JERSEY CITY CODE TO INCLUDE A REQUIREMENT FOR THE PURCHASE OF GREEN VEHICLES**

**WHEREAS**, the City of Jersey City desires to protect the environment and health and safety of its residents, work force and visitors; and

**WHEREAS**, emissions from vehicles powered by conventional fossil fuels have detrimental effects on human health and the environment and the City's natural systems; and

**WHEREAS**, vehicles which are powered by means other than the combustion of conventional fossil fuels (Alternative Fuel Vehicles) exist and are commercially available; and

**WHEREAS**, the operation of such Alternative Fuel Vehicles often has a significantly less detrimental effect on human health and the environment; and

**WHEREAS**, the expense of purchasing fossil fuels for the City's fleet vehicles represents a significant expense in the City's annual budget; and

**WHEREAS**, in some cases the long-term cost of operating Alternative Fuel Vehicles may be lower than operating vehicles powered by conventional fossil fuels; and

**WHEREAS**, other municipalities throughout the United States have adopted legislation implementing the purchase of vehicles which utilize such Alternative Fuels instead of conventional fossil fuels.

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS

1) That the City's Code at Chapter 3, Article VI, Section 3-51 be and hereby is amended to include subsection (F)(3) "Green Product Procurement Policy" and (F)(4) "Green Vehicle Procurement Policy" as follows:

A. The following amendments to Chapter 3 (Administration of Government) Article VI (Department of Administration) are hereby adopted:

ADMINISTRATION OF GOVERNMENT

ARTICLE VI  
Department of Administration

**§ 3-51. Purchasing; Division of Purchasing and Central Services.**

A. Through E. No Change.

F. Division of Purchasing; Purchasing Agent in charge; qualifications; functions.

(1) No Change.

(2) No Change.

(3) **Green Product Procurement Policy.**

(4) **Green Vehicle Procurement Policy.** Under the direction of the Business Administrator, the Purchasing Agent in consultation with the Department of Public Works shall purchase Green Vehicles pursuant to the following policy:

(a) **Purpose.** This Subsection shall be known as the "Green Fleet Vehicle Initiative." Its purpose is to promote the purchase of products which minimize damage to human health and the City's natural environment, to reduce carbon and greenhouse gas emissions in the City, to reduce the City's dependence on fossil fuels, and reduce the City's costs by increasing the fuel efficiency of its fleet of non-emergency vehicles.

(b) **Definitions.** For the purposes of subsection F(4) the following definitions apply:

**"Alternative Fuel Vehicles"** mean vehicles which utilize any combination of one or more Alternative Fuels as a means to produce all of the energy necessary for their locomotion.

**"Alternative Fuels"** include 100% Biodiesel Fuel (B100), blends of 20% Biodiesel Blend Stock (B20) or higher, Ethanol, blends of 85% Ethanol (E85) or higher, compressed natural gas, propane, hydrogen, methanol, electricity or any fuel that is substantially non-petroleum in nature, is not gasoline or diesel, and is defined as an alternative fuel by the U.S. Dept of Energy through the authority granted by the Energy Policy Act of 1992.

**"Bio-based Automotive Lubricants"** mean motor oil and refined lubricants such as hydraulic and transmission fluid and similar oils that utilize biological products or renewable animal, marine, or forestry materials.

**"Biodiesel Fuel" or "Biodiesel"** is hereby defined as a fuel comprised of mono-alkyl esters of long chain fatty acids derived from vegetable oils or animal matter, designated B100 or "neat biodiesel", that meet the requirements for fuels and fuel additives established by the Federal Environmental Protection Agency and standards established by the American Society of Testing and materials (ASTM) according to ATSM D 6751.

**"B5"** means a blend of 5% Biodiesel and 95% petroleum that meets the most current applicable ASTM standards.

**"B10"** means a blend of 10% Biodiesel and 90% petroleum that meets the most current applicable ASTM standards.

**"B20"** means a mixture of 20% Biodiesel and 80% petroleum that meets the most current applicable ASTM standards.

**"E10"** means a blend of 10% Ethanol and 90% gasoline that meets the most current applicable ASTM standards.

**"E85"** means a blend of 85% Ethanol and 15% gasoline that meets the most current applicable ASTM standards.

“Diesel” means petroleum based liquid that is suitable for use as fuel in diesel powered vehicles.

“Ethanol” means ethyl alcohol, a flammable liquid used or sold for the purpose of blending or mixing with gasoline.

“Excessive costs” are hereby defined as costs of purchasing Green Vehicles where either the immediate cost of purchasing the Green Vehicle exceeds by 30% the immediate cost of purchasing a non-green vehicle in the current fiscal year, or where the projected average yearly cost of the Green Vehicle exceeds by 30% the average yearly cost of purchasing and operating the non-green vehicle. Average yearly cost is to be amortized over the entire lifetime of both the Green Vehicle and non-green vehicles and calculations shall compare purchase price, financing costs, shipping costs, maintenance and repair costs, cost of procuring or producing fuel or parts, purchasing discounts, projected economies of scale, and resale value.

“Fuel Efficient Vehicles” mean non-green vehicles which are rated at both 20 or more miles/gallon in city driving and 29 or more miles/gallon in highway driving according to the U.S. Environmental Protection Agency (EPA) and U.S. Department of Energy’s Fuel Economy Guide.

“Green Vehicles” mean either Alternative Fuel Vehicles and or Hybrid Electric Vehicles.

“Hybrid Electric Vehicles” mean vehicles that get a substantial percentage of the power necessary for their locomotion from an electric motor powered by a battery pack which supplements an internal combustion engine that runs on gasoline or Diesel, and which are rated by the U.S. Environmental Protection Agency (EPA) and U.S. Department of Energy’s Fuel Economy Guide at least 30 miles/gallon in city driving and 25 miles/gallon in highway driving.

“Purchasing Agent” is hereby defined as the Purchasing Agent for the City of Jersey City or his or her designees.

(c) Green Vehicles Required for New Purchases or Leases. Subject to subsections (d)-(f) below, the Purchasing Agent shall:

[1] Purchase or lease only Green Vehicles where such vehicles are available.

[2] Where such a Green Vehicle is not available or where purchase of a Green Vehicle has been waived pursuant to subsection (e), purchase or lease only Fuel Efficient Vehicles.

(d) Waiver of Green Vehicle Purchasing Requirement. Purchasing Agent may waive subsection (c)[1] requirements for purchasing Green Vehicles and may purchase, lease, or allow the purchase or lease of non-green vehicles where:

[1] There are significant concerns regarding the Green Vehicle’s safety, performance, effect on human health, or suitability for its intended use.

[2] A suitable Green Vehicle is not available within a reasonable period of time or available only at an Excessive Cost.

[3] Purchase of the Green Vehicle conflicts with federal, state or local law.

(e) **Waiver of Fuel Efficient Vehicle Requirement.** Where Green Vehicle purchasing requirement has been waived, Purchasing Agent may also waive subsection (c)[2] requirements for purchasing Fuel Efficient Vehicles and may purchase, lease, or allow the purchase or lease of non-fuel efficient vehicles where:

[1] There are significant concerns regarding the Fuel Efficient Vehicle's safety, performance, affect on human health, or suitability for its intended use.

[2] A suitable Fuel Efficient Vehicle is not available within a reasonable period of time or available only at an Excessive Cost.

[3] Purchase of the Fuel Efficient Vehicle conflicts with federal, state or local law.

(f) **Documentation of Waiver.** Reasons for any waiver pursuant to subsections (e) or (f) shall be detailed in writing by the Purchasing Agent and maintained in the contract file.

(g) **Vehicle Maintenance.** For maintenance, all City vehicles shall use recycled-content or Bio-based Automotive Lubricants and recycled oil unless these products are:

[1] not available; or

[2] not available within a reasonable time; or

[3] not able to meet appropriate performance, health or safety standards;  
or

[4] available only at price that exceeds by 30% the price of competing products.

(h) **Biodiesel Initiative for City-Owned Vehicles.** Department of Public works in conjunction with the Purchasing Agent shall develop and implement a plan whereby:

[1] City-owned diesel vehicles shall be converted to operate using blends of 20% Biodiesel (B20) or greater concentration, wherever practicable.

[2] All City-owned diesel vehicles not so converted shall be operated using B5 to the greatest extent practicable.

[3] The City shall make reasonable efforts to procure, produce, or otherwise acquire blends of B20 of greater as necessary for the operation of converted City-owned vehicles and B5 for the operation of non-converted city vehicles.

- B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- C. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- D. This ordinance shall take effect at the earliest possible time provided by law.
- E. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

Note: All new material is underlined; words in [brackets] are omitted. For purposes of advertising only, new matter is **boldface** and repealed matter by *italics*.

WM/igp  
1/7/09

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_

APPROVED: B. O'Keefe  
Business Administrator

Certification Required

Not Required



# ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 09-005

**TITLE: ORDINANCE TERMINATING THE FINANCIAL AGREEMENT AND PREPAYMENT AGREEMENT BETWEEN THE CITY OF JERSEY CITY AND LAIDLAW PROPERTIES URBAN RENEWAL, LLC, FOR FAILURE TO PAY PREPAYMENT OR SATISFY THE CONDITIONS OF ORDINANCE 05-012**

**THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:**

**WHEREAS**, on or about January 25, 2005, Laidlaw Properties Urban Renewal, LLC [Laidlaw Properties UR] applied for a long term tax exemption under NJSA 40A:20-1 et seq., for land and improvements located within an urban enterprise zone, known as Block 702, Lots T.1 and V, and more commonly known by the street address of 136-138 Oakland Avenue [Property]; and

**WHEREAS**, Laidlaw Properties UR was to have renovated an existing four-story industrial building and existing three-story building, and construct additional stories to create a unified six-story condominium, to contain approximately 78 residential units with related on-site parking for approximately 100 cars [Project]; and

**WHEREAS**, by adoption of Ordinance 05-012 on February 23, 2005, the City of Jersey City [City] approved a 20 year long term tax exemption with a service charge equal to sixteen percent (16%) of annual gross revenue formula with a term of the earlier of twenty-three (23) years from adoption of the ordinance or twenty (20) years from substantial completion of the Project; and

**WHEREAS**, since March 9, 2005, the City has repeatedly forwarded financial and prepayment agreements for execution by Laidlaw Properties UR for the Project; and

**WHEREAS**, Laidlaw Properties UR was required to make an advance payment equal to the Annual Service Charge of \$476,112 on or before June 1, 2005, which sum was to have been reimbursed over the ensuing four (4) years [Advance Payment]; and

**WHEREAS**, Laidlaw Properties UR has never made the required payments nor executed the financial agreement despite numerous demands to do so.

**NOW, THEREFORE, BE IT ORDAINED** by the Municipal Council of the City of Jersey City that:

1. The tax exemption approved by Ordinance 05-012 is rescinded due to the failure of Laidlaw Properties UR to pay their prepayment, execute the financial agreement or satisfy any other conditions of Ordinance 05-012.

ORDINANCE TERMINATING THE FINANCIAL AGREEMENT AND PREPAYMENT AGREEMENT BETWEEN THE CITY OF JERSEY CITY AND LAIDLAW PROPERTIES URBAN RENEWAL, LLC, FOR FAILURE TO PAY PREPAYMENT OR SATISFY THE CONDITIONS OF ORDINANCE 05-012

- 2. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
- 3. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
- 4. This Ordinance shall take effect at the time and in the manner provided by the law.

**NOTE:** All material is new; therefore, underlining has been omitted. For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

JM/he  
12/16/08

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_

APPROVED: B. O'Keefe  
Business Administrator

Certification Required

Not Required

# Jersey City Law Department Memorandum

**To:** Robert Byrne, City Clerk  
**From:** Joanne Monahan, First Asst. Corporation Counsel  
**Subject:** Laidlaw Properties UR, LLC – Termination of Tax Abatement  
**Date:** December 16, 2008

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We had previously prepared Ordinance 08-117 to terminate the above long term tax abatement, which was introduced at the August 6<sup>th</sup>, 2008 meeting. That ordinance was tabled at its second reading because Jim McCann was seeking a letter from his client consenting to the termination of the agreement.

Despite repeated requests for information, the tax abatement remains an open matter. Laidlaw has not paid its prepayment, executed the agreement or consented to a termination.

We are enclosing a new Ordinance terminating the tax abatement notwithstanding the lack of consent. Kindly introduce this ordinance at the next Council meeting of January 14, 2009 and defeat Ordinance 08-117 that was tabled.

Your cooperation is appreciated.

JM/he

Encl.

cc: Mariano Vega, Council President

RECEIVED  
2008 DEC 18 PM 4: 21  
CITY CLERK'S OFFICE  
JERSEY CITY, N.J.

City Clerk File No. Ord. 09-006

Agenda No. 3.F 1st Reading

Agenda No. \_\_\_\_\_ 2nd Reading & Final Passage



# ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 09-006

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY TO AMEND THE MORRIS CANAL REDEVELOPMENT PLAN BY REMOVING LANDS SOUTH OF THE LIGHT RAIL R-O-W FROM THE MORRIS CANAL AREA, RE-NAMING THEM AS THE CANAL CROSSING REDEVELOPMENT PLAN AREA AND ADOPTING NEW STANDARDS TO GUIDE THEIR REDEVELOPMENT**

**WHEREAS**, the Local Redevelopment and Housing Law, NJSA 40A:12A-1et seq. permits municipalities to adopt and amend regulations dealing with areas declared to be in need of redevelopment; and

**WHEREAS**, the Municipal Council of the City of Jersey City adopted a redevelopment plan for the Morris Canal Redevelopment Plan area in March of 1999; and

**WHEREAS**, this Redevelopment Plan is very large containing many different and varied areas within; and

**WHEREAS**, the Municipal Council seeks to break up the plan into two smaller and more manageable redevelopment areas enabling the creation of a better focused, more comprehensive plan for each; and

**WHEREAS**, several neighborhood meetings introduce and discuss the plan amendment have been held with the local community residents and landowners; and

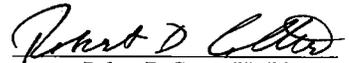
**WHEREAS**, pursuant to NJSA 40A:12A-1 et seq., the Planning Board has reviewed these proposed amendments and recommended their adoption by the Municipal Council at their meeting of November 13, 2008; and

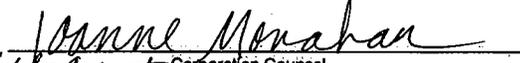
**WHEREAS**, said amendments are attached and are available for public inspection at the Office of the City Clerk in City Hall, 280 Grove Street, Jersey City, NJ;

**NOW, THEREFORE, BE IT ORDAINED** by the Municipal Council of the City of Jersey City that the attached amendment to the Morris Canal Redevelopment Plan and the new redevelopment standards for the Canal Crossing Redevelopment Plan Area be, and hereby are, adopted.

**BE IT FURTHER ORDAINED THAT:**

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.

  
Robert D. Cotter, PP, Director  
Division of City Planning

APPROVED AS TO LEGAL FORM  
  
Joanne Monahan  
1st Asst Corporation Counsel

APPROVED:   
APPROVED:   
Business Administrator

Certification Required   
Not Required

**ORDINANCE FACT SHEET**

**1. Full Title of Ordinance:**

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY TO AMEND THE MORRIS CANAL REDEVELOPMENT PLAN BY REMOVING LANDS SOUTH OF THE LIGHT RAIL R-O-W FROM THE MORRIS CANAL AREA , RE-NAMING THEM AS THE CANAL CROSSING REDEVELOPMENT PLAN AREA AND ADOPTING NEW STANDARDS TO GUIDE THEIR REDEVELOPMENT**

**2. Name and Title of Person Initiating the Ordinance, etc.:**

Carl Czaplicki, Director, Department of Housing, Economic Development and Commerce

**3. Concise Description of the Program, Project or Plan Proposed in the Ordinance:**

To brake up Morris Canal Redevelopment Plan into two smaller and more manageable redevelopment areas.

This amendment removes approximately 111 acres of land, located south of the Hudson-Bergen Light Rail ROW, from the Morris Canal Redevelopment Plan Area and re-names it the Canal Crossing Redevelopment Plan Area. All maps and development standards within the Morris Canal Redevelopment Plan are amended to reflect this change, and new development standards are proposed for the Canal Crossing Redevelopment Plan Area.

**4. Reasons for the Proposed Project:**

This Redevelopment Plan is very large and unmanageable. The creation of two smaller plan areas will enabling the creation of a better focused and more comprehensive plan for each.

**5. Anticipated Benefits to the Community:**

It provides for more efficient Redevelopment.

**6. Cost of Proposed Program, Project, etc.: \$0.00**

**7. Date Proposed Program or Project will commence: Upon Adoption**

**8. Anticipated Completion Date: N/A**

**9. Person Responsible for Coordinating Proposed Program, Project, etc.:**

Robert D. Cotter, Director, City Planning 547-5050  
Maryann Bucci-Carter, City Planning 547-4499

**10. Additional Comments: None**

I Certify that all the Facts Presented Herein are Accurate.

*Robert D. Cotter*  
Division Director

JAN 7, 2009  
Date

*Carl Czaplicki*  
Department Director Signature

1/7/09  
Date

## Summary

### **ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY TO AMEND THE MORRIS CANAL REDEVELOPMENT PLAN BY REMOVING LANDS SOUTH OF THE LIGHT RAIL R-O-W FROM THE MORRIS CANAL AREA , RE-NAMING THEM AS THE CANAL CROSSING REDEVELOPMENT PLAN AREA AND ADOPTING NEW STANDARDS TO GUIDE THEIR REDEVELOPMENT**

This amendment removes approximately 111 acres of land located south of the Hudson-Bergen Light Rail ROW, and re-names it as the Canal Crossing Redevelopment Plan. All maps and development standards within the Morris Canal Redevelopment Plan are amended to reflect this change.

Also, new development standards are being adopted for the area removed from the Morris Canal plan. The area is re-named the Canal Crossing Redevelopment Plan Area. It is to be re-developed utilizing the principals of New Urbanism. These proposed standards include many specific development requirements, including but not limited to; street and R-O-W improvements, building design standards, park design and location, height and density limits, etc.

# **Morris Canal**

# **Redevelopment Plan**

*(formerly known as the Garfield - Lafayette Redevelopment Plan)*

**As adopted by the Municipal Council of the City of Jersey City**

**March 1999**  
**Amended February 27, 2002**  
**Amended March 27, 2002**  
**Amended July 26, 2002**  
**Amended November 13, 2002**  
**Amended August 11, 2004**  
**Amended January 11, 2006**  
**Amended October 16, 2006**  
**Amended March 14, 2007**  
***Proposed Amendments April 29, 2008***

**DIVISION OF CITY PLANNING**

## INTRODUCTION

### BACKGROUND

The Morris Canal Redevelopment Plan (hereinafter referred to as the "Plan") joins all of the lands contained within the Garfield – Lafayette Study Area and the Communipaw – Pacific Study Area into a single Morris Canal Redevelopment Area (hereinafter referred to as the "Area"). The unified Area is an approximately 280 390 acre district in the heart of Jersey City. Its boundary is approximately 5.2 miles in perimeter, and encompasses city streets and over 850 1,200-parcels of industrial, commercial, park, and residential land.

The overall characteristic of the Area is that of an industrial village - almost a company town. The Morris Canal, at one time a major regional freight transportation route, ran through the north and west portions of the Area and serviced local industries in days gone by. Effects of the canal on the layout of the land, in the form of odd street corner angles and building placements, are still visible today. The Morris Canal shaped both the industrial and residential landscapes. As industry grew around the canal's tow paths, housing sprang up nearby to shelter the workers needed to run the plants and mills, a pattern that was fairly common in the industrial towns of the nineteenth century. In the days when one walked to work, work and home often shared the same street. Thus, this nineteenth century residential neighborhood found itself "cheek and jowl" with industry, and their fates were inextricably combined.

As these factories began to change following World War II, and the well paying jobs moved on, the residential areas began a transition as well. Although the residential areas remained residential for the most part, the occupants changed. This new generation of residents had fewer local job opportunities available. As area income levels decreased, the condition of the housing stock began to deteriorate. These post-war changes accelerated during the 1950s and 60s, and were virtually complete upon entering the 1990s.

Meanwhile, disinvestment has led to exploitation of the residential neighborhood. Certain industries, perhaps not welcomed elsewhere because of their noxious nature, and perhaps staying because of attachment to local skilled labor, remained behind, and began to cross the historical boundaries that separated industrial and residential areas—one of which was the Newark-New York Railroad which ran along the southern edge of Lafayette.

The industrial history of the Area has left a landscape of temporarily obsolete sites, some of which are abandoned, and some of which contain contaminated soil and require remediation. Integral to the redevelopment process is remediation of soil contaminants within the Area. However, high costs and fears of liability have discouraged cleanup, even as societal environmental quality concerns and public health issues have dictated that Brownfield environmental contamination be mitigated prior to redevelopment. With the high cost and associated risks, any new industrial development that has occurred historically has tended to seek out suburban and rural undeveloped greenfield sites where no contamination cleanup is needed, thereby presenting competitive cost-minimizing challenges to urban economic development efforts. Recent state legislation that limits a developer's liability when the cleanup is certified by the New Jersey Department of Environmental Protection greatly reduces the risk to developers, and the state may also reimburse developers for a portion of the cleanup costs when the redevelopment project generates state tax revenues sufficient to cover the cost of the reimbursement. This legislation should make urban Brownfield's a more attractive location for investment. However, it is imperative that urban Brownfield redevelopment pressures not weaken the public health responsibility that remediation occur at a level that meets the highest standards of risk analysis.

There is cause for optimism. A good source of high wage jobs is found by encouraging the development of industries which use high tech manufacturing processes. Such industries often require a skilled labor force, which is not always available in developing countries. Investment in high tech manufacturing processes and worker education and training can create high skill, high wage jobs, and be the highest and best-use of the land. By providing a skilled workforce, through education, training and support services, a place can make itself a highly attractive location for certain types of companies who seek to invest in new production or assembly facilities. The result can be a vibrant economic engine with a strong economic multiplier effect that boosts local businesses and encourages entrepreneurs to begin new enterprises, as the new industrial base seeks out local suppliers, and the additional disposable income obtained by residents with high wage jobs becomes available for increased consumer spending activities.

Looking at recent employment and wage levels citywide, the public sector can also aim to buttress the strong industry sectors by providing appropriate lands for expanding companies who desire to remain in Jersey City, as well

as education and job training services for workers. In 1996, Jersey City's manufacturing sector provided employment for 7,533 workers, with jobs in this sector paying an average of \$37,673 annually. In addition, the wholesale trade industry employed 4,347 in the city, averaging \$38,278 per job. By contrast, the retail trade sector employed 10,027, but only paid \$16,617 in average annual wages. This data indicates that there is a linkage between land use and wage levels in Jersey City; manufacturing and wholesale wage levels were more than double retail wage levels.

The proximity of industry to residences, as well as the age and architectural style and detail of some of the residences, lends large portions of the Area an historic feel. Numerous structures and districts within the Area are eligible for historic designation on the national register, most notably the former Whitlock Cordage Company at Manning Avenue and Lafayette Street (Block 2057, Lots 15C, 15D, 15G, 15H, 15J and 15K). However, because of the pattern of development, inappropriate industrial and commercial uses are sometimes mixed in with residential uses, and neighborhoods are infiltrated by truck and bus traffic and noise nuisances that are created by industry and commerce. Nevertheless, a vibrant neighborhood remains intact, and generations of families continue to own homes and live within the neighborhood.

Finally, the Area is traversed by the Hudson-Bergen Light Rail Transit System (LRT), which is scheduled to open March 1, 2000, and which will provide access to both other areas of the city and regional passenger rail transportation networks. The coming LRT has the potential to have a positive impact on investment and land use within the Area.

#### COMMUNITY OUTREACH

Outreach to the community was initiated by the Jersey City Environmental Commission and the city's Environmental Specialist. Approximately 15 meetings to exchange ideas with various community groups located within and immediately adjacent to the Area were held in 1998. Attendees included public housing residents and members of neighborhood and block associations.

In addition, a series of three planning charrettes were conducted by the Jersey City Division of City Planning on the evenings of October 29, November 4, and November 9, 1998. During the charrettes, approximately 83 members of the Lafayette area community, including homeowners, tenants, business owners, and other property owners, joined with staff from the city's Division of City Planning, Redevelopment Agency, Environmental Commission and other municipal agencies, to explore options for the future of the proposed Morris Canal Redevelopment Area.

The charrettes were advertised in four ways. First, announcement and schedule of the charrette were sent by mail to representatives of various Garfield - Brownfield area stakeholder groups, with the purpose that these individuals notify their constituencies of the event. Second, on October 20, 1998, between 200 and 300 owners of property within the Garfield - Lafayette Study Area, and other interested parties, attended the public meeting of the City of Jersey City Planning Board. During this meeting, the Director of City Planning announced the time, place and purpose of the charrettes, and a commissioner of the Planning Board strongly encouraged all to attend. At the same time, hundreds of bilingual English and Spanish notices of the charrettes were made available to meeting attendees. Third, a newspaper article in the October 29, 1998 edition of the Jersey Journal (page A2) reported the time, place and purpose of the charrettes. Fourth, the Lafayette Neighborhood Association distributed approximately 1,200 bilingual English and Spanish flyers, which announced and explained the event, to residents in the Garfield - Lafayette Study Area and the Communipaw - Pacific Study Area.

On the first evening of the charrette, participants were led through a visioning process whereby each individual imagined possibilities of what the Garfield - Lafayette Redevelopment Area might look like in the future. Then participants worked in groups to identify existing negative elements of the neighborhood that could impede that vision from occurring, and existing positive elements that could be useful in achieving the vision. Each work group then drew their positive and negative elements on a work group map. At the end of the evening groups shared their results by presenting their list and map of positives and negatives to the larger charrette audience.

Land use and traffic issues were addressed on the second evening of the charrette. Participants first worked in groups to create solutions to overcome the identified land use, transportation and other constraints. With their creative gears thus primed and working, participants then used colored markers to draw on a map where they thought different generalized land uses should be permitted within the Redevelopment Area. Participants used a different

color marker to show the location of housing, parks, gardens and walkways, shops and restaurants, industry, filling stations, community facilities, street changes, light rail stations, and historic preservation districts. Some groups used their solutions list from the previous exercise as a reference guide for determining appropriate land uses for the mapping exercise. As in the first evening, groups shared work through presentations to the larger charrette audience at the end of the evening.

On the third evening of the charrette, participants were presented with a set of land use maps that combined the work of the different groups at the second charrette into a set of consolidated maps. These maps displayed areas of general agreement and areas of disagreement.

The maps showed that the participants were at consensus on land uses for most portions of the Area, including: the core residential section of the Lafayette neighborhood should remain residential, the mixed residential and retail use sections of Pacific and Communipaw Avenues should remain mixed use, and the section to the south of the light rail right-of-way should remain industrial. There was additional agreement that parkland and community facilities should be increased, but there were differing ideas on where to place these uses. Only a few perimeter sections of proposed land uses remained indeterminate, some with only minor points of disagreement. Participants discussed ideas for these remaining sections, and came to the additional consensus that the portion between Grand Street and Cornelison Avenue should be largely an industrial area.

The evening ended with the Division of City Planning committing to draft a conceptual plan that combined the various ideas and resolved the few remaining conflicts, and to present this draft to the participants at a later date. This post-charrette meeting was held on January 12, 1999 at City Hall. The Division of City Planning presented a concept plan, and many of the charrette participants were present to listen and discuss the proposals. Additional neighborhood residents and business owners were also present, who were able to raise and discuss their concerns.

## I. Boundary Description

The boundary of the Morris Canal Redevelopment Area is presented in Map A. *The Redevelopment Area is generally bounded by the New Jersey Turnpike Extension (I-78) to the east and to the north, as well as Maple Street and Fairmount Avenue on the north, the Hudson Bergen Light Rail Line to the south, and Garfield Avenue and Cornelison Avenue to the west.* The Redevelopment Area encompasses the Garfield—Lafayette Study Area, and the Communipaw—Pacific Study Area, which were declared areas in need of redevelopment by the City of Jersey City Municipal Council on December 9, 1998, and January 13, 1999, respectively. ~~All of the blocks and lots contained within the Garfield—Lafayette Study Area and the Communipaw—Pacific Study Area inclusive are included within, and are a part of, the Morris Canal Redevelopment Area. In addition, it is recommended that Municipal Council take action to remove Block 2067 from the Lafayette Park I Redevelopment Area, and add it to the Morris Canal Redevelopment Area.~~ *Pursuant to the amendments to the Redevelopment Plan, dated April 25, 2008; that portion of the Morris Canal Redevelopment Area located south of the Hudson Bergen Light Rail Westside Connector Branch shall no longer be a part of the Morris Canal Redevelopment Area. This former portion of the Morris Canal Redevelopment Area, along with a portion of the Claremont Redevelopment Area, shall be subsumed within a new Redevelopment Area to be known as the Canal Crossing Redevelopment Area.*

## II. Redevelopment Plan Goals

It is possible to plan for the redevelopment of both the Brownfield's and the residential neighborhoods in the same document. Given the Area's history, with jobs and homes sharing the same streets, it is entirely appropriate to plan a redevelopment scenario that addresses the problems of both, and seeks to shore up the good elements and remove the bad.

The goals of the Plan are to:

- Link opportunities for redevelopment of industrial lands with the desire to remediate contaminated soil.

- Generate opportunities for industrial redevelopment through remediation of contaminated sites and where sensible through the renovation and reuse of existing industrial structures.
- Fulfill the New Jersey State Development and Redevelopment Plan goal of focusing industrial development on brownfield areas rather than on continuing sprawl into greenfield areas.
- Encourage the retention and attraction of non-polluting industries that provide high-wage employment opportunities.
- Preserve the Lafayette neighborhood by halting and removing industrial encroachments.
- Provide opportunities for the growth of neighborhood level retail, services and community facilities for the Lafayette neighborhood.
- Encourage the acquisition of vacant land and derelict buildings in the Residential district for purposes of community gardens, accessory parking, expanded lawn area, construction of new homes, and reconstruction of old buildings, for use and occupation by residents of Lafayette. Priority consideration for purchase of these properties should be given to residents of Lafayette, and especially to residents that are displaced by this Plan.
- Create opportunities for the development of additional park areas.
- Ensure a positive land use impact and maximum benefits from the LRT by encouraging the redevelopment in the areas closer to the light-rail transit station as mixed-use and higher intensity development consistent with the principles of "Smart Growth" and the State's "Transit Village Initiative"; i.e. sustainable economic and social development, including a variety of housing choices, providing pedestrian friendly streets and public rights-of-way, minimize automobile use by maximizing the appeal of mass transit, encourage reduced parking and shared use parking solutions, and creating a livable community with convenient access to commercial facilities.

### **III. PARKS AND GREENSPACE OBJECTIVES**

Within various districts of the Area, additional park land should be dedicated and developed with active and passive recreational facilities. The objective for most of the sections of the Plan Area that is bounded by the LRT, Woodward Street, Garfield Avenue and Communipaw Avenue, and is shown on the Plan map as park, is the development of a recreation facility that could include, but is not limited to, playing fields, other recreational facilities, structures, passive recreation, and amenities.

In addition, a contiguous Canal Banks Park and Walkway should be created that connects various LRT stops and that recreates the path of a portion of the former Morris Canal. Such a park and walkway will provide additional access to the LRT for pedestrians from the Lafayette neighborhood, as well as accommodation for passive recreation facilities such as paths for walking, jogging or bicycling.

One portion of such a walkway should abut the LRT ROW and begin at the Liberty Park Station of the LRT at Gateway Drive, and then extend first in a south-westerly direction within the Residential zone, (and adjacent to the Rail Transportation Corridor), then in a west-north-westerly direction within the Residential zone, (adjacent to the Rail Transportation Corridor), then continuing within the Industrial - A zone (adjacent to the Rail Transportation Corridor), in a west-north-westerly direction until it intersects with Garfield Avenue. All sections of the park and walkway within the Residential Zone should be a minimum of fifteen (15) feet wide, with sections wider where appropriate.

The other portion of the park and walkway should follow in the path of the former Morris Canal, which is approximately sixty (60) feet wide, as it extends from the north side of the LRT ROW (and the walkway) to Communipaw Avenue, and from Communipaw Avenue as it extends and curves in a north and east direction to the edge of the Plan Area boundary. At this point, the walkway may be able to connect with a rededicated Canal Street or Bishop Street to the north, or to Maple Street and Lafayette Park to the south.

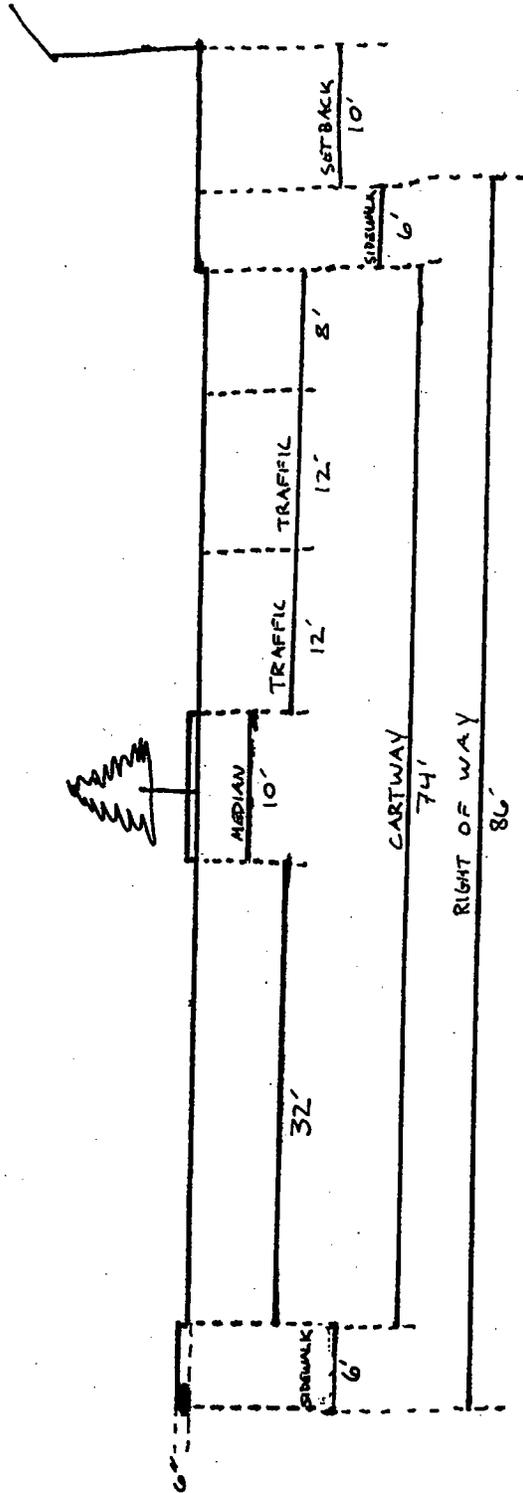
In addition, land should be made available for community gardens along Cornelison Avenue.

The Morris Canal Redevelopment Area Development Coalition (refer to section VI), and neighborhood associations that are registered with the mayor's office, should be consulted for input regarding design and development of all park and greenspace areas.

#### **IV. General Traffic Circulation and Parking Objectives**

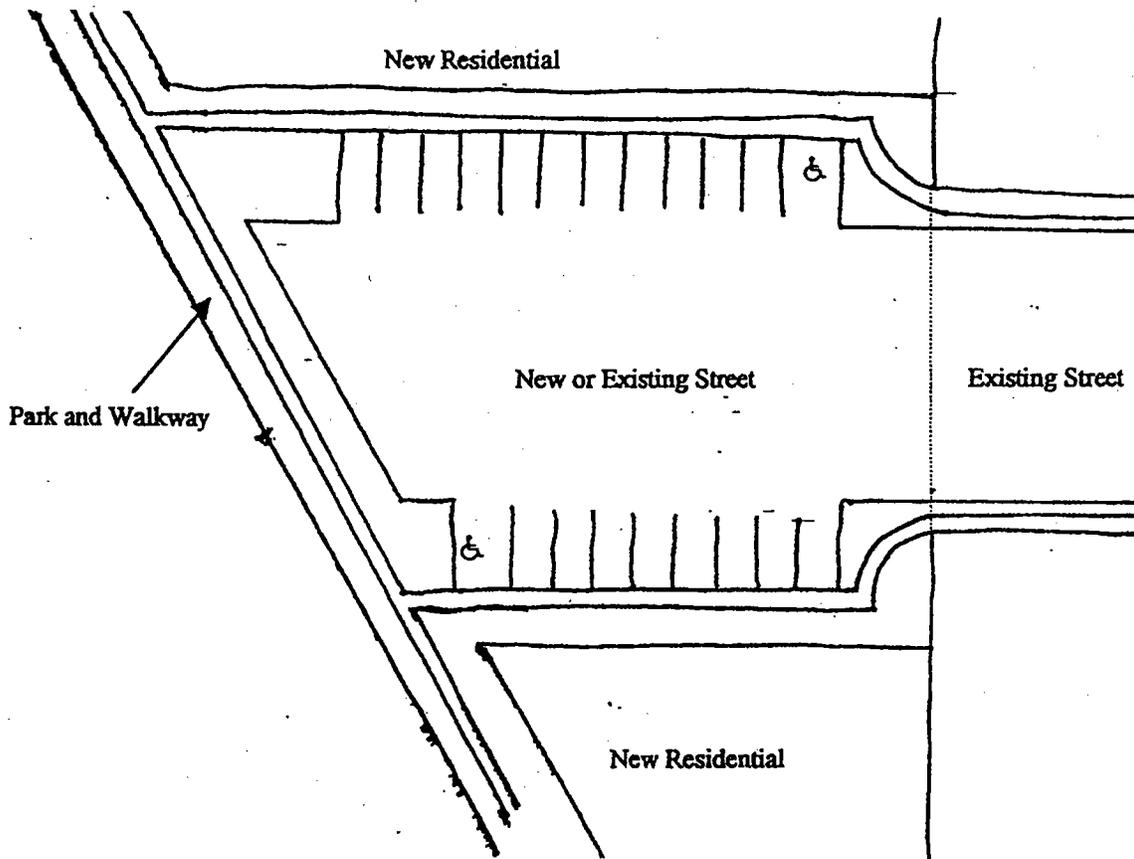
- A. Eliminate truck traffic on Pacific Avenue north of the Light Rail R.O.W., on Communipaw Avenue between Manning Avenue and Gateway Drive, and on Johnston Avenue South of Grand Street. The need for trucks to travel these streets should be eliminated by providing an alternate truck route via Garfield Avenue, and by relocating industry and commercial truck traffic destinations out of the residential portion of the Lafayette neighborhood.
- B. Inhibit the travel on residential streets by trucks, buses and other commercial vehicles by installing traffic calming devices at appropriate intersections. Priority consideration should be given to the intersections of Whiton and Lafayette Streets, Monitor and Lafayette Streets, and Pine and Maple Streets.
- ~~C. Construct a new street that bypasses Garfield Avenue and provides direct access for truck traffic from the industrial area south of the LRT right of way to the New Jersey Turnpike Extension. Such access will serve to maximize the locational advantage of the industrial area, as well as to reduce the existing negative impact of truck traffic on the nearby Lafayette residential neighborhood.~~
- ~~C.D.~~ Reroute Cornelison Avenue so as to provide properties on the northwest side of Cornelison Avenue with additional and sufficient loading and parking space, in order to eliminate the impedance of vehicular and pedestrian traffic along Cornelison Avenue.
- ~~D.E.~~ Vacate State Street and Johnston Avenue, between Cornelison Avenue and Grand Street, in order to accommodate greater efficiency in parcel consolidation. Access to thusly consolidated parcels should be from Bishop Street. Consideration may be warranted for a traffic light and other improvements at the intersection of Bishop Street and Grand Street.
- ~~E.F.~~ Widen Garfield Avenue between Bramhall Avenue and Communipaw Avenue sufficiently to accommodate two lanes of traffic in each direction, with a center median landscaped with trees and other plantings, and a break-down lane in each direction.

F.G. Setback requirements for parcels along Garfield Avenue, between the light rail right-of-way and Communipaw Avenue should be sufficient to accommodate a future widening of Garfield Avenue, as shown in the cross section below.



**G.H.** Provide the following options for the treatment of streets at the end of certain dead-end streets:

1. Should multiple parcels become available that create contiguous residential development sites between Blocks 2044, 2045, and 2046, a new road near the southern end of these blocks that connects Whiton Street, Pine Street and Suydam Avenue may be desirable.
2. Perpendicular parking may be desirable on certain dead-end streets where new development may occur that would allow a widening of the street right-of-way. A suggested parking configuration that may be appropriate for Pine Street, Suydam Street, or Whiton Street, should they be extended south toward the LRT ROW, is shown in the drawing below.



*H.I.* Re-open and extend Maple Street to the east to the Light Rail Station at Gateway Drive in order to extend the "Street Grid" and facilitate pedestrian access from the Lafayette neighborhood to the Light Rail Station.

*I. J.* Re-open Garabrant Street between Communipaw Avenue and Johnston Avenue.

## V. STRATEGIC PLAN

### A. Land Use

Implement land use controls and design standards that encourage responsible development, redevelopment and rehabilitation.

### B. Community Empowerment

Maintain an active dialog with the Redevelopment Area community throughout the redevelopment process by establishing a Morris Canal Redevelopment Area Development Coalition (MCRADC) that is described in the Community Empowerment section (section VI) of this Plan.

### C. Federal EPA Brownfield Pilot

Identify four (4) to eight (8) sites for investigation and redevelopment, in compliance with Plan goals.

### D. Sewerage Improvement

The drainage system in the Plan Area is generally old and in some places deteriorated because of age. Preliminary study by the City of Jersey City Division of Engineering finds that the system can be improved through a combination of cleaning and rehabilitation. An aggressive program to clean and rehabilitate existing sewers should be implemented. Furthermore, as part of redevelopment, a committee consisting of representatives from the Jersey City Redevelopment Agency, the Jersey City Department of Housing, Economic Development and Commerce, the Municipal Utilities Authority, and the Division of Engineering should be formed to develop a sewerage improvement plan that identifies and addresses current and anticipated Plan Area sewerage improvement needs.

### E. Traffic Circulation

Traffic circulation shall be determined by future study as part of redevelopment project planning, and which should be oriented toward achieving the Traffic Circulation Objectives as described by this Plan.

### F. Greenspace Development

Dedicate additional parkland within various zoning districts, including a Canal Banks Park and Walkway that connects various LRT stops and recreates the path of a portion of the former Morris Canal.

### G. Industrial Retention and Attraction

A comprehensive strategy for industrial retention and attraction can assist Jersey City in the strengthening of its industrial base, and the resulting benefits. By targeting industries that can take advantage of Jersey City's location, transportation linkages, and other factors, municipal industrial development efforts can focus resources where it matters the most. In addition, an industrial retention and attraction strategy can link industrial development with local job training activities.

The Project on Regional and Industrial Economics at Rutgers, The State University of New Jersey has been commissioned to undertake a study of Jersey City's industrial base, in order to identify its strength and weaknesses, and to identify opportunities for retaining key industries that can play an important role in the City's future. This study, which is scheduled for June 1999 completion, will provide an important foundation for a strategy of industrial retention and attraction that addresses redevelopment goals of this Plan, as well as citywide goals.

#### H. Historic Preservation

It is not legally appropriate to create a historic district through a redevelopment plan. Municipal empowerment to create a redevelopment plan derives from the State of New Jersey Local Redevelopment and Housing Law. Historic District designation falls under the jurisdiction of State of New Jersey Municipal Land Use Law (MLUL).

However, the redevelopment plan can, and in this case, should, recommend separate action to conduct a study of historic sites and areas within the Redevelopment Area, for the purposes of recommending whether or not these sites and areas should be declared a Historic District. A recommended historic district study area, including minimum areas for consideration is provided in the MAPS section of this Plan.

## VI. **Community Empowerment**

To establish and maintain community empowerment in the redevelopment process, it is recommended that the Redevelopment Area community establish a single community based development coalition for the purpose of community inclusion and the decision making process of the Redevelopment Plan.

1. The Redevelopment Area community, including residents, property owners, business owners, and community leaders have taken an active role in the development of this Plan. In order to maintain this community empowerment in the continuing development process, and as contaminated sites within the area are remediated, the Redevelopment Area community has established the Morris Canal Redevelopment Area Development Coalition (MCRADC). The MCRADC may become incorporated in the near future and under the incorporated title assume the responsibilities of the aforementioned coalition.
2. The MCRADC should have a democratic structure, should conduct regular meetings that are open to the community, and should be comprised of members who are Redevelopment Area residents, property owners, business owners, and community leaders.
3. The MCRADC may designate a maximum of four agents who shall register name and current contact information that includes mailing address and telephone number with the Division of City Planning. It shall be the responsibility of the aforementioned designated agent or agents to maintain current contact information with the Division of City Planning.
4. Prior to implementation of any plan for site investigation and/or remediation, where such activities are conducted by, or under agreements with, the municipality, or an agency of the municipality, the MCRADC shall be notified and informed of such plans at least fourteen (14) days prior to commencement of any on-site activity, through their agent or agents, provided said agent or agents has/have registered and maintained current contact information with the Division of City Planning.
5. In addition to the site plan review process that is required by this Plan and the municipal zoning ordinance, the applicant shall submit a site plan and site plan application to the designated agent that is/are registered with the Division of City Planning, not less than twenty-one (21) calendar days prior to the Planning Board hearing for which it is scheduled. In addition, an affidavit showing proof of submission of site plan and site plan application to the aforementioned agents shall be submitted to the Division of City Planning not less than ten (10) calendar days prior to said hearing.

6. The Division of City Planning and the Environmental Commission shall each designate an agent to serve as liaison to the MCRADC. It shall be the responsibility of these agents to ensure that the requirements of paragraphs 4 and 5 above are met, and that the MCRADC is apprised of events as they occur throughout the investigation, remediation and redevelopment process.
7. No site investigation, remediation, or development should be delayed due to lack of existence of a MCRADC, or due to failure of an agent or agents of the MCRADC to register current contact information with the Division of City Planning.
8. Since the adoption of the redevelopment plan in 1999, the redevelopment of the area has begun. New community groups have formed and seek a voice within the plan area. They are named the 'Lafayette Neighborhood Action Coalition' and the 'Communipaw Avenue Block Association'. One representative from each organization shall be added to the designated agent list to receive notice.

## **VII. Types of Proposed Redevelopment Actions**

- A. It is proposed to substantially improve and upgrade the Morris Canal Redevelopment Area through a combination of redevelopment actions. These actions will include, but not be limited to:
  1. Rehabilitation and renovation of viable and potentially useful structures.
  2. Investigation and remediation of contaminated sites for the purpose of redevelopment.
  3. Clearance of dilapidated, deteriorated, obsolete or under utilized structures where necessary.
  4. Relocation of non-conforming uses where necessary.
  5. Acquisition for assembly into development parcels of vacant and under utilized land.
  6. Construction of new structures and complementary facilities.
  7. Provision for public infrastructure necessary to service and support the new development.
  3. Development of new green space areas for recreation, walkway and bikeway, and community gardens.
  4. Pursuit of Land Use Strategies:
    - a. Special mixed - use areas, where existing commercial in residential buildings can exist, subject to design and use controls, and where infill mixed use development is encouraged.
    - b. Residential areas, where commercial and industrial intrusions are prohibited, and where new infill residential construction is encouraged.
    - c. Industrial Areas, where industry and commerce can exist and expand, subject to design and use controls.
    - d. Retail Areas, where sales of goods and services are encouraged, subject to design and use controls.
    - e. Adaptive Reuse Areas, where certain structures of significance can be preserved and reused, subject to use controls.
    - f. Streetscape controls which guide construction and rehabilitation.

## **VIII. GENERAL ADMINISTRATIVE PROVISIONS**

The following provisions apply to all property located within the Morris Canal Redevelopment Area.

- A. All definitions that are contained within the Plan glossary shall prevail.
- B. All zone guidelines, standards, and requirements shall be in accordance with the Plan's Zoning and Adaptive Reuse Zoning Overlay Maps. Recommended new parkland areas and LRT stops shall be according the Plan Map.
- C. The regulations and controls in this section may be implemented, where applicable, by appropriate covenants, or other provisions, or through agreements for land disposition and conveyances executed thereto.

- D. No building or structure shall be constructed over public rights-of-way or easements, without the prior, written approval of the Municipal Engineer and site plan approval by the Planning Board. No building or structure shall be constructed in the bed of a mapped street unless such street has been vacated by an act of the Municipal Council and the site plan has been approved by the Planning Board.
- E. Prior to the commencement of (a) any exterior construction, reconstruction, and/or rehabilitation of any existing structure, (b) any change to the interior floor plan of any structure, or (c) any change in the use of any structure or parcel, a site plan for such shall be submitted by the developer or property owner to the Planning Board for review, so that compliance of such plans with this Plan can be determined. No Building Permit shall be issued for any work which would result in a change of use, or in a change in intensity of use, for any premises within the Area, without prior review and approval of such work by the Planning Board. Regular maintenance and minor repair shall not require Planning Board review.
- F. All residential redevelopment proposals and construction plans shall meet or exceed applicable minimum room size requirements.
- G. The provisions of this plan specifying the redevelopment of the project area and the requirements and restrictions with respect thereto shall be in effect for a period of forty (40) years from the original date of approval of this Plan by the Jersey City Municipal council. Subsequent amendments hereto shall not alter or extend this period of duration, unless specifically extended by such amendments.
- H. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Site plan review shall consist of a preliminary site plan application and a final site plan application. Submission of a site plan and site plan application shall conform with the requirements of the Municipal Zoning Ordinance and this Plan, including the Community Empowerment section, section VI, of this Plan. Applications may be submitted for an entire project or in phases. For projects involving three (3) or more acres, a master plan which depicts the overall layout of the site must be submitted and approved by the Board prior to preliminary site plan approval and as part of the application process. Preliminary site plan approval for any phase shall entitle an applicant to building permits. Final site plan approval for any phase shall not be granted unless or until that phase is substantially complete, or performance guarantees for site improvements for that phase have been furnished by the redeveloper in accordance with NJSA 40:55D-53. No Certificate of Occupancy (CO) of any type shall be issued for any construction until the Planning Board has given final site plan approval for the phase in which such construction is located. As part of site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53. Such performance guarantees shall be in favor of the City of Jersey City, and be in a form approved by the Corporation Counsel or the Planning Board attorney. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of site improvements within one (1) year of final site plan approval.
- I. Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with this Plan's requirements and the Jersey City Land Subdivision Ordinance.
- J. No development or redevelopment of any parcel in the Plan Area that will result in an increase in wastewater from that parcel shall be permitted unless and until the planned project wastewater piping and systems for the removal of effluent and stormwater are approved by the City of Jersey City Division of Engineering and the Municipal Utilities Authority; and the municipal wastewater piping and systems for the removal of effluent and stormwater are certified by the City of Jersey City Division of Engineering and the Municipal Utilities Authority as being of sufficient capacity and good condition to accommodate uses that will occupy said parcel. Such approval may be contingent upon requisite improvements to the drainage system in the street, as determined by the Division of Engineering.
- K. Interim uses may be submitted, subject to an agreement between the developers and the Planning Board that such uses will not have an adverse effect upon existing or contemplated development during the interim use period. Interim uses must be approved by the Planning Board, which may establish an interim use period of up to three (3) years in duration. The Planning Board may grant additional renewals of interim uses. No commercial or commuter parking shall be allowed as an interim use.
- L. Deviation Requests: As a function of preliminary site plan approval, the Planning Board may use its powers as granted by NJSA 40:55D-60 and NJSA 40:55D-60.a. to: (1) Where: (a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or (c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any provision of this plan would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property, grant, upon an application relating to such property, a deviation

- from such strict application of such provision so as to relieve such difficulties or hardship; (2) where in an application relating to a specific piece of property the purposes of this redevelopment plan would be advanced by a deviation from the redevelopment plan requirements and the benefits of the deviation would substantially outweigh any detriment, grant a deviation to allow departure from the provisions of this redevelopment plan; provided, however, the fact that a proposed use is an inherently beneficial use shall not be dispositive of a decision on a deviation under this clause and provided that no deviation from those departures enumerated in NJSA 40:55D-70.d. shall be granted under this clause. An application for a deviation from the provisions of this Plan shall provide public notice of such application in accordance with the public notice requirements set forth in NJSA 40:55D-12.a.& b.
- M. If any word, phrase, clause, section or provision of this Plan shall be found by a court of competent jurisdiction to be invalid, illegal or unconstitutional, such word, phrase, clause, section or provision shall be deemed severable and the remainder of the ordinance shall remain in full force and effect.

## **IX. GENERAL DESIGN AND LAND USE STANDARDS AND REQUIREMENTS**

The following standards and requirements shall apply to all zones.

- A. No junked motor vehicles, or parts thereof shall be permitted to be stored on any lot within the Area.
- B. All utility distribution lines, utility service connections from such lines to the project area's individual uses, and utility appliances, regulators and metering devices shall be located underground or within enclosed structures. Remote readers are required for all utilities, in lieu of external location of the actual metering devices. Developers are required to arrange for connection to public and private utilities.
- C. Chain link fencing shall be prohibited, except during construction, for all street frontage on sites. Only wooden board-on-board, picket fences, or tubular steel or mild steel, "wrought iron" type fences will be permitted on such sites. Other types of fences may be permitted, subject to review and approval by the Planning Board. Chain link fencing for construction shall be dismantled and removed prior to the issuance of a Certificate of Occupancy of any type.
- D. No Billboard shall be permitted on any property contained within the Plan Area. Existing billboards shall be considered non-conforming and shall be removed at the end of their useful life. The useful life of a billboard shall extend no more than five years beyond the date of adoption of this redevelopment plan.
- E. No flashing lights or neon signs shall be permitted within the Plan Area, except for seasonal holiday decorations. In addition, all signs shall conform with Plan district signage requirements.
- F. No advertising shall be permitted on parking meters, light poles, or on benches or other street furniture within the public right-of-way.
- G. All corner buildings, except in zones Industrial – A and ~~Industrial – B~~, shall have windows on both street frontages.
- H. All parts and components of cellular phone antennas, satellite dishes, and television and radio transmission antennas shall be completely screened from view from all directions and elevations on existing or planned structures, parks, roads, highways and bridges, or shall be disguised within the architecture of a structure. Said screening shall be constructed in a manner that is pleasing to the eye and consistent with the surrounding architecture. In all cases, creative placement of said equipment is strongly encouraged in order to minimize the need for screening.
- I. In all cases, due consideration shall be given to the screening of rooftop mechanical equipment. Where feasible, rooftop mechanical equipment shall be screened from view from all directions and elevations to minimize the negative aesthetic impact upon the view from neighboring residential zones, the view from street level, and the view from the New Jersey Turnpike extension. Particular consideration should be given to the view from properties and structures along Summit Avenue, Clifton Place, and Randolph Avenue. Said screening shall be constructed in a manner that is pleasing to the eye and consistent with the surrounding architecture.
- J. On-street parking of trucks, tractor-trailers, trailers of any type, and buses, mini-buses and jitneys shall be prohibited in all zones.

- K. All outdoor storage shall be prohibited, except within the Mixed Use - B Zone, wherein pipes, lumber, plants and other home improvement related products may be stored outdoors. No hazardous materials may be stored outdoors. All permitted outdoor storage must be completely screened from view.
- L. Outdoor parking of vehicles that are inoperable or unregistered shall be prohibited.
- M. Commercial and Commuter Parking shall be prohibited within the Area, except at the Liberty State Park Station Park and Ride at Gateway Drive, as it exists at the time of adoption of this Plan.
- N. Only those Service Stations that are existing at the time of adoption of this Plan shall be permitted to exist. This Plan's definition of Service Station shall prevail. Existing Service Stations shall be permitted to increase structures and land area by no more than 20% of the amount of coverage that exists at the time of adoption of this Plan, provided that the site plan conforms with the City of Jersey Municipal Zoning Ordinance, and this Plan.
- O. Only those drug or alcohol rehabilitation centers that exist at the time of adoption of this Plan shall be permitted to exist.
- P. No prisons or jails shall be permitted.
- Q. The storage, processing, separation, or transfer of garbage or waste materials shall be prohibited. ~~The storage, processing, separation, or transfer of recyclable materials shall be permitted in the Industrial-B zone only, provided it occurs within an enclosed structure.~~
- R. No use or reuse shall be permitted, which produces toxic or noxious fumes, hazardous discharges, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features that are detrimental to the public health, safety or general welfare, or that are damaging to the physical environment.
- S. Upon demolition of any existing structures, the site shall be graded, planted, sodded and/or paved.
- T. All exterior dumpsters shall be encompassed by opaque perimeter screening that is greater in height than the height of the dumpster.
- U. Home Occupation, as defined by this Plan, shall be permitted as an accessory use.
- V. No overnight residential facility shall be permitted within the Industrial - A or ~~Industrial - B~~ zones, with the exception of accommodations for a single caretaker of a non-residential use.
- W. Building Design Objectives
  - 1. Within the industrial zone, building design shall be guided by the general characteristics of a modern industrial park.
  - 2. All structures within the project area shall be situated with proper consideration of their relationship to other buildings, both existing and proposed, in terms of light, air and usable open space, access to public rights of way and off-street parking, height and bulk.
  - 3. Groups of related buildings shall be designed to present a harmonious appearance in terms of architectural style and exterior materials.
  - 4. Buildings shall be designed so as to have an attractive, finished appearance when viewed from all vantage points within and outside the Area.
  - 5. Materials used for screening of rooftop mechanical equipment shall be harmonious with those used in the building's facade.
  - 6. All trash receptacles shall be adequately secured and enclosed.
  - 7. All utility distribution lines and utility service connections from such lines to the project area's individual use shall be located underground.
- X. Landscaping and Lighting Standards and Requirements
  - 1. Landscaping shall be required for any part of any parcel not used for buildings, off-street parking, loading spaces, or outdoor storage areas. All proposed site plans shall include proposals for landscaping indicating the location, size and quantity of the various species to be used.
  - 2. Greenspace (trees, shrubs, flowers, etc.) shall be used as buffers and to accent entrances, arcades and sidewalks.
  - 3. All plant material used must be able to withstand an urban environment. All screen planting shall be a minimum of four (4) feet high and shall be planted, balled and burlapped as established by the American Association of Nurserymen. A planting schedule shall be provided by the developer and approved by the Planning Board.
  - 4. Any landscaping which is not resistant to the environment or that dies within two (2) years of planting shall be replaced by the developer.
  - 5. Trees and shrubs shall be planted along curblines of streets at a maximum of 40 foot centers or groupings, in a regular pattern or spaced alternately on either side of streets, to further enhance the aesthetic quality of the redevelopment area.

6. Lighting within the site shall sufficiently illuminate all areas, including those areas where buildings are setback or offset to prevent "dark corners".
7. All lighting sources must be adequately shielded to avoid any glare. The area of illumination shall have a fairly uniform pattern of or least one-half (0.5) foot-candles.
8. Lighting fixtures shall be in scale with the street and size of the project.

## **X. Off-Street Parking And Loading Requirements**

Provisions A through G apply to automobile parking.

- A. Industrial uses shall provide a minimum of one (1) parking space per 750 square feet of gross floor area.
- B. Warehousing, distribution, wholesaling, terminal facilities and other storage facilities shall provide a minimum of one parking space per 5,000 square feet of gross floor area.
- C. Office, retail and other commercial uses shall provide a minimum of one (1) parking space per 1,000 square feet of gross floor area, except when in zones Mixed Use - A and Adoptive Reuse Overlay-Zone D.
- D. Public/semi-public uses shall provide a minimum of one (1) parking space per 1,000 square feet of gross floor area.
- E. Parking requirements for residential uses, if any, may be found in Section XI of this plan related to the specific land use provisions for the various land use zones of this Redevelopment Plan. Where no residential parking requirement is specified within any land use zone or overlay district, one parking space per dwelling unit shall be required. Medical Office buildings shall provide a minimum of 1 space per 1000 sf. of GFA
- F. All required parking spaces must be a minimum of 9 feet wide by 18 feet deep, as measured from the curb stop, except for retail uses. All required parking spaces for retail uses shall be 10 feet wide by 18 feet deep. All aisles shall be a minimum of 24 feet wide. Except that parking spaces located within a parking structure shall be a minimum of 9 feet wide by 18 feet deep and the aisle width may be reduced to 22 feet. Within parking structures, up to 25% of the parking spaces provided may be compact spaces measuring 8 feet wide by 16 feet deep. Additional parking spaces over the minimum required may be provided as tandem or stacked spaces.
- G. The parking requirements found herein Section X. may be supplemented or superseded by additional parking requirements as may be found in Section XI of this plan related to the specific land use provisions for the various land use zones of this Redevelopment Plan.
- H. Off-street parking and loading areas shall be coordinated with the public street system serving the project area in order to avoid conflicts with through traffic or obstruction to pedestrian walks and thoroughfares. Developers shall demonstrate that sufficient off-street parking and loading will be provided to meet the needs of the proposed use.
- I. Parking lots for five (5) or more vehicles, and all loading areas, shall provide a screen planting along any street line and along all property lines except those instances where a building intervenes or where the proposed planting may interfere with sight triangles. Said screening shall consist of balled and burlapped dense evergreen material that is a minimum of three (3) feet high at the time of planting, that is planted on a center that is consistent with the mature spread of the species planted. Within the parking area, a minimum of one tree shall be planted for every 5 parking spaces. Landscaping shall be maintained with shrubs no higher than three (3) feet and trees with branches no lower than six (6) feet, and designed so that the landscaping is dispersed throughout the parking area.
- J. Lighting used to illuminate off-street parking and loading areas shall be arranged and shielded to prevent the spillage of light off the premises and shall be in accordance with the lighting requirements of the Municipal Zoning Ordinance.
- K. Where no new Streets are created, all required parking and loading areas shall be provided off-street All such parking and loading areas shall be graded and paved with a durable dust free surface, adequately drained, and use poured in place concrete curbs, at a minimum, throughout All parking and loading areas shall be designed in accordance with the requirements of the Jersey City Zoning Ordinance.
- L. Parking and service areas should be separated from streets. These access areas shall be clearly designated so as to avoid the backing in and out of vehicles onto the street right-of-way.

## **XI. Land Use Zones And Specific Land Use Provisions**

### **A. Commuter Parking**

The zone shall encompass all lands contained within the following boundary description: Beginning at a point of intersection of the centerline of Communipaw Avenue and the NW block limit of Block 2048; thence proceeding in a NE direction along the aforementioned line of the block limit to the point of its intersection with the centerline of Johnston Avenue; thence southeasterly on the centerline of Johnston Avenue to its point of intersection with the centerline of Gateway Drive; thence SW along Gateway Drive to the point of intersection with the centerline of Communipaw Avenue; thence proceeding in a NW direction along the centerline of Communipaw Avenue to a point at its intersection with the northwesterly block limit of Block 2048, the POINT AND PLACE OF BEGINNING.

Purpose: To provide a lot for the parking of personal passenger vehicles, while occupants of the vehicles travel by rail, boat, bus, van or other means to another destination for purposes of work or pleasure. Commuter Parking shall be prohibited within the Redevelopment Area, except where it exists at Liberty Station Parking on Gateway Drive at the time of adoption of this redevelopment plan.

#### **1. Permitted Principal Use**

- a. Commuter Parking

#### **2. Accessory use**

- a. Booth or machine for the purpose of collecting fees for parking.

#### **3. Design Standards**

The land within this district is owned and operated by New Jersey Transit Corporation and is used as the Gateway Park and Ride lot. This lot has been designed to accommodate mass transit and to park commuters' cars.

### **B. Industrial – A**

#### *Light Industry*

The zone shall encompass all lands contained within the following boundary description: Beginning at the intersection of the extended northeasterly lot line of lot 15C, Block 2057 with the northwesterly edge of the former Morris Canal; thence proceeding southeasterly along that aforementioned extended NE lot line of lot 15C, Block 2057, to its point of intersection with the centerline of the vacated Manning Avenue on its SW end; thence in a SW direction along the extended centerline of Manning Avenue to its point of intersection with the centerline of Communipaw Avenue; thence in a SE direction on the aforementioned centerline of Communipaw Avenue to its point of intersection with the extended NW lot line of lot 1, Block 2040; thence SW to the SW lot line of the same lot; thence SE on that SW lot line of lot 1, Block 2040 and continuing SE along the SW lot lines of lots 2, 3, 4, 5 and 6, Block 2040 until the extended SW lot line of lot 6 intersects the centerline of Woodward Street; thence SW along the centerline of Woodward Street until it intersects the edge of the right-of-way of the LRT; thence proceeding NW along the northern edge of the LRT ROW until it intersects the centerline of Garfield Avenue; thence north along the centerline of Garfield Avenue to its point of intersection with the centerline of Communipaw Avenue; thence SE on the centerline of Communipaw Avenue until it intersects a line extended from the NW border of the northwesterly edge of the former Morris Canal; thence NE along that NW edge of the former Morris Canal, dividing Block 2058, Lots 1 and 2, until it intersects the extended NE lot line of lot 15C, Block 2057, the POINT AND PLACE OF BEGINNING.

In addition, the zone shall encompass all lands that are north of Grand Street that are not contained within Mixed Use – B zone, ~~and all lands that are west of Garfield Avenue and south of the LRT right of way.~~

Purpose: To create aesthetically pleasing, buffered, screened and landscaped areas for light industry and other establishments that are non-polluting, and which provide a high number of jobs and contribute to

municipal property tax revenues. Certain roadway improvements may be needed to redevelop these areas, and are listed under the Traffic Circulation Objectives of this Plan.

The Industrial areas to the south of the LRT ROW should be named the Lafayette-Garfield Industrial Park.

### 1. Permitted Principal Use

- a. Assembly of goods or parts that are manufactured elsewhere.
- b. Distribution Facility.
- c. Incubator (not permitted in the Berry Lane Area).
- d. Light Industry (not permitted in the Berry Lane Area).
- e. Occupational Training Center. All associated outdoor activities and equipment must be completely screened from view (not permitted in the Berry Lane Area).
- f. Office.
- g. Park and recreation.
- h. Parking that serves a permitted principal use. Commercial or commuter parking shall not be permitted.
- i. Research and Development Laboratories that do NOT engage in a physical or chemical process which would change the nature or character of a product or raw material; nor engage in the research, development, handling, processing, investigation, storage, or transfer of hazardous materials (not permitted in the Berry Lane Area).
- j. Walkways and Bikeways.
- k. Warehousing Facility.

### 2. Accessory use

- a. Retail Sales of Goods and Services.
- b. Off-street parking and loading facilities.
- c. Fences and Walls.
- d. Guardhouse and Employee Cafeteria.
- e. On-site service and maintenance operations for equipment and operations.
- f. Office.

### 3. Design Standards

- a. Buffer -- Where industrial uses abut residential uses, or the Residential district, the industrial use shall provide a vegetative buffer at least 15 feet deep, along all residentially adjoined property lines. A berm, at least four feet in height, planted with ground cover over at least 90 percent of its surface area (within the first season after planting) and containing evergreen trees at least eight feet in height, planted at a rate of one tree for every 100 square feet of buffer area, which evergreens are planted in staggered, double rows, shall comprise the vegetative buffer. This requirement can be adjusted, at the sole discretion of the Planning Board, through the provision of a screening wall, at least six feet in height, which must be faced with brick on the residential side, and plantings of deciduous trees at a rate of one tree for every 25 feet of wall length.
- b. Signs
  1. Identification Signs -- All permitted uses may provide one identification sign per street frontage, which sign must be attached flat against the wall, not extend above the roof line, and which may be internally or directly illuminated if such sign does not face a residential district. The dimensions of such sign shall be as follows:
    - a. Height -- shall not exceed 15 percent of the average wall height of the first story portion of the wall to which it is attached.
    - b. Width -- shall not exceed 10 percent of the length of the wall to which it is attached.
    - c. Projection from the wall -- shall not exceed 12 inches.

2. Directional Signs – may be provided as needed and approved by Traffic Engineering and the Planning Board.
3. Tenant Directory – may be provided for industrial parks with more ten acres of land, and more than three tenants. Said sign shall not exceed 18 feet in height, shall be of materials that are consistent with the principal structures, are not back lit, and are located in a landscaped area at least three times the square area of such sign, which area cannot include any landscaping required for buffers or parking areas.

c. Building Materials

1. The exterior walls of all structures shall be predominantly comprised of masonry materials. Facades fronting on public rights-of-way, including the Light Rail, shall, at a minimum, be predominantly comprised of pre-cast masonry units, brick, or decorative masonry block, or combinations thereof. The Planning Board will retain façade approval as part of site plan review.

d. Area, yard and bulk requirements.

Land Use	Maximum Height	Minimum Lot Size	Minimum Yards		
			Front	Side	Rear
Assembly Light Industry Occupational center Office Research and Development Labs	5 stories	1 Acre	10	10	30
Distribution Facility Warehousing	1 story with mezzanine	3 Acres	20	10	30
Retail Sales	1 story if stand alone	5000 square feet	0	0	15
Park	NA	10000 square feet	NA	NA	NA

**C. Industrial B**

The zone shall encompass all lands south of the Rail Transportation Zone and east of Garfield Avenue.

Purpose: To create aesthetically pleasing, buffered, screened and landscaped areas for industry and other firms, and which provide a high number of jobs and contribute to municipal property tax revenues. This area shall be referred to in this Plan as the Garfield Avenue Industrial Park. Certain roadway improvements, including the construction of a roadway that provides direct access for trucks and other traffic from this area with the New Jersey Turnpike Extension, may be needed to redevelop these areas, and are listed under the Traffic Circulation Objectives of this Plan.

The Industrial areas to the south of the LRT ROW should be named the Lafayette Garfield Industrial Park.

**1. Permitted Principal Use**

- a. Any use that is permitted within the Industrial A classification of this Plan.
- b. Automotive or Truck Services.
- c. Facility engaged in the processing of recyclable materials within an enclosed structure, excluding the processing of hazardous waste materials. The storage, processing, separation, or transfer of garbage shall be prohibited.
- d. Light Rail Stations or Stops.
- e. Manufacturing.
- f. Park.
- g. Public Utilities Facilities.
- h. Railroad track for transport of freight or passengers.
- i. Walkways and Bikeways.

**2. Accessory use**

- a. Off street parking and loading facilities.
- b. Fences and Walls.
- c. Guardhouse and Employee Cafeteria.
- d. On site service and maintenance operations for equipment and operations.

**3. Design Standards Please refer to Industrial A**

**4. Area, yard and bulk requirements**

Land Use	Maximum Height	Minimum Lot Size	Minimum Yards		
			Front	Side	Rear
Assembly Light Industry Occupational center Office Research and Development Labs Public Uses	5 stories	1 Acre	10	10	30
Automotive or truck service	1 story	1 Acre	10	10	20
Recycling Facilities	1 story	1 Acre	10	10	30
Public Utilities	1 story	2500	10	10	10
Manufacturing	3 stories	1 acre	10	10	30
Distribution Facility Warehousing	1 story with mezzanine	3 Acres	20	10	30

**C. D. Mixed Use – A**

*Residential and Neighborhood Retail  
(Communipaw and Pacific Avenues Area)*

The zone shall encompass all lands that are contained within the following: All tax lots on the north side of Communipaw Avenue that abut Communipaw Avenue at the time of adoption of this Plan between Manning Avenue and Monitor Street, and all tax lots on south side of Communipaw Avenue that abut Communipaw Avenue at the time of adoption of this redevelopment plan between Woodward Street and Pine Street with the exception of Block 2044, Lots b, c, d, e, f, g, and h, which shall be in the Residential zone. All tax lots on the south side of Pacific Avenue between Communipaw Avenue and Maple Street that abut Pacific Avenue at the time of adoption of this Plan. The additional tax lots on Pacific Avenue of: Block 2053, Lots 1, 2, 3, 5, 6, 7.A and 8. On Johnston Avenue, the additional tax lots of: Block 2073, Lots 12 and Block 2074, Lots 10 and 11. The north side of Communipaw Avenue between Woodward and Manning Avenue may be developed as Mixed use A or Residential; however the block can only be developed as one or the other as a whole.

Purpose: A locus of the historic Lafayette community, this area provides shops, services, homes, and a vibrant pedestrian streetscape. This existing pattern of mixed uses and other positive elements shall be protected and encouraged by this Plan. A future historic district may serve to provide even greater conservation of this area, and further study of the area from an historic preservation perspective is duly warranted.

**1. Permitted Principal Use**

- a. Artist studio workspace.
- b. Community Facility.
- c. Day Care Center.
- d. Funeral Parlor.
- e. Health Care Facility. Prohibited: Health Care Facility that provides any type of residential accommodation.
- f. House of Worship.
- g. Neighborhood Retail.
- h. Office.
- i. Public Parking.
- j. Residential (above the first floor).
- k. Residential (on the first floor, on a parcel that was occupied by a structure with a first floor residential use at the time of adoption of this Plan.)
- l. Residential (on the first floor, within a structure that exists at the time of adoption of this Plan.)
- m. Restaurants/Cafés: sit-down only. Drive through pick-up windows shall be prohibited.
- n. Combination of any of the above.
- o. Park

(Block: 2058 Lot 8 shall not be permitted neighborhood retail, restaurant /café, community facility, or house of worship)

**2. Accessory use**

- a. Parking.

**3. Design Standards and Requirements**

- a. Preservation and rehabilitation are the primary objectives of this district's design controls.

- (1) Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building structure or site and its environment or to use a property for its originally intended purpose.
  - (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
  - (3) All buildings, structures and sites shall be recognized as products of their own time. Alterations which have no historical basis and which seek to create an earlier appearance shall be discouraged.
  - (4) Changes, which may have taken place in the course of time, are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
  - (5) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be treated with sensitivity.
  - (6) Deteriorated architectural features shall be repaired rather than replaced wherever possible. In the event that replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical or pictorial evidence rather than on conjectural design or the availability of different architectural elements from other buildings or structures.
  - (7) The surface cleaning shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials are strictly forbidden as they destroy the essential water resistant glazing on the exterior of brick and masonry, and scour, scar and obliterate the surface.
  - (8) Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any acquisition, protection, stabilization, preservation, rehabilitation, restoration or reconstruction project.
- b. Standards for rehabilitation [general standards in Subsection a (1) through (8) are inclusive].**
- (1) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historic, architectural or cultural material and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
  - (2) Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.
- c. Standards for reconstruction [general standards in Subsection A (1) through (8) are inclusive].**
- (1) Reconstruction of a part or all of a property shall be undertaken only when such work is essential to reproduce a significant missing feature and when a contemporary design solution is not acceptable.
  - (2) The reproduction of missing elements accomplished with new materials shall duplicate the composition, design, color, texture and other visual qualities of the

missing element. Reconstruction of missing architectural features shall be based upon accurate duplication of original features, substantiated by historical, physical or pictorial evidence rather than upon conjectural designs or the availability of different architectural features from other buildings.

- (3) Reconstruction shall include measures to preserve any remaining original fabric, including foundations, subsurface and ancillary elements. The reconstruction of missing elements and features shall be done in such a manner that the essential form and integrity of the original surviving features are unimpaired.

**d. Standards for new construction [general standards in Subsection A (1) through (8) are inclusive].**

- (1) In considering whether to approve or disapprove an application for a permit for new construction, the Planning Board shall be guided by standards of the Secretary of the Interior and the following compatibility standards.
- (2) New construction need not replicate older buildings or structures, but may reflect contemporary design standards so long as the design and construction is compatible with surrounding structures. Building height, width, mass and proportion affect the degree of compatibility between the old and the new.
  - (a) Site and setting. A developer intending to utilize historic resource as a part of a development must consider the context of the resource's original site by honoring the original historic intention of said resource and integrating it respectfully into the new development.
  - (b) Building height. Height should be visually compatible with adjacent buildings. The apparent physical size, scale and height should relate to existing resources.
  - (c) Openings on frontal facades. The width and height of windows, doors and entries must harmonize in scale and proportion with the width and height of windows, doors and entries of buildings and structures of historic significance in the surrounding environment.
  - (d) Relationship of unbroken planes to voids (i.e., punctured planes) in front facades. The relationship of unbroken planes (i.e., walls) to voids (i.e., windows and doors) on the facade of a building or structure should be aesthetically harmonious with that of buildings and structures of historic significance in the surrounding environment.
  - (e) Relationship of vacant land to buildings/structures. The relationship of a building or structure to the vacant land between an adjoining building or structure should not violate the existing paradigmatic spatial relationship of historically significant structures to the vacant land between said structures and adjoining buildings. The building mass in large architectural projects can be varied in form by using setbacks to create open spaces and landscaping when desirable to provide harmonious visual transitions between new construction and the adjacent historic properties.
  - (f) Relationship of exterior projections to the street. The relationship of exterior projections to the street in new construction should be aesthetically harmonious with the relationship of exterior projections to the street in the surrounding existing buildings of historic significance.
  - (g) Relationship of major exterior building materials. The major exterior building materials on the facade, sides and rear of a building or on a structure should reflect the predominant major building materials existent on the facades, sides

and rear of historically significant buildings and on structures in the surrounding environment.

- (h) Roof forms. The roof form and slope of a building or structure is a major element in the visual image of the building. Therefore, designers must take care to honor paradigmatically in new construction the existing historic roof forms and slopes so as not to violate the aesthetic harmony of the whole.
- (i) Continuity in visual imagery of appurtenances. Appurtenances of a building or structure such as walls, fences and landscaping shall honor the relationship of appurtenances to buildings of historic significance in the surrounding environment.
- (j) Scale of buildings. The scale of buildings and structures shall be in scale with the buildings and structures of historic significance.
- (k) Signage. Signs which are out of keeping with the character of the environment in question shall not be used. Excessive size and inappropriate placement on buildings results in visual clutter. A good sign should be designed to relate harmoniously to exterior building materials and colors. A good sign should express a simple clear message with wording kept to a minimum.
- (l) Site planning. The site planning of landscaping, parking facilities, utility and service areas, walkways and appurtenances must reflect the site planning of landscaping, parking facilities, utility and service areas, walkways and landscape features reticulate to buildings or structures of historic significance.

**e. The Shopfront - Rehabilitation of Existing Storefront.**

- (1) **Scale and Proportion:** When renovating an existing storefront every effort shall be made to restore or preserve the original storefront opening, profile and proportion of glass. This type of restoration is often cheaper and helps to maintain the historical, visual and physical integrity of the building. A storefront which extends beyond its boundaries, or has its windows enclosed or made smaller, is out of scale and is expressly prohibited.
- (2) **Construction Materials:** Historically, the storefront display window comprised about seventy percent (70%) of the facade and was framed by wood, brick, stone, cast iron or aluminum. Avoid using materials that were unavailable when the storefront was constructed; this includes vinyl, plastic, aluminum siding, anodized aluminum, mirrored or tinted glass, artificial stone, stucco, and brick veneer. If the original display window was covered up or enclosed with inappropriate materials, remove all contemporary materials. Restore and display all original openings and architectural features of the lower and upper portions of the building. This includes the storefront's transom window, pilasters or columns, lower window panel, and signboard, and upper story windows.
- (3) **Bulkheads:** Wherever possible, the original bulkhead materials should be preserved to maintain the historical character of the street. The types of historical materials to be preserved include wood, cast iron, cast aluminum, pigmented structural glass (Carrara or Vitrolite), terra cotta, porcelain enamel, ceramic tile, decorative brick, marble, and granite.
  - (a) In restoring the bulkhead of the storefront, replace missing sections with original material, if possible. If it is not available, the following substitutions can be made for those materials no longer manufactured. In all cases, make sure to duplicate the profile of the original store's bulkhead.

- Cast Iron can be replaced by cast aluminum, wood or fiberglass
- Terra Cotta by fiberglass
- Pigmented Structural Glass by Spandrel Glass (plate glass with a colored ceramic backing)

(b) In making repairs to an original storefront or installing a new one, the use of the following materials is prohibited: wood shingles, artificial brick or stone, anodized aluminum. The windows can simply be framed in aluminum and another more appropriate material can be used for the bulkhead. For example, a new wood bulkhead can be constructed and finished with plywood and stock moldings and trim.

**f. The Shopfront - New Construction:**

- (1) Where an architecturally or historically significant storefront no longer exists or is too deteriorated to save, a new storefront shall be designed which is compatible with the size, scale, materials, color, and character of the upper half of the building or the adjacent buildings. The use of wood, brick or stone masonry, or fiberglass is deemed appropriate for the framing of a new storefront. This will provide visual harmony to the entire streetscape.
- (2) All retail uses shall have windows installed facing the street and shall be at least seventy (70%) percent open to perpendicular view, and be located so that the window sill is no more than four feet in height above grade. The glass is to be clear, untinted, except for etchings or gold lettering on the interior of window.

**g. The Shopfront - Elements Common to Both Rehabilitation and New Construction.**

- (1) **Colors** - No more than three colors are recommended for the storefront portion of the building. Complementary historic colors are recommended for highlighting architectural features of the building (upper and lower cornices, moldering, lintels, sign band, etc.).
- (2) **Window Displays** - Use window displays to communicate information. A window display can project the store's image and tell potential customers more about available products than any number of signs. Do not try to place as many items as possible on shelves in the store window. Aim for simplicity; it generally insures successful displays. Good color schemes and good lighting are essential. At night windows should be lit using soft spot lights rather than bright or colored lights. Change the display periodically to reflect new merchandise, seasons, and holidays.
- (3) **Security Gates** - While security gates deter crime, they can also have a negative effect on business and the overall image of the street at night. Gates which are left in place during the day are prohibited, for they obscure the shop window and make it seem that the shop is closed, and that the neighborhood is unsafe. Steel gates with solid slats are prohibited because they create an even stronger negative statement about community safety. The use of transparent exterior gates prevents entry and allows for light to illuminate the street during the evening hours.
- (4) **Illumination** - It shall be required that the merchant install interior display lights in the display window to provide for increased illumination on the street at night. Adjustable incandescent lamps or spots are recommended. Fluorescent, flashing or blinking lights are prohibited on any part of the storefront. In addition, it is recommended that overhanging lamps facing down, be installed over the signband, below the second story windows to provide increased security on the street and for the building.

**h. Signs.**

**Goals:** To improve the quality of signs used to advertise on-premise businesses. To reduce the overall size and number of signs.

(1) **Design Intent:** A good sign can help a business by making it distinctive. A good sign should pinpoint the store's location and make the business easy to find. It should create an attractive image for the store and encourage pedestrians to venture inside. When considering a new sign, it is important to remember that bigger is not better and that the typical, mass-produced white plastic panel, which is illuminated from fluorescent tubes inside, does not last longer or appear more distinctive to potential customers.

(2) **Design Requirements:** The three most important criteria to consider in selecting a sign are:

- The size and position of the sign,
- Design and materials, and its
- Illumination.

(4) **Approvals:** All identification, business, advertising or other signs placed on public or private property, hereafter erected, displayed or repaired (defined as more than fifty percent (50%) of the cost of replacement) shall conform with the provisions of this subsection of this Plan.

(a) All signs and awnings shall be subject to review and permitting by the Buildings Division.

(b) Planning Board review and approval will be required where it is unfeasible to apply the sign band regulation to an existing structure.

(c) The Planning Board, as part of site plan review, may grant waivers from the minimum and maximum size requirements herein. In such a case, all signs shall be placed no lower than the top of the doorway or transom (if applicable) and shall not cover or interfere with the second story windows.

(d) No sign shall exceed a height of five (5) feet with the exception of Mixed Use – D District where no sign shall exceed a height of eighteen (18) inches.

(e) All signs shall be removed upon cessation of any business occupancy of any premise within the Plan Area. Thereafter, all signs shall comply with the requirements of this Plan.

(5) **Permitted Permanent Signs:**

(a) **Identification and/or business signs of the following type:**

- (1) Wall signs
- (2) Window signs
- (3) Small projecting signs which display a trade symbol or logo
- (4) Neon signs shall be permitted upon review by the Planning Board.
- (5) Signs indicating time, temperature and date may be exempt from these provisions, subject to Planning Board approval.

(Block: 2058 Lot 8 shall only be permitted a 2 X 2 square feet non-illuminated wall sign)

(6) **Permitted Temporary Signs:**

(a) **Real estate signs, subject to the following regulations:**

- (1) No such sign shall exceed six (6) square feet. All signs shall be attached to the premises to which they apply.

- (2) No person, including the real estate agent or employee, shall exhibit more than one (1) such sign per premise to which it applies.

**(b) Construction signs, subject to the following regulations:**

- (1) Temporary construction signs shall not exceed twenty-four (24) square feet.
- (2) No person shall exhibit more than one (1) such sign per premise, advertising the name of the building, general contractor, subcontractor, financing institution, public agencies and officials, and professional personnel.
- (3) Such signs shall be permitted beginning with the issuance of a building permit and terminating with the issuance of a certificate of occupancy for the entire building.

**(7) Permitted Number of Signs:**

- (a) A maximum of one sign per occupant, per street frontage shall be allowed.
- (b) No more than three (3) different types of signs per building will be permitted if there is more than one occupant.
- (c) Only signs which refer to a permitted use, or grandfathered use, as set forth in the Plan are permitted, provided such signs conform to the provisions of this section.

**(8) Permitted Location and Mounting:**

- (a) **Wall signs** identifying commercial establishments shall be flush mounted and project no more than 12 inches from the face of the building. They are to be attached to the long, continuous information band found directly above the storefront display window or transom window, usually not less than 10 feet and not greater than 15 feet above grade level. All signs shall be set back a minimum of 2 feet from each side of the building.
  - (1) In all cases, architectural details, ornamentation or upper story windows are not to be obscured by the sign's placement. Second or third story commercial occupants shall use window signs or flush mount a sign above the top of their windows.
  - (2) Signs on adjacent storefronts shall be coordinated in height and proportion and wherever possible, should use the same sign format and be constructed of identical materials and background colors.
- (b) **Window signs** shall be permitted on any floor of a structure that a business occupies. Such signs shall be of a non-illuminated nature (except for the first floor shop window where neon is permitted). The letters are to be painted, stenciled or engraved onto the glass display window and shall not exceed twenty percent (20%) of the window surface to which it is affixed.
- (c) **Neon signs** are to be affixed within the display window.
- (d) **Projecting signs** are to be located perpendicular to the building and the lowest portion of the sign shall be at least 10 feet above grade level, but below the windows of the second story.

**(9) Size and proportion:** Sign measurements shall be based on the entire area of the sign, with a continuous perimeter enclosing the extreme limits of the actual sign surface. Signs on adjacent storefronts should be coordinated in height and proportion and, wherever possible, use the same sign format. At a minimum, they should both employ identical background colors.

- (a) **Wall signs** should be between 18 inches and 26 inches vertical dimension and shall be set back a minimum of 2 feet from each side of the building.
- (b) **Window signs** shall not exceed 20% of the window surface to which it is affixed.

- (c) **Projecting signs** shall be limited to a maximum area of 16 square feet. Three dimensional objects can have an area no greater than 9 square feet at their largest cross section.

\*\*\* **Remember, smaller, simple signs are encouraged!** \*\*\*

(10) **Design & Materials:** Pacific and Communipaw Avenues can be noted for their distinct architectural style. The mixed use buildings are largely brick and frame, and with the exception of ornamentation and later alterations, there is uniformity in proportion and style.

- (a) Signage should be uniform in nature from block to block and the materials should be consistent with, or at least complement, the original construction materials and architectural style of the building facade.
- (b) Natural materials such as wood and metal are more appropriate than plastic. Internally lit, plastic signs require high maintenance (their light boxes often break) and are inflexible in terms of alterations. They also appear out of context with the period and style of historic buildings. Therefore their use is prohibited.
- (c) Where a signage band is missing due to alterations, signs painted directly onto a building or window surface often tend to be quite effective.
- (d) Appropriately designed neon window signs (with custom shapes and colors complementary to the building) are another option, and can add character to an establishment.
- (e) An awning with the store's name printed on it, may serve as an attractive alternative when properly designed and installed, and may be substituted for a sign.

(11) **Message Band:** A sign should identify the name, function, and perhaps the address of a business. This information can be conveyed through visual devices: words, pictures, names symbols and logos. The most important point to remember is to keep the sign simple. Avoid listing every product sold.

(12) **Lettering:** Lettering should be kept simple and clear and complement the style and period of the building on which it appears. To avoid a cluttered appearance, no more than two (2) different typefaces may be used on the same sign, and wording shall be limited to no more than 60% of the total sign area. Letters or symbols shall range from eight (8") to twelve inches (12") in height and shall not project more than six inches (6") from the building surface.

(13) **Color:** No more than three colors per sign. Dark backgrounds with light letters are recommended.

(14) **Illumination:** If illumination is desired, external illumination, such as overhead spot lights directed toward the sign, is recommended. These types of lights can illuminate portions of the building as well as the sign, and make it possible to balance the color and intensity of the light with those located in the display windows. If residential units occupy the second story of the building, non-illuminated signs are preferred. All stores should place lights within their shop windows to provide light on the street at night.

(15) **Prohibited Signs:**

- (a) Billboards, signboards, streamers, pennants, ribbons, spinners or other similar devices, and all roof signs. Exceptions include all flags and banners exhibited to promote the shopping district or commemorate special holidays, events, or sales days.
- (b) Flashing, blinking or otherwise animated lights and/or signs. Signs containing moving parts and signs containing reflective elements which sparkle or twinkle in sunlight.
- (c) Freestanding signs shall be prohibited with the following exceptions:

- (1) Houses of worship and funeral parlors, if the buildings are set back from the street line and are located on the same lot as the sign
- (2) Regulatory signs
- (3) Transportation, circulation, and parking signs.
- (4) Construction signs with necessary permits

i. **Awnings.**

- (1) All portions of any permitted awning shall be not less than 8 feet above the finished grade, excluding any valance, which shall not be less than seven feet above the finished grade.
- (2) No portion of any awning shall be higher than the window sill level of the second story of the building and shall not block the window or windows on the upper half of the building.
- (3) The horizontal projection of any awning shall not exceed three (3) feet, six (6) inches from the face of the building, except in the case of roll-up awnings, which may project further.
- (4) The vertical distance from the top to the bottom of any awning shall not exceed 4 feet, including any valance.

4. **Area, yard and bulk requirements**

- a. All existing lots of record at the time of the adoption of this Plan are considered conforming. After the adoption of this plan, the minimum lot size in this district shall be 2500 square feet, with a minimum lot width of 25 feet, for any lots that are to be subdivided.
- b. **Minimum yards**
  - (1) Front Yard – shall be determined by prevailing setbacks, but no front yard shall exceed 10 feet. (Block 2053 Lot 8 must maintain a setback of five feet to match the residential setback)
  - (2) Side Yards – 0 feet
  - (3) Rear Yards – 15 feet, 0 feet for corner lots
- c. Maximum height shall not exceed 40 feet, except for steeples on houses of worship

**D. E. Mixed Use - B**

*Neighborhood Retail and Residential  
(Grand Street North Side)*

The zone shall encompass all lands contained within the following boundary description: Beginning at the point of intersection of the centerlines of Fairmount Avenue and Grand Street; thence northwesterly along the centerline of Fairmount Avenue until it intersects the extended northwestern lot line of Lot 5 Block 2083; thence proceeding westerly along said NW lot line of Lot 5, Block 2083 until it intersects the northerly lot line of Lot 92, Block 2083; thence following a line extending the said lot line of Lot 92, Block 2083 westerly across the southern portions of Lots 63,64 and 65 of Block 2083 across Johnston Avenue and a southeastern portion of Block 2082 to a point of intersection with the NE corner of Lot 9, Block 2081; thence westerly along the northern lot lines of Lots 9, 8, 7, 6, 5A, 4A and 3 of Block 2081 and extending the said northern lot line of lot 3 westerly across the southern portions of lots 38, 37 and 36, Block 2081 and State Street until its point of intersection with NE corner of lot E, Block 2063; thence southwesterly along the northwesterly lot lines of lots E and D, Block 2063 until it intersects the south westerly lot line of lot D; thence southeasterly along said SW lot line of lot D and extended until its intersection with the centerline of Grand Street; thence easterly along the centerline of Grand Street until it intersects the centerline of Fairmount Avenue, the POINT AND PLACE OF BEGINNING.

Purpose: To provide shopping and restaurant facilities at a pedestrian scale for nearby residents, and workers from the neighboring Industrial - A zone. In addition, by placing these uses along Grand Street, a

buffer of retail uses will be created between Grand Street and the Industrial - A zone. This strip will likely have less of a residential component than other mixed use residential and retail sections of this Plan. Nevertheless, appropriate residential uses are encouraged.

To avoid disrupting the flow of traffic, no curb cuts should be permitted along Grand Street. Instead, consideration should be given to constructing multiple user accessory parking lots that are accessible from the side streets of State Street, Bishop Street, or Johnston Avenue. However, all building facades should front Grand Street, and building sides that face the side streets should be aesthetically pleasing.

**1. Permitted Principal Use**

- a. Community Facility.
- b. Day Care Center.
- c. Health Care Facility (that does not provide any type of residential accommodation).
- d. Neighborhood Retail.
- e. Office.
- f. Public Parking.
- g. Residential (above the first floor).
- h. Combination of the above, subject to approval by the planning board.

**2. Accessory use**

- a. Parking.

**3. Design Standards**

- a. Buildings should front on Grand Street. All parking shall be located to the side or rear of all buildings. Any parking that fronts on Grand Street must be screened with a low, brick-faced wall, black metal fence and evergreen hedge row, except for existing parking lots, which may continue as they exist.
- b. Free standing signs are not permitted. Signs shall be as regulated in Mixed Use – A.
- c. All mixed use buildings should be multi-story, with the retail, community facility and/or day care use on the ground floor and the residential and/or office use on the second floor.
- d. Maximum height shall be four stories.
- e. Only masonry materials may be used for exterior cladding, except in the event of an overhang. Brick shall be the predominant material used for any façade visible from Grand Street, except for the existing gas station which, should it be rehabilitated, may utilize other materials, subject to Planning Board acceptance that such materials are commonly used and associated with the particular brand in service.
- f. All lots shall contain at least 15 % landscaped area, of which at least one-third shall be in the front (Grand St) half of the lot.

**4. Area, yard and bulk requirements**

Land Use	Maximum Height	Minimum Lot Size	Minimum Yards		
			Front	Side	Rear
Community facility Day Care Health Care Facility Retail Residential Office Mixed Use	4 stories	20,000	0	10	10

**E. F. Mixed Use - C**

*Residential and Neighborhood Retail  
(The Junction)*

The zone shall encompass all lands contained within Block 2060.

Purpose: As a gateway to the Lafayette community, design considerations are a priority. However, planning for redevelopment of the block is challenged by the limited land area and the high volume of surrounding vehicular traffic. The purpose of the district shall be to preserve the historic character of the block by strengthening the remaining buildings, and constructing infill residential and commercial mixed uses of a scale and style that are appropriate to the remaining structures. A gateway park that contains a sculpture and landscaping may also be appropriate at the intersection of Grand Street and Communipaw Avenue. Should a building be constructed here, façade design should incorporate the idea of a gateway.

The slope of the land may be used to provide rear access, below grade, carport style parking for a building that may be constructed on Block 2060, Lot A, and adjacent parcels. Any such parking area should share street access with a parking area that serves the other parcels on the block, so that there is a single curb cut along Communipaw Avenue, and a single curb cut along Summit Avenue, for shared ingress and egress to all accessory and public parking within the block.

**1. Permitted Principal Use**

- a. Artist Studio Workspace.
- b. Community Facility.
- c. Neighborhood Retail.
- d. Office.
- e. Public Parking.
- f. Residential.
- g. Residential (above the first floor).
- h. Restaurant.
- i. Combination of the above, subject to approval by the Planning Board.
- j. Park.

**2. Accessory use**

- a. Below grade or subterranean parking.
- b. Parking.

**3. Design Standards**

- a. Please refer to the standards contained in Mixed Use – A for the requirements for this district.

**4. Area, yard and bulk requirements**

- a. Due to the small size of the lots in this districts, there shall be no minimum lot size, provided, however, that no lot may be reduced in size from what exists at the time of the adoption of this Plan.
- b. Prevailing setbacks shall apply.
- c. Maximum height shall be three stories.
- d. Maximum lot coverage shall be 85%.

**F. G. Mixed Use - D**

*Retail/Residential*

The district shall encompass Garfield Avenue Block 1966, Lots 4C, A2, 12A, 5 and 6.

Purpose: This area is in close proximity to the Garfield Avenue LRT Station, a residential zoned district outside the Plan area, and the planned Berry Lane area park. Flexibility should be allowed in permitting

property owners to take advantage of the location, provided that the use does not have a negative impact on the nearby residential and park areas.

**1. Permitted Principal Use**

- a. Artist Studio Workspace.
- b. Automotive Services.
- c. Banquet or Catering Facility.
- d. House of Worship.
- e. Intermodal Transportation Facility, excluding commuter parking.
- f. Parking that serves a permitted principal use that is contained within the Mixed Use - D section of this Plan.
- g. Residential above the first floor.
- h. Restaurant.
- i. Retail Sales of Goods and Services.
- j. Combination of any of the above, subject to approval by the Planning Board

**2. Design Standards**

- a. Buildings should front on Garfield Avenue. All parking shall be located to the side or rear of all buildings. Any parking that fronts on Garfield Avenue must be screened with a low, brick-faced wall, black metal fence and evergreen hedge row.
- b. Free standing signs are not permitted. The sign requirements shall be as in the Mixed Use – A District.
- c. All mixed use buildings should be multi-story, with the retail, community facility and/or day care use on the ground floor and the residential and/or office use above.
- d. Maximum height shall be three stories.
- e. Only masonry materials may be used for exterior cladding, except in the event of an overhang. Brick shall be the predominant material used for any façade visible from Garfield Avenue.
- f. All lots shall contain at least 15 % landscaped area, of which at least one-third shall be in the front (Garfield Avenue) half of the lot.

**3. Area, yard and bulk requirements**

Land Use	Maximum Height	Minimum Lot Size	Minimum Yards		
			Front	Side	Rear
Artist Studio Restaurant Retail Sales Residential	3 stories	5,000	10	one side 5, both sides 15	15
Automotive services	1 story	40,000	20	10	20
Banquet/Catering	2 stories	30,000	10	10	15
House of Worship	2 stories, plus steeple height	10,000	10	10	10
Intermodal Transportation Facility	2 stories	40,000	10	10	20

Parking	NA	10,000	5	5	5
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**G. H. Mixed Use – E Zone:**

Neighborhood Retail and Residential  
(Grand Street South Side)

This district shall encompass all lands contained within the following table of Blocks and Lots; however, NO land that contains or once contained the former Morris Canal shall be considered part of this district.

Block	Lot	Address
2058	E	667-665 Grand St.
2058	F	667-665 Grand St.
2058	G	667-665 Grand St.
2058	H	649-659 Grand St.
2058	J	649-659 Grand St.
2058	K	631 645A Grand St.
2058	S	Canal Street
2058	1 (excluding portion that was formerly the Morris Canal)	1084-114 Garfield Av.
2058	2 (excluding portion that was formerly the Morris Canal)	466 Communipaw Av.
2058	5	695- 675 Grand St.
2058	6	695- 675 Grand St.
2058	7	695- 675 Grand St.
2058	8	669 Grand St.
2058	13	649-659 Grand St.
2058	14	649-659 Grand St.
2058	15	645-647 Grand St.
2058	16	631 645A Grand St.
2058	17	631 645A Grand St.
2059	A1	697 Grand St.
2059	A2	701 Grand St.
2059	B	470 Communipaw Av.
2059	4	470 Communipaw Av.
2059	5	470 Communipaw Av.
2059	6	14-6 Summit Av.
2059	7	14-6 Summit Av.
2059	8	711-709 Grand St.
2059	9C	707 Grand St.
2059	10	707 Grand St.
2059	11	705 Grand St.
2059	12	703 Grand St.
2059	18A	701 Grand St.
2059	19A	701 Grand St.
2059	20A	1097 Garfield Av.
2059	23	14-6 Summit Av.
2059	24	14-6 Summit Av.

2059	25	470 Communipaw Av.
2059	26	470 Communipaw Av.
2084	1A	629 Grand St.
2084	2A	627 Grand St.
2084	3	625 Grand St.
2084	4	619-623 Grand St.
2084	5	619-623 Grand St.
2084	6	619-623 Grand St.
2084	10	6 Bishop St. & Canal
2084	11	8 Bishop St. & Canal
2084	12	10 Bishop St. & Canal
2084	57	12 Bishop St. & Canal
2084	58	14 Bishop St. & Canal
2084	59	16 Bishop St. & Canal
2085.1	S3	Bishop St. (vacated)
2085.1	S4	Bishop St. (vacated)

**Purpose:** To create a new residential neighborhood with small scale convenience and comparison shopping catering to neighborhood needs; and to provide small neighborhood oriented medical office buildings. Placement and design of all structures in the Mixed Use – E Zone shall have due consideration of the relationship to the historic buildings of the Whitlock Cordage Adaptive Reuse District, and to the former Morris Canal, which is adjacent.

**1. Permitted Principal Use**

- a. Community Facility.
- b. Day Care Center.
- c. Residential (above the first floor required west of Bishop Street except when the building is dedicated to neighborhood medical offices).
- d. Medical Office Buildings
- e. Combination of the above, subject to approval by the Planning Board.

**2. Accessory Use**

- a. Parking.

**3. Required Uses fronting on Grand Street and Garfield Avenue, West of Bishop Street**

- a. Ground floor neighborhood retail, or
- b. Ground floor office Commercial, or
- c. Ground floor child care center
- d. Ground floor community facility
- e. Ground floor combination of one or more of the above

**4. Development & Design Requirements**

- a. The former Morris Canal land shall be developed as a park and/or circulation alley contemporaneous with the adjacent residential development. There shall also be a 30' wide alley constructed parallel to the canal open space park. Its minimum length shall be between Bishop Street and Westervelt Place in order to eliminate dead ends and provide a continual traffic loop.
- b. No curb cuts shall be permitted along Grand Street. Instead, four (4) new access streets shall be constructed. These shall include: Bishop street on the former R-O-W, extensions of State Street and Westervelt Place, and the new circulation alley as described above.

All streets shall provide twenty-four hour (24), unobstructed access and be offered to the City for dedication.

- c. All building facades shall be treated as a front façade. Entrances shall be provided to all adjacent streets from ground floor units. In addition, placement and exterior design of structures should be done in such a way as to provide an aesthetically pleasing and historically compatible face to passersby within any park that may be developed atop or adjacent to the former Morris Canal.
- d. All parking shall be located below or partially below grade level and interior to the principal building. Exterior walls shall show no evidence of parking within. The only exception to this shall be for medical building parking which shall be permitted to be exterior surface parking but shall be located in the rear yard of the building and completely screened from view from adjacent lots and decoratively screened from any adjoining streets. Decorative metal fencing and a minimum of 5' planting strip shall be provided around the perimeter.
- e. All fencing and walls shall be brick-faced with black metal fence and evergreen hedge row.
- f. Free standing signs are not permitted. Signs shall be as regulated in Mixed Use – A.
- g. Maximum residential height shall be five stories. Maximum medical office height shall four stories. Minimum Height for all uses shall be three (3) stories.
- h. Only masonry materials may be used for exterior cladding. Brick shall be the predominant material used for any façade.
- i. Roof lines shall be generally flat. They may contain modified dormers and other architectural accents, upon review and approval of the Planning Board.
- j. Residential Parking shall be encouraged to utilize the new on-street parking created by newly improved streets.

**5. Area, yard and bulk requirements**

Land Use	Maximum Height	Minimum Lot Size	Minimum Yards	Min. Sidewalk width	Minimum Setback		Max. Density
					Side	Rear	
All Uses	55 ft. and 5 levels (4 of the principal use one accessory use)  (Except that Medical Office buildings shall not exceed 55' and a 4 level maximum)	20,000 sq. ft.	0	15 ft. along Grand St. 10 ft. on Side Streets	0	15 ft.	80 du/ac East of Bishop St. 65 du/ac West of Bishop St.

**6. Parking**

For residential uses within the Mixed Use – E District, the on street parallel parking on new streets may be counted toward parking compliance. The parking requirement shall be as follows: 1 space per residential dwelling unit.

## H. I. MIXED-USE MID-RISE DISTRICT

The mixed-use mid-rise district shall encompass tax lots PL.A and 36.A within Block 2046. The district is located at 297-303 Communipaw Avenue, which is the northwest corner of Communipaw and Suydam Avenues.

This district shall supercede all prior zoning or district designations. Maps B and D of the redevelopment plan shall be amended to show the new district boundary.

### INTRODUCTION AND PURPOSE:

The 0.625 acre property in this district is presently being used as a large commercial vehicle servicing station. The soil on the site currently contains several different contaminants, the removal of which will add to the cost of redeveloping the site. The district is located along Communipaw Avenue, which is the main retail thoroughfare within the Lafayette neighborhood. It is also slightly more than a five minute walk (approximately 0.28 miles following the sidewalk and within a ¼ mile walk circle) from a Hudson Bergen Light Rail Transit (HBLRT) station.



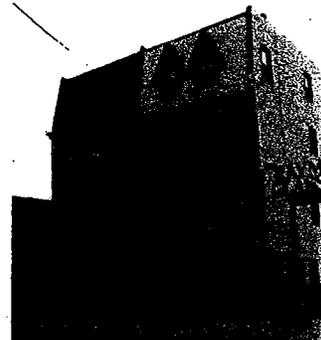
It is separated from the HBLRT station in large part by a large community parking lot that is owned by NJ Transit and served by a nearby entrance of the New Jersey Turnpike Extension. The NJ Transit property may be redeveloped as a transit oriented development (TOD) in the second decade of the 21<sup>st</sup> century. A TOD is a transit dependent and transit supportive development that consists of compact, mixed use development with a strong residential component that facilitates walking and bicycling as a mode of transportation and reduces automobile dependency. In order to be effective, a TOD generally needs to be located within a five minute walk circle, which is a ¼ mile radius, from a significant mass transit node or hub.

There are significant residential structures of various designs which reflect the history and architectural development of the neighborhoods that are within close proximity of the mixed-use mid-rise district, including a row of limestone or sandstone attached houses that are setback approximately twenty feet from the curb line (approximately ten feet from the lot line), the detached house with wrap around porch of the neighborhood's founder, and other significant and attractive residential architecture. It is also in close proximity to, but outside of, the Morris Canal Redevelopment Plan's Historic District Study Area that is identified by Map E of this redevelopment plan. The Historic District Study Area consists of a residential area that is bisected by the Communipaw Avenue retail corridor.



Across the street at 300 Communipaw Avenue is a former industrial building that is being converted to residential and other non-industrial uses; the industrial architecture of this building is anomalous to the residential neighborhood and may NOT be used as a model for designing new residential or mixed use structures within this mixed-use mid-rise district.

This mixed-use mid-rise district permits development of a four story, mixed use structure with a one story penthouse that is stepped back from the primary façade. Although the zone is mixed use, the predominant use may be residential. The requirements of this district are designed to ensure that the redevelopment project is compatible in height and setback with the attractive and well maintained residential properties in the same block along Communipaw Avenue and directly across Suydam Avenue. This district also requires that exactly one parking space be



provided below grade within the development project for each residential unit, in order to provide sufficient parking for the residents while also recognizing that the proximity to the HBLRT station will reduce the overall automotive needs of residents.

The intent of the standards and requirements contained herein is twofold. First, to facilitate a redevelopment project that removes contaminated soil, adds new retail establishments along the Communipaw Avenue retail corridor, injects additional population that utilizes the nearby HBLRT and also supports the Communipaw Avenue retail corridor. Second, to ensure that any new residential and mixed use development project within the district respects, complements and enhances the existing nearby original residential and mixed use built environment in terms of use, intensity, height, setback, color, and architectural style.

**1. Permitted Uses** (The definitions of all uses are pursuant to the definitions sections of the Morris Canal Redevelopment Plan and the Jersey City Land Development Ordinance.)

Communipaw Avenue Frontage

(Communipaw Avenue Frontage applies to the portion of the lot that is within sixty (60) to eighty (80) feet of the Communipaw Avenue lot line. All retail and restaurant entrances must front on Communipaw Avenue, and all other non-residential uses must either front on Communipaw Avenue or on Suydam Avenue within forty (40) feet of Communipaw Avenue):

**A. Principal Permitted Uses:**

- i. Restaurant, Category One
- ii. Restaurant, Category Two
- iii. Retail Sales
- iv. Retail Services, provided however that no single retail services establishment may exceed one-third (1/3) of the total ground floor frontage along Communipaw Avenue.
- v. The following shall be permitted only above the ground floor:
  - a. Community facility
  - b. Health care facilities
  - c. Multi-family residential
  - d. Offices
  - e. Personal health, recreation, or improvement services or instruction, such as gym, yoga or Pilates studio, alternative therapy center or dance or music instruction space.

**B. Permitted Accessory Uses:**

- i. Lobby to multi-family residential use
- ii. Outdoor seating
- iii. Other uses that are customary and incidental to the Communipaw Avenue Frontage principal permitted non-residential uses.
- iv. Suydam Avenue Frontage permitted accessory uses, permitted only above the ground floor.

Suydam Avenue Frontage

(Suydam Avenue Frontage applies to all locations that are not encompassed by Communipaw Avenue Frontage above):

**A. Principal Permitted Uses:**

- i. Multi-family residential

**B. Permitted Accessory Uses:**

- i. Day Care
- ii. Indoor Spa
- iii. Office
- iv. Playground
- v. Rooftop seating/recreation area

vi. Underground Parking

**2. Required Accessory Uses**

- a. Outdoor public plaza
- b. Public art of a design that is subject to approval by the Planning Board.
- c. Indoor common area bicycle storage at a ratio of at least one bike for every two residential units.

**3. Relationship to other provisions**

All general standards and requirements of the Morris Canal Redevelopment Plan apply to this district, including but not limited to the following: Section VIII. GENERAL ADMINISTRATIVE PROVISIONS and Section IX. GENERAL DESIGN AND LAND USE STANDARDS AND REQUIREMENTS. Additionally, Section XI.D. Mixed Use – A District Design Standards and Requirements also apply to this district. Additional standards and requirements that are specific to this MIXED-USE MID-RISE DISTRICT are contained herein. Where there is conflict between standards and requirements of different sections, the standards and requirements of the MIXED-USE MID-RISE DISTRICT must prevail.

**4. Lot Size:** Minimum 30,000 square feet. Maximum 35,000 square feet.

**5. Density**

- a. Maximum thirty-five (35) residential units per acre.
- b. Conditional residential density: Maximum one-hundred sixteen (116) units per acre, subject to all of the following conditions:
  - i. Each residential unit must be provided with one off-street on-site parking space. If the property is developed or at any time becomes a condominium, the unit deed for each residential condominium unit must include an off-street parking on-site parking space as a limited common element. If the property is developed or at any time becomes a rental building, the rental agreement for each residential unit must include an assignment of an off-street on-site parking space.
  - ii. A primary pedestrian entrance to the residential structure must be located within one-quarter (1/4) mile of an existing Hudson Bergen Light Rail Transit station platform.
  - iii. All contaminated soil must be removed from the site.

**6. Design, Bulk and Setback Requirements:**

The architectural expression of the building must be derived generally from the residential and retail traditions of the neighborhood and specifically from the architecture of the residential structures across Suydam Avenue that have facades of limestone or sandstone and notable setbacks, and the four story residential structures within the same block along Communipaw Avenue that also have notable setbacks. All sides of the building must be treated with similar quality and attention to detail. Additionally, the following applies:

- a. Maximum height: Forty-five (45') and four (4) stories, plus one story penthouse that is stepped back from all sides of the structure by at least ten feet (10'), except that a penthouse may connect to a corner bay at the corner of Suydam and Communipaw Avenues.
- b. Communipaw Avenue setback: Maximum ten feet (10'). Minimum two (2) feet.
- c. Suydam Avenue setback:
  - i. Maximum fifteen feet (15'). Minimum ten feet (10'), beginning at a point that is eighty (80) feet from the Communipaw Avenue lot line. No minimum for the eight (80) feet that is closest to the Communipaw Avenue lot line.
  - ii. The Suydam Avenue minimum setback requirement above may be waived by the planning board for the portion of the lot that is greater than eighty (80) feet from Communipaw Avenue, provided that the Suydam Avenue cartway is at least thirty-two (32) feet in width, and provided that there is a minimum separation distance of

twenty (20 feet between the curb and the primary facade, and provided that within the twenty feet separation distance all of the following is accomplished:

1. Landscaping strip of four (4) feet in width along the curb
  2. Sidewalk of six (6) feet in width along the landscaping strip
  3. Minimum of ten (10) feet between the primary facade and the sidewalk.
- d. Side yard setback (perpendicular to Suydam Avenue): No Minimum.
- e. Side yard setback (perpendicular to Communipaw Avenue): No minimum.
- f. Rear yard setback (rear yard lot line shall be considered the lot line that is generally parallel with the Suydam Avenue lot line): Minimum ten feet (10'), and must average at least fifteen feet (15'), excluding the portion that is within sixty feet (60') of Communipaw Avenue, which may be considered as side yard setback. Below grade, with grade defined as the sidewalk level of Suydam Avenue, is exempt from the rear yard setback requirement.
- g. Plaza requirement: In order to avoid a blind corner for pedestrians at the intersection of Suydam and Communipaw Avenues, a small outdoor public plaza must be provided at this location.
- h. Façade materials: Front, side and rear facades must be standard clay brick with cultured stone accents, and of a color that is compatible with the surrounding built residential environment. All windows must have cultured stone lintels and sills. All doors must have cultured stone lintels. The rear façade of the building that is generally parallel with Suydam Avenue and further than sixty (60) feet from Communipaw Avenue may be exempted from this requirement provided that cement board siding and cement board trim is provided as an alternate.
- i. The structure must contain vertical elements in the Suydam Avenue façade to create the illusion that the single large structure is instead a series of individual structures. Each section of the façade along Suydam Avenue that is greater than one-hundred (100) feet from Communipaw Avenue R.O.W. must contain an entrance to a residential dwelling unit and a set of stoop and steps, and each set of stoop and steps must be evenly spaced between fifteen (15) and thirty (30) feet apart. Spaces between the sidewalk and the primary façade on the Suydam Avenue side of the structure must be treated with a coordinated mixture of grade level vegetative and hardscape materials, and must be separated from the sidewalk by a decorative wrought iron fence that does not exceed three (3) feet from the top of the fence to the Suydam Avenue grade.
- j. A corner bay above the ground floor shall be permitted to encroach upon the required setback area at the corner of Suydam and Communipaw Avenues, and such a bay should be rounded or hexagonal.
- k. Window bays serving residential uses along Suydam Avenue may be incorporated into the structure, with the bays subject to the following conditions:
- ii. Must align vertically façade section
  - iii. Must be rounded or hexagonal
  - iv. Maximum protrusion from primary façade of two (2) feet.
  - v. May not exceed more than twenty-five (25) percent of the width of each façade section
- l. Balconies in the façade shall be prohibited along the street front.
- m. Story height: Story height for residential use must be a minimum of nine (9) feet from floor to ceiling, but may not exceed twelve (12) feet from floor to ceiling. First floor story height for a non-residential use must be a minimum of twelve (12) feet from floor to ceiling.
- n. Interior corridors: Interior corridors that exceed fifty (50) feet in length must contain at least one (1) recessed bay and opposite protruding relief to visually break up the long corridor.
- o. Residential window coverage and placement: Minimum window coverage on any one side must be twenty percent (20). Maximum window coverage on any one side shall not exceed thirty-five (35) percent. Windows must be taller in height than in width. The tops of windows and doors must be aligned horizontally where feasible. The sides of windows must be aligned vertically, and the sides of doors must align with the windows where feasible. The sill of ground floor residential unit windows that are closer than ten (10)

feet from the public right-of-way must be placed above the eye level of the passing pedestrian.

- p. Ground Floor non-residential fenestration must exceed seventy-five (75) percent of the ground floor façade area.
- q. Where a parapet is used, a cornice must be provided along all building facades and sides. Cornice must be sympathetic in scale and design to the nearby residential architecture.
- r. Placement and Screening of Rooftop Mechanicals and Equipment. All rooftop mechanicals and equipment shall be encompassed by opaque screening that is consistent in materials and style with the structure below, set back at least ten (10) feet from the building and penthouse facades, and may not be visible from an elevation of five (5) feet on the opposite side of the adjacent public right of way.
- s. Rooftop stairwell enclosures must be setback at least ten (10) feet from the building and penthouse facades, and may not be visible from an adjacent public right of way.
- t. Adequate facilities for storage of refuse must be indicated on the site plan. The method of collection must also be indicated on said plan. All such storage areas must be screened from view from street and from adjoining properties using opaque materials.
- u. Common area indoor bicycle storage facilities shall be designed so that bicycles can be easily and properly secured, and access to the street shall be impeded by stairs or tight corners. It is recommended that the bicycle storage facility be contained within the parking garage; however, facilities may be divided up among multiple locations.
- v. Utility meters: Utility meters must not be visible from the public right-of-way.
- w. Exterior utility boxes must be installed below grade.
- x. Security gates: Security gates may be installed in the shop front. All security gates must be installed in the interior of the storefront and must be of the openlink variety.

#### 7. Off-Street On-site Parking Requirements

- a. **Residential:** Minimum and maximum of 1 space per residential unit. If the property is developed or at any time becomes a condominium, the unit deed for each residential condominium unit must include an off-street on-site parking space as a limited common element. If the property is developed or at any time becomes a rental building, the rental agreement for each residential unit MUST include an assignment of an off-street on-site parking space.
  - b. **Non-residential uses:**
    - i. Minimum of one (1) space per 600 square feet of retail area and one (1) space per four (4) restaurant seats, excluding the first 3,500 square feet of combined retail and restaurant use in the structure.
    - ii. For all other non-residential uses, a minimum of one (1) space per 1,000 square feet be provided, without exclusions.
8. Entrance to the parking area must be limited to a single bay opening, or one set of adjacent double bay openings, which are located within the Suydam Avenue primary façade at least two hundred feet (200') from Communipaw Avenue. The combined width of vehicular bay openings in the façade may not exceed twenty feet (20').
9. Ceiling of residential parking area that is under the structure may not exceed three (3) feet above grade, with grade and slope of grade established as parallel to Suydam Avenue. The parking area may encroach upon the rear setback area, provided however, that the ceiling of the parking area is below grade, with grade and slope of grade established as parallel to Suydam Avenue. Non-residential parking area may be above grade, provided however, that it is separated from the public right-of-way by another use.

#### 10. Off-site requirements:

##### a. Roadway:

- i. The curb to curb distance of the Suydam Avenue cartway width must be at least thirty-two (32) feet in width in order to accommodate two directional traffic and parallel parking on both sides of the street, with two travel lanes of eight feet in width each and two parking lanes of eight feet in width each. The cartway may need to be widened in order to achieve this thirty-two feet width, however, curb bump outs along Suydam Avenue shall be provided at the pedestrian crosswalk at the intersection with Communipaw. The developer shall be

responsible for such improvements for the full length that abuts the redevelopment project.

- ii The full width of the Suydam Avenue cartway, for the full length that abuts the redevelopment project, must be either milled and paved or reconstructed. The extent and type of street work must be at the discretion of the City Engineer and to the satisfaction of the City Engineer.
- b. **Sewer system:** The sewer system must be addressed in accordance with Section VIII.J of the Morris Canal Redevelopment Plan.
- c. **Curbs:** Curbs on Suydam Avenue must be bluestone
- d. **Crosswalks:** New crosswalk lines must be painted in accordance with city standards at all municipally designated crosswalks that abut the district.
- e. **Sidewalks:** New French Gray concrete sidewalks must be provided, with scoring pattern subject to approval by the planning board. Saw cut is preferred.
  - i. **Communipaw Avenue:** The sidewalk must extend at least twelve (12) feet from the curb along Communipaw Avenue, which will require sidewalk construction within the Communipaw Avenue front setback area.
  - ii. **Suydam Avenue:** The sidewalk must extend at least six (6) feet from the lot line. A planting strip of four feet in width must be provided along the curb and planted with grass in addition to the required street trees. The sidewalk must extend from the lot line to the planting strip.
- f. **Street trees:** Street trees must be set at a rate of one (1) tree every twenty (20) feet, in a straight line that is located within four (4) feet of the curb, and must be installed at a minimum caliper of three to one-half to four (3 ½ - 4) inches. Along Communipaw Avenue, tree wells must be a minimum of fifteen (15) square feet, and be fitted with a decorative brick walking surface set in sand or dust, or decorative black iron grates. Any trees that are not resistant to the urban environment, or that die within two (2) years of planting, must be replaced by the developer.
- g. **Bike Rack:** An outdoor bike rack must be provided for public use along Communipaw Avenue.

## **I. J. Rail Transportation Corridor**

The zone shall encompass all lands as follows: Block 2034. Lots A, 9.A and 8, Block 2044.3, Lot A, Block 2044.4, Lot A, Block 2044.5, Lot A, Block 2048, Lots C, B1, and M.PL, Block 2095.5, Lots A and A.PL. In addition, all tax lots that are contained within an area described by a line that follows the centerlines of Johnston Avenue, Gateway Drive, the New Jersey Turnpike Extension, and the extended centerline of Communipaw Avenue, plus all tax lots that are between Block 2095.5, Lot A, the centerline of Johnston Avenue, the centerline of the New Jersey Turnpike Extension, and the extended centerline of Whiton Street, plus all tax lots that are between the extended centerline of Communipaw Avenue, the centerline of the New Jersey Turnpike Extension, the extended south-southwesterly block limit of Block 2044.3, and the extended block limit of Block 2044.3 in the direction it extends in its first one-hundred (100) feet south of Communipaw Avenue.

**Purpose:** It is appropriate to plan for additional stops along the LRT line that join with facilities that provide services to the nearby residents and workers who will utilize the stops. A cluster of small scale neighborhood retail with a newsstand, florist and small restaurant or café can be a desirable amenity to a neighborhood LRT stop. In addition, the planned narrow walkway that provides pedestrian access to the LRT stop will provide a convenient and pleasant route for residents to walk or bicycle to the various LRT stations in the area.

### **1. Permitted Principal Use**

- a. Light Rail Right of Way
- b. Light Rail Station or Stop.
- c. Neighborhood Retail.

- d. Other Rail Right of Way.
  - e. Park.
  - f. Walkway and Bikeway.
2. Accessory use
    - a. Outdoor seating.
    - b. Parking.
  3. Please refer to Mixed Use - A district for design standard and area, yard and bulk requirements. The LRT ROW shall be considered the same as the street for all design, area, yard, bulk and screening requirements.
  4. Structures on sites that are adjacent to planned LRT stops should provide public pedestrian access from the LRT stop to the building entrance.

**J. K. Residential**

This district shall encompass all lands north of the Rail Transportation Corridor district that are not contained within another district of this Plan.

Purpose: To protect and preserve the residential character of the Lafayette neighborhood through due consideration of scale, streetscape, setback, design, and impact.

1. Permitted Principal Use
  - a. Artist studio workspace.
  - b. Community Facility (On parcels that abut Communipaw Avenue or Johnston Avenue.)
  - c. House of Worship.
  - d. Park.
  - e. Parking that serves a park that is contained within the Residential Zone, and is within 100 feet of the park. Overnight parking shall be by permit only.
  - f. Residential.
  - g. Public purpose.
  - h. Walkways and Bikeways.
2. Accessory use
  - a. Off-street parking
3. Design standards
  - a. Please refer to the design standards in the Mixed Use – A District for design standards for this district, which shall be modified by what is listed below.
  - b. Residential density for any property shall not exceed the density that legally existed on that property at the time of the adoption of this Plan, provided, however, that in the case of vacant land the density shall be as regulated in the R-1 zoning district of the Municipal Land Development Ordinance.
  - c. In the case of undersized lots (those less than 25 by 100 feet) the maximum density shall be two dwelling units.
  - d. Existing homes are exempt from parking requirements, but all new development shall provide one of the following options:
    - (1) two parking spaces under the dwelling units, which spaces may be “stacked” and which must be at least three feet below finished grade as measured at the front of the house; or

- (2) in cases where the dead-end street right-of-way is widened to accommodate perpendicular parking (as described in section IV General Traffic Circulation and Parking Objectives), two perpendicular parking spaces per dwelling unit.
- (3) Or parking may be permitted in the R-1 zoning district of the Municipal Land Development Ordinance.
- e. All new development shall provide a landscaped area across at least 20 % of the front yard.
- f. Front yard parking is prohibited throughout the district.
- g. All one and two family homes shall be limited to two and a one-half stories, and may include a basement or cellar.
- h. Minimum lot sizes shall be 25 by 100 feet, except that existing lots of record may be redeveloped, but may not be reduced in size.

### **K. L. Whitlock Cordage Adaptive Reuse District**

This zone shall encompass all land contained within the following boundary as it existed at the time of adoption of this plan: Beginning at a point at the centerline of the vacated Manning Avenue at its southwesterly edge, thence extending northeasterly until its point of intersection with the extended centerline of Lafayette Street, thence extending southeasterly to the edge of the vacated Manning Avenue, thence extending northeasterly along the southeasterly edge of the vacated Manning Avenue to a point at the intersection with the centerline of Maple Street, thence extending northwesterly along the centerline of Maple Street until its point of intersection with Block 2057, Lot 15.K, thence extending northerly along the edge of Block 2057, Lot 15.K until its point of intersection with Block 2057, Lot 16, thence extending northerly along the edge of Block 2057, Lot 16, until its point of intersection with Block 2085.5, thence extending easterly, northerly, and westerly along a line that follows the perimeter of Block 2085.5, Lot A.11, until its point of intersection with Block 2085.5, Lot A.10, thence extending westerly and southwesterly along the northerly edges of Block 2085.5, Lots A.10, A.9, A.8, A.7, A.6, and A.5, until its point of intersection with Block 2058, Lot 1, thence in a south-westerly direction along a line that follows the northwesterly edge of the former Morris Canal and that divides Block 2058, Lot 1, until its point of intersection with the extended northeastern lot line of Block 2057, Lot 15.C, thence southeasterly along said extended lot line of Block 2057, Lot 15.C, as it extends in its southeasterly direction, and divides Block 2057, Lot 15.D, to its point of intersection with the point and place of beginning.

The following parcels shall be included within the boundary:

Block 2085.5, Lots A.11, A.10, A.9, A.8, A.7, A.6, and A.5

Block 2057, Lots 15.K (partial), S.1, S.2, (partial), S.3, 16 (partial), and 15.D (partial)

Block 2058, Lot 1 (partial).

A prerequisite of any development, redevelopment or adaptive reuse on block 2057, lot 15K, (which is formerly known as the Safety Pac Terminal, and formerly known as the Whitlock Cordage Company) is to provide improved street access to the site. Consideration for said improvement should be the rededication of previously vacated portions of Manning Avenue, Maple Street, Canal Street, or Bishop Street rights-of-way as they existed prior to vacation for vehicular and pedestrian circulation as soon as practical after the cessation of construction activities. Any rededication of the Bishop Street right-of-way should include unfettered and direct pedestrian access to Bishop Street from Lafayette Park. Any other access to Grand Street should include provision for unfettered and direct pedestrian access from Lafayette Park to Grand Street.

No structure should be constructed on land that was formerly the Morris Canal.

#### **1. Permitted Principal Use**

- a. Residential.
- b. Health Care Facility.

- c. Community Facility.
- d. Public purpose.
- e. Recreational Facility
- f. Combination of the above, subject to approval by the Planning Board.
- g. Park
- h. Artist work/live space, craftsman work/live space, office work/live space limited to lot 17.

2. Accessory use

- a. Parking.
- b. Group Dining Facility for a Health Care Facility.

3. Design Standards

- a. Please refer to the design standards contained within the Mixed Use – A District for this district as well.

4. Area, yard and bulk standards

- a. Maximum density for new residential development shall not exceed 50 units per acre, net, for any subdivided parcel.
- b. Health care facilities shall not exceed a floor area ratio of 2.5 to 1
- c. Minimum lot size shall be one acre for residential and health care facilities, 10,000 square feet for community facilities and public or semi-public uses. Combinations shall be governed by the greater requirement.
- d. All work/live units (as permitted in paragraph 1.h. above) must average 1000 square feet gross floor area limited to lot 17.
- e. Parking requirement is minimum one space per residential unit or work/live space, excluding housing developed for senior citizens.

**L. M. ADAPTIVE REUSE OVERLAY ZONES**

To provide options for property owners of certain significant and appropriate structures, and/or certain outmoded institutional and industrial structures, that existed at the time of adoption of this redevelopment plan to have greater flexibility in use than would be permitted by the underlying residential, retail or industrial district. **Adaptive Reuse Overlay - Zone A and Adaptive Reuse Overlay -Zone D** consists of certain properties that are contained within the Plan *Residential* zone. **Adaptive Reuse Overlay - Zone B** consists of a property that crosses the boundary between an *Industrial - A* zone (*Light Industrial*) and *Mixed Use - B* zone (*Neighborhood Retail and Residential*). **Adaptive Reuse Overlay - Zone C** consists of a property that exists within an *Industrial- A* zone (*Light Industrial*), but is on the cusp of an adjacent R-2 zone that is outside the Plan Area, and is across the street from parcels that are planned for parkland by this Plan.

The Adaptive Reuse Overlay Zones shall be in addition to, and not supersede, the underlying zoning categories. Furthermore, the Adaptive Reuse Overlay Zone shall apply only to those structures that existed at the time of adoption of this Plan, as listed within each Overlay Zone category of this Plan, or new construction on vacant land within the Overlay Zones which permit new construction as outlined elsewhere in this section. Should said structures be demolished, or the exterior be significantly altered, *except in compliance with the requirements of this section*, the subject parcel shall no longer be considered part of an Adaptive Reuse Overlay Zone, and the underlying Plan zoning requirements shall be in effect.

1. Design Standards

- a. Please refer to the design standards contained within the Mixed Use – A District for this district as well.

**2. Area, yard and bulk standards**

- a. The adaptive re-use of these properties shall exempt the property from all area, yard and bulk requirements, provided that the lot size is not reduced from that which existed at the time of the adoption of this Plan; that the coverage is not increased by more than 5 %; and that the height is not increased by more than one story or penthouse floor, unless the specific Overlay Zone allows new construction within the zone.

**3. List of Adaptive Reuse Overlay Zones and Permitted Uses:**

**a) Adaptive Reuse Overlay – Zone A**

Block	Lot	Address
2071	B3	68 Monitor Street
2074	24 and 23	279 Pine Street
2094	A	125 Monitor Street

**(1) Permitted Principal Use**

- (a) Artist studio workspace.
- (b) Banquet or Catering Facility.
- (c) Community Facility.
- (d) Indoor Recreational Facility.
- (e) Residential.
- (f) Restaurants/Cafés: sit-down only.
- (g) Senior Residential Facility.
- (h) Combination of the above, subject to approval by the Planning Board.
- (i) Work/live craftsperson studio is permitted for 68 Monitor Street only.
- (j) New Construction of residential buildings in a townhouse style shall be permitted on the southern portion of Block 2094 provided that the total unit count on Block 2094 does not exceed 180 dwelling units and subject to the following criteria:
  1. A total of fourteen (14) townhouses shall be permitted, with one (1) unit fronting on Monitor Street, eight (8) units on fronting on Johnston Avenue, and five (5) units fronting on Pine Street.
  2. The depth of each townhouse shall be at least 30 feet, but not more than 40 feet.
  3. The width of each townhouse shall be at least 20 feet, but not more than 32 feet.
  4. The foot print area of each townhouse style unit shall be at least 750 square feet and the minimum unit size for each dwelling unit shall be at least 2,250 square feet.
  5. Maximum Height – 3 & ½ stories and 45 feet.
  6. Density – Not more than 14 townhouse type dwelling units shall be constructed along the combined frontages of Monitor Street, Johnston Avenue and Pine Street, and the total unit count on Block 2094 shall not exceed 180 units.

**(2) Accessory use**

(a) Off-street parking- One parking space for each dwelling unit for Block 2094, Lot 8. Basement level parking shall be exempt from all setback requirements. Parking shall not count as coverage.

(b) Home occupations

**b) Adaptive Reuse Overlay – Zone B**

Block	Lot	Address
2082	A1	614-630 Grand Street

**(1) Permitted Principal Use**

- (a) Artist studio workspace.
- (b) Banquet or Catering Facilities
- (c) Business Incubators
- (d) Light Industrial
- (e) Neighborhood Retail
- (f) Offices
- (g) Restaurants/Cafés: sit-down only.
- (h) Combination of the above, subject to approval by the Planning Board.

**(2) Accessory use**

- (a) Off-street parking

**c) Adaptive Reuse Overlay – Zone C**

Block	Lot	Address
2063	P	26 Cornelison Avenue and State Street

**(1) Permitted Principal Use**

- (a) Residential.
- (b) Community Facility.
- (c) Senior Residential Facility.
- (d) Office.
- (e) Incubator.
- (f) Light Industrial.
- (g) Combination as follows:
  - (1) Any combination of (a) Residential, (b) Community Facility, and (c) Senior Residential Facility; **OR**
  - (2) Any combination of (d) Office, (e) Incubator, and (f) Light Industrial.

**(2) Accessory use**

- (a) Off-street parking.

**(3) Prohibited Uses**

- (a) Narcotic and drug abuse treatment center.

**d) Adaptive Reuse Overlay – Zone D**

Block	Lot	Address
2049	A 1	300 Communipaw Avenue
2071	2	40 Monitor Street

**(1) Permitted Principal Use**

(Ground floor shall mean the bottom floor of the facility, and which floor abuts Monitor Street to the West and abuts the vacated Garabrant Street to the East. First Floor shall mean the floor that is in part directly atop the ground floor, and in part extends beyond the footprint of the ground floor to also sit directly on the ground. In no event shall any part of the first floor be construed to be considered the ground floor. The Second Floor shall mean the floor that is directly atop the First Floor. The Third Floor shall mean the floor that is directly atop the Second Floor. The Fourth Floor shall mean the floor that is directly atop the Third Floor.)

**A. Ground and First Floor**

- (a) Artist studio workspace
- (b) Catering Facility
- (c) Community Facility
- (d) Health Club, maximum 5,000 square feet total floor area.
- (e) Residential
- (f) Restaurants / Cafes: sit-down only, including sidewalk cafes
- (g) Work/live artist studio
- (h) Work/live craftsperson studio
- (i) Work/live office
- (j) Office
- (k) Studios for Film Production and the Performing Arts

**B. Third and Fourth Floors**

- (a) Residential
- (b) Work/live artist studio

**C.** A combination of the above uses are permitted, subject to approval by the Planning Board.

**D.** Lot 2 in Block 2071 may only be used as open space and/or to provide a pedestrian entrance mews to the development on site.

**(2) Accessory Uses**

- (a) Home Occupation
- (b) Off-street parking
- (c) Retail sales of goods and services, limited to the ground floor of the existing building fronting on Monitor Street, and only when operated as part of a "Work/live" artist or craftsperson studio and limited to art, craft or goods produced on site.
- (d) Ancillary Storage Areas for residential units shall be required to be provided on the ground floor of the building for the storage of personal and household items, bicycles, etc.

**(3) Parking Standards**

- (a) Office, retail and other commercial uses shall provide a minimum of one (1) parking space per 1,000 square feet of gross floor area; except that the

first 5,000 square feet of any individual retail establishment shall be exempt from this standard.

- (b) Residential – 0.5 parking spaces per unit.
- (c) Recognizing the preexisting nature of the building within this district and the intent of this Plan to preserve this building in place and accommodate its redevelopment; the shared use of parking spaces between residential and commercial uses shall be permitted upon submittal of a parking management plan describing how the parking spaces will be assigned and upon Site Plan review and approval of the Planning Board.

(4) Additional Design Standards

- (a) In addition to the Design Standards contained within the Mixed Use – A District, which apply to all Adaptive Reuse Overlay Zones, the building located at 300 Communipaw Avenue shall maintain the existing entrance located along Communipaw Avenue as a functional means of ingress and egress to at least the first floor (i.e. the floor above the ground floor) of the building. The appearance of this entrance as a “Main Entrance” to the building and focal point in the Communipaw Avenue façade shall be maintained. The design of this entrance shall be in keeping with the architectural style and character of the building.

**M. N. Johnston Avenue Gateway District**

This district shall encompass Tax Lots A, B1, B2, 15, 16, 17 and 18 on Block 2070; Tax Block 2072 in its entirety inclusive of the vacated portions of Garrabrant Street and Maple Street; Tax Block 2073 in its entirety; and Tax Lots D, E, F, G and 11 on Block 2096. The Johnston Avenue Gateway District has been further subdivided into sub-districts on a Block and Lot basis. The development regulations have been developed on this sub-district basis as indicated in the following sections. The design standards of the Mixed Use – A district shall apply in this district except as modified in each individual sub-district.

Purpose: As a gateway to Liberty State Park and the Lafayette Light Rail Station, it is important to promote new coordinated development along the Johnston Avenue corridor. In addition, this district’s proximity to the Light Rail Station and the potential for Maple Street to be extended to the Light Rail Station makes this district appropriate for somewhat higher intensity development consistent with the principals of Smart Growth and Transit Oriented Development.

- 1. Sub-District A – This sub-district shall be comprised of Tax Lots D, E, F, G and 11 on Block 2096.
  - a. Permitted Principal Use –
    - Multi-family Residential
  - b. Accessory Uses
    - Off-street parking, only within the principal structure
    - Retail sales of goods and services
    - Restaurants
  - c. Maximum Height - 105 feet, consisting of not more than a two (2) level building base containing off-street parking, lobby area and retail space; and seven (7) stories of residential dwelling units. Each residential floor shall have a minimum height of nine (9) feet from floor to ceiling. The top residential floor (i.e. the penthouse level) may be double height and contain a mezzanine area within each unit.
  - d. Maximum Density – 125 dwelling units per acre.

- e. Required Setbacks – None for the two (2) level base of the building.
  - f. Required Building Stepbacks – The residential portion of the building above the base shall be setback at least five (5) feet from the front property line and the western side property line, and at least fifteen (15) feet from the rear property line running along the railroad right-of-way. In addition, the penthouse levels shall have an additional setback of at least five (5) feet along the Johnston Avenue frontage and at least ten (10) feet on all other sides.
  - g. Parking Requirements – Parking shall be provided at a ratio of at least one (1) parking space per dwelling unit. Additional parking beyond that required may be provided as tandem or stacked parking spaces.
  - h. Additional Design Standards – Because of the location of this sub-district at the far eastern end of Johnston Avenue, the design of any structure in this area may incorporate more contemporary materials and design features. However, materials used in the base of the building and in that portion of the building in closer proximity to the existing townhouses to the west shall consist primarily of masonry. The design of the building shall incorporate visual cues, material changes and/or stepbacks in order to provide an architectural transition from the existing townhouse structures to the higher rise residential structure permitted in this sub-district.
2. Sub-District B – This sub-district shall be comprised of Tax Block 2072 in its entirety, inclusive of the vacated portions of Garrabrant Street and Maple Street.
- a. Permitted Principal Use –
    - Multi-family Residential
  - b. Accessory Uses
    - Off-street parking, only within the principal structure.
    - Retail sales of goods and services and Restaurants along the Johnston Avenue frontage only.
    - Child care centers.
    - Resident amenity areas such as gymnasium and exercise rooms, meeting rooms, indoor and outdoor recreation areas, etc.
  - c. Maximum Height
    - Along Johnston Avenue for a depth of 100 feet, the maximum height shall be 14 stories and 150 feet.
    - Along Maple Street for a depth of 100 feet, the maximum height shall be 8 stories and 90 feet.
    - Along Garrabrant Street, the maximum height shall be 6 stories and 65 feet. In addition, a 7<sup>th</sup> floor penthouse may be constructed provided that it is setback at least five (5) feet from the front façade.
    - Along Monitor Street, the maximum height shall be 5 stories and 55 feet. In addition, a 6<sup>th</sup> floor penthouse may be constructed provided that it is setback at least five (5) feet from the front façade.
    - Each residential floor shall have a minimum height of nine (9) feet from floor to ceiling.
  - d. Maximum Density – 125 dwelling units per acre, inclusive of the vacated portions of Garrabrant and Maple Streets.
  - e. Required Front Setbacks – All first floor residential portions of the building must be setback at least five (5) feet from the property line in order to provide a landscaped area / front yard

between the building and the sidewalk area. Commercial frontages may adjoin the sidewalk line. Upper level residential floors may partially extend into the setback area and over the commercial areas in an articulated fashion in order to provide architectural interest and character.

- f. Required Rear Setbacks – The rear wall of any residential portion of the building may not be located any further than seventy-five (75) feet from the front property line parallel to and nearest to said rear wall. The distance between any two rear walls parallel to, or nearly parallel to each other shall not be less than fifty (50) feet.
  - g. Required Building Stepbacks – Buildings fronting on Maple Street and Johnston Avenue shall provide a stepback of at least five (5) feet from the front property line at a height between twenty (20) and fifty (50) feet. Additional stepbacks near the buildings top are also required in order to provide architectural interest.
  - h. Parking Requirements – Parking shall be provided at a ratio of at least one (1) parking space per dwelling unit. Additional parking beyond that required may be provided as tandem or stacked parking spaces. Parking may cover interior portions of the development block.
  - i. Additional Design Standards – Because of the location of this sub-district at the far eastern end of Johnston Avenue, the design of any structure in this area may incorporate more contemporary materials and design features. However, materials used in the base of the building shall consist primarily of masonry. More contemporary materials such as glass and metal panels may be incorporated in the upper levels of the building and the eastern facing facades in order to provide architectural interest. All parking use areas shall be ringed with active use areas such as residential or commercial and shall be covered by a roof deck. The roof deck over parking areas shall be landscaped and designed for use as an outdoor amenity space.
3. Sub-District C – This sub-district shall be comprised of Tax Block 2073 in its entirety.
- a. Permitted Principal Use –
    - Multi-family Residential
  - b. Accessory Uses
    - Off-street parking, only within the principal structure
    - Retail sales of goods and services and Restaurants along the Johnston Avenue frontage only.
    - Child care centers.
    - Resident amenity areas such as gymnasium and exercise rooms, meeting rooms, indoor and outdoor recreation areas, etc.
  - c. Maximum Height
    - Along Johnston Avenue and along Maple Street for a depth of 100 feet, the maximum height shall be 8 stories and 90 feet.
    - Along Monitor Street and Pine Street, the maximum height shall be 5 stories and 55 feet. In addition, a 6<sup>th</sup> floor penthouse may be constructed provided that it is setback at least five (5) feet from the front façade.
    - Each residential floor shall have a minimum height of nine (9) feet from floor to ceiling.
  - d. Maximum Density – 125 dwelling units per acre.
  - e. Required Front Setbacks – All first floor residential portions of the building must be setback at least five (5) feet from the property line in order to provide a landscaped area / front yard

between the building and the sidewalk area. Commercial frontages may adjoin the sidewalk line. Upper level residential floors may partially extend into the setback area and over the commercial areas in an articulated fashion in order to provide architectural interest and character.

- f. Required Rear Setbacks – The rear wall of any residential portion of the building may not be located any further than seventy-five (75) feet from the front property line parallel to and nearest to said rear wall. The distance between any two rear walls parallel to, or nearly parallel to each other shall not be less than fifty (50) feet.
  - g. Required Building Stepbacks – Buildings fronting on Maple Street and Johnston Avenue shall provide a stepback of at least five (5) feet from the front property line at a height between twenty (20) and fifty (50) feet. Additional stepbacks near the buildings top are also required in order to provide architectural interest.
  - h. Parking Requirements – Parking shall be provided at a ratio of at least one (1) parking space per dwelling unit. Additional parking beyond that required may be provided as tandem or stacked parking spaces. Parking may cover interior portions of the development block.
  - i. Additional Design Standards – Buildings constructed in this area may incorporate more contemporary materials and design features. However, materials used in the base of the building shall consist primarily of masonry. More contemporary materials such as glass and metal panels may be incorporated in the upper levels of the building in order to provide architectural interest. All parking use areas shall be ringed with active use areas such as residential or commercial and shall be covered by a roof deck. The roof deck over parking areas shall be landscaped and designed for use as an outdoor amenity space.
4. Sub-District D – This sub-district shall be comprised of Tax Lots A, B1, B2, 15, 16, 17 and 18 on Block 2070.
- a. Permitted Principal Use –
    - Multi-family Residential
  - b. Accessory Uses
    - Off-street parking, only within the principal structure
    - Resident amenity areas such as gymnasium and exercise rooms, meeting rooms, indoor and outdoor recreation areas, etc.
  - c. Maximum Height
    - The maximum height shall be 5 stories and 55 feet.
    - Each residential floor shall have a minimum height of nine (9) feet from floor to ceiling.
  - d. Maximum Density – 110 dwelling units per acre.
  - e. Required Streetfront Setbacks – All first floor residential portions of the building must be setback at least five (5) feet from any street line in order to provide a landscaped area / front yard between the building and the sidewalk area. Bay windows on upper level residential floors may partially extend into this setback area in order to provide architectural interest and character.
  - f. Interior Lot Line Setbacks – The setback from any interior lot line shall be 15 feet. Parking may extend into the required yard area provided that the floor of the parking level is located at least three feet below grade and the parking is enclosed within the principal structure or extension thereof. The roof of the parking portion of the structure may be no more than eight (8) feet above grade and shall be designed and/or landscaped for use as an outdoor terrace

area.

- g. Parking Requirements – Parking shall be provided at a ratio of at least one (1) parking space per dwelling unit. Additional parking beyond that required may be provided as tandem or stacked parking spaces.

## **XII. ACQUISITION**

- A. Refer to Map F.



136 Monitor Street	2095	15
136 Pine Street	2046	1
138 Halladay Street	2030	C
138-148 Pine Street	2046	2B
138-148 Pine Street	2046	3
138-148 Pine Street	2046	4A
138-148 Pine Street	2046	5A
138-148 Pine Street	2046	6A
138-148 Pine Street	2046	2A
139 Lafayette Street	2056	15A
139 Woodward St.	2040	C17
14 Bishop St. & Canal	2084	58
14-6 Summit Av.	2059	24
14-6 Summit Av.	2059	6
14-6 Summit Av.	2059	7
14-6 Summit Av.	2059	23
140 Halladay Street	2030	D
142 Halladay Street	2030	E
143 Van Horne St.	2041	32
144 Halladay Street	2030	22A
144 Van Horne St.	2042	D1
145 Pacific Ave.	2024	8
146 Halladay Street	2030	23A
147 Pacific Ave.	2024	7
148 Halladay Street	2030	23B
149-151 Pacific Ave.	2024	6
149-151 Pacific Ave.	2024	5
15 Halladay St.	2016	29
15 Halladay St.	2016	30
15 Halladay St.	2016	31
15 Halladay St.	2016	32
15 Halladay St.	2016	33
15 Halladay St.	2016	34
15 Halladay St.	2016	35
15 Halladay St.	2016	36
15 Halladay St.	2016	37
15 Halladay St.	2016	40
15 Halladay St.	2016	41

15 Halladay St.	2016	42
15 Halladay St.	2016	43
15 Halladay St.	2016	44
15 Halladay St.	2016	45
15 Halladay St.	2016	46
15 Halladay St.	2016	51
15 Halladay St.	2016	28
150 Pine Street	2046	7A
151 Halladay Street	2029	2
151 Halladay Street	2029	A
151 Halladay Street	2029	1
152 Pine Street	2046	8
156 Pine Street	2046	10
157 Pacific Ave.	2024	4
157 Van Horne St.	2041	G1
158 Halladay St.	2042	K1
159 Pacific Ave.	2024	3
16 Bishop St. & Canal	2084	59
161 Pacific Ave.	2024	2
163 Pacific Ave.	2024	1
164 Pine Street	2046	12
166 Van Horne St.	2042	O1
172-180 Pine Street	2032	2d
172-180 Pine Street	2032	2C
175 Pacific Ave.	2030	N3
175 Van Horne St.	2041	M
176 Halladay Street	2034	A1
184-198 Pacific Ave.	2031	A
189 Halladay St.	2035	7
189 Pacific Ave.	2030	1A
193 Halladay St.	2035	5
193 Van Horne St.	2041	W
195 Van Horne St.	2041	X
197 Van Horne St.	2041	Y
199 Van Horne St.	2041	Z
2 Dakota St.	2026A	3A
2-22 Pacific Ave.	2018	36
2-22 Pacific Ave.	2018	37

2-22 Pacific Av.	2018	38
2-22 Pacific Av.	2018	39
2-22 Pacific Av.	2018	40
2-22 Pacific Av.	2018	41
2-22 Pacific Av.	2018	42
2-22 Pacific Av.	2018	43
2-22 Pacific Av.	2018	44Cor
2-22 Pacific Av.	2018	35
2-68 Halladay St.	2017	OPLOTH
201 Halladay St.	2035	1
201 Van Horne St.	2041	L1
201-3 Woodward Street	2056	5A
201-3 Woodward Street	2056	4B
203 Halladay Street	2042	36
205 Halladay Street	2042	35
205 Woodward Street	2056	6C
207 Woodward Street	2056	8C
209 Halladay Street	2042	I
209 Woodward Street	2056	A4
21-Caven-Pt. Rd	1491	1D1
210-240 Pacific Av.	2045	25A
210-240 Pacific Av.	2044	25A
211 Halladay St.	2042	J
213 Halladay Street	2042	K
214 Halladay St.	2043	A1Dup
214 Pine St.	2050	4A
215 Halladay St.	2042	L
217 Halladay Street	2042	31
218 Pine St	2050	6A
218 Suydam Av.	2047	B
220 Pine St.	2050	7
222 Van Horne St.	2054	27
222-224 Pine St.	2050	8
224 Van Horne St.	2054	26
225 Halladay Street	2042	27
226-228 Pine St.	2050	T
228 Van Horne St.	2054	24a

23 Cornellison Avenue	1916	2L
23 Fairmont Av.	2083	11
233 Suydam Av.	2046	55
233 Suydam Av.	2046	50A
234 Suydam Av.	2047	7
236 Pine St.	2070	32
236 Suydam Av.	2047	8
236 Van Horne St.	2054	19c
237 Suydam Av.	2046	43
237 Suydam Av.	2046	44
237 Suydam Av.	2046	45
237 Suydam Av.	2046	46
237 Suydam Av.	2046	47
237 Suydam Av.	2046	48
237 Suydam Av.	2046	42
238 Halladay St.	2043	52
238 Suydam Av.	2047	9
239 Suydam Av.	2046	41
24-46 Pacific Av.	2018	46
24-46 Pacific Av.	2018	47
24-46 Pacific Av.	2018	48
24-46 Pacific Av.	2018	49
24-46 Pacific Av.	2018	50
24-46 Pacific Av.	2018	51
24-46 Pacific Av.	2018	52
24-46 Pacific Av.	2018	53
24-46 Pacific Av.	2018	54
24-46 Pacific Av.	2018	55
24-46 Pacific Av.	2018	56
24-46 Pacific Av.	2018	45
240 Pine St.	2070	2
240 Suydam Av.	2047	10
241 Suydam Av.	2046	40
242 Whiton Street	2045	45
243 Suydam Av.	2046	39
243-245 Whiton Street	2044	KCor
243-245 Whiton Street	2044	10B
245 Suydam Av.	2046	38

247 Pacific Av.	2043	FDup
248 Pine St.	2070	6
249 Halladay St.	2042	W
25 Fairmont Av.	2083	12
25 Halladay St.	2016	A1
250 Pine St.	2070	7
252 Suydam Avenue(rear portion only)	2047	16
252 Suydam Avenue (rear portion only)	2047	24E
252 Van Horne St.	2066	27
254 Halladay St.	2043	60
256 Pacific Av.	2044	L2
256-258 Johnston Av.	2096	G
258 Pine St.	2070	11
26 Cornelison & State Sts.	2063	P
260 Pine Street	2070	A
262-272 Johnston Av.	2096	D
262-272 Johnston Av.	2096	E
262-272 Johnston Av.	2096	F
262-272 Johnston Av.	2096	11
264 Pine Street	2070	B2
266 Pine Street	2070	B1
268 Pine Street	2073	A
269 Communipaw Ave.	2047	25d
27-31 Fairmont Av.	2083	14
27-31 Fairmont Av.	2083	15A
27-31 Fairmont Av.	2083	13
270 Pacific Ave.	2044	G1
271-5 Communipaw Av.	2047	24D
271-5 Communipaw Ave.	2047	25
272 Pacific Ave.	2044	F1
277 Communipaw Av.	2047	24C
278-288 Johnston Av.	2096	9pl
278-288 Johnston Av.	2096	10
28 Pine Street	2020	2
280 Halladay St.	2053	28b
282 Pine Street	2073	22

282 Pine Street	2073	23
282 Pine Street	2073	24
282 Pine Street	2073	E
282 Pine Street	2073	21
287 Whiton St.	2052	27A
288 Halladay St.	2053	25
290 Halladay St.	2053	24b
290 Whiton St.	2051	G
290-292 Johnston Av.	2095	26
290-292 Johnston Av.	2095	25
291 Halladay St.	2054	9
292 Halladay St.	2053	24a
292 Whiton St.	2051	H
293 Halladay St.	2054	10
294 Halladay St.	2053	23b
294 Johnston Av.	2095	M1
294 Whiton St.	2051	9
295 Halladay ST	2054	11a
295-303 Communipaw Av.	2046	PLA
295.5 Halladay St.	2054	11b
296 Halladay St.	2053	23a
296 Johnston Av.	2095	L1
297 Halladay St.	2054	12
298 Halladay St.	2053	22b
298 Johnston Av.	2095	K1
29A Monitor St.	2050	13.B
300 Communipaw Av.	2049	A1
300 Halladay St.	2053	22a
300 Johnston Ave.	2095	J1
302 Johnston Avenue	2095	G1
304 Johnston Avenue	2095	H1
304 Halladay St.	2053	21
304-302 Communipaw Ave.	2050	26a
305 Communipaw Av.	2046	25B
306 Communipaw Ave.	2050	p
306 Johnston Ave.	2095	F1
307 Pine Street	2093	46A

309 Johnston Avenue	2073	19	
309-11 Pine Street	2093	44A	
31 Cornelison Avenue	1916	3B	
31 Monitor St.	2050	13A	
311 Johnston Avenue	2073	18	
313 Communipaw Av.	2046	H	
313 Halladay St.	2066	3	
313-15 Pine Street	2093	41A	
315 Halladay St.	2066	4	
315 Johnston Avenue	2073	17	
315 Johnston Avenue	2073	16	
317 Johnston Avenue	2073	15A	
317 Pacific Ave.	2053	7A	
317-19 Pine Street	2093	40	
317-19 Pine Street	2093	39	
319 Halladay St.	2066	6	
319 Johnston Avenue	2073	14A	
319 Pacific Ave.	2053	8	
32-34 State St.	2081	2dup	
32-34 State St.	2081	1dup	
321 Johnston Avenue	2073	13	
321 Pine Street	2093	36	
323 Halladay St.	2066	O	
323 Pine Street	2093	37	
325 Halladay St.	2066	N	
325 Pine Street	2093	38	
326-8 Johnston Ave.	2093	45A	
327 Pine Street	2093	35	
329 Pine Street	2093	34	
33 Fairmont Av.	2083	16A	
33-47 Carteret Av.	2018	A1	
33-49 Pacific Av.	2017	A1	
331 Pine Street	2093	33	
341 Communipaw Ave.	2044	J	
348 Communipaw Ave.	2052	33	
35 Fairmont Av.	2083	17A	
357 Bramhall Av.	2035	A	
358 Bramhall Av.	2042	H	

358A Bramhall Av.	2042	GDup	
359 Bramhall Av.	2035	B	
363 Bramhall Av.	2035	E	
366-64A Bramhall Av.	2042	Bdup	
366-64A Bramhall Av.	2042	Adup	
37 Bishop St.	2081	15	
37-49 Fairmont Av.	2083	19	
37-49 Fairmont Av.	2083	20	
37-49 Fairmont Av.	2083	21	
37-49 Fairmont Av.	2083	22	
37-49 Fairmont Av.	2083	23	
37-49 Fairmont Av.	2083	24	
37-49 Fairmont Av.	2083	18	
371-3 Communipaw Av.	2042	8	
375 Communipaw Av.	2042	7	
377 Communipaw Av.	2042	6	
379 Bramhall Av.	2036	B	
379 Communipaw Av.	2042	5	
379A Bramhall Av.	2036	A	
381 Communipaw Av.	2042	4	
385 Communipaw Av.	2042	2	
387 Communipaw Av.	2042	1	
388 Communipaw Ave.	2055	4a	
39 Bishop St.	2081	16	
39-43 Cornelison Ave.	1916	4K	
4-10 Ash Street	2097	6B	
40 Monitor Street	2071	2	
406 Communipaw Ave.	2056	4C	
408-10 Whiton Street	2093	5A	
408-10 Communipaw Ave.	2056	4e	
408-10 Communipaw Ave.	2056	4D	
41 Bishop St.	2081	17	
412 Communipaw Ave.	2056	32B	
412-14 Whiton Street	2093	7A	
416-18 Whiton Street	2093	B1	
416B Communipaw Ave.	2056	30B	
417 Communipaw Ave.	2040	8	

417 Communipaw Ave.	2040	C4	
417 Communipaw Ave.	2040	7	
417 Communipaw Av.	2040	12A	
417 Communipaw Av.	2040	13	
417 Communipaw Av.	2040	11A	
418B Communipaw Ave.	2056	29A	
420 Communipaw Ave.	2056	28A	
420 Whiton Street	2093	11	
422-24 Whiton Street	2093	13	
422-24 Whiton Street	2093	12	
426 Whiton Street	2093	14	
428 Whiton Street	2093	15	
43 Bishop St.	2081	19	
43 Bishop St.	2081	20	
43 Bishop St.	2081	18	
430 Communipaw Av.	2057	15D	
430 Whiton Street	2093	16	
437 Communipaw Av.	2040	C9	
442 Whiton Street	2097	10	
444 Whiton Street	2097	12	
444 Whiton Street	2097	13	
444 Whiton Street	2097	11	
45 Halladay St.	2016	A2	
453 Communipaw Av.	2040	C12	
457 Communipaw Av.	1948.5	B	
458 Johnston Av.	2083	65	
46 State Street	2081	8A	
460 Johnston Av.	2083	64	
461-65 Communipaw Av.	1948	2A	
461-65 Communipaw Av.	1948	1	
462 Johnston Av.	2083	63DUP	
464 Johnston Av.	2083	63	
466 Communipaw Av.	2058	2	
466 Johnston Av.	2083	62	
467 Communipaw Av.	1948	3A	
468-474 Johnston Ave.	2083	58A	
470 Communipaw Av.	2059	26	
470 Communipaw Av.	2059	4	

470 Communipaw Av.	2059	5
470 Communipaw Av.	2059	B
470 Communipaw Av.	2059	25
478 Johnston	2083	57A
478 Johnston	2083	56
478A Communipaw Ave.	2060	23D
48 Monitor Street	2071	6
48-50 Maple Street	2072	C
480 Communipaw Ave.	2060	13
482 Communipaw Ave.	2060	11
482 Johnston Av.	2083	55
482 Johnston Av.	2083	54
484-6 Johnston Av.	2083	53
484-6 Johnston Av.	2083	52
49-51 Bishop St.	2081	22
49-51 Bishop St.	2081	21
5-3 Summit Avenue	2060	21A
506-Caven-Pt-Rd.	2020	4B
51-69 Fairmont Av.	2083	44C
51-99 Pacific Av.	2017	25-Jan
514-516 Johnston Av.	2083	38
514-516 Johnston Av.	2083	37
52-54 Maple Street	2072	B
532 Johnston Av.	2083	80B
537-543 Johnston Av.	2082	A13
545-9 Johnston Av.	2082	A12
55 Bishop St.	2081	23
550 Johnston Av.	2083	85A
56-58 Maple Street	2072	A
56-58 Maple Street	2072	3A
57 Bishop St.	2081	24
59 Bishop St.	2081	26
59 Bishop St.	2081	25
590-596 Grand Street	2083	C1
590-596 Grand Street	2083	d1
590-596 Grand Street	2083	E1
590-596 Grand Street	2083	E2
590-596 Grand Street	2083	5

598 Grand St.	2083	c2
6 Bishop St. & Canal	2084	10
600-10 Grand Street	2083	92
61-67 Bishop Street	2081	30dup
61-67 Bishop Street	2081	31dup
61-67 Bishop Street	2081	32dup
61-67 Bishop Street	2081	29
614-630 Grand Street	2082	A1
619-623 Grand St.	2084	5
619-623 Grand St.	2084	6
619-623 Grand St.	2084	4
625 Grand St.	2084	3
627 Grand St.	2084	2A
629 Grand St.	2084	1A
631 645A Grand St.	2058	17
631 645A Grand St.	2058	K
631 645A Grand St.	2058	16
632-36 Grand St.	2081	11
632-36 Grand St.	2081	9
632-36 Grand St.	2081	10
638-650 Grand St.	2081	13
638-650 Grand St.	2081	14
638-650 Grand St.	2081	3
638-650 Grand St.	2081	4A
638-650 Grand St.	2081	5A
638-650 Grand St.	2081	6
638-650 Grand St.	2081	7
638-650 Grand St.	2081	8
638-650 Grand St.	2081	12
645-647 Grand St.	2058	15
649-659 Grand St.	2058	14
649-659 Grand St.	2058	H
649-659 Grand St.	2058	J
649-659 Grand St.	2058	13
65 Monitor Street	2070	18
65 Woodward St.	2040	D3
652 Grand St.	2081	2

654 Grand St.	2081	1
656 Grand Street	2063	E
658 Grand Street	2063	D
667-665 Grand St.	2058	F
667-665 Grand St.	2058	G
667-665 Grand St.	2058	E
669 Grand St.	2058	8
67 Monitor Street	2070	17
69 Monitor Street	2070	16
69-71 Bishop St.	2081	A2
695- 675 Grand St.	2058	6
695- 675 Grand St.	2058	7
695- 675 Grand St.	2058	5
697 Grand St.	2059	A1
7 Summit Avenue	2060	20
70 Cartteret Av.	2026-A	3B
70 Caven-pt. Rd	2007-I	4
70-84 Halladay St.	2024	44A
701 Grand St.	2059	19A
701 Grand St.	2059	A2
701 Grand St.	2059	18A
703 Grand St.	2059	12
705 Grand St.	2059	11
707 Grand St.	2059	9C
707 Grand St.	2059	10
71 Fairmont Av.	2083	35
71 Monitor Street	2070	15
711-709 Grand St.	2059	8
713 Grand Street	2060	16
715 Grand Street	2060	15
717 Grand Street	2060	E
719 Grand Street	2060	D
72 Maple Street	2073	32
72-76 Bishop Street	2082	A11
72-76 Bishop Street	2082	A14
72-76 Bishop Street	2082	A10
721 Grand Street	2060	C
721.5 Grand Street	2060	B

723 Grand Street.	2060	A
73 Fairmont Av.	2083	36
73-85 Bishop St.	2081	14a
73-85 Bishop St.	2081	15a
73-85 Bishop St.	2081	16a
73-85 Bishop St.	2081	17a
73-85 Bishop St.	2081	18a
73-85 Bishop St.	2081	19a
73-85 Bishop St.	2081	20A
73-85 Bishop St.	2081	A1
73-85 Bishop St.	2081	13a
74 Woodward St.	2036	33
74- 74A Maple Street	2073	1
75 Fairmont Av.	2083	74
75 Woodward St.	2040	D2
76 Woodward St.	2036	34
78 Bishop Street	2082	A9
78 Bishop Street	2082	A16
78 Woodward St.	2036	35
78-82 Forrest St.	2029	S
784 Garfield Av.	2007-1	1
790 Garfield Av.	2007-1	2A
8 Bishop St. & Canal	2084	11
802-4 Garfield Av.	2007-1	3A
808 Garfield Av.	2006-A	1
81 Monitor Street	2073	28
81 Monitor Street	2073	29
81 Monitor Street	2073	30
81 Monitor Street	2073	31
81 Monitor Street	2073	27
816 Garfield Av.	2006-A	3
824 Garfield Av.	2006-A	2
84 Forrest Street	2029	11
846 Garfield	2007	23
846 Garfield	2007	24
846 Garfield	2007	25
846 Garfield	2007	26
846 Garfield	2007	30

846 Garfield	2007	31
846 Garfield	2007	32
846 Garfield	2007	33
846 Garfield	2007	34
846 Garfield	2007	35
846 Garfield	2007	36
846 Garfield	2007	37
846 Garfield	2007	5
846 Garfield	2007	22
846 Garfield Av.	2007	21
85-91 Van Horne St.	2036	20
85-91 Van Horne St.	2036	r1
85-91 Van Horne St.	2036	19
851 Garfield Av.	2002	B
851 Garfield Av.	2002	C
851 Garfield Av.	2002	A
855 Garfield Av.	2002	81B
859 Garfield Av.	2002	3A
86 Forrest St.	2029	A5
861 Garfield Av.	2002	3B
88-94 Bishop Street	2082	A15
880 Garfield Av.	2026-A	2A
9 Summit Avenue	2060	19
90 Van Horne St.	2035	21
900 Garfield Av.	2026-A	1
91 Maple St.	2069	14
92 Van Horne St.	2035	22
92-94 Halladay St.	2024	46
92-94 Halladay St.	2024	45
923 Garfield Av.	2002	91A
923 Garfield Av.	2002	64BC
93 Maple St.	2069	13
94 Van Horne St.	2035	23
94 Woodward Street	2036	43
942 Garfield Av.	1948	4B
944 Garfield Av.	1948	42A
946 Garfield Av.	1948	41A

948 Garfield Av.	1948	40
95 Van Horne St.	2036	17
95-7 Maple St.	2068	26
960- 958 Garfield Av.	1948	36A
964 Garfield Ave.	1948	35
966 Garfield Ave.	1948	34
968 Garfield Ave.	1948	33
97 Monitor Street	2073	20
97 Van Horne St.	2036	16
970 Garfield Ave.	1948	32
972 Garfield Ave.	1948	31
974-976 Garfield Ave.	1948	29
974-976 Garfield Ave.	1948	30
978 Garfield Ave.	1948	28
98 Forrest Street	2029	A7
98 Halladay St.	2024	47
98 Van Horne St.	2035	25
980 Garfield Ave.	1948	26
980 Garfield Ave.	1948	27
984 Garfield Ave.	1948	25B
984-990 Garfield Av.	1948	24A
99 Maple St.	2068	25
99 Van Horne St.	2036	15
Ash & Pine Streets	2097	6C
Bishop St. (vacated)	2085.1	S4
Bishop St. (vacated)	2085.1	S3
Canal Street	2058	S
Caven Pt. Rd	1491	1G4
Caven Pt. Rd	1491	1A
Caven Pt. Rd.	2020	4D
Caven Pt. & CRR	2020	1F
Caven Pt. & CRR	2020	1B
Communipaw Av.	2057	16
CRR	2020	3A
CRR	2020	1E
CRR & Pine St	2020	1D
CRR etc.	2020	3
Dakota St. Vac.	2026-A	4A

End of Pine Street	2046	Adup
Forrest Street	2028	E2
Forrest Street	2028	E2
Garabrant St.(vacated)	2071	V1
Garabrant St.(vacated)	2048	V2
Inside Garfield Av.	1948	25C
Inside Garfield Ave.	1948	44
Inside Halladay St.	2029	A4
Lafayette St. (vacated)	2057	S1
Manning Av.	2040	J1
Manning Av.	2040	K
Manning Av.	2057	15K
Manning Av.	2040	H
Manning Av. (vacated)	2057	S2
Maple St.(vacated)	2071	s2
Maple St.(vacated)	2071	s1
Maple Street	2072	S
Maple Street	2072	30C
Maple Street (vacated)	2057	S3
Morris Canal	2085.5	A10
Morris Canal	2085.5	A11
Morris Canal	2085.5	A5
Morris Canal	2085.5	A6
Morris Canal	2085.5	A7
Morris Canal	2085.5	A8
Morris Canal	2085.5	A9
Morris Canal	2040	b1
Pacific Ave. (vacated)	1491	1DIPac
Pine St. & CRR	2033	7A
Pine Street	2033	1d
Pine Street	2033	2A
Pine Street	2033	1G
Pine Street & CRR	2033	9
Rear of Pine Street	2033	7
State St. & Cornelison	2063	2
State St. & Cornelison	2063	3
State St. & Cornelison	2063	4
State St. & Cornelison	2063	5

State St. & Cornelison	2063	6
State St. & Cornelison	2063	7
State St. & Cornelison	2063	1
State Street	2063	12
State Street	2063	13
State Street	2063	14
State Street	2063	15
State Street	2063	16
State Street	2063	17
State Street	2063	18
State Street	2063	19
State Street	2081	27
State Street	2081	28
State Street	2081	29Dup
State Street	2081	30
State Street	2081	31
State Street	2081	32
State Street	2081	33
State Street	2081	34
State Street	2081	35
State Street	2081	36
State Street	2081	37
State Street	2081	38
State Street	2063	11
Suydam Av.	2046	37A
Suydam Av.	2046	36A
Van Horne Street	2035	24
Whiton Street (vacated)	2045	S
Whiton Street (vacated)	2044	S
Woodward St.	2040	E1
Woodward St.	2040	Edup
Woodward St.	2040	G1
Woodward St.	2040	S
Woodward St.	2036	S
83 Monitor Street	2073	B
85 Monitor Street	2073	C
87 Monitor Street	2073	D
280 Pine Street	2073	4

278 Pine Street	2073	5
276 Pine Street	2073	6
323 Johnston Avenue	2073	12

### **XIII. OTHER PROVISIONS TO MEET STATE AND LOCAL REQUIREMENTS**

In accordance with NJSA 40A:12A-1 et seq., Chapter 79, Laws of New Jersey 1992, known as "The Local Redevelopment and Housing Law", the following statements are made.

- A. The Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements.
- B. The Plan has laid out various strategies needed to be implemented in order to carry out the objectives of this Plan.
- C. The Plan has given proposed land uses and building requirements for the redevelopment area.
- D. The **Acquisition Maps** which are a part of this Plan lists all property to be acquired as a result of this Plan.
- E. The Plan is in compliance with the Jersey City Master Plan. The Master Plan of the County of Hudson is not contrary to the goals and objectives of the Jersey City Master Plan. The Plan complies with the goals and objectives of the New Jersey Development and Redevelopment Plan in that this Plan and the State's plan both recognize the need to redevelop urban land.
- F. This Redevelopment Plan shall supersede all provisions of the Jersey City Zoning Ordinance that are specifically addressed herein. Any zoning related question that is not addressed herein shall refer to the Jersey City Zoning Ordinance for clarification. No variance from the requirements herein shall be cognizable by the Zoning Board of Adjustment. The Planning Board alone shall have the authority to grant deviations from the requirements of this plan, as provided herein. Upon final adoption of this Plan by the Municipal Council of Jersey City, the Jersey City Zoning Map shall be amended to rezone the area covered by this Plan as the Morris Canal Redevelopment Area, and all underlying zoning will be voided.

#### **XIV. PROCEDURE FOR AMENDING THE PLAN.**

- A. The Plan may be amended from time to time upon compliance with the requirements of law. A fee of One Thousand dollars \$ 1,000, plus all costs for copying and transcripts shall be payable to the City of Jersey City for any request to amend this Plan. If there is a designated developer, as provided for under NJSA 40A:12A-1 et. seq., said developer shall pay these costs. If there is no developer the appropriate agency shall be responsible for any and all such costs.
- B. No amendment to this Plan shall be approved without a public hearing by the Planning Board, and a public hearing and adoption by Municipal Council. A copy of any proposed change to the Plan shall be filed with the Office of the City Clerk.
  1. In addition, notice of a hearing to amend the Plan shall be sent to the designated agent that are registered with the Division of City Planning (refer to section IV) at least twenty-one (21) calendar days prior to the date set for the hearing. In addition, an affidavit showing proof of submission of the proposed amendment to the aforementioned agents shall be submitted to the Division of City Planning not less than ten (10) calendar days prior to said hearing.

#### **XV. Definitions**

**Definitions shown below shall prevail. Definitions contained within the City of Jersey City Municipal Zoning Ordinance shall prevail for definitions that are not included in this Redevelopment Plan.**

**ADAPTIVE RE-USE:** to change the use of a building to one which is more economically viable, or which is more compatible with permitted neighboring land uses. This action may involve changes to the façade, and the interior floor plan may be changed to accommodate the new building use.

**ALLEY:** a public or private thoroughfare which affords only a secondary means of access to abutting property.

**APARTMENT:** means any building containing more than one separate residence, or a building with only one residence and space allocated for other uses not associated with a residence.

**ARCADE:** a covered passage or alleyway located in front of, or through a building, and which is used exclusively for pedestrian use.

**ARTIST STUDIO WORKSPACE:** A place where an artist or artists work on their craft, therein creating original works, designs or objects. Teaching or instruction of art shall be permitted. Sale of art that was created on-site shall be permitted. In Adaptive Reuse Overlay – Zone D, the artist studio workspace may also be occupied for residential purposes provided that a minimum of an additional 150 square feet of living space per person occupying such space, over that used for the studio workspace, shall be required in addition to a kitchen and bath facilities. All applicable health and safety codes must be met and maintained. In cases where an artist studio workspace lies within a residential zone:

- a. Performing art shall not be permitted, except in Adaptive Reuse Overlay – Zone D.
- b. No individual or individuals shall be permitted to be employed for the purpose of reproducing multiple copies of works, designs or objects, except that in Adaptive Reuse Overlay – Zone D, up to five (5) full time or full time equivalent persons may be employed.
- c. There shall be no exterior display or exterior sign, except as permitted in the residential chapter of this Plan, except that in Adaptive Reuse Overlay – Zone D when the artist studio workspace occupies a permitted retail location on the ground floor, signage shall be permitted in conformance with the Mixed Use – A Zone of this plan. No exterior storage of materials or equipment, and no external placement of antennas, satellite dishes or other equipment shall be permitted.
- d. No equipment or process shall be used which produces toxic or noxious fumes, hazardous discharges, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable nuisance factors that are detrimental to the public health, safety or general welfare and are detectable to the human senses outside the dwelling unit or lot on which the artist studio workspace is conducted.
- e. **CRAFTSPERSON:** A person who practices a trade or handicraft as an artisan, and who engages in the production of their work, design or objects as a career and not as a hobby. A craftsperson performs with skill and dexterity in the production of their work often creating objects with unique characteristics or extraordinary design. Examples of the types of products that may be made or created by a craftsperson include; jewelry, stained glass, leather goods and lamps. A craftsperson could also be a weaver, clothing designer or basket maker. However, no equipment or process shall be used which produces toxic or noxious fumes, hazardous discharges, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable nuisance factors that are detrimental to the public health, safety or general welfare and are detectable to the human senses outside the dwelling unit or lot on which the craftsperson workspace is conducted.

**ARTIST:** A person regularly engaged in the fine arts as a career and not as a hobby. This does not mean that the art the artist creates generates the artist's main source of income, nor does it require that the creation of art occupies the greatest portion of the artist's day. An artist is committed to his or her work, has a body of work that demonstrates the development of that art and intends to pursue that work for the foreseeable future. As used herein, the fine arts shall include, but not be limited to: painting, sculpture, choreography and the composition of music.

**AUTOMOTIVE SERVICES:** a place where services are rendered for engine and mechanical repairs of personal passenger vehicles, and lubricants and miscellaneous accessories for motor vehicles are sold and dispensed, but where no motor fuels are sold, and no automobile painting and bodywork are done and where no junked or unregistered vehicles are kept or stored, and where no services are rendered for commercial vehicles, trucks, buses, recreational vehicles, boats, mini-buses, or jitneys. Any site with three (3) or more unregistered vehicles shall constitute a junkyard.

**BANQUET FACILITY:** any room, building or place that is available for rent or lease in conjunction with on-site catering or restaurant services that are provided by a single payer to all individuals attending an event, where table seating is provided for all event attendees, and where musical entertainment, singing, dancing or other similar amusement may be provided.

**BERRY LANE AREA:** The area contained within a boundary that is defined by Woodward Street, Communipaw Avenue, Garfield Avenue, and the LRT right-of-way, excluding land that is in the Residential District of this Plan.

**BILLBOARD:** a large panel designed to carry outdoor advertising. It is a sign on which lettered or pictorial matter is displayed for advertising or public information purposes, other than a sign identifying the occupation, user, nature of the business conducted therein, or products primarily sold or manufactured therein. It may be affixed to a building wall, its roof, mounted on a structure or frame, or merely painted on a wall, building, structure, or bridge.

**BUFFER:** a strip of land that exists between two parcels of land, or between two land uses, and that serves to mitigate the negative or undesirable impact or impacts of one occupant or land use upon the other. The strip may be required to contain a minimum width, minimum height of earth, minimum amount or type of fencing or screening, or minimum amount or type of landscaping.

**BUILD-TO LINES:** an imaginary line where the lower floors of the building are required to be built to.

**BUS SERVICES:** See Truck/Bus Services.

**CATERING SERVICES:** a place where the preparation and delivery of food and beverages occurs for off-site consumption, without the provision for on-site pick-up or consumption.

**COMMUNITY FACILITY:** Municipal, county, state, or not-for-profit enterprises that serve the public interest. Community Facility shall include, but not be limited to the following services: adult day care, art education, child care, fire, health care, job training, library, police, recreation, school, or teen center. Community Facility shall not include prisons, or drug and narcotic rehabilitation centers. Community facilities are required to meet all Plan design standards and requirements and site development regulations.

**COMMUTER PARKING:** a lot for the parking of personal passenger vehicles or buses, while occupants of the vehicles travel by trolley, train, boat, bus, van, foot, or other means to another destination for purposes of work or pleasure.

**COMPARISON GOODS:** a major retail item (i.e., major appliance, automobile, furniture) that consumers might be expected to price at more than one location to establish the best possible purchase value.

**CONSTRUCTION:** The act of: A) adding a structure or structures to an existing building or structure; B) erecting a new principal or accessory building or structure on a lot or property; or C) altering an existing building or structure.

**CONTRACTOR'S WORKSHOP:** A place where a licensed contractor may store and utilize tools, equipment and materials that are used in the trade for which the contractor is licensed. Storage of hazardous materials, junk, inoperable vehicles, or equipment or materials that are not used in the trade shall not be permitted. Outdoor storage shall not be permitted, and outdoor use of tools or equipment shall not be permitted. Automotive Services, Service Station, and Truck/Bus Services shall not be permitted.

**COURTYARD:** an open public space located in the rear of the two or more buildings which is designed and used for passive recreational purposes.

**DEALERSHIP:** An enterprise engaged in the sales and service of new or used vehicles including automobiles, sport utility vehicles, trucks, or buses. Type of dealership can be specified. For example: auto dealership.

**DENSITY:** the permitted number of dwelling units per gross area of land to be developed.

**DEPTH OF LOT:** the mean distance between its front street line and its rear line. The greater frontage of a corner lot is its depth, and its lesser frontage, its width.

**DISTRICT:** Zone

**FLOOR AREA RATIO:** The ratio of gross floor area to the total area of the site or lot, but not including mechanical rooms, or parking areas.

**FLOOR AREA:** the sum of the gross areas of all floors of a building or buildings, measured from the exterior faces of exterior walls or from the center lines of walls separating 2 buildings.

**FRONT YARD:** a yard extending from the front building plane to the sidewalk.

**HISTORIC DISTRICT:** An area defined as a historic district by City Council, State or Federal authority and which may contain within definable geographic boundaries one or more landmarks or clusters, including their accessory buildings, fences and other appurtenances, and natural resources having historical, cultural, and archaeological significance, and which district may have within its boundaries other buildings or structures, that while not of such historical, cultural, architectural or archaeological significance as to be designated landmarks, nevertheless contribute to the overall visual characteristics of the landmark or landmarks located within the district.

**HOME OCCUPATION:** An occupation or activity carried out for gain by a resident and conducted as a customary, incidental and accessory use in the resident's dwelling unit or accessory structure located on the lot. All Home Occupations shall conform to the following standards.

- a. The practitioner must be the owner or lessee of the residence in which the home occupation is contained.
- b. The practitioner must reside in the dwelling unit as his or her principal residence.
- c. There shall be no external evidence of the home occupation.
- d. The practitioner shall not utilize the services of more than one non-resident full-time employee.
- e. There shall be no retail sales, manufacturing or industrial operations conducted on the site.
- f. No more than one business visitor shall be permitted at any one time.
- g. There shall be no sign identifying the home occupation and there shall be no identification of such home occupation upon any mailbox.
- h. The residential character of the neighborhood and the premises shall not be subordinated to the home occupation use.
- i. The home occupation shall be clearly incidental and subordinated to the principal use of the dwelling for residential purposes. The maximum area devoted to the home occupation shall be forty (40%) percent of the total area of the floor where the home occupation is located, excluding space used for a private garage, or nine hundred (900) square feet, whichever is smaller.
- j. No equipment or process shall be used in such home occupation that creates glare, fumes, odors, electrical interference, medical waste, or other nuisance factors detectable to the human senses outside the dwelling unit or lot on which the home occupation is conducted.

**INCUBATOR:** A place, often in an office type environment, where services and assistance are provided to new businesses and light industries. Incubators are often affiliated with a school or university, which provide access to instruction, advice, research facilities, or funding. Shared services often provided include: photocopying, bookkeeping, utilities, and building maintenance and management. Sharing of services provides greater economies of scale for the incubator.

**INFILL HOUSING:** The construction of a housing unit that resembles in proportion, scale, height, style and bulk the adjacent dwelling units.

**JUNKYARD:** Any area, lot, land, parcel, building, or structure, or part thereof, used for the storage, collection, processing, purchase, sale, salvage, or disposal of junk. Any site with three (3) or more unregistered vehicles shall constitute a junkyard.

**LIGHT INDUSTRY:** An industry where the only activities involved are ones of fabricating or the assembling of standardized parts, as contrasted with a processing activity, which would involve a physical or chemical process which would change the nature or character of the product or raw material.

**MIXED USE:** A lot or structure containing more than one (1) zoning use, such as residential mixed with neighborhood retail, or commercial mixed with light industrial.

**NEIGHBORHOOD RETAIL:** Delicatessen, pharmacy, grocer, restaurant, barber shop, beauty salon, hardware store, clothing store, dry cleaner, newsstand, florist, financial institution, and other uses that provide services and convenience or comparison shopping on a small scale that is primarily oriented toward walk-in or pedestrian business. Drive-through pick-up windows and liquor stores shall be prohibited.

**NON-CONFORMING BUILDING:** A building, which in its location upon a lot or in its size, does not conform to the regulations of this Redevelopment Plan for the district in which it is located.

**NON-CONFORMING LOT:** A lot of record which does not have the minimum dimension or location of which was lawful prior to the adoption of this ordinance, but which fails to conform to the requirements of the district in which it is located by reason of such adoption.

**NON-CONFORMING STRUCTURE:** A structure the size, dimension or location of which was lawful prior to the adoption of this ordinance, but which fails to conform to the requirements of the district in which it is located by reason of such adoption.

**NON-CONFORMING USE:** A use or activity which was lawful prior to the adoption of this ordinance but which fails to conform to the requirements of the district in which it is located by reason of such adoption.

**OPEN SPACE:** sidewalk, parks, public plaza, courtyards, which is open and unobstructed from its lowest level to the sky and conforms with lot coverage.

**PARKING SPACE (COMPACT):** An area measuring a minimum of eight (8) feet in width by sixteen (16) feet in depth, either within a structure or in the open, for the parking of motor vehicles, exclusive of driveways, access drives, fire lanes and public rights-of-way.

**PARKING SPACE:** An area measuring nine (9) feet in width by eighteen (18) feet in depth, either within a parking structure or a surface lot, for the parking of motor vehicles, exclusive of driveways, access drives, fire lanes and public rights-of-way.

**PUBLIC PARKING:** A lot for the parking of personal passenger vehicles that is open to the public and serves multiple destination principle uses within the Area. It shall not be used for the parking of commercial vehicles or the storage of non-working vehicles or trailers of any type. No overnight parking shall be permitted without a permit.

**REHABILITATION:** the act or process of returning a building to a usable state using selective corrective measures as mentioned in the architectural guideline section.

**RESTAURANT:** a place where the primary activity is the serving of meals to the public. No drive through pick-up windows shall be permitted.

**RETAIL SALES:** an establishment where goods are sold directly to the consumer for personal or household use, with or without processing on the premises for such retail sale, but excluding the processing, repair or renovating of furniture, bedding or fixtures. In no instance shall bars, service stations, liquor stores or drug rehabilitation centers be considered retail sales.

**SALVAGE YARD: (See Junkyard)**

**SERVICE STATION -** A place where motor fuels, lubricants, and miscellaneous accessories for motor vehicles are sold and dispensed and where services are rendered for engine and mechanical repairs, but where no automobile painting and bodywork are done and where no junked or unregistered motor vehicles are kept or stored. *Service stations may also include retail sales of food and sundry items of convenience to the general public.*

**SIGN, FREESTANDING:** A sign which is attached to or a part of a completely self-supporting structure. The supporting structure shall be set firmly in or below the ground surface and shall not be attached to any building or any other structure, whether portable or stationary.

**SIGN, INTERNALLY ILLUMINATED:** Any sign which has characters, letters, figures, designs or outline illuminated such that the light is directed into the eyes of the viewer from the light source.

**SIGN:** Any announcement, declaration, demonstration, display, illustration or insignia used to advertise or promote the interest of any person or product when the same is placed to be seen by the general public.

**SITE PLAN REVIEW:** The examination of the specific development plans for a lot. Whenever the term "site plan approval" is used in this Redevelopment Plan it shall be understood to mean a requirement that the site plan be approved by the Planning Board.

**STUDIOS FOR FILM PRODUCTION AND THE PERFORMING ARTS:** An area utilized for the production and editing of films and/or rehearsal space for actors, musicians, dancers and other similar performers, including the production of stage sets. Where this use is permitted within a Residential district, no equipment or process shall be used that creates noise, glare, fumes, odors, electrical interference or other nuisance factors detectable to the human senses outside the structure in which the studio is located. In addition, where this use is permitted within a Residential district, all studio activities shall be permitted to occur only within an enclosed structure.

**TOWN HOUSE:** a one-family or two family residential structure in a group of not less than 3 and not more than 12 erected in a row of attached buildings, on adjoining lots, each being separated from adjoining unit or dwelling by a party wall extending from the basement or cellar to or through the roof, with separate entrances from each unit or dwelling.

**TRUCK SERVICES:** See Truck/Bus Services.

**TRUCK/BUS SERVICES:** A place where services are rendered for engine and mechanical repairs of trucks or buses, and lubricants and miscellaneous accessories for motor vehicles are sold and dispensed, but where no motor fuels are sold, and no automobile, bus or truck painting and bodywork are done and where no junked or unregistered vehicles are kept or stored.

**WORK/LIVE ARTIST STUDIO:** A single, enclosed private space of at least nine hundred (900) square feet, where at least six hundred (600) square feet of the total space is devoted to work space for the creation, display and sale of art, and the remainder is used for living purposes by the artist. A minimum of 150 square feet of living space per person occupying such work live space shall be required in addition to a kitchen and bath facilities. All applicable health and safety codes must be met and maintained.

In cases where an artist studio lies within a residential zone:

- a. Performing art shall not be permitted.
- b. No individual or individuals shall be permitted to be employed for the purpose of reproducing multiple copies of works, designs or objects.
- c. There shall be no exterior display or exterior sign, except as permitted in the residential chapter of this Plan. No exterior storage of materials or equipment, and no external placement of antennas, satellite dishes or other equipments shall be permitted.
- d. No equipment or process shall be used in such artist studio that creates glare, fumes, odors, electrical interference, or other nuisance factors detectable to the human senses outside the dwelling unit or lot on which the artist studio is located.
- e. No equipment or process shall be used which produces toxic or noxious fumes, hazardous discharges, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable nuisance factors that are detrimental to the public health, safety or general welfare and are detectable to the human senses outside the dwelling unit or lot on which the artist live/work studio is conducted.

**WORK/LIVE CRAFTSPERSON STUDIO:** A place where a craftsperson works on their craft, therein creating original works, designs or objects. Teaching or instruction of the craft shall be permitted. Sale of the original works, designs or objects that were created on-site shall be permitted. The work/live craftsperson studio may also be occupied for residential purposes provided that a minimum of an additional 150 square feet of living space per person occupying such space, over that used for the studio workspace, shall be required in addition to a kitchen and bath facilities. All applicable health and safety codes must be met and maintained.

In cases where a work/live craftsperson studio lies within a residential zone:

- a. No individual or individuals shall be permitted to be employed for the purpose of reproducing multiple copies of works, designs or objects, except that in Adaptive Reuse Overlay – Zone D, up to five (5) full time or full time equivalent persons may be employed.
- b. There shall be no exterior display or exterior sign, except as permitted in the residential chapter of this Plan, except that in Adaptive Reuse Overlay – Zone D when the craftsperson studio workspace occupies a permitted retail location on the ground floor, signage shall be permitted in conformance with the Mixed Use – A Zone of this plan. No exterior storage of materials or equipment, and no external placement of antennas, satellite dishes or other equipment shall be permitted.
- c. No equipment or process shall be used which produces toxic or noxious fumes, hazardous discharges, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable nuisance factors that are detrimental to the public health, safety or general welfare and are detectable to the human senses outside the dwelling unit or lot on which the live/work craftsperson studio is conducted.

**WORK/LIVE OFFICE:** A place where a professional or person of other occupation works in a business office setting at their profession or other occupation. These professions or other occupations shall include:

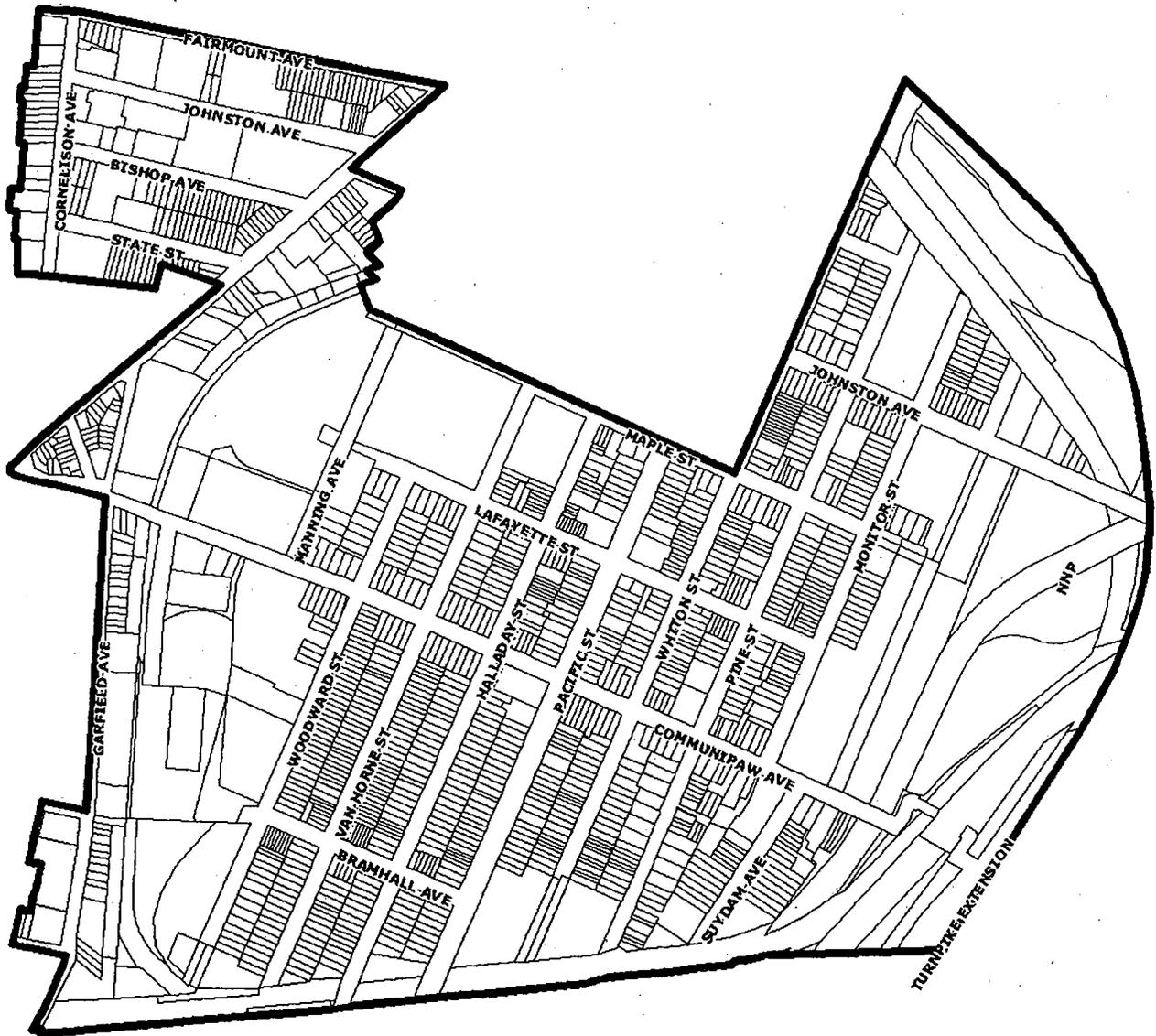
- \* Computer or information technology,
- \* The office of an architect, planner, lawyer, accountant,
- \* Similar business occupations.

The work/live office may also be occupied for residential purposes provided that a minimum of an additional 150 square feet of living space per person occupying such space, over that used for the office workspace, shall be required in addition to a kitchen and bath facilities. All applicable health and safety codes must be met and maintained. Up to five (5) full time or full time equivalent persons may be employed. In cases where a work/live office lies within a residential zone, there shall be no exterior display or exterior sign, except as permitted in the residential chapter of this Plan, except that in Adaptive Reuse Overlay – Zone D when the work/live office occupies a permitted retail location on the ground floor, signage shall be permitted in conformance with the Mixed Use – A Zone of this plan. No exterior storage of materials or equipment, and no external placement of antennas, satellite dishes or other equipments shall be permitted. In addition, no equipment or process shall be used which produces toxic or noxious fumes, hazardous discharges, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable nuisance factors that are detrimental to the public health, safety or general welfare and are detectable to the human senses outside the dwelling unit or lot on which the work/live office is located.

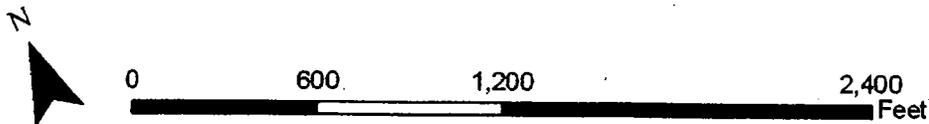
**ZONE:** District

## **XVI. MAPS**

# MORRIS CANAL REDEVELOPMENT PLAN MAP A: BOUNDARY



APRIL 25, 2008





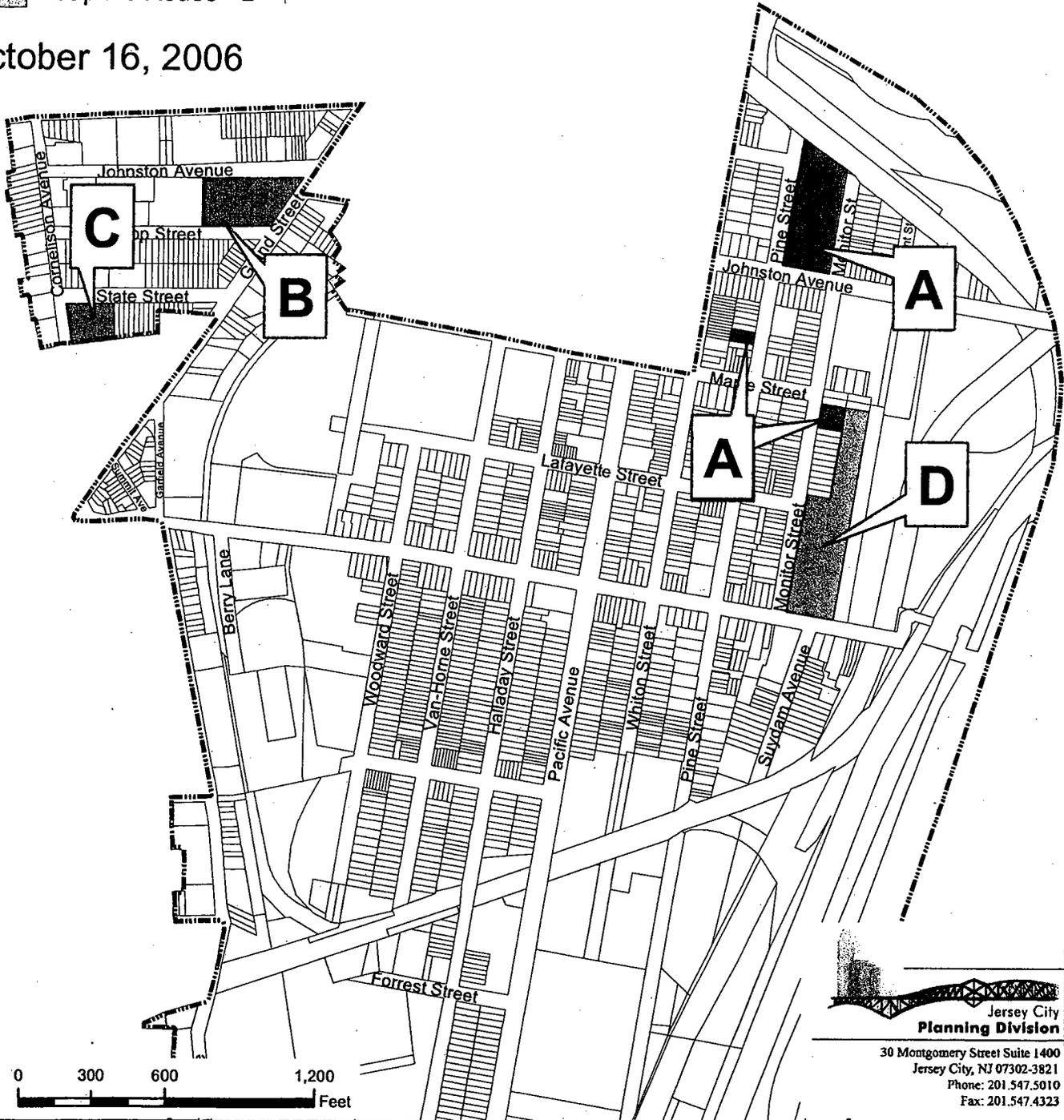
# Morris Canal Redevelopment Plan

## Map C: Adaptive Reuse Zoning Overlay

### Legend

-  Morris Canal Redevelopment Plan
-  Adaptive Reuse - A
-  Adaptive Reuse - B
-  Adaptive Reuse - C
-  Adaptive Reuse - D

October 16, 2006



  
Jersey City  
Planning Division  
30 Montgomery Street Suite 1400  
Jersey City, NJ 07302-3821  
Phone: 201.547.5010  
Fax: 201.547.4323

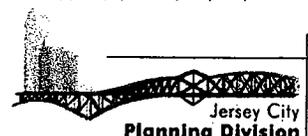
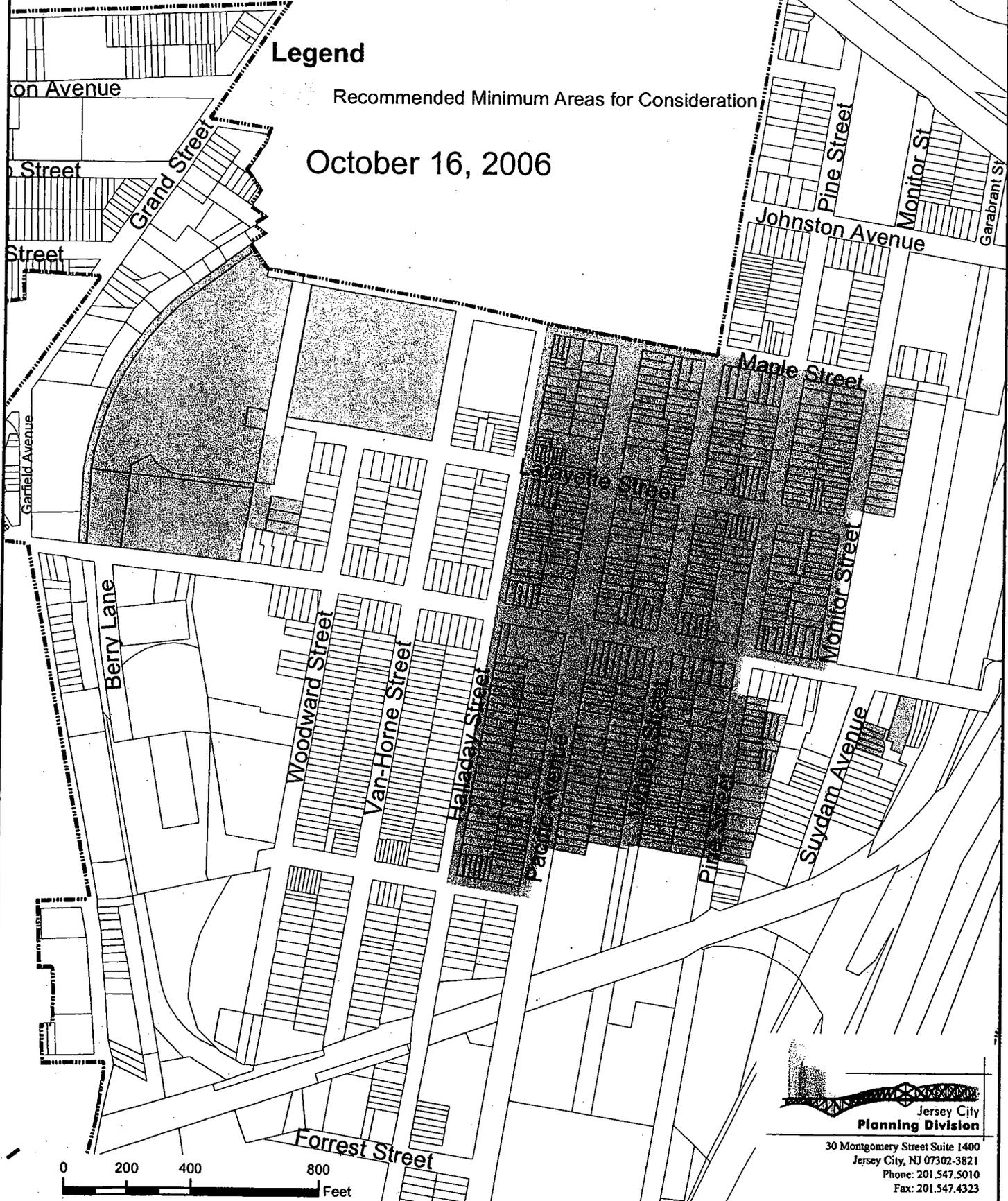


# Morris Canal Redevelopment Plan Map E: Historic District Study Area

## Legend

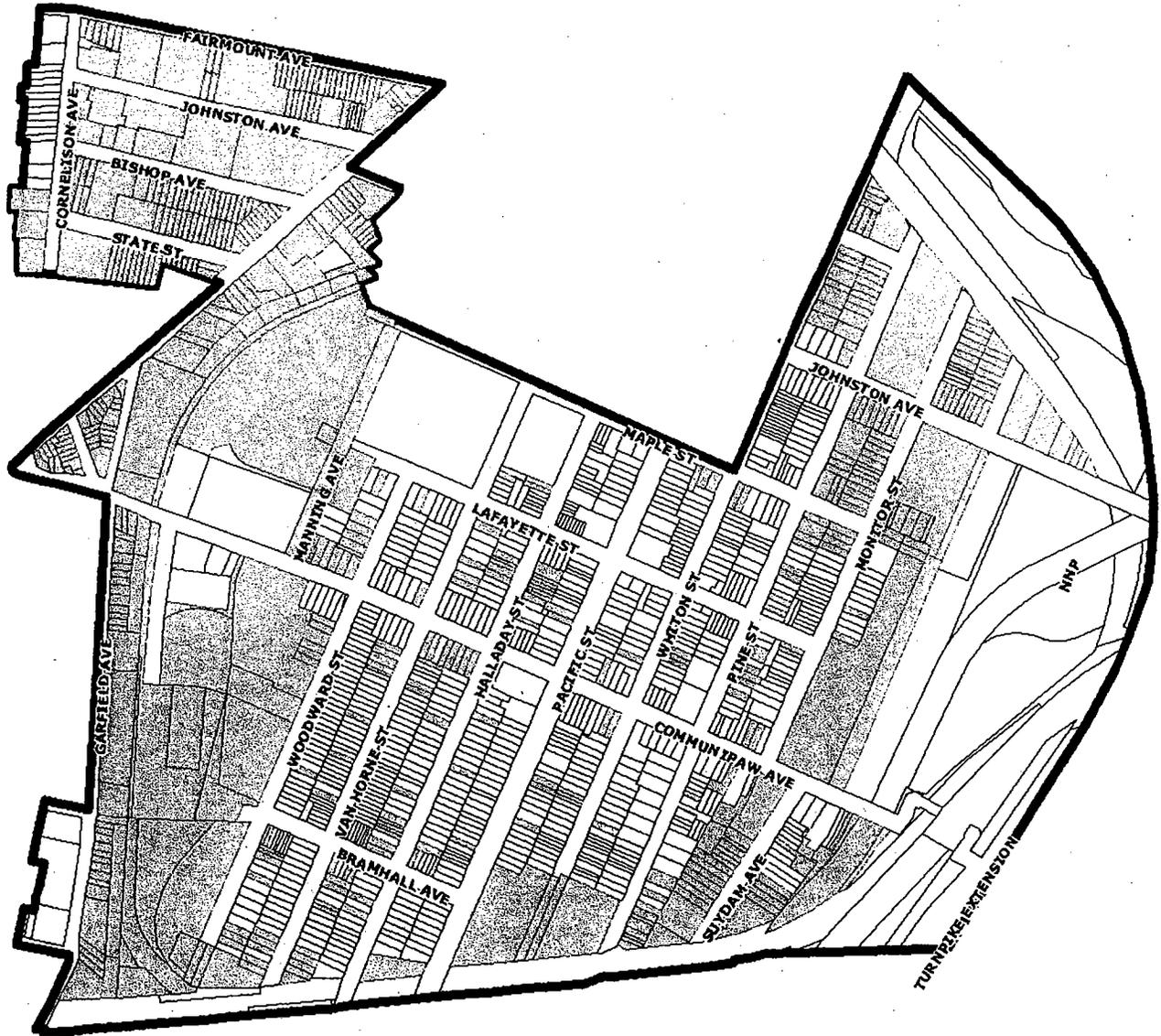
Recommended Minimum Areas for Consideration

October 16, 2006



30 Montgomery Street Suite 1400  
Jersey City, NJ 07302-3821  
Phone: 201.547.5010  
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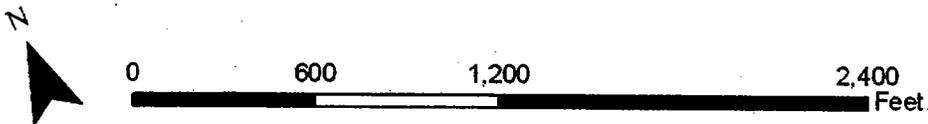
# MORRIS CANAL REDEVELOPMENT PLAN MAP F: ACQUISITION



## Legend

 TO BE ACQUIRED

APRIL 25, 2008





# **Proposed Canal Crossing Redevelopment Plan**

**As recommended by the Planning Board**

**On November 13, 2008**

**Version: November 18, 2008**

**DIVISION OF CITY PLANNING**

**CANAL CROSSING REDEVELOPMENT PLAN**

**CITY OF JERSEY CITY**

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## I. INTRODUCTION

### *A new transit-oriented neighborhood within the City of Jersey City*

The Canal Crossing Redevelopment Plan Area is approximately 111 acres in area and is located in the southeastern section of the City of Jersey City. It was formed from the southern portion of the Morris Canal Redevelopment Area and a portion of the Claremont Industrial Redevelopment Area. The Canal Crossing Redevelopment Area is now a separate distinct redevelopment area within the City of Jersey City.

The Hudson-Bergen Light Rail (HBLR) system runs along both the northern and eastern borders of the area. The Westside connector branch of the HBLR forms the northern border of the Redevelopment Area and the Garfield Avenue station is located at the north-west corner of the Area. The Bayonne line forms the eastern border of the Area. A new station is proposed on this line at the eastern terminus of Caven Point Avenue within the Area.

The Morris Canal once traversed the Redevelopment Area in a general north & south alignment near the western edge of the Redevelopment Area. The Morris Canal was a major regional freight transportation route. In the nineteenth century, it fostered the growth of heavy industrial uses. Later, when the canal fell into disuse, it was abandoned and filled in. Railroad freight lines and heavy trucks replaced the canal in servicing the existing industries. The existing Lafayette residential community, just to the north, shared in the benefits of the industrial growth of the area. The industrial growth in turn led to the development of nearby housing for the people who worked in the plants and mills. This type of mixed industrial / residential neighborhood, common to the Northeast in the 19<sup>th</sup> century, was successful until the middle of the 20<sup>th</sup> century when heavy industry began to leave urban areas behind. During this transition, the surrounding residential neighborhoods changed as well.

As jobs were lost and land prices fell, neighborhoods deteriorated and the industries that remained were generally those that had the most noxious environmental impact. These uses also encroached on the residential areas, further depressing land values.

The industrial history of the area has left a landscape of obsolete structures and properties, many of which contain contaminated soil and require remediation. Historically, developers have avoided redeveloping brownfields due to the high costs and fear of liability. However, recent legislation has reduced these risks and made brownfields in urban areas more desirable for development. At the same time, recent State development policy has sought to direct new development into cities and towns where necessary infrastructure and mass transit already exists, and away from "green" fields so as to diminish the negative impacts of suburban sprawl.

It is now time to begin the process of re-planning and redeveloping this former industrial area from the 19<sup>th</sup> and early 20<sup>th</sup> century into a new, vibrant mixed-use residential neighborhood for the 21<sup>st</sup> century.

This Plan envisions a neighborhood incorporating the best principals of sustainable development. The Plan is based on the combined principals of Smart Growth, New Urbanism and Green Building. The intent is to create an open network of streets interconnected within the Area, as well as with the neighborhoods to the west and north. The street system provides for the extension of the existing grid into the Area. The scale and character of the street grid is intended to provide appropriate access to all portions of the Canal Crossing neighborhood. The open network of small city blocks will allow for multiple alternate routes of travel and slower vehicular travel speeds. This will result in a more interesting and varied pedestrian environment and

provide for safe convenient pedestrian access to mass transit, commercial facilities and public open space amenities throughout the Area.

Convenient commercial facilities and services are envisioned near each of the light rail stations. The larger of the commercial clusters is proposed nearer to the proposed Caven Point Avenue light-rail station. This portion of the Redevelopment Area is envisioned as the town center for the Canal Crossing neighborhood and a "Town Square" is proposed for this area.

Additional urban scale parks are proposed within the Canal Crossing neighborhood to provide locations for people to gather, passive recreation, children's playgrounds and similar activities. A prime open space feature of the Canal Crossing neighborhood will be the creation of "Canal Way", an expansive green way built over the former bed of the Morris Canal. This green way will be extended over time and interconnected with other green spaces along the former Morris Canal to form a continuous green way throughout the City of Jersey City. Canal Way will be interconnected with the new Berry Lane park currently being planned for 17 acres just north of the development on the other side of the Westside Connector light rail line. An important intent of this plan is to provide for a pedestrian connection to Liberty State Park from the eastern terminus of Caven Point Avenue. A new school site is also proposed toward the southern end of the Canal Crossing neighborhood, located such that it can serve the needs of the new neighborhood, as well as the existing neighborhood to the west.

It is the intent of this Plan to provide for a diversity of uses, and also a diversity of housing and building types. Housing developed within the Canal Crossing neighborhood will include market rate housing, work-force housing and housing affordable to persons of low and moderate income. Both rental and for-sale housing will be constructed. Various building sizes will also be provided. Much of the Area is envisioned as being low to mid-rise in scale and character, four to eight stories. However, some high-rise structures, of approximately 12 stories, will also be allowed in areas in close proximity to the light rail stations. This variety of building height and scale will provide for greater architectural interest and allow for greater housing diversity in terms of unit types.

In order to promote sustainable development within the Canal Crossing neighborhood, all new buildings will be required to incorporate "Green Building" technologies and development practices as outlined in the "LEED for New Construction Rating System". In fact, the entire Canal Crossing neighborhood is envisioned as a sustainable community incorporating walkable streets; convenient access to mass transit, commercial services, community facilities and open space; reduced reliance on the automobile; a diversity of building sizes, housing types and affordability ranges; all interconnected to each other and the existing street network and fabric of the surrounding neighborhoods and the City of Jersey City in general.

Redevelopment of this area will also encourage the upgrading of roadways and utilities in the surrounding area, encourage reinvestment and neighborhood stability and provide for the environmental remediation of properties within the Redevelopment Area.

## **II. BOUNDARY DESCRIPTION**

The following Tax Blocks and Lots are included in the Redevelopment Area:

Block 1487	Lots 5A and 31
Block 1490.1	Lot 1
Block 1491	Lots 1.A (partial), 1D1, 1D3, 1F, 1G3 (partial), 1G4 and 1H (partial)

Block 2002	Lots A, B, C, 3A, 3B, 64A, 81B and 91A
Block 2006.1	All Lots
Block 2007.1	All Lots
Block 2008	Lots A1, 9E and 9F
Block 2016	All Lots
Block 2017	All Lots
Block 2018	All Lots
Block 2020	All Lots
Block 2024	All Lots
Block 2026.1	All Lots
Block 2026.A	All Lots
Block 2028	All Lots
Block 2029	All Lots
Block 2030	All Lots
Block 2031	All Lots
Block 2032	All Lots
Block 2033	Lots 1C, 1D, 7A and 9
Block 2044.3	Lot A (partial)
Block 2044.4	Lot A (partial)
Block 2044.5	Lots A and A2 (partial)

BEGINNING at the intersection of the Hudson Bergen Light Rail and Garfield Avenue and thence going in a westerly direction to the centerline of Randolph Avenue, thence southerly to the southern property line of Block 2002 Lot 64A, then eastward to the property line of Block 2002 Lot 81B, thence southward along the western property lines of Block 2002, Lots 81B, 3B, 3A, C, B and A, thence crossing Carteret Avenue and continuing southward along the western lot lines of Block 2008, Lots 9F, 9E and A1, thence eastward along the southern property line of Lot A1, thence southerly along the centerline of Garfield Avenue, thence southeasterly along the centerline of Caven Point Avenue, thence southward along the western property line of Block 1491, Lots 1D1 and 1D3, thence eastward along the southern property line of Lot 1D3, through Lots 1.A and 1G3 along Bayview Avenue Secondary, thence along the eastern property line of Block 1491 Lot 1G4, thence along the southern and then in a northerly direction along the western property line of Block 2020, Lot 4, thence along the southern and then the western lot line of Lot 4C, thence along the northern lot line of Lot , thence along the eastern lot line of Block 2033, Lot 7A until the intersection with the southern lot line of Lot 2A, thence along the southern and then the western lot lines of Lot 2A continuing northward until the light rail tracks, thence

along the light rail tracks in a westerly direction to the intersection with Garfield Avenue to the point of beginning.

### **III. REDEVELOPMENT PLAN OBJECTIVES**

- A. To redevelop the Canal Crossing Project Area in a manner that will exemplify the principles of New Urbanism and implement traditional neighborhood development techniques that recognize this unique inner-city location in a street grid pattern that is open to the public.
- B. To encourage development with a mixture of uses, high quality building design and an intensity of development that will allow for a self-sufficient and vibrant new community serving as a model for healthy urban growth.
- C. To provide a variety of market rate and affordable housing types, both rental and for sale, suitable to meet the need of varying family types and income levels.
- D. To provide for an intensity of development suitable to support the implementation of needed infrastructure improvements.
- E. To provide for the redevelopment of brownfield sites through innovative mixed-use development.
- F. To encourage innovative mixed-use development through new construction of low rise, mid-rise and high rise structures, thereby allowing greater variety in building type and design.
- G. To require the interconnection of uses, blocks, and streets to create integrated neighborhoods and a greater sense of community through the establishment of a traditional urban street grid pattern as described herein.
- H. To provide a layout of streets and open spaces that encourage pedestrian interconnections to the light rail stations, civic buildings, and commercial uses with the intent to provide safe pedestrian connections within a 5 minute walk from residential dwellings.
- I. To require the interconnection of the new Canal Crossing Neighborhood with existing neighborhoods to the north and west through the extension of the existing street grid system into the redevelopment area.
- J. To encourage the greater use of the light rail system by providing improved access to the light rail station at Garfield Avenue and the construction of a new light rail station at the eastern terminus of Caven Point Avenue.
- K. To provide a clearly articulated and rationally designed open space system which consists of active and passive parks dispersed throughout the Area including the interconnection to the Berry Lane Park located north of the Redevelopment Plan and Liberty State Park to the east.
- L. To extend greater opportunities for housing, commercial, and recreation facilities to all residents of the City.

- M. To provide a more efficient use of land and public services by directing development in a pattern that resembles traditional blocks of mixed and multiple-use development with varied housing types.
- N. To construct streets, infrastructure, open space and other public improvements in order to benefit this new neighborhood as a whole and the residents of Jersey City in general.
- O. To alleviate undue traffic congestion by reducing the excessive sprawl of development and the segregation of land uses, which result in the inefficient use of land, encourages the use of private vehicles, and is counter to the protection of the public health, safety, and welfare.
- P. To implement the creation of places which are oriented to the pedestrian, promote citizen security, and social interaction.
- Q. To implement developments where the physical, visual, and spatial characteristics are established and reinforced through the consistent use of thoroughfare, urban and architectural design elements.
- R. To promote the principles of sustainable development through adherence to the standards of the Leadership in Energy and Environmental Design (LEED) Green Building Rating Systems for both individual buildings and neighborhoods developed within the Canal Crossing Redevelopment Area.
- S. To promote the principles of "Smart Growth" and "Transit Village" development. i.e. sustainable economic and social development, including a variety of housing choices, providing pedestrian friendly streets and public rights-of-way, minimize automobile use by maximizing the appeal and access to mass transit, encourage reduced parking and shared use parking solutions, and creating a livable community with convenient access to commercial facilities.
- T. To identify and preserve significant historic features in the Redevelopment Plan Area and incorporate appropriate informational signage.

#### **IV. PROPOSED REDEVELOPMENT ACTIONS**

It is proposed to substantially improve and upgrade the Canal Crossing Redevelopment Study Area through a combination of redevelopment actions. These will include, but not be limited to:

- A. Clearance of dilapidated structures.
- B. Assembly into developable parcels the vacant and underutilized land now in scattered and varied ownership.
- C. Construction of new structures and complementary facilities.
- D. Construction of a street grid system to service and support the new development as well as the surrounding neighborhoods.
- E. Construction of a full range of public infrastructure necessary to service and support the new development.
- F. Construction of a new light rail station at the eastern end of Caven Point Avenue by New Jersey Transit, project redevelopers and/or the use of a Revenue Allocation District pursuant to State Law.

## V. GENERAL ADMINISTRATIVE REQUIREMENTS

The following provisions shall apply to all property located within the Redevelopment Area.

- A. **Prior to the commencement of:** (a) any new construction, (b) reconstruction, (c) rehabilitation (d) any change in the use of any structure or parcel, or (e) any change in the intensity of use of any structure or parcel; a site plan for such shall be submitted by the developer or property owner to the Planning Board for review and site plan approval. No temporary or permanent Building Permit shall be issued for any work associated with a. through e. above, without site plan review and approval of such work by the Planning Board.
- B. **Duration** - The provisions of this Plan specifying the redevelopment of the Area and the requirements and restrictions with respect thereto shall be in effect for a period of twenty (20) years from the original date of approval of this Plan by the Jersey City Municipal Council. Subsequent amendments hereto shall not alter or extend this period of duration, unless specifically extended by such amendments.
- C. **Approval requirements of the Planning Board** - Site plan review shall be conducted by the Planning Board, pursuant to NJSA 40:55D-1 et. seq. Site plan review shall consist of a preliminary and final site plan application. Submission of a site plan and site plan application shall conform to the requirements of the Jersey City Zoning Ordinance and this Plan. Applications may be submitted for an entire project or in phases. Final Site plan approval for any phase shall entitle an applicant to building permits. Final site plan approval for any phase shall not be granted until performance guarantees for site improvements for that phase have been furnished by the redeveloper in accordance with NJSA 40:55D-53.
- D. As part of final site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53. Such performance guarantees shall be in favor of the City of Jersey City, and be in a form approved by the Planning Board attorney. The amount of any such performance guarantees shall be determined by the City Engineer in conformance with applicable law, and shall be sufficient to assure completion of site improvements within one (1) year of final site plan approval, or such other time period as determined by the Planning Board if particular circumstances dictate a longer time frame. No Certificate of Occupancy (CO) of any type, either permanent or temporary, shall be issued for any development until any necessary performance bonds have been posted with City.
- E. **Subdivision** - Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with this Plan's requirements and the Jersey City Land Subdivision Ordinance.
- F. **Interim Uses** - Interim uses may be permitted, subject to site plan review and approval by the Planning Board. The Planning Board shall only permit uses that it finds will not have an adverse effect upon surrounding existing or contemplated development during the interim use period. Interim uses must be approved by the Planning Board. The Board shall establish an interim use period of up to three (3) years in duration. The Planning

Board may grant additional one (1) year renewals of interim uses upon application, review, and approval. Commuter surface parking lots and commuter parking garages are specifically prohibited and shall not be permitted as interim uses.

- G. **Deviation Clause** - The Planning Board may grant deviations from the regulations contained within this Plan, where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Plan, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant a deviation from the regulations contained within this Plan related to a specific piece of property where the purposes of this Plan would be advanced by such deviation from the strict application of the requirements of this Plan; and the benefits of granting the deviation would outweigh any detriments. The Planning Board may grant exceptions or waivers from design standards, from the requirements for site plan or subdivision approval as may be reasonable and within the general purpose and intent of the provisions for site plan review and/or subdivision approval within this Plan, if the literal enforcement of one or more provisions of the plan is impracticable or would exact undue hardship because of peculiar conditions pertaining to the site. No deviations may be granted under the terms of this section unless such deviations can be granted without resulting in substantial detriment to the public good and will not substantially impair the intent and purpose of this Plan. No deviations may be granted which will result in permitting: (1) a use or principal structure in a district restricted against such use or principal structure, (2) an expansion of a non-conforming use, (3) ~~an increase in height of a principal structure which exceeds by 10 feet or 10% the maximum height permitted in the district,~~ (4) an increase in the permitted floor area ratio, ~~(5)~~ (4) an increase in the permitted density. Further, no deviations shall be granted which would have the effect of varying the grid-like pattern of the Street Network Plan in relation to street location, street type, R-O-W width, and pavement width beyond normal adjustments encountered during survey synchronization. An application requesting a deviation from the requirements of this Plan shall provide public notice of such application in accordance with the public notice requirements set forth in NJSA 40:55D-12.a. & b.

*No deviations shall be granted for exceeding maximum building height limitations of the plan.*

H. **Community Empowerment**

*Community inclusion is integral to the success of the redevelopment plan and to that end, recommends the following:*

1. *The Redevelopment Area community, including residents, property owners, business owners, and community leaders have taken an active role in the development of this Plan. In order to maintain this community empowerment in the continuing development process, and as contaminated sites within the area are remediated, the Redevelopment Area community has established the Garfield Randolph Arlington Claremont Cartaret Clerk and Ocean (GRACO) Association.*
2. *The GRACO should have a democratic structure, should conduct regular meetings that are open to the community, and should be comprised of members who are*

*Redevelopment Area residents, property owners, business owners, and community leaders.*

3. *The GRACO may designate a maximum of four agents who shall register name and current contact information that includes mailing address and telephone number with the Division of City Planning.*
  4. *Prior to implementation of any plan for site investigation and/or remediation, where such activities are conducted by, or under agreements with, the municipality, or an agency of the municipality, the GRACO shall be notified and informed of such plans at least fourteen (14) days prior to commencement of any on-site activity, through their agent or agents, provided said agent or agents has/have registered and maintained current contact information with the Division of City Planning.*
  5. *In addition to the site plan review process that is required by this Plan and the municipal zoning ordinance, the applicant shall submit a site plan and site plan application to the designated agent or agents of GRACO that is/are registered with the Division of City Planning, by certified mail or signed affidavit not less than twenty-one (21) calendar days prior to the Planning Board hearing for which it is scheduled. In addition, proof of submission of the site plan and site plan application to the aforementioned agent or agents of the GRACO shall be submitted to the Division of City Planning not less than ten (10) calendar days prior to the said hearing.*
  6. *The Division of City Planning and the Environmental Commission shall each designate an agent to serve as liaison to the GRACO. It shall be the responsibility of these agents to insure that the requirements of paragraphs 4 and 5 above are met, and that the GRACO is apprised of events as they occur throughout the investigation, remediation and redevelopment process.*
  7. *No site investigation, remediation, or development should be delayed due to lack of existence of the GRACO, or due to a failure of an agent or agents of the GRACO to register current contact information with the Division of City Planning.*
  8. *As new development occurs within the redevelopment plan area and new neighborhood associations form, one representative from each organization shall be added to the designated agent list to receive notice.*
- I. **Severability Clause** - If any word, phrase, clause, section or provision of this Plan shall be found by a court of competent jurisdiction to be invalid, illegal or unconstitutional, such word, phrase, clause, section or provision shall be deemed severable and the remainder of the ordinance shall remain in full force and effect.

## **VI. GENERAL REGULATIONS AND REQUIREMENTS**

## **A. BUILDING DESIGN REQUIREMENTS**

1. All new structures within the Redevelopment Area shall be situated with proper consideration of their relationship to other buildings, both existing and proposed, in terms of materials, light, air and usable open space, access to public rights-of-way and off-street parking, height, setback and bulk.
2. Buildings shall be designed so as to be attractive from all vantage points, such that the same materials, fenestration and detailing are used on all faces and sides of the building. No blank walls shall be permitted on any building.
3. The townhouses located at 141 through 149 Halladay Street (Block 2029, Lots B, C, D, E & F) shall be retained. Their rehabilitation shall be consistent with the Secretary of the Interior's Standards and Guidelines for Rehabilitation.
4. Buildings shall have a clear base, middle and top. Architectural devices, such as string courses, cornices, sub-cornices, lintels and sills, and/or horizontally differentiating surface treatments shall be used to achieve the necessary transitions.
5. In order to promote variety in architectural building style, not less than two (2) different design architects, from two different firms, shall be utilized in developing the design of the exterior of the buildings occupying any individual development block.
6. Building face material to be used on all sides shall be primarily of brick in the Standard Modular or Standard Norman sizes only with other appointment being of Stone, wood, or metal. EIFS (Exterior Insulating Finishing Systems, cementitious concrete systems, stucco, artificial stone, CMU size/type block, jumbo brick, vinyl and/or aluminum siding, and artificial brick veneer such as permastone or brickface, and plastic type artificial siding materials shall be prohibited as building cladding within this Redevelopment Area.
7. All parking levels shall be masked from the street by habitable building uses, either commercial or residential. Where block or parcel width or depth is insufficient to allow for screening by habitable building uses (such as Blocks 1b, 8, 11, and/or 17) the building shall be articulated to resemble habitable building uses in a manner consistent with the architectural design of the main building.
8. Building areas used to house transformers and other mechanical equipment or utilities shall be architecturally masked in a manner consistent with the design of the building, incorporating such elements as false windows and dispersed venting to maintain the window rhythm and building pattern design. (A wall of venting for mechanical rooms is not acceptable.) Any louvers must be screened with decorative grates.
9. Main building entries shall be prominent, easily identifiable and connect directly to the public sidewalk so as to contribute to the overall liveliness of the pedestrian environment.
10. The windows and glazing of a building are a major element of style that gives character to the building. Windows and glazing on ground floor commercial uses, if any, should be broad and expansive providing views into the store and display areas. At least seventy (70%) percent of the storefront façade shall be glass. Corner buildings shall have windows on both street frontages. If security gates are used on any part of the building or window, they shall be installed on the interior side of the window, hidden from view

11. Windows in residential portions of a building shall be arranged in a contemporary and organized manner. Windows shall contain both lintels and sills. Window sills shall be emphasized more than window headers. The tops of windows and doors shall be designed to avoid confusing perspective views. Windows shall not be scattered in a haphazard manner in the façade. Bay windows or other window features may be incorporated into the façade to provide architectural interest and character. Bays may be designed vertically or horizontally and may be angular. Random window patterns are prohibited. Corner buildings shall have windows on both street frontages. The window sill of any residential window shall not be less than six (6) feet above the elevation of the adjoining sidewalk.
12. Balconies and terraces may extend from the building when facing into interior courts. However, all balconies facing onto streets shall extend no more than 18 inches from the building face. All railings shall be designed to be semi-opaque in order to screen the view onto the balconies. All balconies shall be subject to review and approval by the Planning Board.
13. All mechanical equipment, generators, HVAC equipment and similar equipment shall be visually screened such that they are not visible from adjacent buildings or public areas. Said screening shall be constructed in a manner that is consistent with the architecture of the building, and shall utilize the same or complimentary materials used in the construction of the building, such that the screening appears to be an integral part of the building. Interior locations must be utilized where mechanically possible. Additionally, this equipment shall be acoustically buffered such that any noise generated by the equipment shall be within the applicable standards as defined by the State of New Jersey for residential locations.
14. All electronic communication equipment shall be visually buffered such that they are screened from view. This shall be achieved through creative disguises within the basic architecture of the building, such that it does not negatively impact the appearance of the building. Said screening shall be constructed in a manner that is consistent with the architecture of the building, and shall utilize the same materials used in the construction of the building, such that the screening appears to be an integral part of the building. Said equipment shall be located so as to minimize or eliminate the need for screening. Reference shall be made to the Wireless Communications section of the Jersey City Land Development Ordinance for appropriate permitted locations for these facilities.
15. All trash receptacle areas shall be located within buildings or parking structures.
16. One of the many goals of this plan is to insure a variety in housing type and selection. Therefore, not all block centers shall be occupied exclusively by parking garages; some shall be at least partially occupied by open area to be used as rear yards by the S-Type buildings. By providing this rear yard, a more traditional town home style of development is to be encouraged. In this case, the S-Type buildings, receiving light from both front and rear, may be as much as 50' deep. The blocks that fall into this category

are: Blocks 2, 3, 33a, 33b and a portion of Block 13b (Tax Block 2029, Lots 1, 2, A, A4, B, C, D, E, & F).

17. All new rowhouses, townhouses, and similar style structures shall have a raised stoop to the front entrance of the dwelling unit. The stoop shall contain at least four (4) steps.
18. The front yards of all new townhouses and rowhouses shall provide wrought-iron type fencing along the property line a minimum of two (2) feet and a maximum of four (4) feet in height.

## **B. AFFORDABLE HOUSING REQUIREMENTS**

1. Affordable housing and workforce housing shall be provided as part of any development within this Redevelopment Area. For every ten (10) residential units constructed, a residential development shall be obligated to include one unit that is affordable to households of low, moderate or work force income. In addition, a redeveloper shall be permitted to construct a "bonus" market rate unit for every low, moderate or work force income unit constructed. The result being that out of every eleven (11) units constructed, one will be an affordable or workforce unit. In order to accommodate the bonus market rate units additional incentives shall be provided including but not limited to a proportional increase in allowable height and a reduction or elimination of parking.
2. Affordable housing shall be defined the same as affordable housing that is a part of a fair share plan housing element as approved by Superior Court and/or the Counsel On Affordable Housing (COAH) or the City of Jersey City. Workforce housing shall be defined as housing affordable to households with a gross household income equal to more than eighty percent (80%) but not more than one-hundred and twenty percent (120%) of the median gross household income for households of the same size.
3. Affordable housing requirements may be further defined and obligated as part of a Redevelopment Agreement between the City of Jersey City Redevelopment Agency and a designated redeveloper. Where such a Redevelopment Agreement exists, the affordable housing requirements of that agreement shall take precedent over this section of the Redevelopment Plan.
4. Where a redevelopers agreement does not exist, the mix of low income, moderate income and workforce units, the number of bedrooms and other attributes of the affordable and workforce housing shall be mutually agreeable to the City and the Redeveloper.

## **C. SUSTAINABLE DESIGN REQUIREMENTS**

1. All new buildings will be required to comply with the "LEED for New Construction Rating System" (LEED-NC). This system is designed for use during the design and construction phases of a building. LEED-NC addresses the environmental impacts of site and materials selection, demolition, and construction. LEED-NC facilitates and encourages project teams to use an integrated design approach from start to finish, resulting in buildings with lower impact on occupants and the environment, and a positive economic impact for owners. Additionally, the LEED-NC Rating System promotes improved practices in: site selection and development, water and energy use, environmentally preferred construction products, finishes, and furnishings, waste stream management, indoor environmental quality, innovation in sustainable design and

construction.

2. All buildings will be required to achieve a minimum of a Silver LEED Certification level. Silver credits will be awarded based on five (5) categories of performance: Sustainable Sites, Water Efficiency, Energy & Atmosphere, Materials & Resources, and Indoor Environmental Quality. Projects can earn additional points under an Innovation in Design category, through demonstrating exceptional performance of LEED requirements.
3. Any single development comprising more than one block is required to comply with the "LEED for Neighborhood Development" rating system. LEED for Neighborhood Development is intended to revitalize existing urban areas, reduce land consumption, reduce automobile dependence, promote pedestrian activity, improve air quality, decrease polluted storm water runoff, and build more livable sustainable communities for people of all income levels.
4. Neighborhood Developments will be required to achieve a minimum of a Silver LEED Certification level. The project can achieve a variety of points from four separate categories: Smart Location and Linkage, Neighborhood Pattern Design, Green Construction and Technology, and Innovation and Design. Points are also available within the LEED for Neighborhood Development rating system for including LEED Certified buildings and for integrating green building practices within the buildings in the neighborhood.

#### **D. PARKING AND LOADING REQUIREMENTS**

1. Required Parking Provisions - All new construction shall provide parking as follows:

<b>Use</b>	<b>Min. Parking</b>	<b>Max. Parking</b>
Residential	0.7 per unit	1.2 per unit
Office	0/1,000 sq. ft.	1/1,000 sq. ft.
Retail	0/1,000 sq. ft.	1/1,000 sq. ft.
Restaurant, Bar, Nightclub	0/1,000 sq. ft.	1/1,000 sq. ft.
Civic/School/other	0/1,000 sq. ft.	1/1,000 sq. ft.

2. Required parking shall be located off-street. Parking may be provided in the same building as the use or in another building within the Redevelopment Area. Off-street parking shall be provided within a linear distance of 1000 ft. of the building that it serves.
3. Parking decks and surface parking lots shall be masked from the street by habitable building, either commercial or residential.
4. No mid-block parking structure shall be higher than the height of the shortest building masking it. All parking structures shall be covered by a landscaped deck providing open space for residents of the building.

5. Other parking under buildings may be placed directly against the street frontage where it is a minimum of three (3) feet below grade and hidden by a foundation wall articulated to appear as a half basement, with small vertically-proportioned glazed openings.
6. All surface parking and loading areas shall be graded, paved with a durable surface, adequately drained, and well landscaped.
7. All curbing shall be poured-in-place concrete or other suitable material such as Belgian block or granite curbing as approved by the Planning Board. Asphalt curbing and/or anchored railroad ties are not permitted. Curbs must run straight down to the asphalt roadway edge; gutter-pan type curbing is not permitted.
8. Pedestrian entrances/accessways from the public sidewalk into parking structures shall be separated from the vehicular entrance and located such that the pedestrian pathway is not shared with the vehicular access ramp.
9. Private garages shall be accessed from the rear yard and shall be provided at the rear of and within any structure.
10. Vehicular entrances to parking structures shall be designed as architecturally compatible openings in the façade of the building and shall not be merely gaps between buildings.
11. Loading areas shall be provided within the building as required and accessed through a two-way access drive leading to the service area. If parking is provided within the building, access ramps shall share the loading ramp openings to the degree possible to produce the least number of breaks in the facade. Developers shall demonstrate to the satisfaction of the Planning Board that sufficient off-street loading will be provided to meet the needs of the proposed us

#### **E. SIGNAGE REQUIREMENTS**

No signs or window graphics other than those specifically enumerated herein shall be permitted.

1. Under no circumstances shall fluorescent or glowing paint be permitted for any signage within the area.
2. All signage shall be subject to site plan review and approval by the Planning Board.
3. Billboards are expressly prohibited throughout the Redevelopment Area.
4. Rooftop, flashing moving or intermittently illuminated signs or advertising devices are prohibited, as are signs that may be mistaken for traffic control devices.
5. Kiosks listing tenants and giving direction may be provided but no advertising will be permitted. Such kiosks may not exceed eight (8) square feet of sign areas.
6. Freestanding signs are prohibited. Except that way-finding identification as per City standard shall be permitted.
7. No sign shall be attached above the first story of any structure.

8. All signage shall be externally lit. Signs may be lit from gooseneck fixtures, backlit halo, and up-lights. Internally lit signs and sign boxes are prohibited.
9. Permitted signage material includes: 1.) Painted wood; 2.) Painted metals including aluminum and steel; 3.) Brushed finished aluminum, stainless steel, brass, or bronze; 4.) Carved wood or wood substitute.
10. All signs shall be flush mounted, although blade signs may be attached to and perpendicular to the first floor façade
11. Window signs (other than lettering as specifically permitted) shall be prohibited. Lettering shall be limited to decorative gold-leaf, flat black or etched / frosted glass style lettering and shall be limited to the name of the business occupying the commercial space / store front and shall cover no more than twenty (20%) of the window area.
12. All buildings within the Redevelopment Area shall display the street address of the building such that it is clearly visible from the adjoining street right of way.
13. In order to facilitate the overall redevelopment of the Study Area, surrounding area and the City of Jersey City in general, all advertising, signage and other promotion of the development and redevelopment of the Study Area shall contain references to the proposed projects location in the City of Jersey City so as to promote the positive aspects of the project, Study Area and the City of Jersey City.
14. The following additional signage restrictions shall apply to specific uses:
  - a. Office, Civic/Public/school: Total exterior signage shall not exceed fifty (50) square feet. One (1) use shall be permitted no more than one (1) sign. Buildings with multiple uses shall not have more than one (1) sign per use and the aggregate of all signs shall not exceed the maximum area permitted.
  - b. Residential: One (1) sign per building may be allowed, not to exceed twenty (20) square feet.
  - c. Retail, Restaurant, and all other uses not specifically identified: Each establishment is allowed one sign and one blade sign per street frontage. (Establishments on corners are thus allowed two sets of signs.) Signage shall not exceed 30 inches in vertical dimension. Blade signage shall not exceed 18 inches in vertical dimension.
  - d. Accessory Parking – Since commuter and commercial parking is not permitted, the location of parking facilities may only be indicated by use of the international parking symbol. Said signage may not exceed five (5) square feet and must be flush mounted to the building. Informational and directional signage may also be provided, but only flush mounted on interior walls within the structure.
15. The Planning Board at its discretion may waive some of the above regulations if a proposed sign is presented as a site-specific piece of civic art. All signs are subject to minor site plan review when not included as part of a major site plan application.

16. **Prohibited Signage:** The following signs and devices shall not be permitted within the Canal Crossing Redevelopment Area:

Monument signs and internally or externally illuminated box signs, flashing or animated signs, spinners, pennants, reflective materials that sparkle or twinkle, roof signs, billboards, signboards, window signs, posters, plastic or paper that appear to be attached to the window, pole signs, free-standing signs, fluorescent and/or glowing paint for any signage or building within the redevelopment area, waterfall style awnings, plastic awnings, product advertising signage of any kind. Product advertising signage is defined here to include, but not be limited to signage on: parking meters, signage in windows, on light poles, benches or other street furniture within the redevelopment area. Nothing in this paragraph shall be deemed to prohibit signage within New Jersey Transit Light Rail Stations or bus stop shelters; or either lamppost mounted seasonal banners or traditional residential holiday decorations.

#### **F. UTILITY AND INFRASTRUCTURE REQUIREMENTS**

1. All applicants shall satisfy the Municipal Engineer and the Planning Board that provisions for the necessary utilities is accomplished in a way that advances the health safety and welfare of the general public.
2. **Utility Placement** – All utility distribution lines and utility service connections from such lines to the project area's individual uses shall be located underground. Utility appliances, such as transformers, regulators and metering devices (including gas, electric and water meters) shall be located underground or within the building. Remote readers are required for all utilities, in lieu of external location of the actual metering devices. Developers are required to arrange for connections to public and private utilities.
3. If it becomes evident to the Planning Board and the Municipal Engineer during the implementation of this development that a long term utility and infrastructure plan is needed and desired, a Utility Plan which shall include the on-tract and off-tract infrastructure improvements needed to serve the development shall be provided by the designated developer.
4. The Planning Board and/or the City of Jersey City may require a pro-rata fair share assessment to be paid by each development within the Redevelopment Area to off-set the cost of infrastructure improvements, expansion or new construction. The value of the assessment shall be based upon a formula to be developed by the City of Jersey City and/or the Planning Board, with the assistance of their professional staff and consultants, and shall be determined at the time of developer designation or site plan approval as appropriate. In the alternative, the City may create a Revenue Allocation District pursuant to State law to fund these improvements
5. No development or redevelopment of any parcel in the Plan Area that will result in an increase in wastewater from that parcel shall be permitted unless and until the planned project wastewater piping and systems for the removal of effluent and storm water are approved by the City of Jersey City Division of Engineering and Municipal Utilities Authority; and the municipal wastewater piping and systems for the removal of effluent and storm water are certified by the City of Jersey city Planning Board, Division of Engineering and the Municipal Utilities Authority as being of sufficient capacity and

good condition to accommodate uses that will occupy said parcel. Such approval may be contingent upon requisite improvements to the drainage system in the street, as determined by the Planning Board, Division of Engineering and the Municipal Utilities Authority.

## VII. SPECIFIC USE STANDARDS

A. **Permitted Uses:** The following uses are permitted pursuant to the location requirements found in the Land Use and Frontage Regulating Plans. These uses are further defined in the definition section of this Plan and the Jersey City Land Development Ordinance.

1. Residential
2. Offices
3. Retail
4. Civic
5. Open Space and Parks
6. Transportation Uses – restricted to the area indicated as Rail Transportation on the Land Use Regulating Plan. These uses shall include: Light-Rail Stations, rights-of-way and maintenance facilities, other rail rights-of-way. In addition, walkways, bikeways, open space and parks shall be permitted in the Rail Transportation district.

B. **Accessory Uses**

1. Off street parking and loading (Parking shall not be allowed as an accessory use to Mass Transit Facilities, except that employee and visitor parking for New Jersey Transit maintenance facilities shall be permitted)
2. Signs
3. Home occupation

C. **Adverse Influences** - No use or re-use shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fume, glare, electro-magnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.

D. **Permitted Height:** Building heights shall be as indicated on the Building Height Regulating Plan.

1. Additional Height Requirements:
  - a. All residential floors above the first floor shall have a minimum floor to ceiling height of 9 feet and a maximum of 12 feet. Residential units on the first floor shall have a minimum floor to ceiling height at least 1 foot higher than the residential floors above.
  - b. Ground floor commercial areas shall have a minimum floor to ceiling height of 12 feet. In addition, ground floor commercial space may include a mezzanine level, which shall not be counted as a floor. The maximum ceiling height of the commercial ground floor area shall not exceed 20 feet.
  - c. The floor of all residential uses provided on the first floor of any building shall be located at least 30 inches above finished grade adjoining the building.

- d. Uses other than residential uses located above the ground floor shall have a minimum floor to ceiling height of 9 feet and a maximum of 15 feet.
- e. Parapets and other roof-top appurtenances may exceed the permitted height within the limitations imposed by the City of Jersey City Land Development Ordinance.

**E. Maximum Permitted Intensity of Development:**

The development potential of each development block shall be based on the maximum permitted unit count as indicated in the Unit Count Summary Table contained herein. The area of each development block is indicated on the Gross Block Area exhibit. Development potential is further regulated by the Land Use, Frontage and Height Regulating Plans, and the bulk and minimum unit size requirements contained herein. As such, depending on these requirements and the unit size mix proposed for the particular development, the maximum permitted unit count contained within the Unit Count Summary Table may, or may not, be achievable. Non-residential uses provided in areas where ground floor retail is either required or optional shall be allowed in addition to the permitted unit count. However, where non-residential uses are provided above the ground floor; the permitted unit count shall be reduced by one dwelling unit for each 1,000 square feet of non-residential use. Civic uses located on Blocks 1a and 1b shall not count against the permitted unit count.

- F. Minimum Unit Size:** The minimum dwelling unit size for each type of dwelling unit (by bedroom count) is indicated below; along with the minimum and maximum percentage of each unit type permitted.

<b>Unit Type / Bedroom Count</b>	<b>Minimum Unit Size</b>	<b>Min./ Max. Percentage</b>
Studio	550 Sq. Ft.	0% to 10%
1 – Bedroom	700 Sq. Ft.	20% to 60%
2 – Bedroom	900 Sq. Ft.	20% to 60%
3 – Bedroom & Up	1100 Sq. Ft. plus 150 sq. ft. for each additional bedroom.	0% to 30%

- G. Required Lot Size:** Each block shall be developed as a unified whole as indicated on the Block Identification Plan. This requirement may be modified by the Planning Board pursuant to Section V. paragraph H. (Deviation Clause) of this Redevelopment Plan.

- H. Required Setbacks:** Since all blocks are to be developed in their entirety, traditional setbacks requirements (front, rear and side) are not necessary.
1. Residential land uses shall be setback a minimum of 5 feet and a maximum of 10 feet from street line to provide for a traditional landscaped front yard.
  2. Where storefronts are provided in conformance with the Frontage Regulating Plan no setback shall be required and the building shall meet the street line or located as necessary to provide appropriate sidewalk width.
  3. The rear wall of any residential structure shall be located not more than 75 feet distance from the street frontage line. The intent of this requirement is that residential building walls facing each other shall not be closer than 50 feet to each

other or 25 feet to a rear property line, if any, in order to provide adequate air and light to interior portions of development blocks.

4. Required Building Stepback: Where residential uses are located above commercial and/or civic uses, the residential use shall be stepped back a minimum of an additional 5 feet from the street façade.
5. Recognizing that certain development blocks are irregularly shaped and/or narrow, such as Blocks 1, 6, 8, 11, and 13, the above standards may be modified by the Jersey City Planning Board pursuant to the deviation process outlined in Section V. H.

#### **I. Regulating Plans**

### **VIII. CIRCULATION PLAN**

- A. It is the intent of the Circulation Plan to provide a street layout for the Redevelopment Area which will provide a sense of enclosure, enhance neighborhood connectivity, provide linkages to surrounding areas, provide convenient access to mass transit, and visual and physical access to public places both in and beyond the study area.
- B. It is a primary purpose of this Redevelopment Plan to promote the principles of a “Transit Village”. The intent of a “Transit Village” is to provide pedestrian friendly streets and public rights-of-way, to minimize automobile use by maximizing the appeal of mass transit and to encourage reduced parking and shared use parking solutions.
- C. A new light rail transit station shall be located at the eastern end of Caven Point Avenue to provide access to mass transit opportunities for the Redevelopment Area, thereby promoting the principles of a “Transit Village”.
- D. Street configurations and locations were designed to extend the existing grid network into the Redevelopment Area from adjacent neighborhoods. Each street type has been dimensioned and specified for: Type, Movement Directions, Traffic Lanes, Parking Lanes, Right-Of Way Width, Pavement Width, Sidewalk Width, Planter Area Width, Planter Boulevard Treatment, and Planting Interval.
- E. The names of the streets within this Redevelopment Plan as indicated on the Concept Map or elsewhere in this Redevelopment Plan are for identification purposes relative to this Plan only, and may be altered or renamed by the appropriate authority upon construction and dedication of the streets
- F. All Streets, Avenues, Boulevards, and other thoroughfares are required in order to implement the stated objectives of this plan. No building or structure shall be located within areas designated as street thoroughfares of this plan.
- G. Sidewalk areas, including all light rail pedestrian crossings, shall be properly paved, landscaped and lighted consistent with the requirements of this plan and the approved design plans, and sound planning and design principles.

- H. Traffic signalization shall be installed by the redeveloper, as determined necessary by the Planning Board.
- I. In maintaining the interconnected and comprehensive nature of this plan, all streets adjacent to each block, on all sides, shall be constructed in conjunction with the development of any project or building within the block. The Planning Board may at its discretion, in an extreme case, waive this requirement and instead only require a portion of the street/streets required to develop the block if it finds that the ownership of the roadway area differs from the site plan applicant and the delay in the construction of roads around other portions of the block do not in any way inhibit access, circulation, and provision of required utilities, for either the project under consideration or the access of the overall development area and other projects within. Where a developer is required to construct a street or a portion of a street, that would otherwise be the responsibility of a developer(s) of an adjacent block(s) as part of the development of that block(s); then a mechanism shall be established to ensure that the initial developer is reimbursed for the pro-rata share of the cost of construction of said street(s) that would have otherwise been the responsibility of the adjacent developer.
- J. No Certificate of Occupancy of any type shall be issued for any development or construction until such streets identified in Paragraph I have been completed; or the planning Board has given final site plan approval and required performance guarantees for the completion of such streets, and the performance guarantee has been deposited with the City.
- K. Street signage (street names, parking restrictions, etc.) shall be consolidated and affixed onto lamp posts wherever possible in order to reduce visual clutter.
- L. Traffic signage shall be consolidated and affixed onto lampposts and traffic signal posts so as to reduce to the minimum the number of poles and obstructions in the streetscape and pedestrian environment in order to reduce visual clutter.
- M. The Planning Board may require a pro-rata fair share assessment to be paid by each development within the Redevelopment Area to off-set the cost of expansion or new construction of the roadway and pedestrian network and/or improvements to the light rail system, including construction of the new light rail station at the foot of Caven Point Avenue. The value of the assessment shall be based upon a formula to be developed by the City of Jersey City and/or the Planning Board, with the assistance of their professional staff and consultants, and shall be determined at the time of developer designation or site plan approval as appropriate. In the alternative, the City may create a Revenue Allocation District pursuant to State law to fund these improvements.
- N. All new streets, sidewalks, R-O-W's, roadways, driveways, and access easements constructed within the redevelopment area shall conform to the Street Network Map and Thoroughfare Standards as identified herein. Slight modifications may be necessary to accommodate specific conditions as they arise.
- O. Special decorative pavement materials shall be used on Claremont Avenue North, Claremont Avenue South and Whiton Street surrounding Claremont Square, and at the northern terminus of Canal Way adjacent to the pedestrian plaza, as a traffic calming device and to help emphasize the pedestrian nature of these areas.

## **IX. OPEN SPACE PLAN**

Public open space areas, streetscape and landscape improvements shall be developed as directed by this Plan and are subject to site plan approval by the Planning Board.

- A. Prior to the commencement of any construction within this Redevelopment Plan Area, an overall open space design plan shall be presented for each project to and approved by the Jersey City Planning Board. This plan shall be prepared by a licensed landscape architect / public space planner. The plan shall respect and incorporate the design parameters and right-of-way landscaping requirements provided within this Plan, but provide more detail to insure all roadway segments incorporate consistent design patterns and materials. Also included within these standards shall be standards for the Hudson Bergen Light Rail right-of-way design improvements, greenway improvements, and park improvements. The Planning Board shall assure that any such plan or plans are consistent with the design requirements of this Plan and compatible with other previously approved plans within the Redevelopment Area.
- B. A unified streetscape plan shall be required. The streetscape plan shall be submitted to the Jersey City Planning Board for its review and approval in conjunction with the project site plan application and implemented contemporaneously with the construction of the redevelopment project. The streetscape plan shall include all street frontages, existing and proposed. The plan shall identify, but not be limited to: decorative paving materials, curbing materials, colors, tree pit treatments, trash receptacles, benches, bicycle racks, decorative street lighting, planters and planting pots. The streetscape plan shall respect and incorporate the design requirements provided with this Plan. The Planning Board shall assure that any such plan or plans are consistent with the design requirements of this Plan and compatible with other previously approved plans with the Redevelopment Area.
- C. The Planning Board may require a pro-rata fair share assessment to be paid by each development within the Redevelopment Area to off-set the construction costs of new public open space and streetscape improvements. The value of the assessment shall be based upon a formula to be developed by the City of Jersey City and/or the Planning Board, with the assistance of their professional staff and consultants, and shall be determined at the time of developer designation or site plan approval as appropriate. In the alternative, the City may create a Revenue Allocation District pursuant to State law to fund these improvements
- D. Trees shall be planted as specified in the "Thoroughfare Standards" as included in this Plan. All tree pits shall be covered with metal grates, decorative fencing, tree guards, and/or decorative pavers. Open tree pits or planting strips in any street right of way are prohibited.
- E. All open space, including yards, decks over parking structures and green rooftops shall be landscaped with trees, shrubbery, ground covers and other appropriate plant material unless said open space is specifically designated for other activities which require paving or other treatment. Screen planting shall consist of evergreen plant materials. Additional decorative plants may be incorporated into the design of the screen planting area to provide seasonal variety. Only species with proven resistance to the urban environment in this area will be acceptable.

- F. All street lighting shall be of decorative design and comply with the approved standard fixture types. Street lights shall be located at the outer edge of all sidewalks, and shall correspond to the Regulating Plan as follows:

**Public Open Space and Civic Frontage:** One lighting standard (no more than 15' tall) for every 30 linear feet of sidewalk average.

**Required Retail Frontages:** One lighting standard (no more than 15' tall) for every 30 linear feet of sidewalk average.

**Optional Retail Frontages:** One lighting standard (no more than 15' tall) for every 50' linear feet of sidewalk average.

**Undesignated Frontages:** One lighting standard (no more than 20' tall) for every 70 linear feet of sidewalk average.

**Residential-Only Frontages:** One lighting standard (no more than 25' tall) for every 90 linear feet of sidewalk average.

Where more than one use occurs along any frontage the more stringent requirement shall prevail. These requirements may be adjusted relative to one another in response to the photometric specifications of the chosen light standards. Street lights shall be placed beginning at corners (without blocking crosswalks) and then working inward to the block middle. Street lights shall produce a spectrum in the daylight-incandescent range. (Bluish and very yellowish lamps are not allowed.)

- G. Mailboxes, bicycle racks, and other pedestrian impediments shall be located at the outer edge of the sidewalk. Exceptions: Sidewalk dining may encroach into the sidewalk providing that a 5' clear pedestrian aisle is maintained.
- H. Soil Handling and Top Soil: Soil excavated from construction areas shall be removed from the site. The top soil placed on all areas to be landscaped shall be friable, fertile natural loam, free of subsoil, stones, roots, noxious plants and extraneous matter to a depth of 3 feet from finished grade as a subsoil cap and new planting root growth zone. Under each tree location, extend topsoil trench to 5-foot depth. Provide continuous 3-foot-deep trenches of high quality topsoil for planting of street trees along street boulevards to widths as specified between municipal curb and sidewalk in lieu of individual tree pits. Under each tree location, extend topsoil trench to 5-foot depth.
- I. Soil Compaction: The deep soil structure of planting areas within parks and street rights-of-way shall be protected by barriers during construction from compaction by heavy equipment and stockpiling of materials.
- J. Hydrology: All boulevard street tree plantings shall have surface watering/fertilizing access pipes and subsurface drainage outlets. All sodded areas and planting beds in parks shall have irrigation systems. Site grading and permeable surfaces shall promote maximum return of clean rainwater within parkland, with flat areas graded to 2% maximum. Contaminated surface drainage shall be carried away from landscaped areas.
- K. Plant Stock: Listed plant species shall be thoroughly searched by a plant broker before consideration of alternative species. Street trees shall have a minimum branch height of

10 feet above finished grade at planting. All trees shall be of 3.5 inches caliper minimum. Lawns shall be carefully graded, leveled and sodded with a drought resistant and low-maintenance grass mixture.

- L. **Planting and Plant Care:** Strategically phase street tree planting to ensure procurement of large quantities of uniform and consistently sized specimens of specifically selected species. Plant trees only during appropriate Spring and Fall planting seasons to the highest arboricultural industry standards. Fertilization shall be yearly with a balanced, full spectrum inorganic commercial fertilizer applied at a rate adjusted to remedy deficiencies identified by soil testing reports. All trees shall be monitored and treated annually by the owner for potential disease or decline in physical condition.

## **X. ACQUISITION PLAN**

Acquisition Plan Map displays the parcels that may be acquired. The only lots Not To Be Acquired within the redevelopment area are the following: Block 2029, Lots B, C, D, E, & F; and Block 1487, Lot 5A. All other lots on all other blocks May Be Acquired pursuant to this Plan.

## **XI. RELOCATION**

As outlined, the Canal Crossings Redevelopment Plan converts former old industrial sites into new blocks for mixed use residential development. Wherever practical, it is the preference of the Jersey City Redevelopment Agency for existing property owners to participate in such manner that development of the proposed blocks can occur in accordance with this Plan. To that extent, this Plan and the Agency encourage the cooperation among the existing property owners in order for any block to realize its full development potential. Under this scenario, the relocation of persons or businesses should be significantly reduced. In terms of relocation, the vast majority of relocations will only affect businesses, since only one residentially occupied property is currently listed for acquisition.

Should relocation of persons or businesses become necessary, the process of relocating the affected persons or businesses will receive the careful attention of local officials and the Jersey City Redevelopment Agency, and shall be conducted in accordance with the requirements of all applicable Federal, State and Local laws.

As required by the New Jersey Department of Community Affairs, the Canal Crossing Redevelopment Plan identifies the following approach to relocating existing persons or businesses in the redevelopment area, as necessitated by any property acquisition pursuant to this Redevelopment Plan.

The Redeveloper will adhere to all applicable state law requirements in connection with the acquisition and relocation of any persons or business property located within the redevelopment area, including the identification of potential relocation sites and provision of statutorily mandated relocation assistance payments.

After the adoption of this Plan, and before the acquisition of any occupied properties in the redevelopment area, a WRAP (Workable Relocation Assistance Plan) will be developed and approved by the State of New Jersey. The WRAP will be tailored to the project(s) called for by this redevelopment plan, and will address the particular needs and circumstances of persons or businesses.

## **XII. OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS**

In accordance with NJSA 40A:12A-1 et seq., Chapter 79, Laws of New Jersey 1992, known as "The Local Redevelopment and Housing Law", the following statements are made:

- A. The Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements. The Plan has laid out various strategies needed to be implemented in order to carry out the objectives of this Plan.
- B. The Plan has given proposed land uses and building requirements for the Redevelopment Area.
- C. Adequate provision to the temporary and permanent relocation of persons and businesses is indicated in the Relocation Plan (Section XI), which is a part of this Plan.
- D. Properties to be acquired within the Redevelopment Plan are indicated in the Acquisition Plan (Section X), which is a part of this Plan.
- E. The Redevelopment Area is not contiguous to any other municipality. The Plan is in general compliance with the Master Plan of the County of Hudson. The Plan complies with the goals and objectives of the Master Plan of the County of Hudson by recognizing the need to expand the inventory of affordable housing as well as promote development intensities that will support mass transit. This Redevelopment Plan provides a diversity of housing types which include work-force housing and housing affordable to persons of low and moderate income, thereby meeting the need to expand the affordable housing inventory in the Hudson County Master Plan. This plan promotes higher density near the Light Rail stations thereby maintaining consistency with the Hudson County Master Plan. The Plan complies with the goals and objectives of the New Jersey Development and Redevelopment Plan in that this Plan and the State's plan both recognize the need to redevelop urban land to enhance the viability of public transportation and to provide pedestrian-friendly open space. This Redevelopment Plan emphasizes mixed use development consistent with "transit village" and smart growth principles because of its close proximity to the Hudson Bergen Light Rail station. This Plan, like the State's plan, also encourages and promotes a variety of housing opportunities for all income levels, fosters the cleanup and reuse of contaminated sites as well as attracts new businesses to the Area.
- F. The proposed Redevelopment Plan is not consistent with the 2000 Jersey City Master Plan. Within the Master Plan, the Canal Crossing Area is identified as being an industrial area within the Morris Canal Redevelopment Area, and a portion of the Claremont Industrial Redevelopment Area. The Claremont Redevelopment Plan permits offices, light industrial or manufacturing fabrication, assembly, and/or processing, warehousing, and public or semi public uses as principal uses in the Canal Crossing Redevelopment Area. The Morris Canal Redevelopment Area permits principle uses such as assembly of goods or parts that are manufactured elsewhere, distribution facilities, light industry, occupational training centers, parks, research and development laboratories, warehousing facilities, manufacturing facilities, and railroad tracks for freight or passengers as principal uses in the Canal Crossing Area. Mixed use development, including residential

uses, as proposed in the Canal Crossing Area is not permitted in the industrial areas within the Morris Canal Redevelopment Area or the Claremont Industrial Redevelopment Area.

However, since the time of the adoption of the 2000 Jersey City Master Plan, the State of New Jersey has developed a series of Smart Growth Policies which include encouraging development and redevelopment in existing urban centers where mass transportation and infrastructure already exist. The intent of these policies is to spur urban revitalization, brownfield redevelopment, and to discourage new greenfield development and restrict suburban sprawl. In addition to these policy initiatives, the construction of Hudson Bergen Light Rail has created a new opportunity for this Redevelopment Area to support higher density mixed-use development. Clearly, the implementation of new Smart Growth Policies by the State of New Jersey and the development of new mass transportation infrastructure, in the form of the Hudson Bergen Light Rail, has created a new social and economic environment wherein mixed use development is a more appropriate approach to this area than what was proposed in the 2000 Master Plan. Furthermore, the redevelopment of this area for primarily residential mixed-use development will result in the environmental remediation of numerous highly contaminated properties throughout the Redevelopment Area, thereby providing a benefit to the entire City of Jersey City.

For these reasons, it is in the public interest and will serve the general welfare of the Citizens of Jersey City for the Canal Crossing Redevelopment Plan amendments contained herein to be approved and adopted.

- G. This Redevelopment Plan shall supersede all provisions of the Jersey City Zoning Ordinance and Master Plan that are specifically addressed herein. Any zoning related question that is not addressed herein shall refer to the Jersey City Zoning Ordinance for clarification. No variance from the requirements herein shall be cognizable by the Zoning Board of Adjustment. The Planning Board alone shall have the authority to grant deviations from the requirements of this plan, as provided herein. Upon final adoption of this Plan by the Municipal Council of Jersey City, the Jersey City Zoning Map shall be amended to rezone the Redevelopment Area covered by this Plan as a Redevelopment Area, and all underlying zoning will be voided.

### XIII. PROCEDURE FOR AMENDING THE APPROVED PLAN

~~This Plan may be amended from time to time upon compliance with the requirements of law. Any person, designated redeveloper, or other private entity requesting an amendment to this Plan shall pay a fee of five thousand dollars (\$5,000), plus all costs for copying and transcripts, payable to the City of Jersey City for any request to amend this Plan.~~

- A. The Plan may be amended from time to time upon compliance with the requirements of law. A fee of a Thousand dollars \$ 1,000, plus all costs for copying and transcripts shall be payable to the City of Jersey City for any request to amend this Plan. As provided for under NJSA 40A:12A-1 et. seq., Any person, designated redeveloper, or other private entity requesting an amendment to this Plan shall pay these costs. If there is no developer the appropriate agency shall be responsible for any and all such costs.*

***B. No amendment to this Plan shall be approved without a public hearing by the Planning Board, and a public hearing and adoption by Municipal Council. A copy of any proposed change to the Plan shall be filed with the Office of the City Clerk.***

- 1. In addition, notice of a hearing to amend the Plan shall be sent to the designated agent(s) that is(are) registered with the Division of City Planning (refer to Community Empowerment section) via regular mail at least twenty-one (21) calendar days prior to the date set for the hearing. In addition, an affidavit showing proof of submission of the proposed amendment to the aforementioned agents shall be submitted to the Division of City Planning not less than ten (10) calendar days prior to said hearing.***
- 2. Notice of the Planning Board meeting shall be published in a local newspaper at least 10 days prior to the meeting.***

#### **XIV. PHASING**

The Planning Board shall still have the discretion to require a suitable mechanism to insure a balanced development of planned open space, commercial services and infrastructure to service the redevelopment plan area.

Any applicant seeking to develop properties located within this redevelopment plan area shall be required to provide a Phasing Plan, for review and approval by the Jersey City Planning board, which shall establish parameters under which public improvements within the property owned or controlled by the applicant shall be constructed in conjunction with permitted residential, retail and commercial development. The Plan shall set a schedule for completion of Public Improvements within the property owned or controlled by the applicant in which the percentage of completion of public improvement is approximately equal to or greater than the percentage of completion of all other development on property owned or controlled by the applicant.

#### **XV. VALIDITY OF ORDINANCE**

If any section, paragraph, division, subdivision, clause or provision of this plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, division, subdivision, clause or provision so judged, and the remainder of this plan shall be deemed valid and effective.

#### **XVI. DEFINITIONS**

**Civic:** Premises available for not-for-profit organizations dedicated to: religion, arts and culture, education, government, social service and the like. Including: house of worship, meeting hall, school, and post office

**Home Occupation:** An occupation being conducted from a residence as an accessory use. Such occupations shall be conducted solely by resident occupants of the residential unit. No more than 900 square feet, or the equivalent of not more than 50% of the floor area of the residential unit, whichever is smaller, shall be used for such purpose; such that the livable floor area for the residence shall remain at least as large as the floor area of the home occupation. In addition, no display of products shall be visible from the street; the residential character of the building shall not be changed; and no sign shall be displayed. The occupation shall be conducted entirely within the dwelling unit, no occupational sounds shall be audible outside the residential unit; no machinery or equipment shall be used which will cause interference with radio and television reception of neighboring residences; and the use shall not reduce the parking or yard requirements of the principal use.

**New Urbanism:** Incorporates interrelated patterns of land use, transportation, and urban forms to create communities that promote the most desirable characteristics of human habitation: neighborliness, environmental sustainability, economic efficiency and prosperity, historic preservation, participation in civic processes, and human health. New Urbanism practices apply to all scales of community, from the region to the neighborhood. Communities developed utilizing New Urbanism principals usually take the form of an urban street grid, or modified street grid system, in order to provide a more even distribution of vehicular traffic and a more varied and convenient pedestrian network.

**Office:** A place for the transaction of general business, but excluding retail sales and manufacturing activity. Including: general business offices, professional offices, and medical offices.

**Public Improvements:** This shall include: public parks and open space, streets, sidewalks, water and sewer lines and other similar spaces and infrastructure.

**Residential:** This shall include: individual houses, townhouses, apartments, multi-family dwellings and work/live space.

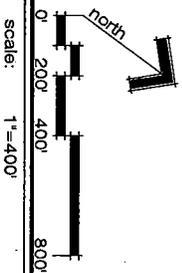
**Retail:** For the purposes of this Redevelopment Plan and applying the standards of the Frontage Regulating Plan, retail shall include the following uses as further defined by the Jersey City Land Development Ordinance: retail sales, retail services, restaurants category one and two, financial institutions, bars, and child care centers.

**Smart Growth:** Is defined as well-planned, well-managed growth that adds new homes and creates new jobs, while preserving open space, farmland, and environmental resources. Smart Growth supports livable neighborhoods with a variety of housing types, price ranges and multi-modal forms of transportation. Smart Growth principles include mixed-use development, walkable town centers and neighborhoods, mass transit accessibility, sustainable economic and social development and preserved green space.

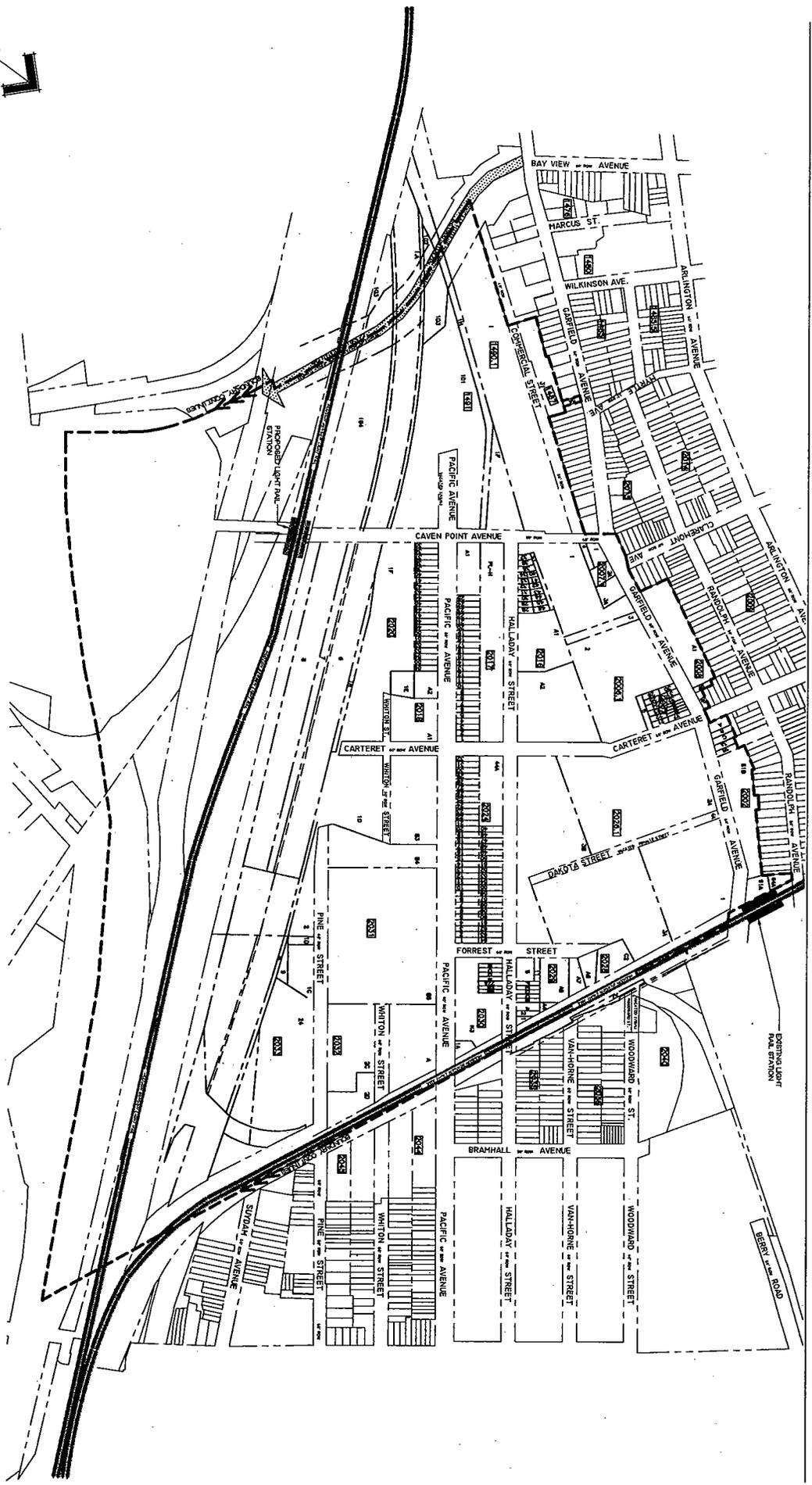
**Transit Villages:** Are defined as urban communities well served by mass transit systems. Transit Villages make it easy for residents to live without a car by allowing for the convenient ability to ride transit and walking within pleasant urban environments. Typically, they have active, vibrant,

and strong neighborhood centers providing convenient access to commercial services focused around transit.

**Townhouse:** A residential building in which each building has its own front and rear access to the outside and is separated from adjacent buildings only by vertical fire-resistant building walls. A townhouse building may contain one to three dwelling units.

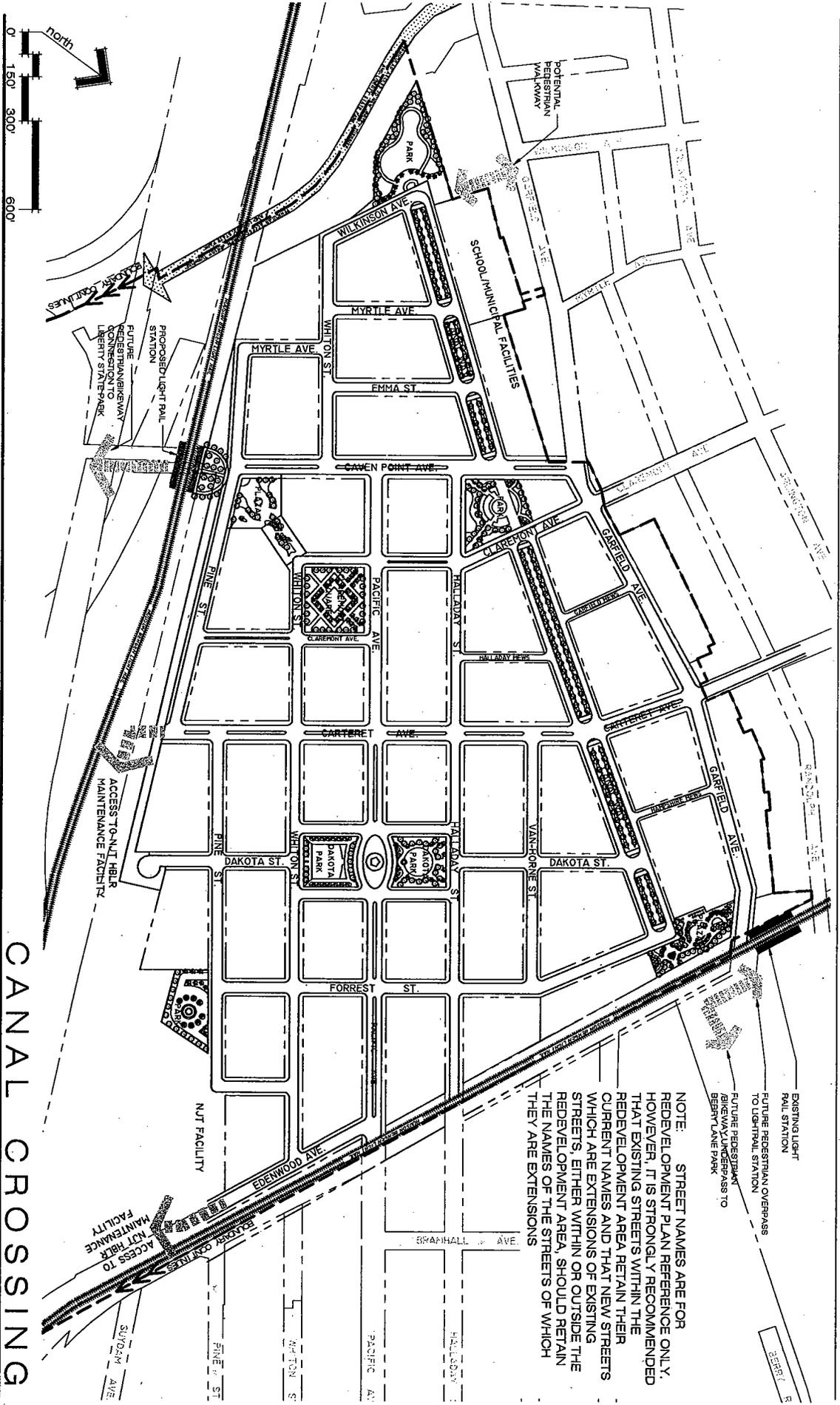


CANAL CROSSING



BOUNDARY MAP

# CONCEPT PLAN

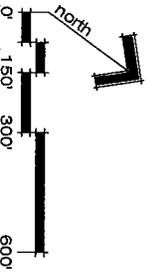


NOTE: STREET NAMES ARE FOR REDEVELOPMENT PLAN REFERENCE ONLY. HOWEVER, IT IS STRONGLY RECOMMENDED THAT EXISTING STREETS WITHIN THE REDEVELOPMENT AREA RETAIN THEIR CURRENT NAMES AND THAT NEW STREETS WHICH ARE EXTENSIONS OF EXISTING STREETS, EITHER WITHIN OR OUTSIDE THE REDEVELOPMENT AREA, SHOULD RETAIN THE NAMES OF THE STREETS OF WHICH THEY ARE EXTENSIONS.

EXISTING LIGHT RAIL STATION  
 FUTURE PEDESTRIAN OVERPASS TO LIGHT RAIL STATION  
 FUTURE BICYCLE UNDERPASS TO BEERY LANE PARK

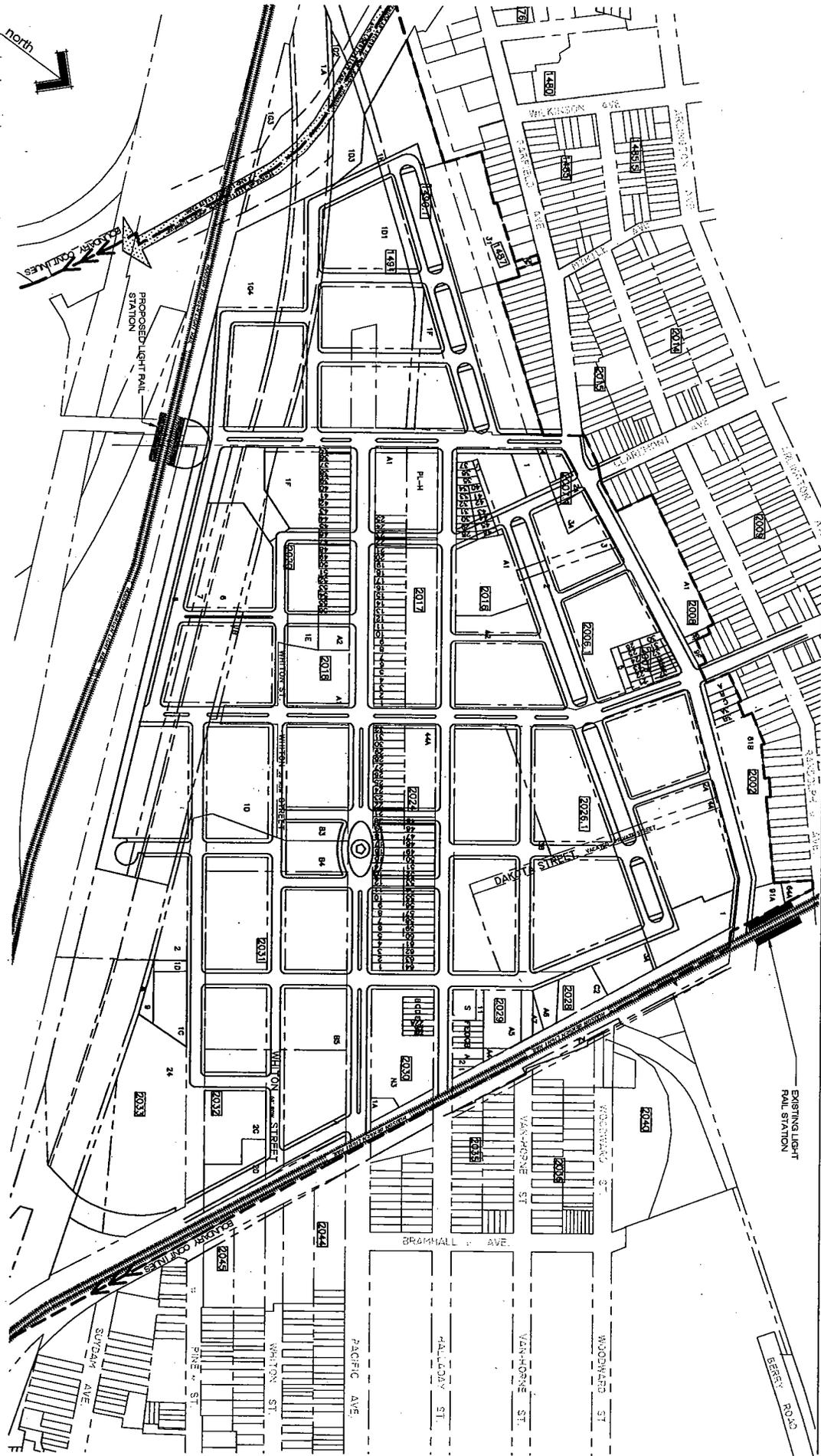
# CANAL CROSSING

scale: 1"=300'



0 150 300 600

scale: 1"=300'



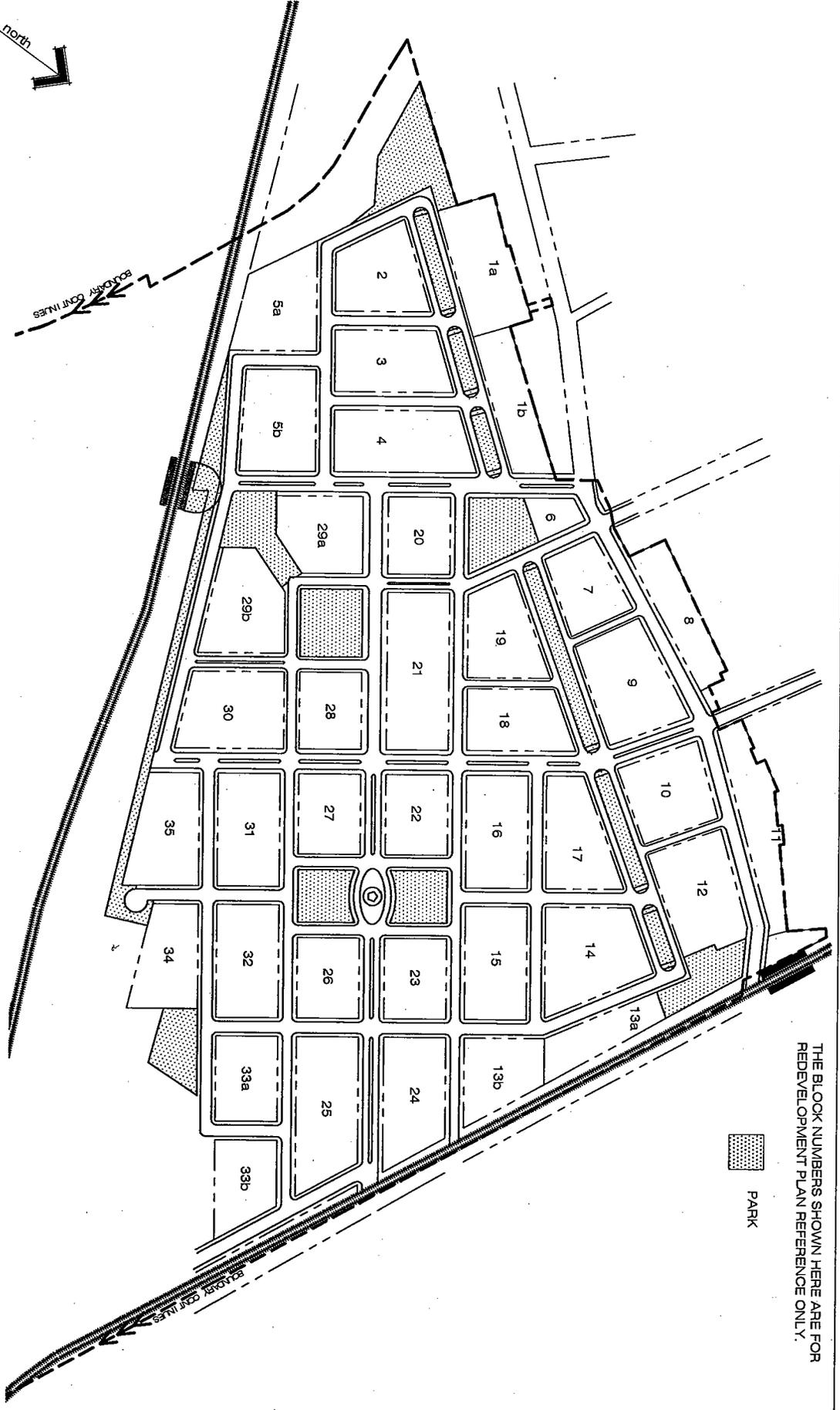
CANAL CROSSING

SUPERIMPOSED PLAN

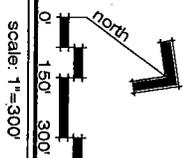
# BLOCK IDENTIFICATION PLAN

THE BLOCK NUMBERS SHOWN HERE ARE FOR REDEVELOPMENT PLAN REFERENCE ONLY.

 PARK



CANAL CROSSING



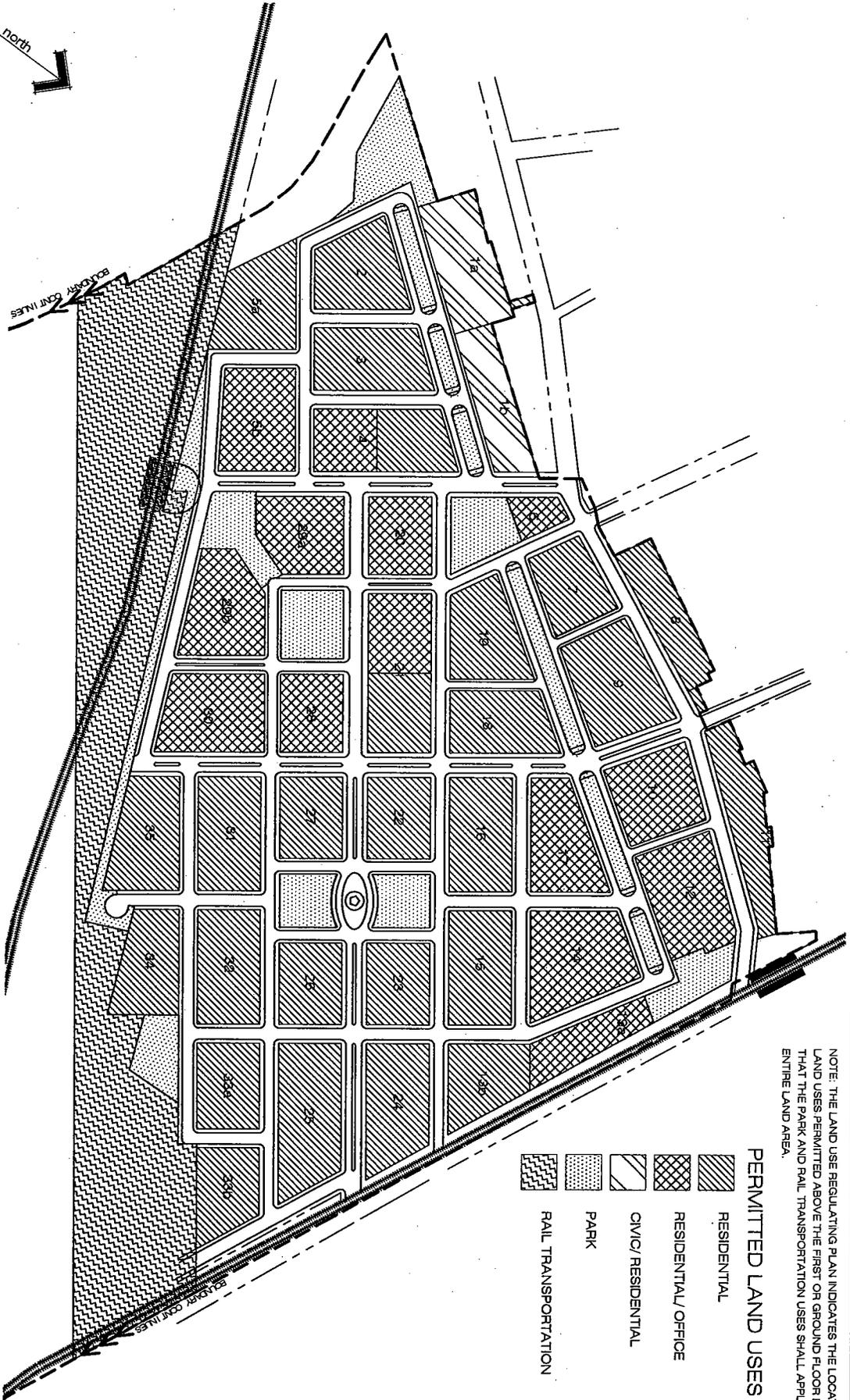
Scale: 1"=300'

# LAND USE REGULATING PLAN

NOTE: THE LAND USE REGULATING PLAN INDICATES THE LOCATION OF LAND USES PERMITTED ABOVE THE FIRST OR GROUND FLOOR EXCEPT THAT THE PARK AND RAIL TRANSPORTATION USES SHALL APPLY TO THE ENTIRE LAND AREA.

## PERMITTED LAND USES

-  RESIDENTIAL
-  RESIDENTIAL/ OFFICE
-  CIVIC/ RESIDENTIAL
-  PARK
-  RAIL TRANSPORTATION



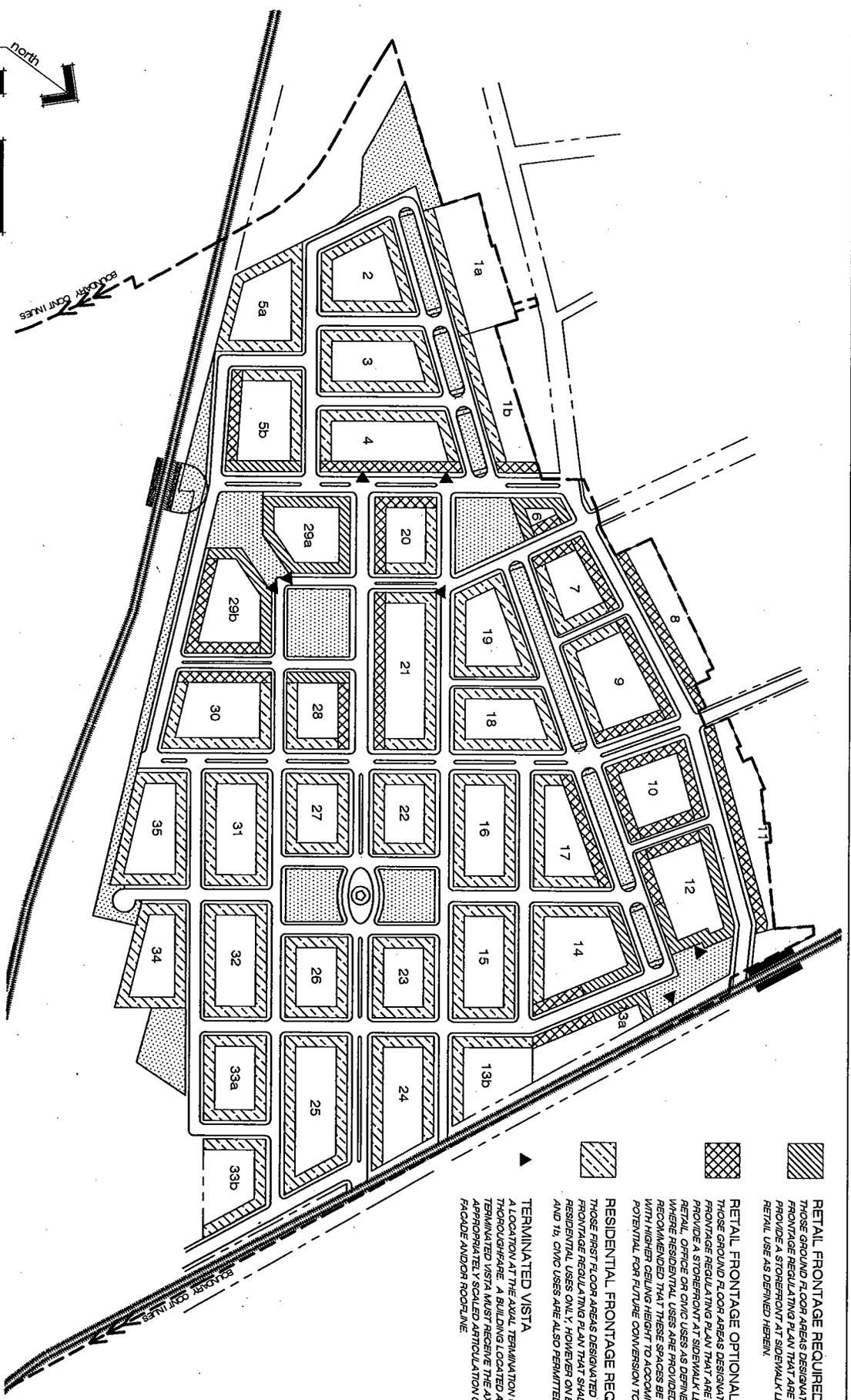
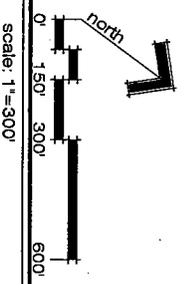
# CANAL CROSSING

scale: 1"=300'



# FRONTAGE REGULATING PLAN

# CANAL CROSSING



**RETAIL FRONTAGE REQUIRED**  
 THOSE GROUND FLOOR AREAS DESIGNATED ON THE FRONTAGE REGULATING PLAN THAT ARE REQUIRED TO PROVIDE A STOREFRONT AT SIDEWALK LEVEL FOR RETAIL USE AS DEFINED HEREIN.

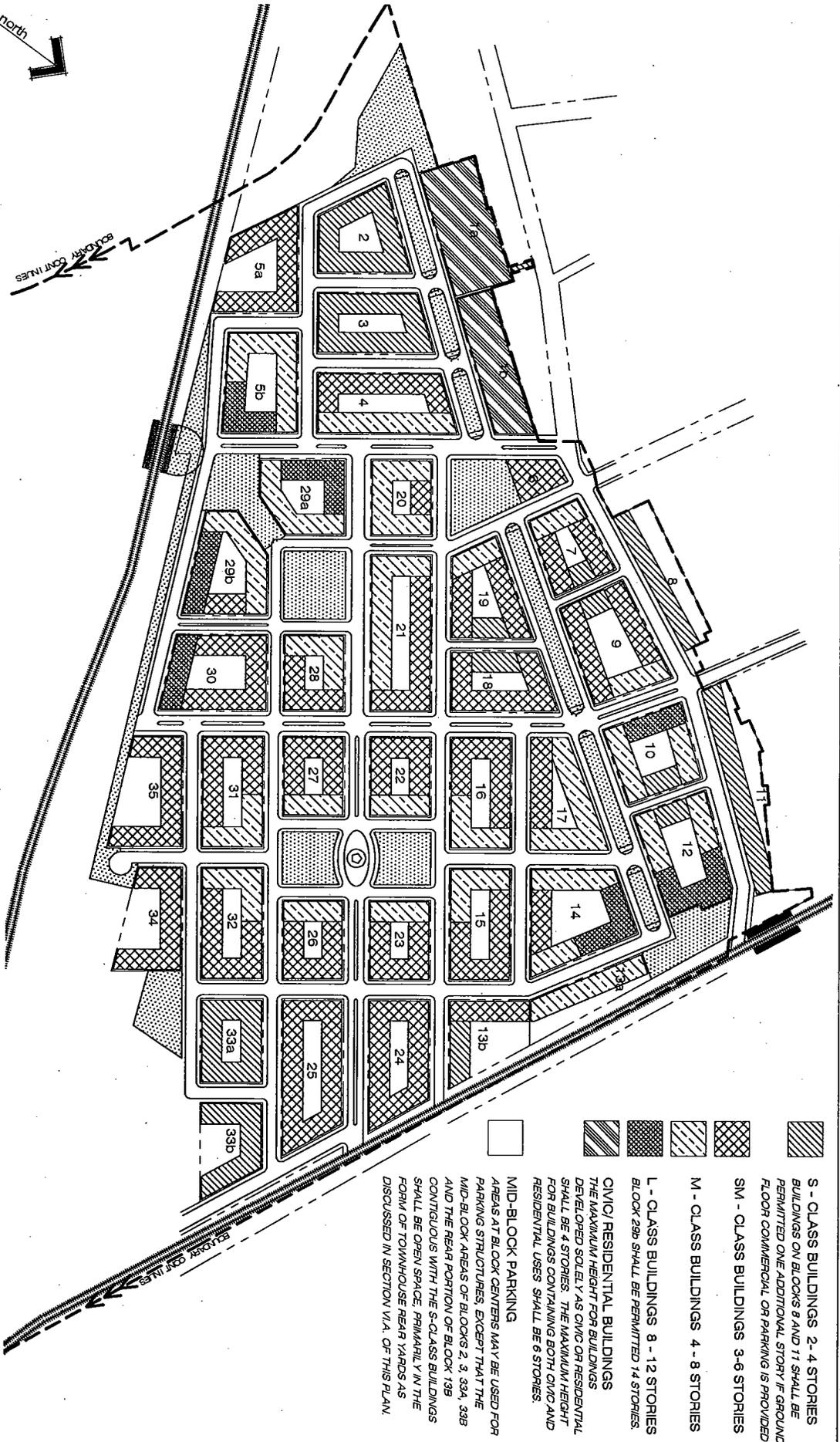
**RETAIL FRONTAGE OPTIONAL**  
 THOSE GROUND FLOOR AREAS DESIGNATED ON THE FRONTAGE REGULATING PLAN THAT ARE ALLOWED TO PROVIDE A STOREFRONT AT SIDEWALK LEVEL FOR RETAIL, OFFICE OR CIVIC USES AS DEFINED HEREIN. WHERE RESIDENTIAL USES ARE PROVIDED IT IS RECOMMENDED THAT THESE SPACES BE DESIGNED WITH HIGHER CEILING HEIGHT TO ACCOMMODATE THE POTENTIAL FOR FUTURE CONVERSION TO RETAIL USE.

**RESIDENTIAL FRONTAGE REQUIRED**  
 THOSE FIRST FLOOR AREAS DESIGNATED ON THE FRONTAGE REGULATING PLAN THAT SHALL CONTAIN RESIDENTIAL USES ONLY. HOWEVER, ON BLOCKS 1a AND 1b, CIVIC USES ARE ALSO PERMITTED.

**TERMINATED VISTA**  
 A LOCATION AT THE AXIAL TERMINATION OF A THROUGH-FARE, A BUILDING LOCATED AT A TERMINATED VISTA MUST RECEIVE THE AXIS WITH AN APPROPRIATELY SCALED ARTICULATION OF THAT FACADE AND/OR ROOFLINE.

BOUNDARY CONTROL LINES

# BUILDING HEIGHT REGULATING PLAN



# CANAL CROSSING

scale: 1"=300'

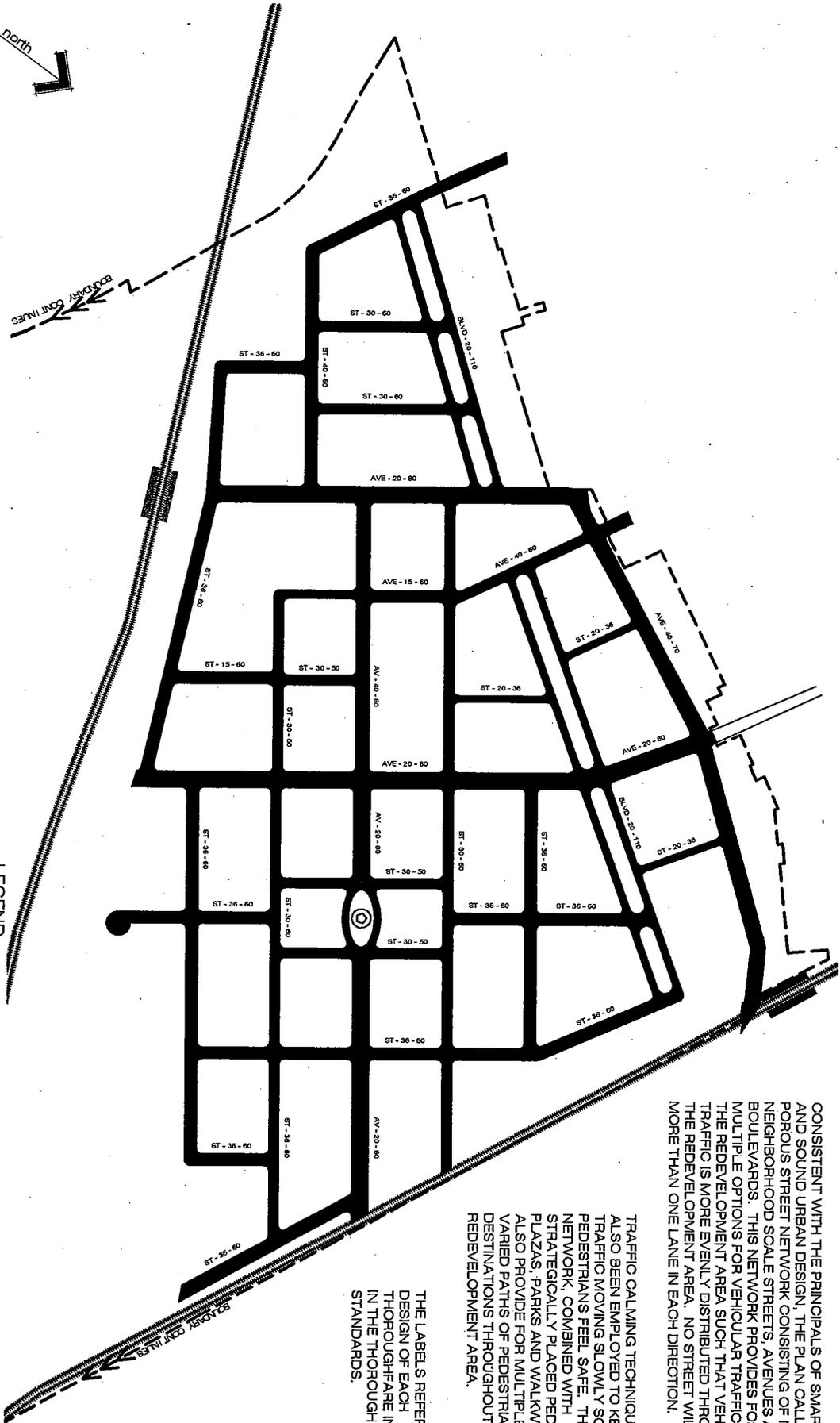
-  S - CLASS BUILDINGS 2 - 4 STORIES  
BUILDINGS ON BLOCKS 9 AND 11 SHALL BE PERMITTED ONE ADDITIONAL STORY IF GROUND FLOOR COMMERCIAL OR PARKING IS PROVIDED.
-  SM - CLASS BUILDINGS 3-6 STORIES
-  M - CLASS BUILDINGS 4 - 8 STORIES
-  L - CLASS BUILDINGS 8 - 12 STORIES  
BLOCK 29b SHALL BE PERMITTED 14 STORIES.
-  CIVIC/ RESIDENTIAL BUILDINGS  
THE MAXIMUM HEIGHT FOR BUILDINGS DEVELOPED SOLELY AS CIVIC OR RESIDENTIAL SHALL BE 4 STORIES. THE MAXIMUM HEIGHT FOR BUILDINGS CONTAINING BOTH CIVIC AND RESIDENTIAL USES SHALL BE 6 STORIES.
-  MID-BLOCK PARKING  
AREAS AT BLOCK CENTERS MAY BE USED FOR PARKING STRUCTURES, EXCEPT THAT THE MID-BLOCK AREAS OF BLOCKS 2, 3, 33A, 33B AND THE REAR PORTION OF BLOCK 19B CONTIGUOUS WITH THE S-CLASS BUILDINGS SHALL BE OPEN SPACE, PRIMARILY IN THE FORM OF TOWNHOUSE REAR YARDS AS DISCUSSED IN SECTION VIA. OF THIS PLAN.

# STREET NETWORK

CONSISTENT WITH THE PRINCIPALS OF SMART GROWTH AND SOUND URBAN DESIGN, THE PLAN CALLS FOR A POROUS STREET NETWORK CONSISTING OF NUMEROUS NEIGHBORHOOD SCALE STREETS, AVENUES AND BOULEVARDS. THIS NETWORK PROVIDES FOR MULTIPLE OPTIONS FOR VEHICULAR TRAFFIC WITHIN THE REDEVELOPMENT AREA SUCH THAT VEHICULAR TRAFFIC IS MORE EVENLY DISTRIBUTED THROUGHOUT THE REDEVELOPMENT AREA. NO STREET WILL REQUIRE MORE THAN ONE LANE IN EACH DIRECTION.

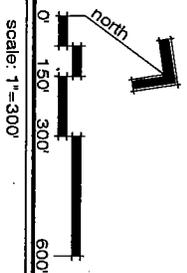
TRAFFIC CALMING TECHNIQUES HAVE ALSO BEEN EMPLOYED TO KEEP TRAFFIC MOVING SLOWLY SO THAT PEDESTRIANS FEEL SAFE. THE STREET NETWORK COMBINED WITH STRATEGICALLY PLACED PEDESTRIAN PLAZAS, PARKS AND WALKWAYS, WILL ALSO PROVIDE FOR MULTIPLE AND VARIED PATHS OF PEDESTRIAN TRAVEL DESTINATIONS THROUGHOUT THE REDEVELOPMENT AREA.

THE LABELS REFER TO THE DESIGN OF EACH THOROUGHFARE INDICATED IN THE THOROUGHFARE STANDARDS.



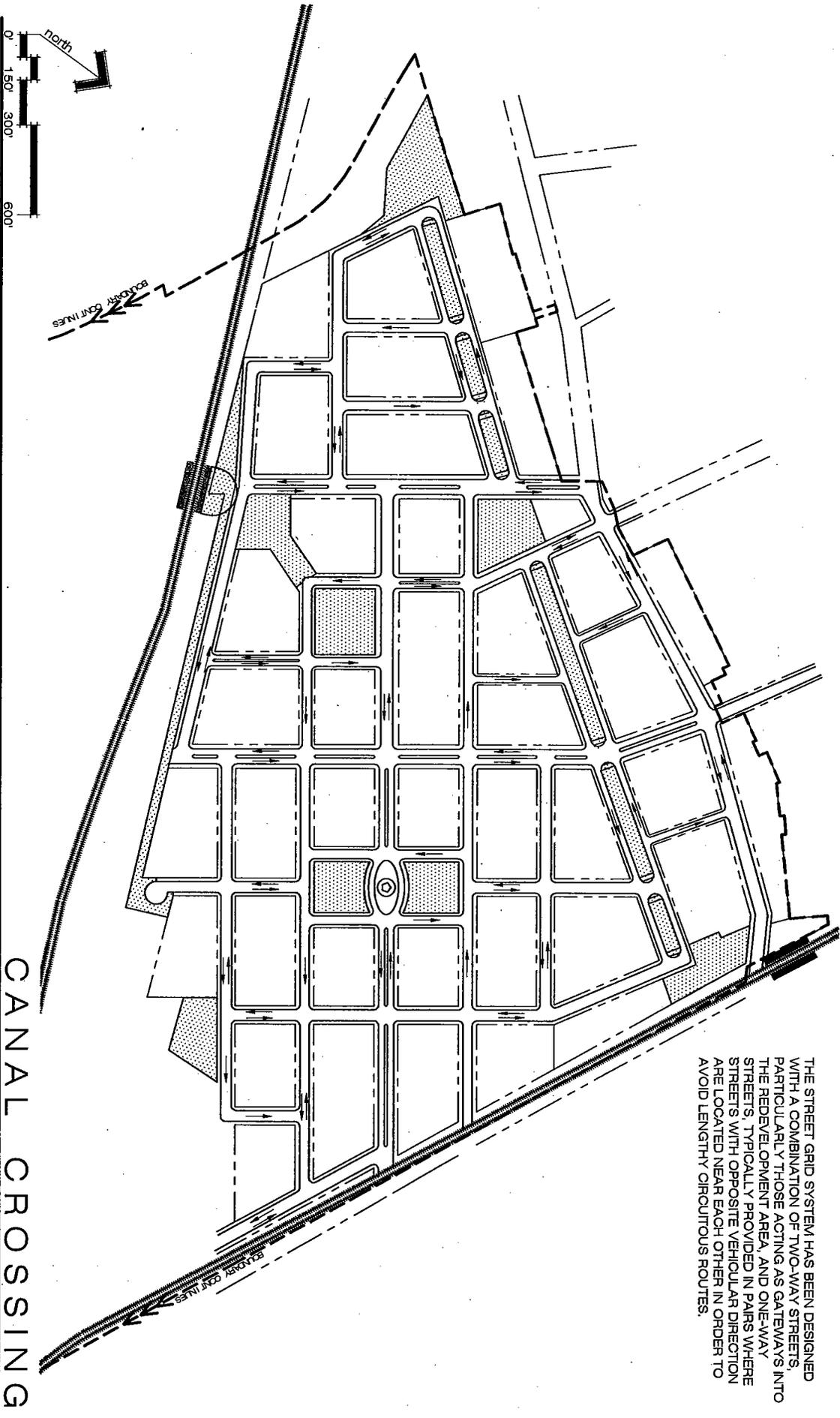
LEGEND  
 ROADWAYS

CANAL CROSSING

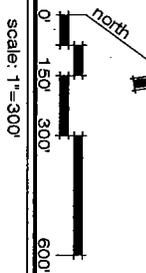


# VEHICULAR CIRCULATION

THE STREET GRID SYSTEM HAS BEEN DESIGNED WITH A COMBINATION OF TWO-WAY STREETS, PARTICULARLY THOSE ACTING AS GATEWAYS INTO THE REDEVELOPMENT AREA, AND ONE-WAY STREETS, TYPICALLY PROVIDED IN PAIRS WHERE STREETS WITH OPPOSITE VEHICULAR DIRECTION ARE LOCATED NEAR EACH OTHER IN ORDER TO AVOID LENGTHY CIRCUITOUS ROUTES.



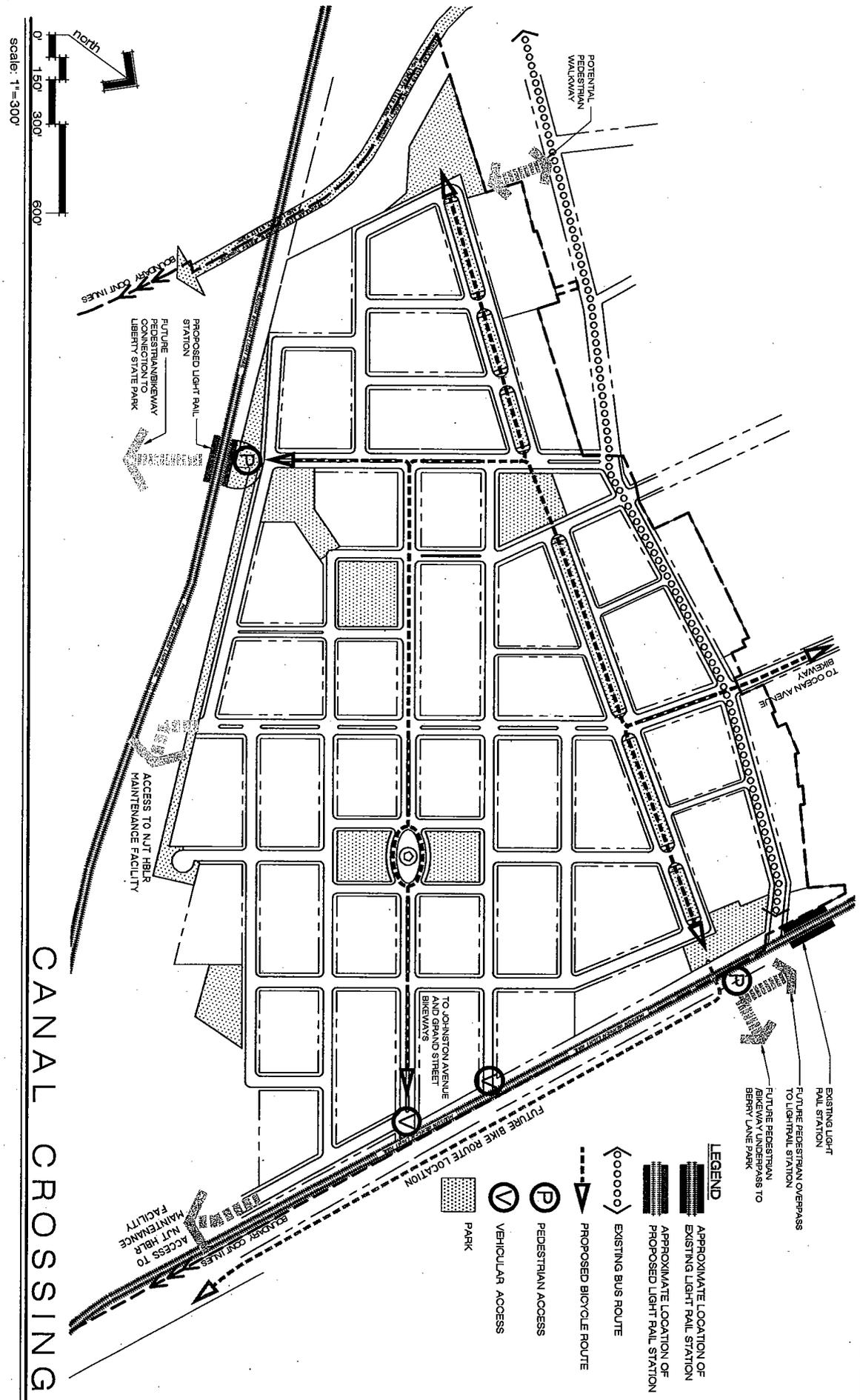
CANAL CROSSING



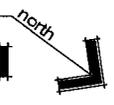
BOUNDARY CENTER LINES

BOUNDARY CENTER LINES

# TRANSIT PLAN



scale: 1"=300'



CANAL CROSSING

## LEGEND

-  APPROXIMATE LOCATION OF EXISTING LIGHT RAIL STATION
-  APPROXIMATE LOCATION OF PROPOSED LIGHT RAIL STATION
-  EXISTING BUS ROUTE
-  PROPOSED BICYCLE ROUTE
-  PEDESTRIAN ACCESS
-  VEHICULAR ACCESS
-  PARK

EXISTING LIGHT RAIL STATION  
 FUTURE PEDESTRIAN OVERPASS TO LIGHT RAIL STATION  
 FUTURE PEDESTRIAN BIKEWAY UNDERPASS TO BERRY LANE PARK

TO JOANSTON AVENUE AND GRAND STREET BIKEWAYS

ACCESS TO NJT HBLR MAINTENANCE FACILITY

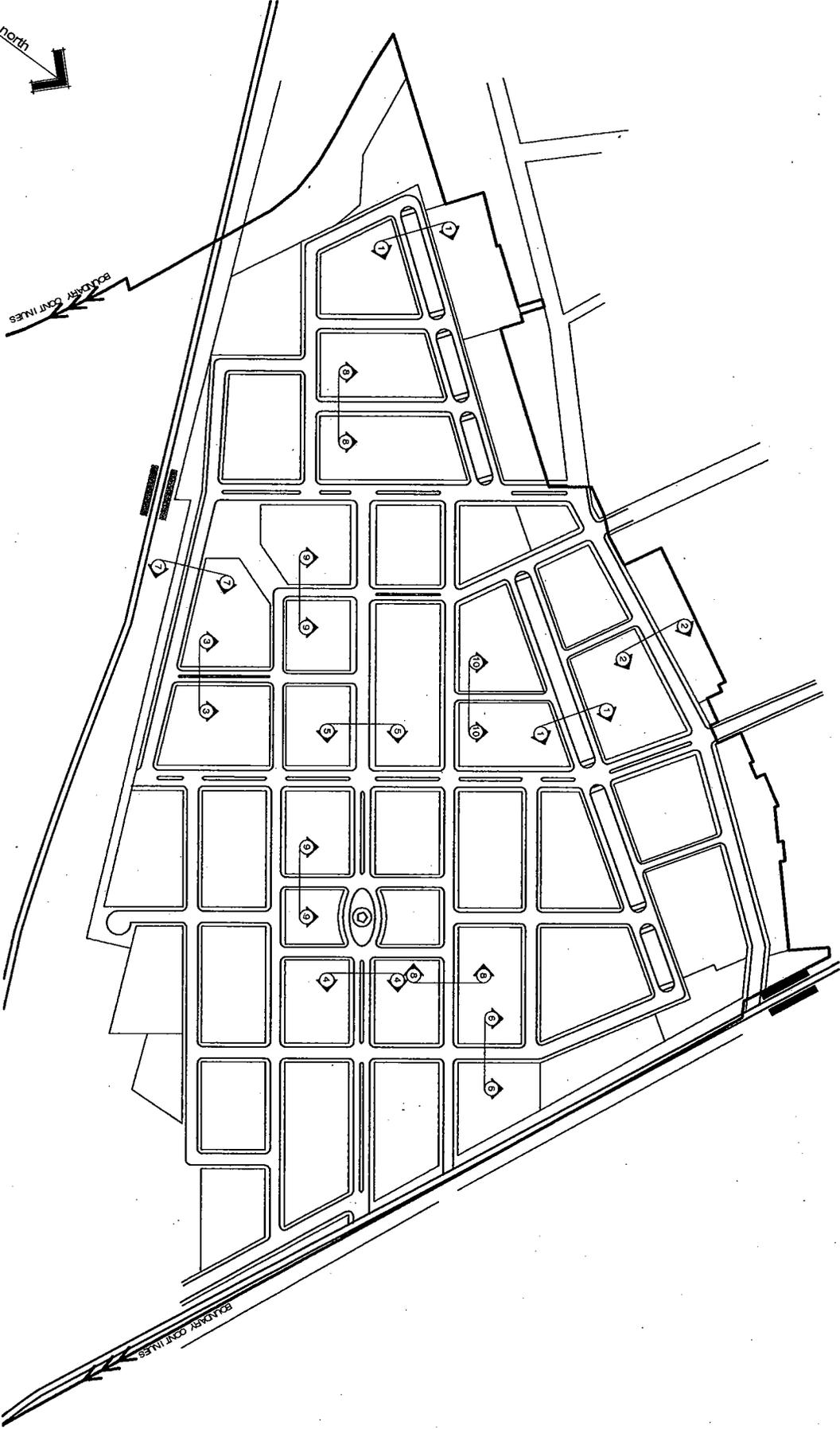
ACCESS TO NJT HBLR MAINTENANCE FACILITY

PROPOSED LIGHT RAIL STATION  
 FUTURE PEDESTRIAN BIKEWAY CONNECTION TO LIBERTY STATE PARK

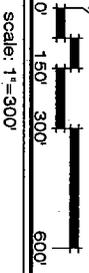
POTENTIAL PEDESTRIAN WALKWAY

TO OCEAN AVENUE BIKEWAY

THOROUGHFARE SECTION REFERENCE



CANAL CROSSING



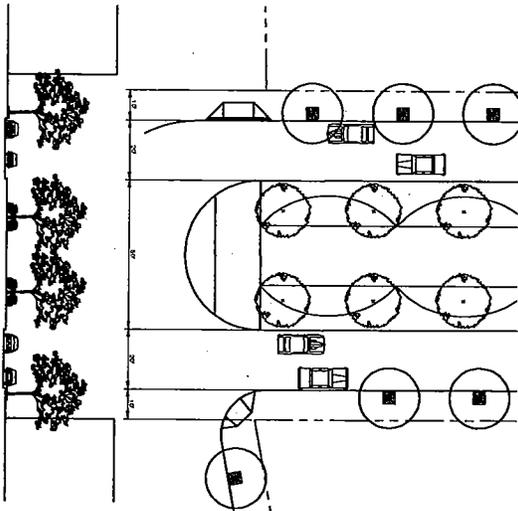
ROADWAY DESIGN STANDARDS

THOROUGHFARE DESIGN STANDARDS

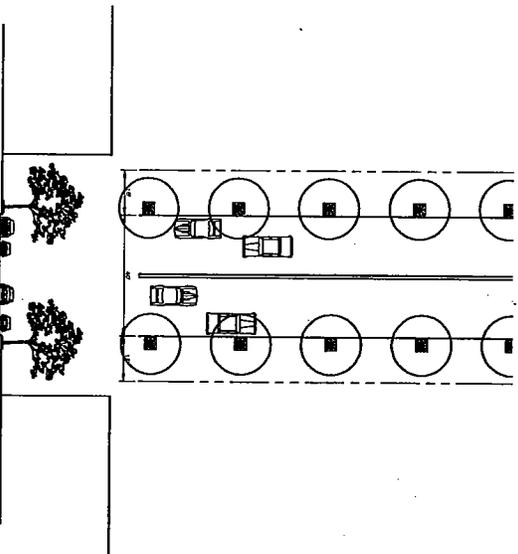
TYPE  
 AVENUE = AVE  
 BOULEVARD = BLVD  
 STREET = ST

EXAMPLE: ST-30-50  
 (ROADWAY TYPE - PAVEMENT WIDTH - R.O.W.)

ROADWAY TYPE
TRAFFIC LANES
PARKING LANES
R.O.W WIDTH
CURB TO CURB WIDTH
CURB RADIUS



BOULEVARD
SECTION 1
BLVD-20-110
TWO ONE WAY LANES
BOTH SIDES
110'
20' / 20'
15'



AVENUE 1
SECTION 2
AVE-40-70
TWO ONE WAY LANES
BOTH SIDES
70'
40'
15'

CANAL CROSSING

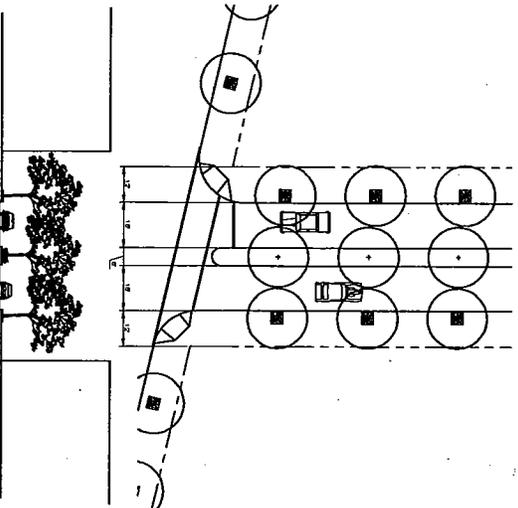
# THOROUGHFARE DESIGN STANDARDS

## ROADWAY DESIGN STANDARDS

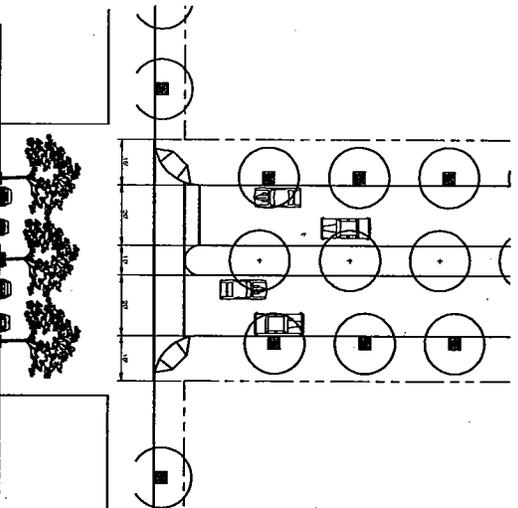
TYPE  
 AVENUE = AVE  
 BOULEVARD = BLVD  
 STREET = ST

EXAMPLE: ST-30-50  
 (ROADWAY TYPE - PAVEMENT WIDTH - R.O.W.)

ROADWAY TYPE
TRAFFIC LANES
PARKING LANES
R.O.W WIDTH
CURB TO CURB WIDTH
CURB RADIUS



AVENUE 2
SECTION 3
AVE-15-60
TWO ONE WAY LANES
N/A
60'
15' / 15'
15'



AVENUE 3
SECTION 4
AVE-20-80
TWO ONE WAY LANES
BOTH SIDES
80'
20' / 20'
15'

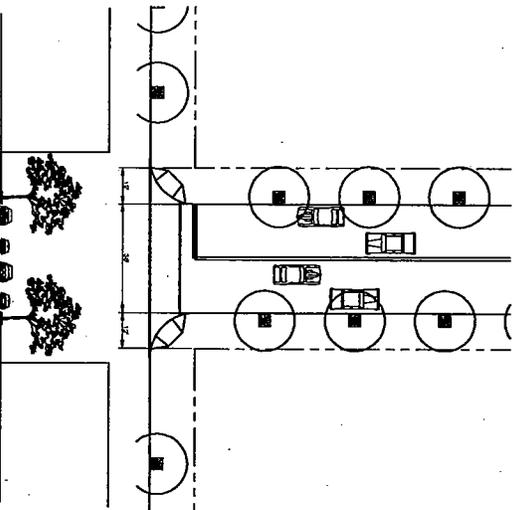
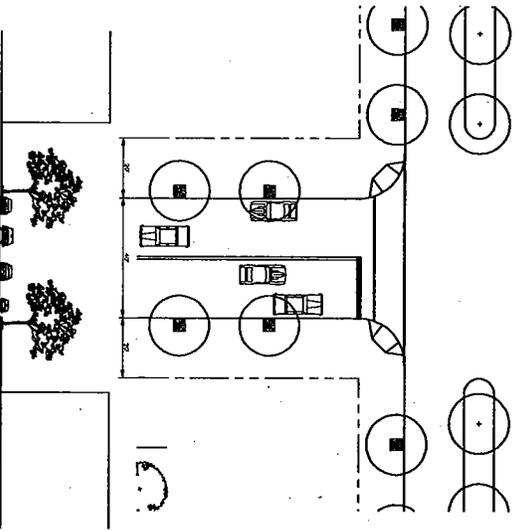
## CANAL CROSSING

# THOROUGHFARE DESIGN STANDARDS

## ROADWAY DESIGN STANDARDS

TYPE  
 AVENUE = AVE  
 BOULEVARD = BLVD  
 STREET = ST

EXAMPLE: ST-30-60  
 (ROADWAY TYPE - PAVEMENT WIDTH - R.O.W.)



ROADWAY TYPE
TRAFFIC LANES
PARKING LANES
R.O.W WIDTH
CURB TO CURB WIDTH
CURB RADIUS

AVENUE 4
SECTION 5
AVE-40-80
TWO-WAY
BOTH SIDES
80'
40'
15'

STREET 1
SECTION 6
ST-36-60
TWO-WAY
BOTH SIDES
60'
40'
15'



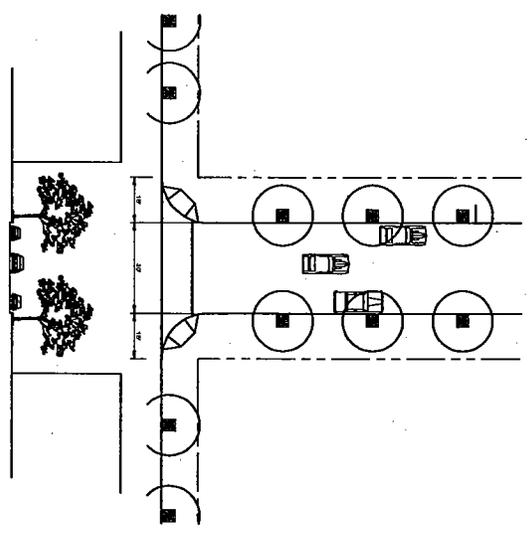
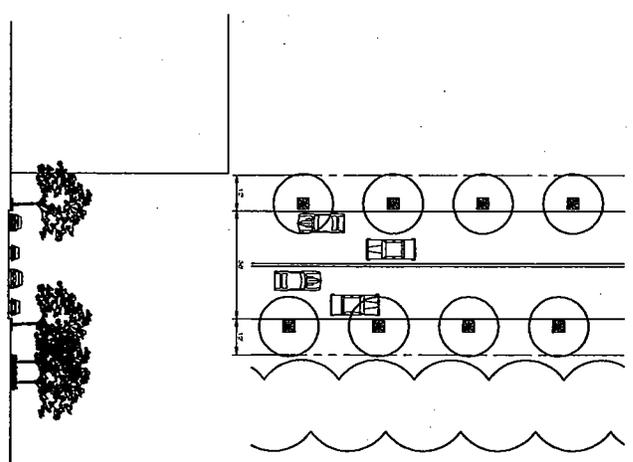
## CANAL CROSSING

# THOROUGHFARE DESIGN STANDARDS

## ROADWAY DESIGN STANDARDS

TYPE = AVE  
 AVENUE = BLVD  
 BOULEVARD = ST  
 STREET

EXAMPLE: ST-30-50  
 (ROADWAY TYPE - PAVEMENT WIDTH - R.O.W.)



ROADWAY TYPE
TRAFFIC LANES
PARKING LANES
R.O.W WIDTH
CURB TO CURB WIDTH
CURB RADIUS

STREET 2
SECTION 7
ST-36-60
TWO-WAY
BOTH SIDES
60'
40'
15'

STREET 3
SECTION 8
ST-30-60
ONE-WAY
BOTH SIDES
60'
30'
15'



## CANAL CROSSING

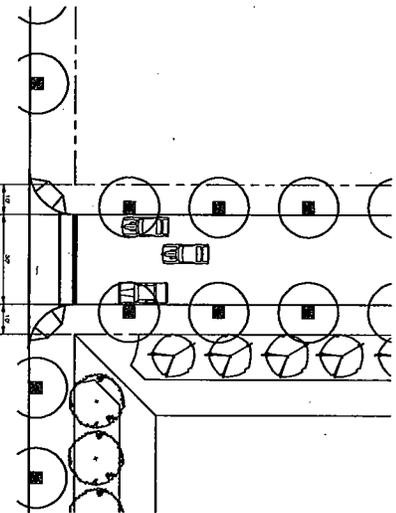
# THOROUGHFARE DESIGN STANDARDS

## ROADWAY DESIGN STANDARDS

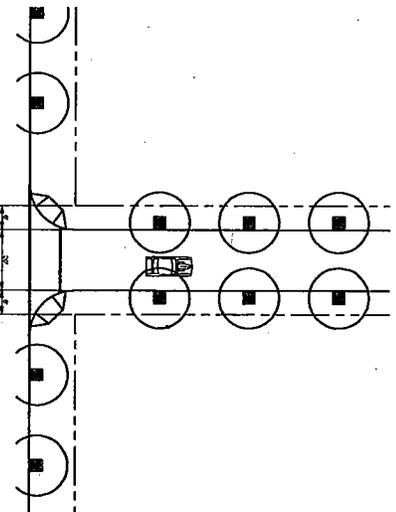
TYPE  
 AVENUE = AVE  
 BOULEVARD = BLVD  
 STREET = ST

EXAMPLE: ST-30-50  
 (ROADWAY TYPE - PAVEMENT WIDTH - R.O.W.)

ROADWAY TYPE
TRAFFIC LANES
PARKING LANES
R.O.W WIDTH
CURB TO CURB WIDTH
CURB RADIUS



STREET 4
SECTION 9
ST-30-50
ONE-WAY
BOTH SIDES
50'
30'
15'



STREET 5
SECTION 10
ST-20-36
ONE-WAY
N/A
36'
20'
15'

## CANAL CROSSING

# COMMUNITY & RECREATION FACILITIES PLAN

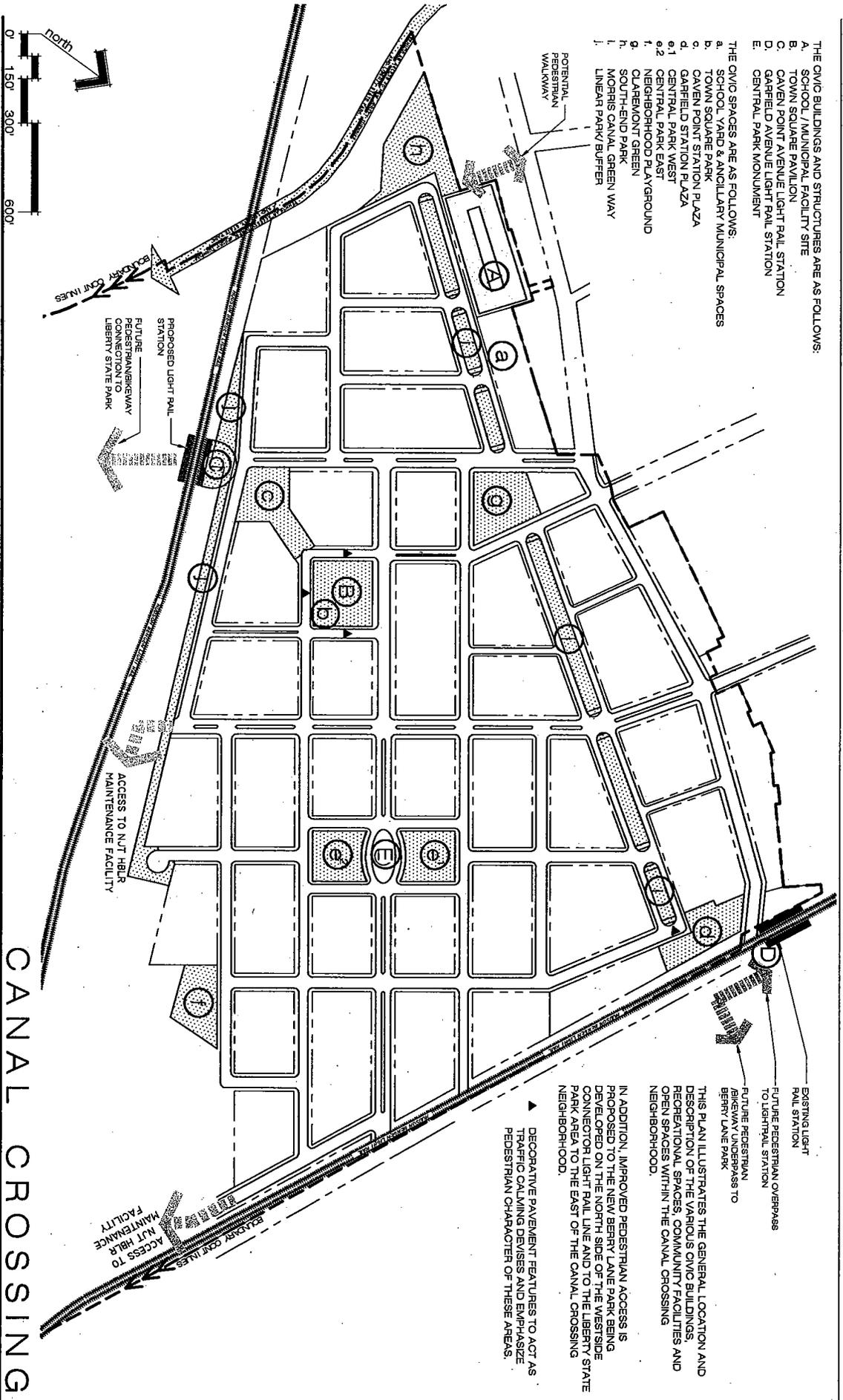
THE CIVIC BUILDINGS AND STRUCTURES ARE AS FOLLOWS:

- A. SCHOOL / MUNICIPAL FACILITY SITE
- B. TOWN SQUARE PAVILION
- C. CAVEN POINT AVENUE LIGHT RAIL STATION
- D. GARFIELD AVENUE LIGHT RAIL STATION
- E. CENTRAL PARK MONUMENT

THE CIVIC SPACES ARE AS FOLLOWS:

- a. SCHOOL YARD & ANCILLARY MUNICIPAL SPACES
- b. TOWN SQUARE PARK
- c. CAVEN POINT STATION PLAZA
- d. GARFIELD STATION PLAZA
- e.1 CENTRAL PARK WEST
- e.2 CENTRAL PARK EAST
- f. NEIGHBORHOOD PLAYGROUND
- g. CLAREMONT GREEN
- h. SOUTH-END PARK
- i. MORRIS CANAL GREEN WAY
- j. LINEAR PARK/BUFFER

POTENTIAL  
PEDESTRIAN  
WALKWAY



scale: 1"=300'

# CANAL CROSSING

EXISTING LIGHT RAIL STATION  
 FUTURE PEDESTRIAN OVERPASS TO LIGHT RAIL STATION  
 FUTURE PEDESTRIAN BERRY LANE PARK  
 FUTURE PEDESTRIAN BERRY LANE PARK

THIS PLAN ILLUSTRATES THE GENERAL LOCATION AND DESCRIPTION OF THE VARIOUS CIVIC BUILDINGS, RECREATIONAL SPACES, COMMUNITY FACILITIES AND OPEN SPACES WITHIN THE CANAL CROSSING NEIGHBORHOOD.

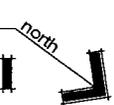
IN ADDITION, IMPROVED PEDESTRIAN ACCESS IS PROPOSED TO THE NEW BERRY LANE PARK BEING DEVELOPED ON THE NORTH SIDE OF THE WESTSIDE CONNECTOR LIGHT RAIL LINE AND TO THE LIBERTY STATE PARK AREA TO THE EAST OF THE CANAL CROSSING NEIGHBORHOOD.

DECORATIVE PAVEMENT FEATURES TO ACT AS TRAFFIC CALMING DEVICES AND EMPHASIZE PEDESTRIAN CHARACTER OF THESE AREAS.

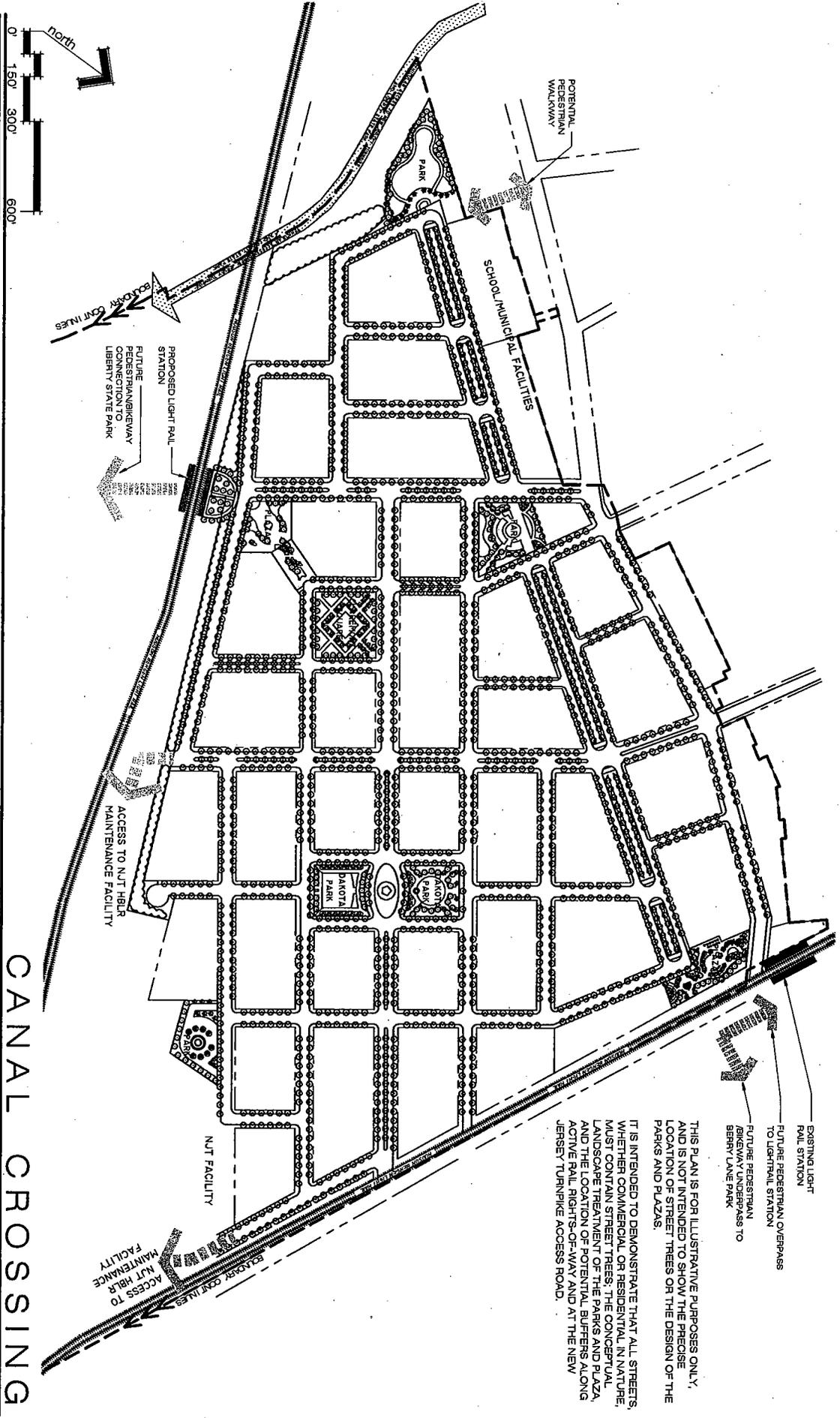
PROPOSED LIGHT RAIL STATION  
 FUTURE PEDESTRIAN WALKWAY CONNECTION TO LIBERTY STATE PARK

ACCESS TO NUT HELL MAINTENANCE FACILITY

ACCESS TO NUT HELL MAINTENANCE FACILITY



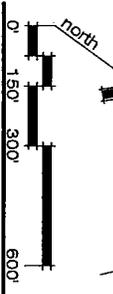
# CONCEPTUAL LANDSCAPE PLAN



THIS PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY, AND IS NOT INTENDED TO SHOW THE PRECISE LOCATION OF STREET TREES OR THE DESIGN OF THE PARKS AND PLAZAS.

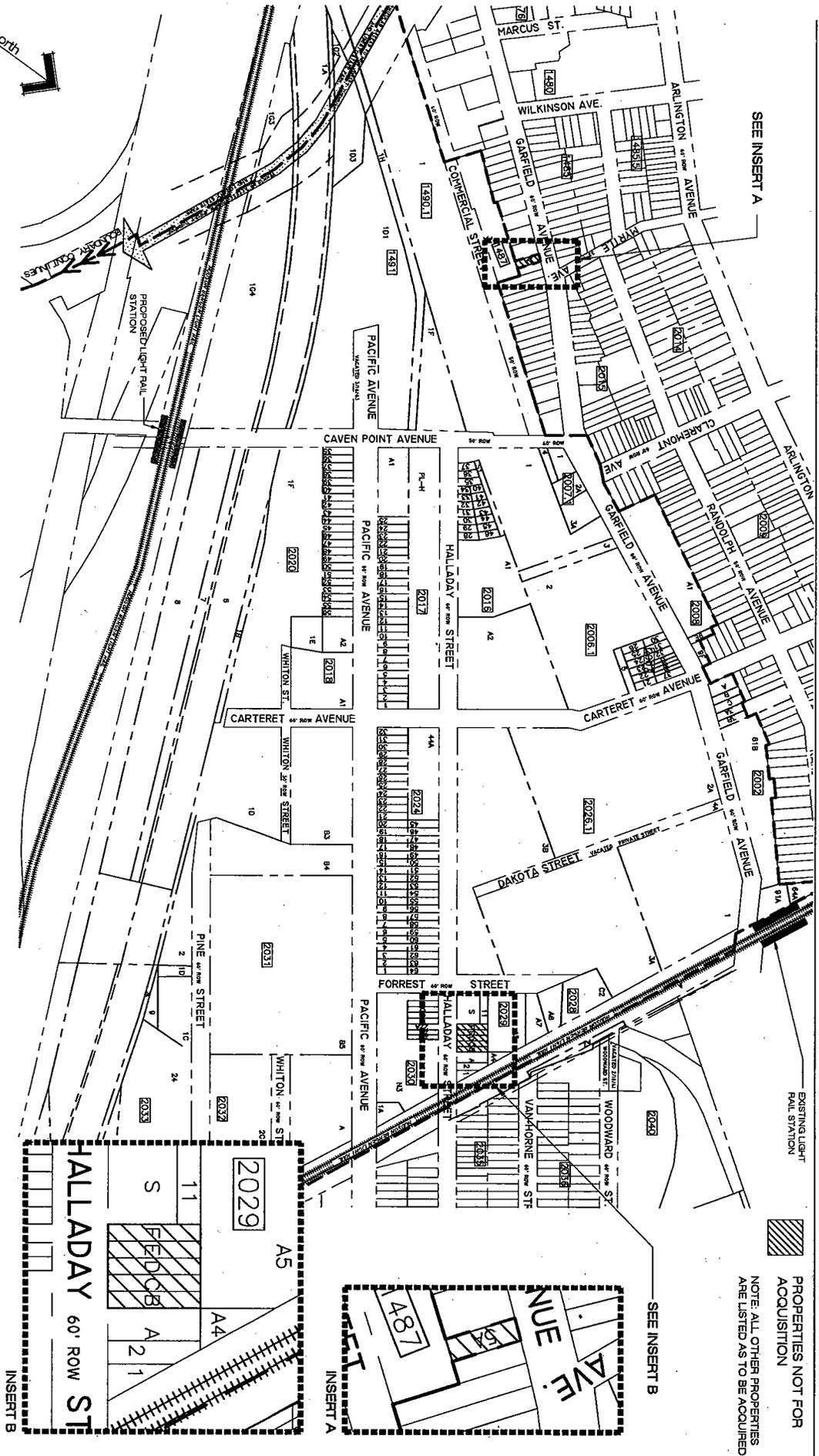
IT IS INTENDED TO DEMONSTRATE THAT ALL STREETS, WHETHER COMMERCIAL OR RESIDENTIAL IN NATURE, MUST CONTAIN STREET TREES. THE CONCEPTUAL LANDSCAPE TREATMENT OF THE PARKS AND PLAZA AND THE LOCATION OF POTENTIAL BUFFERS ALONG ACTIVE RAIL RIGHTS-OF-WAY AND AT THE NEW JERSEY TURNPIKE ACCESS ROAD.

# CANAL CROSSING



Scale: 1"=300'

# CANAL CROSSING



SEE INSERT A

SEE INSERT B

## ACQUISITION PLAN



PROPERTIES NOT FOR ACQUISITION

NOTE: ALL OTHER PROPERTIES ARE LISTED AS TO BE ACQUIRED

INSERT B

INSERT A

0' 150' 300' 600'

north

PROPOSED LIGHT RAIL STATION

EXISTING LIGHT RAIL STATION

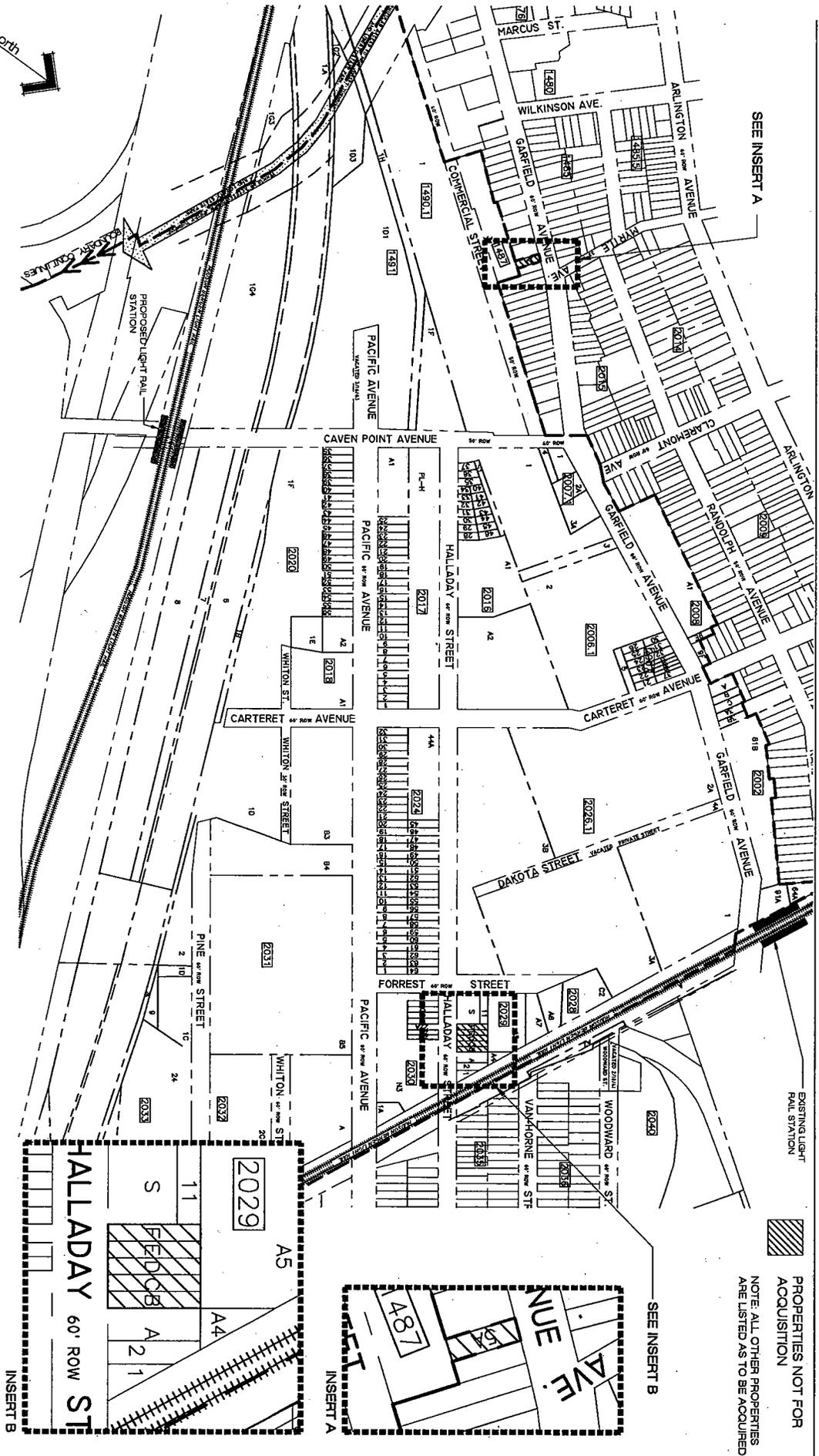
HALLADAY 60' ROW ST

INSERT B

INSERT A

PROPERTIES NOT FOR ACQUISITION

NOTE: ALL OTHER PROPERTIES ARE LISTED AS TO BE ACQUIRED



SEE INSERT A

SEE INSERT B

## ACQUISITION PLAN



PROPERTIES NOT FOR ACQUISITION

NOTE: ALL OTHER PROPERTIES ARE LISTED AS TO BE ACQUIRED

INSERT B

INSERT A

0' 150' 300' 600'

north

PROPOSED LIGHT RAIL STATION

EXISTING LIGHT RAIL STATION

HALLADAY 60' ROW ST

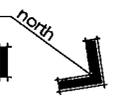
INSERT B

INSERT A

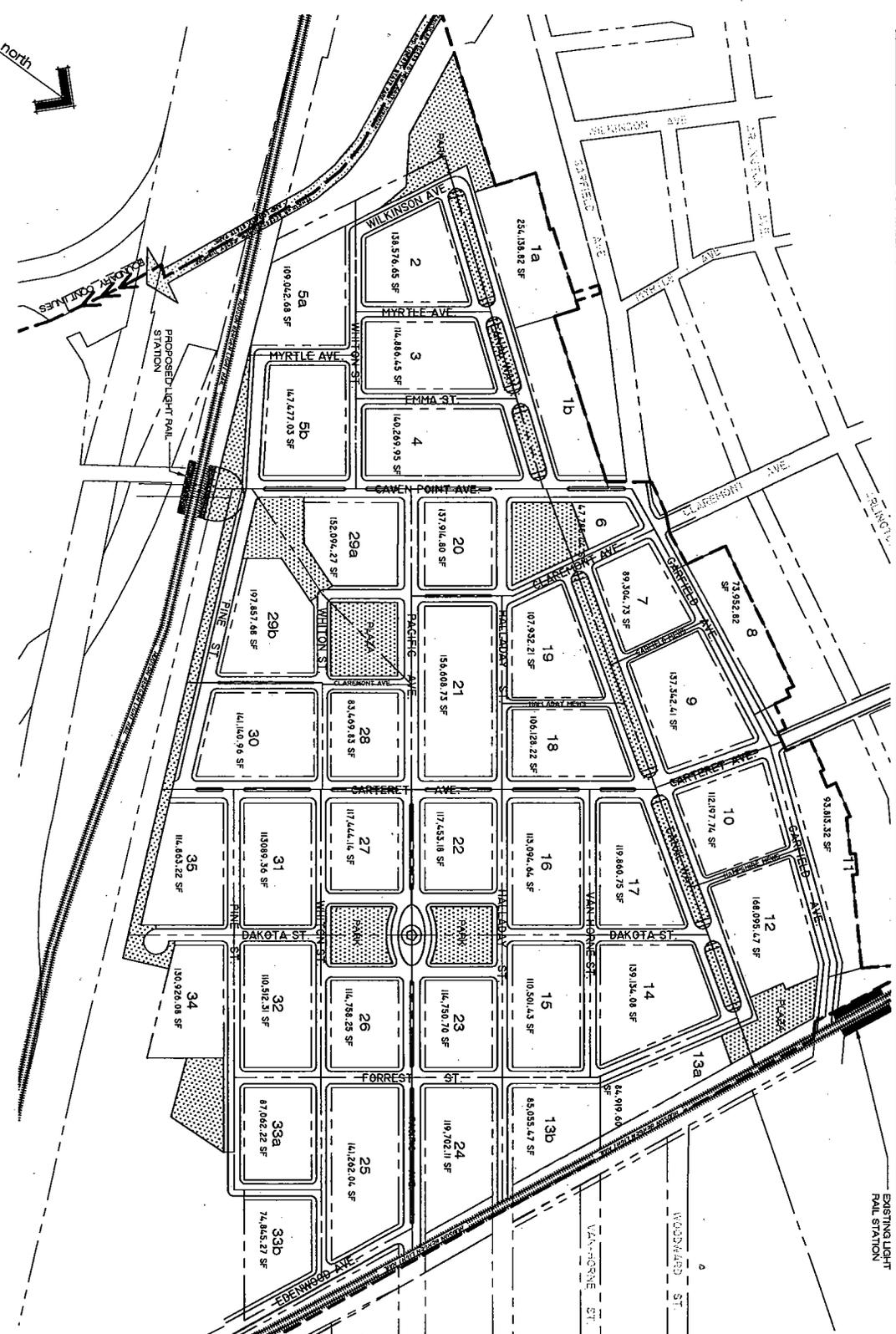
PROPERTIES NOT FOR ACQUISITION

NOTE: ALL OTHER PROPERTIES ARE LISTED AS TO BE ACQUIRED

Scale: 1"=300'



# CANAL CROSSING



## GROSS BLOCK AREA

BLOCK ID NUMBER	SQUARE FEET	ACREAGE
1a/b	254,139	5.83
2	138,877	3.18
3	114,886	2.64
4	140,270	3.22
5a	109,043	2.50
5b	147,477	3.39
6	47,785	1.10
7	89,305	2.05
8	73,933	1.70
9	137,342	3.15
10	112,198	2.58
11	93,813	2.15
12	169,095	3.85
13a	94,919	2.18
13b	85,055	1.95
14	139,134	3.19
15	110,501	2.54
16	113,095	2.60
17	119,661	2.75
18	106,128	2.44
19	107,932	2.48
20	137,915	3.17
21	156,609	3.60
22	117,453	2.70
23	114,751	2.63
24	119,702	2.75
25	141,262	3.24
26	114,758	2.63
27	117,444	2.70
28	83,470	1.92
29a	152,094	3.49
29b	197,858	4.54
30	141,141	3.24
31	113,089	2.60
32	110,512	2.54
33a	87,082	2.00
33b	74,845	1.72
34	130,325	3.01
35	114,863	2.64
TOTAL	4,719,264.06	109.34

City Clerk File No. Ord. 09-007

Agenda No. 3.6 1st Reading

Agenda No. \_\_\_\_\_ 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 09-007

TITLE: **AN ORDINANCE AUTHORIZING THE CITY OF JERSEY CITY TO LEASE ON-STREET PARKING SPACES IN THE CHRISTOPHER COLUMBUS DRIVE PERMIT PARKING ZONE FROM THE JERSEY CITY PARKING AUTHORITY.**

**THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:**

**WHEREAS**, the City of Jersey City (City) leases office space at 30 Montgomery Street, Jersey City; and

**WHEREAS**, the City needs parking spaces for some of its employees who work at 30 Montgomery Street; and

**WHEREAS**, pursuant to Ordinance 26-20 and 26-28.1 the Parking Authority of the City of Jersey City (Parking Authority) operates an on-street permit parking zone along Christopher Columbus Drive from Marin Boulevard to Exchange Place; and

**WHEREAS**, City Ordinance 07-027 authorized the Parking Authority to lease 91 spaces in the Christopher Columbus Drive permit zone at a cost of \$75.00 per space per month for a monthly total of \$6,825.00 for a two year term effective as of March 1, 2007 and ending February 28, 2009; and

**WHEREAS**, an amended Ordinance was adopted on September 11, 2007 authorizing an increase in parking spaces from 91 to 101 spaces at the cost of \$75.00 per space per month for a monthly total of \$7,575.00 and an annual cost of \$90,900.00; and

**WHEREAS**, a second amended Ordinance was adopted on January 9, 2008 to increase the parking spaces from 101 to 116 spaces at a cost of \$75.00 per month per space for a monthly total of \$8,700.00 and an annual cost of \$ 104,400.00 effective as of December 1, 2007 and ending February 28, 2009; and,

**WHEREAS**, the City shall have the right to terminate the lease without cause by giving 30 days' advance notice of termination; and

**WHEREAS**, N.J.S.A. 40A:12-5 provides that a municipality may by ordinance authorize the leasing of real property or personal property; and

**WHEREAS**, the Parking Authority agrees to lease parking spaces to the City for two years for a total cost not to exceed \$ 208,800.00 payable in equal monthly installments of \$8,700.00 per month; and

**WHEREAS**, the sum of \$17,400.00 is available in the fiscal year 2009 year temporary budget in account # 09-01-201-31-432-304; and

**WHEREAS**, the balance of the lease funds will be made available in the 2009 fiscal year permanent budget and in subsequent fiscal year budgets.

**AN ORDINANCE AUTHORIZING THE CITY TO LEASE  
ON-STREET PARKING SPACES IN THE CHRISTOPHER  
COLUMBUS DRIVE PERMIT PARKING ZONE FROM THE  
JERSEY CITY PARKING AUTHORITY.**

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF JERSEY CITY  
THAT:**

- 1) The Mayor or Business Administrator is authorized to execute a second Amended Lease Agreement with the Parking Authority subject to such modification as may be deemed necessary or appropriate by Corporation Counsel.
- 2) The term of the Lease Agreement is effective as of March 1, 2009 and ending February 28, 2011 for a total annual cost not to exceed \$104,000.00.
- 3) The City shall have the right to terminate the lease at any time during its term by giving 30 days' notice prior to the effective date of termination.
- 4) Funds in the amount of \$17,400.00 are available in Account # 09-01-201-31-432-304. The balance of the lease funds shall be made available in subsequent fiscal year budgets.

I, \_\_\_\_\_ (Donna Mauer), Chief Financial Officer, hereby certify that these funds are available in Account # 09- 01-201-31-432-304.

APPROVED: Ann Marie Miller APPROVED AS TO LEGAL FORM  
Ann Marie Miller, Real Estate Manager

APPROVED: B. O'Reilly \_\_\_\_\_  
Business Administrator Corporation Counsel

Certification Required   
Not Required

# CITY OF JERSEY CITY

Requisition #

0143633

Assigned PO #

## Requisition

Vendor

Dept. Bill To

REAL ESTATE  
280 GROVE STREET  
JERSEY CITY NJ 07302

Dept. Ship To

280 GROVE STREET  
JERSEY CITY NJ 07302

Contact Info

PEGGY RAUSCH X5234  
0000000000

Quantity	UOM	Description	Account	Unit Price	Total
1.00	EA	SEE ATTACHED	01-201-31-432-304	17,400.00	17,400.00

THIS PURCHASE ORDER IS ISSUED FOR ENCUMBRANCY PURPOSES ONLY TO ESTABLISH FUNDING FOR NAME OF CONTRACT: JERSEY CITY PARKING AUTHORITY FOR SPACES FOR MUNICIPAL EMPLOYEES AT 30 MONTGOMERY STREET  
DATE OF CONTRACT: MARCH 1, ~~2008~~ 2009  
TOTAL AMOUNT OF CONTRACT: \$104,400.00  
TEMPORARY ENCUMBRANCY: \$17,400.00  
TO COVER FROM 3/1/10 THRU 4/1/10  
PAYMENTS WILL BE MADE FROM TIME TO TIME ON PARTIAL PAYMENT VOUCHERS.

Requisition Total 17,400.00

Req. Date: 12/23/2008

Requested By: PEGGYR

Buyer Id:

Approved By: \_\_\_\_\_

**This Is Not A Purchase Order**

## **LEASE AGREEMENT**

This Lease Agreement made this \_\_\_\_\_ day of \_\_\_\_\_, 2009, between the Parking Authority of the City of Jersey City ( Parking Authority ) located at 392-394 Central Avenue, Jersey City, N.J. 07307 and the City of Jersey City (City) having its principal place of business at City Hall, 280 Grove Street, Jersey City, N.J. 07302 .

**WHEREAS**, the City requires parking facilities for employees whose offices are located at 30 Montgomery Street, Jersey City, N.J.; and

**WHEREAS**, pursuant to city ordinances 26-20 and 26-28.1, the Parking Authority operates an on-street permit parking zone on Christopher Columbus Drive from Marin Blvd. to Exchange Place; and

**WHEREAS**, the Parking Authority agrees to lease to the City a total of 116 parking spaces located in the Christopher Columbus permit parking zone; and

**WHEREAS**, the City and the Parking Authority desire to enter into this Agreement for the leasing of parking spaces effective March 1, 2009.

**Now**, Therefore, in consideration of the mutual promises and covenants set forth herein, the parties agree as follows :

### **ARTICLE I** **PREMISES**

The Parking Authority does hereby lease to the City and the City does hereby rent from the Parking Authority the following described premises : a total of 116 on-street parking spaces in the Christopher Columbus Drive permit parking zone.

### **ARTICLE II** **TERM**

For a term effective March 1, 2009 and ending on February 28, 2011.

### **ARTICLE III** **USE**

Under the terms of this Lease, the City shall have the right to use and occupy 116 on-street parking spaces located in the Christopher Columbus permit parking zone. This area is on-street permit parking zone operated by the Parking Authority pursuant to City Ordinance 26-20 and 26-28.1

**ARTICLE IV**  
**Payment of Rent**

The City covenants and agrees to pay the Parking Authority an annual rent for and during the term hereof, the sum of \$104,400.00 payable at \$ 8,700.00 per month during the eighth day of each month for the term of this Lease. The sum of \$ 8,700.00 represents the monthly rent due for 116 parking spaces at Seventy Five Dollars \$75.00 per parking space per month.

**ARTICLE V**  
**Assignment Sub-Lease**

The City shall not, without the prior written consent of the Parking Authority, assign Mortgage hypothecate this Lease, not sublet or sublease the premises or any part hereof.

**ARTICLE VI**  
**Termination**

The term of the Lease is from March 1, 2009 to February 28, 2011. The City shall have the right at its convenience to terminate the Lease at any time during its term by giving thirty (30) days' notice prior to the effective date of termination.

**ARTICLE VII**  
**Validity of Lease**

The terms, conditions, covenants and provisions of the Lease shall be deemed to be severable. If any clause or provision herein contained shall be adjudged to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, it shall not affect the validity or any other clause or provision herein, but such other clauses or provisions shall remain in full force and effect.

**ARTICLE VIII**  
**Notices**

All notices required under the terms of this Lease shall be given and shall be complete by mailing such notices by certified or registered mail, return receipt requested, or by hand delivery to the parties as shown at the head of the Lease, or to such other address as may be designated in writing, which notice of change of address shall be given in the same manner.

**ARTICLE IX**  
**Entire Contract**

This Lease contains the entire Contract between the parties. No representative, agent or employee of the Parking Authority has been authorized to make any representations or promises with reference to the within letting or to vary, alter or modify the terms hereof. No additions, changes or modifications, renewal or extensions hereof, shall be binding unless reduced to writing and signed by the Parking Authority and the City.

**ARTICLE X**

This Lease may not be filed by the City without the prior written consent of the Parking Authority. The Parking Authority may pursue the relief or remedy sought in any invalid clause, by conforming the said clause with the provisions of the statutes or the regulations of any governmental agency in such case made and provided as if the particular provisions of the applicable statutes or regulations were set forth herein at length. In all references herein to any parties, persons, entities or corporation, the use of any particular gender or the plural or singular number is intended to included the appropriate gender or number as the text of the within instrument may require. All the terms, covenants and conditions herein contained shall be for and shall insure to the benefits of and shall bind the respective parties hereto, and their heirs, executors, administrators, personal or legal representatives, successors and assigns.

IN WITNESS WHEREOF, the parties have hereunto set their hand and seals, or caused these presents to be signed by their proper corporate officers and their proper corporate seal to be hereunto affixed, the day and year first above written.

**ATTEST:**

**CITY OF JERSEY CITY**

\_\_\_\_\_  
**ROBERT BYRNE**  
City Clerk

\_\_\_\_\_  
**BRIAN O'REILLY**  
Business Administrator

**WITNESS:**

**PARKING AUTHORITY OF  
JERSEY CITY**

\_\_\_\_\_

\_\_\_\_\_

City Clerk File No. Ord. 09-008

Agenda No. 3.H 1st Reading

Agenda No. \_\_\_\_\_ 2nd Reading & Final Passage



# ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 09-008

TITLE:

**AN ORDINANCE DEDICATING THE SOUTH WEST CORNER OF  
ACADEMY AND BALDWIN AVENUES TO ALSO BE KNOWN AS**

**Frank Roman Way**

COUNCIL AS A WHOLE, offered and moved adoption of the following ordinance.

**WHEREAS**, Frank Roman was born in Aguadilla, Puerto Rico in 1915 and at the age of five came to live in Jersey City, where he was raised. He attended Public School #16, Ferris High School. Frank furthered his education at Saint Peter's College where he graduated with a degree in Business Management; and

**WHEREAS**, Frank Roman worked for the Department of Immigration as a Screener and worked as a Travel Agent for many years before joining the ranks of the Hudson County Welfare Department as an Income Maintenance Technician. Frank quickly became a strong advocate for his co-workers and developed a deep love for his job. His co-workers responded by electing him as Vice President of AFSME Local 2306. A true leader, Frank was recognized by his peers and he was elected President. He served for two terms and fought tirelessly for the rights of the 600 members of his union. Frank also served as the Recording Secretary for Council 52, which oversees 49 Local Unions throughout the State of New Jersey; and

**WHEREAS**, Frank Roman volunteered his free time to "HOGAR CREA" (Casa de Reeduccion de Adictos) Home for the Reeduccion of Addicts) which is dedicated to the prevention and reeducation of drug addicts. He started as a volunteer and soon became a member of the Board of Directors. After six months, he became the President of the Steering Committee. As President, Frank was credited with many policy initiatives, as well as creating a better environment for the many residents who were looking to change their lives from drug dependency and crime to productive and meaningful lives; and

**WHEREAS**, Frank Roman served as Vice-President of the Jersey City Puerto Rican Heritage Festival & Parade for four straight years, making him the longest standing Vice President in the history of the organization; and

**WHEREAS**, Frank Roman was an ambassador of good will who shared his life with his community to better others. He came from a family of seven brothers and five sisters and was a good family man with ever present values. He lived his last days with his fiancée, Lings Mangan at 138 Baldwin Avenue in Jersey City. His overall accomplishments are well documented by the many people he helped in his short lifetime. His selfless acts of volunteerism and overall contributions to the citizens of Jersey City will never be forgotten.

**NOW, THEREFORE BE IT ORDAINED**, that the Municipal Council of the City of Jersey City deems it fitting and proper to dedicate the South West Corner of Academy and Baldwin Avenues to also be known as **Frank Roman Way**.

APPROVED AS TO LEGAL FORM

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_  
Business Administrator

Certification Required

Not Required

City Clerk File No. Ord. 09-009

Agenda No. 3.1 1st Reading

Agenda No. \_\_\_\_\_ 2nd Reading & Final Passage



# ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 09-009

TITLE:

**AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) OF THE JERSEY CITY CODE ARTICLE VII(METERED PARKING) AMENDING THE HOURS FOR TANDEM PARKING FROM 6:00 A.M. TO 7:00 P.M. TO 6:00 A.M. TO 5:00 P.M. AND SUPPLEMENTING ARTICLE VIII(PERMIT PARKING) ZONES) EXTENDING THE HOURS TWO (2) HOUR ZONE PARKING IS IN EFFECT FROM 8:00 A.M. TO 5:00 P.M. TO 8:00 A.M. TO 7:00 P.M.; ESTABLISHING A FOUR (4) HOUR RESIDENTIAL PARKING PERMIT FOR CITY RESIDENTS, ESTABLISHING 500 FEET AS THE MINIMUM DISTANCE A VEHICLE MUST BE MOVED TO REACTIVATE THE TWO (2) HOUR PARKING PROVISION; PROVIDE FOR THE CITY CLERK TO ADMINISTER DAILY VISITORS PARKING PERMITS; ESTABLISH GUIDELINES FOR THE PLACEMENT OF THE VEHICLE IMMOBILIZATION DEVICE (BOOT) AND WHEN THE FEE FOR THE BOOT SHALL BE REFUNDED BY THE PARKING AUTHORITY**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332(Vehicles and Traffic) Article XI(Schedules) of the Jersey City Code is hereby supplemented as follows:

Article VII Metered Parking  
Sec. 332-63 On-street permit parking zones.

1.Tandem Parking hours of enforcement well be in effect from 6:00 a.m. to [7:00 p.m.] 5:00 p.m.

The following public streets are established as on-street permit parking zones

STREET:	LOCATION:
Columbus Drive	Marin Boulevard to Hudson Street
Hoboken Avenue	South side; beginning at a point 73 feet east of Oakland Avenue and extending to Baldwin Avenue
Baldwin Avenue	North side; beginning at a point 246 feet east of Oakland Avenue and extending to Baldwin Avenue
Steuben Street	Entire length
Warren Street	Montgomery Street to Morgan Street
Washington Street	Montgomery Street to Columbus Drive

Article VIII Permit Parking  
Sec. 332-66 Parking restrictions in residential zones.

- A. No person shall park a vehicle in excess of two hours; four hours within 500 feet of a hospital; between the hours of 8:00 a.m. and ~~[5:00]~~ 7:00 p.m., Monday through Friday, except public holidays, without a valid permit upon any of the streets or parts of streets as described in Schedule XXIV(332-108), attached to and made part of this chapter. This will be in effect for all Zones except Zone 8 which has separate hours of enforcement

1. In all established residential parking permit zones; a vehicle must be moved a minimum of 500 feet to reactivate the 2 hour parking provision

- B. The Chief Executive Officer of the J.C. Parking Authority (hereinafter "J.C.P.A.") or his or her designee is hereby authorized to issue a parking permit upon written application therefore. Each such permit shall be designated by the J.C.P.A. or his or her designee to state or reflect thereon the particular residential permit parking zone as well as the license number of the motor vehicle for which it is issued. No more than one parking permit shall be issued to each motor vehicle for which application is made. The J.C.P.A. is authorized to issue such rules and regulations not inconsistent with this chapter governing the manner in which persons shall qualify permits.

(1) City residents can apply for a four (4) hour residential parking permit which can be utilized in all established zones of Jersey City except: Tandem Parking and Zone 8

- C. No Change
- D. No Change
- E. No. Change

F. Temporary residential parking permits may be issued for vehicles which are owned, rented or under the operational control of any person who owns, leases property or attends school in the residential permit zone or used in providing services to persons or property in the residential permit zone. Temporary residential parking permits may also be issued to vehicles owned by temporary visitors who are residing in the residential permit parking zones. Such temporary residential parking permits shall have all the rights and privileges of a regular permit. A temporary parking permit shall be valid for no more than 90 days from the date of issuance. No resident of a residential permit parking zone shall be issued more than two temporary parking permits at any one time. A temporary residential parking permit issued to a vehicle providing services or to a vehicle owned by temporary visitors shall be considered to be a temporary permit issued to the resident of the property where the services are provided or the temporary visitors are residing.

(1) The City Clerk will administer Daily Visitors Parking Permits at the rates established by the Parking Authority

- G. No Change

Sec. 332-74 Violations and penalties

It shall be unlawful and a violation of this Article, unless expressly provided to the contrary herein, for any person to stand or park a motor vehicle for a period exceeding the time limitation or in violation of the zone prohibition established pursuant hereto. Any person who violates or fails to comply with any provision of this Article shall be liable *[to a fine of a minimum of \$50 for a first offense and a fine of a minimum of \$100 for any offense thereafter]* to the fine indicated in Chapter 160.

(1) The placement of a Vehicle Immobilization Device (Boot) can only be issued when 3 tickets remain outstanding past original date. This enforcement is applicable in all zones except Zone 8.

(2) The fee charged for the Vehicle Immobilization Device (Boot) shall be refunded only when found **Not Guilty** by a Municipal Court Judge. The fee shall be refunded by the Jersey City Parking Authority

- 2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- 3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
- 4. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: New material to be inserted is underscored; material to be repealed is in *[brackets]*.

APPROVED AS TO LEGAL FORM

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_  
Business Administrator

- Certification Required
- Not Required