City Clerk File No. Ord. 10-141

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 10-141

TITLE: **AN ORDINANCE OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION OF $9.300,000 FOR THE PAYMENT OF CONTRACTUALLY REQUIRED SEVERENCE LIABILITIES RESULTING FROM THE LAYOFF OR RETIREMENT OF CITY EMPLOYEES**

WHEREAS, N.J.S.A. 40A:4-53 provides that a municipality may adopt an ordinance providing for a special emergency appropriation for contractually required severance liabilities resulting from the layoff or retirement of City employees; and

WHEREAS, the Municipal Council of the City of Jersey City, in the County of Hudson, New Jersey (the "City") has determined to authorize a special emergency appropriation to provide for the payment of contractually required severance liabilities resulting from the layoff or retirement of City employees; and

WHEREAS, the estimated cost of the payment of the required severance liabilities is $9,300,000; NOW THEREFORE

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:4-53, the sum of $9,300,000 is hereby appropriated for the payment by the City of contractually required severance liabilities resulting from the layoff or retirement of City employees, and the same shall be deemed a special emergency appropriation as defined and provided for in N.J.S.A. 40A:4-55.

Section 2. The portion of the authorization financed shall be provided for in succeeding annual budgets by the inclusion of at least one fifth of the amount authorized by this ordinance and financed and as provided in N.J.S.A. 40A:4-55.

Section 3. A copy of this ordinance shall be filed with the Director of the Division of Local Government Services.

Section 4. This ordinance shall take effect upon final passage and publication as required by law.

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: Donna Maier, CFO

APPROVED:

Business Administrator

Certification Required ☐

Not Required ☐

City Clerk File No. Ord. 10-142

Agenda No. 3.B 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 10-142

TITLE:

ORDINANCE AMENDING CHAPTER 23 (COURT, MUNICIPAL) OF THE JERSEY CITY CODE

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:

A. The following amendment to Chapter 23 (Court, Municipal) of the Jersey City Code is hereby adopted:

Chapter 23

COURT, MUNICIPAL

§23-2. Number of Judges; terms.

A. The Municipal Court of Jersey City shall consist of ~~[11]~~ eight Judges. Six of the Judges shall be full-time Judges, and ~~[five]~~ two of the Judges shall be part-time Judges. One of the full-time Judges shall be designated the Presiding Judge in accordance with § 23-8.

B. Each of the full-time Judges, the Presiding Judge and the part-time Judges shall serve for a term of three years from the date of appointment and until a successor is appointed and qualified.

B. All ordinance and parts of ordinances herewith are hereby repealed.

C. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City 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 be and 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 accidental repealers of existing provisions.

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

JM/he
11/03/10

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

City Clerk File No. Ord. 10-143

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 10-143

TITLE: **ORDINANCE AUTHORIZING THE CITY OF JERSEY CITY'S ACCEPTANCE OF A DEED FROM THE TRUSTEES OF THE FREE PUBLIC LIBRARY REGARDING 1843 KENNEDY BOULEVARD, BLOCK 1277.5, LOT 31.99 (A/K/A GREENVILLE PUBLIC LIBRARY)**

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

WHEREAS, the Trustees of the Free Public Library ("Trustees") are the owners of certain property located at 1843 Kennedy Boulevard, Jersey City, New Jersey also known as Block 1277.5, Lot 31.99 formerly known as 1277.5, Lots 31-35 ("Property"), according to the City of Jersey City ("City") Tax Assessor's records, shown in Exhibit A; and

WHEREAS, the Greenville Public Library operates on the Property; and

WHEREAS, pursuant to N.J.S.A. 40:54-29.21, real property used by a public library is to be held in the name of the Municipality, but the use and control shall be in the Trustees; and

WHEREAS, the only deed of record is the conveyance of the Property from Alexander Glanzer to the Trustees in 1924, recorded in the Hudson County Register's Office in Deed Book 1527 at page 646204; and

WHEREAS, N.J.S.A. 40: 54-29.21 requires that title of the Property be in the name of the City; and

WHEREAS, on January 12, 2010, the Trustees adopted Resolution 7c authorizing the transfer of the title of the Property to the City in accordance with the provisions of N.J.S.A. 40:54-29.21, shown in Exhibit B; and

WHEREAS, the Trustees have agreed to transfer title of the Property to the City for $1.00 and other good and valuable consideration; and

WHEREAS, it is in the best interests of the City that title of the property be held in the name of the City and the Trustees shall continue to have use and control of the Property.

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

1. Pursuant to N.J.S.A. 40:54-29.21, the City of Jersey City is authorized to accept and record a deed transferring title to the Property located at 1843 Kennedy Boulevard, Jersey City a/k/a Block 1277.5, Lot 31.99, which is shown on the City's tax map in Exhibit C, from the Trustees of the Free Public Library of Jersey City to the City of Jersey City for the sum of $1.00; and

2. The City of Jersey City shall hold title to the Property in accordance with the provisions of N.J.S.A. 40:54-29.21; and

ORDINANCE AUTHORIZING THE CITY OF JERSEY CITY'S ACCEPTANCE OF A DEED FROM THE TRUSTEES OF THE FREE PUBLIC LIBRARY REGARDING 1843 KENNEDY BOULEVARD, BLOCK 1277.5, LOT 31.99 (A/K/A GREENVILLE PUBLIC LIBRARY)

3. The Trustees of the Free Public Library shall have use and control of the Property in accordance with the provisions of N.J.S.A. 40:54-29.21; and

4. The Mayor or the Business Administrator is authorized and directed to undertake any actions and execute any documents necessary or appropriate to transfer title of the Property to the City of Jersey City in accordance with N.J.S.A. 40:54-29.21; and

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 fully set forth therein. 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 Counsel 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 accidental repealers of existing provisions.

IW/cw
10-27-2010

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required ☐

Not Required ☐

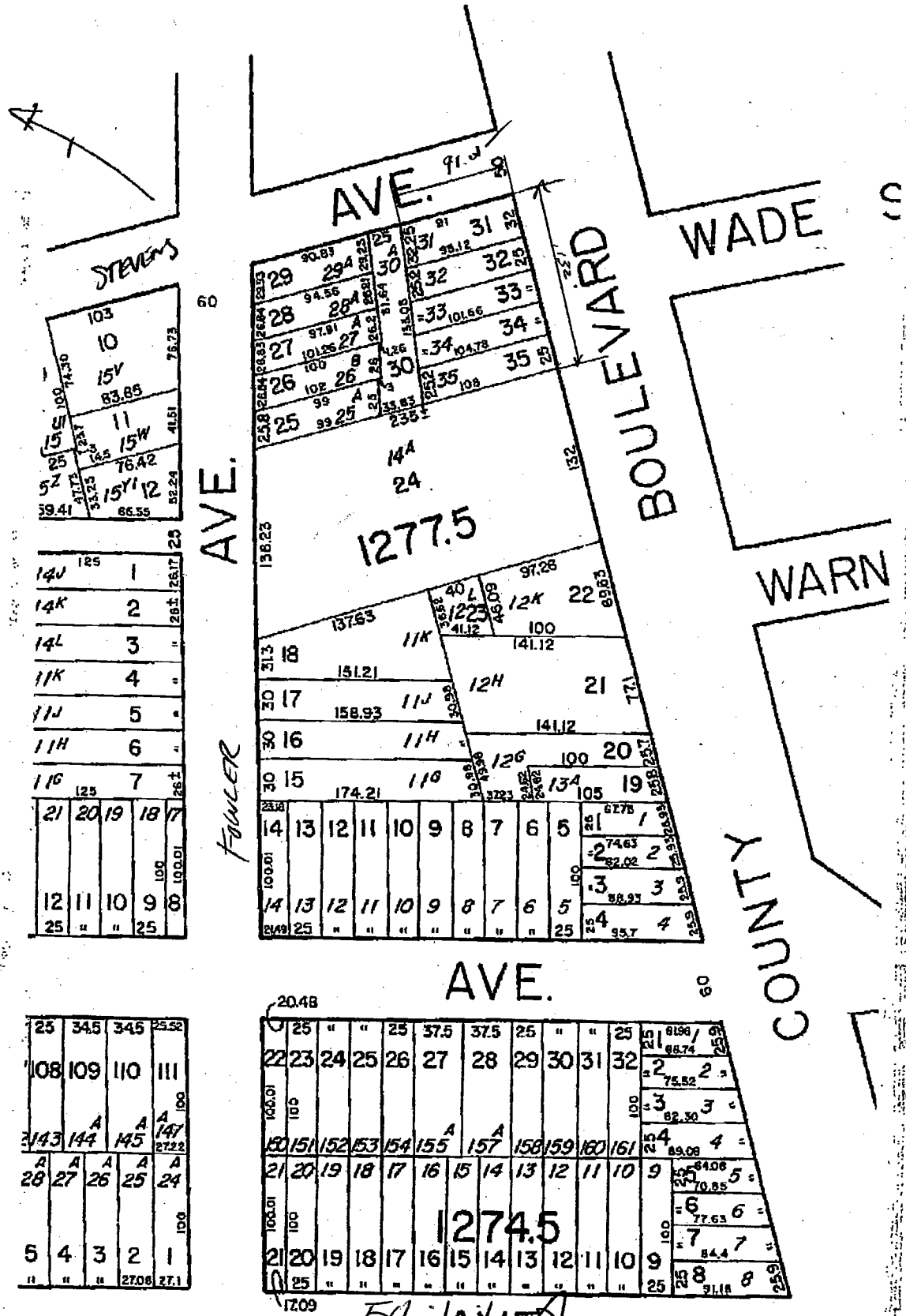
AVE.
STEVENS
AVE.
FAWLER
BOULEVARD
WADE
WARN
COUNTY
AVE.
1277.5
1274.5

Exhibit A

AGENDA ITEM 7. c (i)

RESOLUTION OF THE BOARD OF TRUSTEES OF THE FREE PUBLIC LIBRARY OF JERSEY CITY

RESOLVED that the Board of Trustees of the Free Public Library of Jersey City hereby approves resolution authorizing the **transfer** of the property, (Greenville Branch Library located at 1841 Kennedy Blvd., Jersey City, NJ, **from ownership of the Jersey City Free Public Library to the City of Jersey City** and submit proof of **Discharge of Lien** from Panoramic Window and Door Systems, INC **Bond number: 1925897**, and the Bond amount of **$62,087.30,** by **Hanover Insurance Company**.

THIS IS TO CERTIFY THAT THE ABOVE COPY IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE BOARD OF TRUSTEES OF THE JERSEY CITY FREE PUBLIC LIBRARY ON JANUARY 12, 2010.

ACTION:

Motion Riley Second Dr. Epps

Roll Call

TRUSTEE	YES	NO	ABSTAINED	ABSENT
James Morley	X			
Alicia Bass	X			
John A. Mehos	X			
Clayton Dabney	X			
Mofalc O. Meinga	X			
Sondra E. Buesing Riley	X			
Dr. Charles Epps or J.C.P.S. Supt. Alternate	X			
David Donnelly				X
Dr. Vijaya Desai	X			

Date: **JANUARY 12, 2010** **SEAL**

Exhibit B

Prepared by:_____
Itza G. Wilson, Esq.

DEED

This Deed is made on _____ day of _____ , 2010

Between **TRUSTEES OF THE FREE PUBLIC LIBRARY OF JERSEY CITY,** a public corporation of the State of New Jersey located at 472 Jersey Avenue, Jersey City, New Jersey, 07302, referred to as the Grantor.

And **CITY OF JERSEY CITY,** a Municipal Corporation of the State of New Jersey with offices at City Hall, 280 Grove Street, Jersey City, New Jersey 07302, referred to as the Grantee,

Transfer of Ownership. The Grantor, for and in consideration of the sum of ONE and 00/100 Dollars ($1.00) and other good and valuable consideration, grants and conveys (transfers ownership of) the property described below to the Grantee, and to the heirs, successors and assigns forever of the Grantee.

Tax Map Reference. (N.J.S.A. 46:15-1.1) All those tracts or parcels of land and any and all the buildings and structures on the land, hereinafter particularly described, situate, lying and being in the City of Jersey City, in the County of Hudson and State of New Jersey, designated on the official Tax Assessor's Map of the City of Jersey City by the following Block and Lot:

Block 1277.5, Lot No. 31.99 (formerly known as Block 1277.5, Lots 31-35)

Property Street Address: The property is the historic site of the Greenville Branch Public Library in the City of Jersey City, County of Hudson and State of New Jersey. The legal description is:

1843 Kennedy Boulevard, Jersey City, NJ

This Deed is given under and by virtue of Resolution 7.c (i) and all terms and conditions set forth therein which Resolution was adopted by the Trustees of the Free Public Library of Jersey City, on January 12, 2010 and authorized the transfer of the title of land to the City of Jersey City in accordance with the provisions of N.J.S.A. 40:54-29.21.
The use and control of the land shall be given to the Trustees of the Free Public Library of Jersey City so long as such land is used for free public library purposes.

Exhibit C

In Witness Whereof, the Grantor has caused these presents to be signed by its proper corporate officers and caused its proper corporate seal to be hereby affixed, the day and year first above written.

Attest: **JERSEY CITY FREE PUBLIC LIBRARY**

_____ _____

Priscilla Gardner, Director

State of New Jersey)
) SS:
County of Hudson)

Be it Remembered, that on this _____ day of _____,Two Thousand and Ten before the subscriber, a Notary Public of the State of New Jersey personally appeared, _____ before me and made proof to my satisfaction that he or she is the _____ named in the foregoing Instrument; that he or she well knows the corporate seal of said corporation; that the seal affixed to said instrument is the corporate seal of said corporation; that the said seal was so affixed and the said Instrument signed and delivered by Priscilla Gardner, who was at the date thereof the Director of said corporation, in the presence of this deponent, and said Director, at the same time acknowledged that she signed, sealed and delivered the same as her voluntary act and deed, and as the voluntary act and deed of said corporation, and that deponent, at the same time, subscribed his or her name to said Instrument as an attesting witness to the execution thereof.

_____

Sworn and Subscribed before
me on this day _____ of
_____, 2010 in Jersey City, N.J.

_____
Notary Public

DEED

TRUSTEES OF THE FREE PUBLIC LIBRARY OF JERSEY CITY
472 Jersey Avenue
Jersey City, N.J. 07302

TO

CITY OF JERSEY CITY,
City Hall
280 Grove Street
Jersey City, N.J. 07302

DATED:

Received in the Office of the Register of Deeds
of the County of Hudson
on the _____ day of _____ A.D., 2010 and

Recorded in Book _____ of DEEDS for
said County, on page_____

Record and Return to:

Joanne Monahan
First Assistant Corporation Counsel
City of Jersey City
City Hall
280 Grove Street
Jersey City, New Jersey 07302

City Clerk File No. Ord. 10-144

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 10-144

TITLE:

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 53 (PERSONNEL), ARTICLE III (EMPLOYEE REGULATIONS)

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

A. The following amendments and supplements to Chapter 53 (Personnel) and of the Jersey City Code are adopted.

ARTICLE III
Employee Regulations

§ 53-26. Use of city-owned vehicles.

A. Vehicles assigned to city employees for use in connection with their duties may be used for city business only. No city employee may use a city vehicle for any personal or unauthorized purpose. Any employee who uses a city vehicle for any personal or unauthorized purpose may be subject to discipline and shall be required to reimburse the city for the equivalent rental value of the vehicle.

B. Every employee who is assigned a city vehicle for use in connection with his or her duties must return the vehicle to the Department of Public Works compound or a facility designated by his or her Department Director at the end of his or her work day. Employees who are on call on a twenty-four-hour basis shall be exempt from this requirement. Vehicles which are not returned to city facilities during nonbusiness hours may not be used for personal or nonbusiness purposes.

C. Each Department Director shall file with the City Clerk the names of employees within his or her department who are assigned city vehicles, the make, model and license plate number of the vehicle and the purpose for which the vehicle is assigned. As to each employee the Department Director shall indicate whether the assigned vehicle bears the Jersey City identification required by Subsection D and whether the employee is subject to duty twenty-four (24) hours per day.

D. Each city vehicle assigned to an employee, unless ~~[exempted]~~ a designated police vehicle, ~~[by the Mayor and Business Administrator]~~ shall bear the City Seal and the following identification on each side in letters at least three (3) inches high:

CITY OF JERSEY CITY
FOR OFFICIAL USE ONLY

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

WM/igp
3/4/10

APPROVED AS TO LEGAL FORM

_____
Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

№ 2010134

City Clerk File No. Ord. 10-145

Agenda No. 3.E 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 10-145

TITLE:

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 12 (MUNICIPAL AUTHORITIES) ARTICLE II (INCINERATOR AUTHORITY)

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:

A. The following amendments to Chapter 12 (Municipal Authorities) Article II (Incinerator Authority) are hereby adopted:

MUNICIPAL AUTHORITIES

ARTICLE II
Incinerator Authority

§12-2. Authority Established; membership.

A. The Incinerator Authority is established pursuant to Law [~~N.J.S.A. 40B-1 et seq.~~] N.J.S.A. 40:66A-1 et seq.

B. No Change.

C. The Board may provide its members with compensation for their services in the form of medical health care, prescription, optical or dental insurance coverage. Effective June 1, 2010, no board member shall receive compensation of any kind, including but not limited to, salary, medical health coverage, life insurance, prescription, optical or dental coverage. No board members shall receive any other compensation of any kind whatsoever, except as provided herein.

B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

C. This ordinance shall be a 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.

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 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 accidental repealers of existing provisions.

NOTE: New matter is underlined.; deleted matter in ~~[brackets]~~ For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic.*

WM/igp
3/4/10

2010132

APPROVED AS TO LEGAL FORM

_____
Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

City Clerk File No. Ord. 10-146

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 10-146

TITLE:

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 12 (MUNICIPAL AUTHORITIES) ARTICLE IV (MUNICIPAL UTILITIES AUTHORITY)

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:

A. The following amendments to Chapter 12 (Municipal Authorities) Article IV (Municipal Utilities Authority) are hereby adopted:

MUNICIPAL AUTHORITIES

ARTICLE IV
Municipal Utilities Authority

§12-6. Members.

The Jersey City Municipal Utilities Authority shall consist of members of the Sewerage Authority holding office at the time of this reorganization, together with any successors in such membership appointed as if said Sewerage Authority had originally been created pursuant to the Municipal and County Utilities Authorities Law (N.J.S.A. 40:14B-4).

The Incinerator Authority is established pursuant to Law [~~N.J.S.A. 40B-1 et seq.~~] N.J.S.A. 40:66A-1 et seq.

The Board may provide its members with compensation for their services in the form of medical health care, prescription, optical or dental insurance coverage. Effective June 1, 2010, no board member shall receive compensation of any kind, including but not limited to, salary, medical health coverage, life insurance, prescription, optical or dental coverage. No board members shall receive any other compensation of any kind whatsoever, except as provided herein.

B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

C. This ordinance shall be a 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.

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 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 accidental repealers of existing provisions.

NOTE: New matter is underlined.; deleted matter in ~~[brackets]~~ For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic.*

WM/igp
3/3/10

2010133

APPROVED AS TO LEGAL FORM

_____
Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

City Clerk File No. Ord. 10-147

Agenda No. 3.G 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 10-147

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE BATES STREET REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE

WHEREAS, the Municipal Council of the City of Jersey City adopted the Bates Street Redevelopment Plan on May 24, 2006; and

WHEREAS, the Planning Board, at its meeting of November 15, 2010, determined that the Bates Street Redevelopment Plan would benefit from amendments to prohibit natural gas pipelines and to revise the site plan review procedure; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Bates Street Redevelopment Plan is attached hereto, and made a part hereof, and is available for public inspection at the office of the City Clerk, 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 aforementioned amendments to the Bates Street Redevelopment Plan 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.
E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

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

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

Date Submitted to B.A._____

ORDINANCE FACT SHEET

1. **Full Title of Ordinance:**

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE BATES STREET REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE

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

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

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

This ordinance prohibits natural gas pipelines from the Area and updates the site plan review procedures.

4. **Reasons (Need) for the Proposed Program, Project, etc.:**

Natural gas pipelines are an unwanted use in the area. The current review procedures appear to be outside the scope of the law.

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

Prohibition of gas pipeline. Brings review procedures into conformance with the Municipal Land Use Law.

6. **Cost of Proposed Plan, etc.:**

$0.00. Plan was prepared by Division of City Planning staff.

7. **Date Proposed Plan 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

10. **Additional Comments:**

I Certify that all the Facts Presented Herein are Accurate.

Robert D Cotter — Nov 3, 2010
Division Director — **Date**

Deputy — November 3, 2010
Department Director Signature — **Date**

Summary Sheet:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE BATES STREET REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE

This ordinance prohibits natural gas pipelines as a permitted use and modifies the review procedures and fees for amending the Plan. Current review procedures appear to be outside the scope of the law.

Bates Street

Redevelopment Plan

as adopted by the

City of Jersey City

City Council

May 24, 2006
PROPOSED AMENDMENTS November 2010

DIVISION OF CITY PLANNING

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Map 1 – Boundary Map
Map 2 – Land Use District Map
Map 3 – Height Bonus Map

I. INTRODUCTION

The Bates Street Redevelopment Area (hereinafter the Redevelopment Area or the Area) was determined to be "an area in need of redevelopment", pursuant to the New Jersey Local Housing and Redevelopment Law (N.J.S.A. 40A:12A-1 et seq.) by resolution of the Jersey City Municipal Council following a recommendation by the Jersey City Planning Board.

The Bates Street Redevelopment Area is surrounded by several other redevelopment areas, including the Montgomery Gate Redevelopment Area to the north and east, the Montgomery Street Redevelopment Area to the west and the Grand Jersey Redevelopment Area to the south. These surrounding areas are in various stages of redevelopment. The subject Area on the other hand is characterized by vacant land and vacant buildings, properties in generally poor and blighted conditions and marginal land-use which are not in keeping with those uses permitted in the zone plan for the Area or recommended in the Master Plan.

It would now appear to be appropriate for the City to take a more pro-active approach to redevelopment in this Area, so as to bring the Area into greater compliance with the recommendations of the Master Plan and redevelop the Area in a manner that is more consistent with redevelopment activities in the surrounding community.

II. BOUNDARIES

The Bates Street Redevelopment Area consists of Tax Lots found on twelve Tax Blocks in the Downtown section of Jersey City. The following are the Lot numbers on each of the Blocks which are to be included in the Redevelopment Plan Area.

Block	Lots
404.5	S, A (entire block)
2131	1, 2, 3A,4A, 5, 6, 7A, 25A, 26, 27, 28, 29, 30, 31, 32 (entire block)
2131.5	7B
2132	PL 3 (part)
2134.5	PL 3 (part)
2135	A, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19A, 22, 23, 24, 25 (entire block)
2136	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 ,13, 14, 15, 16, 17, 18 ,19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 (entire block)
2137	PL 3 (part)
2139	A2 (part)
2140	A, 5, 6A, 7A, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 (entire block)
2143	D, E (entire block)
2143.1	E1 (entire block)

The boundary of the Redevelopment Plan Area is also depicted on Map 1. In the event of a discrepancy between lots listed in the chart and the Map, the Map takes precedence.

The following Blocks and Lots were included in the Bates Street "Area in Need of Redevelopment" Study Area. However, they are not to be included within the Bates Street Redevelopment Area. Instead, they are to be appended to and included in the Morris Canal Redevelopment Area and zoned in a manner to match the adjacent Lots to the south of the subject Lots.

2144	B4 (part), C3
2145	41U (part)
2095.5	A (part)

III. REDEVELOPMENT OBJECTIVES AND REQUIREMENTS OF ANY DEVELOPMENT AND CONSTRUCTION WITHIN THE PLAN AREA

A. The planning and development of the Redevelopment Area as a primarily residential mixed-use area with ground floor commercial uses where appropriate.

B. To provide for new open space and recreation opportunities, and improvements to existing open space and recreation areas both within the redevelopment area and in adjacent areas.

C. To provide opportunities for existing owners of larger parcels (15,000 square feet and larger) to redevelop their properties in a manner consistent with this Plan and to provide for the assemblage of smaller individual lots and parcels within the Area in order to create suitable sites for more comprehensive development.

D. 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 of mass transit, encourage reduced parking and shared use parking solutions, and creating a livable community with convenient access to commercial facilities.

E. Minimize on-site parking and maximize the use of mass transit in order to take advantage of local bus routes and the new Hudson-Bergen Light Rail station located just to the east.

F. To integrate new development within the Area into the surrounding community by encouraging the creation of a viable residential community that will complement the existing and proposed development in adjacent redevelopment areas.

G. The improvement of the pedestrian environment and traffic circulation for the contemplated new development by limiting vehicular access to the site from Center Street, limiting ingress and egress points to major development on other streets, and the provision of new sidewalks, street trees and other pedestrian amenities within the existing street rights-of-way.

H. To identify and preserve significant historic features in the Redevelopment Plan area.

IV. PROPOSED REDEVELOPMENT ACTIONS

It is proposed to substantially improve and upgrade the Redevelopment Area through a combination of redevelopment actions that will provide a uniform and consistent attack on blight within the Area by systematically removing blighting influences in an orderly manner and allowing for new construction. These will include but not be limited to:

A. Acquisition of vacant land, and/or acquisition and demolition of structures, determined to be impediments to sound and comprehensive redevelopment.

B. The consolidation and re-subdivision of land within the Redevelopment Area into suitable parcels for development for the new residential and commercial land uses where necessary.

C. Provision for a full range of public and/or private infrastructure necessary to service and support new development in the Area and adjacent areas.

D. Construction of new structures and complementary facilities that are compatible with the land use patterns in the surrounding area.

V. GENERAL ADMINISTRATIVE REQUIREMENTS

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

A. Prior to the commencement of: (a) any new construction, (b) reconstruction, (c) rehabilitation (d) any change to the interior floor plan of any structure, (e) any change in the use of any structure or parcel, or (f) 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 (f) above, without prior site plan review and approval of such work by the Planning Board. Nothing in this section is intended to require site plan review and approval for minor modifications to the interior floor plan, such as the relocation or modification of partition walls, which are commonly done to accommodate new tenancies or during lease renewals.

B. 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. 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 to the requirements of the Jersey City Zoning Ordinance and this Plan. Applications may be submitted for an entire project or in phases. 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, either permanent or temporary, 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 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 Corporation Counsel or 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.~~

Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the Area shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval so that compliance of such plans with the redevelopment objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases.

As part of any site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53 et seq. Such performance guarantees shall be in favor of the City in a form approved by the Jersey City Corporation Counsel. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of on and off site improvements within one (1) year of final site plan approval.

D. 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.

E. No development or redevelopment of any parcel in the Redevelopment 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 the 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 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.

F. 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 or commercial surface parking lots and commuter or commercial parking garages are specifically prohibited and shall not be permitted as interim uses. The existing commercial parking area may continue to exist only until construction begins on the redevelopment of the Redevelopment Area, and may not be reinstated once the use has been discontinued for said redevelopment.

G. 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 a use that is not a permitted use within this Plan. 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.

H. The regulations and controls in this section may be implemented where applicable by appropriate covenants, or other provisions, or agreements for land disposition and conveyance executed pursuant thereto.

I. No covenant, lease, conveyance or other instrument shall be effected or executed by the Jersey City Redevelopment Agency or by a redeveloper or any successors or assignees, whereby land within the Redevelopment Area is restricted by the Jersey City Redevelopment Agency or the redeveloper upon the basis of race, creed, color or national origin in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition

instruments.

J. No building shall be constructed over an easement in the Redevelopment Area without site plan review and approval of the Jersey City Planning Board and prior written approval of the Redevelopment Agency and the Division of Engineering.

K. 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 DESIGN REQUIREMENTS AND RESTRICTIONS

The following standards and requirements shall apply to all applications, including but not limited to: developments, re-developments, rehabilitation, and or re-use applications within the Redevelopment Plan area:

A. All utility distribution lines; utility service connections from such lines to the Redevelopment Area's individual uses; and utility appliances, regulators and metering devices shall be located underground or within the building. No utlilty boxes or structure shall be permitted in sidewalk areas or exterior to 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.

B. Chain link fencing shall be prohibited within the Redevelopment Area, except during construction. Chain link fencing for construction shall be dismantled and removed prior to the issuance of a Certificate of Occupancy.

C. No Billboard shall be permitted on any property contained within the Redevelopment Area.

D. No signage shall be permitted within the Redevelopment Area, which includes flashing, blinking or otherwise animated lights and/or parts, spinners, pennants, reflective materials, which sparkle or twinkle and/or similar materials; except for seasonal holiday decorations.

E. No advertising shall be permitted on parking meters, light poles, or on benches or other street furniture.

F. Upon demolition of any existing structures, the site shall be graded, planted, sodded, and/or developed, as applicable, in accordance with this Plan.

G. All trash dumpsters and/or compactors shall be located within the buildings. All outdoor storage shall be prohibited.

H. All buildings within the Redevelopment Area must display the street address of the building such that it is clearly visible from the adjoining street right of way.

I. In order to facilitate the overall redevelopment of the Bates Street Redevelopment Area, the surrounding area, and the City of Jersey City in general, all advertising, signage and other promotion of the resulting project, whether undertaken by the City, the Redevelopment Agency, or private developers, shall contain references to the proposed project's location. They all shall clearly state it to be within the City of Jersey City so as to promote the positive external effects for not only the project, but the Redevelopment Area and the City as well.

VII. URBAN DESIGN REQUIREMENTS

A. Building Design Requirements

1. All structures within the Redevelopment Area shall be situated with proper consideration of their relationship to other buildings, both existing and proposed and the NJ Turnpike exit ramp in terms of light, air and usable open space, access to public rights of way and off-street parking, height and bulk. Buildings shall be designed to be attractive from all vantage points, with each street façade being of equal importance. A building's finish materials and details on facades may be similar or may change in order to create interesting and contemporary facades that clearly indicate that the buildings are a product of their own time and location. Buildings shall not be designed to copy or mimic other buildings within the Redevelopment Area or the surrounding area, within the exception that townhouse style units shall be designed to present a harmonious appearance.

2. Buildings shall be oriented toward the street so as to contribute to the overall liveliness of the pedestrian environment. On street frontages where commercial uses are provided, at least seventy (70) percent of the frontage shall be dedicated to commercial uses and/or pedestrian access areas such as retail sales of good and services, restaurants, banks, offices, building entrances and lobbies; which shall have direct access from the sidewalk area. Main-building entries shall be prominent and easily identifiable, and shall not occur simply as voids within or between buildings. Canopies may be provided at main entrances and shall be constructed of materials similar to or compatible with the overall building design. Along street frontages not containing commercial uses or main building entries or lobbies; contemporary townhouse style units shall be incorporated into the first floor of the building to help enliven the street. These townhouse style units shall have an entry from the street and provide a raised stoop with at least three (3) risers at the entry.

3. The base of all buildings shall meet the pedestrian level in a humane scale and manner. The base shall not have a cold or brutal feeling. Parking levels shall be screened and designed in compliance with the design standards found in Section VII. C. of this Plan. The height of the base must relate to other building architecture and design developed within this Area and must be proportional with the building's overall height. A landscaped front yard must be provided at grade between the property line and the building line, except where a commercial use or building lobby fronts onto the street or as necessary for pedestrian and vehicular access. Tops of buildings shall be designed to create architectural interest and must be designed consistent with the "Building Design Requirements" of this Plan. Stepbacks are to be provided consistent with the architectural design of each individual structure to provide additional architectural interest. The intent of these requirements is to create buildings that are vibrant and active in their appearance and do not read as uniform or continuous slabs along the streetscape. Historic or Post-modern tops are not appropriate to this district.

4. The redevelopment area is not located within the vicinity of historic neighborhoods or structures. The surrounding area is comprised of the NJ Turnpike exit ramp to the west, a 1980's strip mall to the east, the new Jersey City Medical Center to the southeast and a non-descript commercial structures to the north. As such it is the intention of these

building design requirements to facilitate contemporary (High Modern), fresh and bold designs/ideas that do not reference historic Jersey City architecture. References towards historic pre-cast lintels, watertables, cornices, double-hung windows, etc., are and will be discouraged within this redevelopment area. These elements may be used only in a contemporary manner using contemporary materials.

5. 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 should be broad and expansive providing views into the store and display areas. At least seventy –five (75%) 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 when closed, and be of the open grate style. Similarly, windows and doors into residential lobby areas should be broad and expansive allowing views to and from the adjoining streets.

6. Street facades shall be articulated in a contemporary manner utilizing materials such as masonry, glass curtain walls, composite metal panel systems etc. Walls shall not be left blank. Frontages shall have at least one window appropriately proportioned per structural bay. Building designs shall include simple highly refined modern designs. Buildings may utilize various types of materials and material changes for façade articulation, as long as the differentiating materials and details are well thought-out and integrated. The intent of this required articulation and modern design approach is to create interesting and varied building façades such that the building facades do not read as uniform or continuous slabs along the streetscape.

7. Buildings along the NJ Turnpike exit ramp shall be designed to reflect movement and excitement using contemporary building elements and materials designed in a horizontal manner. Contemporary horizontal planes, materials, window placement, bays and other architectural elements are encouraged. Vertical design elements may be used as long as they do not reference historic architectural elements. Changes in materials, forms and planes, if appropriately detailed and well thought-out, may be done in order to enhance the design and excitement of the building.

8. Windows in residential portions of a building shall be arranged in a contemporary manner. Use of window divisions such as muntins are discouraged unless used in a contemporary manner. Bay windows or other window features may also be incorporated into the façade to provide architectural interest and character, provided that their use is in a contemporary manner or material. Bays may be designed vertically or horizontally and may be angular. Each façade shall present a composition that is well laid out and thought provoking. Corner buildings shall have windows on both street frontages. The window sill of any residential window shall not be less than five (5) feet above the elevation of the adjoining sidewalk, unless the façade containing the window is setback a minimum of five (5) feet from the sidewalk and adequate visual landscape screening is provided.

9. Balconies and terraces may extend from the building when facing into interior courts. However, all balconies facing onto streets shall be shallow and semi-recessed to prevent their use as storage spaces. Contemporary designed railings are to be used at all balconies

and terraces. Materials such as wrought iron or aluminum pickets are prohibited. Materials such as glass, perforated and non-perforated metals or other contemporary materials are required in order to screen the view from the street onto the balconies.

10. EIFS (Exterior Insulating Finishing Systems), artificial stone and artificial brick veneer ("Permastone" & "Brickface") materials may not be used on a street façade material within this Redevelopment Area.

11. All mechanical equipment, generators, HVAC equipment and similar 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.

12. All electronic communication equipment shall be totally 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 design. The screening shall not impair the functioning of the equipment. Said equipment shall be located so as to minimize or eliminate the need for screening.

13. All mechanical equipment shall be screened from view, both from the street and existing or planned neighboring buildings. 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. The screening shall not impair the functioning of the equipment. Interior locations must be utilized where mechanically possible.

14. Wherever possible, ventilation equipment required for commercial uses shall be vented through the roof of the building. All such equipment ventilated through the roof shall be screened in compliance with paragraph 13 above. The necessary incorporation of ventilation grillwork within the storefront façade system shall be limited to no more than 15% of the possible glazing area. Such grillwork shall be architecturally incorporated within the storefront design so as to compliment and add to the overall aesthetic affect of the commercial façade. Exposed ventilation pipes and risers are prohibited.

B. Streetscape, Open Space and Landscape Requirements

1. A streetscape plan is required for all projects and shall include proposed sidewalk and curbing materials and treatments, street trees, tree pit grates and/or treatments, and any proposed street furniture, lighting or other features to be provided. The streetscape plan shall be submitted to the Jersey City Planning Board for its review and approval as part of the project site plan application and implemented as part of the construction of the project. Only one (1) streetscape, lighting and street furniture design standard shall be used within this Redevelopment Area. All street furniture, including lighting, benches, garbage receptacles, tree grates, etc., shall be contemporary in style and matching in color. The Planning Board and City Planning Staff shall review each streetscape plan to

ensure that each plan is consistent and compatible with other streetscape plans in the Area, and may require modifications to same to ensure compatibility and consistency.

2. Sidewalk areas must be provided along the street rights of way and shall be properly sized for the safe and convenient movement of pedestrians through and around the Redevelopment Area.

3. Sidewalk areas shall be attractively landscaped and durably paved in conformance with Municipal standards and shall be provided with adequate lighting. Decorative concrete paving materials shall be incorporated into the design and pedestrian scale lighting is required. At a minimum decorative elements shall be introduced at building entrances at street corners and along the curb line to accent and channel pedestrian flow.

4. All plant material used must be able to withstand the urban environment 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. All landscaping shall be guaranteed for a period of two (2) years. Any landscaping which in not resistant to the urban environment or that dies shall be replaced by the developer or property owner.

5. Street trees shall be planted along all curb lines of streets within the Redevelopment Area at a maximum of 35 feet on center. Each tree pit shall contain a decorative metal grate and/or decorative paving treatment. Tree species shall be selected which will achieve a mature height of 50 feet or above and a medium spread. Fast growing trees tend to be weak wooded and inappropriate for street planting. Therefore trees shall be selected that have a medium growth rate. The crown shape of the tree should be selected to compliment the architecture and setting of the buildings. Evergreen trees and fruit trees may not be used as street trees.

6. The streetscape / landscaping plan developed for the Bates Street right-of-way shall take into consideration additional street trees and other landscape treatments so as to buffer the large surface parking area on the east side of Bates Street from the new development within the Redevelopment Area.

7. Lighting shall sufficiently illuminate all areas to prevent "dark corners". All lighting sources must be shielded to prevent and eliminate any glare. The area of illumination shall have a uniform pattern of at least one-half (0.5) foot-candles.

8. Outdoor landscaped open space areas shall be provided for all new construction within the Redevelopment Area and shall occupy any required yard areas and/or be constructed on the deck over any parking structure. A green roof, landscaped plaza or recreation area, is required at the top of all parking structures in order to provide outdoor open space for building residents, and aid in the retention of rain water. Additional open space areas may be provided after Planning Board review and approval. All areas not covered by a building or pavement shall be landscaped with trees, shrubs, groundcovers or other appropriate plant material.

C. Off-street Parking Design and Loading Requirements

1. All off-street parking shall be located within the building. Parking structures shall be incorporated into and be a part of the principal building. There shall be no separate parking structures. Access to parking may be provided from Center Street, Colgate Street, York Street, Bright Street, Brook Street and/or Colden Street. No access to parking shall be provided from Bates Street or Grand Street. There shall be no exposed parking permitted, either surface parking or on the top of parking deck levels of a building. A "Green Roof" is required at the top of all parking structures in order to detain &/or retain storm water. The "Green Roof" may also function as a landscaped plaza or recreation area.

2. All parking structures are to be designed to disguise the parking use within. Parking and mechanical related areas shall be wrapped along the exterior by occupied active building uses, such as commercial storefronts and residential units, except along Center Street, where this requirement may be waived, and excepting the location of the vehicular entry and exit and stairways or elevator shafts that serve the parking structure. Utility rooms may occupy no more than fifteen (15%) percent of any single façade, other than the Center Street Façade where this percentage may be increased.

3. Where an occupied active building use is not utilized to mask the parking within the building, the façade of the parking structure shall be designed to disguise the parking use to the greatest degree possible. The exterior wall of the parking structure shall be architecturally designed to mimic and reflect the occupied portions of the building in terms of style and materials. All openings in the parking structure facade shall reflect the building's design requirements. These openings shall be consistent with the rhythm of the window openings serving the principal uses within the building. They shall be covered by glass or metal in such a way that the exterior design is compatible with the design of the building and the actual windows of the building. The glass tint and/or reflectivity may be different so as to decrease the visibility of the garage use within. In lieu of glass, the openings may be covered by grilles or louvers as described below. Blind windows, where appropriate shall also be permitted. The intent of the above regulations is that no exposed garage exterior wall shall be detectable as a garage at the ground floor level.

4. In order to preserve the maximum number of on-street parking spaces possible, driveway widths and curb cuts shall be limited to the minimum width and number necessary. Driveway / curb cut widths leading to parking areas containing less than twenty (20) cars shall be no more that twelve (12) feet in width. The width of driveways and curb cuts leading to parking areas for twenty (20) cars or more shall be limited to twelve (12) feet for one-way traffic and twenty (20) feet for two-way traffic.

5. All off-street parking spaces must be a minimum of 8.5 feet wide by 18 feet deep. The placement of a curb up to two (2) feet within the required 18 foot depth of the parking space is permitted, provided that there is adequate area for an automobile occupying the parking space to over-hang said curb a like distance without infringing on required landscaping or pedestrian areas. All aisles shall be a minimum of 22 feet wide. Compact

spaces may be provided only with the approval of the Planning Board and shall be a minimum of 8 feet wide by 16 feet deep.

6. Off-street parking and loading areas shall be coordinated with the public street system serving the Redevelopment Area in order to avoid conflicts with vehicular traffic and/or obstruction to pedestrian walkways and thoroughfares. No vehicular access to parking and/or loading areas may be provided from Grand Street or Center Street.

7. Light sources within any parking level shall not be visible from the exterior of the building either from the street or from other surrounding buildings and properties. Identification of the internal fixture and its location must be provided in order for any application to the Planning Board for site plan to be deemed complete.

8. Where buildings incorporate internal above grade parking garages, facade treatments shall be utilized which integrate their appearance with that of the building as a whole.

9. Developers shall demonstrate to the Board's satisfaction that sufficient off-street loading is provided to meet the needs of the proposed uses.

10. Valet parking may be allowed if it can be demonstrated that an efficient, safe means of operation will be provided, but in no case shall the maximum number of permitted parking spaces be exceeded.

11. All parking provided within the Redevelopment Area shall be for the sole use of the residents or tenants of the Redevelopment Area. Parking may be shared between and among buildings within the Redevelopment Area. Parking may not be leased to commuters or other non-residents or non-tenants of the Redevelopment Area.

12. The number of required and/or permitted parking spaces for each use is indicated in Section VIII of this Plan.

D. Signage

1. Permitted Signage:

   a. Each residential building shall display the street address of the building on the front facade or front door of the building such that it is visible from the adjoining street right-of-way.
   b. Each major residential building, i.e. buildings on lots of 15,000 square feet or more, may have one (1) exterior sign flush mounted to the façade at the entrance to the building indicating the building's name, if any, not to exceed twenty (20) square feet.
   c. Commercial Uses - Each such use fronting on a public street may be allowed one (1) exterior wall mounted sign not to exceed five(5%) percent of the area of the storefront (ground floor) to which it is attached. In addition, each commercial tenant may be permitted one blade sign. Each blade sign shall not exceed a maximum of 10 square feet and shall be externally lit. Blade sign are required to

be located on the building facade directly on the sidewalk frontage and shall be placed such that the lowest portion of the sign hangs at least 8 feet above the sidewalk. Uses in the Commercial / Automotive District shall conform to the requirements of the Jersey City Land Development Ordinance.

d. Tenant directories may be located within the lobby of a building.

e. Accessory Parking – No signage is permitted for parking uses.

f. Temporary Signs - Real estate signs subject to the following regulations: No such sign shall exceed six (6) square feet, all signs shall be attached to the premises to which they apply, and no person, including the real estate agent or employee, shall exhibit more than one (1) such sign per premise to which it applies. Construction signs subject to the following regulations: Temporary construction signs shall not exceed twenty-four (24) square feet; no person shall exhibit more than one (1) such sign per premise, advertising the name of the building or project, general contractor, subcontractor, financing institution, public agencies and officials, and professional personnel; and such signs shall only be permitted beginning with the issuance of a building permit and terminating with the issuance of a certificate of occupancy for the building or project.

2. Additional Signage Regulations and Requirements:

a. All signs are subject to minor site plan review when not included as part of a major site plan application.

b. All signs shall be flush mounted and project no more than fifteen (15) inches, although blade signs may be attached to the first floor façade.

c. 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.

d. All signs may be attached to the first floor level of the building only. Where there is a two-story lobby or mezzanine space incorporated into the design of the building, the sign may be permitted to be placed above the lobby at the equivalent of the second floor or level with Board approval.

e. 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.

f. Permitted lettering material includes: I.) Lettering forms applied to the surface of the sign; 2.) Single colored lettering forms applied to the surface of the sign; 3.) Metallic solid body letters with or without returns; 4.) Painted acrylic or metal letter; 5.) Neon style lettering.

g. Sign Lighting: Signs may be lit from gooseneck fixtures, backlit halo, up-lights. Internally lit signs and sign boxes are prohibited.

h. During construction, one (1) temporary sign indicating: the name of the project or development, general contractor, subcontractor, financing institution and public entity officials (where applicable) shall be permitted. The sign area shall not exceed Fifty (50) square feet.

3. Prohibited Signage: The following signs and devices shall not be permitted within the Bates Street 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.

VIII. SPECIFIC LAND USE REGULATIONS

The Redevelopment Area is a divided into three (3) land-use districts: Commercial / Automotive District, Parks / Open Space District, Residential / Commercial District; regulated as follows:

A. Commercial / Automotive District

1. Principal Permitted Uses

   a. Service Stations

2. Uses incidental and accessory to the principal use, including:

   a. Fences and walls
   b. Signs
   c. Parking
   d. ***Public Utilities, except that natural gas transmission lines shall be prohibited***

3. Bulk and Other Standards

   a. As regulated by the Jersey City Land Development Ordinance.

B. Parks / Open Space District

1. Principal Permitted Uses

   a. Parks and Playgrounds

2. Uses incidental and accessory to the principal use, including:

   a. Off-street parking
   b. Recreation, entertainment and education programs
   c. Signs
   d. Dog runs
   e. Fences and walls
   f. Necessary and appropriate structures to service the particular use and purpose of a park and/or playground, such as: play equipment, bathroom facilities, minor equipment storage buildings, lighting, etc.
   g. ***Public Utilities, except that natural gas transmission lines shall be prohibited***

3. Bulk and Other Standards

   a. As regulated by the Jersey City Land Development Ordinance.

C. Residential District

1. Principal Permitted Uses

   a. Multi-family Buildings
   b. Governmental uses
   c. Public Parks

2. Uses incidental and accessory to the principal use, including:

   a. Commercial Uses – limited to the ground floor of multi-family buildings and further limited to those areas on Map 2 delineated as required or optional commercial street frontages.
      i. Retail sales of goods and services
      ii. Restaurants, category one and two, which may also include an accessory sidewalk café
      iii. Bars
      iv. Offices
      v. Financial institutions
      vi. Art Galleries
   b. Off-street parking, only within structures as part of the principal building
   c. Recreation facilities and areas, (indoor &/or outdoor) including pools, landscaped yards and decks, active recreation uses, gymnasiums, exercise rooms, etc.
   d. Community rooms
   e. Fences and walls
   f. Home occupations
   g. Signs
   h. ***Public Utilities, except that natural gas transmission lines shall be prohibited***

3. Permitted Maximum Denisty – Maximum permitted density shall be sixty (60) dwelling units per acre. A particular development or project may exceed this maximum density pursuant to the requirements of the Bonus Provisions found in Section IX of this Redevelopment Plan. Ground floor commercial uses provided along street frontages where they are either permitted or required, shall not be counted against the permitted maximum density of residential dwelling units.

4. Permitted Maximum Height - Maximum permitted height shall be four (4) stories and forty-five (45) feet. A particular building or development project may exceed this maximum height pursuant to the requirements of the Bonus Provisions found in Section IX of this Redevelopment Plan.

5. Additional Height Regulations:

   a. All residential floors above the first floor shall have a minimum floor to ceiling height of nine (9) feet. Residential units on the first floor shall have a

minimum floor to ceiling height of ten (10) feet. Residential units on the first floor of any building shall be raised at least two (2) feet above the grade of the adjoining sidewalk.

b. Ground floor commercial areas shall have a minimum floor to ceiling height of Twelve (12) feet.
c. Ground floor commercial areas may be taller than twelve (12) feet and may contain mezzanine levels within the use area.
d. Parking structures may not exceed four (4) levels in height.
e. Parapets and other roof-top appurtenances may exceed the permitted height within the limitations imposed by the Jersey City Land Development Ordinance.

6. Dwelling Unit Size (interior measurement) - The average unit size of all dwelling units in any given building shall not be less than 1,000 square feet. In addition, no unit shall be smaller than 750 square feet.

7. Minimum Lot Size – 20,000 sq. ft. Additional lots and/or parcels may be added to development parcels or lots to create larger development lots. The combined area of Blocks 404.5 and 2131 must be developed as one development parcel since the total area of these two blocks combined is less than 31,000 sq. ft.

8. Permitted Maximum Building Coverage - Including Parking Structure – 95%
Above Parking Structure – 75%
Total – 95%

9. Required Setbacks

a. Front: Minimum – 5 feet. Maximum - 10 feet.
Except that facades containing ground floor commercial uses may be constructed up to the front property line / sidewalk edge, and residential lobbies / main entrances may be constructed up to the front property line / / sidewalk edge, provided that they are no more than 25 feet in height.

b. Side – None required.

c. Rear – Zero for the parking structure portion of the building.
Minimum of 30 feet for residential uses above.

d. The minimum distance between the facades of any two buildings containing windows shall be fifty (50) feet.

10. Parking Requirements:

	Minimum	Maximum
Multi-family Building	1.0 per unit	1.5 per unit
Commercial Uses	Zero	2.0 / 1,000 sq. ft.

IX. ACQUISITION PLAN

All property within this Redevelopment Plan is listed as "To Be Acquired", except that any contiguous properties, parcels or lots totaling at least 15,000 square feet in area, and owned by the same or related entities shall be considered as "Not To Be Acquired".

X. RELOCATION PLAN

It is anticipated that most acquisition within the Redevelopment Area will be conducted by private means, thereby reducing the amount of necessary relocation. However, should relocation of persons or businesses become necessary, the process of relocating the affected persons and businesses will receive the careful attention of local officials and the Jersey City Redevelopment Agency, and be conducted in accordance with the requirements of all applicable Federal, State and Local laws.

XI. CIRCULATION PLAN

1. It is the intent of this Circulation Plan to provide a street layout for the Redevelopment Area which is adequate to meet the circulation needs of the Redevelopment Area in terms of vehicular traffic and pedestrian volume, while at the same time recognizing that it is a primary purpose of this Redevelopment Plan to promote the principles of a "Transit Village". That 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. The Redevelopment Area is serviced by multiple bus lines along Grand Street and Montgomery Street and is within four (4) blocks of the Light Rail station at Jersey Avenue.

2. All streets and rights of way within the Redevelopment Area shall remain open to the public. The configuration of all streets within the Redevelopment Area are expected to remain as they are. However, consideration will be given to re-directing traffic on Bright Street, Brook Street and Colden Street, and/or providing traffic calming features, so as to reduce the impact of thru- traffic and traffic bound for or exiting the New Jersey Turnpike on the proposed new neighborhood.

3. Sidewalk areas must be provided on both sides of the street within the Redevelopment Area, and shall be properly sized for the safe and convenient movement of pedestrians through and around the Area, taking into consideration the character of the adjoining area. In general, sidewalks on busier streets such as Grand Street, should be wider than sidewalks on side streets within the Redevelopment Area.

4. The right-of-way of Bates Street shall be modified and widened where necessary in order to have a uniform right-of-way width of sixty (60) feet. The curb to curb carriage-way within the Bates Street right-of-way shall be 36 feet wide and consist of two travel lanes, one in each direction, and two parking lanes. A twelve (12) foot sidewalk shall be provided on both sides of the street. Where it is necessary to widen the right-of-way, half of the width will be taken from the east side of the street and half shall be taken from the west side of the street. Any areas which are required to be dedicated for right-of-way expansion may continue to be utilized for the calculation of permitted density.

5. The intersection of Pacific Avenue, Bates Street and Grand Street should be studied to determine if modifications to the traffic signal and or the geometrics of the intersection

are warranted to accommodate traffic flowing into or out of Pacific Avenue, Bates Street and Grand Street. A fifteen (15) foot wide sidewalk should be provided on Grand Street.

6. Consideration shall be given to extending Center Street from Pacific Avenue to Grand Street as a one-way street north bound, and making Merseles Street a one-way street south bound between Grand Street and Pacific Avenue.

XII. BONUS PROVISIONS

A. Density Bonus

One of the primary objectives of this Redevelopment Plan is to provide for new open space and recreation opportunities, and improvements to existing open space and recreation areas both within the redevelopment area and in adjacent areas. It is also recognized that this Redevelopment Area has the potential to accommodate greater densities because it is serviced by multiple bus lines along Grand Street and Montgomery Street and is within four (4) blocks of the Light Rail station at Jersey Avenue. Therefore, all residential developments are eligible to receive a bonus density of up to an additional 90 dwelling units per acre; based upon a monetary contribution of five thousand, five hundred ($5,500.00) dollars to an "Open Space Trust Fund" for each additional unit to be constructed. The Open Space Trust Fund shall be utilized by the City of Jersey City to improve or acquire public open space within the Redevelopment Area or immediately adjacent to the Area. Uses of the Open Space Trust Fund monies shall include: Improvements and/or expansion of Meluso Park along Bates Street; Acquisition and improvement of new public open space in the area south of York Street and east of Colgate Street; Aesthetic and functional improvements to the areas under the New Jersey Turnpike Extension; Aesthetic and functional improvements to the proposed open space area along Merseles Street between Grand Street and Pacific Avenue. Open space improvements may include; trees and other landscaping, active and passive recreation facilities, playgrounds, dog runs and other similar facilities and activities.

Not all residential developments within the Redevelopment Area may be able to achieve the maximum permitted density, with bonuses, of 150 dwelling units per acre. Required unit sizes, height and other bulk criteria may further limit the maximum number of dwelling units permitted on any particular development parcel. Therefore, the maximum number of dwelling units permitted on any particular development parcel shall be determined by the applicable unit size, permitted height and other bulk standards; or based upon the maximum permitted bonus density of 150 dwelling units per acre; whichever is less.

B. Height Bonus

Maximum permitted height, only when utilizing the Density Bonus provision described above, shall be as indicated on Map 3 – Height Bonus Map, and as further limited below.

1. Bonus Height Area "A" – Maximum of five (5) stories and fifty-five (55) feet. A sixth (6th) story shall be permitted within area "A"; provided that it is setback at least five (5) feet from all facades, and the additional floor does not add more than ten (10) feet to the total permitted height. Where a permitted or required ground floor commercial use is provided within the building, the total height may be increased up to an additional ten (10) feet to accommodate a mezzanine level within the commercial space.

2. Bonus Height Area "B" – Maximum of eight (8) stories and eighty-five (85) feet. Two (2) additional stories shall be permitted within area "B"; provided that they are setback at least five (5) feet from all facades, and the additional floors do not add more than twenty (20) feet to the total permitted height. Where a permitted or required ground floor commercial use is provided within the building, the total height may be increased up to an additional ten (10) feet to accommodate a mezzanine level within the commercial space.

3. Bonus Height Area "C" – Maximum of Ten (10) stories and one hundred and five (105) feet. Two (2) additional stories shall be permitted within area "C"; provided that they are setback at least five (5) feet from all facades, and the additional floors do not add more than twenty (20) feet to the total permitted height. Where a permitted or required ground floor commercial use is provided within the building, the total height may be increased up to an additional ten (10) feet to accommodate a mezzanine level within the commercial space.

4. Where property has been taken along Bates Street in order to accommodate a widening or realignment of this street, said property may continue to be used to calculate the permitted dwelling unit count on the affected development parcel. In such instances, additional height may be permitted, limited to not more than two (2) additional stories and twenty (20) feet, on any building fronting onto Bates Street.

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 Map and Acquisition Plan (Section IX), which are a part of this Plan, indicate all property to be acquired as a result of this Plan.

E. The Plan is in general compliance with the Master Plan of the County of Hudson. It is not contrary to the goals and objectives of the Jersey City Master Plan or the Zone Plan.

The Zone Plan permits residential land uses over ground floor commercial uses as this Redevelopment Plan does. However, this Redevelopment Plan emphasizes residential land-uses to a greater extent and reduces the emphasis on commercial uses. This has been done in recognition of the large community commercial center located immediately east of the Redevelopment Area, just across Bates Street. 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 Redevelopment Area covered by this Plan as a Redevelopment Area, and all underlying zoning will be voided.

XIV. PROCEDURE FOR AMENDING THE PLAN

A. This Plan may be amended from time to time upon compliance with the requirements of law. A fee of five thousand dollars ($5,000), 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 costs.~~

B. No amendment to this Plan shall be approved without the review and recommendation of 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.

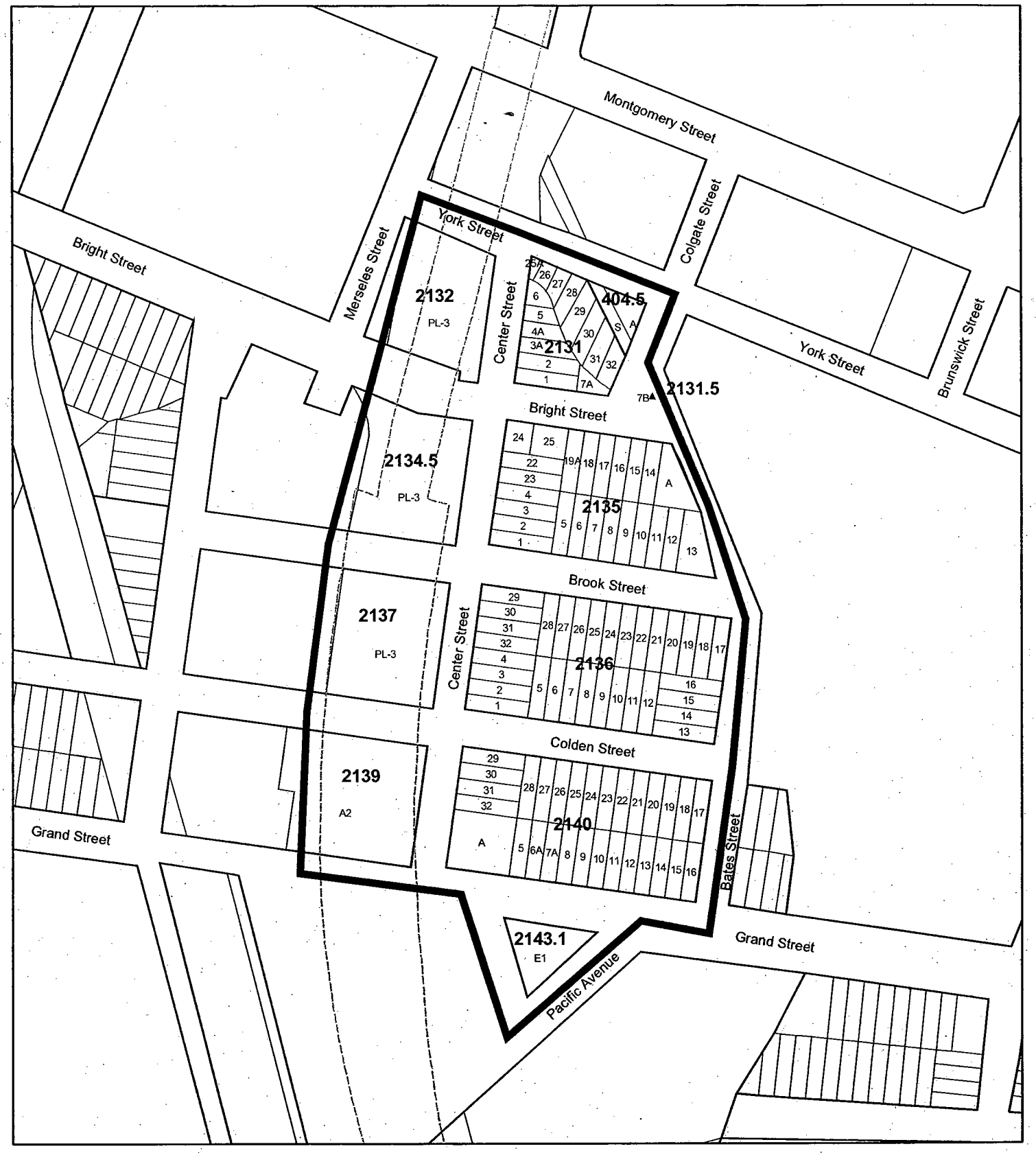
XV. DEFINITIONS

Definitions contained herein shall prevail within the Redevelopment Area. For definitions not contained herein, the definitions contained in the City of Jersey City Zoning Ordinance shall prevail.

Height - Height shall be measured to the highest point of a flat roof and the mid-point of a sloped roof from the mean elevation of the finished grade from all exterior walls, or from the base flood elevation, whichever is higher.

Multi-family Building – A building of at least four (4) stories containing three (3) or more dwelling units that share common horizontal and/or vertical separations, and which may also contain such accessory uses as permitted by this Redevelopment Plan. All buildings must conform to the maximum height regulations of this Plan.

XV
MAPS



Bates Street Redevelopment Plan Area
Map 1: Boundary Map

March 14, 2006

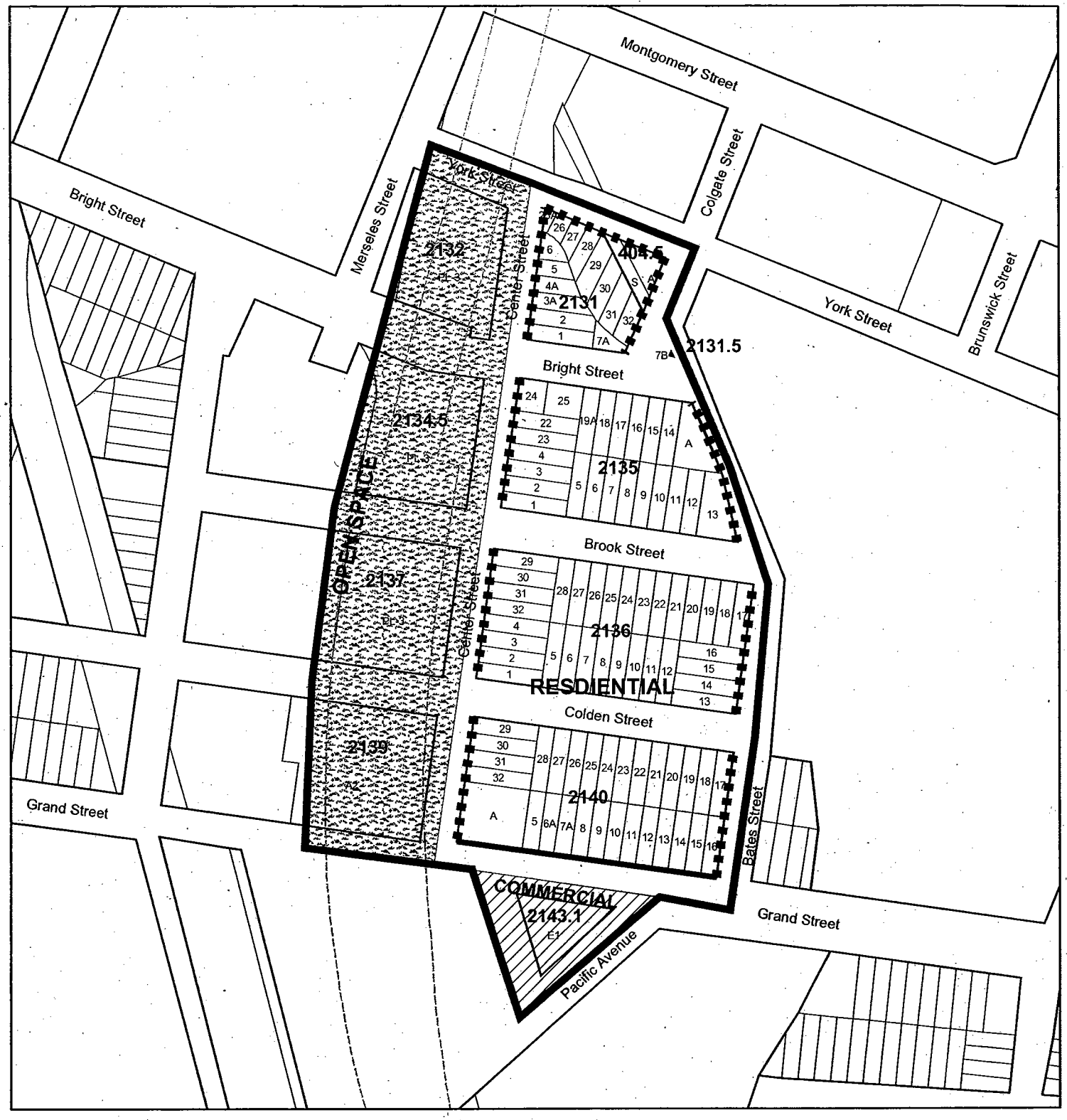
Jersey City
Planning Division
30 Montgomery Street Suite 1400
Jersey City, NJ 07302-3821
Phone: 201.547.5010
Fax: 201.547.4323

Legend

Boundary

1 inch equals 200 feet

0 100 200 400 600 800 Feet



Bates Street Redevelopment Plan Area
Map 2: Land Use District Map

March 14, 2006

1 inch equals 200 feet

0 100 200 400 600 800 Feet

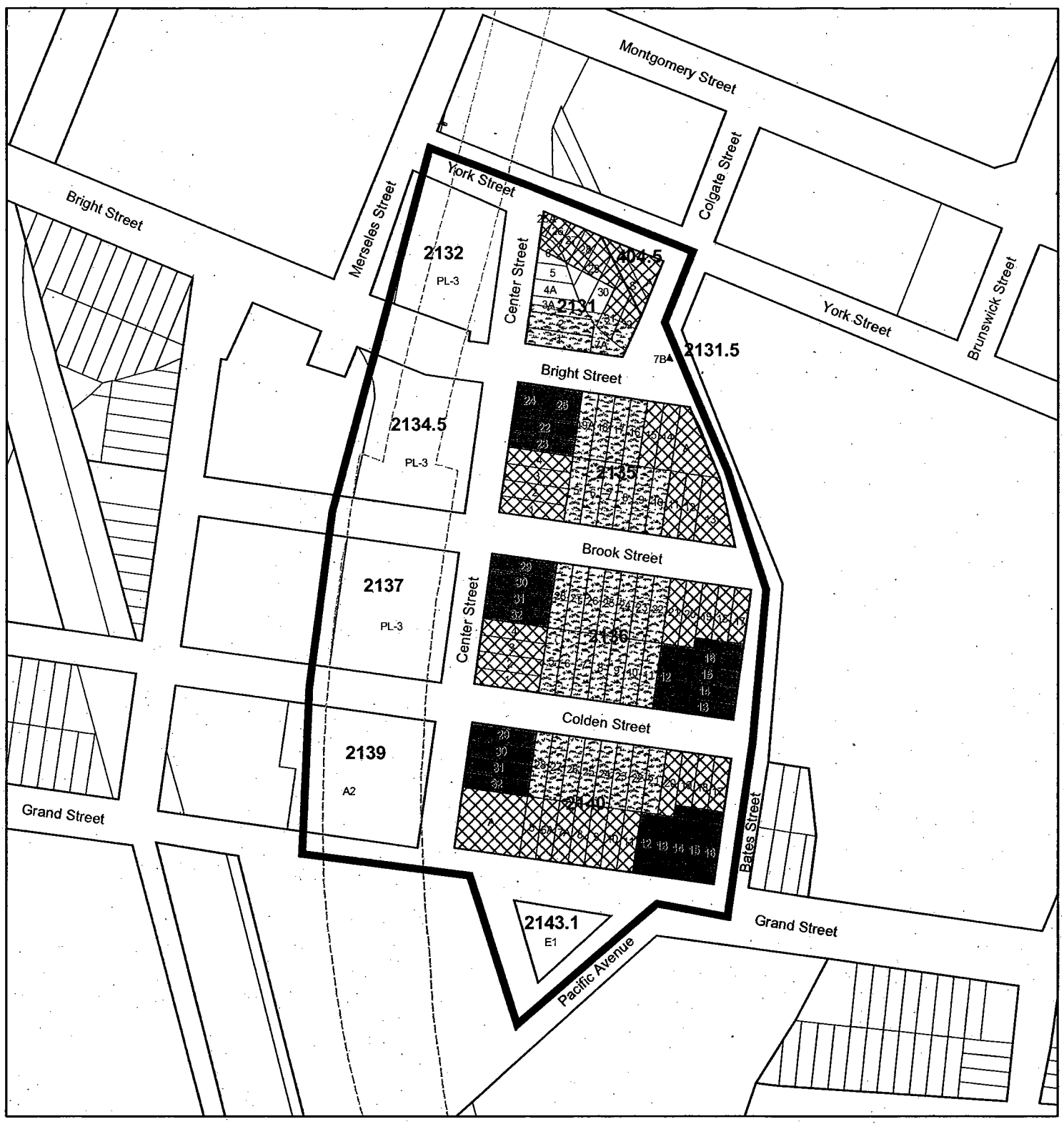
Legend

- Commercial
- Open Space
- Residential

Commercial Street Frontage Requirements

- Optional
- Required

Jersey City
Planning Division
30 Montgomery Street Suite 1400
Jersey City, NJ 07302-3821
Phone: 201.547.5010
Fax: 201.547.4523



Bates Street Redevelopment Plan Area
Map 3: Bonus Height Map

March 14, 2006

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

Legend

- Bonus Height Area "A"
- Bonus Height Area "B"
- Bonus Height Area "C"

1 inch equals 200 feet

0 100 200 400 600 800 Feet

City Clerk File No. Ord. 10-148

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 **10-148**

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE CAVEN POINT REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE AND AMENDMENT FEES

WHEREAS, the Municipal Council of the City of Jersey City adopted the Caven Point Redevelopment Plan on November 7, 1984, and amended the Plan on March 3, 1987 and again on September 10, 1997; and

WHEREAS, the Planning Board, at its meeting of November 15, 2010, determined that the Caven Point Redevelopment Plan would benefit from amendments to prohibit natural gas pipelines and to revise the site plan review procedure and fees for plan amendments; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Caven Point Redevelopment Plan is attached hereto, and made a part hereof, and is available for public inspection at the office of the City Clerk, 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 aforementioned amendments to the Caven Point Redevelopment Plan 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.
E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

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

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required ☐

Not Required ☐

Date Submitted to B.A._____

ORDINANCE FACT SHEET

1. **Full Title of Ordinance:**

   ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE CAVEN POINT REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE AND AMENDMENT FEES

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

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

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

   This ordinance prohibits natural gas pipelines from the Area and updates the site plan review procedures and amendment fees.

4. **Reasons (Need) for the Proposed Program, Project, etc.:**

   Natural gas pipelines are an unwanted use in the area. The current review procedures appear to be outside the scope of the law and fees should be raised.

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

   Prohibition of gas pipeline. Brings review procedures into conformance with the Municipal Land Use Law.

6. **Cost of Proposed Plan, etc.:**

   $0.00. Plan was prepared by Division of City Planning staff.

7. **Date Proposed Plan 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

10. **Additional Comments:**

I Certify that all the Facts Presented Herein are Accurate.

Robert D Cotter — Nov 3, 2010
Division Director — **Date**

Deputy — Nov 3, 2010
Department Director Signature — **Date**

Summary Sheet:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE CAVEN POINT REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE AND AMENDMENT FEES

This ordinance prohibits natural gas pipelines as a permitted use and modifies the review procedures and fees for amending the Plan. Current review procedures appear to be outside the scope of the law and fees should be raised.

CAVEN POINT
REDEVELOPMENT PLAN

Prepared by
Division of City Planning
Department of Housing & Economic Development

Adopted November 7, 1984
Amended March 3, 1987
Amended September 10, 1997
Amendments Proposed November 2010

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1. INTRODUCTION

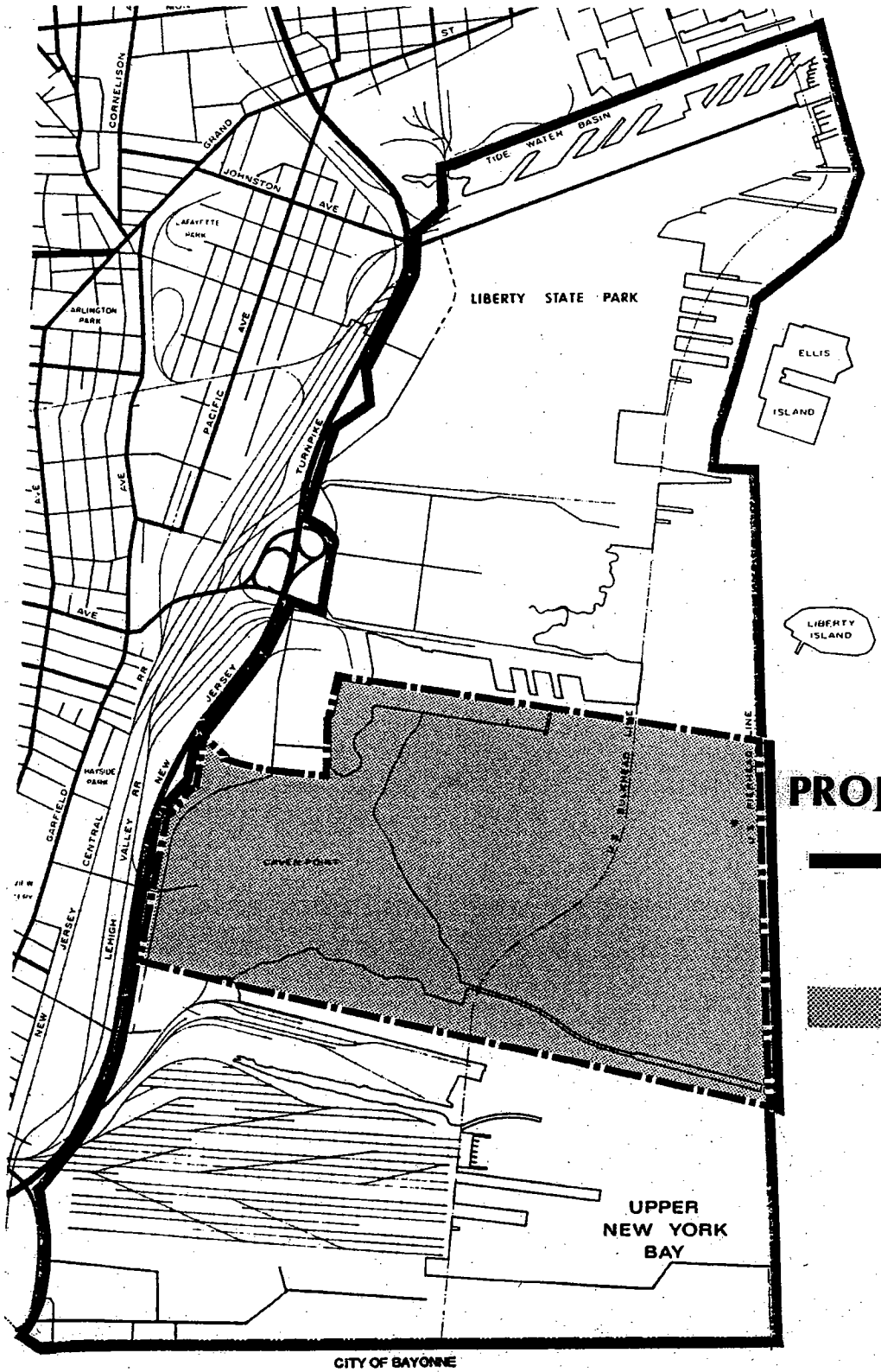
The Caven Point Redevelopment Plan will serve as an amendment to and a substitute for the Liberty Harbor Redevelopment plan as the Liberty Harbor Redevelopment Plan affects the Caven Point area.

When the Liberty Harbor Redevelopment Plan was adopted in 1973 it was envisioned that the 3,000 acres covered by the Plan would be developed as a single entity. A new town was to be built at the northern end of the redevelopment area with a major industrial center at the southern end. In the middle would be a great urban park. The Caven Point area was to be enlarged through bulkheading and filling. The site was to more than double in area. On it would rise a modern industrial park.

Eleven years after the adoption of the Liberty Harbor Redevelopment Plan the Caven Point area is still mostly vacant land with essentially the same shoreline. The desire to develop an industrial center waned. A greater appreciation of the site's locational aspects has emerged. The realization that Caven Point is a world class development site has led Jersey City to reconsider its development agenda for it. With this in mind the Caven Point Redevelopment Plan was written to achieve all that the site deserves.

II. BOUNDARY DESCRIPTION

BEGINNING at the point of intersection of the eastern right-of-way of the New Jersey Turnpike Extension and the northern block line of Block 1507, thence in an easterly direction along the northern block line of Block 1507, to the point of its intersection with the U.S. Pierhead and Bulkhead line as adopted March 6, 1939, thence in a northerly direction along such Pierhead and Bulkhead line to the point of its intersection with the extended northern lot line of Lot 1F Block 1497, thence in a westerly direction along the extended northern lot lines of Lots 1F and 1D Block 1497 to the point of its intersection with the western lot line of Lot 1D Block 1497, thence in a southerly direction along the western lot line of Lot 1D and 1E Block 1497, to the point of its intersection with the northern block line of Block 1500, thence in a westerly direction along the northern block line of Block 1500 to the point of its intersection with the eastern right-of-way of the New Jersey Turnpike Extension, thence in a southerly direction along the eastern right-of-way of the New Jersey Turnpike Extension to the point of its intersection with the northern block line of Block 1507, the point and place of BEGINNING.



LEGEND

PROJECT BOUNDARY

LIBERTY HARBOR REDEVELOPMENT AREA

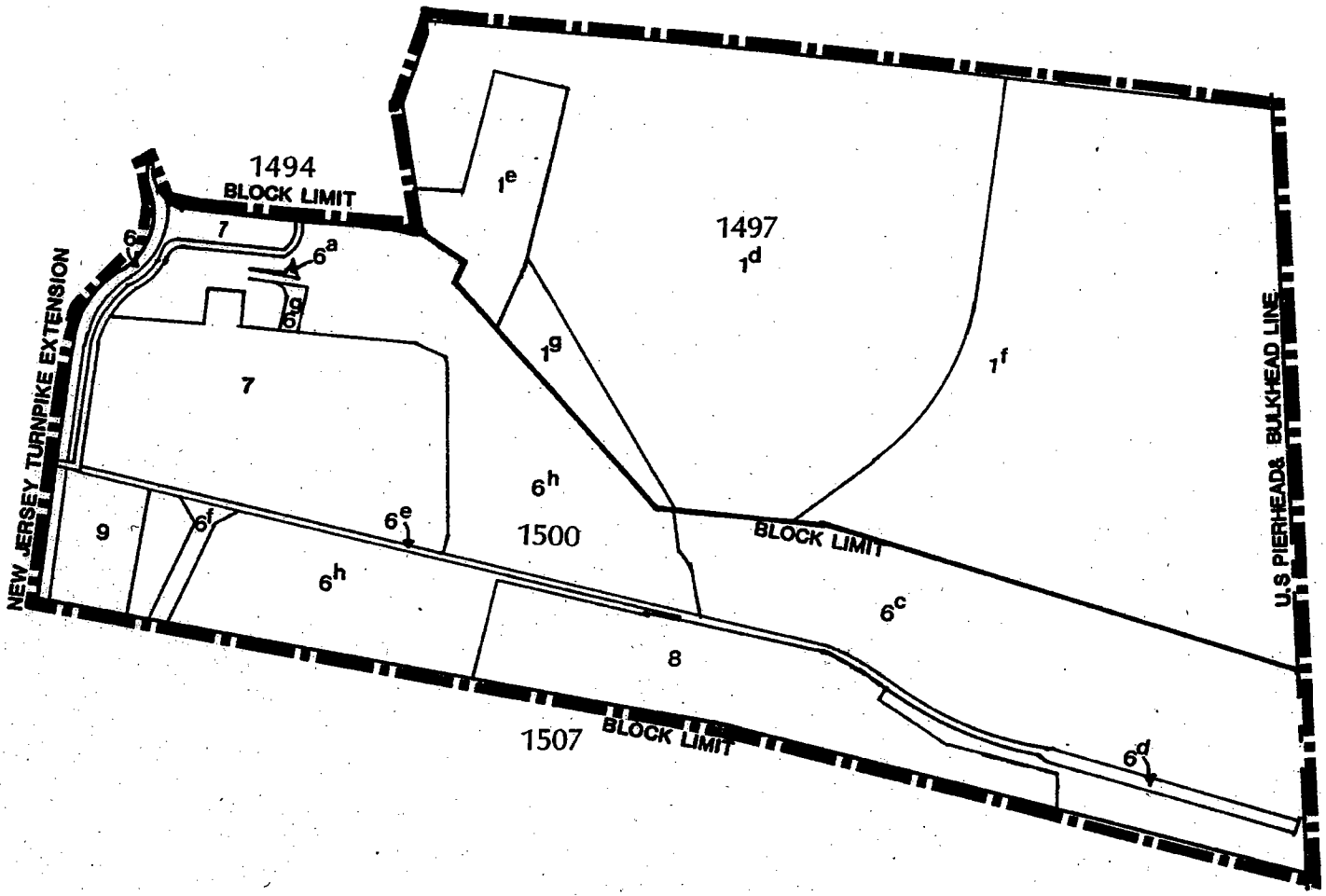
CAVEN POINT REDEVELOPMENT AREA

CAVEN POINT REDEVELOPMENT AREA

NORTH

PREPARED BY
DIVISION OF URBAN RESEARCH AND DESIGN
DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT

NOVEMBER 7, 1984



LEGEND

BLOCK AND LOT MAP

1497 BLOCK NUMBERS

6^h LOT NUMBERS

CAVEN POINT REDEVELOPMENT AREA

NORTH

PREPARED BY
DIVISION OF URBAN RESEARCH AND DESIGN
DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT

NOVEMBER 7 ,1984

III REDEVELOPMENT OBJECTIVES

Redevelopment activities in the Caven Pont Redevelopment Area (hereinafter referred to as "the Area") will be undertaken in conformity with, and will be designed to meet the following redevelopment objectives:

A. The elimination of substandard buildings and other deteriorated and obsolete structures, including dilapidated piers and bulkheading, and the elimination of blighting influences such as incompatible and mixed land uses.

B. The improvement of the functional and physical layout of the project area for contemplated new development and the removal of impediments to land disposition.

C. The overall improvement of traffic circulation through the elimination of unnecessary streets wherever possible and the development of new vehicular and pedestrian circulation systems which provide for separation of vehicular and pedestrian traffic, as well as for maximum use of public transportation.

D. The preservation and development of sightlines and vista points to the site's surrounding visual attractions, including the Manhattan skyline, the Statue of Liberty and New York Harbor.

E. The construction of mixed use development incorporating residential and commercial elements in a planned and environmentally sensitive setting.

IV. DESIGN OBJECTIVES

A. All buildings in the Area must be located 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 and private rights-of-way, off-street parking and height and bulk.

B. Groups of related buildings shall be designed to present a harmonious appearance in terms of architectural style and exterior materials.

C. Buildings shall be designed to be attractive from all vantage points. All mechanical equipment, meters, air-conditioning units, transformers, condensers and whatever the Planning Board deems mechanical equipment shall not be visible to the general public.

D. The use of canalways or recreational open space to divide the development site and the use of urban design techniques which create view corridors and vista to increase the interaction of land and water is strongly encouraged.

V. SPECIFIC OBJECTIVES

A. Submission of Redevelopment Proposals

Prior to commencement of construction, architectural drawings, specifications and site plans for the construction and/or rehabilitation of improvements to the redevelopment area shall be submitted by the developers for review and approval by the Planning Board of the City of Jersey City.

B. Adverse Influence

No use or re-use shall be permitted, which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic 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.

C. Off-Street Parking and Loading Objectives

1. 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.

2. All surface parking facilities shall provide a minimum ten (10) percent landscaped area. Such areas may contain sidewalks to service pedestrian traffic. Poured-in-place concrete curbing or a substitute deemed acceptable by the Planning Board, must surround all such parking facilities and wherever the Planning Board deems necessary to prevent vehicles from encroaching on landscaped areas.

3. All parking and loading areas abutting streets or residential zones shall be landscaped about their periphery with berms, shrubs, trees and/or ground cover.

4. All required parking and loading areas shall be provided off public streets. All such parking and loading areas shall be graded, paved, adequately drained, and all access points shall be defined and limited in accordance with the Zoning Ordinance of the City of Jersey City.

5. All required parking spaces shall be a minimum of (8.5) feet wide by eighteen (18) feet deep. All aisles shall be a minimum of twenty-two feet wide.

D. Landscape Design Objectives

1. All open space, including yards, shall be landscaped with lawns, trees, shrubbery and other appropriate plant materials unless said open space is specifically designated for other activities which require paving or other treatment. Screen planting shall be a minimum of four (4) feet in height. Material shall be planted,

balled and burlapped and of specimen quality as established by the American Association of Nurserymen. At initial planting the material shall provide a screen from the top of the planting to within six (6) inches of grade. Other plant materials shall be dense, and of specimen quality determined as above. All deciduous trees shall be a minimum of four and one half inches caliber. All plants, trees and shrubs shall be installed in accordance with a planting schedule provided by the developer and approved by the Division of City Planning.

VI. INTERIM USES

Interim uses may be established, subject to 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. This shall include such signage necessary for project identification. All interim uses will be subject to site plan review by the Jersey City Planning Board. Approvals shall be granted for no more than three (3) years, although such grants may be extended from time to time, consistent with other provisions of this section.

VII. GENERAL PROVISIONS

A. The regulations and controls in this section will be implemented where applicable by appropriate covenants, or other provisions, or agreements for land disposition and conveyance executed pursuant thereto.

B. The developer shall begin and complete the development of the land and the construction of improvements agreed upon in the disposition contract within a reasonable amount of time as determined in the said disposition contract between the Jersey City Redevelopment Agency and the designated developer.

C. No covenant, lease, conveyance or other instrument shall be affected or executed by the Jersey City Redevelopment Agency or by a redeveloper or any of his successors or assignees, whereby land within the project area is restricted by the Jersey City Redevelopment Agency or the redevelopment upon the basis of race, creed, color, gender, or national origin in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments.

D. No building shall be constructed over an easement in the project area without prior written approval of the Jersey City Department of Engineering.

E. The Jersey City Planning Board shall specifically reserve the right to review and approve the redeveloper's plans and specifications with respect to their conformance to the Redevelopment Plan. Such review shall be on the basis of a site plan and building designs submitted to the Planning Board.

No additional construction or alteration to existing or proposed construction shall take place until a site plan reflecting such additional or revised construction has been submitted to, and approved by, the Jersey City Planning Board. This pertains to revisions or additions prior to, during and after completion of the improvements.

F. MASTER PLAN PROVISION

In order to encourage more comprehensive multi-phase developments, a Master Plan for all or part of the Redevelopment Area must be presented by the developer to the Planning Board prior to submission of individual site plans. The Master Plan may also include lands adjoining the Caven Point Redevelopment Area. The Master Plan shall be consistent with the provisions of the Redevelopment Plans or zoning district(s) (for the portions of any Master Plan not located within a redevelopment area) covering the site and shall, at a minimum, include the following elements:

A. Overall site development plan specifying uses, approximate heights, densities and building coverage of the development.

B. Traffic impact circulation analysis.

C. Parking and vehicular access plan.

D. General utility and storm system layout showing proposed locations and alignments.

E. Phasing plan, which shall describe the sequence and amounts of development to result.

F. A Timing Schedule to be followed in completing the Master planned development

G. Provisions to accommodate the Hudson River Walkway

Subsequent applications for preliminary site plan approval for specific elements or phases shall be consistent with the Master Plan. In reviewing such specific applications for preliminary site plan approval, the Planning Board may rely upon the studies submitted and reviewed during the Master Plan hearing. Major revisions of the Master Plan as determined by the City Planning Division shall be required to come before the Planning Board for review and approval. At the time of preliminary site plan review the applicant(s) shall be required to demonstrate the relationship between the individual phase and the Master Plan.

DURATION OF MASTER PLAN APPROVAL

Any proposed project which has received Master Plan approval shall be unaffected by any subsequent amendments to the redevelopment plans covering the master plan site for the period the Master Plan approval is in affect.

The term of the effect of approval of the Master Plan shall be determined by the planning Board and shall not exceed Twenty (20) years from the date upon which the developer receives final approval for the first section of the Master plan development.

In making its determination regarding the duration of the approval, the Board shall consider the number of dwelling units and non-residential floor area to be constructed, the timing schedule to be followed in completing the full development, the likelihood of this fulfillment, the developers capacity to complete the development and any conditions the Board attaches to the approval

thereof.

In the event that the developer may seek to modify the Timing Schedule, such modifications shall require the approval of the Planning Board. In deciding whether or not to grant the approval of the Modification, the Board shall consider prevailing economic and market conditions, anticipated and current demands for residential and non-residential space within the City and the region, and the availability and capacity of public facilities to accommodate the proposed development.

G. ~~Site plan review shall be conducted by the Jersey City Planning Board pursuant to NJSA 40:55D-1 et seq. Site plan review shall consist of preliminary site plan application and final site plan application. Applications may be submitted for the entire project or in any number of phases. Preliminary site 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 completed, 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 of any type shall be issued for any construction until the Planning Board of Jersey City has given final site plan approval for the phase in which such construction is located. As part of any final site plan approval, the Jersey City 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 in a form approved by either the Corporation Counsel of the City of Jersey City or the Planning Board attorney of the City of Jersey City. 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 on (1) year of final site plan approval.~~

Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the Area shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval so that compliance of such plans with the redevelopment objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases.

As part of any site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53 et seq. Such performance guarantees shall be in favor of the City in a form approved by the Jersey City Corporation Counsel. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of on and off site improvements within one (1) year of final site plan approval.

H. Any subdivision of lots and parcels of land within the redevelopment area shall be in accordance with the requirements of this plan and the land subdivision ordinance of the City of Jersey City.

I. 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

date of approval of this plan by the City Council of the City of Jersey City.

J. All utility distribution lines and utility service connections form such lines to the project area's individual uses shall be located underground where feasible.

VIII. LAND USE PLAN

A. Permitted Principal Uses

1. Residential
2. Retail Sales
3. Office
4. Hotel
5. Public and private recreation and open space (including golf courses, driving ranges and associated golf facilities, health clubs, tennis facilities)
6. Marinas and individual boat berths, but not upland storage of any water related vehicles
7. Public and Semi-Public Uses
8. Restaurants
9. Water transportation facilities
10. ***Public Utilities, except that natural gas transmission lines shall be prohibited***

B) Accessory Uses

1. Parking facilities, off-street or on private streets.

C) Intensity of Development

1. Residential Density shall not exceed 20 units per gross acre as calculated on the basis of the total land area within the approved Master Plan. Site plans for individual phases need not comply with this Residential Density standard so long as the Master Plan complies.

2. Building Coverage shall not exceed 25% of total land area within the approved Master Plan. Site plans for individual phases need not comply with this Building Coverage standard so long as the Master Plan complies.

3. No building shall exceed 15 stories or 200 feet above grade.

4. Commercial, water transportation facilities and hotel development shall not exceed 25% of the total building coverage.

5. Setbacks shall be as follows:

   a) State Route 185 - 60 feet from right-of-way line.

   b) Chapel Avenue - 20 feet from right-of-way line.

   c) Beachfront - As determined by existing natural features and as approved by New Jersey Department of Environmental Protection.

D. Parking. All required parking shall be provided off public streets. Parking is not required to be located on the same lot as the principal use it serves.

To encourage the efficient use of land devoted to parking, shared parking may be permitted by the Planning Board in its Master Plan or site approval of a project. The minimum parking requirements, which shall be met off-street or on private streets within 500 ft. of the the principal use, shall be as follows:

Townhouses	2.0 spaces per Dwelling Unit.
Apartments	1.5 spaces per Dwelling Unit.
Commercial	1 space per 600 gross sq. ft.
Hotels	
- Rooms	1 space per room.
- Restaurant/ Meeting Rooms	1 space per 1,000 gross sq. ft
Marinas.....	1 space per 4 berths.
9 hole Golf Courses	120 spaces
18 hole Golf Courses ..	200 spaces
Driving Range	1 per stall
Water Transportation Facilities	provided through shared parking with a maximum of 300 shared spaces

E. Signage

1. All signage shall be subject to Site Plan Review by the Jersey City Planning Board.

2. All signs shall be incidental, customary to, and commonly associated with the principal use. Rooftop, flashing, moving or intermittently illuminated signs or advertising devices are prohibited as are signs which may be mistaken for traffic control devices.

F. Deviation Requests

The Planning Board may grant deviations from the regulations contained within this Redevelopment 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 Redevelopment 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 such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would

outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan. An application for a deviation from the requirements of this redevelopment plan shall provide public notice of such application in accord with the requirements of public notice as set forth in NJSA 40:55D-12.a. & b.

IX. OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS

A. The "Redevelopment Agencies" NJSA 40:55C-1, et seq. specifically, 40:55C-32 requires that a redevelopment plan shall:

1. Conform to the general plan for the municipality as a whole; and

2. Shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, conservation or rehabilitation as may be proposed to be carried out in the area of the project, zoning and planning changes, if any, land uses, maximum densities, building requirements; and the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.

B. In accordance with State requirements, the following statements are made:

1. The proposals of this plan conform with the general plan for the municipality.

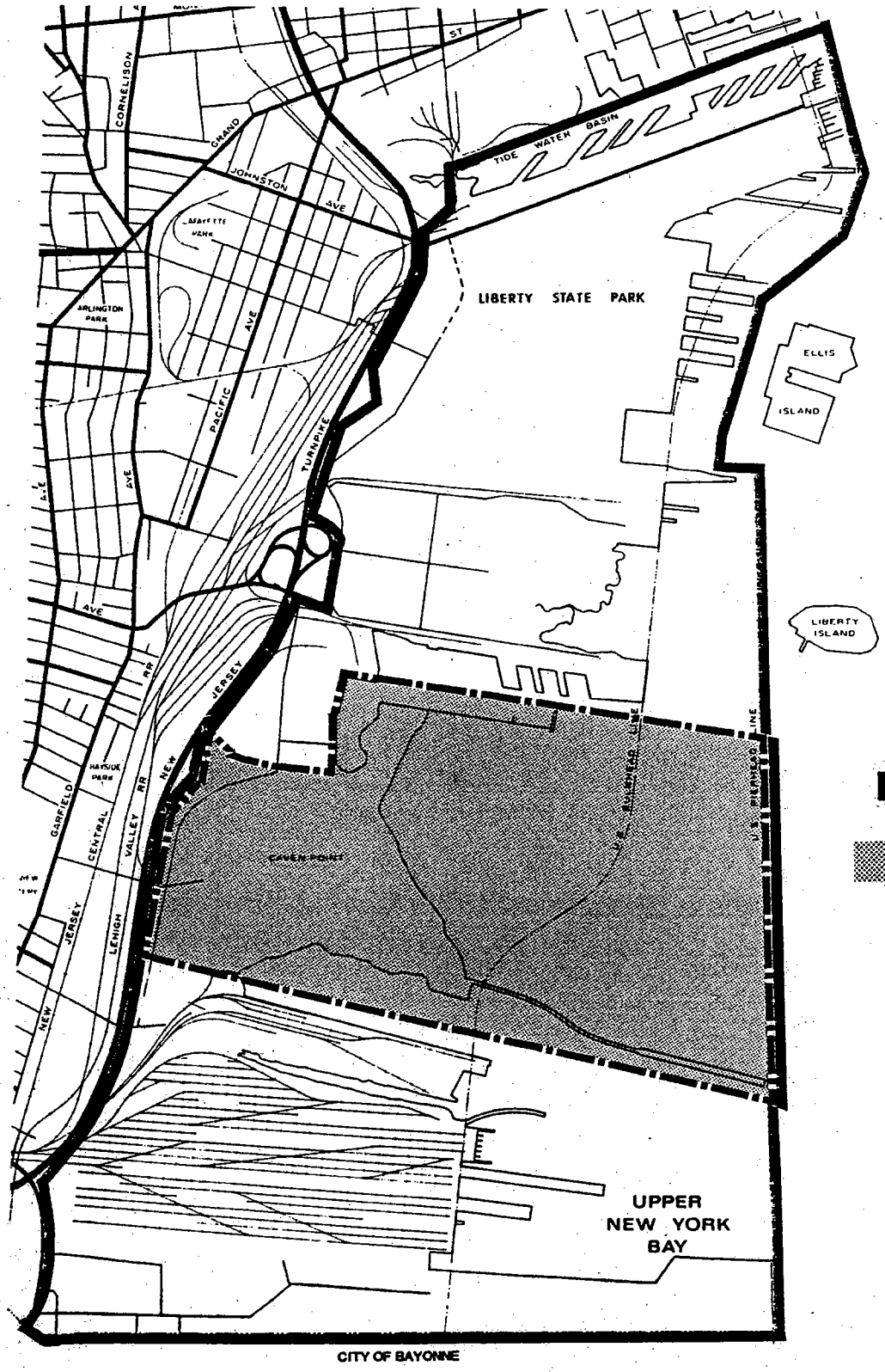
2. This plan provides an outline for the development or redevelopment of the Caven Point Redevelopment Area and is sufficiently complete to indicate such land acquisition, demolition, and removal of structures, redevelopment, improvements as proposed, planning changes, land uses, maximum densities, building requirements, and its relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, community facilities, and other public improvements.

3. Provisions for the temporary and permanent relocation of persons living in the redevelopment area are not applicable as the area does not contain any residents nor residential structures.

4. The City of Jersey City, through the services of the Jersey City Redevelopment Agency relocation staff, will provide displaced commercial entities with the relocation assistance necessitated by State Law. This office will be staffed by qualified personnel who will actively assist displaced businesses and individuals in finding adequate accommodations. All businesses and individuals being displaced will be interviewed to determine their relocation requirements.

X. PROCEDURES FOR AMENDING THE PLAN

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law. A fee of ~~$500.00~~ ***$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 under NJSA 40:55C-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.~~



LEGEND
LAND- USE

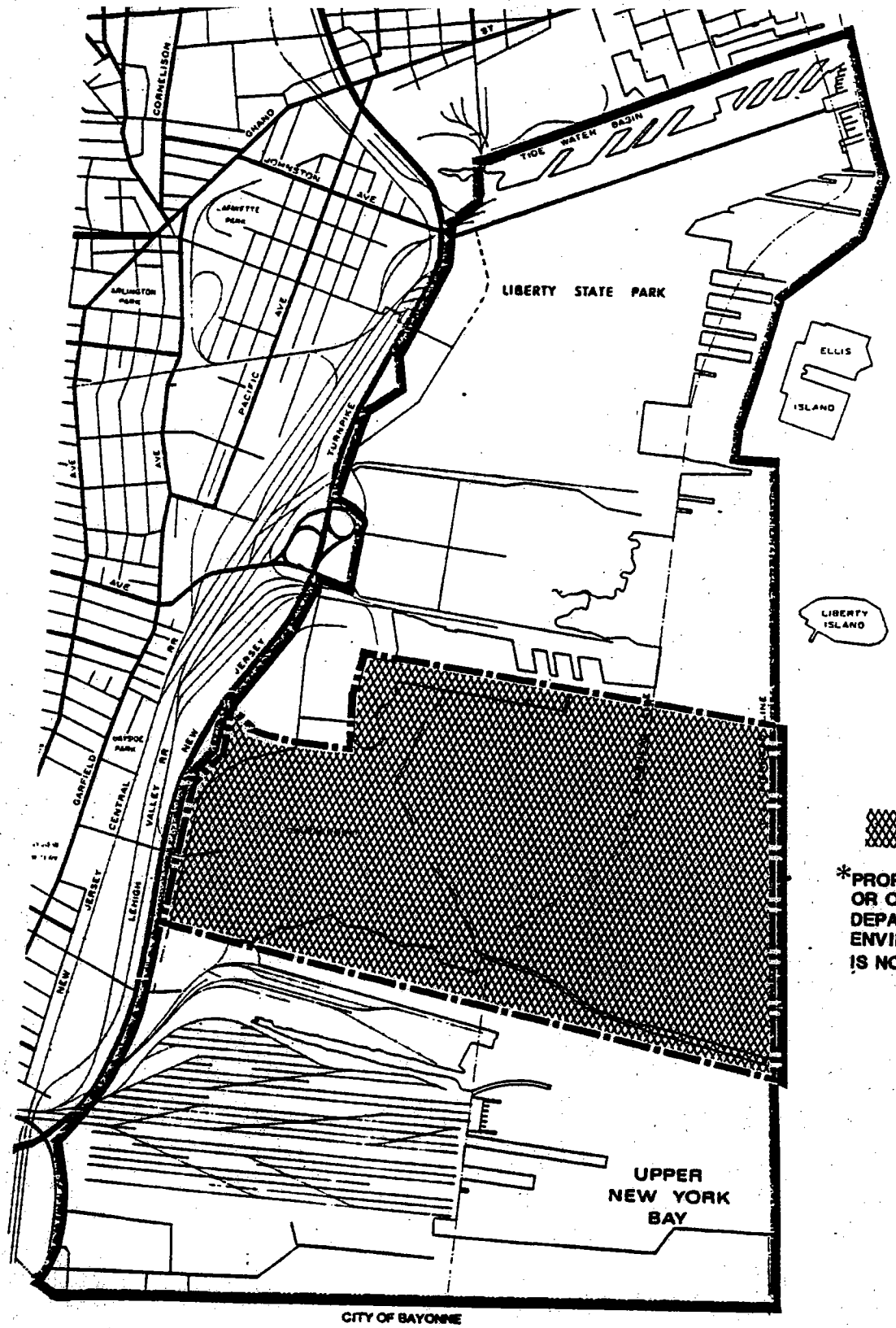
CAVEN POINT REDEVELOPMENT AREA

CAVEN POINT REDEVELOPMENT AREA

NORTH

PREPARED BY
DIVISION OF URBAN RESEARCH AND DESIGN
DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT

NOVEMBER 7, 1984



LEGEND

ACQUISITION

TO BE ACQUIRED*

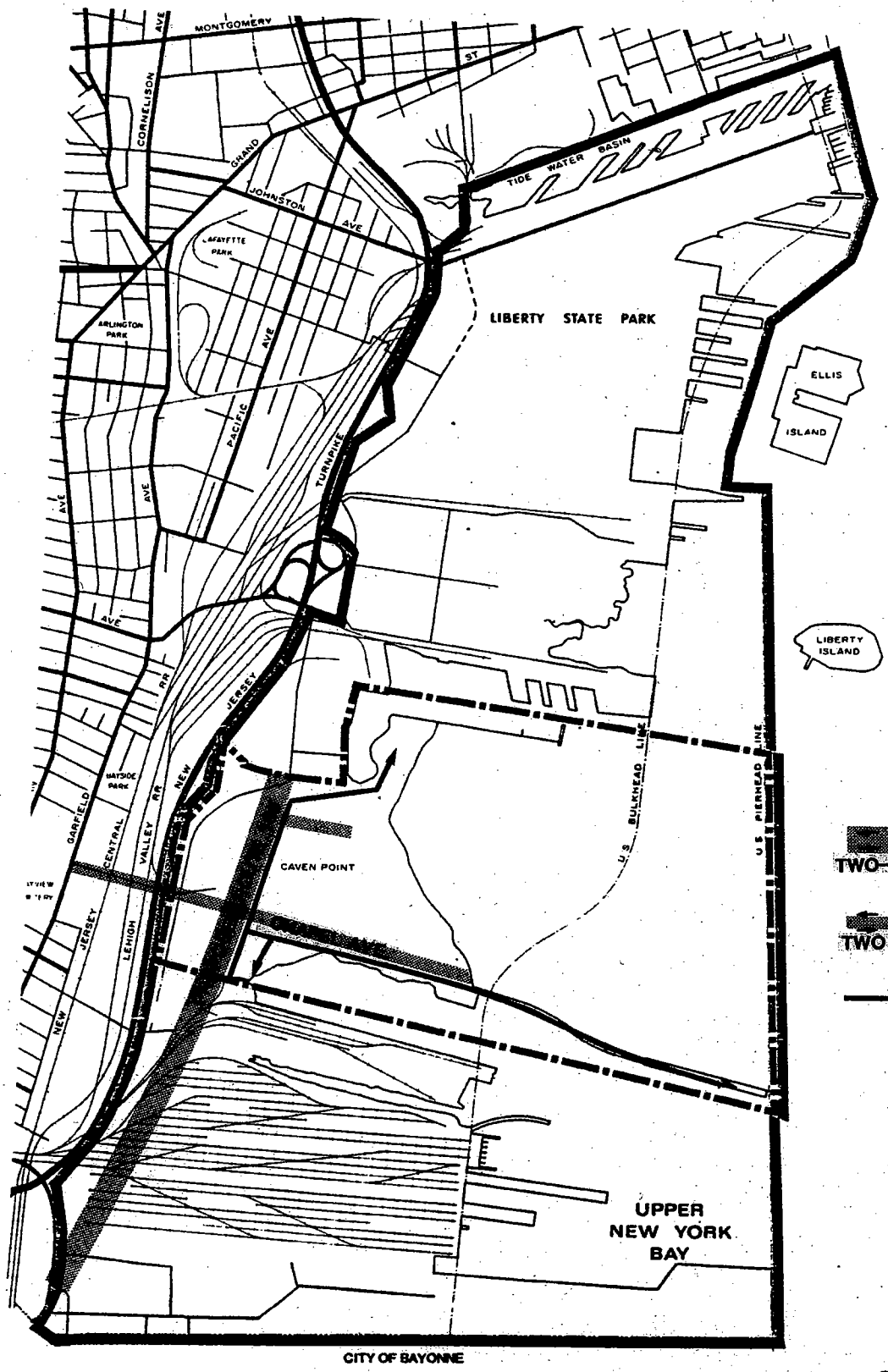
*PROPERTY UNDER THE JURISDICTION OR OWNERSHIP OF THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION IS NOT TO BE ACQUIRED.

CAVEN POINT REDEVELOPMENT AREA

NORTH

PREPARED BY
DIVISION OF URBAN RESEARCH AND DESIGN
DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT

NOVEMBER 7, 1984



LEGEND

CIRCULATION

TWO-WAY — PROPOSED ROUTE 185

TWO WAY — CHAPEL AVE.

→ WATERFRONT ACCESS AS REQUIRED BY N.J.D.E.P.

CAVEN POINT REDEVELOPMENT AREA

NORTH

CITY OF JERSEY CITY CORPORATE SEAL

PREPARED BY
DIVISION OF URBAN RESEARCH AND DESIGN
DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT

NOVEMBER 7, 1984

City Clerk File No. Ord. 10-149

Agenda No. 3.I 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 10-149

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE GRAND JERSEY REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE AND AMENDMENT FEES

WHEREAS, the Municipal Council of the City of Jersey City adopted the Grand Jersey Redevelopment Plan on March 24, 2993, and amended the Plan on September 25, 2002 and again on November 25, 2008; and

WHEREAS, the Planning Board, at its meeting of November 15, 2010, determined that the Grand Jersey Redevelopment Plan would benefit from amendments to prohibit natural gas pipelines and to revise the site plan review procedure and fees for plan amendments; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Grand Jersey Redevelopment Plan is attached hereto, and made a part hereof, and is available for public inspection at the office of the City Clerk, 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 aforementioned amendments to the Grand Jersey Redevelopment Plan 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.
E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

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

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required ☐

Not Required ☐

Date Submitted to B.A._____

ORDINANCE FACT SHEET

1. **Full Title of Ordinance:**

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE GRAND JERSEY REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE AND AMENDMENT FEES

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

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

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

This ordinance prohibits natural gas pipelines from the Area and updates the site plan review procedures and amendment fees.

4. **Reasons (Need) for the Proposed Program, Project, etc.:**

Natural gas pipelines are an unwanted use in the area. The current review procedures appear to be outside the scope of the law and fees should be raised.

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

Prohibition of gas pipeline. Brings review procedures into conformance with the Municipal Land Use Law.

6. **Cost of Proposed Plan, etc.:**

$0.00. Plan was prepared by Division of City Planning staff.

7. **Date Proposed Plan 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

10. **Additional Comments:**

I Certify that all the Facts Presented Herein are Accurate.

Robert D Cotter — Nov 3, 2010
Division Director — **Date**

Deputy — November 3, 2010
Department Director Signature — **Date**

Summary Sheet:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE GRAND JERSEY REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE AND AMENDMENT FEES

This ordinance prohibits natural gas pipelines as a permitted use and modifies the review procedures and fees for amending the Plan. Current review procedures appear to be outside the scope of the law and fees should be raised.

Grand Jersey Redevelopment Plan

Adopted by the Municipal Council
City of Jersey City
March 24, 1993 – Ord 93-029
Amended Sept. 25, 2002 – Ord 02-110
Amended Nov. 25, 2008 – Ord. 08-158
Proposed Amendments November 2010

Division of City Planning
City of Jersey City

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I. Introduction

The following is a redevelopment plan for the Grand Jersey Redevelopment Plan Area (hereinafter the "Area), an area of Jersey city which has been the subject of much study and planning over the past several decades. The Area is just north of Liberty State Park and just east of the New Jersey Turnpike. This redevelopment plan considers these adjoining and significant assets of the State of New Jersey as influential and critical to the future use of the land at Grand Street and Jersey Avenue. In addition, this plan takes the existing historic and newly emerging neighborhoods surrounding this area into consideration, to assure that the new uses in the Grand Jersey Redevelopment Plan are compatible with these neighborhoods.

The original redevelopment planning for this area began in the 1960's, as reflected in the 1966 Master Plan for Jersey City, A Time for Change. The 1966 Master Plan envisioned an area from the northern shore of Caven Point to Grand Street to be redeveloped with a mix of new uses, including a major park along the waterfront. A quarter of a century later, the park is evident; its boundaries are set but only a fraction of its master plan has been developed. The other new uses envisioned in the City's planning – residential, office, recreational, civic and commercial – have not yet been substantially developed.

This plan is based, then in the hope that it will help, through the use of governmental authority and powers not available to the private sector, to redevelop this Area and bring to fruition the long envisioned new community rising in the backdrop of the Statue of Liberty, Ellis Island and Liberty State Park.

II. Redevelopment Plan Area Boundary Description

BEGINNING at a point at the intersection of the centerline of Grand Street and Jersey Avenue, thence in a southerly direction along the centerline of Jersey Avenue, as same would extend to the point of its intersection with the centerline of Audrey Zapp Drive, thence in a westerly direction along the centerline of Audrey Zapp Drive to the point of its intersection with the centerline of Johnston Avenue, thence in a westerly direction along the centerline of Johnston Avenue to the point of its intersection with the easterly right-of-way line of the New Jersey Turnpike, thence in a northerly direction along the easterly right-of-way line of the New Jersey Turnpike to its intersection with the centerline of Pacific Avenue, thence in a northerly direction along the centerline of Pacific Avenue to the point of its intersection with the centerline of Grand Street, thence in an easterly direction along the centerline of Grand Street to the point and place of the BEGINNING.

III. Redevelopment Plan Goals

A carefully planned and implemented redevelopment project can reverse a trend of deterioration and economic disinvestment and serve as a catalyst for major renovation and improvement

beyond the project's boundaries. After careful analysis of current market conditions and the needs of the local community, it has been determined that in order to ensure the successful functional and physical improvement of the Area, redevelopment planning should allow for a variety of land uses and public amenities.

Accordingly, the focus of this plan is to carefully balance the demand for a variety of land uses in a manner that accentuates the site's unique aesthetic and environmental qualities. The following goals have been set for this redevelopment area:

A. To provide a balanced mix of land uses that will eliminate blight, promote economic development and growth opportunities and provide for a variety of community needs.

B. Create a self-sustaining environment that provides for a wide variety of activities and public amenities that will satisfy the needs of a variety of uses groups.

C. To provide for the stabilization and the increase of the economic base of the project area and the entire city by redeveloping under-utilized and non-productive properties.

D. To encourage development that is compatible with the character of nearby neighborhoods and historic districts.

E. To provide for the maximization of private investment through the attraction of qualified developers capable of securing private financing commitments.

F. To provide new, short term and long term employment opportunities through the construction of new building and land uses and needed public improvements.

G. To foster public access to the waterfront.

H. To enhance the aesthetic and environmental qualities of the Area.

I. To provide site improvements including but not limited to new street trees, sidewalks, lighting and other site amenities.

J. To promote and coordinate joint development efforts with New Jersey Transit, the City of Jersey City, the State of New Jersey and private developers to ensure that any transit improvements planned for the Area will have a positive impact on new development within the Area.

IV. Redevelopment Objectives

The following objectives have been established to meet the previously stated goals of substantially improving and revitalizing the Area.

A. To eradicate existing blight by establishing new mixed use ventures that are attractive and add true excitement to the Area.

B. To eliminate vacant, deteriorated and obsolete structures, which by their blighting influences adversely affect the feasibility of physical change and renewal.

C. To assemble contiguous vacant lots into development parcels to allow for new development ventures.

D. To improve the functional and physical layout of the Area for contemplated new development.

E. To allow for a mix of uses, both public and private, in order to stimulate new investment.

F. To provide retail and commercial support activities within the redevelopment area.

G. To provide land for the construction of a modern medical center and health care complex to serve the people of Jersey City and nearby communities. Although it was permitted as a conditional use under the redevelopment plan previously approved, it is appropriate to recognize such a use as a permitted use under this redevelopment plan.

H. To establish and preserve view corridors to Lower Manhattan and the Statue of Liberty along major axis points.

I. To provide for a full range of public infrastructure and amenities which will beautify and upgrade the image of the Area and will be supportive of a commercial and pedestrian environment.

J. To promote the development of a comfortable, lively and attractive pedestrian environment by:

1. providing appropriate urban design guidelines;
2. encouraging retail frontage;
3. adding appropriate streetscape improvements;
4. developing public amenities which cater to the recreational and social needs of employees, residents and visitors.

K. To recognize the environmental characteristics of different types of commercial development and establish appropriate land use regulations for each type.

L. To establish an improved vehicular circulation and parking plan throughout the redevelopment area taking into consideration heavy pedestrian activity.

M. To make reasonable efforts to achieve a goal of awarding twenty percent (20%) of the dollar amount of the total contract and subcontract procurements to minority and female owned

business enterprises which have their principal place of business in the City of Jersey City, and with a like percentage of their employees being Jersey City residents, pursuant to Municipal Code Section C-190, as amended.

V. Urban Design Guidelines

This redevelopment plan reflects the City's desire to create a mixed-use, planned development of residential, office, retail, hotel, cultural, recreational and institutional uses, characteristic of a vibrant urban center. The urban design guidelines will accomplish this by codifying regulations which reflect and reinforce traditional urban settings.

This plan will also reflect the site's most important asset – its location on a waterfront basis with spectacular views of the lower Manhattan skyline and the Statue of Liberty and its connections to Liberty State Park. In order to accentuate these views, the redevelopment plan establishes view corridors throughout the project area. These will encourage public access to the water's edge and Liberty State Park. In effect, this will tie new development to the City's existing development, both spatially and in terms of circulation.

Project plans for the Area must consider the following urban design criteria:

- the layout and orientation of the streets
- vehicular circulation and parking
- pedestrian circulation
- open space designs
- waterfront amenities
- activity support functions

A. Building Design Guidelines

1. All buildings shall strengthen and enhance the aesthetic qualities of the site by being oriented to the surrounding landmarks.

2. Buildings should be situated with proper consideration of the physical and environmental nature of the site. Setback and bulk controls should take account of topography, and physical assets of the site, and with proper consideration of light, air, height, bulk, usable open space and access to public rights-of-way and off-street parking.

3. Buildings should be sited adjacent to major view corridors as so defined by the major axises to the Statue of Liberty and to lower Manhattan. Setbacks shall occur in the vertical axis to these buildings to maintain a scale of development that is oriented toward pedestrian movements along these pathways.

4. Buildings placed along the northern most edge of the redevelopment area shall maintain visual compatibility with the historic residential neighborhood to the

north, and those placed along the eastern most edge of the redevelopment area shall maintain visual compatibility with the neighborhoods to the east, as appropriate.

5. Building complexes shall be incorporated around a series of open spaces which can be designed as courtyards, landscaped parks or plazas with connecting pathways to the waterfront.

6. Groups of related buildings shall be designed to present a harmonious appearance in terms of building silhouette, architectural style and scale; massing of building form; surface material, finish, and texture; decorative features; window and doorway proportions, entry way placement and location, and landscaping.

7. All buildings shall appear inviting and architecturally pleasing when viewed from all vantage points within and outside the project area and shall incorporate building materials which are compatible with the nearby historic neighborhood.

8. All high rise residential or commercial structures shall have clearly defined bases, midsections and tops. To create visual interest in the visual interest in the skyline, bulk is to be concentrated in the bottom half of the buildings and should taper upwards so as to give the appearance of tall and slender form. These new high rises shall have sculptured tops rather than "box" tops. All mechanical equipment located on the roof is to be screened from view with appropriate materials or to be contained within the top.

9. All buildings that are to be sited immediately adjacent to Grand Street, and that are greater than five stories in height, shall be designed so that their northern and western facades step back at least ten feet after the fourth story.

10. All building sited adjacent to the Tidal Basin shall be designed with a 45' height limitation on the façade that is closest to the Basin.

11. All buildings greater than ten (10) stories shall have a definable decorative belting or cornice after the fourth floor and an articulated roof line that adds visual excitement to the Hudson River skyline. The first building to be constructed in this Area will be considered to have established the preferred height of this decorative element. All subsequent development shall consider this established design height, and incorporate, but not necessarily copy, it in the design of the next new buildings.

12. Towers shall be situated off the street line to the maximum extent possible, so that they cast the least amount of shadow on the public spaces between the hours of eleven and two. They should also be sited so as to not obstruct each other's views of the river of Manhattan skyline.

13. Street walls are to be kept low for high-rise structures situated along public open spaces and pedestrian pathways by incorporating a series of setbacks after the fourth story thus maximizing the amount of direct sunlight that reaches the pavement.

14. Buildings situated along major pedestrian pathways should strive to incorporate retail frontages at the ground level so as to allow for the location of activities that generate an active street life during the day and evening hours and provide for neighborhood based services. These shops should be small in scale with a storefront that is transparent in appearance to maximize exposure to the viewer.

15. Outdoor cafes and restaurants should be provided within the project area to increase the vitality and use of the Area by the public.

16. All pedestrian entry ways and/or lobbies are to be prominent, well lit, and separate from service entrances.

17. Parking garages, except those serving hospitals, must be integrated with the principal buildings they serve and may not stand alone. All parking garages, including those serving hospitals, shall be designed using the same materials as the principal building(s), so that they blend in architecturally. All voids in the exterior façade of the garages must be screened so that lights and vehicles are not individually visible. Parking garage facades facing public rights-of-way must use glazing to screen the voids.

18. Barrier free design regulations as specified in the Uniform Construction Code and as required by the Americans with Disabilities Act, shall be incorporated into all structures to make them accessible to the elderly, handicapped and/or disabled.

19. All utility distribution lines and utility service connections from such lines to the project area's individual uses shall be located underground.

20. All electronic communication equipment shall be mounted in such a way that it does not negatively impact the appearance of the building on which it is placed nor create objectionable views when seen from surrounding buildings.

B. Public Improvement Guidelines:

1. Public improvements should be provided that are supportive of the functions that will take place within this redevelopment area. They should include, but are not limited to, the following: the provision of basic utilities, such as water, sewerage and energy; pedestrian walkways, roadways, public parks and plazas, a public esplanade and sheltered transit stops.

2. Public improvements should facilitate pedestrian and vehicular circulation throughout the redevelopment area while accommodating all aspects of

transportation, such as parking, bus and van service, and connections to other major roads. These services should be provided in a manner visually compatible with the nature of functions they support. For example, the design of sidewalks, pedestrian footpaths and street lighting should articulate the movement of people along streets and into shops, offices, apartments, or Liberty State Park, marina, adjacent neighborhoods, ferry, fishing pier or shopping plaza.

3. Public improvements should provide orientation. Signs and/or directories must be provided at all entrances to direct people to destinations within the redevelopment area. These entrances are to be clearly defined and inviting and signs placed so as to be legible to vehicular as well as pedestrian traffic.

4. North/South access paths shall be established between all buildings along major axis points in order to preserve the prominent views of the Statue of Liberty and the Manhattan skyline.

5. Public Improvements should be properly maintained and help to create a pleasant environment for the users of the site.

C. Street and Circulation Guidelines:

In undertaking the design of the street and blocks for the redevelopment area, existing physical constraints on the site must be considered as well as the established patterns of traffic and pedestrian circulation in the surrounding communities to the west, north and the south. These influences and patterns are as follows:

The major traffic influences upon the Area are the New Jersey Turnpike Extension exit and entrance, located north and south of the redevelopment area, and Grand Street, located directly to the north. During the peak traffic hours, vehicles entering and exiting the Area could cause congestion in the surrounding neighborhoods. This would have a negative environmental impact and is unacceptable. Therefore, the following guidelines are established to mitigate against these concerns. Any proposed street system must more traffic quickly and efficiently into the out of the Area in the most environmentally sound way.

1. Gateways to the development should be clearly defined and inviting and should provide orientation to heavily utilized public and private destinations. Similarly, exits from the district are to be clearly marked and should provide orientation to other parts of the city and adjacent waterfront developments, and the New Jersey Turnpike.
2. Street and land use patterns should be developed that discourage the use of private cars within the redevelopment area and enables one to rely on walking, bike-riding or mass transit to get from one destination to another.

3. Street and land use patterns should enable one to walk from the center of the any dense, high-rise, cluster development to a pleasant sunny open space in less than five-minutes walking time.

4. Truck loading bays are to be located in areas where pedestrian circulation does not occur.

D. Pedestrian Circulation Guidelines

1. The pedestrian circulation system shall be integrated with the roadway circulation network and shall encourage safe and improved pedestrian circulation through the following:

   a) Focus streetscape improvements along primary pedestrian corridors;

   b) Encourage design features, materials and activities at the street level which create an attractive and interesting pedestrian environment;

   c) Insure the safety of pedestrians by providing adequate sidewalk space and clearly defined pedestrian crossings;

   d) Direct new development to minimize pedestrian and traffic conflicts.

2. All sidewalks and pathways must be designed to provide ease of access for the physically disabled. Access ramps shall be conveniently placed and sloped maximum of 8.33 percent to provide easy connection to streets and sidewalks. Design standards shall meet, at a minimum, barrier-free design regulations as specified in the New Jersey Uniform Construction Code, as amended.

3. Sidewalks adjoining public rights-of-ways shall be a minimum of fifteen (15) feet in width, subject to waiver of the Planning Board. Any waterfront walkway provided shall be a minimum of thirty (30) feet wide in keeping with the Hudson River Waterfront Walkway Plan and Design Guidelines.

4. Along all boulevards, pedestrian crossings shall be grade separated, unless traffic signals are provided at key intervals to allow safe and convenient pedestrian passage.

5. Pedestrian walkways should be located along all view corridors.

6. Direct pedestrians connections to Liberty State Park shall be maintained.

7. Pedestrian circulation through the development shall be convenient, safe and secure, and visually pleasing.

8. Landscape treatment along these pathways shall include adequate street lighting and appropriate planting for waterfront environment.

E. Open Space and Landscaping Guidelines

1. all open space, including plazas, shall be designed with lawns, trees, shrubbery, attractive paving materials, street furniture, lighting and other architectural and artistic amenities to produce and provide a pleasant environment at street level to compliment the building and project area.

   The provision of low walls, planters and stairs are encouraged to addition to benches to provide for seating. The use of water features such as fountains is encouraged. Open space and plazas shall be designed to invite and attract the public.

2. Unless paved, all open space shall be landscaped attractively and maintained regularly.

3. All improved landscaped areas, including open space and plazas, shall be designed with trees, shrubbery, attractive paving materials, street furniture, lighting and/or other architectural amenities, consistent with the design of surrounding buildings.

4. All screen planting shall be evergreen and only species with proven resistance to the urban environment in this area will be acceptable. Screen planting shall be a minimum of four (4) feet in height. Material planted shall be balled and burlapped and of specimen quality as established by the American Association of Nurserymen. At initial planting the materials shall provide a screen from the top of the planting to within six (6) inches of grade.

5. Other plant materials shall be dense and of specimen quality as determined above. All deciduous trees shall be a minimum, of four (4) inches in caliper. All plants, trees and shrubs shall be installed in accordance with a planting schedule provided by the developer, reviewed by the Division of City Planning and approved by the Jersey City Planning Board in accordance with site plan approval.

6. Any landscaping which, within two (2) years of planting, dies, for any reason, shall be replaced by the develop(s) at their expense.

7. Sidewalk areas shall be landscaped and durably paved and shall be provided with lighting averaging at least one-half footcandle across the entire area so lit.

8. All trash receptacles shall be enclosed in wood and/or masonry and must be secured.

9. No chain link fencing shall be permitted anywhere within the Area, except during construction. Only tubular steel, or wrought-iron type mild steel-picket fencing will be permitted along public rights-of-way. Fencing along interior lot lines, or any interior lot area may be wood, steel pickets, or any other Planning Board approved fence type, but no chain link of any type will be permitted.

F. Parking Guidelines

1. 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.

2. All required parking and loading areas shall be provided off-street. All such parking and loading areas shall be graded, paved with a durable dust-free surface, adequately drained, well landscaped, and all access points shall be defined and limited in accordance with the Zoning Ordinance of the City of Jersey City.

3. All curbs must be poured-in place concrete or other masonry material such as granite.

4. All required parking spaces shall be a minimum of nine (9) feet wide by eighteen (18) feet deep as measured from the curb stop. The minimum aisle width for 90 degree parking shall be twenty-four (24) feet. Provision for "compact car" stalls, eight (8) feet by sixteen (16) feet may be made. Such compact car spaces may not exceed thirty (30) percent of the total parking requirement. All aisle requirements shall remained unchanged.

5. No on-street parking shall be permitted along any street designated as a view corridor street.

VI. General Provisions

A. Interim uses may be established, subject to site plan approval and agreement between the developers and the Planning Board that such use will not have an adverse effect upon existing or contemplated development during the interim use period. Interim uses may be granted for a period of up to three (3) years, and may be renewed at the discretion of the board. Commuter parking that does not serve employees of this redevelopment plan area shall not qualify as an interim use.

B. No building shall be constructed over a public easement in the project area without prior written approval of the Jersey City Municipal Engineer.

C. All residential redevelopment proposals and construction plans shall exceed applicable FHA and/or HFA minimum room size requirements prior to approval by the Redevelopment Agency and the Planning Board.

D. All trash receptacle areas shall be enclosed and adequately screened.

E. **Site Plan and Subdivision Review**

~~Prior to commencement of construction, architectural drawings, specifications, and site plans for the construction and/or rehabilitation of improvements to the redevelopment area, prepared in accordance with the requirements of the Municipal Land Use Law, (NJSA 40:55D-1 et seq.) shall be submitted by the developers for review and approval so that compliance of such drawings, specifications and plans to the Redevelopment Objectives can be determined.~~

Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the Area shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval so that compliance of such plans with the redevelopment objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases.

As part of any site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53 et seq. Such performance guarantees shall be in favor of the City in a form approved by the Jersey City Corporation Counsel. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of on and off site improvements within one (1) year of final site plan approval.

Any subdivision of lots and parcels of land within the redevelopment area shall be in accordance with the requirements of this plan and the land subdivision ordinance of the City of Jersey City.

No construction, or alteration to existing or proposed construction, shall take place until a site plan reflecting such additional or revised construction has been submitted to, and approved by, the Planning Board. This pertains to revisions or additions prior to, during and after completion of the improvements.

F. **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 fumes, 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.

G. **Non-Discrimination Provisions**

No covenant, lease, conveyance or other instrument shall be affected or executed by the Jersey City Redevelopment Agency or by a developer or any of his successors or assignees, whereby land within the project area is restricted by the Jersey City Redevelopment Agency or the developer upon the basis of race, creed, color, or national origin in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition

instruments. There shall be no restrictions of occupancy or use of any part of the project area on the basis of race, creed, color or national origin.

H. **Duration of the Plan**

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 date of approval of this plan by the City Council of the City of Jersey City.

VII. General Land Use Plan

A. Grand Jersey District

1. Principal Uses

   a. Residential uses
   b. Hospitals and related care uses, including, but not limited to: nursing, rehabilitation and convalescent facilities, medical office buildings and ambulatory care facilities
   c. Parking facilities, but not including commuter parking, except to serve other uses within this, or adjoining, redevelopment area(s)
   d. Public Parking Garages
   e. Retail Sales of Goods and Services
   f. Restaurants, Banquet facilities, Nightclubs, Cafes, Bars
   g. Public and Semi-public uses
   h. Utilities***, except that natural gas transmission lines shall be prohibited***
   i. Schools, Colleges and related facilities
   j. Sports, Heath and Recreation facilities
   k. Offices
   l. Hotel, Conference/Convention and Exhibition Centers
   m. Theaters, Museums
   n. Day Care facilities
   o. Parks, Open Space
   p. Mixed Use of the above
   q. Television broad television transmission tower with public observation deck, limited to the area south of Mill Creek, east of the New Jersey Turnpike, north of Johnston Avenue/Zapp Drive and west of the Tidewater Basin. Due to its unique design requirements, such tower shall not be subject to the regulations and design requirements imposed on the standard land uses permitted in this redevelopment plan. Such television transmission tower shall be subject to Planning Board site plan review and approval. The Planning Board review shall be directed to architectural design, parking, landscaping and signage as well as public access and safety.

2. Accessory Uses

a. Parking facilities
b. Fences and Walls
c. Improved Open Space
d. Signs

3. Area, Yard & Bulk Requirements

a. Maximum height – 30 stories
b. Maximum lot coverage, buildings and paved areas – 80%, subject to landscaping bonus provisions listed below in Subsection 6.
c. Minimum setbacks
   1) Principal uses – 10 feet from all properties lines, subject to waiver, at the sole discretion of the Planning Board
   2) Accessory uses – 0 feet for fences, walls and open space, 5 feet for surface parking lots, 10 feet for parking garages
d. Maximum Density – 100 dwelling units per acre
e. Maximum Floor Area Ratio – No individual parcel may exceed a floor area ratio of 10.0 to 1.0, and the overall floor area ratio of the entire redevelopment plan area shall not exceed 4.0 to 1.0.

4. Parking Requirements

a. Minimum requirements
   1) Residential – 1.25 spaces per unit
   2) Restaurant and all related uses – 1 space per 100 SF gross floor area
b. Maximum requirements
   1) Public/semi-public – 1 space per 250 square feet GFA
   2) Hospital and all health care related uses – 3.50 spaces per bed
   3) Retail sales – 1 space per 50 SF of sales area
   4) Utilities – 1 space per 100 SF GFA
   5) Offices – 1 space per 1000 SF GFA if no further transportation improvements are made other than the systems in place at the time of adoption of this Plan;
      2 spaces per 1000 GFA if the Light Rail Transit facility envisioned by New Jersey Transit is in place and serving this site;
      3 spaces per 1000 SF GFA if the Light Rail Transit facility is in place as above and new exit ramps off the New Jersey Turnpike offering direct service to this site are in place or the Bergen Arches project is in place;
      4 spaces per 1000 SF GFA if both of the above project are in place.
   6) Schools and related facilities – 2 spaces per 1000 SF GFA
   7) Sports related uses – 1 space per room and 1 space per 100 SF GFA of related facilities other than guest rooms
   9) Day Care – 1 space per 500 GFA

10) Medical office building, Ambulatory care facility – 3 spaces per 1000 SF GFA

5. Signs

a. Residential – One sign per street frontage, not to exceed 10 SF
b. Hospital, Office, Schools – One identification sign per street frontage per building, not to exceed 50 SF per sign
c. Parking facilities – One sign per entrance, not to exceed 36 SF per sign
d. Retail sales, restaurants – One sign attached flat against the building, not to exceed 10% of the first store portion of the wall it is attached to, and one free standing sign, not to exceed 10 feet in height and located within a bermed and landscaped area setback at least 5 feet from the property line and not block any sign triangle as defined in the Jersey City Zoning Ordinance
e. Public, Semi-public, and Utilities – One sign not to exceed 12 SF, mounted flat to a wall of a principal or accessory structure
f. All signs require site plan approval, and must contain its permit number, clearly visible when viewed from the street
g. Directional, informational, traffic control device and such similar signs are permitted, subject to Planning Board site plan review and approval

6. Landscaping

The following provisions shall apply to all developments requiring site plan approval.

a. For all projects on parcels exceeding 10,000 square feet in area, all required landscaping plans shall be prepared by a Certified Landscape Architect, licensed by the State of New Jersey, for all development, redevelopment, new construction, and additions to existing development requiring site plan approval.

b. Requirements for landscaped areas are mandatory provided, however, that the following bonus provisions shall apply:

1) For parcels of one (1) acre or less, the percent of lot area to be reserved for non-impervious surface may be reduced by a factor of one percent (1%) of the total lot area for each tree planted on site.
2) For parcels of more than one (1) acre, the percent of lot area to be reserved for non-impervious surface may be reduced by 400 square feet of the total lot area for each tree planted on site
3) In exercising the provisions of a) and b) above, developers showing an inability to exercise the full extent of the bonus provisions on-site may contribute trees for off-site planting in a ratio of two off-site trees for each on-site tree not able to be

planted on-site. Such off-site planting shall be coordinated with the City Planning Division and the Division of Parks and Forestry. Written agreement to this effect must be submitted to the Planning Board prior to granting of this bonus provision

4) In no case, may the bonus provisions listed above cause the total area of impervious surface to exceed: 90% for public, semi-public and non-profit development; 85% for commercial development; or 80% for private, for-profit residential development. Only public, semi-public and non-profit development may apply the provisions of Section VII.B. to this requirement.

B. Deviation Requests

The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan, where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, preexisting 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 Redevelopment plan, would result in peculiar and exceptional practice difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan. An application for a deviation from the requirements of this redevelopment plan shall provide public notice of such application in accordance with the requirements of public notice as set forth in NJSA 40:55D-12.a.&b.

VIII. 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 with 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 programs and strategies needed to be implemented in order to carry out the objectives of this Plan.

B. The Plan lays out the proposed land uses and building requirements for the redevelopment area.

C. The displacement of residents of the Area will be held to the barest minimum. There are only 2 or 3 families within the redevelopment plan area. They will be displaced by the acquisition of private property within the Area. It is estimated that there are decent, safe, and sanitary dwelling units affordable to these families within the local housing market. These families can be offered replacement housing at costs they can afford, through the services of the City of Jersey City's relocation assistance personnel. The City of Jersey City will provide relocation assistance to all eligible businesses displaced by the redevelopment activity generated by this Plan, in accordance with all applicable state and federal regulations.

D. All property within the Area is to be acquired as a result of this Plan.

E. The Grand Jersey Redevelopment Plan is in compliance with the Jersey City Master Plan. The Jersey City Master Plan specifically calls out this area as mixed use. There is no significant relationship of this Plan to the Master Plan of any contiguous municipalities. 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 rebuild the inner cities. Jersey City is recognized in the state plan as an "urban center" and is considered in the top priority for funding to help revitalize itself.

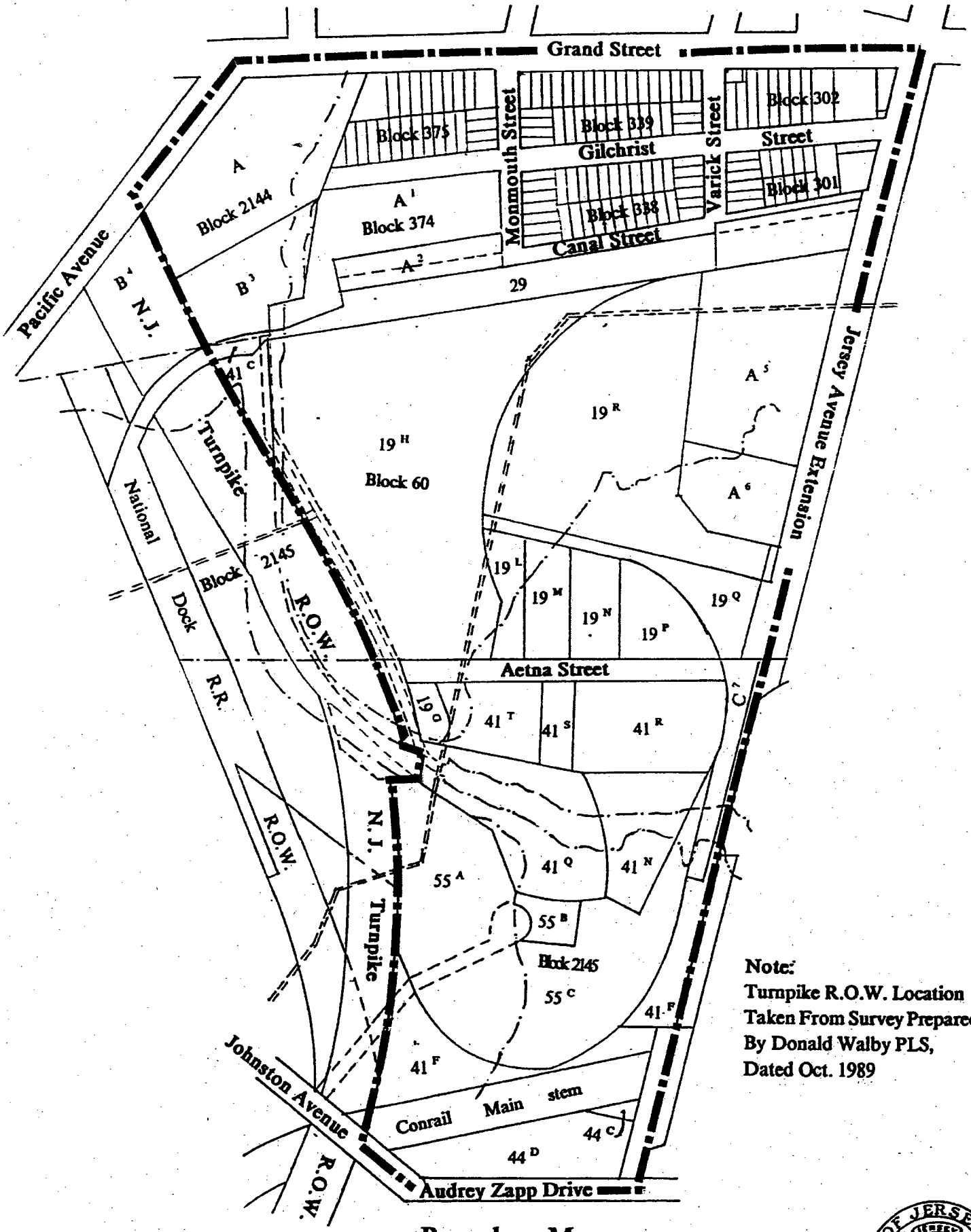
F. This Redevelopment Plan shall supersede all provisions of the Jersey City Zoning Ordinance that are specifically addressed herein. In all situations where zoning issues are specifically addressed herein, the Jersey City Zoning Ordinance shall, however, remain in effect. No variance from the requirements 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. Final adoption of this Plan by the Municipal Council of Jersey City, shall be considered an amendment of the Jersey City Zoning Map.

IX. Procedure for Amending the Approved Plan

This Redevelopment Plan may be amended from time-to-time upon compliance with the requirements of the law. A fee of ~~$500~~ ***$1,000*** shall be paid by the party requesting such amendment, unless the request issues from an agency of the City. The Planning Board, at their sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study must be prepared by a Professional Planner, licensed in the State of New Jersey.

X. 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.



Note:
Turnpike R.O.W. Location
Taken From Survey Prepared
By Donald Walby PLS,
Dated Oct. 1989

Boundary Map

Grand Jersey Redevelopment Plan Area

0 100' 200' 400' 600' N

prepared by:
Division of City Planning
Department of Housing and Economic Development

CITY OF JERSEY CITY
CORPORATE SEAL

City Clerk File No. Ord. 10-150

Agenda No. 3.J 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 10-150

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE GREENVILLE INDUSTRIAL REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE AND AMENDMENT FEES

WHEREAS, the Municipal Council of the City of Jersey City adopted the Greenville Industrial Redevelopment Plan in May of 1989, and amended the Plan numerous times subsequently, most recently in February of 2002; and

WHEREAS, the Planning Board, at its meeting of November 15, 2010, determined that the Greenville Industrial Redevelopment Plan would benefit from amendments to prohibit natural gas pipelines and to revise the site plan review procedure and fees for plan amendments; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Greenville Industrial Redevelopment Plan is attached hereto, and made a part hereof, and is available for public inspection at the office of the City Clerk, 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 aforementioned amendments to the Greenville Industrial Redevelopment Plan 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.
E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

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

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

Date Submitted to B.A._____

ORDINANCE FACT SHEET

1. **Full Title of Ordinance:**

   ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE GREENVILLE INDUSTRIAL REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE AND AMENDMENT FEES

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

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

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

   This ordinance prohibits natural gas pipelines from the Area and updates the site plan review procedures and amendment fees.

4. **Reasons (Need) for the Proposed Program, Project, etc.:**

   Natural gas pipelines are an unwanted use in the area. The current review procedures appear to be outside the scope of the law and fees should be raised.

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

   Prohibition of gas pipeline. Brings review procedures into conformance with the Municipal Land Use Law.

6. **Cost of Proposed Plan, etc.:**

   $0.00. Plan was prepared by Division of City Planning staff.

7. **Date Proposed Plan 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

10. **Additional Comments:**

I Certify that all the Facts Presented Herein are Accurate.

Robert D Cotter — Nov 3, 2010
Division Director — **Date**

Deputy — November 3, 2010
Department Director Signature — **Date**

Summary Sheet:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE GREENVILLE INDUSTRIAL REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE AND AMENDMENT FEES

This ordinance prohibits natural gas pipelines as a permitted use and modifies the review procedures and fees for amending the Plan. Current review procedures appear to be outside the scope of the law and fees should be raised.

GREENVILLE INDUSTRIAL

REDEVELOPMENT PLAN

Adopted May 1989

Amended April 1991

Amended September 1992

Amended February 1999

Amended November 1999

Amended February 2002
PROPOSED AMENDMENTS NOVEMBER 2010

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INTRODUCTION

The Greenville Industrial Redevelopment Area is located at the southeastern corner of Jersey City, with its southern boundary line bordering the City of Bayonne. The Study Area was originally blighted and included as the South Tract, Tract II of the Liberty Harbor Redevelopment Area; the area along the Hudson and Upper New York Bay from the Tide Water Basin south to the Bayonne border.

Enacted in 1973, the Liberty Harbor Redevelopment Plan was based on a federal program, New Towns in Town. It was envisioned that the northern portion of the Redevelopment Area would consist of a mix of residential and commercial uses to create a "new town" environment and the southern portion would remain industrial in nature. The federal program was phased out several years later and the Redevelopment Area was never developed as envisioned.

Since that time portions of the original Redevelopment Area were amended and sectionalized resulting in the Liberty Harbor North and Caven Point Redevelopment Plans.

The Greenville Industrial Redevelopment Plan will provide for comprehensive development regulations to strengthen the industrial nature of the Redevelopment Area. It is anticipated that private development along with public efforts will redevelop the area. The focus of redevelopment will be on the creation of industrial parks to provide for an improvement in the working environment and to provide new jobs for Jersey City residents.

I. BOUNDARY DESCRIPTION

Beginning at the point of intersection of the eastern right-of-way of the New Jersey Turnpike Extension and the northeastern block limit line of Block 1507, and proceeding southeasterly along the northeastern block limit line of Block 1507 to the bulkhead line, and continuing southeasterly to the pierhead and bulkhead line adopted March 6, 1939, then proceeding southwesterly along the pierhead and bulkhead line to the point of intersection with the city limit of the city of Bayonne, then proceeding northwesterly along the city limit of the city of Bayonne to the intersection of the city limit with the southeastern right-of-way of the New Jersey Turnpike Connector (which is the northeastern block limit line of Block 1514.1), then proceeding northwesterly along the southwestern right-of-way of the New Jersey Turnpike Connector to its point of intersection with the eastern right-of-way of the New Jersey Turnpike Connector to its point of intersection with the eastern right-of-way of Route 169, then proceeding northerly along the eastern right-of-way of Route 169 to the point of intersection with the eastern right-of-way of the New Jersey Turnpike Extension, then proceeding northeasterly along the eastern right-of-way of the New Jersey Turnpike Extension to the point of beginning.

II. REDEVELOPMENT PLAN OBJECTIVES

Renewal activities for Greenville Industrial (hereinafter referred to as "The Project") will be undertaken in conformity with, and will be designed to meet the following objectives of the Redevelopment Plan:

A. The elimination of vacated, deteriorated and obsolete structures, including unused buildings, which by their blighting influences adversely affect the feasibility of amenable neighborhood physical change and the further development of an emerging industrial area.

B. The improvement of the functional and physical layout of the project area for contemplated new development and the removal of impediments to land disposition.

C. The overall improvement of traffic circulation through the development and the removal of impediments to land disposition.

D. Coordinate redevelopment activities to provide a uniform attack on blighting influences with a plan that integrated the Greenville Industrial area with the rest of Jersey City.

E. Preservation and adaptive reuse of existing structures shall be encouraged.

F. Provide land in parcels of sufficient size and configuration so as to permit economic redevelopment.

G. Provide site improvements for the beautification of the project area and surrounding areas.

I. Creation of major new employment opportunities for the residents of Jersey City.

H. Coordinate redevelopment activities within the Greenville Industrial Redevelopment Area with adjacent redevelopment areas, especially former sections of the original Liberty Harbor Redevelopment Plan area.

III. TYPES OF PROPOSED REDEVELOPMENT ACTIONS

It is proposed to substantially improve and upgrade the Greenville Industrial area through a combination of redevelopment actions. These will include, but not be limited to:

A. Clearance of dilapidated, deteriorated, obsolete or under utilized structures where necessary.

B. Assembly, into development parcels, of vacant and under utilized land.

C. Construction of new structures and complimentary facilities.

D. Provision for public infrastructure necessary to service and support the new development.

IV. DESIGN OBJECTIVES AND GUIDELINES

A. Building Design Objectives

1. 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 should be designed so as to have an attractive, finished appearance when viewed from all vantage points within and outside the project area.

5. All major mechanical equipment located on the roof of any building shall be screened from view from within the site with materials harmonious with those used in the building's facade.

6. All electronic communication equipment shall be mounted in such a way that it does not negatively impact the appearance of the building on which it is placed.

7. Access by the elderly, physically handicapped and/or disabled shall meet, at a minimum, barrier free design regulations as specified in the Uniform Construction Code.

8. All existing structures and uses shall be grandfathered. All proposed expansions of these uses will be subject to the provisions of this plan and will be subject to Planning Board review and approval.

9. All trash receptacles shall be adequately secured and enclosed.

10. Chain link fencing shall be prohibited on public streets.

11. All utility distribution lines and utility service connections from such lines to the project area's individual use shall be located underground (where feasible).

B. Open Space Guidelines

1. All new development shall provide improved publicly accessible open space on all parcels as required in the appropriate district.

2. Where possible, new structures surrounding or enclosing open space should be designed and sited to allow penetration of sunlight onto open space area.

3. Open space shall provide visual and functional elements such as benches, low walls, drinking fountains, refuse containers, and planters. Suggested materials for open space amenities include stone pavers, brick, asphalt pavers and broom finish concrete.

4. Adequate lighting shall be provided to encourage active uses and a sense of security in the open space.

5. Open spaces shall be so located as to provide for maximum usability and to create a harmonious relationship between buildings and the open space throughout the project area.

6. Through creative design, open space features shall address the need for human comfort and enjoyment and provide both active and passive leisure uses for secure and pleasant outdoor and indoor settings to meet public and private use requirements.

7. Open spaces shall be oriented to focus on and maintain existing views of New York.

8. All open space, including plazas, shall be designed with lawns, trees, shrubbery, attractive paving materials, street furniture, lighting and other architectural and artistic amenities to produce and provide pleasant environments at street level to compliment the building and project area. Open space and plazas shall be designed at a human scale.

C. Landscaping and Lighting Guidelines

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 in 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) footcandles.

8. Lighting fixtures shall be in scale with the street and size of the project.

V. TRAFFIC CIRCULATION OBJECTIVES AND GUIDELINES

A. Parking and service access should be separated from main traffic oriented streets. These access areas shall be clearly designated and designed so as to avoid the backing in and out of vehicles onto the street right-of- way.

B. Sight triangle areas at all intersections shall be kept clear of plantings and structures by limiting heights to a maximum of thirty (30) inches. Sight triangle areas shall meet the provisions in Article IV Section 28-22 of the Jersey City Zoning Ordinance.

C. The use of public transportation by employees and visitors of the Redevelopment Area shall

be encouraged.

D. All traffic impact studies shall incorporate, as part of the study, all projects approved or proposed in the immediate area. A listing of the projects may be obtained from the Division of Urban Research & Design.

E. Truck parking may be provided according to a developers demonstration of need. The total area used for all parking shall not exceed the maximum lot coverage as specified in each district. All truck parking areas shall be subject to review and approval by the Jersey City Planning Board.

F. Any pedestrian circulation system shall be integrated with the roadway circulation network and shall encourage safe and improved pedestrian circulation through the following:

1. The focus of landscape improvements along primary pedestrian corridors;

2. Encourage design features, materials and activities at the street level which creates an attractive and interesting pedestrian environment;

3. Insure the safety of pedestrians by providing adequate sidewalk space and clearly defined pedestrian crossings;

4. Direct new development to minimize pedestrian and traffic conflicts.

G. Sidewalk areas shall measure between 5 and 10 feet and shall be durably paved and smoothly surfaced to provide for free movement of pedestrians through and around the site. Adequate lighting and attractive landscaping shall be provided.

H. All sidewalks and pathways must be designed to provide ease of access for the physically disabled. Access ramps shall be conveniently placed and sloped to provide easy connection to streets and sidewalks. Design standards shall meet, at a minimum, barrier free design regulations as specified in the Uniform Construction Code.

VI. OFF-STREET PARKING AND LOADING REQUIREMENTS

Provisions A through E. apply to automobile parking.

A. Light Industrial uses shall provide a minimum of one (1) 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 space per 5,000 square feet of gross floor area.

C. Office, retail and other commercial uses shall provide a minimum of one (1) space per 400 square feet of gross floor area.

D. Public/semi-public uses shall provide a minimum of one (1) space per 1,000 square feet of gross floor area.

E. Golf courses shall provide off-street parking up to a maximum of 120 spaces for a 9-hole golf course, 200 spaces for an 18-hole golf course and 1 space per stall for driving ranges.

F. All required parking spaces must be a minimum of 9 feet wide by 18 feet deep, as measured from the curb stop. All aisles shall be a minimum of 22 feet wide. Compact parking stalls (8 x 15) may be provided, up to 50%, in lots that are used for long term or all day parking.

G. 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 of 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.

H. Parking lots for more than 10 vehicles, and all loading areas, shall provide a screen planting of dense evergreen not less than three (3) feet high 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. Within the parking area, landscaping shall be maintained with shrubs no higher than three (3) feet and trees with branches no lower than six (6) feet so that the landscaping in dispersed throughout the parking area.

I. 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 Zoning Ordinance Article IV. Section 28-16.

J. 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 and adequately drained. All parking and loading areas shall be designed in accordance with the requirements of the Jersey City Zoning Ordinance.

K. The off-street parking requirements shall apply to new construction.

L. Off-street parking may occupy required front, side and rear yards or may be located underground, in all districts, unless otherwise specified.

VII. INTERIM USES

Interim uses may be established, 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 one (1) year in duration. Additional renewals of interim uses may be granted by the Planning Board. No commuter commercial parking shall be allowed as an interim use. Upon demolition of existing structures, the site shall be graded, planted, sodded and/or paved with a durable dust free surface.

VIII. GENERAL PROVISIONS

A. The regulations and controls in this section may be implemented where applicable by appropriate covenants, or other provisions, or agreements for land disposition and conveyance executed thereto.

B. There shall be no restriction of occupancy or use of any part of the project area on the basis of race, creed, color, age, gender, marital status or national origin. No lease, conveyance or other instrument shall be executed by a developer or any of his successors or assignees whereby land within the project area is restricted upon the basis of race, creed, color, age, gender, marital status or national origin in the sale, lease, use or occupancy thereof.

C. No building shall be constructed over public streets in the project area with the exception of freestanding structures ancillary to public plazas and/or pedestrian walkways, which shall be subject to review by the Planning Board.

D. Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the project shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval, so that compliance of such plans with the redevelopment objectives can be determined.

E. No use or reuse shall be permitted which, when conducted under proper and adequate conditions and safeguards will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbances, 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.

F. 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 date of approval of this plan by the City Council of the City of Jersey City, provided however that any development or redevelopment projects that are commenced and/or completed within said forty (40) year period shall be deemed to comply with all applicable laws, as long as they comply with the provisions of this redevelopment plan.

G. ~~Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et seq. Site plan review shall consist of preliminary site plan application and final site plan application. Applications may be submitted for the entire project or in any number of phases. 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 completed, or performance guarantees for site improvements for that phase have been furnished by the developer in accordance with NJSA 40:55D-53. No certificate of occupancy 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 any 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 in a form approved by either 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.~~

Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the Area shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval so that compliance of such plans with the redevelopment objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases.

As part of any site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53 et seq. Such performance guarantees shall be in favor of the City in a form approved by the Jersey City Corporation Counsel. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of on and off site improvements within one (1) year of final site plan approval.

H. Any subdivision of lots and parcels on land within the Redevelopment Area shall be in accordance with the requirements of this plan and the Land Subdivision Ordinance of Jersey City.

I. All operations, activities and storage (except off- street parking and loading) may be conducted within completely enclosed buildings.

IX. SPECIFIC LAND USE PROVISIONS

Land use regulation have been developed for the Terminal District and the Modern Industrial Park District.

A. Terminal District

This district is intended to provide for a range of development activities compatible to those which currently exist in the area. Most of the existing uses in this district are related to the provision of rail, truck and water borne transportation including storage and containerization. Through the encouragement of design guidelines and performance standards, new development and rehabilitation in this district shall respect, reinforce and preserve existing characteristics in the entire redevelopment area.

1. Principal Permitted Uses
   a. Light Industrial

b. Warehousing, distribution, wholesaling, other storage facilities and business office accessory thereto.
c. Terminal facilities for rail, truck and water borne transportation including storage and containerization, but not including tank farms, nor transfer stations for solid waste of any sort.
d. Roadways
e. Public/Semi-public
f. Parks/Open Space: including public or private recreation and open space (including golf courses, driving ranges and associated golf facilities)
g. Utilities, ***except that natural gas transmission lines shall be prohibited***
h. Retail and service establishments, including day care
i. Appropriate mixed use of the above.

2. Accessory Uses

a. Off-street parking and loading facilities (rail, truck and shipping)
b. Fences and walls
c. Guardhouses and employees cafeteria
d. On-site service and maintenance operations for equipment and operations
e. Signs

3. Maximum Height

Maximum height shall not exceed 110 feet which shall include rooftop equipment. Antennas shall be exempt from height calculations.

4. Area, Yard and Bulk Requirements

a. Floor Area Ratio

The maximum floor area ratio shall not exceed 1.0.

b. Maximum Lot Coverage

Maximum lot coverage shall not exceed 85 percent for buildings and parking structures (inclusive of on-grade parking) rail lines and outdoor storage. The remaining 15 percent shall be open space.

c. Minimum Lot Size

Minimum lot size shall be 3 acres, except for utilities which may be located on lots of any size or on easements.

d. Setbacks

1.) All buildings shall provide a minimum front yard setback of 35 feet as measured from the property line.

2.) All buildings shall provide minimum side yard setbacks of 20 feet from the property line.

3.) All buildings shall provide a minimum rear yard setback of fifteen (15) feet from the rear property line.

4.) Utilities shall be exempt from the above setback requirements provided that landscaping and/or decorative fencing is provided as a buffer to screen the utility structures from abutting public rights-of-way.

B. Modern Industrial Park

This district is intended to provide for a range of development activities resulting in the creation of a physical environment that achieves consistency with community goals, efficient business and industrial operations, human scale and values, and compatibility with natural environments. Through the encouragement of design guidelines and performance standards, new development in this district shall improve the environment in the entire redevelopment area.

1. Principal Permitted Uses

a. Light Industrial
b. Scientific Research & Development Establishments
c. Retail and Service Establishments, including day care
d. Public and Semi-Public Uses
e. Utilities, ***except that natural gas transmission lines shall be prohibited***
f. Warehouse, Distribution, Storage facilities
g. Small business incubators
h. Appropriate mixed-use of the above
i. Offices

2. Accessory Uses

a. Off-Street parking and loading facilities (rail and truck)
b. Fences and Walls
c. Guardhouses and employee cafeteria
d. On-site service and maintenance operation for equipment and operations
e. Signs
f. Offices

3. Maximum Height

All buildings in this district shall have a maximum height not to exceed seventy (70) feet in total height, including rooftop equipment. Antennas shall be exempt from height calculations. Retail and service uses shall have a maximum height if 2 stories, not to exceed 30 feet in total height, which shall include rooftop equipment.

4. Area, Yard and Bulk Requirements

a. Floor Area Ratio

The maximum floor area ratio shall not exceed 1.0, except for Retail and

Service establishments and Small Business Incubators which shall not exceed 1.5.

b. Minimum Lot Size

Minimum lot size shall be 2 acres (87,120 sq.ft.) except for retail and service establishments which shall be a minimum of 5,000 square feet, except for utilities which may be located on lots of any size or on easements.

c. Maximum Coverage

Maximum building coverage shall not exceed sixty-five (65%) percent, except if the lot area is in excess of five acres, then maximum building coverage shall not exceed seventy-five (75%) percent. Maximum building coverage for retail and service uses shall not exceed 75 percent for buildings. Maximum lot coverage for buildings and structures (inclusive of on-grade parking) shall not exceed ninety (90%) percent.

d. Setbacks

1. All buildings shall provide a minimum front yard setback of fifteen (15) feet from the front property line. Retail and service uses shall provide a minimum front yard setback of fifteen (15) feet.

2. All buildings shall provide a minimum rear yard setback of fifteen (15) feet from the rear property line. Retail and service uses shall provide a minimum rear yard setback of 15 feet.

3. All buildings shall provide minimum side yard setbacks of 20 feet for one side, and a total of 35 feet for both sides. Retail and service uses shall provide a minimum side yard setback of 5 feet for each side.

4.) Utilities shall be exempt from the above setback requirements provided that landscaping and/or decorative fencing is provided as a buffer to screen the utility structures from abutting public rights-of-way.

C. Deviation Requests

The Planning Board may grant deviations from the regulations contained within this redevelopment 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, or by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this redevelopment 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 such relief in an application relating to a specific piece of property where the

purposes of this redevelopment plan would be advanced by a deviation from the strict requirements of this plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of this redevelopment plan. Notice, pursuant to NJSA 40:55D-12.a. and b., shall be given by an applicant seeking such relief.

X. DESIGN GUIDELINES

A. Building Facades

1. Buildings shall be designed to be compatible with existing structures and shall have a uniform relationship with contiguous structures. The design and layout of buildings shall be subject to review and approval by the Planning Board.

2. Buildings shall be designed and situated so that any environmentally sensitive areas may be preserved and left undisturbed.

3. Mechanical equipment, including but not limited to, rooftop equipment and structural supports shall be adequately screened from within the site by materials and/or structures similar and in keeping with the design and materials used for the principal structures.

B. Parking and Loading

1. Within the Modern Industrial Park District, parking lots shall be located behind or on the side of buildings. Parking may also be provided below grade. The only parking permitted in front yard areas is for visitor parking which shall be limited to no more than 10 percent of required parking.

2. Within the Modern Industrial Park District, off-street loading shall be limited to the rear and/or side yards.

3. All uses in this district shall provide loading facilities in accordance with the following table:

Gross Floor Area in Square Feet	Required Number of Loading Berths	Required Size of Loading Berths
1,000 to 10,000	1	10 by 25 feet
10,000 to 40,000	1	10 by 60 feet
40,000 to 100,000	1	10 by 60 feet

For each additional 100,000 square feet of gross floor area, or any fraction thereof over 100,000 square feet of gross floor area, one additional loading berth shall be provided. Each additional berth shall be at least 10 feet wide and 60 feet long.

The above loading requirements shall be used as a minimum standard. Any deviation from this standard shall be reviewed by the Planning Board according to a determination of need. With regard to this standard, applicants shall demonstrate the loading requirement according to their proposed use.

C. General

1. Except where otherwise provided, storage areas, utility installations, and other unsightly elements shall be screened both from within and outside of the property.

2. Distribution and service lines for telephone and electricity shall be placed underground wherever technologically possible and wherever above ground lines do not predominate. Where this is not possible, utility lines may be place above ground provided they are located so as to have a harmonious relationship to neighboring properties and the surroundings.

3. Any portion of a lot not devoted to structures, parking or loading areas or outdoor storage areas shall be developed as unsuitably landscaped open space. Required open space shall be landscaped with lawns, trees, shrubs, or other plant material.

D. Signage

1. Industrial

The total exterior sign area shall not exceed the equivalent of 5 percent of the first story portion of the wall to which it is attached. One use shall be permitted one (1) sign for each street frontage. Buildings with multiple uses shall have not more than one (1) sign per use provided the aggregate area of all signs does not exceed the maximum permitted for each street frontage.

2. Retail and Service Uses/Office and other Commercial Uses

Each use fronting on public streets may be permitted one (1) exterior sign, not to exceed 5 percent of the storefront (ground floor) to which it is attached.

3. Real Estate Sales

One (1) sign may be permitted per lot not to exceed a sign area of twenty-four (24) square feet and shall be attached flush to the premises to which it applies.

4. Temporary Construction Signs

One sign for each project or development indicating the name of the project or development, general contractor, subcontractor, financing institution and public agency officials (where applicable). The sign area shall not exceed 20 square feet and shall be attached (where there is an existing structure) or freestanding (where there is a new structure).

5. Sign Standards

a. All signs shall be mounted flush to the face of the building.

b. No sign shall be animated or flashing.

c. Roof signs, billboards and signboards shall be prohibited.

d. Window signs are prohibited above the ground floor level and shall not exceed 20 percent of the window surface to which the display appears.

e. Freestanding ground signs, excluding those indicating direction, transportation, circulation and parking shall not exceed four feet above grade in height or more than 20 square feet in area and must have appropriate landscaping. One (1) ground sign per building is permitted. Ground signs must be set back 15 feet from the property line.

f. Internally illuminated signs are prohibited.

g. All signs are subject to site plan review.

h. No sign shall exceed the maximum building height permitted in the district.

i. No more than one sign along each street on which the building has frontage for each occupant thereof shall be permitted.

j. Where a use abuts more than one street, one (1) sign may be oriented toward each street.

XI. OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS

The "Redevelopment Agencies Law" NJSA 40:55C-1 et. seq. specifically, 40:55C-32 requires that a redevelopment plan shall;

> "Conform to the general plan for the municipality as whole; and shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, conservation or rehabilitation as may be proposed to be carried out in the area of the project, zoning and planning changes, if any, land uses, maximum densities, building requirements, and the plan's relationship to definite local objective respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements".

In accordance with the State requirements, the following statements are made:

The proposals of this Plan conforms with the general plan for the municipality, and is consistent with the Jersey City Master Plan.

This Plan provides an outline for the development and/or redevelopment of the Greenville Industrial Study Area and is sufficiently complete to indicate such land acquisition, demolition, and removal of structures, redevelopment, improvements as proposed, planning changes, land uses, maximum densities, building requirements, and its relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation,

public utilities, community facilities, and other public improvements.

The City of Jersey City, through the services of the Jersey City Redevelopment Agency staff, will provide displaced businesses with the opportunity of being relocated into decent, safe, and sanitary facilities which are within their financial means.

This office will be staffed by qualified personnel who will actively assist the families and individuals being displaced in finding adequate accommodation. All businesses being displaced will be interviewed to determine their relocation requirements.

XII. PROCEDURES FOR AMENDING THE PLAN

This Plan may be amended from time to time upon compliance with the requirements of law. A fee of ***one thousand*** ~~five hundred~~ dollars (~~$500.00~~ ***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 40:55C-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.Jersey Turnpike Extension to the point of beginning.~~

DEFINITIONS

ACCESSORY BUILDING, STRUCTURE OR USE: A building, structure or use which is customarily associated with and is subordinate and incidental to the principal building, structure or use and which is located on the same lot therewith. An accessory building attached to the principal building shall comply in all respects with the requirements applicable to the principal building.

BUILDING: Any structure, part of a structure, extension thereof, or addition thereto having a roof supported by columns, posts, piers, or walls and intended for the shelter, business, housing or enclosing of persons, animals, or property.

BUILDING COVERAGE: The area of a lot, that is covered with buildings. Building coverage expressed as a percentage shall mean the percentage of a lot or assemblage of lots occupied by one or more buildings. Maximum building coverage expressed as a percentage of the lot or assemblage of lots means that the lot or assemblage of lots may have that much building coverage provided the site design contains all other requirements of this Redevelopment Plan such as, but not limited to, parking, loading, buffers and circulation. If these other requirements of the ordinance are not met, the building coverage shall be reduced until all provisions of the Redevelopment Plan are satisfied.

BUILDING HEIGHT: The vertical distance measured to the highest point of the roof and measured from the mean elevation of the finished grade five (5) feet away from the foundation along the side(s) of the building facing a street, or the street line, whichever is closer to the foundation. On a corner lot, the height shall be measured from the average of the mean elevation along both streets calculated as outlined above.

CONSTRUCTION: The act of: A) adding an addition to an existing building or structure; B) the erection of a new principal or accessory building or structure on a lot or property; C) alterations.

DAY CARE CENTER: A facility for the care of preschool children while parents are at work. They are usually maintained for three or more children.

DISTRICT: Three distinct zones within the Redevelopment Plan governed by standards and regulations contained within the Plan.

FLOOR AREA RATIO: The ratio of gross floor area to the lot.

GARAGE, PARKING: Buildings used exclusively for the parking or storing of motor vehicles and in which services limited to washing, polishing and other cleaning services may be provided.

GRADE: 1. For buildings adjoining one street only, elevation of the established curb at the center of the wall adjoining the street. 2. For buildings adjoining more than one street, the average of the elevations of the established curbs at the center of all walls adjoining the streets. 3. For buildings having no wall adjoining the street, the average level of the ground adjacent to the exterior walls of the buildings. *(All walls approximately parallel to and not more than 15 feet from the street line are to be considered as adjoining a street.)

GROSS FLOOR AREA: Gross floor area in residences shall be measured by using the outside dimension of the building, excluding the area of a garage, attic, open porch or patio and further excluding the area used as a cellar, basement, utility, heating and cooling rooms. Only those portions of floor areas in residential structures which are at or above grade and have a ceiling height above them of seven and one-half (7.5) feet or more, or those floor areas on the top story which meet the definition of a half story shall be included in the gross floor area. In non-residential structures, floor areas used for storage and other purposes, regardless of the ceiling height, shall be included in the gross floor area, but floor areas used for parking, loading docks, utility, heating and cooling rooms shall be excluded. The gross floor area of any use sharing a common wall with another use shall be measured from the center of interior walls and the outside of exterior walls.

LIGHT INDUSTRIAL: Uses to be permitted shall include warehousing, wholesaling, shipping and receiving, manufacturing, processing, research, assembly, laboratory, testing, service, professional and governmental offices, public and quasi-public uses and other operations which do not include the production of petroleum into fuel, oil or other products or chemical processing and storage. Light Industrial uses shall not produce any adverse influences as outlined in Section VIII.E, provided however that existing activities not in violation of City, State or Federal law are not affected.

LOADING SPACE: An off-street space or berth on the same lot with a building or group of buildings for the temporary parking of a commercial vehicle while loading or unloading having fifteen (15) feet of vertical clearance, and lengths and widths that meet the zoning ordinance.

LOT: A tract or parcel of land which may abut a street, but not including any portion of a street, which tract or parcel of land is legally separate from any other tract or parcel of land.

LOT AREA: The area contained within the lot lines of a lot not including any portion of a street right-of-way.
LOT COVERAGE: The square footage or other area measurements by which all buildings and paved surfaces occupy a lot as measured on a horizontal plane around the periphery of the foundations and paved areas and including the area under the roof of any structure.

LOT FRONTAGE: The horizontal distance between side lot lines measured along the street line. The minimum lot frontage shall be the same as the lot width except where side lot lines are not parallel or where the lot fronts on a street with a curved alignment having an outside radius of less than five hundred (500) feet, in which case the minimum distance between the side lot lines measured at the street line shall not be less than seventy-five (75) percent of the required minimum lot width. In the case of a corner lot, any street frontage which meets the minimum frontage required for that zone may be considered the lot frontage.

LOT LINE: Any line forming a portion of the exterior boundary of a lot and the same line as the street line for the portion of a lot abutting a street. Lot lines extend vertically in both directions from ground level.

MIXED USE: A lot or structure containing more than one (1) zoning use.

NON-CONFORMING BUILDING OR STRUCTURE: A building or structure 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 width, frontage, depth or contain the minimum area for the district in which it is located.

NON-CONFORMING USE: A use occupying a building, structure or lot which does not conform to the use regulations of the historic district in which it is located.

OFFICE: A place for the transaction of business where reports are prepared, records kept, and services rendered, but where no retail sales are offered and where no manufacturing, assembly or fabricating takes place.

OPEN SPACE: Part of a zoning lot including courts or yards which is unpaved and which a) is open and unobstructed from it lowest level to the sky, and b) conforms with lot coverage.

OUTDOOR STORAGE: The storage of goods and materials outside of any building or structure.

PARKING SPACE: An area measuring nine (9) feet in width by eighteen (18) 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 right-of-way.

PARKING SPACE (COMPACT): An area measuring a minimum of eight (8) feet in width by fifteen (15) 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 right-of-way.

PRINCIPAL USE: The main use of land or structures as distinguished from a subordinate or accessory use.

REHABILITATION: The act or process of returning a building, object, site, structure or landscape feature to a state of utility through repair, remodeling, or alteration that makes possible an efficient contemporary use while preserving those portions or features of the building, object, site, or structure that are significant to its historical, architectural, and cultural values.

RETAIL SALES: Department stores, variety stores, apparel and accessory sales, furniture and appliance stores, grocery stores, second hand and antique stores where all sales are under roof, cleaning establishments such as dry cleaning and laundromats where an attendant is provided, but in no instance shall bars, service stations or drug rehabilitation centers be considered retail sales.

SCREENING: The decorative fencing or evergreen or other vegetation maintained for the purpose of concealing from view the area behind such structures or evergreen or other vegetation. When fencing is used for screening, it shall not be less than six (6) feet, nor more than eight (8) feet in height.

SETBACK LINE: A line drawn parallel to the street line or lot line and drawn through the point of a building nearest the street line or lot line. The term "required setback" means a line that is established a minimum horizontal distance from the street line and beyond which a building or part of a building is not permitted to extend toward the street line or lot line.

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.

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.

SITE: The location of a significant event, a prehistoric or historic occupation or activity, or a building, structure, object, or landscape feature, whether standing, ruined or vanished, where the location itself maintains historical, cultural, architectural or archaeological value regardless of the value of any existing structure.

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.

STORY: That portion of a building comprised between a floor and the floor or the roof next above it. A half story is a story at the top of a building, the height of which shall not be less than seven and one-half (7.5) feet above at least one-third the area of the floor when the room is used for sleeping, study or similar activity.

STREET: Any street, avenue, boulevard, road, lane parkway, viaduct, alley or other way which is an existing State, County, or Municipal roadway, or a street or way shown upon a plat heretofore approved pursuant to law or approved by official action pursuant to the Municipal Planning Act (R.S. 40:55-1.1 et. seq., as amended) or a street or way on a plat duly filed and recorded in the office of the County Recording Officer prior to the appointment of a planning board; and the grant to such board of the power to review plats, and any way shown on a plat approved by the City, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas and other areas within the street line.
STREET LINE: The edge of the street right-of-way forming the dividing line between the street and a lot.

STRUCTURE: An assembly of materials having a fixed location including but not limited to buildings, signs, fences, tanks, towers or poles, but excluding walks, walkways, driveways, streets, and roads.

UTILITY: Water, sewerage, telephone, gas, or electric service from a private or public utility company under the regulations of the New Jersey Public Utility Commission. On-site storage of gasoline, compressed gas, steam or use of conveyor belts, elevators, water mains, or other means of storing, servicing, or transporting goods and services on-site shall not be considered a utility.

WAREHOUSE: Industrial buildings used for the storage of merchandise, components or raw materials.

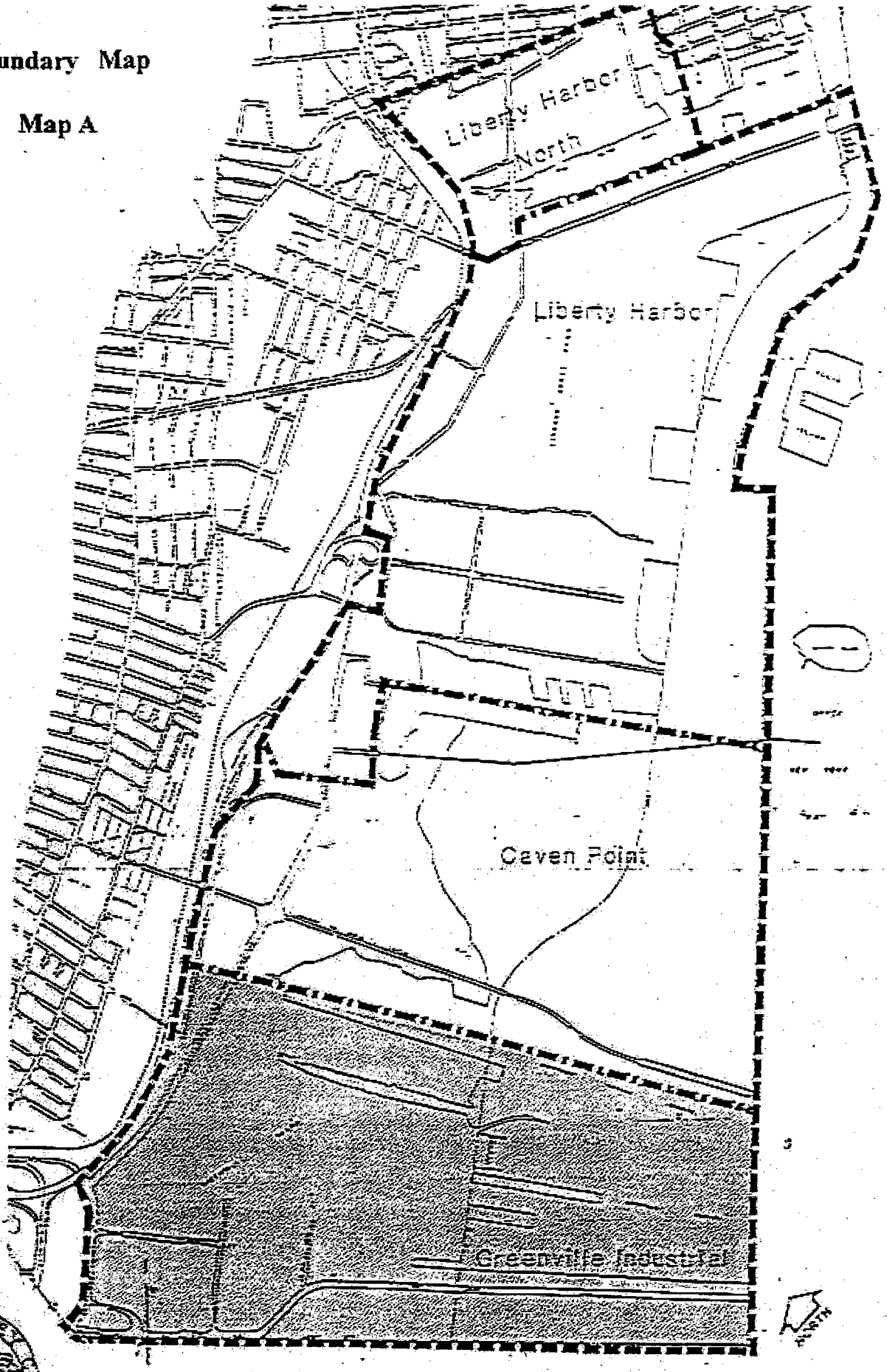
YARD, FRONT: An open space extending across the full width of the lot and lying between the street line and the closest point of any building on the lot. The depth of the front yard shall be measured horizontally and at right angles to either a straight street line or the point of tangent of curved street lines. The minimum required front yard shall be the same as the required setback.

YARD, REAR: An open space extending across the full width of the lot and lying between the rear lot line and the closest point of the principal building on the lot. The depth of the rear yard shall be measured horizontally and at right angles to either a straight rear lot line or the point of tangent of curved rear lot lines. The minimum required rear yard shall be the same as the required setback.

YARD, SIDE: An open space extending from the front yard to the rear yard and lying between each side lot line and the closest point of the principal building on the lot. The width of the required side yard shall be measured horizontally and at right angles to either a straight side line or the point of tangent of curved side lot lines. The minimum required side yard shall be the same as the required setback.

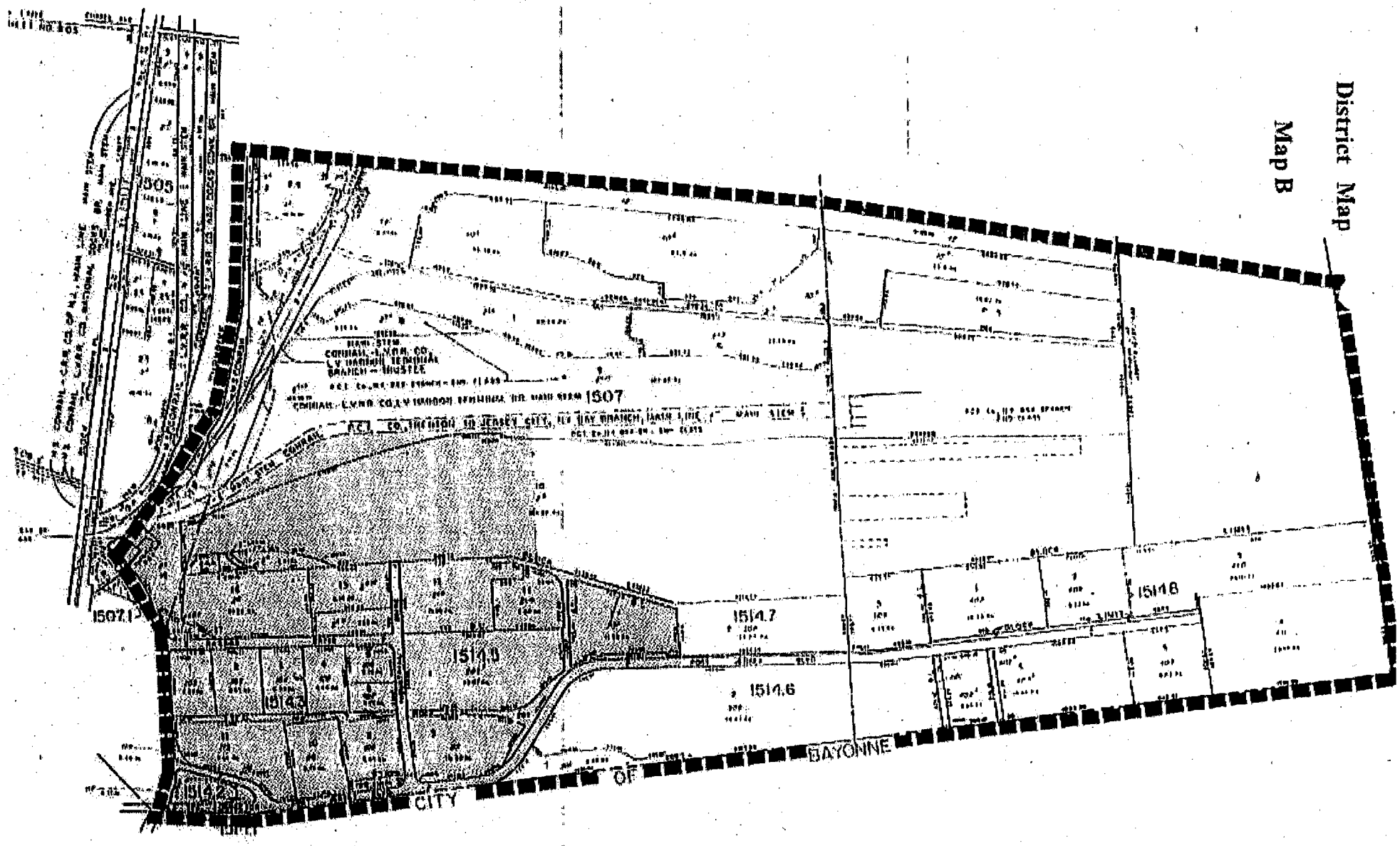
Boundary Map

Map A



GREENVILLE INDUSTRIAL REDEVELOPMENT PLAN

Prepared by
Div. of City Planning



GREENVILLE INDUSTRIAL REDEVELOPMENT PLAN

Prepared by
Div. of City Planning
Dept. of H.E.D.

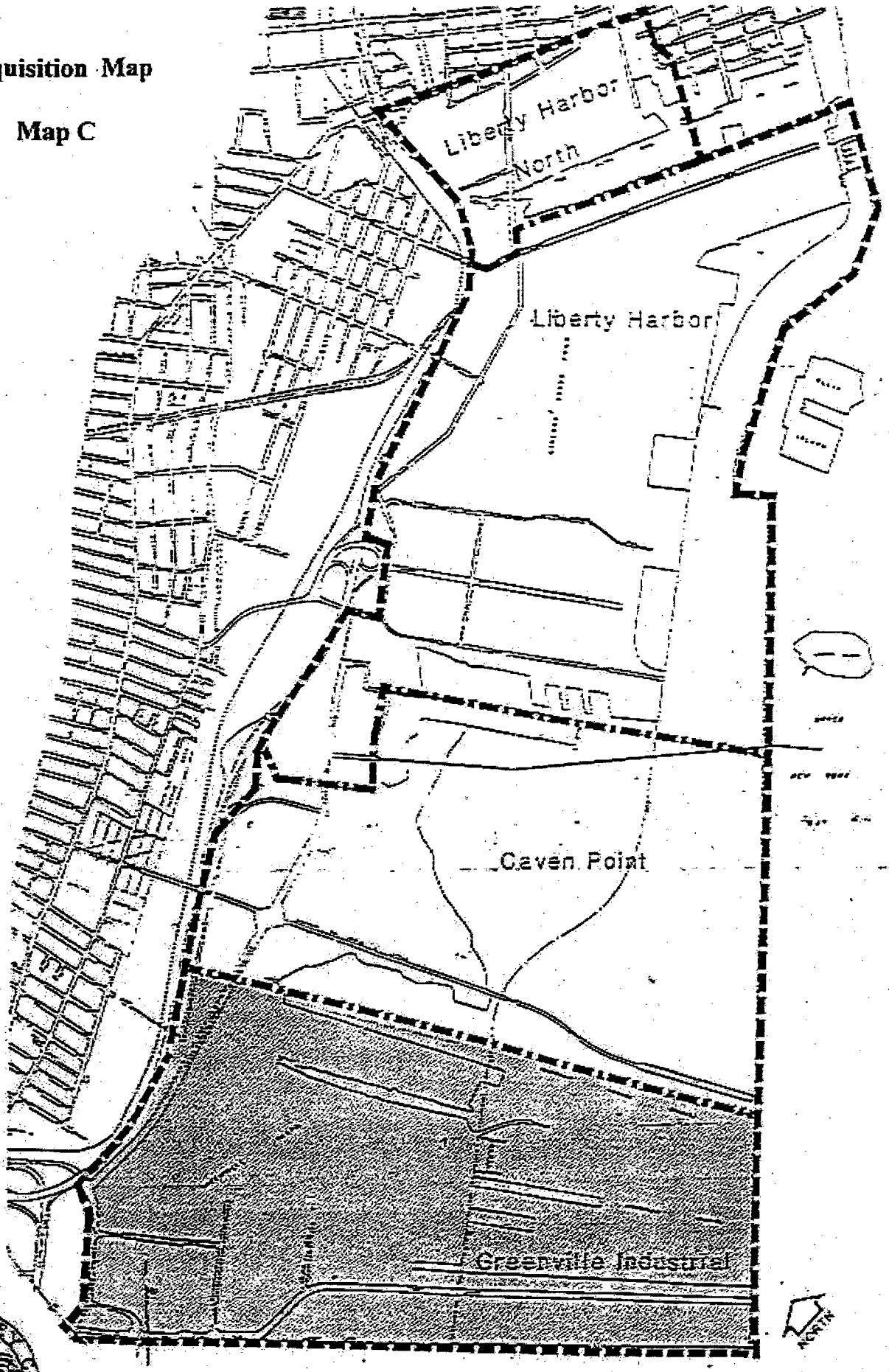
NORTH

Legend

- Redevelopment Area Boundary
- Terminal District
- Modern Industrial Park District

Acquisition Map

Map C



GREENVILLE INDUSTRIAL REDEVELOPMENT PLAN

Prepared by
Div. of City Planning

TO BE ACQUIRED

City Clerk File No. Ord. 10-151

Agenda No. 3.K 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 10-151

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE JERSEY AVENUE LIGHT RAIL REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE AND AMENDMENT FEES

WHEREAS, the Municipal Council of the City of Jersey City adopted the Jersey Avenue Light Rail Redevelopment Plan on March 14, 2007; and

WHEREAS, the Planning Board, at its meeting of November 15, 2010, determined that the Jersey Avenue Light Rail Redevelopment Plan would benefit from amendments to prohibit natural gas pipelines and to revise the site plan review procedure and fees for plan amendments; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Jersey Avenue Light Rail Redevelopment Plan is attached hereto, and made a part hereof, and is available for public inspection at the office of the City Clerk, 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 aforementioned amendments to the Jersey Avenue Light Rail Redevelopment Plan 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.
E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

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

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

Date Submitted to B.A._____

ORDINANCE FACT SHEET

1. **Full Title of Ordinance:**

   ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE JERSEY AVENUE LIGHT RAIL REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE AND AMENDMENT FEES

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

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

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

   This ordinance prohibits natural gas pipelines from the Area and updates the site plan review procedures and amendment fees.

4. **Reasons (Need) for the Proposed Program, Project, etc.:**

   Natural gas pipelines are an unwanted use in the area. The current review procedures appear to be outside the scope of the law and fees should be raised.

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

   Prohibition of gas pipeline. Brings review procedures into conformance with the Municipal Land Use Law.

6. **Cost of Proposed Plan, etc.:**

   $0.00. Plan was prepared by Division of City Planning staff.

7. **Date Proposed Plan 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

10. **Additional Comments:**

    I Certify that all the Facts Presented Herein are Accurate.

Robert D Cotter — Nov 3, 2010
Division Director — **Date**

Deputy — November 3, 2010
Department Director Signature — **Date**

Summary Sheet:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE JERSEY AVENUE LIGHT RAIL REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE AND AMENDMENT FEES

This ordinance prohibits natural gas pipelines as a permitted use and modifies the review procedures and fees for amending the Plan. Current review procedures appear to be outside the scope of the law and fees should be raised.

JERSEY AVENUE LIGHT RAIL REDEVELOPMENT PLAN

March 14, 2007 Ord. No. 07-037
Proposed Amendments November 2010

CITY OF JERSEY CITY
DIVISION OF CITY PLANNING

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INTRODUCTION

The Jersey Avenue Redevelopment Plan Area is approximately 140 acres in the northern section of Downtown Jersey City. The City of Hoboken and the Hamilton Park Historic District are north and immediately adjacent to the redevelopment area.

The area is comprised of existing commercial and residential uses with a scattering of industrial and warehouse interests. The redevelopment area also contains several vacant lots. The neighboring area in both Jersey City and Hoboken is actively being redeveloped into mixed use residential, retail and office use.

Development of this area would encourage upgrading of roadways and utilities and provide for more comprehensive zoning through integrating compatible uses with the adjacent areas. The present development of the waterfront and new land uses which surround this area will contribute to the effort to encourage and attract favorable redevelopment.

I. BOUNDARY DESCRIPTION

BEGINNING at a point at the intersection of the centerline of Luis Munoz Marin Boulevard and the Jersey City-Hoboken City Line; thence in a westerly direction for 1,140 feet along the City Line to a point; thence in a northeasterly direction for 126.72 feet along the City Line to a point at its intersection with the centerline of Hoboken Avenue; thence in a westerly direction along the centerline of Hoboken Avenue to a point at its intersection with the centerline of U.S. Routes 1 and 9; thence in an easterly direction along the centerline of U.S. Routes 1 and 9 to a point at its intersection with the right-of-way of the Conrail-New Jersey Junction Branch Railroad Main Stem; thence in a southerly direction along the right-of-way of the Conrail-New Jersey Junction Branch Railroad Main Stem to a point at its intersection with the extended centerline of Tenth Street; thence in an easterly direction along the centerline of Tenth Street to a point at its intersection with the centerline of Luis Munoz Marin Boulevard; thence in a northerly direction along the centerline of Luis Munoz Marin Boulevard to a point at its intersection with the centerline of Twelfth Street; thence in a westerly direction along the centerline of Twelfth Street to a point at its intersection with the centerline of Coles Street; thence in a northerly direction along the centerline of Coles Street to a point at its intersection with the centerline of Fourteenth Street-Boyle Plaza; thence in an easterly direction along the centerline of Fourteenth Street-Boyle Plaza to a point in its intersection with the centerline of Luis Munoz Marin Boulevard; thence in a northerly direction along the centerline of Luis Munoz Marin Boulevard to a point at its intersection with the Jersey City-Hoboken City Line, the point and place of BEGINNING.

II. REDEVELOPMENT PLAN OBJECTIVES

Renewal activities for the Jersey Avenue Redevelopment Plan Area will be undertaken in conformity with, and will be designed to meet, the following objectives of the Redevelopment Plan:

A. No acquisition of private property.
B. Encouragement of the elimination of vacated, deteriorated and obsolete structures including unused industrial buildings, which adversely affect the feasibility of amenable neighborhood physical change and further development of an emerging commercial and residential area.

C. The improvement of the functional and physical layout of the Redevelopment Plan Area for contemplated new development, and the removal of impediments to land disposition.

D. The overall improvement of traffic flow through the development of new and improved vehicular and pedestrian circulation systems which provide for separation of the two movements, and the maximum use of public transportation.

E. Coordination of redevelopment activities which reinforce already existing renewal and improvement programs in the adjacent neighborhoods, in accordance with a plan that integrates the Jersey Avenue Redevelopment Plan Area with the rest of Jersey City.

F. Encouragement of preservation and adaptive reuse of existing structures by grandfathering their height, bulk and density if the zoning regulations contained herein are exceeded by such structures.

G. Encouragement of conservation and preservation of selective structures, including those with historical or architectural significance, by providing opportunities for adaptive reuse which will give an economic life comparable to newer structures.

H. Provision of land in parcels of sufficient size and configuration so as to permit economic redevelopment.

I. Provision of site improvements for the beautification of the Jersey Avenue Redevelopment Plan Area and surrounding neighborhoods.

J. Promotion of balanced development in accordance with the Fair Housing Act, (NJSA 52:27D-311), and Housing Element & Fair Share Plan of the Jersey City Master Plan.

K. Preservation and promotion of view corridors created by public streets to accentuate views of New York and the Palisades.

L. Development of a network of public open space throughout the Redevelopment Plan Area which shall be designed to improve pedestrian circulation, act as a catalyst for retail development and help to preserve important vistas.

M. Creation of major new employment and housing opportunities for the residents of Jersey City.

III. TYPES OF PROPOSED REDEVELOPMENT ACTIONS

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

A. Rehabilitation of dilapidated, deteriorated, obsolete or underutilized structures where necessary.

B. Construction of new structures and complimentary facilities.

C. Provisions for public infrastructure necessary to service and support the new development.

D. Provisions of at least 10% of a residential project as a Developer's Affordable Housing Contribution shall be developed on-site or within the Redevelopment Plan Area. Non-residential projects shall participate in the Jersey City Affordable Housing Linkage Program by either: (1) constructing Affordable Housing off-site; (2) providing cash contribution for the subsidization of Affordable Housing; (3) by the financing of an Affordable Housing project. The above provision shall not apply if the City has not legally enacted an Affordable Housing Linkage Program.

IV. DESIGN OBJECTIVES AND REQUIREMENTS

A. Building Design

1. Building design shall be guided by the general characteristics of the surrounding properties and the adjacent Hamilton Park Historic District (where applicable).
2. All structures within the Redevelopment Plan 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 an harmonious appearance in terms of architectural style and exterior materials and shall be encouraged to incorporate elements found throughout the surrounding neighborhoods.
4. All east-west streets shall be maintained as important view corridors and shall, through the enforcement of setbacks, preserve and promote views of New York and the Palisades.
5. Buildings should be designed so as to have an attractive, finished appearance when viewed from all vantage points within and outside the Redevelopment Plan Area.
6. All major mechanical equipment located on the roof of any building shall be screened from view with materials harmonious with those used in the building's facade. The screening shall not impair the functioning of the equipment.
7. Buildings shall be encouraged to provide a top which shall serve to finish the building. Said top may be in the form of a cornice, a parapet, or any other indicator consistent with the design, proportions, materials and character of the building.
8. All electronic communication equipment shall be mounted in such a way that it does not negatively impact the appearance of the building on which it is placed, nor create objectionable views when seen from surrounding buildings or from the Palisades.
9. Access by the elderly, physically handicapped and/or disabled shall meet, at a minimum, barrier free design regulations as specified in the Uniform Construction Code.
10. All trash receptacles, in accordance with all appropriate State laws, shall be adequately secured, enclosed and screened on all sides by landscaping or other type of attractive materials.
11. Chain link fencing shall not be permitted except during construction.
12. All utility distribution lines and utility service connections from such lines to the area's individual uses shall be located underground.
13. Urban design elements shall be consistent with those contained in other redevelopment plans regulating Downtown and used throughout the Redevelopment Area.

B. Improved Open Space

1. All new development shall provide improved publicly accessible open space on all parcels as required in the appropriate district.
2. Where possible, new structures surrounding or enclosing open space should be designed and sited to allow penetration of sunlight onto open space areas during peak user time (11:00 a.m. to 2:00 p.m.).
3. Open space shall provide visual and functional elements such as benches, low walls, drinking fountains, refuse containers and planters. Suggested materials for open space amenities include stone pavers, brick, asphalt pavers and broom finish concrete.
4. Adequate lighting shall be provided to encourage active uses and a sense of security in the open space.
5. Open spaces shall be so located as to provide for maximum usability and to create a harmonious relationship between buildings and the open space throughout the Redevelopment Plan Area.
6. Through creative design, open space features shall address the need for human comfort and enjoyment and provide both active and passive leisure uses for secure and pleasant outdoor and indoor settings to meet public and private use requirements.
7. Open space shall be oriented to focus on and maintain existing views of New York and the Palisades.
8. "Vest pocket" parks shall be encouraged on small corner and midblock parcels.
9. All open space, including plazas, shall be designed with lawns, trees, shrubbery, attractive paving materials, street furniture, lighting and other architectural and artistic amenities to produce and provide pleasant environments at street level to compliment the buildings and project area. Open space and plazas shall be designed at a human scale to invite and attract the public.
10. As a general guide, one (1) linear foot of seating for each linear foot of plaza perimeter shall be provided. Seating space may include planters, benches, fountains, etc.

C. Landscaping and Lighting

1. Landscaping shall be required for any part of any parcel not used for buildings, off-street parking, or loading space. The developers' plan shall include plans for landscaping indicating the location, size and quantity of the various species to be used. Areas reserved for future development shall, as a minimum, be seeded with Perennial Rye Grass, or equivalent.
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 three (3) 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 dies within 2 years of planting shall be replaced by the developer.

5. Underground watering facilities shall be encouraged for all landscaped areas.
6. Trees and shrubs shall be planted along curblines of streets at a maximum of 40 feet centers or in groupings, in a regular pattern or spaced alternately on either side of streets, to further enhance the aesthetic quality of the Redevelopment Plan Area.
7. Parking areas for more than Ten (10) vehicles, all parking at service stations and auto related facilities, regardless of the number of spaces and all loading areas abutting a street, shall provide a screen planting of dense evergreen not less than three (3) feet high along any street line and along all property lines except those instances where a building intervenes or where the proposed plantings may interfere with site triangles.
8. 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 Zoning Ordinance.
9. Lighting within a site shall sufficiently illuminate all areas, including those areas where buildings are set back or offset to prevent "dark corners".
10. All lighting sources must be adequately shielded to avoid any glare. The area of illumination shall have a fairly uniform pattern averaging at least 1/2 footcandles.
11. New lighting fixtures installed as part of site improvements shall be in scale with existing street hardware and relate to the size of the project.

D. Rehabilitation of Existing Structures

1. Through the use of selective building materials, all buildings to be rehabilitated shall be encouraged to preserve the area's character.
2. Any upper level additions (i.e. additional floors, penthouses, etc.) should maintain a strong relationship to the basic design elements as well as to texture, color and scale of materials of the existing building.
3. Existing structures to be rehabilitated shall be exempt from area, yard and bulk requirements except any additions to existing structures shall not cause the total building area to exceed the floor area ratio specified in the appropriate district. In the event that an existing building exceeds the permitted floor area ratio, that structure shall not be permitted any additional floor area.
4. All rehabilitation to historic buildings shall conform to the Design Standards and Guidelines articulated in the Historic Preservation Ordinance of Jersey City.

V. TRAFFIC CIRCULATION OBJECTIVES AND GUIDELINES

A. Parking and service access should be separated from the main traffic oriented streets. These access areas shall be clearly designated and designed so as to avoid the backing in and out of vehicles onto the street ROW.

B. Shared use of accessory parking facilities shall be considered in areas adjacent to underutilized parking facilities.

C. Sight triangle areas at all intersections shall be kept clear of plantings and structures by limiting heights to a maximum of thirty (30) inches. Sight triangles shall be measured from the right-of-way line and conform to the provisions in Article IV, Section 28-22 of the Jersey City Zoning Ordinance.

D. The use of public transportation by employees, residents and visitors of the Redevelopment Plan Area shall be encouraged.

E. All traffic impact studies shall incorporate, as part of the study, all projects approved or proposed in surrounding neighborhoods, in addition to impacts from the Holland Tunnel and development in Hoboken. A listing of the projects may be obtained from the Division of City Planning.

F. Traffic associated with office development shall be circulated in a manner as to not negatively impact the Hamilton Park Historic District.

G. The pedestrian circulation system shall be integrated with the roadway circulation network and shall encourage safe and improved pedestrian circulation through the following:

1. The focus of the streetscape improvements along primary pedestrian corridors;
2. Encourage design features, materials and activities at the street level which create an attractive and interesting pedestrian environment;
3. Insure the safety of pedestrians by providing adequate sidewalk space and clearly defined pedestrian crossings;
4. Direct new development to minimize pedestrian and traffic conflicts.

H. Newly established public sidewalks shall measure a minimum of 10 feet from curbline to property line where available and shall be durably paved and smoothly surfaced to provide for free movement of pedestrians. Adequate lighting and attractive landscaping shall be provided.

I. All sidewalks and pathways must be designed to provide ease of access for the physically disabled. Access ramps shall be conveniently placed and sloped at a maximum of 8.5 percent to provide easy connection to streets and sidewalks. Design standards shall meet, at a minimum, barrier free design regulations as specified in the Uniform Construction Code.

VI. OFF-STREET PARKING AND LOADING REQUIREMENTS - see chart

A. All required parking spaces must be a minimum of 8.5 feet wide by 18 feet deep, as measured from the curb stop. All aisles shall be a minimum of 22 feet wide. Compact parking stalls (8x15), may be provided, up to 50%, in lots that are used for long term or all day parking.

B. 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 of pedestrian walks and thoroughfares. Developers shall demonstrate

MEDIUM RISE PRINCIPAL

	OFFICE BLDGS	RESI-DEN-TIAL	COMM. RETAIL	REST./ BARS/ N'CLUBS	HOTELS/ HEALTH CLUBS	ROADS/ LIGHT RAIL	PUBLIC/ SEMI-PUBLIC	THEATERS	HOUSES OF WORSHIP	LIGHT INDUST/ W'HOUSE	PARKS/ OPEN SPACE
HEIGHT	70'	75'	70'	70'	75'	70'	70'	70'	70'	60'	N/A
COVERAGE [1]	75%	75%	75%	75%	75%	100%	85%	75%	75%	90%	N/A
LOT AREA IN SQ. FT.	2,500	2,500	2,500	2,500	20,000	N/A	2,500	2,500	5,000	10,000	2,500
DENSITY [2]	N/A	50	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
FRONT YARD MIN.	5'	5'	5'	5'	5'	5'	5'	5'	10'	5'	N/A
FRONT YARD MAX.	15'	15'	15'	15'	15'	15'	15'	15'	N/A	15'	N/A
EACH SIDE YARD									10'		
REAR YARD	10'	10'	10'	10'	10'	10'	10'	10'	15'	10'	N/A
F.A.R. [3]	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	2.5	N/A

1 Total percentage, buildings and impervious surfaces, subject to bonus provisions of IX.F.
2 Dwelling units per acre.
3 Floor Area Ratio.

3. Entrances shall be designed to be attractive and functional. Indicators such as awnings, changes in sidewalk paving materials, changes in height incorporating stairs, or any other indicator consistent with the design, proportions, material and character of the adjacent areas shall be encouraged.

d. Parking structures shall preferably be located at the rear of the principal building. Access to the structure may be provided through the front of said building. Where parking cannot be located in the rear, the facade of such parking structures shall be treated with the same materials used in the facade of the principal building.

B. High Rise District

This district is intended to provide for development activities suited to high rise structures. Buildings are encouraged to reinforce streetwall design and develop active ground floor uses. Design standards are provided to encourage transitional elements harmonious with existing areas.

1. Principal Permitted Uses
   a. Office Buildings
   b. Residential
   c. Commercial/Retail
   d. Restaurants, Bars and Nightclubs
   e. Hotels, Health Clubs
   f. Roadways, Light Rail, Mass Transit Stations
   g. Public/Semi Public Uses
   h. Theaters
   i. Light Industrial/Warehouse
   j. Parks/Public Open Space
   k. Day Care Centers
   l. ***Public Utilities, except that natural gas transmission lines shall be prohibited***
   ~~l.~~ ***m.*** Appropriate mixed uses of any of the above
   ~~m.~~ ***n.*** Automotive Service Station on Block 261 Lot 10 only

2. Accessory Uses

   a. Off-street parking and loading facilities
   b. Fences and walls
   c. Guardhouses and employee cafeterias
   d. On-site service and maintenance operations for equipment
   e. Signs
   f. Health Clubs
   g. Day Care Centers
   h. Marketers/convenience stores as accessory use to Automotive Service stations on Block 261 Lot 10 only

3. Conditional Use (40:55D-67)

Parking for principal uses, which must be located within five hundred (500) feet of said use.

4. Maximum Height - see chart

5. Building Design Requirements for the High Rise District

a. Building Facades - Non Industrial

1. All building facades of structures greater than one story, up to a height of between 35 and 45 feet, shall consist principally of masonry, stone or textured concrete materials.
2. At a height of between 15 and 40 feet, all buildings shall provide a horizontal visual cue, through the use of a cornice, belt coursing, change in ratio of glass to solid area, or any other visual indicator consistent with the design proportions and materials of the base.

b. Building Facades - Light Industrial/Warehouse

1. Buildings used for light industrial and warehouses shall be designed to be compatible with existing buildings and/or its relationship with contiguous structures. The designs shall be subject to review by the Planning Board.

c. Streetscape

1. All buildings shall be designed to front on public streets to encourage creation of a streetwall and a pedestrian environment with human scale.
2. Main entrances into buildings shall be located on public streets. Other entrances may be provided from parking areas and/or as necessary according to the design of the structure.
3. Entrances shall be designed to be attractive and functional. Indicators such as awnings, changes in sidewalk paving material or other indicator consistent with the design, proportions, material and character of the surrounding area shall be encouraged.

d. For service stations and their accessory uses, in the High Rise District, one two-sided, free standing, combination identification / price sign shall be permitted per lot, not to exceed 18 feet in height, and not to exceed (60) sixty square feet in area on each side of said sign, to be setback at least ten feet from the property line and to be located within a landscaped area at least two times the total square area of said sign, which area must contain at least 90% coverage with lawn, evergreen plantings and beds for at least two seasonal

plantings of annuals Sign setbacks may be adjusted by the Planning Board without need of a Deviation request if it can be shown that existing buildings within 660 feet of said sign would block drivers views of such sign if same is setback the required distance.

6. Pre-Existing Status

The following acknowledgement of pre-existing status shall apply to the residential building on Block 228 Lot C4 (AKA 685-691 Luis Munoz Marin Boulevard);

The building currently located on this site is under renovation. It was approved for and partly renovated for 93 dwelling units in the existing 13 story, 149 feet structure, with accessory parking spaces internal to the building and a swimming pool to be provided for the residents. This Redevelopment Plan establishes the current zoning approval, as re-affirmed by the Zoning Board of Adjustment in their resolution of October 7, 1999, as the land use regulations and standards for this Block and Lot, except that the number of dwelling units within the existing structure may be increased by breaking-up some or all of the bi-level apartments into single level apartments, not to exceed 10% increase in the number of dwelling units. Further, this plan recognizes that the maximum number of parking spaces that can be provided for internal to the building is 13.

Minor alterations in site plan and façade characteristics may be permitted by the Planning Board provided such alterations are consistent with the redevelopment regulations and parking standards of this Plan. Any changes not consistent with this Plan are cognizable under a deviation application, and will be judged on their merits requiring a site plan application to the Planning Board.

HIGH RISE PRINCIPAL

	OFFICE BLDGS	RESI-DEN-TIAL	COMM. RETAIL	REST./ BARS/ N'CLUBS	HOTELS/ HEALTH CLUBS	ROADS/ LIGHT RAIL	PUBLIC/ SEMI-PUBLIC	THEATERS	LIGHT INDUST/ W'HOUSE	PARKS/ OPEN SPACE
HEIGHT	110'	110'	110'	110'	110'	110'	110'	110'	60'	N/A
COVERAGE [1]	75%	75%	75%	75%	75%	100%	85%	75%	90%	N/A
LOT AREA IN SQ. FT.	10,000	10,000	10,000	5,000	20,000	N/A	2,500	20,000	10,000	2,500
DENSITY [2]	N/A	90	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
FRONT YARD MIN. [3]	5' 10'	5' 10'	5' 10'	5' 10'	5' 10'	5' 10'	5' 10'	5' 10'	5' 10'	N/A
FRONT YARD MAX. [4]	15' 20'	15' 20'	15' 20'	15' 20'	15' 20'	15' 20'	15' 20'	15' 20'	15' 20'	N/A
EACH SIDE YARD	5'	5'	5'	5'	5'	5'	5'	5'	5'	N/A
REAR YARD [5]	20'	20'	20'	20'	20'	20'	20'	20'	20'	N/A
F.A.R. [6]	5	5	5	5	5	5	5	5	2.5	N/A

1 Total percentage, buildings and impervious surfaces, subject to bonus provisions of X.F.
2 Dwelling units per acre.
3 The first number is for north-south streets, the second number is for east-west streets.
4 The first number is for north-south streets, the second number is for east-west streets.
5 Subject to waiver for corner lots.
6 Floor Area Ratio.

C. Commercial Strip District

This district is intended to provide for a range of development activities compatible to those which currently exist in the area.

1. Principal Permitted Uses
   a. Automotive Service Stations, not to exceed two per block
   b. Auto Lubrication and/or repair
   c. Mixed uses of the above
   d. Commercial/Retail
   e. Restaurants, Bars and Nightclubs
   f. Hotels, Motels and Health Clubs
   g. Parks/Public Open Space
   h. Light Industrial/Warehouse
   i. Day Care Centers
   j. Public Utilities, except that natural gas transmission lines shall be prohibited

2. Accessory Uses
   a. Off-street parking and loading facilities
   b. Fences and walls
   c. Signs
   d. Marketers/convenience stores as accessory to Automotive Service Stations
   e. Hand wash or roll-over type car washes providing at least five (5) stacking spaces, as accessory to automotive service stations, auto lubrication and auto repair services
   f. Day Care Centers

3. Maximum Height - see chart
4. Area, Yard and Bulk Requirements - see chart

COMMERCIAL STRIP PRINCIPAL

	SERVICE STATION	SERVICE STATION WITH CANOPY	COMM. RETAIL	REST./ BARS/ N'CLUBS	HOTELS/ MOTELS/ H'CLUBS	PARKS/ OPEN SPACE	LIGHT INDUST/ W'HOUSE
HEIGHT	15'	20'	25'	25'	50'	N/A	45'
COVERAGE [7]	75%	75%	75%	75%	75%	N/A	90%
LOT AREA IN SQ. FT.	20,000 [8]	N/A	2,500	2,500	20,000	2,500	10,000
FRONT YARD	[9]	10' [10]	5'	5'	5'	N/A	5'
ONE SIDE YARD	2'	2'	2'	2'	2'	N/A	2'
BOTH SIDE YARDS	5'	5'	5'	5'	5'	N/A	5'
REAR YARD [11]	5'	5'	20'	20'	20'	N/A	20'
F.A.R. [12]	0.1	0.1	2.5	2.5	3.75	N/A	2.5

7. Total percentage, buildings and impervious surfaces, subject to bonus provisions of X.F.
8. For lots fronting on Boyle Plaza, 6,000 sq. ft.
9. From curbline: 15' for pumps, 35' for building.
10. 4 For lots fronting on Boyle Plaza, 2 ft.
11. Subject to waiver for corner lots.
12. Floor Area Ratio.

D. 10th Street Transition District

Purpose

This district is a residential corridor intended to act as a transition zone between the Hamilton Park Historic District and the adjacent Medium Rise and Commercial Districts beyond the Eleventh Street viaduct and Conrail right of way, respectively. The Transition District provides for only residential development with the exception of a commercial principle use permitted on Block 218 Lot 5B, and a ground floor commercial retail use as a permitted accessory use. Through the encouragement of compatible building design, new construction and rehabilitation in this district shall respect, reinforce and preserve existing characteristics and east-west views, while providing transitional elements linking this district to the Hamilton Park Historic District to the south.

The New Jersey Warehouse, Block 286, Lot G1, (716-722 Jersey Avenue), is included in the Hamilton Park Historic District. Any proposed rehabilitation to this structure shall be subject to the Design Standards and Guidelines articulated in the Historic Preservation Ordinance of Jersey City; the Historic Preservation Commission shall advise the Planning Board in accordance with NJSA 40:55D-109d.

1. Permitted Uses
   - Residential
   - Parks/Public Open Space
   - Block 218, Lot B5, within existing Grainery Building only: Commercial/Retail, Restaurant or Brew-Pub, but specifically excluding Discos, Rock, Dance or Karaoke Clubs
   - Multi-family dwelling or office usage within the existing building on Block 286 Lot G1, (716-722 Jersey Avenue)
   - ***Public Utilities, except that natural gas transmission lines shall be prohibited***

2. Accessory Uses
   - On-Site/Off-Street Parking & Loading Facilities
   - Fences & Walls
   - Signs
   - Health Clubs
   - Ground floor retail space

3. Area Yard, and Bulk Requirements - Transition District (See Chart)
   - Existing structures to be rehabilitated shall be exempt from area, yard and bulk requirements except any additions to existing structures shall not cause the total building area to exceed the floor area ratio specified in the appropriate district. In the event that an existing building exceeds the permitted floor area ratio, that structure shall not be permitted any additional floor area.

10th STREET TRANSITION DISTRICT
AREA, YARD & BULK CHART

	RESIDENTIAL	RESIDENTIAL BONUS MAXIMUM (Proportional to # of DU/AC)	RESTAURANT
MAX. HEIGHT	45'	70'	Existing Condition
MAX. LOT COVERAGE [1]	60 %	75%	90%
MIN. LOT AREA IN SQ. FT.[4]	2,000 sq. ft.		Existing Condition
MAX. DENSITY [2]	50 DU/AC	80 DU/AC	
MIN. FRONT YARD	5'	5'	Existing Condition
MAX. FRONT YARD	10'	15'	Existing Condition
MIN. EACH SIDE YARD			
MIN. REAR YARD	25'	20'	Existing Condition
MAX. F.A.R. [3]	2.4	3.75	

1 Total percentage, buildings and impervious surfaces
2 Dwelling units per acre.
3 Floor Area Ratio
4. Not including Park & Recreation Area space

4. Building Design Requirements for the Transition District

Building Facades

- Building design and exterior materials of all new construction, renovations and re-use within the Transition District shall be consistent with to the Design Standards, Section IV of this redevelopment plan and the Design Guidelines of the Historic Preservation Districts entitled, Regulations for Alterations & Additions to Buildings & New Construction in Historic Districts.
- Building facades of structures shall be constructed of masonry including but not limited to stone, brick, textured concrete, etc. Concrete block is prohibited. Street facades shall employ color schemes and other elements complementary and harmonious in color, scale and material to those in the Hamilton Park Historic District.
- At a height between 15 and 40 feet all buildings shall provide a horizontal visual cue, through the use of a cornice, belt coursing, change in materials or ratio of glass to solid area, or any other visual indicator consistent with the design, proportions and materials of the entire building.
- The stone retaining wall located along the North side of 10th Street and adjoining side streets defines "a sense of place" for the district. It shall be preserved, repaired and maintained. Any breaks in the wall necessitated for entry from 10th Street and adjoining roadways shall be kept to a minimum. All stone

removed for these entry points shall be relocated on site and utilized as a design feature or accent linking the wall to the fabric of the remainder of the site's development.

- All buildings shall be designed to front on public streets in order to create a street wall consistent with that found in the adjacent historic district.
- All buildings shall provide a main entrance onto a public street. Other secondary entrances may be provided from parking areas or any other place necessary by the design of the building.
- Entrances shall be designed to be attractive and functional. Indicators such as awnings, changes in sidewalk paving materials, changes in height incorporating stairs or any other indicator shall be incorporated into the main entrance design. These indicators shall be consistent with the design, proportions, material and character of the Hamilton Park Historic District and other adjacent conforming buildings within the Transition District along 10th Street.

E. Neighborhood District

1. Permitted Uses
   - Residential
   - Parks/Public Open Space
   - Restaurants
   - Office/retail
   - ***Public Utilities, except that natural gas transmission lines shall be prohibited***

2. Accessory Uses
   - On-Site/Off-Street Parking & Loading Facilities
   - Fences & Walls
   - Signs
   - Health Clubs
   - Ground floor retail space
   - Day Care Centers

3. Area Yard, and Bulk Requirements – (See Medium Rise District Chart)

   - Existing structures to be rehabilitated shall be exempt from area, yard and bulk requirements except any additions to existing structures shall not cause the total building area to exceed the floor area ratio specified in the appropriate district. In the event that an existing building exceeds the permitted floor area ratio, that structure shall not be permitted any additional floor area.

4. Building Design Requirements for the Neighborhood District

   Building Facades

   - Building design and exterior materials of all new construction, renovations and re-use within the Neighborhood District shall conform

to the Design Standards, Section IV of this redevelopment plan and the Design Guidelines of the Historic Preservation Districts entitled; Regulations for Alterations & Additions to Buildings & New Construction In Historic Districts

- Building facades of structures shall be constructed of masonry including but not limited to stone, brick, textured concrete, etc. Concrete block is prohibited. Street facades shall employ color schemes and other elements complementary and harmonious in color, scale and material to those in the Hamilton Park Historic District.

- At a height between 15 and 40 feet all buildings shall provide a horizontal visual cue, through the use of a cornice, belt coursing, change in materials or ratio of glass to solid area, or any other visual indicator consistent with the design, proportions and materials of the entire building.

- All buildings shall be designed to front on public streets in order to create a uniform street wall.

- All buildings shall provide a main entrance onto a public street. Other secondary entrances may be provided from parking areas or any other place necessary by the design of the building.

- Entrances shall be designed to be attractive and functional. Indicators such as awnings, changes in sidewalk paving materials, changes in height incorporating stairs or any other indicator shall be incorporated into the main entrance design. These indicators shall similar in design, proportions, material and character of the Neighborhood District and other adjacent conforming buildings.

F. Signage

1. Office/Hotel/Motel/Light Industrial/Warehouse
   The total exterior sign area shall not exceed the equivalent of 5 percent of the first story portion of the wall to which it is attached. In no case shall a sign on any structure exceed 50 square ft. One (1) use shall be permitted one sign for each street frontage. Buildings with multiple uses shall have not more than one (1) sign per use provided the aggregate area of all signs does not exceed the maximum permitted for each street frontage.
2. Residential
   One (1) sign may be allowed, not to exceed 20 square feet.
3. Retail Sales, Restaurants, Bars and Nightclubs
   Each such use fronting on a public street may be allowed one (1) exterior sign, not to exceed 5 percent of the storefront (ground floor) to which it is attached. Properties fronting on Twelfth Street are permitted one (1) freestanding ID sign, located along that frontage, not to exceed twenty-eight (28) feet in height and not to exceed one

hundred (100) square feet in sign surface area, exclusive of support members.

4. Service Stations, Auto lubrication and/or repair
   a. fronting on Twelfth Street - One (1) freestanding sign displaying corporate logo, prices, and/or services rendered, not to exceed twenty-eight (28) feet in height and one hundred square feet in sign surface area, exclusive of support members.
   b. fronting on Boyle Plaza - One (1) freestanding combination identification/price sign not to exceed twenty-four (24) feet in height and an area of forty-eight (48) square feet and located a minimum of ten (10) feet from the property line.
   c. Additional signs on canopies and service station buildings may be permitted in accordance with the type of signs proposed, its relationship with the site and upon review and approval by the Planning Board. Existing signs exceeding the height and area limits may be grandfathered upon a showing that such are reasonable and necessary given competing signs in the area for similar uses, subject to Planning Board approval.
5. Real Estate Sales
   One sign may be allowed per lot not to exceed a sign area of 6 square feet and shall be attached flush to the premises to which it applies. Where the lot abuts more than one street, 1 sign may be oriented towards each street.
6. Temporary Construction Signs
   One sign for each project or development indicating the name of the project or development, general contractor, subcontractor, financing institution and public agency officials (where applicable). The sign area shall not exceed 32 square feet and shall be attached (where there is an existing structure) or freestanding (where there is new construction).
7. Sign Standards
   a. All signs shall be mounted flush to the face of the building.
   b. No sign shall be animated or flashing.
   c. Roof signs, billboards and signboards are prohibited.
   d. Window signs are prohibited above the ground floor level and shall not exceed 20 percent of the window surface to which the display appears.
   e. All buildings designated to be in character with the adjacent historic district shall have signs in keeping with the historic nature of the buildings.
   f. Freestanding signs, except for gasoline service stations, those indicating direction, transportation, circulation and parking are prohibited.
   g. All signs are subject to site plan review.

G. Parking - see chart

All surface parking and parking structures must meet the following requirements:

1. The parking structure shall be set back a minimum of ten feet except as necessary to provide ingress and egress.
2. The setback area shall be adequately landscaped to provide buffer and visual screening.
3. The building shall be designed to eliminate headlight glare by the provision of opaque screening the full height of the opening, or with the use of spandrels rising a minimum

of 42 inches from the floor line.

4. The facade of the parking levels in the parking structure shall be of a compatible material to that used on the rest of the building and throughout the development, and shall be designed to provide visual interest.

OFF-STREET PARKING REQUIREMENTS

USE	Number of Parking Spaces
RESIDENTIAL	Minimum of: 1 per unit Maximum of: 1.2 per unit
OFFICE/COMMERCIAL	Minimum of .5 per 1,000sq. ft. Maximum of: 1 per 1,000 SQ. FT. GROSS FLOOR AREA
RETAIL, RESTAURANTS, BARS, NIGHTCLUBS, HEALTH CLUBS	Minimum of: 1 per 1,000 SQ. FT. GROSS FLOOR AREA Maximum of 3 per 1,000
AUTOMOBILE SERVICE STATIONS	Maximum of: 1,000 SQ. FT. GROSS FLOOR AREA or Maximum of: 1 per employee, whichever is greater
THEATERS	Minimum of: 1 per 4 SEATS
HOTELS, MOTELS	Maximum of: 1 for 1 TO 100 ROOMS; .5 for 101 and greater
PUBLIC/SEMI-PUBLIC	Minimum of: 1 per 1,000 SQ. FT. GROSS FLOOR AREA
CYBER HOTEL	Maximum of: 1 Per 10,000 SQ. FT. GROSS FLOOR AREA
HOUSES OF WORSHIP	Minimum of: 1 per 4 SEATS,(1 SEAT = 22")
LIGHT INDUSTRIAL/WAREHOUSE	Minimum of: 1 per 5,000 SQ. FT. GROSS FLOOR AREA

*At least 1 parking space shall be included within the residential leasehold of each unit.
**Residential parking may not be subleased to the retail portion of the project and no parking shall be leased as general parking or commuter parking
***A parking validation mechanism shall be implemented to insure that all parking deck users are residents or retail shoppers within the project.

H. Landscaping

The following provisions shall apply to all developments requiring site plan approval.

1. For all projects on parcels exceeding 10,000 square feet in area, all required

landscaping plans shall be prepared by a Certified Landscape Architect, licensed by the State of New Jersey, for all development, redevelopment, new construction, and additions to existing development requiring site plan approval.

2. Requirements for landscaped areas are mandatory provided, however, that the following bonus provisions shall apply:
   a. For parcels of one (1) acre or less, the percent of lot area to be reserved for non-impervious surface may be reduced by a factor of one percent (1%) of the total lot area for each tree planted on site.
   b. For parcels of more than one (1) acre, the percent of lot area to be reserved for non-impervious surface may be reduced by 400 square feet of the total lot area for each tree planted on site.
   c. In exercising the provisions of a. and b. above, developers showing an inability to exercise the full extent of the bonus provisions on-site may contribute trees for off-site planting in a ratio of two off-site trees for each on-site tree not able to be planted on-site. Such off-site planting shall be coordinated with the City Planning Division and the Division of Parks and Forestry. Written agreement to this effect must be submitted to the Planning Board prior to granting of this bonus provision.
   d. In no case may the bonus provisions listed above, cause the total area of impervious surface to exceed 90 % for industrial development, 85% for commercial development or 80% for residential development.

XI. OTHER PROVISIONS NECESSARY TO MEET REQUIREMENTS OF STATE AND LOCAL LAWS

A. The "Redevelopment Agencies Law" N.J.S.A. 40:55C-1, et.seq., specifically, 40:55C-32 requires that a Redevelopment Plan shall:
   1. Conform to the general plan for municipality as a whole; and
   2. Shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvement, conservation or rehabilitation as may be proposed to be carried out in the area of the project, zoning and planning changes, if any, land uses, maximum densities, building requirements, and the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.

B. In accordance with the State requirements, the following statements are made:
   1. The proposals of this Plan conform with the general plan for the municipality;
   2. This plan provides an outline for the development of the Jersey Avenue Area and is sufficiently complete to indicate redevelopment improvements as proposed, planning changes, land uses, maximum densities, building requirements, and its relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, community facilities, and other public improvements.
   3. The City of Jersey City, through the services of the Jersey City Redevelopment Agency relocation staff, will provide displaced businesses with relocation assistance necessitated by State law. This office will be staffed by qualified personnel who will actively assist displaced businesses in finding adequate accommodations. All businesses in finding displaced will be interviewed to determine their relocation requirements. The various elements of this Redevelopment Plan set forth above are in

compliance with the requirements of State and local law and there are no additional requirements with respect to a Redevelopment Plan which have not been complied with.

XII. PROCEDURE FOR CHANGES IN APPROVED PLAN

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law. A fee of ~~$500.00~~ ***$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 N.J.S.A. 40:55C-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.~~

XIII. DEFINITIONS

ACCESSORY BUILDING, STRUCTURE OR USE: A building, structure or use which is customarily associated with and is subordinate and incidental to the principal building, structure or use and which is located on the same lot therewith. An accessory building attached to the principal building shall comply in all respects with the requirements applicable to the principal building.
BUILDING: Any structure, part of a structure, extension thereof, or addition thereto having a roof supported by columns, posts, piers, or walls and intended for the shelter, business, housing or enclosing of persons, animals, or property.

BUILDING COVERAGE: The area of a lot, that is covered with buildings. Building coverage expressed as a percentage shall mean the percentage of a lot or assemblage of lots occupied by one or more buildings. Maximum building coverage expressed as a percentage of the lot or assemblage of lots means that the lot or assemblage of lots may have that much building coverage provided the site design contains all other requirements of this Redevelopment Plan such as, but not limited to, parking, loading, buffers and circulation. If these other requirements of the ordinance are not met, the building coverage shall be reduced until all provisions of the Redevelopment Plan are satisfied.

BUILDING HEIGHT: The vertical distance measured to the highest point of the roof and measured from the mean elevation of the finished grade five (5) feet away from the foundation along the side(s) of the building facing a street, or the street line, whichever is closer to the foundation. On a corner lot, the height shall be measured from the average of the mean elevation along both streets calculated as outlined above.

CONSTRUCTION: The act of: A) adding an addition to an existing building or structure; B) the erection of a new principal or accessory building or structure on a lot or property; C) alterations.

DAY CARE CENTER: A facility for the care of preschool children while parents are at work. They are usually maintained for three or more children.

DISTRICT: Distinct zones within the Redevelopment Plan governed by standards and regulations contained within the Plan.
FLOOR AREA RATIO: The ratio of gross floor area to the lot.

GARAGE, PARKING: Buildings used exclusively for the parking or storing of motor vehicles and in which services limited to washing, polishing and other cleaning services may be provided.

GRADE: 1. For buildings adjoining one street only: the elevation of the established curb at the center of the wall adjoining the street. 2. For buildings adjoining more than one street: the average of the elevations of the established

curbs at the center of all walls adjoining the streets. 3. For buildings having no wall adjoining the street: the average level of the ground adjacent to the exterior walls of the buildings. All walls approximately parallel to and not more than 15 feet from the street line are to be considered as adjoining a street.

GROSS FLOOR AREA: Gross floor area in residences shall be measured by using the outside dimension of the building, excluding the area of a garage, attic, open porch or patio and further excluding the area used as a cellar, basement, utility, heating and cooling rooms. Only those portions of floor areas in residential structures which are at or above grade and have a ceiling height above them of seven and one-half (7.5) feet or more, or those floor areas on the top story which meet the definition of a half story shall be included in the gross floor area. In non-residential structures, floor areas used for storage and other purposes, regardless of the ceiling height, shall be included in the gross floor area, but floor areas used for parking, loading docks, utility, heating and cooling rooms shall be excluded. The gross floor area of any use sharing a common wall with another use shall be measured from the center of interior walls and the outside of exterior walls.

LIGHT INDUSTRIAL: Uses to be permitted shall include warehousing, wholesaling, shipping and receiving, manufacturing, processing, research, assembly, laboratory, testing, service, professional and governmental offices, public and quasi-public uses and other operations which do not include the production of petroleum into fuel, oil or other products or chemical processing and storage. Light Industrial uses shall not produce any adverse influences as outlined in Section VIII.E, above, provided further that existing activities not in violation of City, State or Federal law are not affected.

LOADING SPACE: An off-street space or berth on the same lot with a building or group of buildings for the temporary parking of a commercial vehicle while loading or unloading, having fifteen (15) feet of vertical clearance, and lengths and widths that meet the zoning ordinance.

LOT: A tract or parcel of land which may abut a street, but not including any portion of a street, which tract or parcel of land is legally separate from any other tract or parcel of land.

LOT AREA: The area contained within the lot lines of a lot not including any portion of a street right-of-way.

LOT COVERAGE: The square footage or other area measurements by which all buildings and paved surfaces occupy a lot as measured on a horizontal plane around the periphery of the foundations and paved areas and including the area under the roof of any structure.

LOT FRONTAGE: The horizontal distance between side lot lines measured along the street line. The minimum lot frontage shall be the same as the lot width except where side lot lines are not parallel or where the lot fronts on a street with a curved alignment having an outside radius of less than five hundred (500) feet, in which case the minimum distance between the side lot lines measured at the street line shall not be less than seventy-five (75) percent of the required minimum lot width. In the case of a corner lot, any street frontage which meets the minimum frontage required for that zone may be considered the lot frontage.

LOT LINE: Any line forming a portion of the exterior boundary of a lot and the same line as the street line for the portion of a lot abutting a street. Lot lines extend vertically in both directions from ground level.
MIXED USE: A lot or structure containing more than one (1) zoning use.

NON-CONFORMING BUILDING OR STRUCTURE: A building or structure 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 width, frontage, depth or contain the minimum area for the district in which it is located.

NON-CONFORMING USE: A use occupying a building, structure or lot which does not conform to the use regulations of the district in which it is located.

OFFICE: A place for the transaction of business where reports are prepared, records kept, and services rendered, but where no retail sales are offered and where no manufacturing, assembly or fabricating takes place.

OPEN SPACE: Part of a zoning lot including courts or yards which is unpaved and which a) is open and unobstructed from it lowest level to the sky, and b) conforms with lot coverage.

OUTDOOR STORAGE: The storage of goods and materials outside of any building or structure.

PARKING SPACE: An area measuring a minimum of eight and one-half feet in width by eighteen 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 right-of-way (ROW).

PARKING SPACE (COMPACT): An area measuring a minimum of eight feet in width by fifteen 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 ROW.

PRINCIPAL USE: The main use of land or structures as distinguished from a subordinate or accessory use.

REHABILITATION: The act or process of returning a building, object, site, structure or landscape feature to a state of utility through repair, remodeling, or alteration that makes possible an efficient contemporary use while preserving those portions or features of the building, object, site, or structure that are significant to its historical, architectural, and cultural values.

RETAIL SALES: Department stores, variety stores, apparel and accessory sales, furniture and appliance stores, grocery stores, second hand and antique stores where all sales are under roof, cleaning establishments such as dry cleaning and laundromats where an attendant is provided, but in no instance shall bars, service stations or drug rehabilitation centers be considered retail sales.

SCREENING: The decorative fencing or evergreen or other vegetation maintained for the purpose of concealing from view the area behind such structures or evergreen or other vegetation. When fencing is used for screening, it shall not be less than six (6) feet, nor more than eight (8) feet, in height.

SETBACK LINE: A line drawn parallel to the street line or lot line and drawn through the point of a building nearest the street line or lot line. The term "required setback" means a line that is established a minimum horizontal distance from the street line and beyond which a building or part of a building is not permitted to extend toward the street line or lot line.

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.

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.

SITE: The location of a significant event, a prehistoric or historic occupation or activity, or a building, structure, object, or landscape feature, whether standing, ruined or vanished, where the location itself maintains historical, cultural, architectural or archaeological value regardless of the value of any existing structure.

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.

STORY: That portion of a building comprised between a floor and the floor or the roof next above it. A half story is a story at the top of a building, the height of which shall not be less than seven and one-half (7.5) feet above at least one-third the area of the floor when the room is used for sleeping, study or similar activity.

STREET: Any street, avenue, boulevard, road, lane, parkway, viaduct, alley or other way which is an existing State, County, or Municipal roadway, or a street or way shown upon a plat heretofore approved pursuant to law or approved by official action pursuant to the Municipal Planning Act (R.S. 40:55-1.1 et. seq., as amended) or a street or way on a plat duly filed and recorded in the office of the County Recording Officer prior to the appointment of a planning board; and the grant to such board of the power to review plats, and any way shown on a plat approved by the City, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas and other areas within the street line.

STREET LINE: The edge of the street right-of-way forming the dividing line between the street and a lot.

STRUCTURE: An assembly of materials having a fixed location including but not limited to buildings, signs, fences, tanks, towers or poles, but excluding walks, walkways, driveways, streets, and roads.

UTILITY: Water, sewerage, telephone, gas, or electric service from a private or public utility company under the regulations of the New Jersey Public Utility Commission. On-site storage of gasoline, compressed gas, steam or use of conveyor belts, elevators, water mains, or other means of storing, servicing, or transporting goods and services on-site shall not be considered a utility. Utilities shall be considered to be semi-public uses under this plan.

WAREHOUSE: Industrial buildings used for the storage of merchandise, components or raw materials.

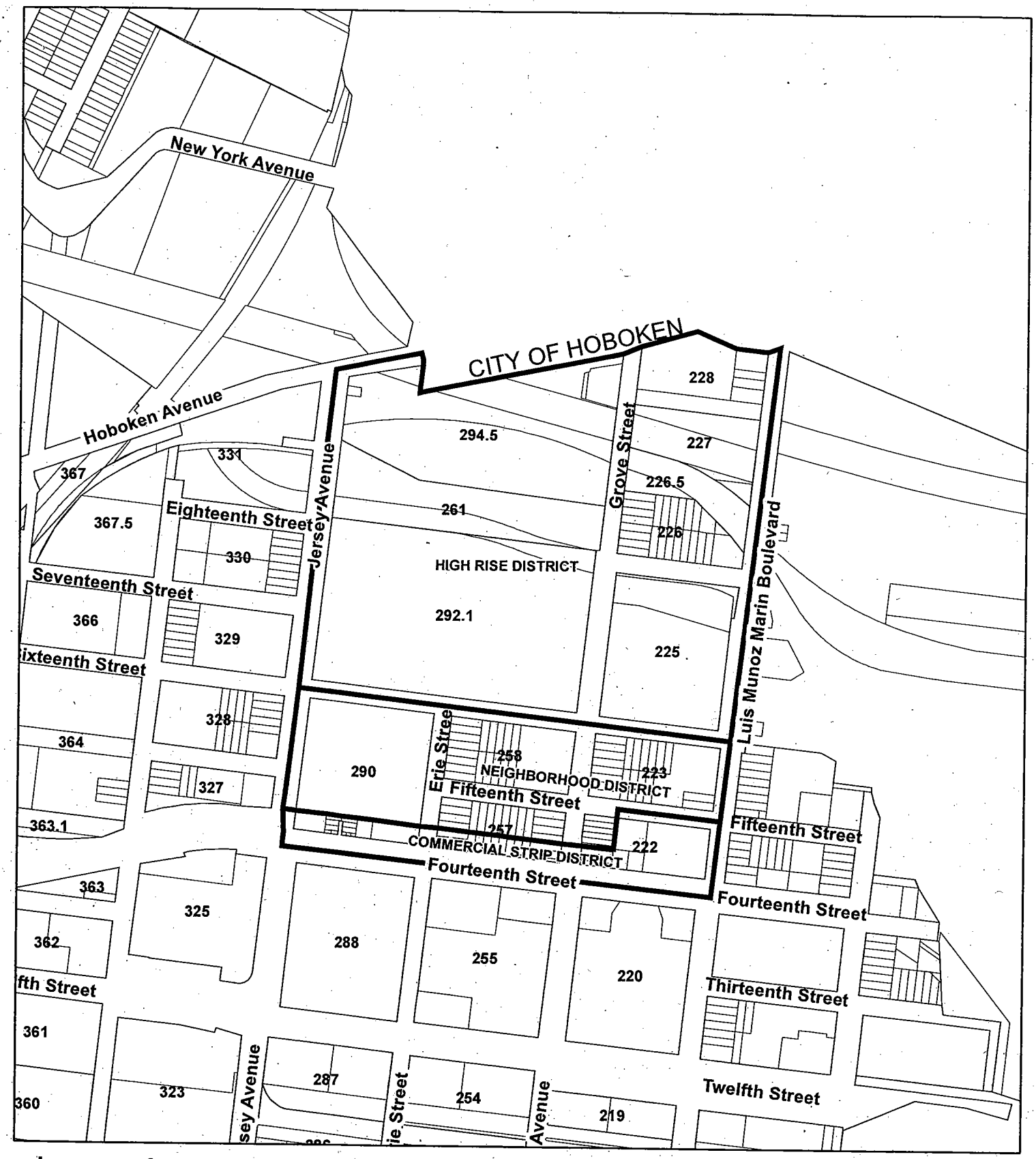
YARD, FRONT: An open space extending across the full width of the lot and lying between the street line and the closest point of any building on the lot. The depth of the front yard shall be measured horizontally and at right angles to either a straight street line or the point of tangent of curved street lines. The minimum required front yard shall be the same as the required setback.

YARD, REAR: An open space extending across the full width of the lot and lying between the rear lot line and the closest point of the principal building on the lot. The depth of the rear yard shall be measured horizontally and at right angles to either a straight rear lot line or the point of tangent of curved rear lot lines. The minimum required rear yard shall be the same as the required setback.

YARD, SIDE: An open space extending from the front yard to the rear yard and lying between each side lot line and the closest point of the principal building on the lot. The width of the required side yard shall be measured horizontally and at right angles to either a straight side line or the point of tangent of curved side lot lines. The minimum required side yard shall be the same as the required setback.

XIV. MAPS

See following pages.



Jersey Avenue Light Rail Redevelopment Plan
Land Use District Map

February 13, 2007

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

Legend

Redevelopment Plan Area

1 inch equals 400 feet

0 200 400 800 1,200 1,600 Feet

City Clerk File No. Ord. 10-152

Agenda No. 3.L 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 10-152

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE JERSEY AVENUE PARK REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE AND AMENDMENT FEES

WHEREAS, the Municipal Council of the City of Jersey City adopted the Jersey Avenue Park Redevelopment Plan on May 14, 2007, and amended the Plan on June 25, 2008 and again on May 20, 2009; and

WHEREAS, the Planning Board, at its meeting of November 15, 2010, determined that the Jersey Avenue Park Redevelopment Plan would benefit from amendments to prohibit natural gas pipelines and to revise the site plan review procedure and fees for plan amendments; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Jersey Avenue Park Redevelopment Plan is attached hereto, and made a part hereof, and is available for public inspection at the office of the City Clerk, 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 aforementioned amendments to the Jersey Avenue Park Redevelopment Plan 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.
E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

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

APPROVED ~~AS TO LEGAL FORM~~
Corporation ~~Counsel~~

APPROVED:

APPROVED:
Business Administrator

Certification Required ☐

Not Required ☐

Date Submitted to B.A._____

ORDINANCE FACT SHEET

1. **Full Title of Ordinance:**

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE JERSEY AVENUE PARK REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE AND AMENDMENT FEES

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

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

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

This ordinance prohibits natural gas pipelines from the Area and updates the site plan review procedures and amendment fees.

4. **Reasons (Need) for the Proposed Program, Project, etc.:**

Natural gas pipelines are an unwanted use in the area. The current review procedures appear to be outside the scope of the law and fees should be raised.

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

Prohibition of gas pipeline. Brings review procedures into conformance with the Municipal Land Use Law.

6. **Cost of Proposed Plan, etc.:**

$0.00. Plan was prepared by Division of City Planning staff.

7. **Date Proposed Plan 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

10. **Additional Comments:**

I Certify that all the Facts Presented Herein are Accurate.

Robert D Cotter
Division Director

Nov 3, 2010
Date

Anthony Debry
Department Director Signature

November 3, 2010
Date

Summary Sheet:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE JERSEY AVENUE PARK REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE AND AMENDMENT FEES

This ordinance prohibits natural gas pipelines as a permitted use and modifies the review procedures and fees for amending the Plan. Current review procedures appear to be outside the scope of the law and fees should be raised.

JERSEY AVENUE PARK REDEVELOPMENT PLAN

March 14, 2007 Ord. # 07-037
Amended June 25 2008 Ord. # 08-082
Amended May 20 2009 Ord. # 09-053
Proposed Amendments November 2010

CITY OF JERSEY CITY

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INTRODUCTION

The Jersey Avenue Park Redevelopment Plan Area is approximately 60 acres in the northern section of Downtown Jersey City. The City of Hoboken is just north of the redevelopment area.

The area is comprised of existing industrial and warehouse interests. The redevelopment area also contains numerous vacant lots. The neighboring areas in both Jersey City and Hoboken are actively being redeveloped into mixed use residential, retail and office use.

Development of this area would encourage upgrading of roadways and utilities and provide for more comprehensive zoning through integrating compatible uses with the adjacent areas. The present development of the waterfront and new land uses which surround this area will contribute to the effort to encourage and attract favorable redevelopment.

I. BOUNDARY DESCRIPTION

The boundary of the Jersey Avenue Park Redevelopment Area is presented on the Redevelopment Area Boundary Map. The boundary of the Redevelopment Area can generally be described as beginning at the intersection of the centerlines of Hoboken Avenue and Jersey Avenue to the north and continuing south along Jersey Avenue to 14th Street, thence turning southwest along 14th Street to the centerline of Coles Street, thence turning south along Coles to the centerline of 12th Street, thence heading west along the centerline of 12th Street and as extended to the centerline of Hoboken Avenue, thence following the centerline of Hoboken Avenue to the north and turning east until reaching the beginning point at the centerline of Jersey Avenue.

II. REDEVELOPMENT PLAN REQUIREMENTS

Renewal activities for the Jersey Avenue Park Redevelopment Plan Area will be undertaken in conformity with, and will be designed to meet, the following objectives of the Redevelopment Plan:

A. No acquisition of private property.
B. Encouragement of the elimination of vacated, deteriorated and obsolete structures including unused industrial buildings, which adversely affect the feasibility of amenable neighborhood physical change and further development of an emerging commercial and residential area.
C. The improvement of the functional and physical layout of the Redevelopment Plan Area for contemplated new development, and the removal of impediments to land disposition.
D. The overall improvement of traffic flow through the development of new and improved vehicular and pedestrian circulation systems which provide for separation of the two movements, and the maximum use of public transportation.
E. Coordination of redevelopment activities which reinforce already existing renewal and improvement programs in the adjacent neighborhoods, in accordance with a plan that integrates the Jersey Avenue Park Redevelopment Plan Area with the rest of Jersey City.
F. Encouragement of preservation and adaptive reuse of existing structures by grandfathering their height, bulk and density if the zoning regulations contained herein are exceeded by such structures.
G. Encouragement of conservation and preservation of selective structures, including those with historical or architectural significance, by providing opportunities for adaptive reuse which will give an economic life comparable to newer structures.

H. Provision of land in parcels of sufficient size and configuration so as to permit economic redevelopment.

I. Provision of site improvements for the beautification of the Jersey Avenue Park Redevelopment Plan Area and surrounding neighborhoods.

J. Promotion of balanced development in accordance with the Fair Housing Act, (NJSA 52:27D-311), and Housing Element & Fair Share Plan of the Jersey City Master Plan.

K. Preservation and promotion of view corridors created by public streets to accentuate views of New York and the Palisades.

L. Development of a network of public open space throughout the Redevelopment Plan Area which shall be designed to improve pedestrian circulation, act as a catalyst for retail development and help to preserve important vistas.

M. Creation of major new employment and housing opportunities for the residents of Jersey City.

N. To identify and preserve significant historic features in the Redevelopment Plan Area and incorporate appropriate informational signage.

III. TYPES OF PROPOSED REDEVELOPMENT ACTIONS

It is proposed to substantially improve and upgrade the Jersey Avenue Park Redevelopment Plan Area through a combination of redevelopment actions. These will include, but not be limited to:

A. Rehabilitation of dilapidated, deteriorated, obsolete or underutilized structures where necessary.

B. Construction of new structures and complimentary facilities.

C. Provisions for public infrastructure necessary to service and support the new development.

D. Provisions of at least 10% of a residential project as a Developer's Affordable Housing Contribution shall be developed on-site or within the Redevelopment Plan Area. Non-residential projects shall participate in the Jersey City Affordable Housing Linkage Program by either: (1) constructing Affordable Housing off-site; (2) providing cash contribution for the subsidization of Affordable Housing; (3) by the financing of an Affordable Housing project. The above provision shall not apply if the City has not legally enacted an Affordable Housing Linkage Program.

IV. DESIGN OBJECTIVES AND REQUIREMENTS

A. Building Design

1. Building design shall be guided by the general characteristics of the surrounding areas and the adjacent Hamilton Park Historic District (where applicable).
2. All structures within the Redevelopment Plan 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 an harmonious appearance in terms of architectural style and exterior materials and shall be encouraged to incorporate elements found throughout the surrounding neighborhoods.
4. All east-west streets shall be maintained as important view corridors and shall, through the enforcement of setbacks, preserve and promote views of New York and the Palisades.
5. Buildings should be designed so as to have an attractive, finished

appearance when viewed from all vantage points within and outside the Redevelopment Plan Area.

6. All mechanical equipment located on the roof of any building shall be screened from view with materials harmonious with those used in the building's facade. The screening shall not impair the functioning of the equipment.
7. Buildings shall be encouraged to provide a top which shall serve to finish the building. Said top may be in the form of a cornice, a parapet, or any other indicator consistent with the design, proportions, materials and character of the building.
8. All electronic communication equipment shall be mounted in such a way that it does not negatively impact the appearance of the building on which it is placed, nor create objectionable views when seen from surrounding buildings or from the Palisades.
9. Access by the elderly, physically handicapped and/or disabled shall meet, at a minimum, barrier free design regulations as specified in the Uniform Construction Code.
10. All trash receptacles, in accordance with all appropriate State laws, shall be adequately secured, enclosed and screened on all sides by landscaping or other type of attractive materials.
11. Chain link fencing shall not be permitted except during construction.
12. All utility distribution lines and utility service connections from such lines to the area's individual uses shall be located underground.
13. Urban design elements shall be consistent with those contained in other redevelopment plans regulating other Downtown areas and shall be used throughout the Redevelopment Area.

B. Improved Open Space

1. All new development shall provide improved publicly accessible open space on all parcels as required in the appropriate district.
2. Where possible, new structures surrounding or enclosing open space should be designed and sited to allow penetration of sunlight onto open space areas during peak user time (11:00 a.m. to 2:00 p.m.).
3. Open space shall provide visual and functional elements such as benches, low walls, drinking fountains, refuse containers and planters. Suggested materials for open space amenities include stone pavers, brick, asphalt pavers and broom finish concrete.
4. Adequate lighting shall be provided to encourage active uses and a sense of security in the open space.
5. Open spaces shall be so located as to provide for maximum usability and to create a harmonious relationship between buildings and the open space throughout the Redevelopment Plan Area.
6. Through creative design, open space features shall address the need for human comfort and enjoyment and provide both active and passive leisure uses for secure and pleasant outdoor and indoor settings to meet public and private use requirements.
7. Open space shall be oriented to focus on and maintain existing views of New York and the Palisades.
8. "Vest pocket" parks shall be encouraged on small corner and mid-block parcels.
9. All open space, including plazas, shall be designed with lawns, trees,

shrubbery, attractive paving materials, street furniture, lighting and other architectural and artistic amenities to produce and provide pleasant environments at street level to compliment the buildings and project area. Open space and plazas shall be designed at a human scale to invite and attract the public.

10. As a general guide, one (1) linear foot of seating for each linear foot of plaza perimeter shall be provided. Seating space may include planters, benches, fountains, etc.

C. Landscaping and Lighting

1. Landscaping shall be required for any part of any parcel not used for buildings, off-street parking, or loading space. The developers' plan shall include plans for landscaping indicating the location, size and quantity of the various species to be used. Areas reserved for future development shall, as a minimum, be seeded with Perennial Rye Grass, or equivalent.
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 three (3) 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 dies within 2 years of planting shall be replaced by the developer.
5. Underground watering facilities shall be encouraged for all landscaped areas.
6. Trees and shrubs shall be planted along curblines of streets at a maximum of 30 feet centers or in groupings, in a regular pattern or spaced alternately on either side of streets, to further enhance the aesthetic quality of the Redevelopment Plan Area.
7. Parking areas for more than Ten (10) vehicles, all parking at service stations and auto related facilities, regardless of the number of spaces and all loading areas abutting a street, shall provide a screen planting of dense evergreen not less than three (3) feet high along any street line and along all property lines except those instances where a building intervenes or where the proposed plantings may interfere with site triangles.
8. 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 Zoning Ordinance.
9. Lighting within a site shall sufficiently illuminate all areas, including those areas where buildings are set back or offset to prevent "dark corners".
10. All lighting sources must be adequately shielded to avoid any glare. The area of illumination shall have a fairly uniform pattern averaging at least 1/2 footcandles.
11. New lighting fixtures installed as part of site improvements shall be in scale with existing street hardware and relate to the size of the project.

D. Rehabilitation of Existing Structures

1. Through the use of selective building materials, all buildings to be rehabilitated shall be encouraged to preserve the area's character.
2. Any upper level additions (i.e. additional floors, penthouses, etc.) should maintain a strong relationship to the basic design elements as well as to texture, color and scale of materials of the existing building.
3. Existing structures to be rehabilitated shall be exempt from area, yard and bulk requirements except any additions to existing structures shall not cause the total building area to exceed the floor area ratio specified in the appropriate district. In the event that an existing building exceeds the permitted floor area ratio, that structure shall not be permitted any additional floor area.
4. All rehabilitation to historic buildings shall conform to the Design Standards and Guidelines articulated in the Historic Preservation Ordinance of Jersey City.

V. TRAFFIC CIRCULATION OBJECTIVES AND GUIDELINES

A. Parking and service access should be separated from the main traffic oriented streets. These access areas shall be clearly designated and designed so as to avoid the backing in and out of vehicles onto the street ROW.

B. Shared use of accessory parking facilities shall be considered in areas adjacent to underutilized parking facilities.

C. Sight triangle areas at all intersections shall be kept clear of plantings and structures by limiting heights to a maximum of thirty (30) inches. Sight triangles shall be measured from the right-of-way line and conform to the provisions in the Jersey City Zoning Ordinance.

D. The use of public transportation by employees, residents and visitors of the Redevelopment Plan Area shall be encouraged.

E. All traffic impact studies shall incorporate, as part of the study, all projects approved or proposed in surrounding neighborhoods, in addition to impacts from the Holland Tunnel and development in Hoboken. A listing of the projects may be obtained from the Division of City Planning.

F. Traffic associated with office development shall be circulated in a manner as to not negatively impact the Hamilton Park Historic District.

G. The pedestrian circulation system shall be integrated with the roadway circulation network and shall encourage safe and improved pedestrian circulation through the following:
   1. The focus of the streetscape improvements along primary pedestrian corridors;
   2. Encourage design features, materials and activities at the street level which create an attractive and interesting pedestrian environment;
   3. Insure the safety of pedestrians by providing adequate sidewalk space and clearly defined pedestrian crossings;
   4. Direct new development to minimize pedestrian and traffic conflicts.

H. Newly established public sidewalks shall measure a minimum of 15 feet from curbline to property line where available and shall be durably paved and smoothly surfaced to provide for free movement of pedestrians. Adequate lighting and attractive landscaping shall be provided.

I. All sidewalks and pathways must be designed to provide ease of access for the physically disabled. Access ramps shall be conveniently placed and sloped at a maximum of 8.5 percent to provide easy connection to streets and sidewalks.

Design standards shall meet, at a minimum, barrier free design regulations as specified in the Uniform Construction Code.

VI. OFF-STREET PARKING AND LOADING REQUIREMENTS - see chart

A. All required parking spaces must be a minimum of 8.5 feet wide by 18 feet deep. All aisles shall be a minimum of 22 feet wide. Compact parking stalls (8x15), may be provided, up to 50%, in lots that are used for long term or all day parking.

B. 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 of 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.

C. 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 and adequately drained. All parking and loading areas shall be designed in accordance with the Zoning Ordinance.

D. The off-street parking requirements shall apply to all new construction. Required parking may be provided on-site. Parking may be permitted within five hundred (500) feet of the proposed development which it will serve only with review and approval by the Planning Board and the linking of the properties by deed.

E. The number and design of off-street loading spaces shall conform to the Zoning Ordinance of Jersey City.

F. All developments which propose valet parking shall submit a parking management plan. Such plan shall include but not be limited to: number of vehicles to be parked, number of rows of cars to be stacked, and all parking stall and aisle widths. All parking management plans shall be subject to review by the Bureau of Traffic Engineering and review and approval by the Planning Board.

G. Parking Structure Requirements - to apply to all parking garage Garage levels shall be screened so as not to give the apparent perception of garage space from all rail and street Rights-of-Ways and from all adjacent property lines. Examples of various acceptable screening and façade treatment techniques which can be utilized include the following:

- Artificial windows of the punched out style utilizing glass or decorative grillwork or a combination of same.
- Artificial building façade wrapping around the exterior of the garage.
- Extension of the ground floor or second floor window design to upper floors without the glass, but utilizing the same detailing, design, and window frame color.
- The addition of cornices, lintels, quoins, and other decorative detailing in addition to all the other façade designs.
- Emphasis of a vertical exterior façade pattern instead of the horizontal cladding associated with parking garages and their structural members.
- Interior garage lighting shall utilize only fixtures that will not readily expose the lighting source from view, thereby maintaining a soft illumination of the interior garage space. Individual fixture sources shall not be visible from the exterior. An internal lighting plan prepared by a lighting professional shall be included with any garage application for review and approval.

VII RESIDENTIAL DENSITY BONUS

This provision is applicable to all residential development and permits construction of up to 30 additional dwelling units per acre.

A. All residential projects are eligible to receive an additional bonus density not to exceed an additional 30 DU/AC, if the developer agrees to contribute to green space located within the plan area, as set forth more specifically, below.

B The green space development requirement may be satisfied by any one or combination of the following methods approved by the Planning Board as part of the Preliminary Site Plan:

- Monetary contribution to The City of Jersey City to be established in a separate account for the exclusive purpose of acquiring, developing and enhancing green space within the plan area.
- Developer donation of real property for green space development; such property to be deeded to the City in perpetuity.

C. The amount of monetary contribution or value of an equivalent in-kind contribution of land shall be calculated as follows:

- $7,500 for each additional bonus residential dwelling unit constructed under this provision over the base density permitted in the applicable district without this bonus.

D. Development utilizing this bonus provision must comply with all applicable criteria of the Area, Yard, and Bulk Chart for the applicable district, or be granted the appropriate deviations pursuant to the requirements of this Plan.

E. Satisfaction of 50% of the green space contribution requirement is a required pre-condition for the issuance of any building permit associated with the project. The remaining 50% shall be paid to the City of Jersey City prior to the issuance of any Certificate of Occupancy.

VIII. INTERIM USES

Interim uses may be established, subject to agreement between the developer(s) and the Planning Board that such use will not have an adverse affect 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. Additional renewals of an interim use may be granted by the Planning Board. Upon demolition of existing structures, the site shall be graded, planted, sodded and/or paved with a durable dust free surface in the interim use period, prior to construction of new buildings.

IX. GENERAL PROVISIONS

A. The regulations and controls in this section may be implemented where applicable by appropriate covenants, or other provisions, or agreements for land disposition and conveyance executed thereto.

B. There shall be no restriction of occupancy or use of any part of the project area on the basis of race, creed, color, age, gender, marital status or national origin. No lease, conveyance or other instrument shall be executed by a developer or any of his successors or assignees, whereby land within the project area is restricted upon the basis of race, creed, color, age, gender, marital status or national origin in the sale, lease, use or occupancy thereof.

C. No building or structure shall be constructed over public rights-of-way or easements without the written approval of the Municipal Engineer and site plan approval by the Planning Board.

D. Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the project shall be submitted by the developer

to the Planning Board of the City of Jersey City for review and approval, so that compliance of such plans with the redevelopment objectives can be determined.

E. No use or reuse shall be permitted, which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbances, 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. Roasting operations involving food products are recognized as producing some fumes and smoke. Such operations shall not be prohibited if the applicant can show such to comply with commonly accepted health and emissions standards for such operations.

F. No junked motor vehicles or parts thereof shall be permitted to be stored on the premises of any service station.

G. All residential redevelopment proposals and construction plans shall meet or exceed applicable F.H.A. and/or H.F.A. minimum room size requirements prior to Board approval.

H. 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, provided however that any development or redevelopment projects that are commenced and/or completed within said forty (40) year period shall be deemed to comply with all applicable laws, as long as they comply with the provisions of this Redevelopment Plan.

I. ~~Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Site plan review shall consist of preliminary site plan application and final site plan application. Applications may be submitted for the entire project or in any number of phases. 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 completed, or performance guarantees for site improvements for the phase have been furnished by the redeveloper in accordance with NJSA 40:55D-53. No Certificate of Occupancy of any type shall be issued for any construction until the Planning Board has given final site plan approval for the phase in which construction is located. As part of any 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 in a form approved by either 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.~~

Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the Area shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval so that compliance of such plans with the redevelopment objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases.

As part of any site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53 et seq. Such performance guarantees shall be in favor of the City in a form approved by the Jersey City Corporation Counsel. The amount

of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of on and off site improvements within one (1) year of final site plan approval.

J. Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with this Plan's requirements and the City Land Subdivision Ordinance.

K. All utility distribution lines and utility service connections from such lines to the project areas' individual uses shall be located underground.

X. SPECIFIC LAND USE PROVISIONS

- Development regulations for the Redevelopment Plan Area consist of two interrelated parts, land use district regulations and the Land Use District Map. The land use districts are designated as the Medium Rise District, the Mixed Use District and the Commercial Strip District. The area at Monmouth Street between Seventeenth and Fourteenth Streets has been dedicated solely to the Newport Electrical Substation. Uses in this area shall be necessary or ancillary to the Electrical Substation function and shall be reviewed and approved by the Planning Board.

  The Planning Board may grant deviations from the regulations contained within this redevelopment 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, or by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this redevelopment 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 such relief in an application relating to a specific piece of property where the purposes of this redevelopment plan would be advanced by a deviation from the strict requirements of this plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of this redevelopment plan.

  Notice, pursuant to NJSA 40:55D-12.a. and b., shall be given by an applicant seeking such relief.

- This redevelopment plan authorizes the planning Board to identify, review, and approve the site improvements and building improvements, including the façade design of all buildings and parking garages within the redevelopment plan area.
- All applicants shall meet with the Planning Board Technical Review Subcommittee, present their design, and work with them to receive their comments prior to a hearing of the full board.
- The following uses are prohibited from all districts within the plan area:
  - i. Junk, scrap and/or salvage yards
  - ii. Recycling facilities, storage yards or centers
  - iii. Gasoline stations outside the Commercial District [Service Station]
  - iv. Discos, Rock Clubs, Dance or Karaoke Clubs

A. Medium Rise District

This district is intended to provide a range of development activities which shall

encourage compatible uses to those which currently exist in the area. Through the encouragement of compatible building design, new construction and rehabilitation in this district shall respect, reinforce and preserve existing characteristics and east-west views, while providing transitional elements linking this district to the Hamilton Park Historic District to the south and other existing and proposed land uses to the north, east and west.

1. Principal Permitted Uses
   a. Office Buildings
   b. Residential
   c. Commercial/Retail
   d. Restaurants, Bars and Nightclubs
   e. Hotels, Health Clubs
   f. Roadways, Light Rail, Mass Transit Stations
   g. Public/Semi Public Uses
   h. Theaters
   i. House of Worship
   j. Light Industrial/Warehouse
   k. Parks/Public Open Space
   l. Day Care Centers
   m. ***Public Utilities, except that natural gas transmission lines shall be prohibited***
   ~~m.~~ ***n.*** Appropriate mixed uses of any of the above

2. Accessory Uses

   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
   e. Signs
   f. Health Clubs
   g. Day Care Centers

3. Conditional Uses (40:55D-67)

   a. Freestanding identification sign announcing or locating a specific development(s) located within 1,500 feet of said sign, but expressly prohibiting commercial advertising billboards. Such sign shall be a maximum height of fifty-five feet, and have a maximum width of twenty-five feet and be further limited to one sign per use and/or lot. The sign may be internally illuminated. All such freestanding signs shall be subject to review and approval by the Planning Board.

   b. Parking for principal uses, which must be located within five hundred (500) feet of said use.

4. Maximum Height - see chart

5. Area, Yard and Bulk Requirements – (see chart)

6. Building Design Requirements for the Medium Rise District

a. Building Facades - Non Industrial

1. Building facades of structures greater than one story shall be constructed of masonry including but not limited to stone, brick, textured concrete, etc.
2. At a height between 15 and 40 feet all buildings shall provide a horizontal visual cue, through the use of a cornice, belt coursing, change in materials or ratio of glass to solid area, or any other visual indicator consistent with the design, proportions and materials of the entire building.

b. Building Facades - Light Industrial/Warehouse

1. Building facades shall be designed to be compatible with existing buildings and/or its relationship with contiguous structures. The design shall be subject to review and approval by the Planning Board.

c. Streetscape

1. All buildings shall be designed to front on public streets in order to create a streetwall consistent with that found in the adjacent historic district.

2. All buildings shall provide a main entrance onto a public street. Other entrances may be provided from parking areas or any other place necessary by the design of the building.

3. Entrances shall be designed to be attractive and functional. Indicators such as awnings, changes in sidewalk paving materials, changes in height incorporating stairs, or any other indicator consistent with the design, proportions, material and character of the adjacent areas shall be encouraged.

d. Parking structures shall preferably be located at the rear of the principal building. Access to the structure may be provided through the front of said building. Where parking cannot be located in the rear, the facade of such parking structures shall be treated with the same materials used in the facade of the principal building.

MEDIUM RISE PRINCIPAL

	OFFICE BLDGS	RESI-DEN-TIAL	COMM. RETAIL	REST./ BARS/ N'CLUBS	HOTELS/ HEALTH CLUBS	ROADS/ LIGHT RAIL	PUBLIC/ SEMI-PUBLIC	THEATERS	HOUSES OF WORSHIP	LIGHT INDUST/ W'HOUSE	PARKS/ OPEN SPACE
HEIGHT	70'	75'	70'	70'	75'	70'	70'	70'	70'	60'	N/A
COVERAGE [1]	75%	75%	75%	75%	75%	100%	85%	75%	75%	90%	N/A
LOT AREA IN SQ. FT.	2,500	2,500	2,500	2,500	20,000	N/A	2,500	2,500	5,000	10,000	2,500
DENSITY [2]	N/A	50	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
FRONT YARD MIN.	5'	5'	5'	5'	5'	5'	5'	5'	10'	5'	N/A
FRONT YARD MAX.	15'	15'	15'	15'	15'	15'	15'	15'	N/A	15'	N/A
EACH SIDE YARD									10'		
REAR YARD	10'	10'	10'	10'	10'	10'	10'	10'	15'	10'	N/A
F.A.R. [3]	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	2.5	N/A

1 Total percentage, buildings and impervious surfaces, subject to bonus provisions of IX.F.
2 Dwelling units per acre.
3 Floor Area Ratio.

B. Commercial Strip District

This district is intended to provide for a range of development activities compatible to those which currently exist in the area.

1. Principal Permitted Uses
   a. Automotive Service Stations, not to exceed two per block
   b. Auto Lubrication and/or repair
   c. Mixed uses of the above
   d. Commercial/Retail
   e. Restaurants, Bars and Nightclubs
   f. Hotels, Motels and Health Clubs
   g. Parks/Public Open Space
   h. Light Industrial/Warehouse
   i. Day Care Centers
   j. Public Utilities, except that natural gas transmission lines shall be prohibited

2. Accessory Uses
   a. Off-street parking and loading facilities
   b. Fences and walls
   c. Signs
   d. Marketers/convenience stores as accessory to Automotive Service Stations
   e. Hand wash or roll-over type car washes providing at least five (5) stacking spaces, as accessory to automotive service stations, auto lubrication and auto repair services
   f. Day Care Centers

3. Maximum Height - see chart
4. Area, Yard and Bulk Requirements - see chart

COMMERCIAL STRIP PRINCIPAL

	SERVICE STATION	SERVICE STATION WITH CANOPY	COMM. RETAIL	REST./ BARS/ N'CLUBS	HOTELS/ MOTELS/ H'CLUBS	PARKS/ OPEN SPACE	LIGHT INDUST/ W'HOUSE
HEIGHT	15'	20'	25'	25'	100	N/A	45'
COVERAGE [3]	75%	75%	75%	75%	75%	N/A	90%
LOT AREA IN SQ. FT.	20,000 [4]	N/A	2,500	2,500	20,000	2,500	10,000
FRONT YARD	[5]	10' [6]	5'	5'	5'	N/A	5'
ONE SIDE YARD	2'	2'	2'	2'	2'	N/A	2'
BOTH SIDE YARDS	5'	5'	5'	5'	5'	N/A	5'
REAR YARD [7]	5'	5'	20'	20'	20'	N/A	20'
F.A.R. [8]	0.1	0.1	2.5	2.5	7.5	N/A	2.5

7. Total percentage, buildings and impervious surfaces, subject to bonus provisions of X.F.
8. For lots fronting on Boyle Plaza, 6,000 sq. ft.
9. From curbline: 15' for pumps, 35' for building.
10. 4 For lots fronting on Boyle Plaza, 2 ft.
11. Subject to waiver for corner lots.
12. Floor Area Ratio.

C. Mixed Use District

This district is intended to provide for the development of a mixed-use neighborhood, utilizing "New Urbanism" planning and design principals. It is the intention of these regulations that the district be developed as an integrated whole by a single developer or consortium of developers operating in a coordinated manner, and who must be a designated redeveloper(s) by the Jersey City Redevelopment Agency. These regulations shall only apply if the redeveloper(s) agrees to construct and constructs the required improvements; including the park along Coles Street between 16th and 18th Streets, the widening of Jersey Avenue, the new North/South Street adjoining the west side of the new park between 16th and 18th Streets, the reopening and/or realignment of streets within the Mixed Use District and such other infrastructure improvements necessary to support the proposed new development. Typical cross sections for streets within the Mixed Use District are provided at the end of this section.

If the above improvements are not included as part of the new development(s), then the standards of the Medium Rise District shall apply to this area. The following uses are permitted pursuant to the location requirements found on the Proposed Height and Frontage Regulating Plans contained herein:

1. Permitted Uses:

    a. Residential
    b. Offices
    c. Civic/Governmental
    d. Hotels
    e. Mixed-use of the above
    f. Open Space and Parks
    g. Public Utilities, except that natural gas transmission lines shall be prohibited

2. Accessory Uses

    a. Retail sales of goods and services
    b. Restaurants, Bars and Nightclubs
    c. Banks and financial institutions
    d. Theaters and museums
    e. Health Clubs
    f. Day Care Centers
    g. Off street parking and loading
    h. Home occupation

3. 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. Drive-thru facilities for banks, restaurants, pharmacies, and other commercial uses shall be prohibited.

4. Permitted Height: Building heights shall be as indicated on the Proposed Height Plan.

5. 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. Buildings with frontage on Jersey Avenue may exceed the indicated height by up to two (2) additional stories, provided that the additional stories cover no more than 40% of the building foot print. These additional stories may be located at the corners of the building to create a tower effect, be centrally located or located in an asymmetrical design. The intent of this regulation is to create buildings which have an interesting profile along the tops of the building, permit architectural variety and interest and prohibit buildings with plain, box-like tops.
f. Buildings with frontage on Coles Street may exceed the indicated height by no more than one (1) story, provided that the additional story covers no more than 30% of the building foot print. These additional stories may be located at the corners of the building to create a tower effect, be centrally located or located in an asymmetrical design. The intent of this regulation is to create buildings which have an interesting profile along the tops of the building, permit architectural variety and interest, and prohibit buildings with plain, box-like tops.
g. Buildings located along the side streets between Jersey Avenue and Coles Street, indicated as being six (6) stories tall on the Proposed Height Plan, may have one additional story, provided that this story is setback a minimum of 5 feet from both the front and rear façade.
h. Parapets and other roof-top appurtenances may exceed the permitted height within the limitations imposed by the City of Jersey City Land Development Ordinance.

6. Maximum Permitted Intensity of Development:

The owner/developer (designated redeveloper) may distribute permitted dwelling units and floor area among any properties owned by said owner/developer (designated redeveloper) within the Mixed Use District, provided that the distribution is consistent with the height, frontage and bulk requirements contained herein. 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 / density. Where commercial uses are constructed above the ground floor, one (1) dwelling unit shall be deducted from the permitted density for every 1,000 square feet of commercial space constructed. The permitted base gross density in this district shall be 90 dwelling units per gross acre; inclusive of all rights-of-way (measured to the center line of the right-of-way adjoining the development parcel), open space, easements, etc. (whether existing or dedicated as part of these bonus provisions) within the mixed use district.

Bonus Provisions:

- The designated developer(s) of Blocks 328, 329, 330, 366 and 367 shall be entitled to receive a bonus of 60 dwelling units per gross acre if the developer agrees to dedicate the land necessary on Blocks 328, 329 and 330 in order to widen Jersey Avenue by 20 feet and to

reconstruct Jersey Avenue to include a landscaped center median or landscaped mews along the western side of the street; and the developer(s) agrees to dedicate the land necessary to construct the park depicted on the maps included herein and to construct the park as a publicly dedicated open space. The Bonus Provisions of Section VII of this Plan are not available to Blocks 328, 329, 330, 366 and 367. Notwithstanding the above, and recognizing that development may be proposed and proceed on Blocks 328, 329 &/or 330 independent of development on Blocks 366 and 367, which would mean that the developers proceeding on Blocks 328, 329&/or 330 would be unable to dedicate land on Blocks 366 and 367 for the park; then the developer of parcels on Blocks 328, 329 &/or 330 shall be entitled to receive a bonus of 30 dwelling units per gross acre if the developer agrees to dedicate the land necessary on Blocks 328, 329 and 330 in order to widen Jersey Avenue by 20 feet and to reconstruct Jersey Avenue to include a landscaped center median or landscaped mews along the western side of the street; and the developer(s)shall be entitled to purchase up to the maximum total bonus (30 units per acre) available pursuant to Section VII of this Plan. The bonuses pursuant to Section VII of this Plan shall become available to the developer only after the developer has agreed to dedicate the land necessary on Blocks 328, 329 and/or 330 to widen Jersey Avenue by 20 feet and to reconstruct Jersey Avenue as described above. The funding raised by virtue of the purchase of these additional units shall be used to offset the acquisition &/or construction of the new park to be located on portions of Blocks 366 and 367.

- The designated developer of Block 331 shall be entitled to receive a bonus of 60 dwelling units per gross acre if the developer agrees to dedicate the land necessary on Block 331 in order to widen Jersey Avenue by 20 feet and to reconstruct Jersey Avenue and/or make necessary improvements to 18th Street, Coles Street and/or a new 19th Street; and the developer(s) agrees to purchase the maximum total bonus (30 units per acre) available pursuant to Section VII of this Plan. The bonuses pursuant to Section VII of this Plan shall become available to the developer only after the developer has agreed to dedicate the land necessary on Block 331 to widen Jersey Avenue by 20 feet and to reconstruct Jersey Avenue as described above. The funding raised by virtue of the purchase of these additional units shall be used to offset the acquisition &/or construction of the new park to be located on portions of Blocks 366 and 367.

7. 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.

Unit Type / Bedroom Count	Minimum Unit Size	Min./ Max. Percentage
Studio	600 Sq. Ft.	0% to 10%
1 – Bedroom	750 Sq. Ft.	20% to 60%
2 – Bedroom	1000 Sq. Ft.	20% to 60%
3 – Bedroom & Up	1,250 Sq. Ft. plus 150 sq. ft. for each additional bedroom over the 3rd bedroom..	0% to 30%

8. Required Lot Size: Traditional lot size requirements shall not apply within the Mixed Use District; provided, however, that all streets adjoining the block containing a proposed development shall be constructed as part of the construction of the subject development.

9. Required Setbacks

a. Residential land uses shall be setback a minimum of 5 feet and a maximum of 10 feet from the street line or sidewalk edge to provide for a traditional landscaped front yard.
b. 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 the required sidewalk width.
c. 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.
d. Additional setbacks shall be required in order to create a minimum sidewalk width of 15 feet on all streets within the Mixed Use District, except that the required minimum sidewalk width on Jersey Avenue shall be 20 feet. Such additional required area may be provided as part of a public access agreement or dedicated to the City as part of the public right of way. Street widths shall be properly sized to accommodate the required width and number of traffic lanes, parking lanes and sidewalk width. (See also the typical street cross sections provided within the Redevelopment Plan.)

10. Building Design Requirements

a. 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.

b. 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.

c. Buildings shall have a clear base, middle and top. Architectural devises, such as string courses, cornices, sub-cornices, lintels and sills, and/or horizontally differentiating surface treatments shall be used to achieve the necessary transitions.

d. 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.

e. 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.

f. 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 the building shall be articulated to resemble habitable building uses in a manner consistent with the architectural design of the main building.

g. 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.

h. 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.

i. 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 when not in use, and be of the open grate style. Similarly, windows and doors into residential lobby areas should be broad and expansive allowing views to and from the adjoining streets.

j. Windows in residential portions of a building shall be arranged in an 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.

k. 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.

l. 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.

m. 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.

n. All trash receptacle areas shall be located within buildings or parking structures.

o. All new rowhouse, townhouse, or 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.

p. The front yards of all new townhouse and rowhouse type structures shall provide decorative fencing along the property line a minimum of two (2) feet and a maximum of four (4) feet in height.

11. Typical Street Cross-sections.

a. Proposed Jersey Avenue Cross-section
b. Proposed Typical Numbered Street
c. Proposed 16th Street between Coles and Monmouth Streets
d. Proposed 17th Street "Mews"
e. Proposed New Park Street

D. Signage

1. Office/Hotel/Motel/Light Industrial/Warehouse
The total exterior sign area shall not exceed the equivalent of 5 percent of the first story portion of the wall to which it is attached. In no case shall a sign on any structure exceed 50 square ft. One (1) use shall be permitted one sign for each street frontage. Buildings with multiple uses shall have not more than one (1) sign per use provided the aggregate area of all signs does not exceed the maximum permitted for each street frontage.
2. Residential
One (1) sign may be allowed, not to exceed 20 square feet.
3. Retail Sales, Restaurants, Bars and Nightclubs
Each such use fronting on a public street may be allowed one (1) exterior sign, not to exceed 5 percent of the storefront (ground floor) to which it is attached. Properties fronting on Twelfth Street are permitted one (1) freestanding ID sign, located along that frontage, not to exceed twenty-eight (28) feet in height and not to exceed one hundred (100) square feet in sign surface area, exclusive of support members.
4. Service Stations, Auto lubrication and/or repair
a. fronting on Twelfth Street - One (1) freestanding sign displaying corporate logo, prices, and/or services rendered, not to exceed twenty-eight (28) feet in height and one hundred square feet in sign surface area, exclusive of support members.
b. fronting on Boyle Plaza - One (1) freestanding combination identification/price sign not to exceed twenty-four (24) feet in height and an area of forty-eight (48) square feet and located a minimum of ten (10) feet from the property line.

c. Additional signs on canopies and service station buildings may be permitted in accordance with the type of signs proposed, its relationship with the site and upon review and approval by the Planning Board. Existing signs exceeding the height and area limits may be grandfathered upon a showing that such are reasonable and necessary given competing signs in the area for similar uses, subject to Planning Board approval.

5. Real Estate Sales
One sign may be allowed per lot not to exceed a sign area of 6 square feet and shall be attached flush to the premises to which it applies. Where the lot abuts more than one street, 1 sign may be oriented towards each street.

6. Temporary Construction Signs
One sign for each project or development indicating the name of the project or development, general contractor, subcontractor, financing institution and public agency officials (where applicable). The sign area shall not exceed 32 square feet and shall be attached (where there is an existing structure) or freestanding (where there is new construction).

7. Sign Standards
   a. All signs shall be mounted flush to the face of the building.
   b. No sign shall be animated or flashing.
   c. Roof signs, billboards and signboards are prohibited.
   d. Window signs are prohibited above the ground floor level and shall not exceed 20 percent of the window surface to which the display appears.
   e. All buildings designated to be in character with the adjacent historic district shall have signs in keeping with the historic nature of the buildings.
   f. Freestanding signs, except for gasoline service stations, those indicating direction, transportation, circulation and parking are prohibited.
   g. All signs are subject to site plan review.

E. Parking - see chart

All surface parking and parking structures must meet the following requirements:

1. The parking structure shall be set back a minimum of ten feet except as necessary to provide ingress and egress.
2. The setback area shall be adequately landscaped to provide buffer and visual screening.
3. The building shall be designed to eliminate headlight glare by the provision of opaque screening the full height of the opening, or with the use of spandrels rising a minimum of 42 inches from the floor line.
4. The facade of the parking levels in the parking structure shall be of a compatible material to that used on the rest of the building and throughout the development, and shall be designed to provide visual interest.

OFF-STREET PARKING REQUIREMENTS

USE	Number of Parking Spaces
RESIDENTIAL	Minimum of: 1 per unit Maximum of: 1.2 per unit
OFFICE/COMMERCIAL	Minimum of .5 per 1,000sq. ft. Maximum of: 1 per 1,000 SQ. FT. GROSS FLOOR AREA
RETAIL, RESTAURANTS, BARS, NIGHTCLUBS, HEALTH CLUBS	Minimum of: 1 per 1,000 SQ. FT. GROSS FLOOR AREA Maximum of 3 per 1,000
AUTOMOBILE SERVICE STATIONS	Maximum of: 1,000 SQ. FT. GROSS FLOOR AREA or Maximum of: 1 per employee, whichever is greater
THEATERS	Minimum of: 1 per 4 SEATS
HOTELS, MOTELS	Maximum of: 1 for 1 TO 100 ROOMS; .5 for 101 and greater
PUBLIC/SEMI-PUBLIC	Minimum of: 1 per 1,000 SQ. FT. GROSS FLOOR AREA
CYBER HOTEL	Maximum of: 1 Per 10,000 SQ. FT. GROSS FLOOR AREA
HOUSES OF WORSHIP	Minimum of: 1 per 4 SEATS,(1 SEAT = 22")
LIGHT INDUSTRIAL/WAREHOUSE	Minimum of: 1 per 5,000 SQ. FT. GROSS FLOOR AREA

*At least 1 parking space shall be included within the residential leasehold of each unit.
**Residential parking may not be subleased to the retail portion of the project and no parking shall be leased as general parking or commuter parking
***A parking validation mechanism shall be implemented to insure that all parking deck users are residents or retail shoppers within the project.

F. Landscaping

The following provisions shall apply to all developments requiring site plan approval.

1. For all projects on parcels exceeding 10,000 square feet in area, all required landscaping plans shall be prepared by a Certified Landscape Architect, licensed by the State of New Jersey, for all development, redevelopment, new construction, and additions to existing development requiring site plan approval.
2. Requirements for landscaped areas are mandatory provided, however, that the following bonus provisions shall apply:
   a. For parcels of one (1) acre or less, the percent of lot area to be reserved for

non-impervious surface may be reduced by a factor of one percent (1%) of the total lot area for each tree planted on site.

a. For parcels of more than one (1) acre, the percent of lot area to be reserved for non-impervious surface may be reduced by 400 square feet of the total lot area for each tree planted on site.

c. In exercising the provisions of a. and b. above, developers showing an inability to exercise the full extent of the bonus provisions on-site may contribute trees for off-site planting in a ratio of two off-site trees for each on-site tree not able to be planted on-site. Such off-site planting shall be coordinated with the City Planning Division and the Division of Parks and Forestry. Written agreement to this effect must be submitted to the Planning Board prior to granting of this bonus provision.

d. In no case may the bonus provisions listed above, cause the total area of impervious surface to exceed 90 % for industrial development, 85% for commercial development or 80% for residential development.

XI. OTHER PROVISIONS NECESSARY TO MEET REQUIREMENTS OF STATE AND LOCAL LAWS

A. The "Redevelopment Agencies Law" N.J.S.A. 40:55C-1, et.seq., specifically, 40:55C-32 requires that a Redevelopment Plan shall:

1. Conform to the general plan for municipality as a whole; and
2. Shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvement, conservation or rehabilitation as may be proposed to be carried out in the area of the project, zoning and planning changes, if any, land uses, maximum densities, building requirements, and the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.

B. In accordance with the State requirements, the following statements are made:

1. The proposals of this Plan conform with the general plan for the municipality;
2. This plan provides an outline for the development of the Jersey Avenue Area and is sufficiently complete to indicate redevelopment improvements as proposed, planning changes, land uses, maximum densities, building requirements, and its relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, community facilities, and other public improvements.
3. The City of Jersey City, through the services of the Jersey City Redevelopment Agency relocation staff, will provide displaced businesses with relocation assistance necessitated by State law. This office will be staffed by qualified personnel who will actively assist displaced businesses in finding adequate accommodations. All businesses in finding displaced will be interviewed to determine their relocation requirements. The various elements of this Redevelopment Plan set forth above are in compliance with the requirements of State and local law and there are no additional requirements with respect to a Redevelopment Plan which have not been complied with.

XII. PROCEDURE FOR CHANGES IN APPROVED PLAN

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law. A fee of ~~$500.00~~ ***$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 N.J.S.A. 40:55C-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.~~

XIII. DEFINITIONS

ACCESSORY BUILDING, STRUCTURE OR USE: A building, structure or use which is customarily associated with and is subordinate and incidental to the principal building, structure or use and which is located on the same lot therewith. An accessory building attached to the principal building shall comply in all respects with the requirements applicable to the principal building.
BUILDING: Any structure, part of a structure, extension thereof, or addition thereto having a roof supported by columns, posts, piers, or walls and intended for the shelter, business, housing or enclosing of persons, animals, or property.

BUILDING COVERAGE: The area of a lot, that is covered with buildings. Building coverage expressed as a percentage shall mean the percentage of a lot or assemblage of lots occupied by one or more buildings. Maximum building coverage expressed as a percentage of the lot or assemblage of lots means that the lot or assemblage of lots may have that much building coverage provided the site design contains all other requirements of this Redevelopment Plan such as, but not limited to, parking, loading, buffers and circulation. If these other requirements of the ordinance are not met, the building coverage shall be reduced until all provisions of the Redevelopment Plan are satisfied.

BUILDING HEIGHT: The vertical distance measured to the highest point of the roof and measured from the mean elevation of the finished grade five (5) feet away from the foundation along the side(s) of the building facing a street, or the street line, whichever is closer to the foundation. On a corner lot, the height shall be measured from the average of the mean elevation along both streets calculated as outlined above.

CONSTRUCTION: The act of: A) adding an addition to an existing building or structure; B) the erection of a new principal or accessory building or structure on a lot or property; C) alterations.

DAY CARE CENTER: A facility for the care of preschool children while parents are at work. They are usually maintained for three or more children.

DISTRICT: Distinct zones within the Redevelopment Plan governed by standards and regulations contained within the Plan.
FLOOR AREA RATIO: The ratio of gross floor area to the lot.

GARAGE, PARKING: Buildings used exclusively for the parking or storing of motor vehicles and in which services limited to washing, polishing and other cleaning services may be provided.

GRADE: 1. For buildings adjoining one street only: the elevation of the established curb at the center of the wall adjoining the street. 2. For buildings adjoining more than one street: the average of the elevations of the established curbs at the center of all walls adjoining the streets. 3. For buildings having no wall adjoining the street: the average level of the ground adjacent to the exterior walls of the buildings. All walls approximately parallel to and not more than 15 feet from the street line are to be considered as adjoining a street.

GROSS FLOOR AREA: Gross floor area in residences shall be measured by using the outside dimension of the

building, excluding the area of a garage, attic, open porch or patio and further excluding the area used as a cellar, basement, utility, heating and cooling rooms. Only those portions of floor areas in residential structures which are at or above grade and have a ceiling height above them of seven and one-half (7.5) feet or more, or those floor areas on the top story which meet the definition of a half story shall be included in the gross floor area. In non-residential structures, floor areas used for storage and other purposes, regardless of the ceiling height, shall be included in the gross floor area, but floor areas used for parking, loading docks, utility, heating and cooling rooms shall be excluded. The gross floor area of any use sharing a common wall with another use shall be measured from the center of interior walls and the outside of exterior walls.

LIGHT INDUSTRIAL: Uses to be permitted shall include warehousing, wholesaling, shipping and receiving, manufacturing, processing, research, assembly, laboratory, testing, service, professional and governmental offices, public and quasi-public uses and other operations which do not include the production of petroleum into fuel, oil or other products or chemical processing and storage. Light Industrial uses shall not produce any adverse influences as outlined in Section VIII.E, above, provided further that existing activities not in violation of City, State or Federal law are not affected.

LOADING SPACE: An off-street space or berth on the same lot with a building or group of buildings for the temporary parking of a commercial vehicle while loading or unloading, having fifteen (15) feet of vertical clearance, and lengths and widths that meet the zoning ordinance.

LOT: A tract or parcel of land which may abut a street, but not including any portion of a street, which tract or parcel of land is legally separate from any other tract or parcel of land.

LOT AREA: The area contained within the lot lines of a lot not including any portion of a street right-of-way.

LOT COVERAGE: The square footage or other area measurements by which all buildings and paved surfaces occupy a lot as measured on a horizontal plane around the periphery of the foundations and paved areas and including the area under the roof of any structure.

LOT FRONTAGE: The horizontal distance between side lot lines measured along the street line. The minimum lot frontage shall be the same as the lot width except where side lot lines are not parallel or where the lot fronts on a street with a curved alignment having an outside radius of less than five hundred (500) feet, in which case the minimum distance between the side lot lines measured at the street line shall not be less than seventy-five (75) percent of the required minimum lot width. In the case of a corner lot, any street frontage which meets the minimum frontage required for that zone may be considered the lot frontage.

LOT LINE: Any line forming a portion of the exterior boundary of a lot and the same line as the street line for the portion of a lot abutting a street. Lot lines extend vertically in both directions from ground level.
MIXED USE: A lot or structure containing more than one (1) zoning use.

NON-CONFORMING BUILDING OR STRUCTURE: A building or structure 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 width, frontage, depth or contain the minimum area for the district in which it is located.

NON-CONFORMING USE: A use occupying a building, structure or lot which does not conform to the use regulations of the district in which it is located.

OFFICE: A place for the transaction of business where reports are prepared, records kept, and services rendered, but where no retail sales are offered and where no manufacturing, assembly or fabricating takes place.

OPEN SPACE: Part of a zoning lot including courts or yards which is unpaved and which a) is open and unobstructed from it lowest level to the sky, and b) conforms with lot coverage.

OUTDOOR STORAGE: The storage of goods and materials outside of any building or structure.

PARKING SPACE: An area measuring a minimum of eight and one-half feet in width by eighteen 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 right-of-way (ROW).

PARKING SPACE (COMPACT): An area measuring a minimum of eight feet in width by fifteen 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 ROW.

PRINCIPAL USE: The main use of land or structures as distinguished from a subordinate or accessory use.

REHABILITATION: The act or process of returning a building, object, site, structure or landscape feature to a state of utility through repair, remodeling, or alteration that makes possible an efficient contemporary use while preserving those portions or features of the building, object, site, or structure that are significant to its historical, architectural, and cultural values.

RETAIL SALES: Department stores, variety stores, apparel and accessory sales, furniture and appliance stores, grocery stores, second hand and antique stores where all sales are under roof, cleaning establishments such as dry cleaning and Laundrymats where an attendant is provided, but in no instance shall bars, service stations or drug rehabilitation centers be considered retail sales.

SCREENING: The decorative fencing or evergreen or other vegetation maintained for the purpose of concealing from view the area behind such structures or evergreen or other vegetation. When fencing is used for screening, it shall not be less than six (6) feet, nor more than eight (8) feet, in height.

SETBACK LINE: A line drawn parallel to the street line or lot line and drawn through the point of a building nearest the street line or lot line. The term "required setback" means a line that is established a minimum horizontal distance from the street line and beyond which a building or part of a building is not permitted to extend toward the street line or lot line.

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.

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.

SITE: The location of a significant event, a prehistoric or historic occupation or activity, or a building, structure, object, or landscape feature, whether standing, ruined or vanished, where the location itself maintains historical, cultural, architectural or archaeological value regardless of the value of any existing structure.

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.

STORY: That portion of a building comprised between a floor and the floor or the roof next above it. A half story is a story at the top of a building, the height of which shall not be less than seven and one-half (7.5) feet above at least one-third the area of the floor when the room is used for sleeping, study or similar activity.

STREET: Any street, avenue, boulevard, road, lane, parkway, viaduct, alley or other way which is an existing State, County, or Municipal roadway, or a street or way shown upon a plat heretofore approved pursuant to law or approved by official action pursuant to the Municipal Planning Act (R.S. 40:55-1.1 et. seq., as amended) or a street or way on a plat duly filed and recorded in the office of the County Recording Officer prior to the appointment of a planning board; and the grant to such board of the power to review plats, and any way shown on a plat approved by the City, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas and other areas within the street line.

STREET LINE: The edge of the street right-of-way forming the dividing line between the street and a lot.

STRUCTURE: An assembly of materials having a fixed location including but not limited to buildings, signs, fences, tanks, towers or poles, but excluding walks, walkways, driveways, streets, and roads.

UTILITY: Water, sewerage, telephone, gas, or electric service from a private or public utility company under the regulations of the New Jersey Public Utility Commission. On-site storage of gasoline, compressed gas, steam or use of conveyor belts, elevators, water mains, or other means of storing, servicing, or transporting goods and services on-site shall not be considered a utility. Utilities shall be considered to be semi-public uses under this plan.

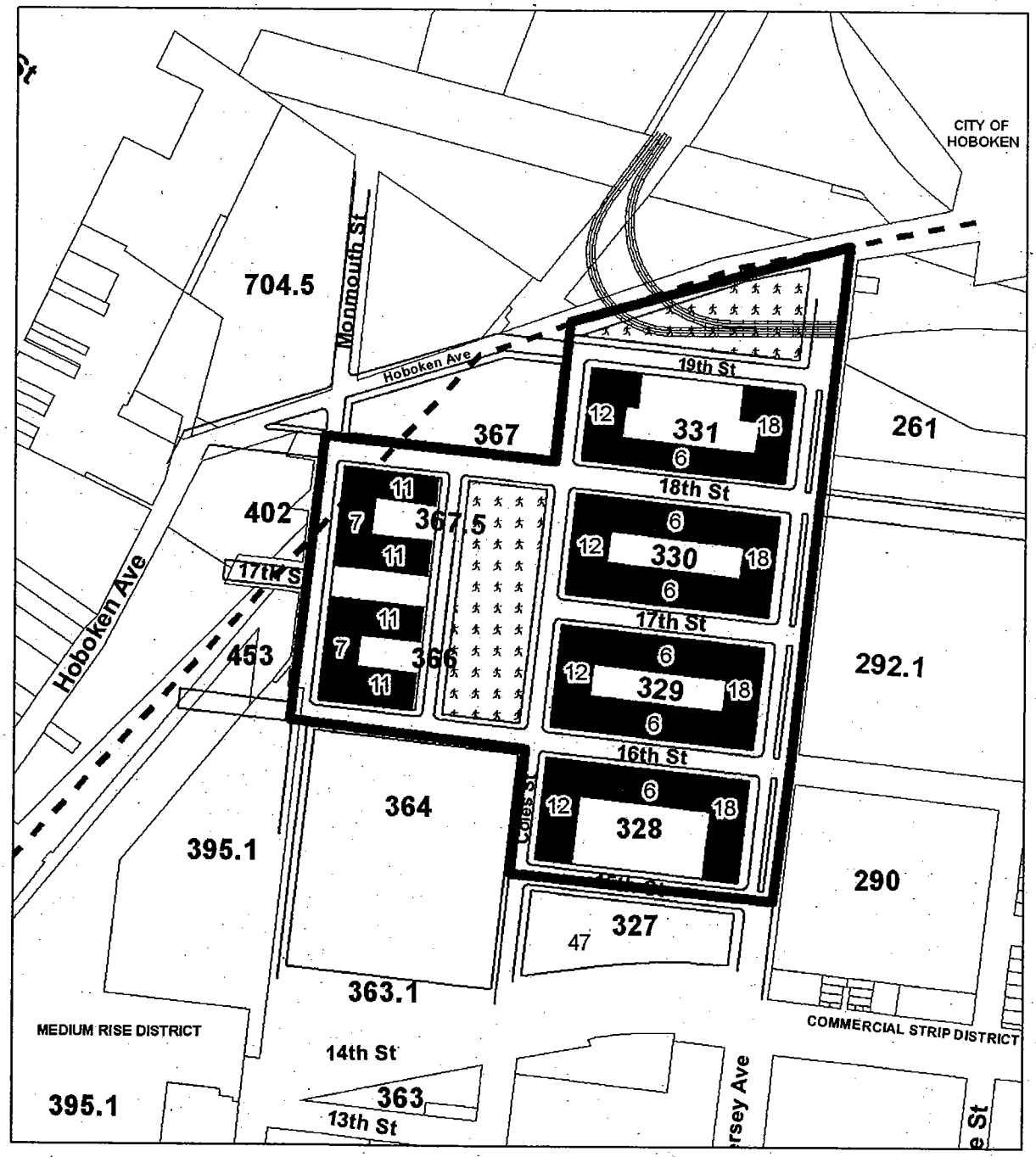
WAREHOUSE: Industrial buildings used for the storage of merchandise, components or raw materials.

YARD, FRONT: An open space extending across the full width of the lot and lying between the street line and the closest point of any building on the lot. The depth of the front yard shall be measured horizontally and at right angles to either a straight street line or the point of tangent of curved street lines. The minimum required front yard shall be the same as the required setback.

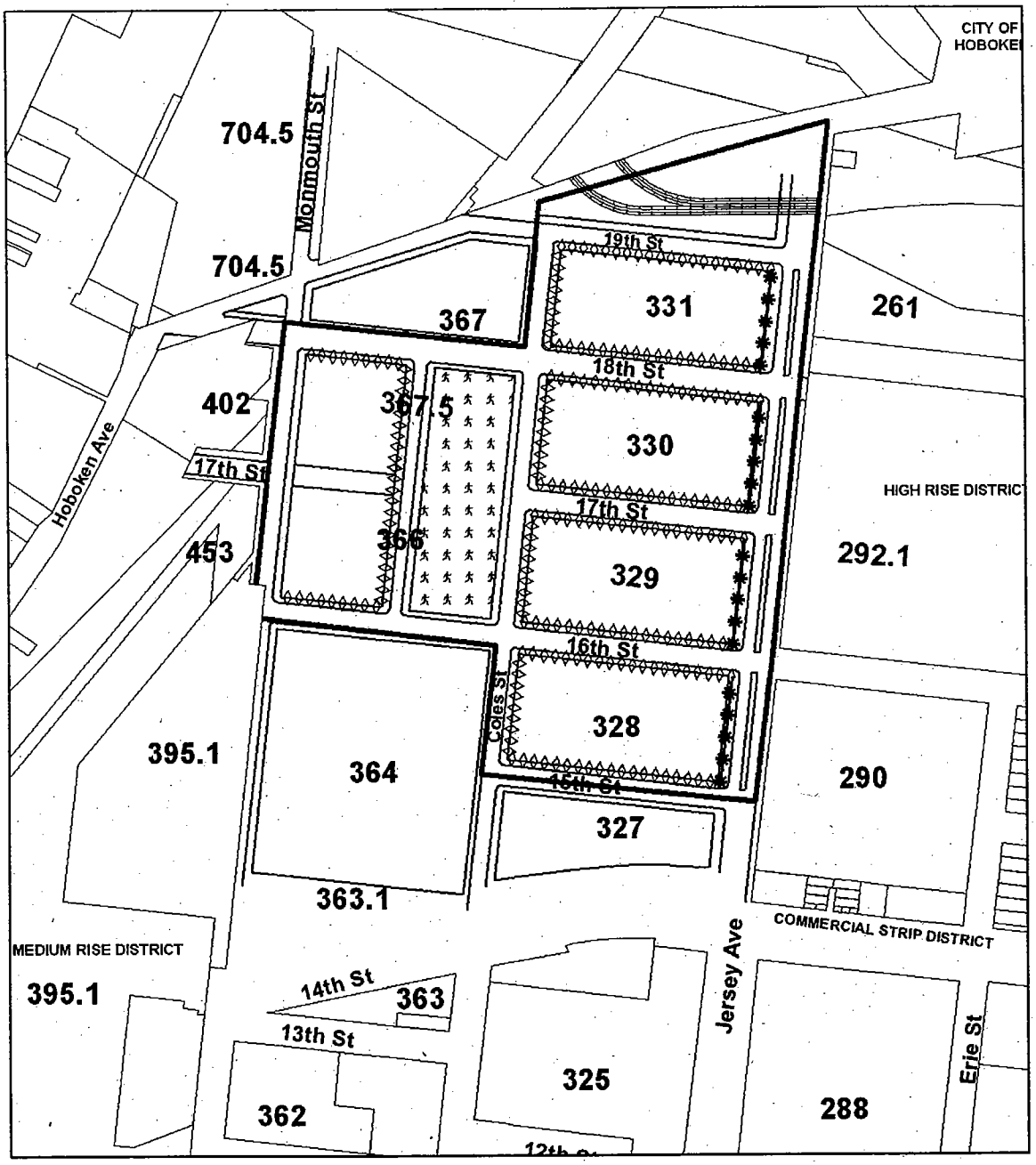
YARD, REAR: An open space extending across the full width of the lot and lying between the rear lot line and the closest point of the principal building on the lot. The depth of the rear yard shall be measured horizontally and at right angles to either a straight rear lot line or the point of tangent of curved rear lot lines. The minimum required rear yard shall be the same as the required setback.

YARD, SIDE: An open space extending from the front yard to the rear yard and lying between each side lot line and the closest point of the principal building on the lot. The width of the required side yard shall be measured horizontally and at right angles to either a straight side line or the point of tangent of curved side lot lines. The minimum required side yard shall be the same as the required setback.

See following pages.



Jersey Avenue Park Redevelopment Plan
Mixed Use District Map
Proposed Heights



Jersey Avenue Park Redevelopment Plan
Mixed Use District Map
Proposed Frontages

Legend

Frontage

Retail Required

Retail Permitted

Mixed Use District

N

0 125 250 500 Feet

City Clerk File No. Ord. 10-153

Agenda No. 3.M 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 10-153

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE JERSEY AVENUE TENTH STREET REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE AND AMENDMENT FEES

WHEREAS, the Municipal Council of the City of Jersey City adopted the Jersey Avenue Tenth Street Redevelopment Plan on March 14, 2007; and

WHEREAS, the Planning Board, at its meeting of November 15, 2010, determined that the Jersey Avenue Tenth Street Redevelopment Plan would benefit from amendments to prohibit natural gas pipelines and to revise the site plan review procedure and fees for plan amendments; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Jersey Avenue Tenth Street Redevelopment Plan is attached hereto, and made a part hereof, and is available for public inspection at the office of the City Clerk, 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 aforementioned amendments to the Jersey Avenue Tenth Street Redevelopment Plan 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.
E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

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

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required ☐

Not Required ☐

Date Submitted to B.A._____

ORDINANCE FACT SHEET

1. **Full Title of Ordinance:**

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE JERSEY AVENUE TENTH STREET REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE AND AMENDMENT FEES

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

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

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

This ordinance prohibits natural gas pipelines from the Area and updates the site plan review procedures and amendment fees.

4. **Reasons (Need) for the Proposed Program, Project, etc.:**

Natural gas pipelines are an unwanted use in the area. The current review procedures appear to be outside the scope of the law and fees should be raised.

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

Prohibition of gas pipeline. Brings review procedures into conformance with the Municipal Land Use Law.

6. **Cost of Proposed Plan, etc.:**

$0.00. Plan was prepared by Division of City Planning staff.

7. **Date Proposed Plan 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

10. **Additional Comments:**

I Certify that all the Facts Presented Herein are Accurate.

Robert D. Cotter — Nov 3, 2010
Division Director — **Date**

Deputy — November 3, 2010
Department Director Signature — **Date**

Summary Sheet:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE JERSEY AVENUE TENTH STREET REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE AND AMENDMENT FEES

This ordinance prohibits natural gas pipelines as a permitted use and modifies the review procedures and fees for amending the Plan. Current review procedures appear to be outside the scope of the law and fees should be raised.

JERSEY AVENUE
TENTH STREET
REDEVELOPMENT PLAN

Adopted
March 14, 2007 Ord. No. 07-037
Amendments Proposed November 2010

CITY OF JERSEY CITY
DIVISION OF CITY PLANNING

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INTRODUCTION

The Jersey Avenue Redevelopment Plan Area is approximately 140 acres in the northern section of Downtown Jersey City. The City of Hoboken and the Hamilton Park Historic District are north and immediately adjacent to the redevelopment area.

The area is comprised of existing commercial and residential uses with a scattering of industrial and warehouse interests. The redevelopment area also contains several vacant lots. The neighboring area in both Jersey City and Hoboken is actively being redeveloped into mixed use residential, retail and office use.

Development of this area would encourage upgrading of roadways and utilities and provide for more comprehensive zoning through integrating compatible uses with the adjacent areas. The present development of the waterfront and new land uses which surround this area will contribute to the effort to encourage and attract favorable redevelopment.

I. BOUNDARY DESCRIPTION

BEGINNING at a point at the intersection of the centerline of Luis Munoz Marin Boulevard and the Jersey City-Hoboken City Line; thence in a westerly direction for 1,140 feet along the City Line to a point; thence in a northeasterly direction for 126.72 feet along the City Line to a point at its intersection with the centerline of Hoboken Avenue; thence in a westerly direction along the centerline of Hoboken Avenue to a point at its intersection with the centerline of U.S. Routes 1 and 9; thence in an easterly direction along the centerline of U.S. Routes 1 and 9 to a point at its intersection with the right-of-way of the Conrail-New Jersey Junction Branch Railroad Main Stem; thence in a southerly direction along the right-of-way of the Conrail-New Jersey Junction Branch Railroad Main Stem to a point at its intersection with the extended centerline of Tenth Street; thence in an easterly direction along the centerline of Tenth Street to a point at its intersection with the centerline of Luis Munoz Marin Boulevard; thence in a northerly direction along the centerline of Luis Munoz Marin Boulevard to a point at its intersection with the centerline of Twelfth Street; thence in a westerly direction along the centerline of Twelfth Street to a point at its intersection with the centerline of Coles Street; thence in a northerly direction along the centerline of Coles Street to a point at its intersection with the centerline of Fourteenth Street-Boyle Plaza; thence in an easterly direction along the centerline of Fourteenth Street-Boyle Plaza to a point in its intersection with the centerline of Luis Munoz Marin Boulevard; thence in a northerly direction along the centerline of Luis Munoz Marin Boulevard to a point at its intersection with the Jersey City-Hoboken City Line, the point and place of BEGINNING.

II. REDEVELOPMENT PLAN OBJECTIVES

Renewal activities for the Jersey Avenue Redevelopment Plan Area will be undertaken in conformity with, and will be designed to meet, the following objectives of the Redevelopment Plan:

A. No acquisition of private property.

B. Encouragement of the elimination of vacated, deteriorated and obsolete structures including unused industrial buildings, which adversely affect the feasibility of amenable neighborhood physical change and further development of an emerging commercial and residential area.

C. The improvement of the functional and physical layout of the Redevelopment Plan Area for contemplated new development, and the removal of impediments to land disposition.

D. The overall improvement of traffic flow through the development of new and improved vehicular and pedestrian circulation systems which provide for separation of the two movements, and the maximum use of public transportation.

E. Coordination of redevelopment activities which reinforce already existing renewal and improvement programs in the adjacent neighborhoods, in accordance with a plan that integrates the Jersey Avenue Redevelopment Plan Area with the rest of Jersey City.

F. Encouragement of preservation and adaptive reuse of existing structures by grandfathering their height, bulk and density if the zoning regulations contained herein are exceeded by such structures.

G. Encouragement of conservation and preservation of selective structures, including those with historical or architectural significance, by providing opportunities for adaptive reuse which will give an economic life comparable to newer structures.

H. Provision of land in parcels of sufficient size and configuration so as to permit economic redevelopment.

I. Provision of site improvements for the beautification of the Jersey Avenue Redevelopment Plan Area and surrounding neighborhoods.

J. Promotion of balanced development in accordance with the Fair Housing Act, (NJSA 52:27D-311), and Housing Element & Fair Share Plan of the Jersey City Master Plan.

K. Preservation and promotion of view corridors created by public streets to accentuate views of New York and the Palisades.

L. Development of a network of public open space throughout the Redevelopment Plan Area which shall be designed to improve pedestrian circulation, act as a catalyst for retail development and help to preserve important vistas.

M. Creation of major new employment and housing opportunities for the residents of Jersey City.

III. TYPES OF PROPOSED REDEVELOPMENT ACTIONS

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

A. Rehabilitation of dilapidated, deteriorated, obsolete or underutilized structures where necessary.

B. Construction of new structures and complimentary facilities.

C. Provisions for public infrastructure necessary to service and support the new development.

D. Provisions of at least 10% of a residential project as a Developer's Affordable Housing Contribution shall be developed on-site or within the Redevelopment Plan Area. Non-residential projects shall participate in the Jersey City Affordable Housing Linkage Program by either: (1) constructing Affordable Housing off-site; (2) providing cash contribution for the subsidization of Affordable Housing; (3) by the financing of an Affordable Housing project. The above provision shall not apply if the City has not legally enacted an Affordable Housing Linkage Program.

IV. DESIGN OBJECTIVES AND REQUIREMENTS

A. Building Design

1. Building design shall be guided by the general characteristics of the surrounding properties and the adjacent Hamilton Park Historic District (where applicable).
2. All structures within the Redevelopment Plan 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 an harmonious appearance in terms of architectural style and exterior materials and shall be encouraged to incorporate elements found throughout the surrounding neighborhoods.
4. All east-west streets shall be maintained as important view corridors and shall, through the enforcement of setbacks, preserve and promote views of New York and the Palisades.
5. Buildings should be designed so as to have an attractive, finished appearance when viewed from all vantage points within and outside the Redevelopment Plan Area.
6. All major mechanical equipment located on the roof of any building shall be screened from view with materials harmonious with those used in the building's facade. The screening shall not impair the functioning of the equipment.
7. Buildings shall be encouraged to provide a top which shall serve to finish the building. Said top may be in the form of a cornice, a parapet, or any other indicator consistent with the design, proportions, materials and character of the building.
8. All electronic communication equipment shall be mounted in such a way that it does not negatively impact the appearance of the building on which it is placed, nor create objectionable views when seen from surrounding buildings or from the Palisades.
9. Access by the elderly, physically handicapped and/or disabled shall meet, at a minimum, barrier free design regulations as specified in the Uniform Construction Code.
10. All trash receptacles, in accordance with all appropriate State laws, shall be adequately secured, enclosed and screened on all sides by landscaping or other type of attractive materials.
11. Chain link fencing shall not be permitted except during construction.
12. All utility distribution lines and utility service connections from such lines to the area's individual uses shall be located underground.
13. Urban design elements shall be consistent with those contained in other redevelopment plans regulating Downtown and used throughout the Redevelopment Area.

B. Improved Open Space

1. All new development shall provide improved publicly accessible open space on all parcels as required in the appropriate district.
2. Where possible, new structures surrounding or enclosing open space should be designed and sited to allow penetration of sunlight onto open space areas during peak user time (11:00 a.m. to 2:00 p.m.).
3. Open space shall provide visual and functional elements such as benches, low walls, drinking fountains, refuse containers and planters. Suggested materials for open space amenities include stone pavers, brick, asphalt pavers and broom finish concrete.
4. Adequate lighting shall be provided to encourage active uses and a sense of security in the open space.
5. Open spaces shall be so located as to provide for maximum usability and to create a harmonious relationship between buildings and the open space throughout the Redevelopment Plan Area.
6. Through creative design, open space features shall address the need for human comfort and enjoyment and provide both active and passive leisure uses for secure and pleasant outdoor and indoor settings to meet public and private use requirements.
7. Open space shall be oriented to focus on and maintain existing views of New York and the Palisades.
8. "Vest pocket" parks shall be encouraged on small corner and midblock parcels.
9. All open space, including plazas, shall be designed with lawns, trees, shrubbery, attractive paving materials, street furniture, lighting and other architectural and artistic amenities to produce and provide pleasant environments at street level to compliment the buildings and project area. Open space and plazas shall be designed at a human scale to invite and attract the public.
10. As a general guide, one (1) linear foot of seating for each linear foot of plaza perimeter shall be provided. Seating space may include planters, benches, fountains, etc.

C. Landscaping and Lighting

1. Landscaping shall be required for any part of any parcel not used for buildings, off-street parking, or loading space. The developers' plan shall include plans for landscaping indicating the location, size and quantity of the various species to be used. Areas reserved for future development shall, as a minimum, be seeded with Perennial Rye Grass, or equivalent.
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 three (3) 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 dies within 2 years of planting shall be replaced by the developer.

5. Underground watering facilities shall be encouraged for all landscaped areas.
6. Trees and shrubs shall be planted along curblines of streets at a maximum of 40 feet centers or in groupings, in a regular pattern or spaced alternately on either side of streets, to further enhance the aesthetic quality of the Redevelopment Plan Area.
7. Parking areas for more than Ten (10) vehicles, all parking at service stations and auto related facilities, regardless of the number of spaces and all loading areas abutting a street, shall provide a screen planting of dense evergreen not less than three (3) feet high along any street line and along all property lines except those instances where a building intervenes or where the proposed plantings may interfere with site triangles.
8. 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 Zoning Ordinance.
9. Lighting within a site shall sufficiently illuminate all areas, including those areas where buildings are set back or offset to prevent "dark corners".
10. All lighting sources must be adequately shielded to avoid any glare. The area of illumination shall have a fairly uniform pattern averaging at least 1/2 footcandles.
11. New lighting fixtures installed as part of site improvements shall be in scale with existing street hardware and relate to the size of the project.

D. Rehabilitation of Existing Structures

1. Through the use of selective building materials, all buildings to be rehabilitated shall be encouraged to preserve the area's character.
2. Any upper level additions (i.e. additional floors, penthouses, etc.) should maintain a strong relationship to the basic design elements as well as to texture, color and scale of materials of the existing building.
3. Existing structures to be rehabilitated shall be exempt from area, yard and bulk requirements except any additions to existing structures shall not cause the total building area to exceed the floor area ratio specified in the appropriate district. In the event that an existing building exceeds the permitted floor area ratio, that structure shall not be permitted any additional floor area.
4. All rehabilitation to historic buildings shall conform to the Design Standards and Guidelines articulated in the Historic Preservation Ordinance of Jersey City.

V. TRAFFIC CIRCULATION OBJECTIVES AND GUIDELINES

A. Parking and service access should be separated from the main traffic oriented streets. These access areas shall be clearly designated and designed so as to avoid the backing in and out of vehicles onto the street ROW.

B. Shared use of accessory parking facilities shall be considered in areas adjacent to underutilized parking facilities.

C. Sight triangle areas at all intersections shall be kept clear of plantings and structures by limiting heights to a maximum of thirty (30) inches. Sight triangles shall be measured from the right-of-way line and conform to the provisions in Article IV, Section 28-22 of the Jersey City Zoning Ordinance.

D. The use of public transportation by employees, residents and visitors of the Redevelopment Plan Area shall be encouraged.

E. All traffic impact studies shall incorporate, as part of the study, all projects approved or proposed in surrounding neighborhoods, in addition to impacts from the Holland Tunnel and development in Hoboken. A listing of the projects may be obtained from the Division of City Planning.

F. Traffic associated with office development shall be circulated in a manner as to not negatively impact the Hamilton Park Historic District.

G. The pedestrian circulation system shall be integrated with the roadway circulation network and shall encourage safe and improved pedestrian circulation through the following:

1. The focus of the streetscape improvements along primary pedestrian corridors;
2. Encourage design features, materials and activities at the street level which create an attractive and interesting pedestrian environment;
3. Insure the safety of pedestrians by providing adequate sidewalk space and clearly defined pedestrian crossings;
4. Direct new development to minimize pedestrian and traffic conflicts.

H. Newly established public sidewalks shall measure a minimum of 10 feet from curbline to property line where available and shall be durably paved and smoothly surfaced to provide for free movement of pedestrians. Adequate lighting and attractive landscaping shall be provided.

I. All sidewalks and pathways must be designed to provide ease of access for the physically disabled. Access ramps shall be conveniently placed and sloped at a maximum of 8.5 percent to provide easy connection to streets and sidewalks. Design standards shall meet, at a minimum, barrier free design regulations as specified in the Uniform Construction Code.

VI. OFF-STREET PARKING AND LOADING REQUIREMENTS - see chart

A. All required parking spaces must be a minimum of 8.5 feet wide by 18 feet deep, as measured from the curb stop. All aisles shall be a minimum of 22 feet wide. Compact parking stalls (8x15), may be provided, up to 50%, in lots that are used for long term or all day parking.

B. 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 of 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.

C. 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 and adequately drained. All parking and loading areas shall be designed in accordance with the Zoning Ordinance.

D. The off-street parking requirements shall apply to all new construction. Required parking may be provided on-site. Parking may be permitted within five hundred (500) feet of the proposed development which it will serve only with review and approval by the Planing Board and the linking of the properties by deed.

E. The number and design of off-street loading spaces shall conform to Article IV, Section 28-18, Subsection I-1 and 2 of the Zoning Ordinance of Jersey City.

F. All developments which propose valet parking shall submit a parking management plan. Such plan shall include but not be limited to: number of vehicles to be parked, number of rows of cars to be stacked, and all parking stall and aisle widths. All parking management plans shall be subject to review by the Bureau of Traffic Engineering and review and approval by the Planning Board.

G. Parking Structure Requirements - to apply to all parking garages

Garage levels shall be screened so as not to give the apparent perception of garage space from all rail and street Rights-of-Ways and from all adjacent property lines. Examples of various acceptable screening and façade treatment techniques which can be utilized include the following:

- Artificial windows of the punched out style utilizing glass or decorative grillwork or a combination of same.
- Artificial building façade wrapping around the exterior of the garage.
- Extension of the ground floor or second floor window design to upper floors without the glass, but utilizing the same detailing, design, and window frame color.
- The addition of cornices, lintels, quoins, and other decorative detailing in addition to all the other façade designs.
- Emphasis of a vertical exterior façade pattern instead of the horizontal cladding associated with parking garages and their structural members.

Interior garage lighting shall utilize only fixtures that will not readily expose the lighting source from view, thereby maintaining a soft illumination of the interior garage space. Individual fixture sources shall not be visible from the exterior. An internal lighting plan prepared by a lighting professional shall be included with any garage application for review and approval.

VII RESIDENTIAL DENSITY BONUS

This provision is applicable to all residential development and permits construction of up to 30 additional dwelling units per acre.

A. All residential projects are eligible to receive an additional bonus density not to exceed an additional 30 DU/AC, if the developer agrees to contribute to green space located

within the plan area, as set forth more specifically, below.

B The green space development requirement may be satisfied by any one or combination of the following methods approved by the Planning Board as part of the Preliminary Site Plan:

- Monetary contribution to The City of Jersey City to be established in a separate account for the exclusive purpose of acquiring, developing and enhancing green space within the plan area.
- Developer donation of real property for green space development; such property to be deeded to the City in perpetuity.

C. The amount of monetary contribution or value of an equivalent in-kind contribution of land shall be calculated as follows:

- $5,500 for each additional bonus residential dwelling unit constructed under this provision over the base density permitted in the applicable district without this bonus.

D. Development utilizing this bonus provision must comply with all applicable criteria of the Area, Yard, and Bulk Chart for the applicable district.

E. Satisfaction of the green space contribution requirement is a required pre-condition for the issuance of any building permit associated with the project.

VIII. INTERIM USES

Interim uses may be established, subject to agreement between the developer(s) and the Planning Board that such use will not have an adverse affect 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. Additional renewals of an interim use may be granted by the Planning Board. Upon demolition of existing structures, the site shall be graded, planted, sodded and/or paved with a durable dust free surface in the interim use period, prior to construction of new buildings.

IX. GENERAL PROVISIONS

A. The regulations and controls in this section may be implemented where applicable by appropriate covenants, or other provisions, or agreements for land disposition and conveyance executed thereto.

B. There shall be no restriction of occupancy or use of any part of the project area on the basis of race, creed, color, age, gender, marital status or national origin. No lease, conveyance or other instrument shall be executed by a developer or any of his successors or assignees, whereby land within the project area is restricted upon the basis of race, creed, color, age, gender, marital status or national origin in the sale, lease, use or occupancy thereof.

C. No building or structure shall be constructed over public rights-of-way or easements without the written approval of the Municipal Engineer and site plan approval by the Planning Board.

D. Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the project shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval, so that compliance of such plans with the redevelopment objectives can be determined.

E. No use or reuse shall be permitted, which, when conducted under proper and

adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbances, 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. Roasting operations involving food products are recognized as producing some fumes and smoke. Such operations shall not be prohibited if the applicant can show such to comply with commonly accepted health and emissions standards for such operations.

F. No junked motor vehicles or parts thereof shall be permitted to be stored on the premises of any service station.

G. All residential redevelopment proposals and construction plans shall meet or exceed applicable F.H.A. and/or H.F.A. minimum room size requirements prior to Board approval.

H. 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, provided however that any development or redevelopment projects that are commenced and/or completed within said forty (40) year period shall be deemed to comply with all applicable laws, as long as they comply with the provisions of this Redevelopment Plan.

I. ~~Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Site plan review shall consist of preliminary site plan application and final site plan application. Applications may be submitted for the entire project or in any number of phases. 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 completed, or performance guarantees for site improvements for the phase have been furnished by the redeveloper in accordance with NJSA 40:55D-53. No Certificate of Occupancy of any type shall be issued for any construction until the Planning Board has given final site plan approval for the phase in which construction is located. As part of any 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 in a form approved by either 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.~~

Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the Area shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval so that compliance of such plans with the redevelopment objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases.

As part of any site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53 et seq. Such performance guarantees shall be in favor of the City in

a form approved by the Jersey City Corporation Counsel. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of on and off site improvements within one (1) year of final site plan approval.

J. Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with this Plan's requirements and the City Land Subdivision Ordinance.

K. All utility distribution lines and utility service connections from such lines to the project areas' individual uses shall be located underground.

X. SPECIFIC LAND USE PROVISIONS

- Development regulations for the Redevelopment Plan Area consist of two interrelated parts, land use district regulations and the Land Use District Map. The land use districts are designated as the Medium Rise District, High Rise District, Commercial Strip District, 10th Street Transition District and Neighborhood District. The area at Monmouth Street between Seventeenth and Fourteenth Streets has been dedicated solely to the Newport Electrical Substation. Uses in this area shall be necessary or ancillary to the Electrical Substation function and shall be reviewed and approved by the Planning Board.

  The Planning Board may grant deviations from the regulations contained within this redevelopment 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, or by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this redevelopment 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 such relief in an application relating to a specific piece of property where the purposes of this redevelopment plan would be advanced by a deviation from the strict requirements of this plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of this redevelopment plan.

  Notice, pursuant to NJSA 40:55D-12.a. and b., shall be given by an applicant seeking such relief.

- This redevelopment plan authorizes the planning Board to identify, review, and approve the site improvements and building improvements, including the façade design of all buildings and parking garages within the redevelopment plan area.
- All applicants shall meet with the Planning Board Technical Review Subcommittee, present their design, and work with them to receive their comments prior to a hearing of the full board.
- The following uses are prohibited from all districts within the plan area:
  - i. Junk, scrap and/or salvage yards
  - ii. Recycling facilities, storage yards or centers

iii. Gasoline stations outside the Commercial District, except at Block 261, Lot 10 [Service Station]

iv. Discos, Rock Clubs, Dance or Karaoke Clubs

A. Medium Rise District

This district is intended to provide a range of development activities which shall encourage compatible uses to those which currently exist in the area. Through the encouragement of compatible building design, new construction and rehabilitation in this district shall respect, reinforce and preserve existing characteristics and east-west views, while providing transitional elements linking this district to the Hamilton Park Historic District to the south and other existing and proposed land uses to the north, east and west.

The New Jersey Warehouse, Block 286, Lot G1, (716-722 Jersey Avenue), is included in the Hamilton Park Historic District. Any proposed rehabilitation to this structure shall be subject to the Design Standards and Guidelines articulated in the Historic Preservation Ordinance of Jersey City; the Historic Preservation Commission shall advise the Planning Board in accordance with NJSA 40:55D-109d.

1. Principal Permitted Uses
   a. Office Buildings
   b. Residential
   c. Commercial/Retail
   d. Restaurants, Bars and Nightclubs
   e. Hotels, Health Clubs
   f. Roadways, Light Rail, Mass Transit Stations
   g. Public/Semi Public Uses
   h. Theaters
   i. House of Worship
   j. Light Industrial/Warehouse
   k. Parks/Public Open Space
   l. Day Care Centers
   m. Public Utilities, except that natural gas transmission lines shall be prohibited
   ~~m.~~ ***n***. Appropriate mixed uses of any of the above
   ~~n.~~ ***o***. Telecommunications/Cyber Hotel only for the following two locations and provided the conditions listed below are met:

- Block and Block 361 Lot 2, Block 395.1 Lot 14, and Block 324 Lot 5. These facilities shall be located in the existing building, rehabilitated and adapted to accommodate this use in such a way as to maintain the exterior façade of the building so that it is attractive, historically appropriate, and compatible to the adjacent historic district. Small additions enclosing inner alcoves and notches of the building shall be permitted The design of these additions shall be attractive and consistent with the design of the exterior portions of the building. Existing window openings shall not be eliminated. They may be covered from the inside and maintained on the outside as original in style but false windows on the exterior. Fuel tanks may be located in the rear yard and screened with decorative fencing and a combination of evergreen and deciduous tree landscaping to screen them from view. All associated mechanicals, generators, etc. shall be located underground or interior to the existing

structure. Only air exchangers may be located on the exterior, and only if found by the Planning Board to be satisfactorily screened. Satisfactory screening shall constitute enclosure on four sides of a material matching in color design and style with the building and being at least as high as the mechanical equipment it is intended to screen. Any ancillary telecommunication technology such, as cellular antennas, may be located on the exterior of the building, provided also that they are found to be satisfactorily screened by the planning Board. Site plan approval is required for all such uses and applications. Block 395.1 Lot 14 shall be dedicated to the City as open space prior to the issuance of any building permit associated with this project. All environmental clearances shall be satisfied.

- Blocks 364, 365, 363.1, 363 Lot A 2, 329 Lots 17-21, Block 326 Lot 32A, - This facility shall be located in the existing building, rehabilitated and adapted to accommodate this use in such a way as to maintain the exterior façade of the building so that it is attractive, historically appropriate, and compatible to the adjacent historic district. Small additions enclosing inner alcoves and notches of the building shall be permitted The design of these additions shall be attractive and consistent with the design of the exterior portions of the building. Existing window openings shall not be eliminated. They may be covered from the inside and maintained on the outside as original in style but false windows on the exterior. Fuel tanks may be located in the rear yard and screened with decorative fencing and a combination of evergreen and deciduous tree landscaping to screen them from view. All associated mechanicals, generators, etc. shall be located underground or interior to the existing structure. Only air exchangers may be located on the exterior, and only if found by the Planning Board to be satisfactorily screened. Satisfactory screening shall constitute enclosure on four sides of a material matching in color design and style with the building and being at least as high as the mechanical equipment it is intended to screen. Any ancillary telecommunication technology such, as cellular antennas, may be located on the exterior of the building, provided also that they are found to be satisfactorily screened by the planning Board. Site plan approval is required for all such uses and applications. At least 1/3 of an acre, to be determined at site plan approval, of either Block 363 LotA, Block 329 Lots 17-21, or Block 326 Lot 32A shall be dedicated to the City as open space prior to the issuance of any building permit associated with the project. All environmental clearances shall be satisfied.

2. Accessory Uses

   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
   e. Signs
   f. Health Clubs
   g. Day Care Centers

3. Conditional Uses (40:55D-67)

   a. Freestanding identification sign announcing or locating a specific development(s) located within 1,500 feet of said sign, but expressly prohibiting commercial advertising billboards. Such sign shall be a maximum height of fifty-five feet, and have a

maximum width of twenty-five feet and be further limited to one sign per use and/or lot. The sign may be internally illuminated. All such freestanding signs shall be subject to review and approval by the Planning Board.

b. Parking for principal uses, which must be located within five hundred (500) feet of said use.

4. Maximum Height - see chart

5. Area, Yard and Bulk Requirements – (see chart)

6. Building Design Requirements for the Medium Rise District

a. Building Facades - Non Industrial

1. Building facades of structures greater than one story shall be constructed of masonry including but not limited to stone, brick, textured concrete, etc. Tenth Street facades shall employ color schemes and other elements complementary and harmonious in color, scale and material to those in the Hamilton Park Historic District.

2. At a height between 15 and 40 feet all buildings shall provide a horizontal visual cue, through the use of a cornice, belt coursing, change in materials or ratio of glass to solid area, or any other visual indicator consistent with the design, proportions and materials of the entire building.

b. Building Facades - Light Industrial/Warehouse

1. Building facades shall be designed to be compatible with existing buildings and/or its relationship with contiguous structures. The design shall be subject to review and approval by the Planning Board.

c. Streetscape

1. All buildings shall be designed to front on public streets in order to create a streetwall consistent with that found in the adjacent historic district.

2. All buildings shall provide a main entrance onto a public street. Other entrances may be provided from parking areas or any other place necessary by the design of the building.

MEDIUM RISE PRINCIPAL

	OFFICE BLDGS	RESI-DEN-TIAL	COMM. RETAIL	REST./ BARS/ N'CLUBS	HOTELS/ HEALTH CLUBS	ROADS/ LIGHT RAIL	PUBLIC/ SEMI-PUBLIC	THEATERS	HOUSES OF WORSHIP	LIGHT INDUST/ W'HOUSE	PARKS/ OPEN SPACE
HEIGHT	70'	75'	70'	70'	75'	70'	70'	70'	70'	60'	N/A
COVERAGE [1]	75%	75%	75%	75%	75%	100%	85%	75%	75%	90%	N/A
LOT AREA IN SQ. FT.	2,500	2,500	2,500	2,500	20,000	N/A	2,500	2,500	5,000	10,000	2,500
DENSITY [2]	N/A	50	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
FRONT YARD MIN.	5'	5'	5'	5'	5'	5'	5'	5'	10'	5'	N/A
FRONT YARD MAX.	15'	15'	15'	15'	15'	15'	15'	15'	N/A	15'	N/A
EACH SIDE YARD									10'		
REAR YARD	10'	10'	10'	10'	10'	10'	10'	10'	15'	10'	N/A
F.A.R. [3]	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	2.5	N/A

1 Total percentage, buildings and impervious surfaces, subject to bonus provisions of IX.F.
2 Dwelling units per acre.
3 Floor Area Ratio.

3. Entrances shall be designed to be attractive and functional. Indicators such as awnings, changes in sidewalk paving materials, changes in height incorporating stairs, or any other indicator consistent with the design, proportions, material and character of the adjacent areas shall be encouraged.

d. Parking structures shall preferably be located at the rear of the principal building. Access to the structure may be provided through the front of said building. Where parking cannot be located in the rear, the facade of such parking structures shall be treated with the same materials used in the facade of the principal building.

B. High Rise District

This district is intended to provide for development activities suited to high rise structures. Buildings are encouraged to reinforce streetwall design and develop active ground floor uses. Design standards are provided to encourage transitional elements harmonious with existing areas.

1. Principal Permitted Uses
   a. Office Buildings
   b. Residential
   c. Commercial/Retail
   d. Restaurants, Bars and Nightclubs
   e. Hotels, Health Clubs
   f. Roadways, Light Rail, Mass Transit Stations
   g. Public/Semi Public Uses
   h. Theaters
   i. Light Industrial/Warehouse
   j. Parks/Public Open Space
   k. Day Care Centers
   l. ***Public Utilities, except that natural gas transmission lines shall be prohibited***
   ~~l.~~ ***m***. Appropriate mixed uses of any of the above
   ~~m.~~ ***n***. Automotive Service Station on Block 261 Lot 10 only

2. Accessory Uses

   a. Off-street parking and loading facilities
   b. Fences and walls
   c. Guardhouses and employee cafeterias
   d. On-site service and maintenance operations for equipment
   e. Signs
   f. Health Clubs
   g. Day Care Centers
   h. Marketers/convenience stores as accessory use to Automotive Service stations on Block 261 Lot 10 only

3. Conditional Use (40:55D-67)

Parking for principal uses, which must be located within five hundred (500) feet of said use.

4. Maximum Height - see chart

5. Building Design Requirements for the High Rise District

a. Building Facades - Non Industrial

1. All building facades of structures greater than one story, up to a height of between 35 and 45 feet, shall consist principally of masonry, stone or textured concrete materials.
2. At a height of between 15 and 40 feet, all buildings shall provide a horizontal visual cue, through the use of a cornice, belt coursing, change in ratio of glass to solid area, or any other visual indicator consistent with the design proportions and materials of the base.

b. Building Facades - Light Industrial/Warehouse

1. Buildings used for light industrial and warehouses shall be designed to be compatible with existing buildings and/or its relationship with contiguous structures. The designs shall be subject to review by the Planning Board.

c. Streetscape

1. All buildings shall be designed to front on public streets to encourage creation of a streetwall and a pedestrian environment with human scale.
2. Main entrances into buildings shall be located on public streets. Other entrances may be provided from parking areas and/or as necessary according to the design of the structure.
3. Entrances shall be designed to be attractive and functional. Indicators such as awnings, changes in sidewalk paving material or other indicator consistent with the design, proportions, material and character of the surrounding area shall be encouraged.

d. For service stations and their accessory uses, in the High Rise District, one two-sided, free standing, combination identification / price sign shall be permitted per lot, not to exceed 18 feet in height, and not to exceed (60) sixty square feet in area on each side of said sign, to be setback at least ten feet from the property line and to be located within a landscaped area at least two times the total square area of said sign, which area must contain at least 90% coverage with lawn, evergreen plantings and beds for at least two seasonal plantings of annuals Sign setbacks may be adjusted by the Planning Board

without need of a Deviation request if it can be shown that existing buildings within 660 feet of said sign would block drivers views of such sign if same is setback the required distance.

6. Pre-Existing Status
The following acknowledgement of pre-existing status shall apply to the residential building on Block 228 Lot C4 (AKA 685-691 Luis Munoz Marin Boulevard);

The building currently located on this site is under renovation. It was approved for and partly renovated for 93 dwelling units in the existing 13 story, 149 feet structure, with accessory parking spaces internal to the building and a swimming pool to be provided for the residents. This Redevelopment Plan establishes the current zoning approval, as re-affirmed by the Zoning Board of Adjustment in their resolution of October 7, 1999, as the land use regulations and standards for this Block and Lot, except that the number of dwelling units within the existing structure may be increased by breaking-up some or all of the bi-level apartments into single level apartments, not to exceed 10% increase in the number of dwelling units. Further, this plan recognizes that the maximum number of parking spaces that can be provided for internal to the building is 13.

Minor alterations in site plan and façade characteristics may be permitted by the Planning Board provided such alterations are consistent with the redevelopment regulations and parking standards of this Plan. Any changes not consistent with this Plan are cognizable under a deviation application, and will be judged on their merits requiring a site plan application to the Planning Board.

HIGH RISE PRINCIPAL

	OFFICE BLDGS	RESI-DEN-TIAL	COMM. RETAIL	REST./ BARS/ N'CLUBS	HOTELS/ HEALTH CLUBS	ROADS/ LIGHT RAIL	PUBLIC/ SEMI-PUBLIC	THEATERS	LIGHT INDUST/ W'HOUSE	PARKS/ OPEN SPACE
HEIGHT	110'	110'	110'	110'	110'	110'	110'	110'	60'	N/A
COVERAGE [1]	75%	75%	75%	75%	75%	100%	85%	75%	90%	N/A
LOT AREA IN SQ. FT.	10,000	10,000	10,000	5,000	20,000	N/A	2,500	20,000	10,000	2,500
DENSITY [2]	N/A	90	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
FRONT YARD MIN. [3]	5' 10'	5' 10'	5' 10'	5' 10'	5' 10'	5' 10'	5' 10'	5' 10'	5' 10'	N/A
FRONT YARD MAX. [4]	15' 20'	15' 20'	15' 20'	15' 20'	15' 20'	15' 20'	15' 20'	15' 20'	15' 20'	N/A
EACH SIDE YARD	5'	5'	5'	5'	5'	5'	5'	5'	5'	N/A
REAR YARD [5]	20'	20'	20'	20'	20'	20'	20'	20'	20'	N/A
F.A.R. [6]	5	5	5	5	5	5	5	5	2.5	N/A

1 Total percentage, buildings and impervious surfaces, subject to bonus provisions of X.F.
2 Dwelling units per acre.
3 The first number is for north-south streets, the second number is for east-west streets.
4 The first number is for north-south streets, the second number is for east-west streets.
5 Subject to waiver for corner lots.
6 Floor Area Ratio.

C. Commercial Strip District

This district is intended to provide for a range of development activities compatible to those which currently exist in the area.

1. Principal Permitted Uses
   a. Automotive Service Stations, not to exceed two per block
   b. Auto Lubrication and/or repair
   c. Mixed uses of the above
   d. Commercial/Retail
   e. Restaurants, Bars and Nightclubs
   f. Hotels, Motels and Health Clubs
   g. Parks/Public Open Space
   h. Light Industrial/Warehouse
   i. Day Care Centers
   j. Public Utilities, except that natural gas transmission lines shall be prohibited

2. Accessory Uses
   a. Off-street parking and loading facilities
   b. Fences and walls
   c. Signs
   d. Marketers/convenience stores as accessory to Automotive Service Stations
   e. Hand wash or roll-over type car washes providing at least five (5) stacking spaces, as accessory to automotive service stations, auto lubrication and auto repair services
   f. Day Care Centers

3. Maximum Height - see chart
4. Area, Yard and Bulk Requirements - see chart

COMMERCIAL STRIP PRINCIPAL

	SERVICE STATION	SERVICE STATION WITH CANOPY	COMM. RETAIL	REST./ BARS/ N'CLUBS	HOTELS/ MOTELS/ H'CLUBS	PARKS/ OPEN SPACE	LIGHT INDUST/ W'HOUSE
HEIGHT	15'	20'	25'	25'	50'	N/A	45'
COVERAGE [7]	75%	75%	75%	75%	75%	N/A	90%
LOT AREA IN SQ. FT.	20,000 [8]	N/A	2,500	2,500	20,000	2,500	10,000
FRONT YARD	[9]	10' [10]	5'	5'	5'	N/A	5'
ONE SIDE YARD	2'	2'	2'	2'	2'	N/A	2'
BOTH SIDE YARDS	5'	5'	5'	5'	5'	N/A	5'
REAR YARD [11]	5'	5'	20'	20'	20'	N/A	20'
F.A.R. [12]	0.1	0.1	2.5	2.5	3.75	N/A	2.5

7. Total percentage, buildings and impervious surfaces, subject to bonus provisions of X.F.
8. For lots fronting on Boyle Plaza, 6,000 sq. ft.
9. From curbline: 15' for pumps, 35' for building.
10. 4 For lots fronting on Boyle Plaza, 2 ft.
11. Subject to waiver for corner lots.
12. Floor Area Ratio.

D. 10th Street Transition District

Purpose

This district is a residential corridor intended to act as a transition zone between the Hamilton Park Historic District and the adjacent Medium Rise and Commercial Districts beyond the Eleventh Street viaduct and Conrail right of way, respectively. The Transition District provides for only residential development with the exception of a commercial principle use permitted on Block 218 Lot 5B, and a ground floor commercial retail use as a permitted accessory use. Through the encouragement of compatible building design, new construction and rehabilitation in this district shall respect, reinforce and preserve existing characteristics and east-west views, while providing transitional elements linking this district to the Hamilton Park Historic District to the south.

The New Jersey Warehouse, Block 286, Lot G1, (716-722 Jersey Avenue), is included in the Hamilton Park Historic District. Any proposed rehabilitation to this structure shall be subject to the Design Standards and Guidelines articulated in the Historic Preservation Ordinance of Jersey City; the Historic Preservation Commission shall advise the Planning Board in accordance with NJSA 40:55D-109d.

1. Permitted Uses
   - Residential
   - Parks/Public Open Space
   - Block 218, Lot B5, within existing Grainery Building only: Commercial/Retail, Restaurant or Brew-Pub, but specifically excluding Discos, Rock, Dance or Karaoke Clubs
   - Multi-family dwelling or office usage within the existing building on Block 286 Lot G1, (716-722 Jersey Avenue)
   - ***Public Utilities, except that natural gas transmission lines shall be prohibited***

2. Accessory Uses
   - On-Site/Off-Street Parking & Loading Facilities
   - Fences & Walls
   - Signs
   - Health Clubs
   - Ground floor retail space

3. Area Yard, and Bulk Requirements - Transition District (See Chart)
   - Existing structures to be rehabilitated shall be exempt from area, yard and bulk requirements except any additions to existing structures shall not cause the total building area to exceed the floor area ratio specified in the appropriate district. In the event that an existing building exceeds the permitted floor area ratio, that structure shall not be permitted any additional floor area.

10th STREET TRANSITION DISTRICT
AREA, YARD & BULK CHART

	RESIDENTIAL	RESIDENTIAL BONUS MAXIMUM (Proportional to # of DU/AC)	RESTAURANT
MAX. HEIGHT	45'	70'	Existing Condition
MAX. LOT COVERAGE [1]	60 %	75%	90%
MIN. LOT AREA IN SQ. FT.[4]	2,000 sq. ft.		Existing Condition
MAX. DENSITY [2]	50 DU/AC	80 DU/AC	
MIN. FRONT YARD	5'	5'	Existing Condition
MAX. FRONT YARD	10'	15'	Existing Condition
MIN. EACH SIDE YARD			
MIN. REAR YARD	25'	20'	Existing Condition
MAX. F.A.R. [3]	2.4	3.75	

1 Total percentage, buildings and impervious surfaces
2 Dwelling units per acre.
3 Floor Area Ratio
4. Not including Park & Recreation Area space

4. Building Design Requirements for the Transition District

Building Facades

- Building design and exterior materials of all new construction, renovations and re-use within the Transition District shall be consistent with to the Design Standards, Section IV of this redevelopment plan and the Design Guidelines of the Historic Preservation Districts entitled, Regulations for Alterations & Additions to Buildings & New Construction in Historic Districts.
- Building facades of structures shall be constructed of masonry including but not limited to stone, brick, textured concrete, etc. Concrete block is prohibited. Street facades shall employ color schemes and other elements complementary and harmonious in color, scale and material to those in the Hamilton Park Historic District.
- At a height between 15 and 40 feet all buildings shall provide a horizontal visual cue, through the use of a cornice, belt coursing, change in materials or ratio of glass to solid area, or any other visual indicator consistent with the design, proportions and materials of the entire building.
- The stone retaining wall located along the North side of 10th Street and adjoining side streets defines "a sense of place" for the district. It shall be preserved, repaired and maintained. Any breaks in the wall necessitated for entry from 10th Street and adjoining roadways shall be kept to a minimum. All stone

removed for these entry points shall be relocated on site and utilized as a design feature or accent linking the wall to the fabric of the remainder of the site's development.

- All buildings shall be designed to front on public streets in order to create a street wall consistent with that found in the adjacent historic district.
- All buildings shall provide a main entrance onto a public street. Other secondary entrances may be provided from parking areas or any other place necessary by the design of the building.
- Entrances shall be designed to be attractive and functional. Indicators such as awnings, changes in sidewalk paving materials, changes in height incorporating stairs or any other indicator shall be incorporated into the main entrance design. These indicators shall be consistent with the design, proportions, material and character of the Hamilton Park Historic District and other adjacent conforming buildings within the Transition District along 10th Street.

E. Neighborhood District

1. Permitted Uses
   - Residential
   - Parks/Public Open Space
   - Restaurants
   - Office/retail
   - ***Public Utilities, except that natural gas transmission lines shall be prohibited***

2. Accessory Uses
   - On-Site/Off-Street Parking & Loading Facilities
   - Fences & Walls
   - Signs
   - Health Clubs
   - Ground floor retail space
   - Day Care Centers

3. Area Yard, and Bulk Requirements – (See Medium Rise District Chart)

   - Existing structures to be rehabilitated shall be exempt from area, yard and bulk requirements except any additions to existing structures shall not cause the total building area to exceed the floor area ratio specified in the appropriate district. In the event that an existing building exceeds the permitted floor area ratio, that structure shall not be permitted any additional floor area.

4. Building Design Requirements for the Neighborhood District

   Building Facades

   - Building design and exterior materials of all new construction, renovations and re-use within the Neighborhood District shall conform

to the Design Standards, Section IV of this redevelopment plan and the Design Guidelines of the Historic Preservation Districts entitled, Regulations for Alterations & Additions to Buildings & New Construction In Historic Districts

- Building facades of structures shall be constructed of masonry including but not limited to stone, brick, textured concrete, etc. Concrete block is prohibited. Street facades shall employ color schemes and other elements complementary and harmonious in color, scale and material to those in the Hamilton Park Historic District.

- At a height between 15 and 40 feet all buildings shall provide a horizontal visual cue, through the use of a cornice, belt coursing, change in materials or ratio of glass to solid area, or any other visual indicator consistent with the design, proportions and materials of the entire building.

- All buildings shall be designed to front on public streets in order to create a uniform street wall.

- All buildings shall provide a main entrance onto a public street. Other secondary entrances may be provided from parking areas or any other place necessary by the design of the building.

- Entrances shall be designed to be attractive and functional. Indicators such as awnings, changes in sidewalk paving materials, changes in height incorporating stairs or any other indicator shall be incorporated into the main entrance design. These indicators shall similar in design, proportions, material and character of the Neighborhood District and other adjacent conforming buildings.

F. Signage

1. Office/Hotel/Motel/Light Industrial/Warehouse
The total exterior sign area shall not exceed the equivalent of 5 percent of the first story portion of the wall to which it is attached. In no case shall a sign on any structure exceed 50 square ft. One (1) use shall be permitted one sign for each street frontage. Buildings with multiple uses shall have not more than one (1) sign per use provided the aggregate area of all signs does not exceed the maximum permitted for each street frontage.
2. Residential
One (1) sign may be allowed, not to exceed 20 square feet.
3. Retail Sales, Restaurants, Bars and Nightclubs
Each such use fronting on a public street may be allowed one (1) exterior sign, not to exceed 5 percent of the storefront (ground floor) to which it is attached. Properties fronting on Twelfth Street are permitted one (1) freestanding ID sign, located along that frontage, not to exceed twenty-eight (28) feet in height and not to exceed one

hundred (100) square feet in sign surface area, exclusive of support members.

4. Service Stations, Auto lubrication and/or repair
   a. fronting on Twelfth Street - One (1) freestanding sign displaying corporate logo, prices, and/or services rendered, not to exceed twenty-eight (28) feet in height and one hundred square feet in sign surface area, exclusive of support members.
   b. fronting on Boyle Plaza - One (1) freestanding combination identification/price sign not to exceed twenty-four (24) feet in height and an area of forty-eight (48) square feet and located a minimum of ten (10) feet from the property line.
   c. Additional signs on canopies and service station buildings may be permitted in accordance with the type of signs proposed, its relationship with the site and upon review and approval by the Planning Board. Existing signs exceeding the height and area limits may be grandfathered upon a showing that such are reasonable and necessary given competing signs in the area for similar uses, subject to Planning Board approval.
5. Real Estate Sales
   One sign may be allowed per lot not to exceed a sign area of 6 square feet and shall be attached flush to the premises to which it applies. Where the lot abuts more than one street, 1 sign may be oriented towards each street.
6. Temporary Construction Signs
   One sign for each project or development indicating the name of the project or development, general contractor, subcontractor, financing institution and public agency officials (where applicable). The sign area shall not exceed 32 square feet and shall be attached (where there is an existing structure) or freestanding (where there is new construction).
7. Sign Standards
   a. All signs shall be mounted flush to the face of the building.
   b. No sign shall be animated or flashing.
   c. Roof signs, billboards and signboards are prohibited.
   d. Window signs are prohibited above the ground floor level and shall not exceed 20 percent of the window surface to which the display appears.
   e. All buildings designated to be in character with the adjacent historic district shall have signs in keeping with the historic nature of the buildings.
   f. Freestanding signs, except for gasoline service stations, those indicating direction, transportation, circulation and parking are prohibited.
   g. All signs are subject to site plan review.

G. Parking - see chart

All surface parking and parking structures must meet the following requirements:

1. The parking structure shall be set back a minimum of ten feet except as necessary to provide ingress and egress.
2. The setback area shall be adequately landscaped to provide buffer and visual screening.
3. The building shall be designed to eliminate headlight glare by the provision of opaque screening the full height of the opening, or with the use of spandrels rising a minimum

of 42 inches from the floor line.

4. The facade of the parking levels in the parking structure shall be of a compatible material to that used on the rest of the building and throughout the development, and shall be designed to provide visual interest.

OFF-STREET PARKING REQUIREMENTS

USE	Number of Parking Spaces
RESIDENTIAL	Minimum of: 1 per unit Maximum of: 1.2 per unit
OFFICE/COMMERCIAL	Minimum of .5 per 1,000sq. ft. Maximum of: 1 per 1,000 SQ. FT. GROSS FLOOR AREA
RETAIL, RESTAURANTS, BARS, NIGHTCLUBS, HEALTH CLUBS	Minimum of: 1 per 1,000 SQ. FT. GROSS FLOOR AREA Maximum of 3 per 1,000
AUTOMOBILE SERVICE STATIONS	Maximum of: 1,000 SQ. FT. GROSS FLOOR AREA or Maximum of: 1 per employee, whichever is greater
THEATERS	Minimum of: 1 per 4 SEATS
HOTELS, MOTELS	Maximum of: 1 for 1 TO 100 ROOMS; .5 for 101 and greater
PUBLIC/SEMI-PUBLIC	Minimum of: 1 per 1,000 SQ. FT. GROSS FLOOR AREA
CYBER HOTEL	Maximum of: 1 Per 10,000 SQ. FT. GROSS FLOOR AREA
HOUSES OF WORSHIP	Minimum of: 1 per 4 SEATS,(1 SEAT = 22")
LIGHT INDUSTRIAL/WAREHOUSE	Minimum of: 1 per 5,000 SQ. FT. GROSS FLOOR AREA

*At least 1 parking space shall be included within the residential leasehold of each unit.
**Residential parking may not be subleased to the retail portion of the project and no parking shall be leased as general parking or commuter parking
***A parking validation mechanism shall be implemented to insure that all parking deck users are residents or retail shoppers within the project.

H. Landscaping

The following provisions shall apply to all developments requiring site plan approval.

1. For all projects on parcels exceeding 10,000 square feet in area, all required

landscaping plans shall be prepared by a Certified Landscape Architect, licensed by the State of New Jersey, for all development, redevelopment, new construction, and additions to existing development requiring site plan approval.

2. Requirements for landscaped areas are mandatory provided, however, that the following bonus provisions shall apply:
   a. For parcels of one (1) acre or less, the percent of lot area to be reserved for non-impervious surface may be reduced by a factor of one percent (1%) of the total lot area for each tree planted on site.
   b. For parcels of more than one (1) acre, the percent of lot area to be reserved for non-impervious surface may be reduced by 400 square feet of the total lot area for each tree planted on site.
   c. In exercising the provisions of a. and b. above, developers showing an inability to exercise the full extent of the bonus provisions on-site may contribute trees for off-site planting in a ratio of two off-site trees for each on-site tree not able to be planted on-site. Such off-site planting shall be coordinated with the City Planning Division and the Division of Parks and Forestry. Written agreement to this effect must be submitted to the Planning Board prior to granting of this bonus provision.
   d. In no case may the bonus provisions listed above, cause the total area of impervious surface to exceed 90 % for industrial development, 85% for commercial development or 80% for residential development.

XI. OTHER PROVISIONS NECESSARY TO MEET REQUIREMENTS OF STATE AND LOCAL LAWS

A. The "Redevelopment Agencies Law" N.J.S.A. 40:55C-1, et.seq., specifically, 40:55C-32 requires that a Redevelopment Plan shall:
   1. Conform to the general plan for municipality as a whole; and
   2. Shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvement, conservation or rehabilitation as may be proposed to be carried out in the area of the project, zoning and planning changes, if any, land uses, maximum densities, building requirements, and the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.

B. In accordance with the State requirements, the following statements are made:
   1. The proposals of this Plan conform with the general plan for the municipality;
   2. This plan provides an outline for the development of the Jersey Avenue Area and is sufficiently complete to indicate redevelopment improvements as proposed, planning changes, land uses, maximum densities, building requirements, and its relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, community facilities, and other public improvements.
   3. The City of Jersey City, through the services of the Jersey City Redevelopment Agency relocation staff, will provide displaced businesses with relocation assistance necessitated by State law. This office will be staffed by qualified personnel who will actively assist displaced businesses in finding adequate accommodations. All businesses in finding displaced will be interviewed to determine their relocation requirements. The various elements of this Redevelopment Plan set forth above are in

compliance with the requirements of State and local law and there are no additional requirements with respect to a Redevelopment Plan which have not been complied with.

XII. PROCEDURE FOR CHANGES IN APPROVED PLAN

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law. A fee of ~~$500.00~~ ***$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 N.J.S.A. 40:55C-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.~~

XIII. DEFINITIONS

ACCESSORY BUILDING, STRUCTURE OR USE: A building, structure or use which is customarily associated with and is subordinate and incidental to the principal building, structure or use and which is located on the same lot therewith. An accessory building attached to the principal building shall comply in all respects with the requirements applicable to the principal building.
BUILDING: Any structure, part of a structure, extension thereof, or addition thereto having a roof supported by columns, posts, piers, or walls and intended for the shelter, business, housing or enclosing of persons, animals, or property.

BUILDING COVERAGE: The area of a lot, that is covered with buildings. Building coverage expressed as a percentage shall mean the percentage of a lot or assemblage of lots occupied by one or more buildings. Maximum building coverage expressed as a percentage of the lot or assemblage of lots means that the lot or assemblage of lots may have that much building coverage provided the site design contains all other requirements of this Redevelopment Plan such as, but not limited to, parking, loading, buffers and circulation. If these other requirements of the ordinance are not met, the building coverage shall be reduced until all provisions of the Redevelopment Plan are satisfied.

BUILDING HEIGHT: The vertical distance measured to the highest point of the roof and measured from the mean elevation of the finished grade five (5) feet away from the foundation along the side(s) of the building facing a street, or the street line, whichever is closer to the foundation. On a corner lot, the height shall be measured from the average of the mean elevation along both streets calculated as outlined above.

CONSTRUCTION: The act of: A) adding an addition to an existing building or structure; B) the erection of a new principal or accessory building or structure on a lot or property; C) alterations.

DAY CARE CENTER: A facility for the care of preschool children while parents are at work. They are usually maintained for three or more children.

DISTRICT: Distinct zones within the Redevelopment Plan governed by standards and regulations contained within the Plan.
FLOOR AREA RATIO: The ratio of gross floor area to the lot.

GARAGE, PARKING: Buildings used exclusively for the parking or storing of motor vehicles and in which services limited to washing, polishing and other cleaning services may be provided.

GRADE: 1. For buildings adjoining one street only: the elevation of the established curb at the center of the wall adjoining the street. 2. For buildings adjoining more than one street: the average of the elevations of the established

curbs at the center of all walls adjoining the streets. 3. For buildings having no wall adjoining the street: the average level of the ground adjacent to the exterior walls of the buildings. All walls approximately parallel to and not more than 15 feet from the street line are to be considered as adjoining a street.

GROSS FLOOR AREA: Gross floor area in residences shall be measured by using the outside dimension of the building, excluding the area of a garage, attic, open porch or patio and further excluding the area used as a cellar, basement, utility, heating and cooling rooms. Only those portions of floor areas in residential structures which are at or above grade and have a ceiling height above them of seven and one-half (7.5) feet or more, or those floor areas on the top story which meet the definition of a half story shall be included in the gross floor area. In non-residential structures, floor areas used for storage and other purposes, regardless of the ceiling height, shall be included in the gross floor area, but floor areas used for parking, loading docks, utility, heating and cooling rooms shall be excluded. The gross floor area of any use sharing a common wall with another use shall be measured from the center of interior walls and the outside of exterior walls.

LIGHT INDUSTRIAL: Uses to be permitted shall include warehousing, wholesaling, shipping and receiving, manufacturing, processing, research, assembly, laboratory, testing, service, professional and governmental offices, public and quasi-public uses and other operations which do not include the production of petroleum into fuel, oil or other products or chemical processing and storage. Light Industrial uses shall not produce any adverse influences as outlined in Section VIII.E, above, provided further that existing activities not in violation of City, State or Federal law are not affected.

LOADING SPACE: An off-street space or berth on the same lot with a building or group of buildings for the temporary parking of a commercial vehicle while loading or unloading, having fifteen (15) feet of vertical clearance, and lengths and widths that meet the zoning ordinance.

LOT: A tract or parcel of land which may abut a street, but not including any portion of a street, which tract or parcel of land is legally separate from any other tract or parcel of land.

LOT AREA: The area contained within the lot lines of a lot not including any portion of a street right-of-way.

LOT COVERAGE: The square footage or other area measurements by which all buildings and paved surfaces occupy a lot as measured on a horizontal plane around the periphery of the foundations and paved areas and including the area under the roof of any structure.

LOT FRONTAGE: The horizontal distance between side lot lines measured along the street line. The minimum lot frontage shall be the same as the lot width except where side lot lines are not parallel or where the lot fronts on a street with a curved alignment having an outside radius of less than five hundred (500) feet, in which case the minimum distance between the side lot lines measured at the street line shall not be less than seventy-five (75) percent of the required minimum lot width. In the case of a corner lot, any street frontage which meets the minimum frontage required for that zone may be considered the lot frontage.

LOT LINE: Any line forming a portion of the exterior boundary of a lot and the same line as the street line for the portion of a lot abutting a street. Lot lines extend vertically in both directions from ground level.
MIXED USE: A lot or structure containing more than one (1) zoning use.

NON-CONFORMING BUILDING OR STRUCTURE: A building or structure 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 width, frontage, depth or contain the minimum area for the district in which it is located.

NON-CONFORMING USE: A use occupying a building, structure or lot which does not conform to the use regulations of the district in which it is located.

OFFICE: A place for the transaction of business where reports are prepared, records kept, and services rendered, but where no retail sales are offered and where no manufacturing, assembly or fabricating takes place.

OPEN SPACE: Part of a zoning lot including courts or yards which is unpaved and which a) is open and unobstructed from it lowest level to the sky, and b) conforms with lot coverage.

OUTDOOR STORAGE: The storage of goods and materials outside of any building or structure.

PARKING SPACE: An area measuring a minimum of eight and one-half feet in width by eighteen 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 right-of-way (ROW).

PARKING SPACE (COMPACT): An area measuring a minimum of eight feet in width by fifteen 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 ROW.

PRINCIPAL USE: The main use of land or structures as distinguished from a subordinate or accessory use.

REHABILITATION: The act or process of returning a building, object, site, structure or landscape feature to a state of utility through repair, remodeling, or alteration that makes possible an efficient contemporary use while preserving those portions or features of the building, object, site, or structure that are significant to its historical, architectural, and cultural values.

RETAIL SALES: Department stores, variety stores, apparel and accessory sales, furniture and appliance stores, grocery stores, second hand and antique stores where all sales are under roof, cleaning establishments such as dry cleaning and laundromats where an attendant is provided, but in no instance shall bars, service stations or drug rehabilitation centers be considered retail sales.

SCREENING: The decorative fencing or evergreen or other vegetation maintained for the purpose of concealing from view the area behind such structures or evergreen or other vegetation. When fencing is used for screening, it shall not be less than six (6) feet, nor more than eight (8) feet, in height.

SETBACK LINE: A line drawn parallel to the street line or lot line and drawn through the point of a building nearest the street line or lot line. The term "required setback" means a line that is established a minimum horizontal distance from the street line and beyond which a building or part of a building is not permitted to extend toward the street line or lot line.

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.

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.

SITE: The location of a significant event, a prehistoric or historic occupation or activity, or a building, structure, object, or landscape feature, whether standing, ruined or vanished, where the location itself maintains historical, cultural, architectural or archaeological value regardless of the value of any existing structure.

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.

STORY: That portion of a building comprised between a floor and the floor or the roof next above it. A half story is a story at the top of a building, the height of which shall not be less than seven and one-half (7.5) feet above at least one-third the area of the floor when the room is used for sleeping, study or similar activity.

STREET: Any street, avenue, boulevard, road, lane, parkway, viaduct, alley or other way which is an existing State, County, or Municipal roadway, or a street or way shown upon a plat heretofore approved pursuant to law or approved by official action pursuant to the Municipal Planning Act (R.S. 40:55-1.1 et. seq., as amended) or a street or way on a plat duly filed and recorded in the office of the County Recording Officer prior to the appointment of a planning board; and the grant to such board of the power to review plats, and any way shown on a plat approved by the City, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas and other areas within the street line.

STREET LINE: The edge of the street right-of-way forming the dividing line between the street and a lot.

STRUCTURE: An assembly of materials having a fixed location including but not limited to buildings, signs, fences, tanks, towers or poles, but excluding walks, walkways, driveways, streets, and roads.

UTILITY: Water, sewerage, telephone, gas, or electric service from a private or public utility company under the regulations of the New Jersey Public Utility Commission. On-site storage of gasoline, compressed gas, steam or use of conveyor belts, elevators, water mains, or other means of storing, servicing, or transporting goods and services on-site shall not be considered a utility. Utilities shall be considered to be semi-public uses under this plan.

WAREHOUSE: Industrial buildings used for the storage of merchandise, components or raw materials.

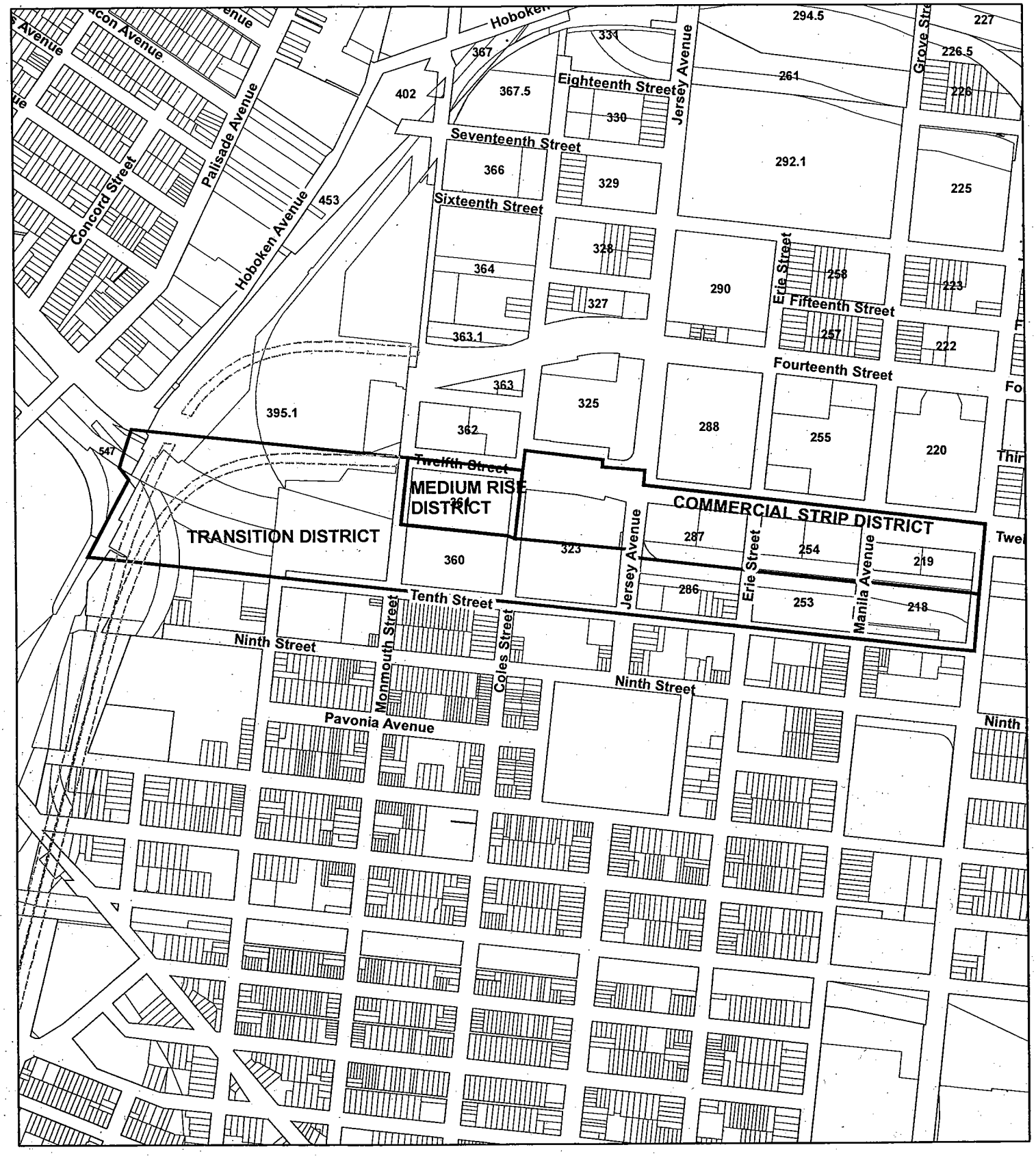
YARD, FRONT: An open space extending across the full width of the lot and lying between the street line and the closest point of any building on the lot. The depth of the front yard shall be measured horizontally and at right angles to either a straight street line or the point of tangent of curved street lines. The minimum required front yard shall be the same as the required setback.

YARD, REAR: An open space extending across the full width of the lot and lying between the rear lot line and the closest point of the principal building on the lot. The depth of the rear yard shall be measured horizontally and at right angles to either a straight rear lot line or the point of tangent of curved rear lot lines. The minimum required rear yard shall be the same as the required setback.

YARD, SIDE: An open space extending from the front yard to the rear yard and lying between each side lot line and the closest point of the principal building on the lot. The width of the required side yard shall be measured horizontally and at right angles to either a straight side line or the point of tangent of curved side lot lines. The minimum required side yard shall be the same as the required setback.

XIV. MAPS

See following pages.



Jersey Avenue Tenth Street Redevelopment Plan
Land Use District Map

February 13, 2007

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

Legend

Redevelopment Plan

1 inch equals 500 feet

0 250 500 1,000 1,500 2,000 Feet

City Clerk File No. Ord. 10-154

Agenda No. 3.N 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 10-154

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LIBERTY HARBOR REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE

WHEREAS, the Municipal Council of the City of Jersey City adopted the Liberty Harbor Redevelopment Plan in March of 1973, and amended the Plan numerous times subsequently, most recently on June 25, 2008; and

WHEREAS, the Planning Board, at its meeting of November 15, 2010, determined that the Liberty Harbor Redevelopment Plan would benefit from amendments to prohibit natural gas pipelines and to revise the site plan review procedure; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Liberty Harobr Redevelopment Plan is attached hereto, and made a part hereof, and is available for public inspection at the office of the City Clerk, 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 aforementioned amendments to the Liberty Harbor Redevelopment Plan 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.
E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

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

APPROVED AS TO ~~LEGAL FORM~~

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required ☐

Not Required ☐

Date Submitted to B.A._____

ORDINANCE FACT SHEET

1. **Full Title of Ordinance:**

   ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LIBERTY HARBOR REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE

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

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

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

   This ordinance prohibits natural gas pipelines from the Area and updates the site plan review procedures.

4. **Reasons (Need) for the Proposed Program, Project, etc.:**

   Natural gas pipelines are an unwanted use in the area. The current review procedures appear to be outside the scope of the law.

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

   Prohibition of gas pipeline. Brings review procedures into conformance with the Municipal Land Use Law.

6. **Cost of Proposed Plan, etc.:**

   $0.00. Plan was prepared by Division of City Planning staff.

7. **Date Proposed Plan 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

10. **Additional Comments:**

I Certify that all the Facts Presented Herein are Accurate.

Robert D Cotter — Nov 3, 2010
Division Director — **Date**

Anthony DeAvry — November 3, 2010
Department Director Signature — **Date**

Summary Sheet:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LIBERTY HARBOR REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE

This ordinance prohibits natural gas pipelines as a permitted use and modifies the review procedures and fees for amending the Plan. Current review procedures appear to be outside the scope of the law.

LIBERTY HARBOR REDEVELOPMENT PLAN

MARCH 1973
AMENDED MARCH 1983
AMENDED DECEMBER 1984
AMENDED JANUARY 1988
AMENDED SEPTEMBER 1989
AMENDED AUGUST 1997
AMENDED APRIL 1998
AMENDED SEPTEMBER 1998
AMENDED JULY 1999
AMENDED JUNE 13 2001 – Ord # 01-071
AMENDED JULY 17 2002 – Ord # 02-080
AMENDED JUNE 25 2008 – Ord # 08-083
PROPOSED AMENDMENTS November 2010

Department of Housing, Economic Development & Commerce
Division of City Planning

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Amendments to this Plan are indicated in the following way:

Material indicated by strikethrough ~~like this~~ is existing material that is intended to be deleted.
Material indicated by bold italic ***like this*** is new material that is intended to be enacted.

In addition, further amendments to the redevelopment plan maps are also authorized and adopted as part of this amendment. They are as follows:

1. The Land Use Map shall be amended to remove Lots 6, 3.M.1 and 3.M.2 in Block 1497 from the Industrial District and place them in the newly created Residential Mixed-Use District.

I. BOUNDARY DESCRIPTION

BEGINNING at the intersection of the centerline of Johnston Avenue and the eastern right of-way line of the Hudson County Extension of the New Jersey Turnpike as crossing above, thence in a southerly direction along the eastern right-of-way line of the Hudson County Extension of the New Jersey Turnpike to the point of its intersection with the northern block line of Block 1500, thence in an easterly direction along the northern block line of Block 1500 to the point of its intersection with the western lot line of Lot 1E, Block 1497, thence in a northerly direction along the western lot lines of Lots 1E and ID, Block 1497 to the point of its intersection with the northern lot line of Lot I D, Block 1497, thence in an easterly direction along the northern lot lines of Lots ID and IF, Block 1497 to the point of its intersection with the U.S. Pier-head and Bulkhead line as adopted March 6, 1939, thence in a northerly direction along such pier-head and bulkhead line to the point of its intersection with the southern limit of the Tidewater Basin, thence in a westerly direction along the southern limit of the Tidewater Basin to the point of its intersection with the eastern lot line of Lot 54C, Block 2145, thence in a northerly direction along the eastern lot line of Lot 54C, Block 2145 to the point of its intersection with the southern lot line of Lot 40H, Block 2145, thence in a westerly direction along the southern lot line of Lot 40H, Block 2145 to the point of its intersection with the eastern lot line of Lot 4OZ, Block 2145, thence in a southerly direction along the eastern lot line of Lot 4OZ, Block 2145 to the point of its intersection with the northern lot line of Lot 55, Block 2145, thence in a westerly direction along the northern lot line of Lot 55, Block 2145 to the point of its intersection with the western lot line of Lot 55, Block 2145, thence in a southerly direction along the western lot line of Lot 55, Block 2145 to the point of its intersection with the southern lot line of Lot 41F, Block 2145, thence in a westerly direction along the southern lot line of Lot 41F, Block 2145 to the point of its intersection with the centerline of Johnston Avenue, thence in a westerly direction along the centerline of Johnston Avenue to the point of its intersection with the eastern right-of-way line of the Hudson County Extension of the New Jersey Turnpike as crossing above, the point and place of BEGINNING *(See Map No.1 Project Boundary).*

II. DESCRIPTION OF PROJECT

A. Redevelopment Plan Objectives

Renewal activities for Liberty Harbor (hereinafter called "The Project") will be undertaken in conformity with, and will be designed to meet the following objectives of this redevelopment Plan:

1. The elimination of substandard buildings and other deteriorated and obsolete structures, including dilapidated piers and bulkheads, and the elimination of blighting influences such as incompatible uses.
2. The improvement of the functional and physical layout of the project area for contemplated new development and the removal of impediments to land disposition.
3. The overall improvement of traffic circulation through the development of new vehicular and pedestrian circulation systems which provide for separation of vehicular and pedestrian traffic, as well as for maximum use of public transportation, including a ferry stop.
4. Creation of major new employment opportunities within a modern industrial park, including provision for new manufacturing, warehousing, distribution, office, and recreation activities and opportunities.
5. Creation by the State of New Jersey of a major new park on the waterfront that is responsive to the urban needs of Jersey City and provides a suitable backdrop for Ellis Island and the Statue of Liberty.
6. The creation of employment and the expansion of the City's tourism sector.
7. The creation of new residential development with ancillary retail and ancillary commercial development, class 'A' hotels, and public and private recreation facilities.
8. Provision for redevelopment with minimum relocation of residents and business or industrial concerns. Priority shall be given to persons and businesses displaced by project activities.
9. Coordination of redevelopment activities to provide a uniform attack on blight which reinforces already existing renewal and improvement programs in adjacent areas in accordance with a plan that integrates Liberty Harbor with the remainder of the City of Jersey City.
10. To promote balanced development in accordance with the Fair Housing Act, NJSA 52:27D-311, and the Housing Element and Fair Share Plan of the Jersey City Master Plan.

B. Types of Proposed Redevelopment Actions

It is proposed to substantially improve and upgrade Liberty Harbor through a combination of redevelopment actions. These will include (1) clearance of dilapidated or deteriorated buildings and structures; (2) retention and conservation of sound compatible uses which are not to be acquired; (3) assembly into developable parcels of vacant, underutilized or blighting parcels now in scattered and varied ownership; (4) creation of additional land through fill and bulkheading of land presently underwater; (5) prevention of flooding through use of fill or other means to raise land areas to safe levels; and (6) provision of a full range of public infrastructure necessary to service and support the new facilities.

C. **Duration and Effective Date of Controls**

The land use provisions and building requirements and/or any modification thereof shall remain in effect for a period of thirty (30) years from the date of approval of this Redevelopment Plan by the governing body of the City of Jersey City. The termination of this Plan shall in no way permit the project land or any part thereof to be restricted on the basis of race, creed, color or national origin in the sale, lease, use or occupancy thereof.

The redevelopment of property within the boundaries of this plan has not proceeded at the expected rate. The original thirty (30) year duration must be extended. An additional twenty (20) years shall be added to the plans duration. Therefore, the land use provisions and building requirements and/or any modifications thereof shall remain in effect for a period of fifty (50) years from the original date of approval of this redevelopment plan by the governing body of the City of Jersey City.

III. LAND USE PLAN REQUIREMENTS

(Individual Land Use Districts are identified within the Map No.2 Land Use Map)

A. Permitted Uses

1. **Multi-Purpose District** - Residential Dwellings, home occupations, public and semi-public uses, full service, class A hotels with a three meal restaurant and on-site related banquette/conference/spa facilities, sports facilities, public and private recreation, restaurants and nightclubs, television transmission tower with public observation deck, ***Public Utilities, except that natural gas transmission lines shall be prohibited.*** Ancillary retail functions customarily accessory to these uses shall also be permitted.

2. **Industrial District**- Permitted uses of parcels designated Industrial shall be: manufacturing; assembly; laboratory; testing; research; marine commercial storage; neighborhood commercial, and service, container port; shipping; trucking; business offices; professional; and governmental offices; full service, class A hotels with a three meal restaurant and on site related banquette/conference/spa facilities; public and quasi-public uses; public or private recreation and open space (including golf courses, driving ranges and associated golf facilities); off-street parking and loading; ***Public Utilities, except that natural gas transmission lines shall be prohibited***; and railroad uses.

3. **Park District** - Permitted uses of parcels designated Park shall include:
   - parks, playgrounds, tot lots, ballfields
   - swimming pools
   - promenades
   - marinas
   - open spaces
   - public and private active and passive recreation including but not limited to golf courses, driving ranges, water parks, theme parks, theatres, arena

facilities

- ancillary retail functions customarily associated with these uses such as restaurants and services.
- structures and facilities appropriate to a major urban state park and compatible with adjoining residential and industrial development.
- ***Public Utilities, except that natural gas transmission lines shall be prohibited***

4. **Residential Mixed-Use District** – This District affords a form of overlay district offering two development options:

a. **Residential Mixed-Use** project developed only when developed as a single integrated project consisting of multiple residential towers with an optional hotel tower/ structure constructed over totally enclosed, ventilated, and screened structured parking with accessory retail and commercial uses <u>and only in conjunction with the development of an eighteen (18) hole golf course and associated waterfront walkway improvements.</u> The golf course shall be existing or it must be constructed simultaneously with the mixed-use project. The purpose of the decked garage is two fold; it accommodates accessory parking in a screened environment and utilizes the change in grade of the site to deck and thereby create land area needed at the appropriate elevation to provide for active golf course area of the 18-hole golf course. The golf course shall be partially located within this district with portions on the deck, including the club house, driving range and portions of various holes and fairways, and partially on adjacent property.

Specific uses may include: Residential dwellings; home occupations; full service, class A hotels with a three meal restaurant and on-site related banquette/conference/spa facilities; public or private recreation and open space (including golf courses, driving ranges, club house and associated golf facilities, health clubs, tennis courts, etc.); Accessory decked off-street parking and loading; ferry stops including piers and passenger waiting areas; restaurants and nightclubs; banking facilities and financial institutions; accessory professional and business offices; retail sales of goods and services intended to serve the resident population of and visitors to the project area; ***Public Utilities, except that natural gas transmission lines shall be prohibited.*** Uses customarily accessory to these uses shall also be permitted. More than one use may occupy any building.

This project may be phased however, the golf course shall be constructed contemporaneously with the construction of Phase 1uimplimentationas permitted

b. If the proposed development within this district does not meet the above criteria, then the permitted uses in this district shall include only hotels, as regulated in the Industrial District above, but with garage design façade, and internal ventilation requirements as set forth for the Residential Mixed-Use Zone.

B. Regulations and Controls on Land Use

Regulations and controls applying to all sections of the project area.

This redevelopment plan authorizes the Planning Board to identify, review and approve the site improvements and building including the façade design of all building in the

redevelopment plan area. All applicants may meet with the Planning Board Technical Review Subcommittee, present their design, and work with them to receive their endorsement prior to a hearing of the full Board. Television transmission tower with observation deck shall be limited to one in this redevelopment plan area and be located on land owned by the City of Jersey City within the Multi-Purpose District. Due to its unique design requirements, such tower shall not be subject to the regulations and design requirements imposed on the standard land uses permitted in this redevelopment plan. Such television transmission tower shall be subject to Planning Board site plan review and approval. The Planning Board review shall be directed to architectural design, parking, landscaping and signage as well as public access and safety.

1. **Urban Design Requirements**

These design objectives have been developed as a framework for the detailed design of specific redevelopment proposals. Combined with the land use and building controls established in this Redevelopment Plan, these design objectives and requirements will assure that development proposals will take place in an environment in the best interests of the City of Jersey City and the future occupants of Liberty Harbor. All redevelopers will be required to comply with this plan.

a. All buildings in the project shall be located with the 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.

b. Groups of related buildings shall be designed to present a harmonious appearance in terms of architectural style and exterior materials.

c. Buildings should be designed to be attractive from all vantage points.

d. Building setbacks should be varied to the extent practicable in order to provide an interesting interplay of buildings and open space.

e. Building height in each part of the project should be varied in order to avoid a monotonous uniformity of development.

f. All buildings, except for permitted industrial buildings, shall have a base which shall be designed according to the following:

- The base façade shall be 15 to 40 feet in height.
- The base façade shall be constructed of masonry, including but not limited to stone, brick, textured concrete. Concrete Block is prohibited. Glass shall constitute 70 % of the first 2 stories of the base and at least 40 % of any stories above the second within the base façade area. Except that for buildings containing residential uses within the base façade area of the building, the above 70% and 40% criteria shall not apply. Instead, window openings consistent with the residential use shall be utilized and no window sill of any window to a residential unit shall be less than five (5) feet above the elevation of the nearest sidewalk or pedestrian pathway.
- In no instance, no matter what the use or zone district, shall blank walls be permitted.
- At the top of the base, a visual que or indicator such as a cornice, belt coursing, a significant change in the glass to solid ratio, or any other indicator consistent with the design, proportions, and materials, of the base shall be provided. A stepback a minimum of 10 feet from the

outermost edge of the base shall be provided. The stepback shall occur at a minimum of 30 feet and a maximum of 75 feet from grade. Except that within the Residential Mixed-Use district the 10 foot stepback need not be provided where the residential and/or hotel tower elements are designed to be a part of the base façade masking the parking structure.

g. Access by the elderly, physically handicapped and/or disabled shall be required. Design standards shall meet, at a minimum, barrier free design regulations as specified in the Uniform Construction Code. Handicapped parking requirements shall meet, at a minimum, regulations as specified in the Municipal Code.

h. Stepbacks - All buildings exceeding 120 feet shall be required to have one stepback or a combination of stepbacks.

i. Roof treatment, Mechanical Screening and Electrical Equipment:

- All buildings exceeding 75 feet shall have a significant top designed to gracefully cap the structure. The Planning Board may permit the cap requirement to be replaced by the use of articulated elements that create the perception of a lower scale structure. The articulated elements including changes, stepbacks and the use of cornices, are to be located no more than seven (7) stories below the highest point of the building. Lighting of the building top shall be required.
- All mechanical equipment located on any roof of a building shall be screened from view from all vantage points with a material identical to that used in the façade of the structure. The screening shall not impair the functioning of the equipment.
- Wherever roofs can be seen or looked down upon from adjacent buildings a roof scape plan must be developed and submitted for approval. Roof scapes should include mechanical equipment, trellises to obscure view, colored roof patterns and landscaping. Parking decks shall be designed to obscure the view of broad expanses of parking with the use of landscaping, screens, trellises and roofs. Parking shall not be visible on the roof of any deck.
- All electrical communications equipment shall be located in such a way that it does not negatively impact the appearance of the building nor create objectionable views as seen from surrounding structures.

j. Streetscape

- All buildings shall be designed to front on a public street to encourage and create a street wall and a pedestrian environment at a human scale. Within the Residential Mixed-Use District, this requirement shall be met by providing the pedestrian environment at a human scale along the frontage with the Waterfront Walkway and providing pedestrian access to the uses and the structure along this frontage. Because of the importance of the Waterfront Walkway, it is required that all easements be maintained to continue the connection of the Waterfront Walkway within the Residential Mixed-Use District with the Waterfront Walkway at Liberty State Park and with Audrey Zap Drive.
- Main entrances into buildings shall be located on public streets. Except that within the Residential Mixed-Use District, any building that utilizes

the roof deck of a parking structure as its base, entrance plaza and/or outdoor park/recreation area shall provide its main entrance from this roof deck area. Secondary entrances shall also be provided from parking areas and/or as necessary according to the design of the structure. In addition, buildings located within the Residential Mixed-Use District shall provide convenient access to and from the adjacent Waterfront Walkway, the parking structure and accessory retail uses.

- Entrances shall be designed to be attractive and functional. Indicators such as awning, changes in sidewalk paving material or other indicator consistent with the design, proportions, material and character of the surrounding area shall be provided.
- A decorative streetscape, sidewalk and street trees in grates or with guards shall be provided in conjunction with every project site plan and be included on all street and R-O-W frontages.

k. Utility distribution lines, utility service connections, and all other cable, telephone, or other communication lines to project area uses shall be located underground.

2. Circulation and Open Space Requirements

a. Interior drives within redevelopment parcels shall be so designed as to discourage through traffic.
b. Sidewalks, malls and plazas shall be attractively and durably paved with a suitable variety of minimum maintenance type materials and provided with adequate lighting.
c. Open spaces shall be so located as to provide for maximum usability and to create a harmonious relationship of buildings and open space throughout the project area. The open space system should be continuous and provide for pedestrian movement and access to shopping and community facilities and recreation areas.
d. Modern, decorative, pedestrian friendly traffic calming techniques shall be utilized within each development site, both within the site and along the R-O-W that it abuts.
e. Within the Residential Mixed-Use District, a vehicular drive shall be provided as access from Caven Point Road on the west to the top of the parking structure. A second vehicular access shall also be provided from Audrey Zap Drive to the lower level of the parking structure and to convenience parking along the north side of the site in the vicinity of the ancillary retail facilities. Pedestrian access, i.e. sidewalks, shall also be provided along these vehicular drives.
f. Within the Residential -Use District, pedestrian access shall be provided from Audrey Zap Drive to the Waterfront Walkway at the eastern end of the district.

3. Off-Street Parking and Loading Requirements

a. Off-street parking and loading areas shall be coordinated with the public street system serving the project in order to avoid conflicts with through traffic or obstruction to pedestrian walks.

b. Parking for high-density uses shall be provided in multi-level garages.

c. Structured Parking, in garages or principal Buildings:

- All parking structures shall be masked along all street frontages or areas visible from a street, by usable floor area designed to contain permitted uses other than parking, for parking structures located within the Residential Mixed-Use District, the more stringent requirements of Section V.D.8. shall prevail, in addition to other requirements of this section.
- Any parking garage level equal to street level shall not contain any parking or mechanical floor area adjacent to the sidewalk/street frontage, except that for parking structures located within the Residential Mixed-Use District, the requirements of Section V.D.8. shall prevail.
- The parking structure shall be designed to eliminate headlight glare by the provision of opaque screening for headlights and placement of interior garage lighting to be directed into the structure and mounted on the interior side of columns.
- The facade of the parking levels in the building shall be of a compatible material to that used throughout the development and shall be designed to provide visual interest.
- The exterior material and design shall be the same or similar, to the greatest extent possible, as the exterior walls of the principal building. Where there is no principal building, the exterior materials and design shall be as attractive as a principal building, (not applicable to the Residential Mixed-Use District).
- Any openings in the garage facade must be of the punched type and relate in design to the fenestration pattern of the principal building. All openings must be screened with glass or decorative metal grills, (chain link is prohibited). Any openings shall preferably be in a vertical proportion, (not applicable to the Residential Mixed-Use District).
- Blank walls on any facade are prohibited.
- All building and garage access points shall be provided at street level and designed to encourage street activity. Overhead or elevated pedestrian or vehicular connections are prohibited. Except that due to the topography within the Residential Mixed-Use District, garage access shall be provided at the upper levels from Caven Point Road in addition to the street level , and building access shall be provided in conformance with section III.B.1.j. of this Plan.

d. Surface parking facilities shall be extensively landscaped. Large concentrations of parking without landscaping shall be prohibited.

e. All parking areas abutting streets shall be landscaped on the periphery with berms, shrubs, trees and/or ground cover.

f. Parking shall not front on a street. Buildings shall instead be situated to front on and be immediately adjacent to streets.

g. All access drives shall be well landscaped along their perimeter.

h. All non-recreational use parking shall be provided internal to the buildings or in enclosed garages with exterior design and materials to match the principal building(s). Recreational uses may provide exterior at grade parking.

i. Residential uses shall provide off-street parking according to the following schedule:

Unit Type	Minimum Spaces Per Unit	Maximum Spaces Per Unit
Studio	0.5	0.75
1 Bedroom	0.75	1.0
2 Bedroom & above	1.0	1.75

j. Office and other commercial uses shall provide up to a maximum of 0.9 space per 1000 square feet of gross floor area. This parking ratio can be averaged for the entire redevelopment area.

k. Retail, restaurants, bars, nightclubs and health clubs shall provide up to a maximum of 0.5 space per 1000 square feet of gross floor area.

l. Theaters shall provide up to a maximum of 0.5 space per 8 seats.

m. Hotels shall provide up to a maximum of 1 space per room up to 100 rooms; 0.5 space per room for 101 to 250 rooms; 0.3 space per room for 251 to 500 rooms, and 1 space per 1000 square feet of gross floor area for meeting rooms, banquet rooms, restaurants, and conference rooms (excluding hall, lobby, mechanical, and utility spaces).

n. Public/semi-public uses shall provide up to 0.9 space per 1000 square feet of gross floor area.

o. Golf courses shall provide off-street parking up to a maximum of 120 spaces for a 9-hole golf course, 200 spaces for an 18-hole golf course and 1 space per stall for driving ranges.

p. Ferry stops shall provide off-street parking through the use of shared parking with other facilities.

q. All required parking spaces must be a minimum of 9 feet wide by 18 feet deep.

r. Landscaping shall be required for any part of any parcel not used for buildings off-street parking, or loading space. The developer's plan shall include proposals for landscaping indicating the location, size and quantity of the various species to be used.

s. Parking lots for more than 10 vehicles, and all loading areas, shall provide a screen planting of dense evergreens, landscaped berm, and or decorative planting, not less than three (3) feet high 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.

t. Parking lot shall contain interior tree planting of 1 tree per 10 parking stalls, in addition to tree plantings provided along the perimeter of the parking lot and in addition to those within the Street R-O-W..

u. Parking and service access should be separated from the main traffic to the project site.

v. Decorative protected pedestrian walkways shall be provided through parking lot(s).

w. Shared use of accessory parking facilities is encouraged and shall be considered in areas adjacent to underutilized parking facilities.

x. 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 zoning ordinance.

y. 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 and adequately drained. All parking and loading areas shall be designed in accordance with the requirements of the Jersey City Zoning Ordinance, except that overflow parking may be improved with perforated pavers to maintain grass off-season.

z. The off-street parking requirements shall apply to all new construction, rehabilitation, and change in use. Required parking may be provided on-site or within five hundred (500) feet of the property line of the development to which it will serve.

aa. The number and design of off-street loading spaces shall be demonstrated by an applicant according to an anticipated need. All loading activities should be encouraged to be restricted to early morning and/or late evening hours. The design and number of off-street loading shall be subject to review and approval of the Planning Board.

bb. All developments that propose valet parking shall submit a parking management plan. Such plan shall include but not be limited to: number of vehicles to be parked, number of rows of cars to be stacked, all parking stall and aisle widths and any other information deemed necessary to effectively evaluate the management plan. All parking management plans shall be subject to review and approval of the Division of Traffic Engineering and the Planning Board.

cc. All buildings shall provide a main entrance onto a public street. Additional entrances may be provided from parking areas or any other place necessitated

by the design of the building. Except as provided for in section III.B.1.j. of this Plan for buildings within the Residential Mixed-Use District.

4. **Landscape Design Requirements**

a. Landscaping shall be required for any part of any parcel not used for buildings, off-street parking, or loading space. The developer's plan shall include plans for landscaping indicating the location, size and quantity of the various plant species to be used in landscaping, as well as proposals for berms, and other earth sculpting.

b. Open space shall provide visual and functional elements such as benches, low walls, drinking fountains, refuse containers and planters, and public fountains.

c. Open space amenities shall include: decorative material such as, stone, brick, or asphalt pavers; stamped and tinted concrete; decorative lighting; and other such detailing. Adequate lighting shall be provided to encourage active usage and a sense of security in the open space. Open space shall be distributed so as to provide for maximum usability.

d. Through creative design, open space features shall address the need for human comfort and enjoyment and provide both active and passive leisure uses for secure and pleasant outdoor and indoor settings to meet public and private use requirements. Open space and plazas shall be designed at a human scale to invite and attract the public.

e. Open space shall be oriented to focus on areas to maximize views.

f. As a general guide, one (1) linear foot of seating for each linear foot of plaza perimeter shall be provided. Except that this criteria shall not apply to plazas located on the roof deck of parking structures located within the Residential Mixed-Use District. Seating space shall still be required within plazas located on the roof deck of parking structures located within the Residential Mixed-Use District subject to Site Plan review and approval by the Jersey City Planning Board. Seating space may include planters, benches, fountains, etc.

5. **Deviation Requests**

The Planning Board may grant deviations from the regulations contained within this Redevelopment 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 Redevelopment 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 such relief in an application relating to a specific piece of property where the purposes of this

Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan. An application for a deviation from the requirements of this redevelopment plan shall provide public notice of such application in accord with the requirements of public notice as set forth in NJSA 40:55D-12.a & b.

6. Specific Requirements

a. Buildings shall be arranged so as to form a compact, continuous, and interesting streetscape.
b. All development shall provide for the continuation of sight lines to the NY skyline from the NJ Turnpike through this project plan area. Maximum building height and the arrangement of buildings in the project area shall be determined on this basis.
c. Sight lines must be identified in a view corridor study and maintained.
d. Consideration must also be given to the skyline that is being created as part of this development.

7. Industrial District Parcels

a. Adequate buffering in the form of appropriate plants and earth sculpting shall be provided along the shoreline in these areas where industrial reuse parcels are opposite the Statue of Liberty.
b. Large parking areas should be subdivided by substantial landscape areas into smaller units.
c. The edges of all parking areas should be set aside for a substantial landscaped area.
d. Entrances and exits to parking areas must be designed to provide adequate storage capacity in order to avoid back-ups on project area streets.
e. No uses shall have direct access from parking and loading areas onto the proposed north-south arterial road.

IV. SUBMISSION OF REDEVELOPER'S PROPOSALS

A. Procedure

Prior to commencement of construction, architectural drawings, specifications and site plans for the construction of improvements shall be submitted by the developers for review and approval so that the compliance of such drawings, specifications and plans with the Redevelopment Plan and these Design Requirements can be determined.

Any development, whether designated by the State of New Jersey or otherwise, within Liberty State Park by private development must appear before the Planning Board for site plan review for informational purposes.

~~Site plan review shall be conducted by the Jersey City Planning Board pursuant to NJSA 40:55D-1 et seq. for new construction, additions, rehabilitation, re-use or change in use. Site plan review shall consist of a preliminary site plan application and a final site plan application. Preliminary site plan approval shall entitle an applicant to building permits. Final site plan approval shall not be submitted unless or until a development is substantially completed.~~

~~Development may proceed in phases. However, such phasing must be so indicated on preliminary site plans and any subsequent approvals will be based upon such phasing. No Certificate of occupancy of any type shall be issued for such development unless or until the Planning Board of Jersey City has given final site plan approval for such phase.~~

~~As part of the final site plan approval, the Jersey City Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D53. Such performance guarantees shall be in favor of Jersey City and in a form approved by either the corporation counsel or planning Board attorney of Jersey City. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of improvements within one (1) year of final site plan approval.~~

Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the Area shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval so that compliance of such plans with the redevelopment objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases.

As part of any site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53 et seq. Such performance guarantees shall be in favor of the City in a form approved by the Jersey City Corporation Counsel. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of on and off site improvements within one (1) year of final site plan approval.

B. Adverse Influences

No use shall be permitted, which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, obnoxious dust or waste, undue noise or vibration, or other objectionable features as to be detrimental to the public health, safety or general welfare.

C. Restriction of Occupancy or Use

There shall be no restriction of occupancy or use of any part of the project area on the basis of race, creed, color or national origin.

D. Interim Uses

Interim uses may be established, subject to site plan approval by the Planning Board. The developer/applicant must satisfactorily demonstrate, and the Planning Board must find that, such use will not have an adverse effect upon existing or contemplated development during the interim use period. Interim uses must receive Site Plan approval from the Planning Board. The Planning Board shall establish an interim use period of between one (1) year and three (3) years in duration, subject to the Planning Board's discretion. Additional renewals of an interim use may be granted by the Planning Board, subject to the same interim period limitations specified above.

E. Maintenance of Open Areas

All open areas shall be landscaped and maintained in an attractive condition.

F. Signs

1. All signs shall require Site Plan approval.
2. They shall be minimal in size and be of material consistent with that of the principal building. Back-lit box or letter shaped signs made of plastic or similar looking material, are not permitted.
3. A maximum of 2 per project site shall be permitted.
4. Billboards and freestanding signs are prohibited.
5. Illuminated identification signs, and advertising signs, visible from Liberty State Park are prohibited.
6. Each complex may have one monument style sign at each vehicular entrance to the complex identifying the name of the complex. Said monument sign to be no greater than four feet in height nor have a sign area in excess of twelve (12) square feet, and shall be attractively landscaped. All signage must be compatible with the material, character, color scheme and design of the principal structure.
7. Each residential building shall be permitted one (1) sign not to exceed eight (8) square feet, attached flush to the building wall, identifying the name of the building or complex, and street address only.
8. Retail sales, restaurant uses, and any other permitted uses not mentioned within this section, shall be permitted (1) one sign per establishment, identifying the use, not to exceed 10% of the first story portion of the wall containing the uses frontage to which it is attached.
9. Hotels, shall be permitted one (1) sign not to exceed Twenty (20) square feet, attached flush to the building wall, identifying the name of the building or complex, and street address and logo only. Additionally, the logo and/or hotel name may be added to the monument sign area in conformance to the requirements of item 6. Of this section.
10. Parking Garages - One (1) attached sign per parking entrance may be allowed indicating the parking facility by the

international parking symbol and a directional arrow. Said sign not to exceed four (4) square feet.

V. DISTRICT AREA, YARD, AND BULK REQUIREMENTS

(Regulations and controls applying to specific use areas designated in the Land Use Map)

A. Multi-Purpose District

Residential

1. **Maximum density**: seventy-five (75) dwellings per gross acre of land within the residential area.

2. **Maximum floor area ratio of residential uses:** 6 (six)

3. **Maximum height:** 6 stories, or as regulated in conformance with the view corridor requirements located within Section III. B. 6 Specific Requirements of this plan, whichever is less.

4. **Required setbacks:**
   From any street line: 15 feet
   From any parking lot: 10 feet
   From the NJ Turnpike property or R-O-W line: 100 feet
   (Containing heavily landscaped buffer)

5. **Required off-street parking:**

   Maximum ratio of 1 space per dwelling unit

Multi-Purpose Non-Residential

1. For uses other than residential within the Multi-Purpose District, the industrial Development standards shall apply with the following addition:

   - Setback from the NJ Turnpike for all non-residential uses shall be a minimum of 30 feet (containing a heavily landscaped buffer) and the parking requirements for restaurants, nightclubs, recreational and public uses shall conform to the current Institute of Transportation Engineers Standards, (ITE).

B. Industrial District

1. **Maximum height:** height shall be regulated as identified below and in conformance with the view corridor requirements located within Section III. B. 6 Specific Requirements of this plan, whichever is less.

   Hotels: 10 stories
   Other Uses: 6 stories

2. **Required setbacks:**

   From any street: 15 feet

From any parking lot: 10 feet

3. **Minimum Lot Size**: 5 acres

4. **Minimum Number of Hotel Rooms**: 300

C. **Park District**

1. Maximum Height: height shall be regulated as identified below and in conformance with the view corridor requirements located within Section III. B. 6. Specific Requirements of this plan, whichever is less.

2. The only structures permitted are those necessary to the park uses provided that such structures shall not cover more than 20 percent of the overall total park land area within the Park District.

D. Residential Mixed-Use District: The following criteria shall apply only when pursuant to Section III.A.4. of this Plan. If the proposed development within this district does not meet the above criteria, then the permitted uses in this district shall include only hotels, as regulated in the Industrial District of this plan.

1. Maximum Density: Eighty (80) dwellings per gross acre of land within the District and, Phase I of any residential building shall include, at a minimum, a in-ground/in-deck or rooftop swimming pool for use by the residents.

2. Maximum Intensity of Development: In addition to the residential development permitted above in sub-section D.1; the following land-uses shall be permitted.

   a. Retail Sales and Restaurants - a minimum of 20,000 square feet of retail sales and/or restaurants shall be provided in the ground floor area of the parking structure, and shall be located in the northern portion of the eastern façade facing the Waterfront Walkway and the eastern portion of the northern façade facing Audrey Zap Drive. Up to an additional 20,000 square feet of retail sales and/or restaurants may also be provided on the site. The retail sales and/or restaurants required and permitted in this section shall be in addition to any retail and/or restaurant activity that may occur as a part of the Golf Club House, Hotel, Health Club or other permitted commercial use.

   b. Health Club – a maximum of 30,000 square feet.

   c. Golf Clubhouse – a maximum of 20,000 square feet.

   d. Professional and Business Office – a maximum of 50,000 square feet inclusive of banking and financial institutions, (these are not considered to be retail uses).

   e. Class A Hotel,(shall be full service only with a three meal restaurant, on-site related banquette, conference, spa facilities, and recreation amenities including indoor/outdoor pool and lounge) - a maximum of 300,000 square feet.

3. Maximum Permitted Building and Lot Coverage:

   a. Coverage of the Lot: Up to Sixty-five (65%) percent of the lot area may be covered by buildings, inclusive of parking structures and all other buildings.

b. Coverage of the Parking Structures Roof Top Deck: Total building coverage of the Roof Top Deck shall not exceed thirty (30%) percent and as further limited below:

- Not more than 2/3 of the 30% permitted coverage,(not more than 20% of the total roof top deck area) shall be covered by buildings over two (2) stories tall;
- Not more than ½ of the 30% permitted coverage, (15% of the total roof top deck area), may be covered by buildings over 20 stories and there shall be no more than 3 such structures;
- Exception for a full service Hotel, as defined above in Residential Mixed-Use section D. 2.e. Class A Hotel
  There may be one (1) additional building pad constructed over two stories and no more than 20 stories. It would constitute the fourth (4th) pad. In this instance, the total roof top coverage are by buildings over 2 stories shall not exceed 20% of the total roof top deck area.

4. Maximum Height: Height shall be regulated as identified below and in conformance with the view corridor requirements located within Section III. B. 6 Specific Requirements of this plan.

a. The parking structure may contain up to three (3) parking levels and shall not exceed forty (40) feet in height. Surface parking and parking on top of any deck is prohibited. Only access to building fronts at top of the deck for drop –off is permitted.

b. Buildings shall be constructed on top of the rooftop deck of the parking structure:

i. Tower structures constructed above the rooftop deck of the parking garage must be of varying heights. There shall be a maximum of three (3) such tower structures within the District.
   - One tower structure may be up to fifty (50) stories or a maximum of 600 feet in height.
   - One tower structure may be up to forty (43) stories or a maximum of 520 feet in height.
   - One tower structure may be up to thirty (36) stories or a maximum of 440 feet in height.

ii. Hotel portions of any building constructed above the roof top deck shall not exceed a total of twenty (20) stories or two hundred and fifty (250) feet inclusive of any two (2) story buildings, or portions thereof, associated with the hotel, as described below.

iii. All other buildings, including a golf clubhouse building, any building or portions thereof containing the public rooms of a hotel such as banquet rooms, restaurant, meeting and conference rooms, etc., and all other structures shall not exceed four (4) stories or seventy-five (75) feet in height.

Maximum height for these structures shall be measured from the surface of the rooftop deck of the parking structure and calculated to include mechanical floors and rooftop equipment; however, antennas and decorative caps shall be exempt from height calculations.

c. Any other structures such as, free standing restaurants, waterborne transportation support buildings and other similar buildings not constructed on the roof top deck shall not exceed three (3) stories or forty 40 feet in height.

5. Required Minimum Setbacks:

a. There shall be no required setbacks, except that all buildings and structures shall be setback a minimum of fifty (50) feet from the bulkhead line, and shall provide sufficient setback to accommodate, at a minimum, a thirty (30) foot wide waterfront walkway.

b. There shall be a minimum of 100 feet between tower structures.

6. Minimum Open Space Requirement:

All lot area not covered by buildings and structures shall be maintained as open space. Open space shall include golf course areas, driving range, putting greens, walkways, tennis courts, pools, landscaped areas, yards and outdoor passive and active recreation areas. Streets and roadways shall be permitted to traverse open space areas to provide access to parking and service areas as necessary and subject to Site Plan Review and approval by the Planning Board.

In addition, all areas of the roof top deck over a parking structure not covered by buildings and structures shall be improved open space, which may include pools, tennis courts, landscaped areas, paved plaza areas, footpaths and walkways, outdoor active and passive recreation areas, golf putting greens, driving range areas and/or other similar spaces and facilities. Single story pavilions, gazebos and other similar passive recreation structures may be constructed within this improved open space area but may not cover more than ten (10%) percent of said open space area. Streets and roadways shall be permitted to traverse open space areas to provide access to buildings located on top of the rooftop deck, drop-off areas and service areas as necessary and subject to Site Plan Review and approval by the Planning Board.

7. Additional Design Requirements for the Rooftop Deck of Parking Structures:

The rooftop deck shall serve as the primary platform for the residential and other buildings. The rooftop deck shall contain an access drive, which shall create a loop road that shall provide vehicular circulation in front of each of the buildings. The buildings constructed on the deck shall be designed to front onto this loop road. Main entrances into the buildings shall be located on this loop road. Entrances shall be designed to be attractive and functional. Indicators such as awnings, changes in sidewalk paving material or other architectural and design treatments consistent with the design, proportions, materials and character of the rooftop deck shall be provided. A decorative streetscape shall be provided through the use of decorative sidewalk paving materials, pedestrian scale lighting, landscaping and other amenities in order to create a pedestrian environment at a human scale. The rooftop deck shall also contain a central open space or "Green", which shall consist of lawn areas, footpaths, landscaping, and/or other decorative features, which shall be designed to serve as a focal point.

8. Additional Design Requirements for the Facade of Parking Structures:

a. Facades with frontage along the Waterfront Walkway and the eastern portion of the northern property line fronting onto the former railroad right of way:

Parking structures shall contain residential and/or commercial uses, including dwelling units, retail, office, health clubs, and other similar uses, along the perimeter of the parking structure fronting onto the Waterfront Walkway in order to mask the parking structure from view and to give the appearance that the parking structure is a low rise residential and/or commercial building. Exterior entrances to commercial and/or residential units located in the ground floor shall be provided, along with stoops, walkways, fencing and/or other architectural treatments consistent with traditional low rise urban development. A total of at least twenty thousand (20,000) square feet of retail and/or restaurant uses shall be provided in the ground floor area of these facades, with visible and direct access to the out side of the building..

b. Facades with frontage along the western portion of the northern property line (former railroad right of way) and facing the western property line (Caven Point Road):

Parking structures facing to the west, Caven Point Road, shall be buried in the ground. The topography of the site in this area slopes from Caven Point Road down toward the proposed parking structure. This area shall be re-graded accommodate the golf course and access drive and to essentially bury the parking structure. It is recognized that a portion of the parking structure will emerge from the ground and be visible, especially along the western portion of the northern property line, to accommodate a more natural slope of the land. This portion of the façade of the parking structure shall not be required to provide residential and/or commercial uses in this portion of the perimeter of the structure. However, this portion of the façade of the parking structure shall have a similar architectural appearance to the portions of the parking structure described in paragraph "a." above. The materials used on these facades of the parking structure shall be the same as those used on the rest of the structure. Glass, decorative louvers, or other comparable material shall be used in the openings so as to resemble the windows provided in the other facades of the parking structure. If commercial or residential uses are provided in this area, the requirements of paragraph "a." above shall apply.

c. Façade of the parking structure facing to the south &/or southwest, i.e. fronting on the golf course:

This portion of the façade of the parking structure shall be screened by being buried into the topography of the golf course as described above in paragraph b, or it may be screened by the clubhouse and a landscape feature toward the southeastern end of this façade. The purpose of the landscape feature is not only to act as screening for the garage structure, but to also serve as a backdrop for the golf course. The landscape feature shall consist o fall of the following: decorative and screen plantings, earth berms, natural &/or artificial rock sculptures, and water features such as a waterfall. The landscape feature shall be mounded up against the face of the parking structure to totally hide visibility of the parking structure foundation and give the appearance of a natural topographic feature. Where portions of the façade of the garage are exposed due to the sloping of the earthen berms and/or rock sculpture, the requirements of paragraph b. above shall prevail.

d. All parking structures within this district shall be mechanically ventilated and clad in the same material, window patterns, and rhythms as the principal building.

e. No part of any foundation of the parking structure shall be visible from any

vantage point.

9. Vehicular and Pedestrian Access to Parking Structures:

Vehicular and pedestrian access to parking structures shall be provided via access roads at grade and via easement over the adjacent Railroad R-O-W, at the rooftop plaza level and at other intermediate levels of the garage. Pedestrian access to the parking structure shall be provided to and from each of the residential/hotel buildings constructed above the rooftop deck; and to and from the parking structure and the Waterfront Walkway and the retail uses located in the façade of the parking structure. In addition, pedestrian access shall be provided from the Waterfront Walkway ,via stairways, to the rooftop deck of the parking structure.

10. Additional Step-back Requirements for Tower Buildings:

In addition to the Urban Design Requirements found in Section III.B.1. all buildings over two hundred and fifty (250) feet in height shall have at least two (2) additional 10 foot step-backs on all four (4) sides of the towers.

E. Applicable to all Districts

A structure which is non-conforming in regard to meeting the coverage, setbacks, or height requirements of this Plan may continue provided that if it is enlarged, altered or reconstructed, non-conformity with the applicable regulations of this Plan shall not be increased. A structure that is non-conforming as to off street parking or loading requirements may continue if the shape or size of the lot or location of the building prevent conformity with said requirements.

VI. PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS

A. Land Acquisition

1. Properties to be Acquired

a. Map No.1, "Project Boundary" designates those properties that are not to be acquired. All other properties shall be acquired and cleared and redeveloped in accordance with the provisions of this Plan in order to remove substandard conditions, remove blighting influences, provide land for public improvements or facilities and provide land for redevelopment and other plan objectives.

b. All redevelopment activities undertaken by the redevelopers shall be in accordance with the controls of this Redevelopment Plan.

2. The laws of the State of New Jersey provide that a redevelopment plan shall:

a. Conform to the general plan for the municipality as a whole;

b. Shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements and conservation or rehabilitation as may be proposed to be carried out in the area of the project, zoning, and planning changes, if any, land uses, maximum densities, building requirements, and the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities and other public improvement.

c. In accordance with State requirements, the following statements are made:

- The proposals of this Plan conform with the general plan for the municipality;
- This Plan provides an outline for the development or redevelopment of Liberty Harbor and is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements as proposed, planning changes, land uses, maximum densities, building requirements, and its relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, community facilities, and other public improvements.
- The proposals of this Plan necessitate zoning changes, which shall be made prior to land disposition by the City of Jersey City in accordance with the land use provisions and controls of this redevelopment plan.
- Local planning objectives having a direct bearing on the project, which has been planned as an integral part of the total planning for the City are as follows:
- The effectuation of the Redevelopment Plan will carry out major proposals of the current comprehensive pan for the City and will comply with local objectives of the City as to appropriate land uses, improved street systems, and overall improvement to the Liberty Harbor area.
- The effectuation of the Redevelopment Plan will improve the total living conditions of the City through improvement of a blighted area, removal of structures in poor condition and the provision of land for new development, park and industrial development.

VII. PROCEDURE FOR CHANGES IN APPROVED PLAN

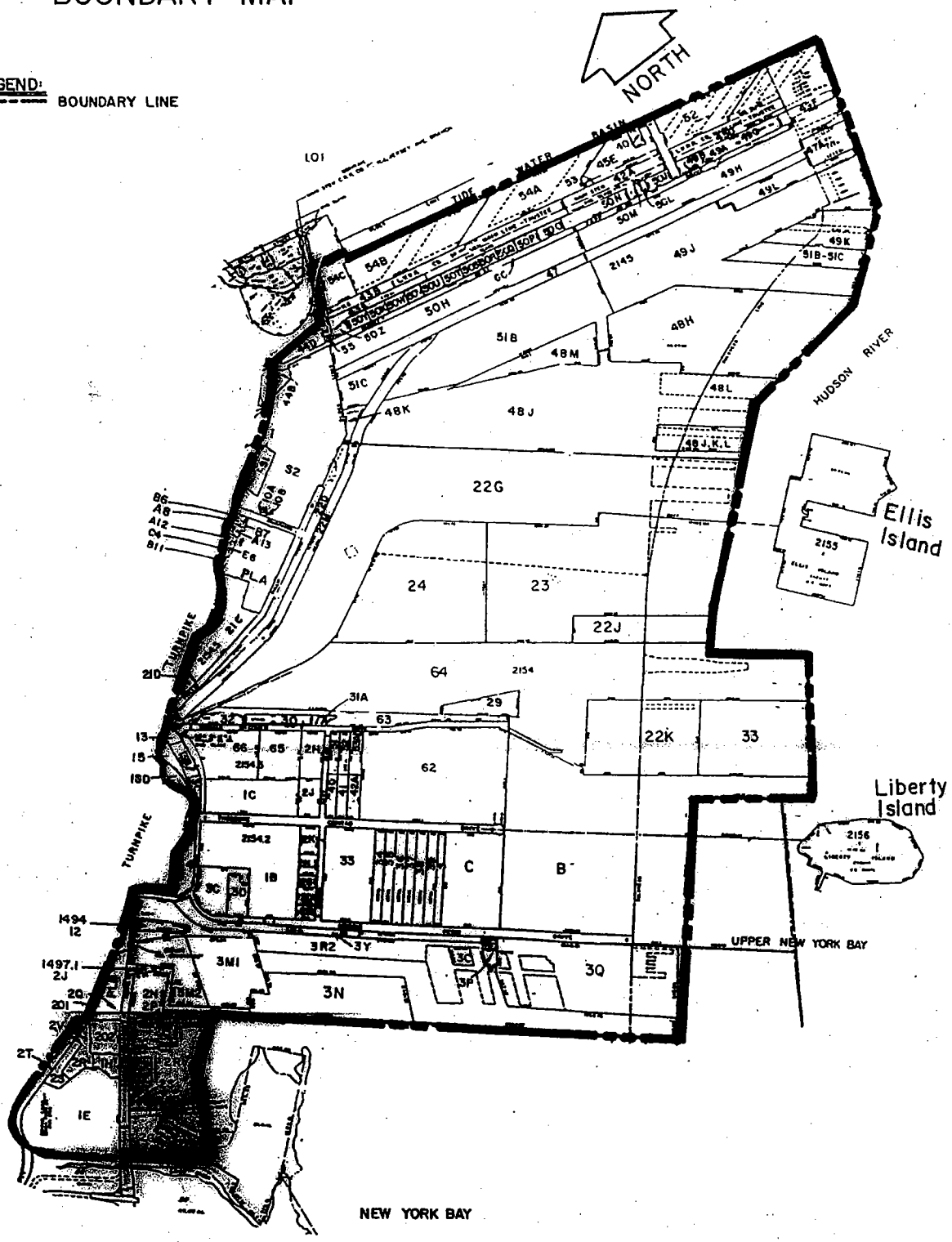
This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law; provided that in respect to any land in the project area previously disposed of for use in accordance with the Redevelopment Plan, written consent is received from the owner of such lands whose interests therein are materially affected by such amendment.

A fee of $5,000 plus all costs of copying and transcripts shall be payable to Jersey City for any request to amend the plan. ~~If there is a designated developer, as provided for under NJSA 40:55C-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.~~

MAPS

BOUNDARY MAP

LEGEND:
BOUNDARY LINE



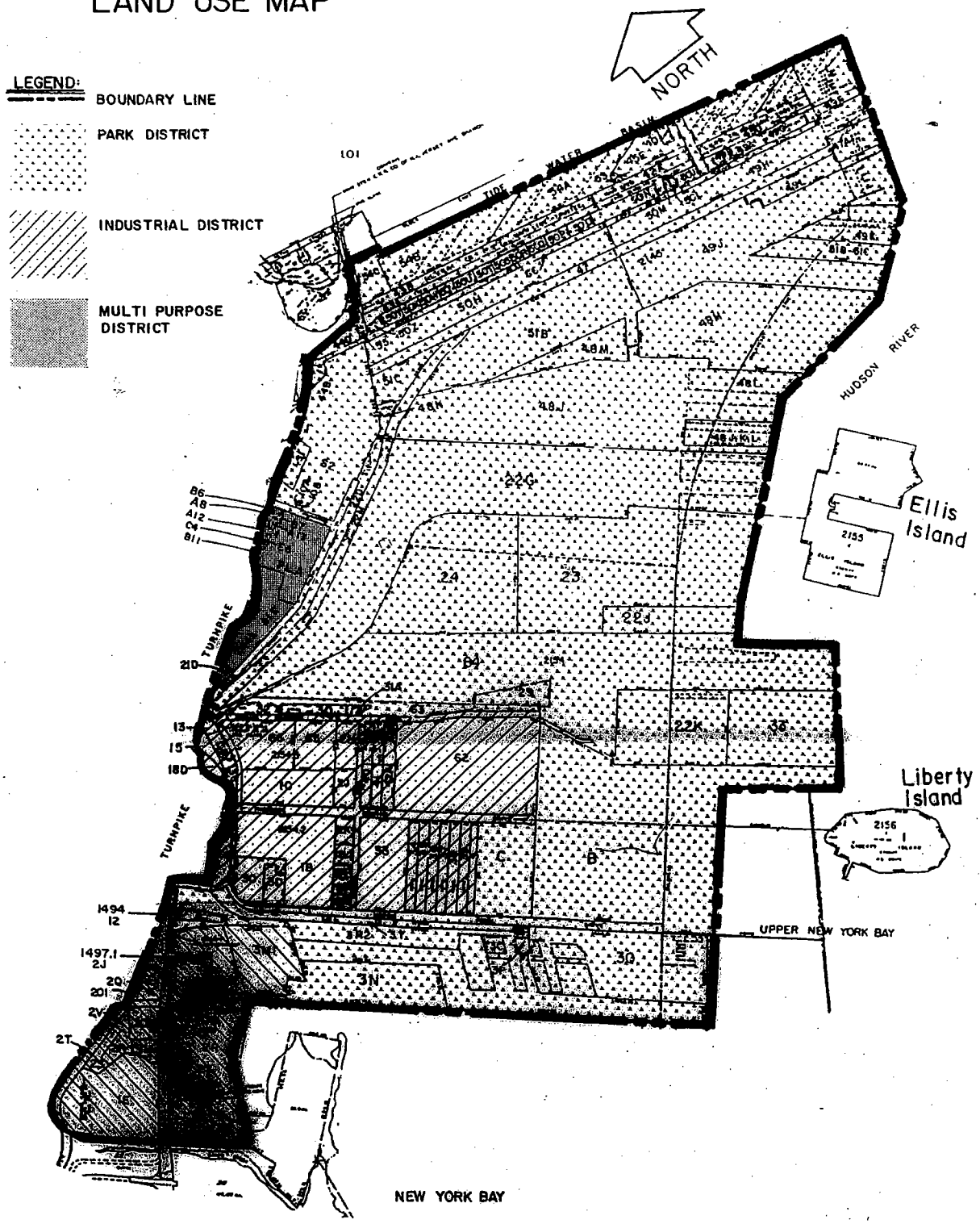
LIBERTY HARBOR REDEVELOPMENT AREA

DIVISION OF CITY PLANNING
DEPARTMENT OF HOUSING, ECONOMIC DEVELOPMENT AND COMMERCE

JULY 1999

MAP NO. 1

LAND USE MAP



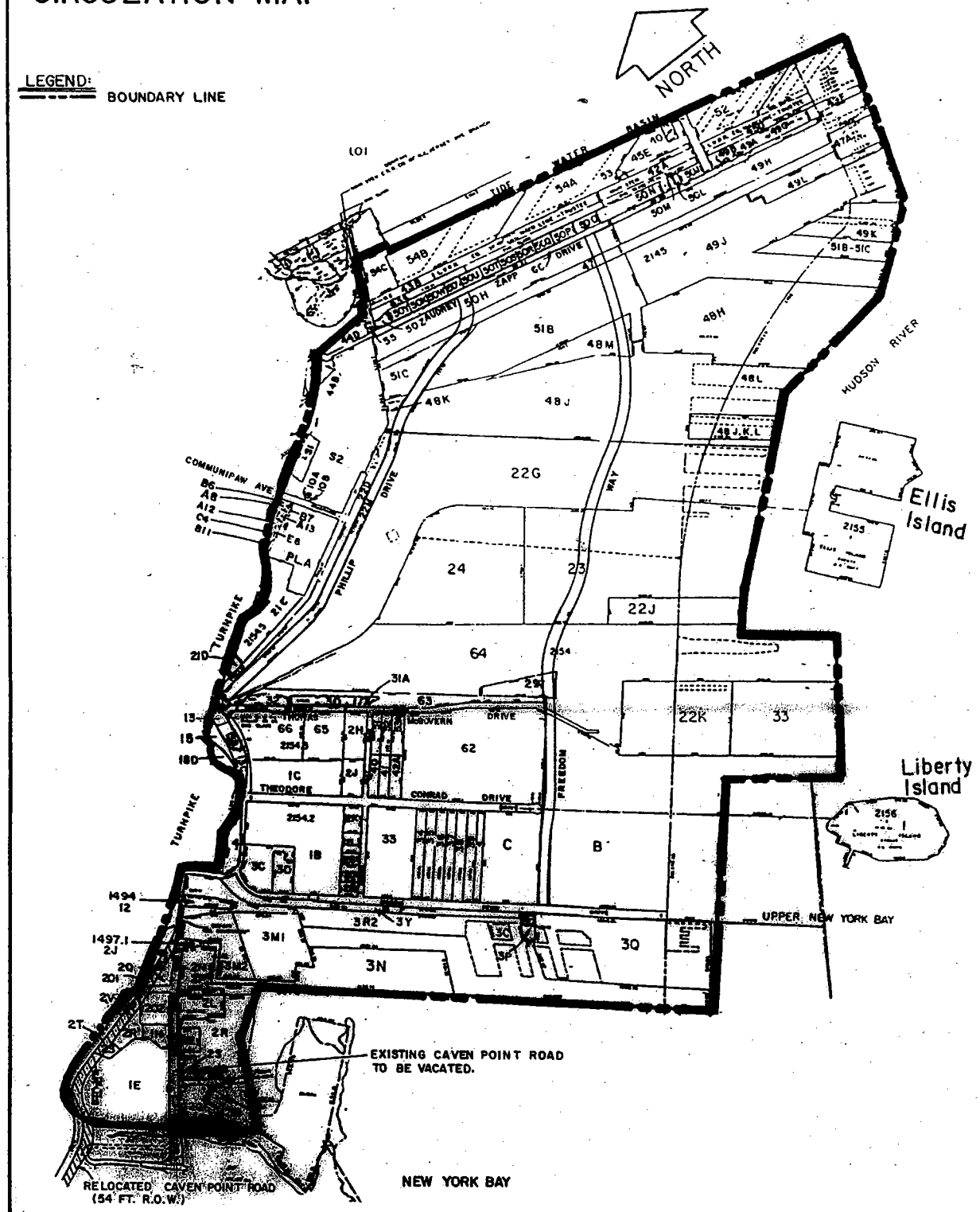
LIBERTY HARBOR REDEVELOPMENT AREA

DIVISION OF CITY PLANNING
DEPARTMENT OF HOUSING, ECONOMIC DEVELOPMENT AND COMMERCE

JULY 1999

MAP NO. 2

CIRCULATION MAP



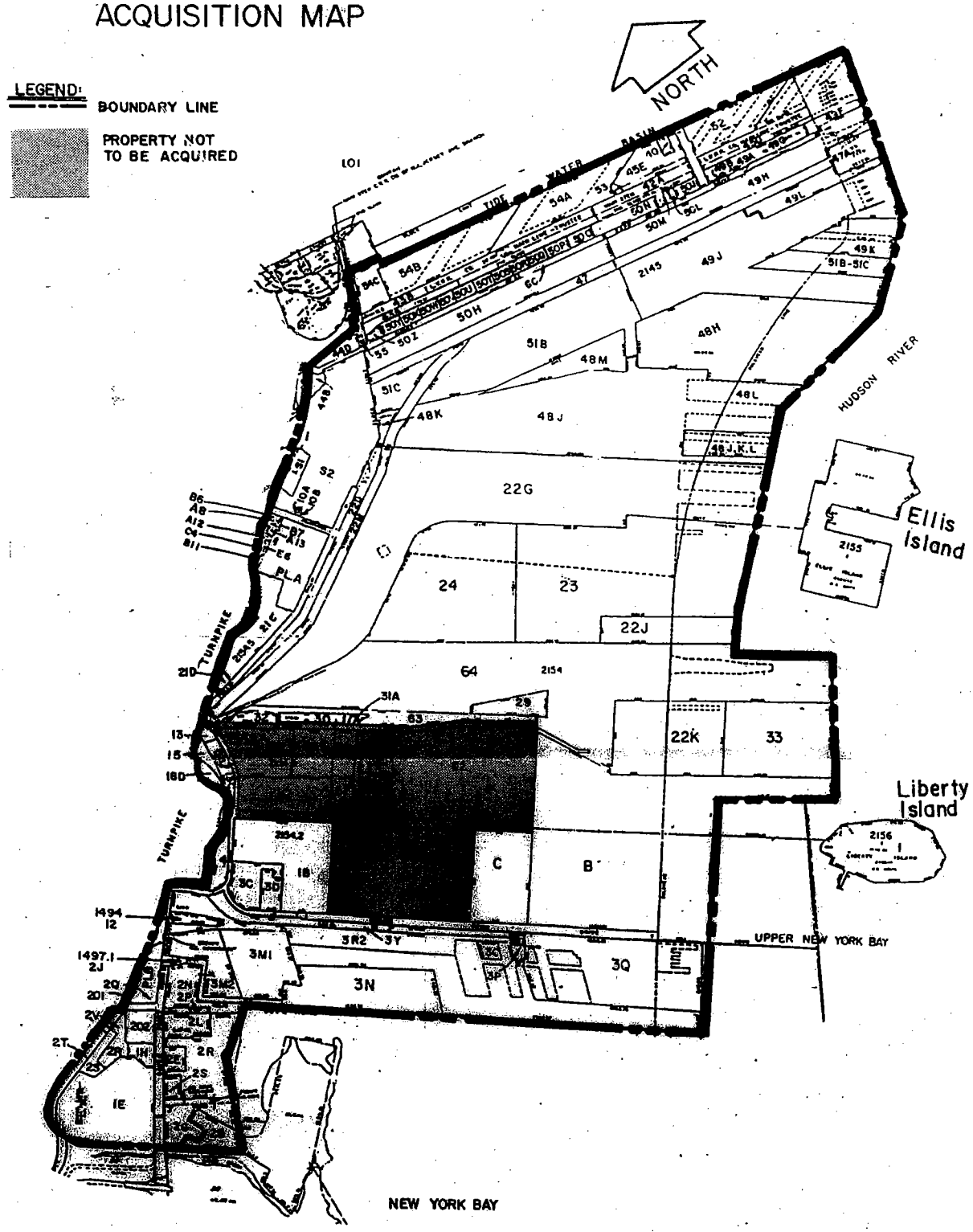
LIBERTY HARBOR REDEVELOPMENT AREA

DIVISION OF CITY PLANNING
DEPARTMENT OF HOUSING, ECONOMIC DEVELOPMENT AND COMMERCE

JULY 1999

MAP NO. 3

ACQUISITION MAP



LIBERTY HARBOR REDEVELOPMENT AREA

DIVISION OF CITY PLANNING
DEPARTMENT OF HOUSING, ECONOMIC DEVELOPMENT AND COMMERCE

JULY 1999

MAP NO. 4

City Clerk File No. Ord. 10-155

Agenda No. 3.0 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 10-155

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE MONTGOMERY STREET REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE AND AMENDMENT FEES

WHEREAS, the Municipal Council of the City of Jersey City adopted the Montgomery Street Redevelopment Plan in August of 1976, and amended the Plan numerous times subsequently, most recently on September 18, 2000; and

WHEREAS, the Planning Board, at its meeting of November 15, 2010, determined that the Montgomery Street Redevelopment Plan would benefit from amendments to prohibit natural gas pipelines and to revise the site plan review procedure and fees for plan amendments; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Montgomery Street Redevelopment Plan is attached hereto, and made a part hereof, and is available for public inspection at the office of the City Clerk, 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 aforementioned amendments to the Montgomery Street Redevelopment Plan 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.
E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

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

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

Date Submitted to B.A._____

ORDINANCE FACT SHEET

1. **Full Title of Ordinance:**

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE MONTGOMERY STREET REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE AND AMENDMENT FEES

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

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

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

This ordinance prohibits natural gas pipelines from the Area and updates the site plan review procedures and amendment fees.

4. **Reasons (Need) for the Proposed Program, Project, etc.:**

Natural gas pipelines are an unwanted use in the area. The current review procedures appear to be outside the scope of the law and fees should be raised.

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

Prohibition of gas pipeline. Brings review procedures into conformance with the Municipal Land Use Law.

6. **Cost of Proposed Plan, etc.:**

$0.00. Plan was prepared by Division of City Planning staff.

7. **Date Proposed Plan 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

10. **Additional Comments:**

I Certify that all the Facts Presented Herein are Accurate.

Robert D Cotter — Nov 3, 2010
Division Director — **Date**

Deputy — November 3, 2010
Department Director Signature — **Date**

Summary Sheet:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE MONTGOMERY STREET REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE AND AMENDMENT FEES

This ordinance prohibits natural gas pipelines as a permitted use and modifies the review procedures and fees for amending the Plan. Current review procedures appear to be outside the scope of the law and fees should be raised.

MONTGOMERY STREET REDEVELOPMENT PLAN

AUGUST, 1976
FEBRUARY, 1978
JUNE, 1979
SEPTEMBER, 1982
AUGUST, 1983
OCTOBER, 1986
NOVEMBER 15, 1999
Council Ordinance # 00-105 SEPTEMBER 18, 2000
Proposed Amendment November 2010

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OFFICIAL EXHIBITS TO THE REDEVELOPMENT PLAN

Yard Map, Residential Area	October, 1986	i.
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B. DESCRIPTION OF PROJECT

1. Boundaries of Urban Renewal Area

The boundaries of the Montgomery Street Urban Renewal Area are shown on the Boundary Map, U.R. P. Map No. 1, dated August 1973 and are described as follows: BEGINNING at the intersection of the northern right-of-way line of Railroad Avenue and the western boundary of the New Jersey Turnpike Extension; thence in a southerly direction along the western boundary of the New Jersey Turnpike Extension to the southern right-of-way line of Grand Street; thence in a south-westerly direction along the southern right-of-way line of Grand Street to the southern right-of-way of Fairmount Avenue; thence in a westerly direction along the southern right-of-way line of Fairmount Avenue to the western right-of-way line of Cornelison Avenue; thence in a northerly direction along the western right-of-way line of Cornelison Avenue to the northern right-of-way line of Bright Street; thence in an easterly direction along the northern right-of-way line of Bright Street to the western right-of-way line of Florence Street; thence in a northerly direction along the western right-of-way line of Florence Street to the southern right-of-way line of Montgomery Street; thence in a westerly direction along the southern right-of-way line of Montgomery Street to the western right-of-way line of Cornelison Avenue; thence in a northerly direction along the western right-of-way line of Cornelison Avenue to the northern right-of-way line of Academy Street; thence in an easterly direction along the northern right-of-way line of Academy Street and Railroad Avenue to the POINT AND PLACE OF BEGINNING.

Within the above described area lies an area excluded from the Montgomery Street urban Renewal Area, which is described as follows as follows: BEGINNING at the intersection of the eastern right-of-way line of Fremont Street, and the southern right-of-way line of Bright Street; thence in an easterly direction along the southern right-of-way line of Bright Street to the western property line of the National Docks Railway; thence in a southeasterly direction along the western property line of the National Docks Railway to the northern right-of-way line of Colden Street; thence on various courses along the northern direction along the eastern right-of-way line of Fremont Street to the POINT AND PLACE OF BEGINNING.

2. Urban Renewal Plan Objectives

The objectives of the Urban Renewal Plan are:

a. To remove substandard buildings and eliminate blighting influences.

b. To provide conveniently located neighborhood shopping and recreation facilities.

c. To provide land for a high school athletic field to serve both Ferris High School and the general public in the area bordered by the New Jersey Turnpike on the east and the National Dock Railroad on the west, Bright Street as the northern boundary with Grand Street to serve as its southern boundary.

d. To provide industrial sites of sufficient size to handle the expansion needs of existing industries to be relocated from the project area.

e. To provide for the development of low-density housing in a coordinated manner.

f. To eliminate as many railroad underpasses as possible because of the lack of sufficient clearance for many motor vehicles.

g. To eliminate obsolete street patterns throughout the area and to discourage unrelated traffic in residential areas.

h. To provide for the separation of sanitary and storm sewers, as possible, throughout the project area.

i. To coordinate the development of industrial uses compatible with existing public housing projects in the area.

j. To maintain, upgrade and improve environment adjacent to Public Housing.

k. To prevent to extent possible adverse flooding effects up to the 50 year storm.

3. Types of Proposed Renewal Actions

The proposed renewal actions for other project area include the clearance and redevelopment of all properties in the project area with the exception of some of the railroad trackage holdings of Conrail and the power station of Public Service Electric and Gas Company, and Jersey City Redevelopment Agency, Parcel #7-4 (City Block 2127 □, Plot A). Streets will be widened and repaved as necessary. The combined sanitary and storm sewer system will be separated where possible. Active recreation facilities will be provided to serve the needs of project area residents and nearby Ferris High School.

C. LAND USE PLAN

1. Land Use Map

The Land Use Map, U.R.P. Map No. 2, dated September, 1982 shows the following:

a. Thoroughfare and street rights-of-way

b. Other public uses and easements.

c. Commercial uses.

d. Industrial uses.

e. Residential uses.

f. Railroad uses.

2. Land Use Provisions and Building Requirements

Access by the elderly, physically handicapped and/or disabled will be encouraged. Design standards will meet or exceed Federal regulations.

a. Uses to be permitted in the project area within each of the reuses areas are as follows:

(1) Public: The permitted uses shall be Public Schools athletic facilities, and the neighborhood centers containing facilities for recreation, health and education and accessory uses customarily incidental thereto including enclosed and open parking and outdoor recreational structures. ***Additionally, public utilities shall be permitted, with the express prohibition of natural gas transmission lines.***

(2) Easements: The permitted uses of easements shall be utility lines, ***except natural gas transmission lines,*** and intensive planting areas for screening. Utility easements may lie under paved parking areas, while the planting easements, located along the railroad, shall be utilized for planting purposes only. Planting easements shall be owned and maintained by the owners of the parcels adjoining the railroad as shown on the Land Use Map.

(3) Commercial: The permitted uses shall be commercial uses designed to serve the immediate neighborhood including drug stores, supermarkets, delicatessens, bakeries, dairies, hardware stores, stationery stores, record shops, gift shops, junior department stores, furniture stores, appliance stores, restaurants, sandwich shops, and office uses above the first floor. ***Additionally, public utilities shall be permitted, with the express prohibition of natural gas transmission lines.***

(4) Industrial: The permitted uses shall be as follows:

(a) Offices

(b) Light industry where the only activity involved is one of the fabricating or the assembling of standardized parts as contrasted to a processing activity which would involve a physical or chemical

process which would change the nature or character of the product or raw material.

(c) Scientific or research laboratories devoted to research, design or experimentation, and processing and fabricating incidental thereto, provided that no materials or finished products shall be manufactured, processed or fabricated on said premises for sale, except such as are incidental to said laboratory activities or are otherwise permitted in this district.

(d) The wholesaling of goods or services, including the warehousing or storage of goods, provided such activities and inventories are conducted entirely within an enclosed structure or are conducted in open yard areas which are adequately screened from few from adjacent lots or roads.

(e) Laundry, cleaning and dying work, and carpet and rug cleaning.

(f) Commercial bakeries.

(g) Public utility structures, ***except natural gas transmission lines which shall be prohibited.***

(h) Accessory uses customarily incidental to the above uses; including enclosed and open parking.

(5) Residential: The permitted uses shall be:

(a) detached and attached townhouses and garden apartments with uses customarily incidental thereto, including enclosed and open parking space and recreation areas. Home Occupations, as defined and delineated by the Jersey City Ordinance, Article II, Section 201 shall be permitted as a Conditional Use. For the purposes of this ordinance Home Occupations are limited to physicians, lawyers, registered architect, and licensed engineers, planners and land surveyors, who are owner-occupants of the residential structure containing said Home Occupation. However, within this district, Home Occupations must be conducted entirely within the principal structure. The Planning Board may deny approval of a Home Occupation if there will be an over-concentration of such uses within the district. Considerations of traffic, parking and safety shall be among the deciding factors in such approval or denial. Provided, however, that not more than two (2) such Home Occupations may be located on any one (1)

block front, nor no more than three (3) such uses may be located on any one (1) tax block. In no event shall the number of such uses exceed eight (8) within the Residential District.

(b) Houses of Worship and uses customarily incidental thereto including accessory neighborhood community center services.

(c) Public utilities, except natural gas transmission lines shall be prohibited.

(6) Railroad: The permitted use shall be railroad track and roadbed. ***Additionally, public utilities shall be permitted, with the express prohibition of natural gas transmission lines.***

(7) Interim Uses: Interim uses may be established, subject to agreement by the developers with the Planning Board, that such uses will not have an adverse affect upon assisting 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 duration. Additional renewals of an interim use may be granted by the Planning Board.***

b. Additional regulations, controls or restrictions to be imposed within each of the reuse areas are as follows:

(1) Public:

(a) Planning and Design Objectives: The new public uses include a high school athletic field at the corner of Bright and the new Merseles Street, and a County Vocational School on Montgomery Street. The High School athletic field is to functionally relate to the high school built north of Montgomery Street and east of the Project Area. The design objective in this case, and in the case of the County Vocational School is to provide a facility which will present an aesthetically pleasing approach to the project area as seen from Montgomery Street, and to provide recreational opportunities for the new residents of the area.

(b) Yard Requirements: Front, side and rear yards shall not be less than fifteen (15) feet.

(c) Land Coverage: The maximum amount of land covered by buildings shall not exceed twenty-five (25) percent.

(d) Density: Density controls are not applicable to this use.

(e) Building Height: The maximum building height shall be forty (40) feet.

(f) Access to Housing Units: Not applicable to this use.

(g) Off-Street Parking: There shall be provided a minimum of one (1) off-street parking space for each four hundred (400) square feet of floor area. No off-street parking shall be required on the site of the high school athletic field.

(h) Off-Street Loading: No loading or unloading shall take place from a street.

(i.) Landscaping: A minimum of twenty (20) percent of the lot area shall be landscaped. All areas not used for the athletic field or for the building, parking areas, or access drives shall be landscaped.

(2) Commercial:

(a) Planning Design Objectives: To provide a conveniently located neighborhood shopping center oriented to the needs of the residents of the project area as well as persons traveling to the center on Grand Street.

(b) Yard Requirements: No building shall be closer than ten (10) feet to the nearest property line.

(c) Land Coverage: The maximum amount of land covered by buildings shall not exceed thirty-five (35) percent.

(d) Density: Not applicable to this use.

(e) Building Height: The maximum height shall be forty (40) feet.

(f) Access to Housing Units: Not applicable to this use.

(g) Off-Street Parking: There shall be provided a minimum of one (1) parking space for each three hundred (300) square feet of building area.

(h) Off-Street Loading: One off-street loading space shall be provided for the first 10,000 square feet and for each additional

20,000 square feet or part thereafter.

(i) Landscaping: A minimum of fifteen (15) percent of the lot area shall be landscaped. All areas not developed for building or access drives or parking area shall be landscaped.

(3) Residential and Residential - A

(a) Planning and Design Objectives: The objective is to provide low density housing, both private and public, in an area that will offer protection from excessive vehicular traffic, open space, recreation and neighborhood commercial facilities within walking distance of primary and secondary schools and the city's major hospital.

(b) Permitted Residential Uses:

1) Detached one, two, or three family sales housing.
2) Row houses, garden apartments or townhouses type rental housing.

3) Recreation and open space.
4) Houses of Worship provided their lot includes greater than 50 feet of frontage on Montgomery Street.

(c) Requirements for all uses listed above in Section C.b.(3)(b); (exludes Residential – A)

1) Yard Requirements (see map immediately following):

Front yards, except for lots having frontages facing Merseles Street, shall have a minimum depth of ten (10) feet; front yards for lots having frontages facing Merseles Street shall have minimum depths as follows: Corner lot, Montgomery and Merseles Streets - residential structure to be so situated as to provide a minimum of twenty five (25) feet clearance from the sewer easement. Lots north of the above fronting on Merseles Street - residential structures to be so situated as to provide a minimum of three (3) feet clearance from the sewer easement.

Rear yards, except for lots having frontages facing Merseles Street, shall have a minimum depth of twenty (20) feet; lots having frontages facing Merseles Street shall have a

minimum rear yard depth of ten (10) feet.

Side yards shall be a minimum of three (3) feet on each side, except for attached houses. Side yards shall be a minimum of seven and one half (7.5) feet on each side for townhouses.

2) Density: The density of the housing units shall not exceed thirty-six (36) units per acre based on the total site.

3) Building Height: The maximum building height shall be three (3) stories or thirty-five (35) feet.

4) Off-Street Parking: Residential - A minimum of one (1) space per housing unit shall be provided. Home occupation - additional off-street parking spaces may be required by the Planning Board in its review for Conditional Use approval. Such parking must be adequately screened with a dense planting of evergreens not less than three (3) feet tall.

The Planning Board can waive the above requirements only upon showing that neighboring properties will not be adversely affected.

5) Landscaping: A minimum of twenty-five (25) percent of the residential lot area shall be landscaped.

6) Lot Size: Each newly subdivided lot shall have a minimum of twenty five hundred (2500) square feet for detached housing and sixteen hundred (1600) square feet for attached housing.

7) Land Coverage: The maximum amount of land covered by buildings shall not exceed sixty (60) percent for each newly subdivided lot.

8) Signs: Home Occupations shall be permitted one (1) sign not to exceed two (2) square feet.

(d) Requirements for Residential - A (only)

1) Yard Requirements: Front yards shall have a minimum depth of zero (0) feet. Rear yards shall have a minimum depth of ten (10) feet. Side yards shall have a minimum

depth of zero (0) feet.

2) Density: Maximum density shall not exceed forty (40) units per acre.

3) Building Height: The maximum building height shall not exceed four (4) stories or forty (40) feet.

4) Off-Street Parking: All residential uses shall provide a minimum of one-half (0.5) stalls per dwelling unit.

5) Landscaping: A minimum of twenty-five (25) percent of the residential lot area shall be landscaped.

6) Lot Size: Minimum lot width shall be fourteen (14) feet. Minimum lot depth shall be fifty (50) feet. Minimum lot area shall be seven hundred (700) square feet.

(4) Industrial:

(a) Planning and Design Objectives: To provide large parcels of conveniently located land to accommodate the expansion and modernization needs of local and new industry while at the same time developing these areas to be compatible with nearby residential and school uses.

(b) Yard Requirements: No building shall be closer than ten (10) feet to the nearest street line, however, no actual building front (excluding parking area) shall be closer than thirty (30) feet from street

(c) Land Coverage: The maximum amount of land covered by buildings shall not exceed sixty (60) percent.

(d) Density: No applicable to this use.

(e) Building Height: The maximum building height shall be forty (40) feet.

(f) Access to Housing Units: Not applicable to this use.

(g) Off-Street Parking: There shall be provided a minimum of one (1) space per four hundred (400) square feet for office use. One (1) space per seven hundred fifty (750) square feet for service and

manufacturing use. One (1) space per five thousand (5000) square feet for warehouse use.

(h) Off-Street Loading: One (1) off-street loading space shall be provided for the first ten thousand (10,000) square feet of floor area and for each additional twenty thousand (20,000) square feet, up to one hundred thousand (100,000) square feet thereafter one (1) space per each additional forty thousand (40,000) square feet.

(i) Landscaping: A minimum of ten (10) percent of the lot area shall be landscaped, and in the site plan review process the Agency will seek to provide maximum buffering between industrial areas and residential or public areas.

(5) Railroad:

(a) Planning and Design Objectives: To allow for the existing railroad activity only: railroad track and roadbed.

(b) Yard Requirements: Not applicable to this use.

(c) Land Coverage: Not applicable to this use.

(d) Density: Not applicable to this use.

(e) Building Height: Not applicable to this use.

(f) Access to Housing Units: Not applicable to this use.

(g) Off-Street Parking: Not applicable to this use.

(h) Off-Street Loading: Not applicable to this use.

(i) Landscaping: Not applicable to this use.

(6) General Provisions:

(a) Off-Street Parking and Loading:

1) Each parking space shall have a minimum width of nine (9) feet and a minimum depth of twenty (20) feet, and shall be suitably delineated.

2) Each loading space shall have a minimum width of

twelve (12) feet, a minimum depth of forty (40) feet and a minimum overhead clearance of fourteen (14) feet. Loading areas in Educational zone shall not exceed 36 feet in length.

3) Aisles for movement of traffic within each parking area shall have a maximum width of twenty-two (22) feet for two-way traffic.

4) Screen planting of a dense evergreen material not less than four (4) feet in height nor more than six (6) feet in height shall be provided in any location where the lights from vehicles within an off-street parking area for five (5) or more cars may shine directly into windows of nearby residences. In lieu of screen planting, a wooden fence of woven lattice or wooden louver type of split cedar fence with a maximum of three -quarter (3/4) inch spacing may be provided not less than four (4) feet in height.

5) Illumination of parking areas with over five (5) parking spaces is required during hours of use after dark and shall be of a low level with shielding to prevent glare. In no case shall such lights shine directly onto any adjacent lot or street.

6) Surfacing shall be of concrete or a asphalt material to provide a hard, drained and dust free surface.

7) All off-street parking areas shall provide poured-in-place concrete curbing to prevent vehicles from encroaching on landscaped or sidewalk areas.

8) Time of Provision - All off-street parking and loading requirements shall be met on or before the time of completion of the construction or enlargement of any structure.

(b) Accessory Uses:

1) Accessory structures shall meet the setback requirements of the principal use.

2) Accessory industrial structures shall not exceed forty (40) feet in height. Accessory commercial structures shall

not exceed twenty (20) feet in height.

3) The land covered by accessory structures shall be included in the land covered by principal building in computing land coverage.

4) Plans for location and design of accessory structures shall accompany the plans for the principal structure and shall be approved by the Jersey City Redevelopment Agency and the Jersey City Planning Board.

(c) Signs:

1) Signs or commercial buildings shall not exceed ten (10) percent of the area of the side of the building upon which the sign is attached. Each outside wall shall be permitted one (1) sign for each business.

2) Signs on buildings in the industrial use areas shall not exceed one hundred fifty (150) square feet in area or ten (10) percent of the area of the front of the building, whichever is less. No more than one (1) sign shall be permitted in each parcel. Said sign may be free standing or attached to the building, but in no event shall a sign be placed in the required setback area. Said sign may be internally or externally illuminated but no glare from external lighting shall be visible beyond lot lines.

3) Billboards are prohibited.

(d) Planting Easements:

1) Planting easements are located in redevelopment parcels only. There are no planting easements on properties not to be acquired.

2) Planting easements shall be owned and maintained in good condition by the owner of the redevelopment parcel.

3) Planting easements shall be credited toward the minimum landscaping requirements of this Urban Renewal Plan.

4) The purpose of the planting easement is to provide an effective screen between the railroad, the Public Service Electric and Gas company power substation and the adjoining uses. Also, between

all industrial areas and adjacent residential or public areas. Trees should be planted which have a maximum growth height of at least twenty-five (25) feet and the trees shall be at least six (6) feet in height and of three (3) inch caliper at planting. Trees shall be planted at twenty-five (25) feet intervals or closer. The spacing of plants will be determined on the basis of the types of trees used in the easement. The redeveloper shall submit a proposed planting scheme, including the spacing and the types of trees. The Redevelopment Agency shall review the proposed planting scheme to determine its adequacy as a screening device.

(7) Review and Approval of Plans and Specifications:

(a) In order to establish and maintain values and insure aesthetic and functional coordination essential to carrying out the objectives of the Urban Renewal Plan, developers shall agree to certain additional controls through such means as are deemed appropriate by the Jersey City Redevelopment Agency. Such controls will be concerned solely with aesthetic and functional considerations and will not relieve developers of their responsibilities to comply with all ordinances and governmental rules and regulations including the Urban Renewal Plan. The Jersey City Redevelopment Agency specifically reserves the right to review and approve the developer's detailed plans, final working drawings and specifications. Review and approval will be specifically concerned with, but not limited to, site planning, architectural and construction details, screening and landscaping ingress and egress and signs. Preliminary sketches, drawings of site plans and building elevations in sufficient detail to show access., layout, landscaping and building construction shall be submitted to the Redevelopment Agency and the Jersey City Planning Board for review and approval before working drawings are made and before construction may commence.

(b) Statement of Duration of Provisions and Requirements: The provisions of the Urban Renewal Plan specifying the land use for the Project Area and the requirements and restrictions thereto shall be in effect for a period of forty-nine (49) years following the official adoption of the Urban Renewal Plan by the Municipal Council of the City of Jersey City.

(c) Application of Provisions and Requirements of the Urban Renewal Plan to Property not to be Acquired:

1) The provisions of Sections C 2a, and C 2b, above shall be applicable to property not to be acquired in the Project Area where such property is extended or enlarged on land acquired or where

such property is substantially altered, improved or renovated within the not-to-be acquired parcel.

~~(d) 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. Applications may be submitted for the entire project or for any number of phases. Preliminary site plan approval shall entitle the applicant to apply for building permits for the particular phase or phases granted preliminary site plan approval. Final site plan approval for any phase shall not be granted unless or until the phase(s) is (are) substantially completed or performance guarantees for site improvements for that (those) phase(s) have been furnished by the redeveloper in accordance with NJSA 40:55D-53.~~

~~(e) No Certificate of Occupancy of any type shall be issued for any structure within the area until the Planning Board of the City of Jersey City has given final site plan approval for the phase in which said construction is located. Any performance guarantees required pursuant to NJSA 40:55D-53 shall be in favor of the City of Jersey City and in a form approved by the Jersey City Corporation Counsel. The amount of any such performance guarantee(s) shall be as determined by the City's Engineering Division and shall be sufficient to assure completion of site improvements within one year of final site plan approval.~~

(d) Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the Area shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval so that compliance of such plans with the redevelopment objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases.

As part of any site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53 et seq. Such performance guarantees shall be in favor of the City in a form approved by the Jersey City Corporation Counsel. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of on and off site improvements within one (1) year of final site plan approval.

~~(f)~~ ***(e)*** Any subdivision of lots and parcels of land within the redevelopment area shall be in accordance with the requirements of this plan and the land subdivision ordinance of the City of Jersey City.

D. PROJECT PROPOSALS

1. Land Acquisition

a. Identification of Real Property Proposed to be Acquired:

(1) All real property to be acquired for clearance and redevelopment is identified on the Land Acquisition Map, U.R.P. Map No. 3, dated August, 1973.

(2) All real property to be acquired for clearance and construction of public facilities is identified on the Land Acquisition Map No. 3, dated August, 1973.

(3) Rehabilitation and conservation is not contemplated within the project area.

b. The only properties not-to-be-acquired in the Project Area are owned by quasi-public utilities. Public Service Electric and Gas company has a power substation which is not-to-be-acquired, and several railroad lines which cut through the Project Area are not-to-be-acquired. These properties will be screened from disposition parcels by planting easements as described in this Urban Renewal Plan.

c. The Jersey City Redevelopment Agency does not contemplate exemption from acquisition any properties designated for acquisition.

2. Redeveloper's Obligations

In order to achieve the objectives of the Urban Renewal Plan, each developer shall construct improvements in conformity with this plan and commence and complete such construction within a reasonable time as determined by the Jersey City Redevelopment Agency. The time will be specified in disposition documents.

The redeveloper must take effective measures to minimize dust, airborne soil erosion and limit noise during construction.

The redeveloper must be in compliance with all State and local requirements including the New Jersey Soil Erosion and Sediment Control Act (Chapter 21, P.L. 1975) and the New Jersey Noise Control Code (NJSA 13:1G-l et. seq.).

There shall be no restriction of occupancy or use of any part of the project area on the basis of race, sex, creed, color or national origin.

3. Truck Traffic

Industrial Park Truck Traffic Access will be by internal loop road and existing major routes (Grand Street, Fairmount Avenue and Montgomery Street).

E. OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS

1. The Urban Renewal Plan contains all provisions necessary to meet State of New Jersey requirements under the Redevelopment Agencies Law.

2. The Urban Renewal Plan contains all provisions necessary to meet all requirements of the City of Jersey City.

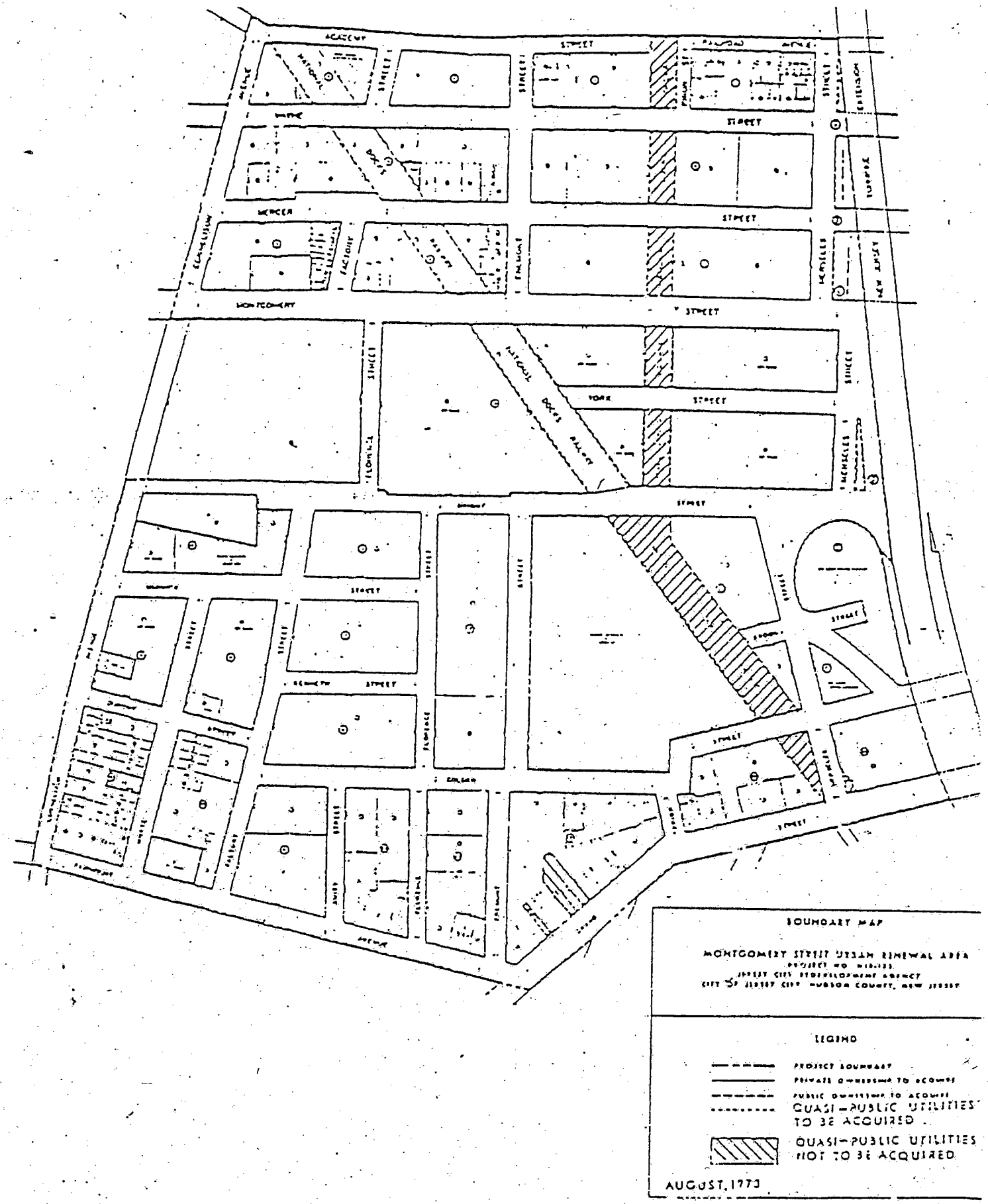
3. In order to comply with the requirements of the laws of the State of New Jersey, the following statement is made in reference to the provisions for the temporary relocation and permanent re-housing of the persons residing in the Montgomery Street Urban Renewal Area.

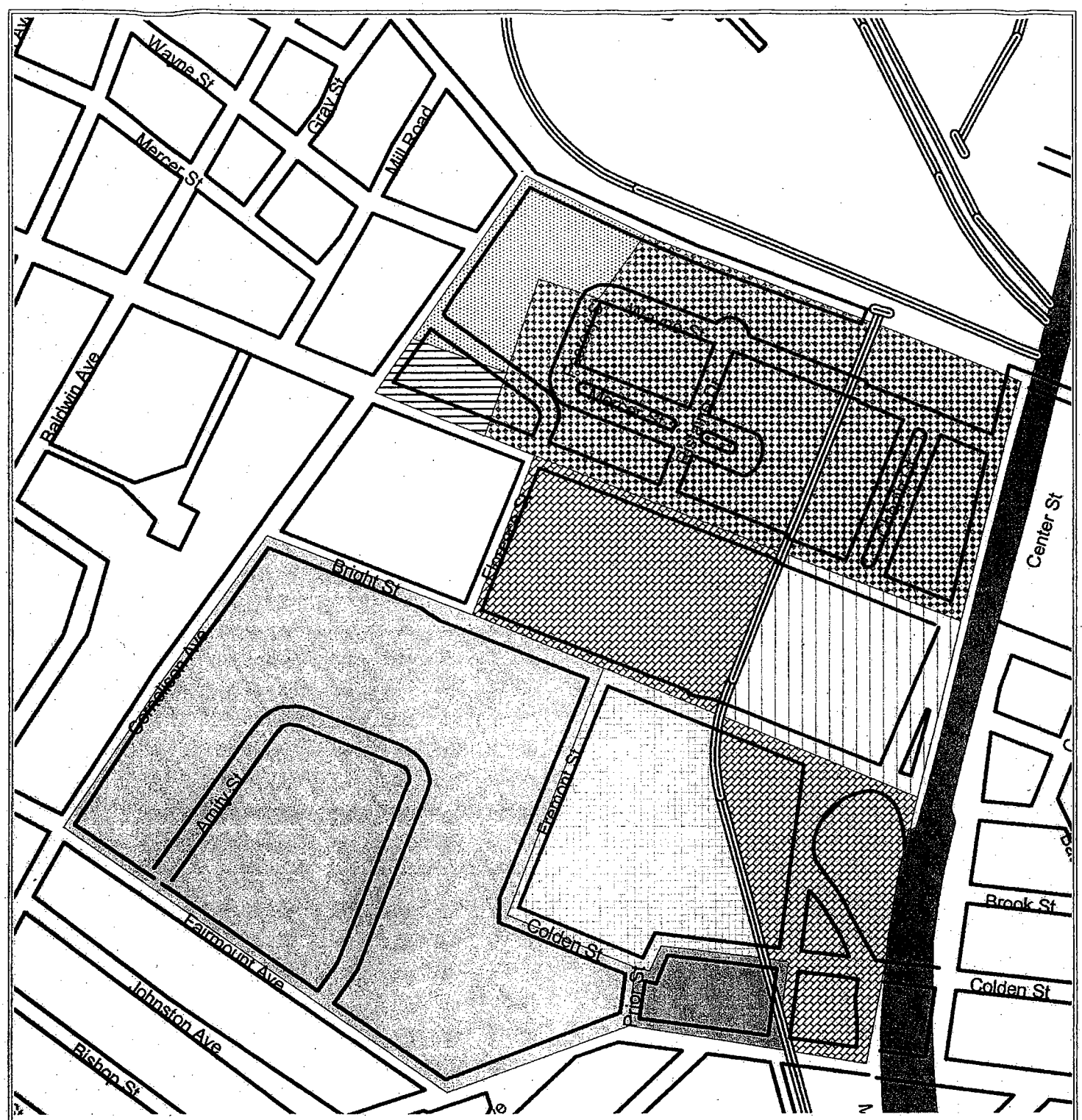
There are presently approximately 195 families of two or more persons and 25 individuals who have permanent residence in the Project Area and will require relocation. The City of Jersey City, through the services of the Redevelopment Agency, will provide these families and individuals the opportunity of being relocated into housing which is decent, safe and sanitary and which is within their financial means. The Redevelopment Agency will establish a relocation office within the Project Area. This office will be staffed by qualified personnel who will actively assist families and individuals in finding adequate accommodations. All families and individuals to be displaced will be interviewed to determine their re-housing requirements. In addition, a list of privately-owned houses and apartments, which have been inspected and certified as being decent, safe and sanitary, will be maintained and all families and individuals will be referred to dwelling units which are within their financial means. It is estimated that of the 195 families in the Project Area, 30 will be relocated into private sales housing, 122 will be relocated into private rental housing and 43 will be relocated into public housing. Of the 25 individuals to be displaced, 17 will relocate into private rental housing and 9 will relocate into public housing. The survey of housing resources and an analysis of the date obtained reveals that approximately 13,442 standard private rental units, 3,536 standard sales housing units, and 1,831 public housing units will become available during the three year relocation period.

4. The Urban Renewal Plan proposes to attain definite local objectives as to appropriate land uses, density of population as well as improved public utilities, traffic circulation, recreational and community facilities and other public improvements.

F. PROCEDURE FOR CHANGES IN APPROVED PLAN

The Urban Renewal Plan may be amended from time to time upon compliance with requirements of law, provided that with respect to any land in the Project Area previously disposed of by the Jersey City Redevelopment Agency for use in accordance with the Urban Renewal Plan, the Jersey City Redevelopment Agency received written consent of the then owner of such land whose interest therein is materially affected by such amendment. A fee of ~~$500.00~~ ***$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 40:55C-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.~~


BOUNDARY MAP
MONTGOMERY STREET URBAN RENEWAL AREA
LEGEND
PROJECT BOUNDARY
PRIVATE OWNERSHIP TO ACQUIRE
PUBLIC OWNERSHIP TO ACQUIRE
QUASI-PUBLIC UTILITIES TO BE ACQUIRED
QUASI-PUBLIC UTILITIES NOT TO BE ACQUIRED
AUGUST, 1973



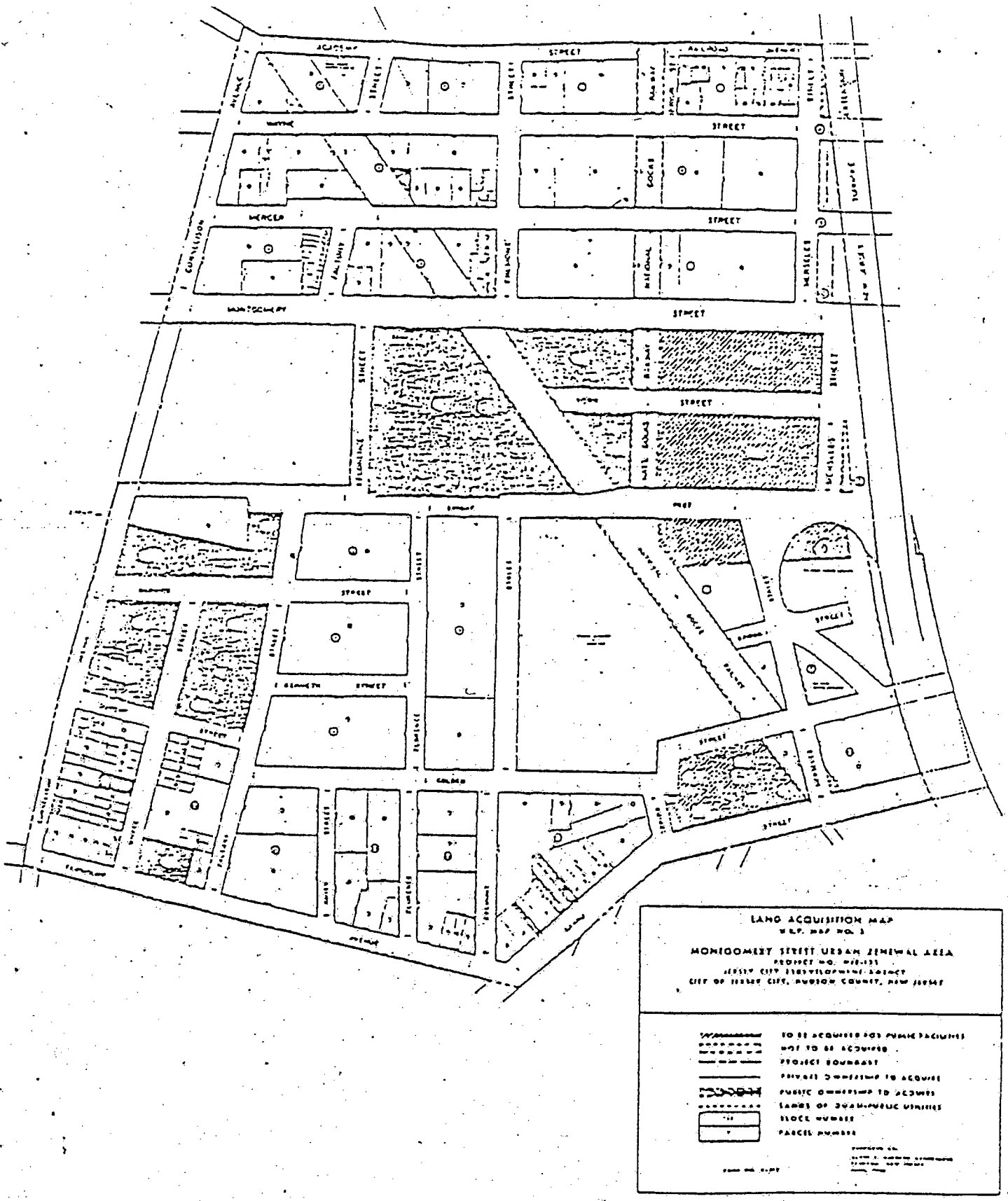
Montgomery Street Redevelopment Plan
Proposed Land Use Plan
JCRA Dated Sept., 1982
REVISED NOVEMBER 1999

Railway Trussel

LANDUSE

- Industrial or Commercial
- Educational
- Public
- Residential-A
- Commercial
- Public Housing
- Residential
- Industrial

DIVISION OF CITY PLANNING


LAND ACQUISITION MAP
MONTGOMERY STREET URBAN RENEWAL AREA

City Clerk File No. Ord. 10-156

Agenda No. 3.P 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 10-156

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE MORRIS CANAL REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE

WHEREAS, the Municipal Council of the City of Jersey City adopted the Morris Canal Redevelopment Plan in March of 1999, and amended the Plan numerous times subsequently, most recently on September 29, 2010; and

WHEREAS, the Planning Board, at its meeting of November 15, 2010, determined that the Morris Canal Redevelopment Plan would benefit from amendments to prohibit natural gas pipelines and to revise the site plan review procedure; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Morris Canal Redevelopment Plan is attached hereto, and made a part hereof, and is available for public inspection at the office of the City Clerk, 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 aforementioned amendments to the Morris Canal Redevelopment Plan 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.
E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

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

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required ☐

Not Required ☐

Date Submitted to B.A._____

ORDINANCE FACT SHEET

1. **Full Title of Ordinance:**

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE MORRIS CANAL REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE

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

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

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

This ordinance prohibits natural gas pipelines from the Area and updates the site plan review procedures.

4. **Reasons (Need) for the Proposed Program, Project, etc.:**

Natural gas pipelines are an unwanted use in the area. The current review procedures appear to be outside the scope of the law.

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

Prohibition of gas pipeline. Brings review procedures into conformance with the Municipal Land Use Law.

6. **Cost of Proposed Plan, etc.:**

$0.00. Plan was prepared by Division of City Planning staff.

7. **Date Proposed Plan 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

10. **Additional Comments:**

I Certify that all the Facts Presented Herein are Accurate.

Robert D Cotter — Nov 3, 2010
Division Director — **Date**

Deputy **Department Director Signature** — Nov 3, 2010
Date

Summary Sheet:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE MORRIS CANAL REDEVELOPMENT PLAN TO PROHIBIT NATURAL GAS PIPELINES AND TO REVISE SITE PLAN REVIEW PROCEDURE

This ordinance prohibits natural gas pipelines as a permitted use and modifies the review procedures for amending the Plan. Current review procedures appear to be outside the scope of the law.

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
Amended May 28, 2008 – Ord. 08-060
Amended June 25, 2008 – Ord 08-084
Amended December 17, 2008 – Ord 08-169
Amended January 28, 2009 – Ord 09-006
Amended June 17, 2009 –Ord 09-071
Amended May 12, 2010 – Ord 10-064
Amended August 25, 2010 – Ord 10-104
Amended September 29, 2010 – Ord 10-115
PROPOSED AMENDMENTS November 2010

DIVISION OF CITY PLANNING

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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 acre district in the heart of Jersey City. Its boundary is approximately 5.2 miles in perimeter, and encompasses city streets and over 850 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 bye. 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. 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. Suck 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

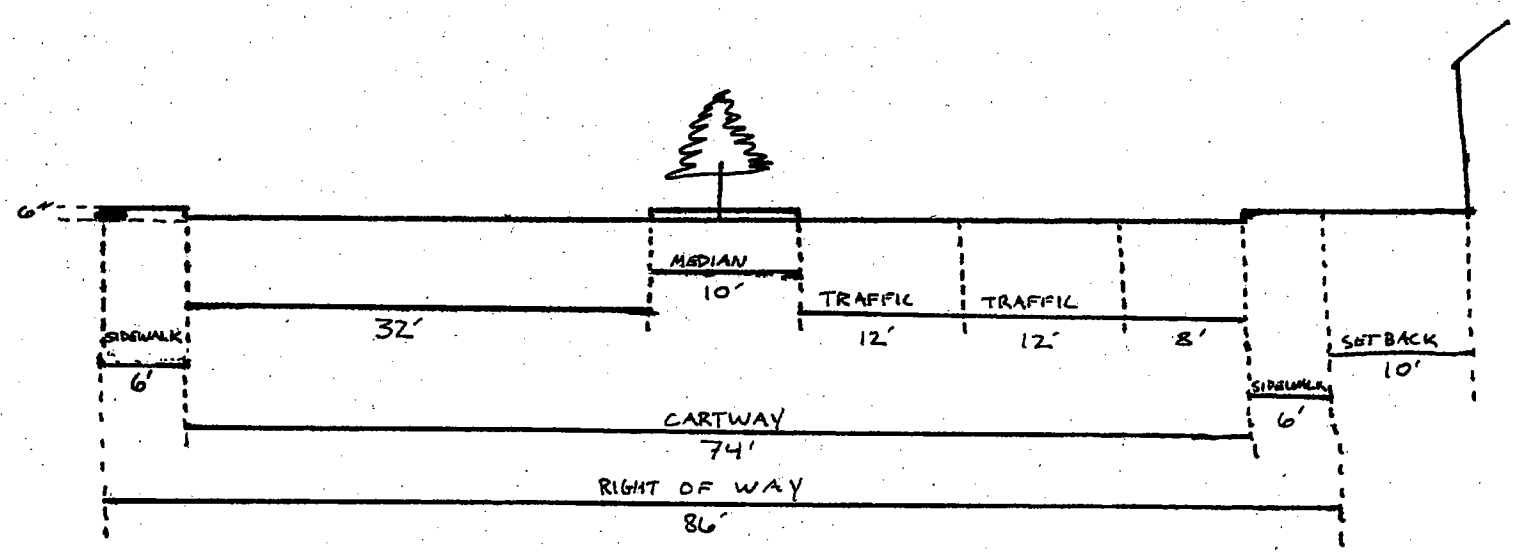
be given to the intersections of Whiton and Lafayette Streets, Monitor and Lafayette Streets, and Pine and Maple Streets.

C. 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. 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.

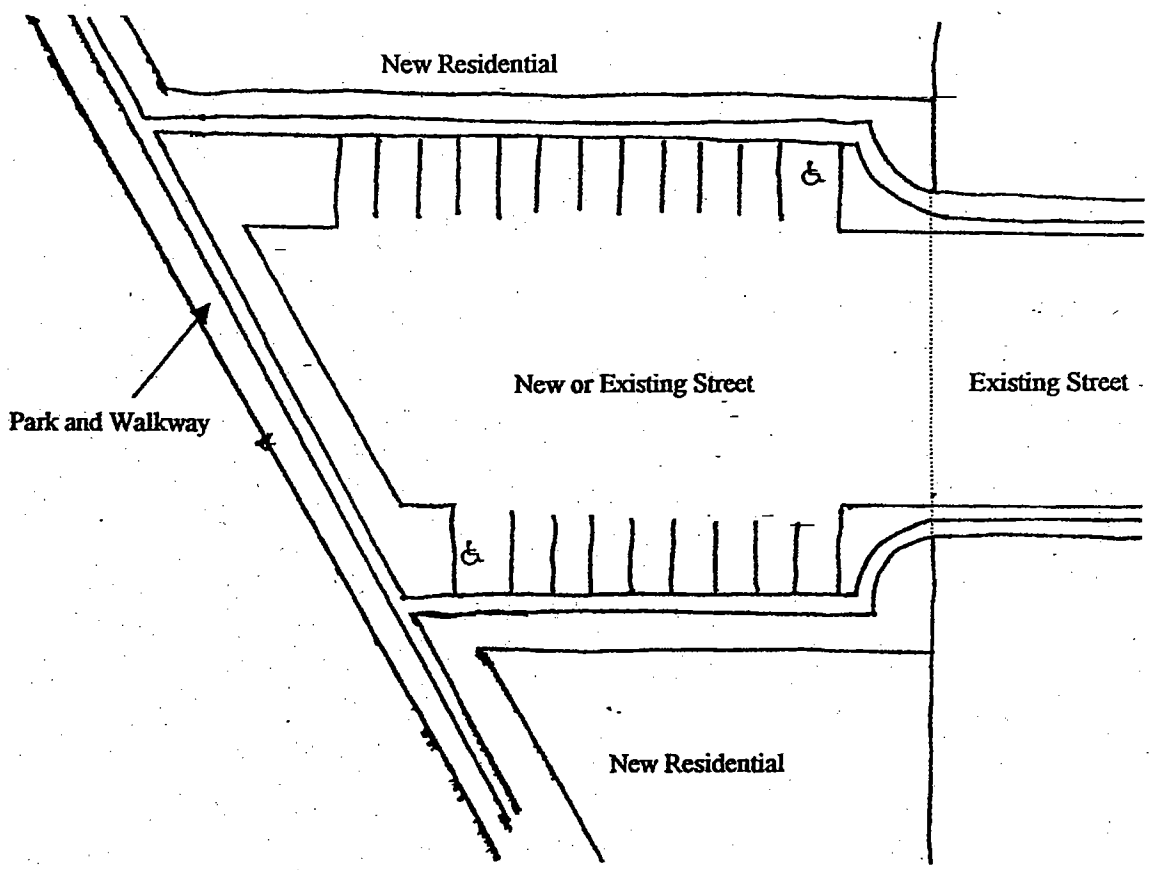
E. Widen Garfield Avenue between Bramhall Avenue and Communipaw Avenue sufficiently to accommodate two lanes of traffic in each direction, with a center median landscaped with trees and other plantings, and a break-down lane in each direction.

F. 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.


6"
SIDEWALK
6'
32'
MEDIAN
10'
TRAFFIC
12'
TRAFFIC
12'
8'
SIDEWALK
6'
SETBACK
10'
CARTWAY
74'
RIGHT OF WAY
86'

G. 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. 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. 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.~~

Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the Area shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval so that compliance of such plans with the redevelopment objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases.

As part of any site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53 et seq. Such performance guarantees shall be in favor of the City in a form approved by the Jersey City Corporation Counsel. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of on and off 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 zone Industrial – A, 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.

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 Industrial – A zone, 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 in 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 Adaptive 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. Parking lots of ten (10) or more spaces shall be planted with shade trees at a rate of one tree per ten (10) parking spaces in addition to required street trees and perimeter screen planting.

K. 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.

L. 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.

M. 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. Transit Oriented Development

The Transit Oriented Development District (TOD) shall generally encompass the eastern portion of the Morris Canal Redevelopment Area in the vicinity of the Hudson Bergen Light Rail Transit (HBLRT) station and adjacent to the RTC Rail Transportation Corridor District. The TOD shall be further sub-divided into four (4) sub-districts: 1. Transit Village, 2. TOD South, 3. TOD North, and 4. TOD West (See Map B).

The purpose of this district is to provide for higher density mid-rise development and lower parking standards in proximity to the HBLRT station in order to take advantage of the mass transit opportunities afforded by the Hudson Bergen Light Rail and local bus routes.

1. Transit Village: The Transit Village sub-district constitutes the core of the TOD District and is generally located between Communipaw Avenue on the South, Johnston Avenue

on the North, former Garabrant Street on the West, and Gateway Drive on the East. The district is directly across Gateway Drive from the Light Rail Station.

NOTE: At this time, specific recommendations have not been fully developed for the Transit Village District. Therefore, for the time being, the requirements of the CP – Commuter Parking district will remain in effect.

2. TOD-South: The TOD South District is located south of, and has frontage on Communipaw Avenue. This district also has frontage on Suydam Avenue, Pine Street and adjoins the Rail Transportation Corridor district on the south and east. The following regulations shall apply to all property within the TOD-South district except for Lots: A, 14, 15, 16.99, 17, 18, 19, 20, 21, 22, 23, 24A, 24B, and 24C located on Block 2047. These lots shall continue to be regulated by the requirements of the Residential District of this Redevelopment Plan.
   a. Permitted Uses
      i. Multi-family Residential
      ii. Office
      iii. Hotel
      iv. Retail Sales & Services
      v. Restaurants (Category one and two)
      vi. Schools
      vii. Day Care Centers
      viii. Public Parks/Open Space
      ix. Mixed use of the above
      x. ***Public Utilities, except that natural gas transmission lines shall be prohibited***

NOTE: Uses other than Residential and Public Parks shall only be permitted on sites having frontage on, and primary access from, Communipaw Avenue.

   b. Accessory Uses
      i. Off-street Parking
      ii. Home occupations
      iii. Private Open Space and Recreation Facilities: including indoor & outdoor recreation areas, meeting rooms, gyms & spas, and other similar facilities

   c. Minimum Lot Size: 30,000 sq.ft. (Note: All parcels of less than 30,000 square feet shall be governed by the requirements of the Residential District of the Morris Canal Redevelopment Plan).

   d. Intensity of Development: The size and scale of all buildings in this district shall be regulated by the development bulk standards of this district. And further provided that the floor area ratio of any building shall not exceed 6.0.

   e. Height Standards: Maximum of 4 stories / 45 feet for buildings fronting on Pine Street.
      Maximum of 8 stories 90 feet elsewhere in the district

f. Setback Requirements:
   i. Communipaw Avenue Setback: Zero (Commercial uses should meet the sidewalk, however, the building may be setback where necessary to create additional sidewalk width or outdoor seating areas for restaurants).
   ii. Suydam Avenue and Pine Street setback: Minimum of five (5) feet from the street property line except for building lobbies, elevator core and fire staircases which are permitted to be at the front property line.
   iii. Side yard setback (perpendicular to Suydam Avenue or Pine Street): No Minimum, except where the side lot line is also a Residential district property line, wherein the minimum side setback shall be five (5) feet.
   iv. Side yard setback (perpendicular to Communipaw Avenue): No Minimum.
   v. Rear yard setback: No minimum for the lower level of the building containing off-street parking. 15 feet for floors above the first level.

g. Design Standards
   i. Façade materials must primarily consist of standard brick with stone accents, and of a color that is compatible with the surrounding built residential environment. Other materials such as metal panels, cementitous board siding and similar materials may be used on window bays and as accents on the façade to provide architectural interest and variety. Windows and doors shall have stone or brick lintels and sills except where metal panels or other non-masonry materials are used, or where the window are more minor (i.e. smaller) in scale, such as windows on exit stairways or bathrooms.
   ii. The structure must contain vertical elements in the façade to break up the horizontal lines of the building and create architectural interest and variety such that the structure does not read as a continuous slab along the streetscape.
   iii. A corner bay above the ground floor shall be permitted to encroach upon the required setback area or into the ROW a maximum of 3 feet at the corner of Suydam and Communipaw Avenues provided that the lowest point of the bay is at least 15 feet above grade and subject to compliance with local ordinances and City Council approval if applicable.
   iv. Window bays serving residential uses may be incorporated into the structure, with the bays subject to the following conditions:
      1. Must align vertically with the façade section
      2. Maximum protrusion from primary façade of two (2) feet.
   v. Only "French Balconies" shall be permitted on facades fronting on a public street.

vi. Parking levels must be constructed of the same materials as the overall structure and contain fenestration and other detailing that is consistent with the architectural design of the overall structure. Entrances to the parking area must be limited to a single bay opening, or one set of adjacent double bay openings. The combined width of a vehicular bay opening in the façade may not exceed twenty (20) feet.

vii. 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. However, ground floor parking levels shall not exceed twelve feet (12) above grade.

viii. Windows in residential portions of a building shall be arranged in a contemporary and organized manner. The tops of windows and doors shall be designed to avoid confusing perspectives. Windows shall not be scattered in a haphazard manner in the façade. Bay windows and other window features may be incorporated into the façade to provide architectural interest and character. The window sill of any residential window shall not be less than five (5) feet above the elevation of the adjoining sidewalk

ix. Ground Floor retail fenestration shall constitute a minimum of seventy-five (75) percent of the ground floor façade area.

x. 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. A cornice shall be permitted to encroach upon the required setback area or into the ROW a maximum of 2 feet, subject to compliance with local ordinances and City Council approval if applicable.

xi. 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.

xii. Rooftop stairwell and elevator enclosures must be designed to be consistent with the overall architectural design and materials of the building.

xiii. 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.

xiv. Common area indoor bicycle storage facilities shall be designed so that bicycles can be easily and properly secured.

xv. Utility meters must not be visible from the public right-of-way.

xvi. Exterior utility boxes must be installed below grade.

xvii. 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 open link variety.

h. Parking Requirements
   i. Residential – Max of 1.0 auto parking space per unit, and Minimum of 1.0 bicycle space per bedroom.
   ii. Hotel – Max of 1.0 auto parking space per room.
   iii. Other Commercial – Max of 2.5 auto parking spaces per 1,000 sq. ft.
   iv. Schools – Max of 1.0 per classroom.

i. Street Circulation Improvements:
   i. All existing streets shall remain open to the public.
   ii. A new vehicular / pedestrian street or alley shall be created at the southern end of Suydam Avenue and extending in an easterly and then northerly direction to connect with Communipaw Avenue.
   iii. Additional streets, alleys, or other rights-of-way may be constructed in order to create an urban grid street pattern consistent with "New Urbanism" planning principals.
   iv. The locations of all new streets, alleys and rights-of-way shall be subject to review and approval by the Jersey City Planning Board and the appropriate departments, divisions and agencies of the City of Jersey City.
   v. All new streets, alleys and rights-of-way shall be constructed to applicable Municipal and State standards and the standards of this Plan.

3. TOD-West: The TOD West district is located just west of the Transit Village district between Communipaw and Johnston Avenues. It is comprised of existing industrial structures as well as parcels that consist of completely vacant land and a blocks that are partially vacant and partially underutilized. Therefore the development regulations of this district have been established on a parcel or block basis.
   a. Block 2049 & Block 2071, Lot 2 – This parcel contains a former industrial structure that is currently under renovation and redevelopment pursuant to the requirements of the Adaptive Reuse Overlay Zone "D". Therefore, redevelopment of this property will continue to be governed by the requirements and standards of the Adaptive Reuse Overlay Zone".
   b. Block 2071, Lot B.3 - This parcel contains an existing industrial structure and therefore may be developed in conformance with the requirements of the Adaptive Reuse Overlay Zone "A". Or if the structure is demolished, the property may be developed in conformance with the requirements of paragraph d, below.
   c. Block 2071, Lots 3 through 12 – These lots shall be governed by the requirements of the residential district.
   d. Block 2070, Lots A, B1, B2, 15, 16, 17 & 19
      i. Permitted Principal Use –
         - Multi-family Residential

- ***Public Utilities, except that natural gas transmission lines shall be prohibited***

ii. 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.

iii. 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.

iv. Maximum Density – 110 dwelling units per acre.

v. Streetfront Setbacks – Buildings must be setback at least five (5) feet from any street line in order to provide a landscaped 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.

vi. Side Setback – Zero (note where only one interior lot line exists i.e. where a property has frontage on three streets), that lot line shall be considered a rear lot line. On corner lots, the lot line opposite the front lot line shall be the rear lot line and the other interior lot line shall be the side lot line.

vii. Rear Setback – 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 ten (10) feet above grade and shall be designed and/or landscaped for use as an outdoor terrace area.

e. Block 2072

i. Permitted Principal Use –
- Multi-family Residential
- Retail sales of goods and services and Restaurants (Category One & Two) only along the Johnston Avenue frontage, and as part of a mixed use building
- Child care centers
- ***Public Utilities, except that natural gas transmission lines shall be prohibited***
- Mixed use of the above

ii. 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.

iii. 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 Garabrant Street, the maximum height shall be 6 stories and 65 feet. In addition, a 7th 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 6th 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.

iv. Maximum Density – 125 dwelling units per acre, inclusive of the vacated portions of Garabrant and Maple Streets.

v. 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.

vi. 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.

vii. 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.

viii. Additional Design Standards – Buildings constructed in this area may incorporate contemporary materials and design features, such as glass and metal panels 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.

f. Block 2073

i. Permitted Principal Use –
- Multi-family Residential
- Retail sales of goods and services and Restaurants (Category One & Two) only along the Johnston Avenue frontage and as part of a mixed use building
- Child care centers
- ***Public Utilities, except that natural gas transmission lines shall be prohibited***

- Mixed use of the above.

ii. 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.

iii. 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 6th 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.

iv. Maximum Density – 125 dwelling units per acre.

v. 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.

vi. 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.

vii. 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.

viii. Additional Design Standards – Buildings constructed in this area may incorporate contemporary materials and design features, such as glass and metal panels 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.

g. Parking Requirements:

i. Residential – Max of 1.0 auto parking space per unit, and Minimum of 1.0 bicycle space per bedroom.

ii. Commercial – Max of 2.5 auto parking spaces per 1,000 sq. ft.

h. Street Circulation Improvements:
   i. Garabrant Street shall be re-opened in its original location, or reconstructed to the east of and parallel to its original alignment an shall have a R.O.W. width of at least 60 feet.
   ii. Maple Street shall be re-opened and extended to the Transit Village district and shall have a R.O.W. width of at least 60 feet.
   iii. All existing streets shall remain open to the public.
   iv. Additional streets, alleys, or other rights-of-way may be constructed in order to create an urban grid street pattern consistent with "New Urbanism" planning principals.
   v. The locations of all new streets, alleys and rights-of-way shall be subject to review and approval by the Jersey City Planning Board and the appropriate departments, divisions and agencies of the City of Jersey City.
   vi. All new streets, alleys and rights-of-way shall be constructed to applicable Municipal and State standards and the standards of this Plan.

4. TOD-North: The TOD North District is located north of, and has frontage on Johnston Avenue. This district also has frontage on Garabrant Street, Monitor Street, Pine Street and Whiton Street; and adjoins the Rail Transportion Corridor district on the north and east. It is comprised of existing industrial structures as well as parcels that consist of completely vacant land and blocks that are partially vacant and partially underutilized. In addition, a portion of this district at the intersection of Johnston Avenue and Garabrant Street has been redeveloped with townhouses. Therefore the development regulations of this district have been established on a parcel or block basis.

   a. Blocks 2093 and 2095
      i. Permitted Principal Use –
         - Multi-family Residential
         - Retail sales of goods and services and Restaurants (Category One & Two) only along the Johnston Avenue frontage and as part of a mixed use building
         - Child care centers
         - ***Public Utilities, except that natural gas transmission lines shall be prohibited***
         - Mixed use of the above
      ii. Accessory Uses
         - Off-street parking, within the principal structure and as surface parking at the rear of the building with appropriate landscaping; including shade trees.
         - Resident amenity areas such as gymnasium and exercise rooms, meeting rooms, indoor and outdoor recreation areas, etc.
      iii. Minimum Lot Size – 10,000 square feet. (Note: All parcels of less than 10,000 square feet shall be governed by the requirements of the Residential District of the Morris Canal Redevelopment Plan).

iv. Maximum Height
- The maximum height shall be 8 stories and 85 feet.
- Each residential floor shall have a minimum height of nine (9) feet from floor to ceiling.

v. Intensity of Development – The size and scale of all buildings on these blocks shall be regulated by the bulk standards herein and further provided that the floor area ratio of any building shall not exceed 6.0 on block 2095 and 5.5 on block 2093.

vi. Required Front Setbacks – Minimum five feet (5). Bay windows on upper level residential floors may partially extend into the front setback area a maximum of 2 feet in order to provide architectural interest and character.

vii. Side Yard Setback- Minimum zero feet (0).

viii. Rear Yard Setback- Twenty-five Feet (25) for Residential Floors; and Zero Feet (0) for the parking level. The roof of the parking level may be no more than ten (10) feet above grade and shall be designed and landscaped for use as an outdoor terrace area.

ix. Additional Design Standards – Buildings constructed in this area may incorporate contemporary materials and design features such as glass and metal panels in order to provide architectural interest. The roof deck over parking areas shall be landscaped and designed for use as an outdoor amenity space.

b. Block 2094 – This Block contains a former industrial structure that has received site plan approval to begin redevelopment pursuant to the requirements of the Adaptive Reuse Overlay Zone "A". Therefore, redevelopment of this property will continue to be governed by the requirements and standards of Adaptive Reuse Overlay Zone "A".

c. Block 2096 - Lots D, E, F, G and 11 shall be governed by the following regulations. All other portions of Block 2096 shall be regulated by the Residential District of the Morris Canal Redevelopment Plan.

i. Permitted Principal Use –
- Multi-family Residential
- Retail sales of goods and services and Restaurants (Category one & Two) as part of a multi-story building.
- Independent Living, limited to age restricted and/or special needs restricted housing
- Assisted Living Facilities, whether licensed or unlicensed by the State of New Jersey
- Adult Day Care
- Child Care as part of a multi-story building
- ***Public Utilities, except that natural gas transmission lines shall be prohibited***
- Mixed Uses of the above

ii. Accessory Uses
- Off-street parking, only within the principal structure

- Health club, meeting & recreation rooms, and other similar facilities; which may also be open to the community.

iii. Maximum Height - 175 feet, consisting of not more than a three (3) level building base containing off-street parking, lobby area and retail space; not more than thirteen (13) stories of residential dwelling units. Each residential floor shall have a minimum height of nine (9) feet from floor to ceiling. When an automated mechanical parking system is utilized, the number of parking levels within the base may be increased, provided that the height of the base maintains its three (3) story appearance.

iv. Maximum Density –290 dwelling units per acre for multi-family residential

v. Required Setbacks – None for the three (3) level base of the building.

vi. Required Building Stepbacks – The residential portion of the building above the base shall be setback at least ten (10) feet from the western side property line. The residential portion of the building above the base shall be setback at least fifteen (15) feet from the rear property line running along the railroad right-of-way, except that vertical circulation (i.e. fire stairs, elevator cores, etc.) may be built within this stepback area. The front façade may be built to the front property line.

vii. Additional Design Standards – The design of any building 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.

viii. Special Parking Requirements for Independent and Assisted Living Facilities – Evidence in the form of testimony and a parking study shall be presented to the Planning Board as part of site plan approval that the parking arrangements proposed will be adequate to service the needs of the intended uses and provide safe and adequate off-street vehicular access for all users of the facility.

d. Blocks 2097

i. Permitted Principal Use –
- Multi-family Residential
- ***Public Utilities, except that natural gas transmission lines shall be prohibited***

ii. Accessory Uses
- Off-street parking, both within the principal structure and as surface parking behind the building and adjacent to the railroad right-of-way, with appropriate landscaping; including shade trees.

- Resident amenity areas such as gymnasium and exercise rooms, meeting rooms, indoor and outdoor recreation areas, etc.

iii. Maximum Height
- The maximum height shall be 8 stories and 85 feet.
- Each residential floor shall have a minimum height of nine (9) feet from floor to ceiling.

iv. Intensity of Development – The size and scale of buildings on this blocks shall be regulated by the bulk standards herein and further provided that the floor area ratio of any building shall not exceed 5.0.

v. Minimum Lot Area – Entire Block.

vi. Required Front Setbacks – Minimum 5 feet. Bay windows on upper level residential floors may partially extend into the yard area a maximum of 2 feet in order to provide architectural interest.

vii. Side Yard Setback- Minimum zero feet (0).

viii. Rear Yard Setback- Twenty-five Feet (25) for Residential Floors; and Zero Feet (0) for the parking level. The roof of the parking level may be no more than ten (10) feet above grade and shall be designed and landscaped for use as an outdoor terrace area.

ix. Additional Design Standards – Buildings constructed in this area may incorporate more contemporary materials and design features such as glass and metal panels in order to provide architectural interest. The roof deck over parking areas shall be landscaped and designed for use as an outdoor amenity space.

e. Parking Requirements:

i. Residential – Max of 1.0 auto parking space per unit, and Minimum of 1.0 bicycle space per bedroom.

ii. Commercial – Max of 2.5 auto parking spaces per 1,000 sq. ft.

f. Street Circulation Improvements:

i. All existing streets shall remain open to the public, except that the "stub" ends of Whiton Street and Pine Street located north of Ash Street may be vacated and incorporated into adjacent properties.

ii. Additional streets, alleys, or other rights-of-way may be constructed in order to create an urban grid street pattern consistent with "New Urbanism" planning principals.

iii. The locations of all new streets, alleys and rights-of-way shall be subject to review and approval by the Jersey City Planning Board and the appropriate departments, divisions and agencies of the City of Jersey City.

iv. All new streets, alleys and rights-of-way shall be constructed to applicable Municipal and State standards and the standards of this Plan.

B. 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
   b. ***Public Utilities, except that natural gas transmission lines shall be prohibited***

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.

C. 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.

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
   l. ***Public Utilities, except that natural gas transmission lines shall be prohibited***

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

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
p. Residential on the ground floor in the rear of the building, provided the lot depth is 120 feet or greater, the lot area is 10,000 square feet or greater, and that retail is maintained along all street frontages at least 30 feet deep into the building.
q. ***Public Utilities, except that natural gas transmission lines shall be prohibited***

(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 ***twenty five*** 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 45 feet, except for steeples on houses of worship, and provided that no deviation from this height limit will be cognizable by the Planning Board.

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
   i. ***Public Utilities, except that natural gas transmission lines shall be prohibited***

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

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
k. ***Public Utilities, except that natural gas transmission lines shall be prohibited***

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 ***(3)*** stories.
   d. Maximum lot coverage shall be 85%.

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
   k. ***Public Utilities, except that natural gas transmission lines shall be prohibited***

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 (3) 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

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
   f. ***Public Utilities, except that natural gas transmission lines shall be prohibited***

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
			Front		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.

I. 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
   g. ***Public Utilities, except that natural gas transmission lines shall be prohibited***

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. 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. Walkways and Bikeways
h. ***Public Utilities, except that natural gas transmission lines shall be prohibited***

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. Additionally, existing Multi-family dwellings may be permitted to add a single residential unit in an existing basement, provided that all building, fire, and safety code requirements can be met.
c. Minimum lot area: 2,500 square feet
d. Minimum lot width: twenty-five (25) feet
e. Minimum lot depth: one hundred (100) feet
f. In the case of undersized lots (those less than 25 by 100 feet) the maximum density shall be two dwelling units.
g. Front Yard Setback:

Front yard setback shall match the setback of the Primary Building Façade of the closest permitted use on either side of the subject parcel, provided that the building setback to be matched shall be closest so the predominant (most frequently occurring) setback on the blockfront. A current signed and sealed survey of the subject property showing adjacent building setbacks on both sides along with photos showing the entire blockfront to the left and right of the subject property must be provided to the Division of City Planning as part of the application for approval.

h. Side Yards:

Minimum 2 feet (one)/5 feet (both) if adjacent dwelling is detached with side yard; where adjacent dwelling has 0 side yard (i.e., is built to the side lot line) then maximum 0.0 feet is required (i.e., new house must also be built to the side lot line); except where existing adjacent building has windows on the side lot line, then three feet required starting from one foot in front of the first window to the rear building line.

i. Minimum Rear Yards:

The rear yard setback shall be added to the front yard setback (as determined above) to produce a total of not less than thirty-five (35) feet, provided, however, that in no case shall a rear yard be less than twenty (20) feet. The mathematical formula for this calculation is as follows:

X = required front yard setback
Y = required rear yard setback

X + Y = at least 35 feet

Where lot depth exceeds one hundred (100) feet, the minimum rear yard as determined by the above standard shall be increased by fifty percent (50%) of the portion of the lot depth in excess of one hundred (100) feet.

j. Maximum building coverage: sixty percent (60%)

k. Maximum lot coverage: eighty-five percent (85%)

l. 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"; 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 as in the R-1 zoning district of the Municipal Land Development Ordinance.

m All new development shall provide a landscaped area across at least 20 % of the front yard.

n. Front yard parking is prohibited throughout the district.

o All one and two family homes shall be limited to two and a one-half stories, and may include a basement or cellar.

p. 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. 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 south-westerly 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, craftsperson work/live space, office work/live space limited to lot 17
   i. ***Public Utilities, except that natural gas transmission lines shall be prohibited***

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. 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. For the adaptation, rehabilitation, and/or reuse of existing buildings (existing lower portions, not including any permitted vertical additions), the design standards contained within the Mixed Use – A District for this district shall apply. Existing buildings shall implement rehabilitation that restores the building's exterior façade to its original profile to the extent possible within reasonable engineering methods and cost. Restoration of original window and door openings is encouraged to the extent feasible.
   b. For new construction as a vertical addition on top of existing buildings, the following shall apply:
      (1) Vertical additions are only permitted on flat-roof buildings, and buildings free of decorative elements (such as domes, cupolas, cones, belvederes, towers, turrets, etc.)
         i. Vertical additions shall not be made to replicate the original building in materials or color. Additions shall be primarily of glass and steel with other modern material details. Glazing on additions must be a minimum of 85%.
         ii. All buildings shall incorporate flat roofs, except where existing roofs are sloped, gabled, or turreted or otherwise decoratively treated, in which case they shall remain.
            (a) Roofs may contain HVAC equipment, provided however, that the equipment must be enclosed or screened. Constructed screening shall be executed in a matter that is sympathetic with the architecture of the building, and shall not be visible from an elevation of five feet above the sidewalk on the opposite side of the public right-of-way.

(b) Roofs shall include open space for building residents. Terraces, decked areas, seating areas, and landscaping should be included.

(2) Rehabilitated buildings shall include the following amenities:

i. Laundry facilities. A minimum of one (1) washer and dryer for every ten (10) units with a minimum of one (1) washer and dryer on each residential floor must be provided; OR a washer and dryer in each residential unit.

ii. Bicycle storage. An appropriately sized bicycle storage room or locker area must be situated on the first floor or garage of all rehabilitated buildings.

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 two stories or penthouse floors or a single floor with a mezzanine, either not to exceed 20 feet, 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) ***Public Utilities, except that natural gas transmission lines shall be prohibited***
(~~j~~k) 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. Underground 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
(i) ***Public Utilities, except that natural gas transmission lines shall be prohibited***

(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) ***Public Utilities, except that natural gas transmission lines shall be prohibited***
(*h*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.

(4) Parking Standards

(a) Residential – minimum 1 parking space per unit.
(b) Office – 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 office shall be exempt from this standard.

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
(l) ***Public Utilities, except that natural gas transmission lines shall be prohibited***

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.

XII. ACQUISITION

A. Refer to Map F.

Address	**Block**	**Lot**
1 Summit Avenue	2060	23C
10 Bishop St. & Canal	2084	12
100 Monitor Street	2072	G
1000 Garfield Av.	1948	21D
101 Maple St.	2068	17
1028-1038 Garfield Av.	1948	43
103-111 FairmountAv	2083	87
103-111 FairmountAv	2083	88
103-111 FairmountAv	2083	89
103-111 FairmountAv	2083	90
103-111 FairmountAv	2083	91
103-111 FairmountAv	2083	F
103-111 FairmountAv	2083	86
104 - 104A Woodward St.	2036	46
1040 Garfield Av.	1948	13
1042-1046 Garfield Av.	1948	11
1042-1046 Garfield Av.	1948	12

1042-1046 Garfield Av.	1948	9B
1042-1046 Garfield Av.	1948	10
1052 Garfield Av.	1948	9A
1054 Garfield Av.	1948	8A
1054-1060 Garfield Av.	1948	6A
1056 Garfield Av.	1948	7A
1058 Garfield Av.	1948	7B
106 Woodward St.	2036	K
1064 Garfield Av.	1948	5A
1068 Garfield Av.	1948	4
108 Woodward St.	2036	J
1084-114 Garfield Av.	2058	1
1097 Garfield Av.	2059	20A
11 Summit Avenue	2060	18
111 Woodward St.	2040	C16
112 Van Horne St.	2035	G
113 Garabrant St.	2095	24
114 Van Horne St.	2035	F

115 Garabrant St.	2095	23
117 Garabrant St.	2095	22A
118 Monitor Street	2095	B
119 Garabrant St.	2095	21A
12 Bishop St. & Canal	2084	57
12-16 Ash Street	2097	8
12-16 Ash Street	2097	9
12-16 Ash Street	2097	7
120 Monitor Street	2095	A
120 Van Horne St.	2035	35
121 Garabrant St.	2095	20A
122 Monitor Street	2095	8
122 Van Horne St.	2035	36
123 Garabrant St.	2095	19
124 Monitor Street	2095	9
125 Garabrant St.	2095	18
125 Monitor Street	2094	A
125 Woodward St.	2040	C18
126 Monitor Street	2095	10
127 Garabrant St.	2095	17
128 Pine Street	2095	12
130 Pine Street	2095	11
13 Summit Avenue	2060	17
13-21 Fairmont Av.	2083	6
13-21 Fairmont Av.	2083	7
13-21 Fairmont Av.	2083	8
13-21 Fairmont Av.	2083	9
13-21 Fairmont Av.	2083	10
130 Woodward St.	2041	58
131-133 Lafayette St.	2055	19c
132 Monitor Street	2095	13
134 Monitor Street	2095	14
136 Monitor Street	2095	15
136 Pine Street	2046	1
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
143 Van Horne St.	2041	32
144 Van Horne St.	2042	D1
150 Pine Street	2046	7A
152 Pine Street	2046	8
156 Pine Street	2046	10
157 Van Horne St.	2041	G1
158 Halladay St.	2042	K1
16 Bishop St. & Canal	2084	59
164 Pine Street	2046	12
166 Van Horne St.	2042	O1
175 Van Horne St.	2041	M
176 Halladay Street	2034	A1
189 Halladay St.	2035	7
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
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
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 Cormnelison Avenue	1916	2L
23 Fairont 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
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
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
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
313 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
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
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
51-69 Fairmont Av.	2083	44C
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
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
8 Bishop St. & Canal	2084	11
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
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
88-94 Bishop Street	2082	A15
9 Summit Avenue	2060	19
90 Van Horne St.	2035	21
91 Maple St.	2069	14
92 Van Horne St.	2035	22
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 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
Communipaw Av.	2057	16
End of Pine Street	2046	Adup
Garabrant St.(vacated)	2071	V1

Garabrant St.(vacated)	2048	V2
Inside Garfield Av.	1948	25C
Inside Garfield Ave.	1948	44
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	1D1Pa c
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 by the applicant to the City of Jersey City for any request to amend this Plan. Fees shall not be charged for amendments proposed by any of the community groups listed in Section VI of this Plan.

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.

INDEPENDENT LIVING, LIMITED TO AGE RESTRICTED AND/OR SPECIAL NEEDS RESTRICTED HOUSING: a residential facility where individualized support is provided to residents in forms such as a community director, a social director, and 24 hour on-site assistance. Individuals may need help balancing their checkbook, informational sessions, making sure bills are paid, making connections to available transportation, and other support needs.

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:

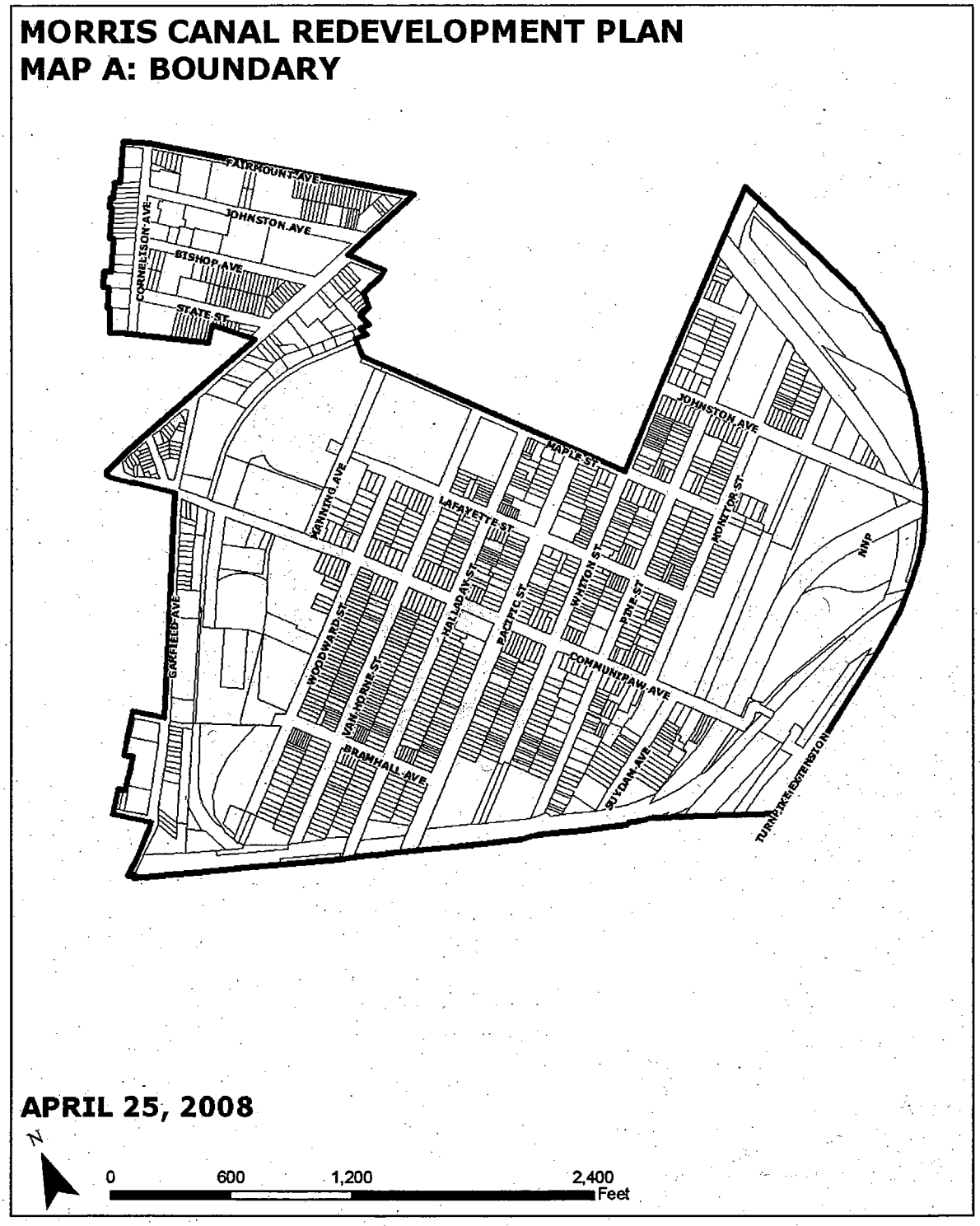
* Computer or information technology,
* The office of an architect, planner, lawyer, accountant,
* Similar business occupations.

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

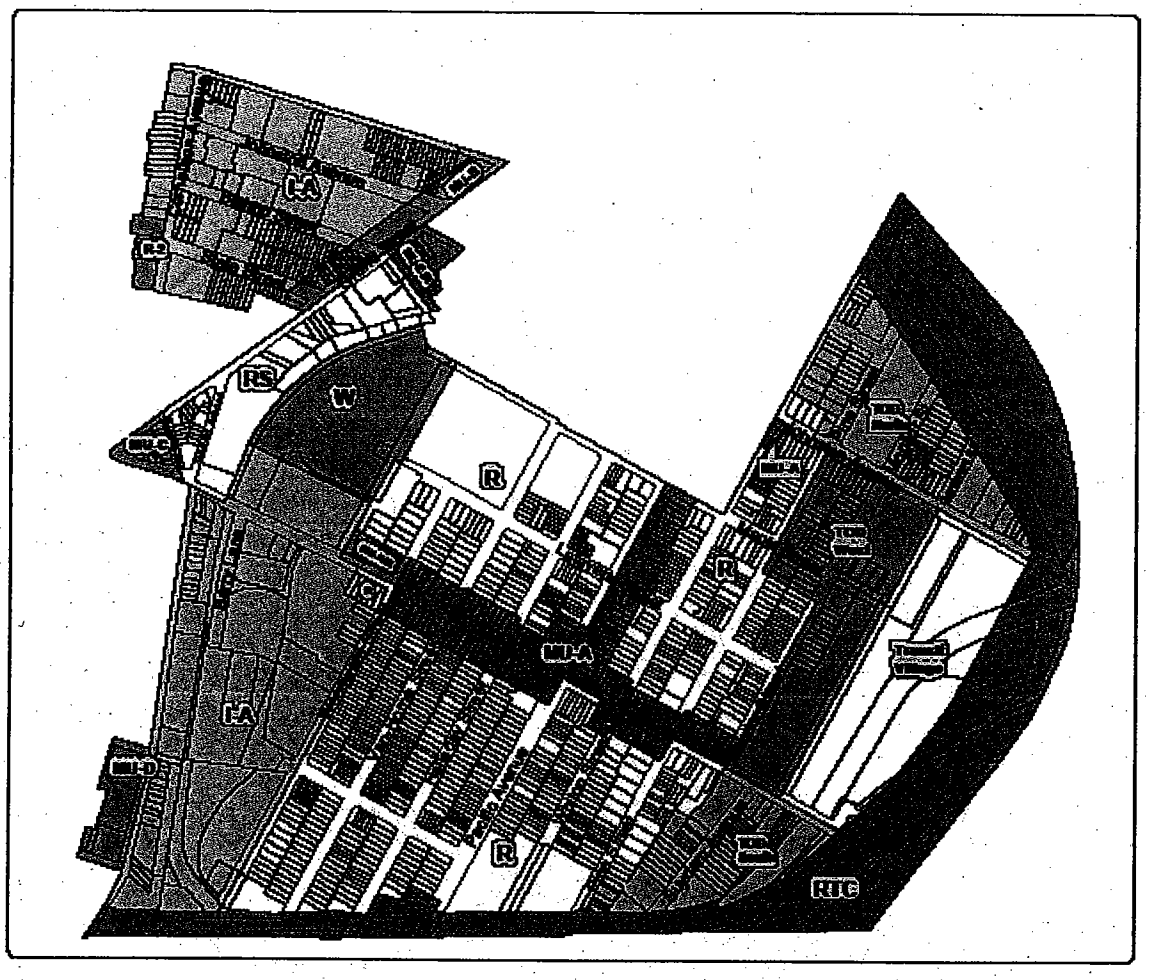
XVI. MAPS

A. Redevelopment Area Boundary Map



B. Zoning Map

Morris Canal Redevelopment Plan
Map B: Zoning



ZONE ABBREVIATIONS

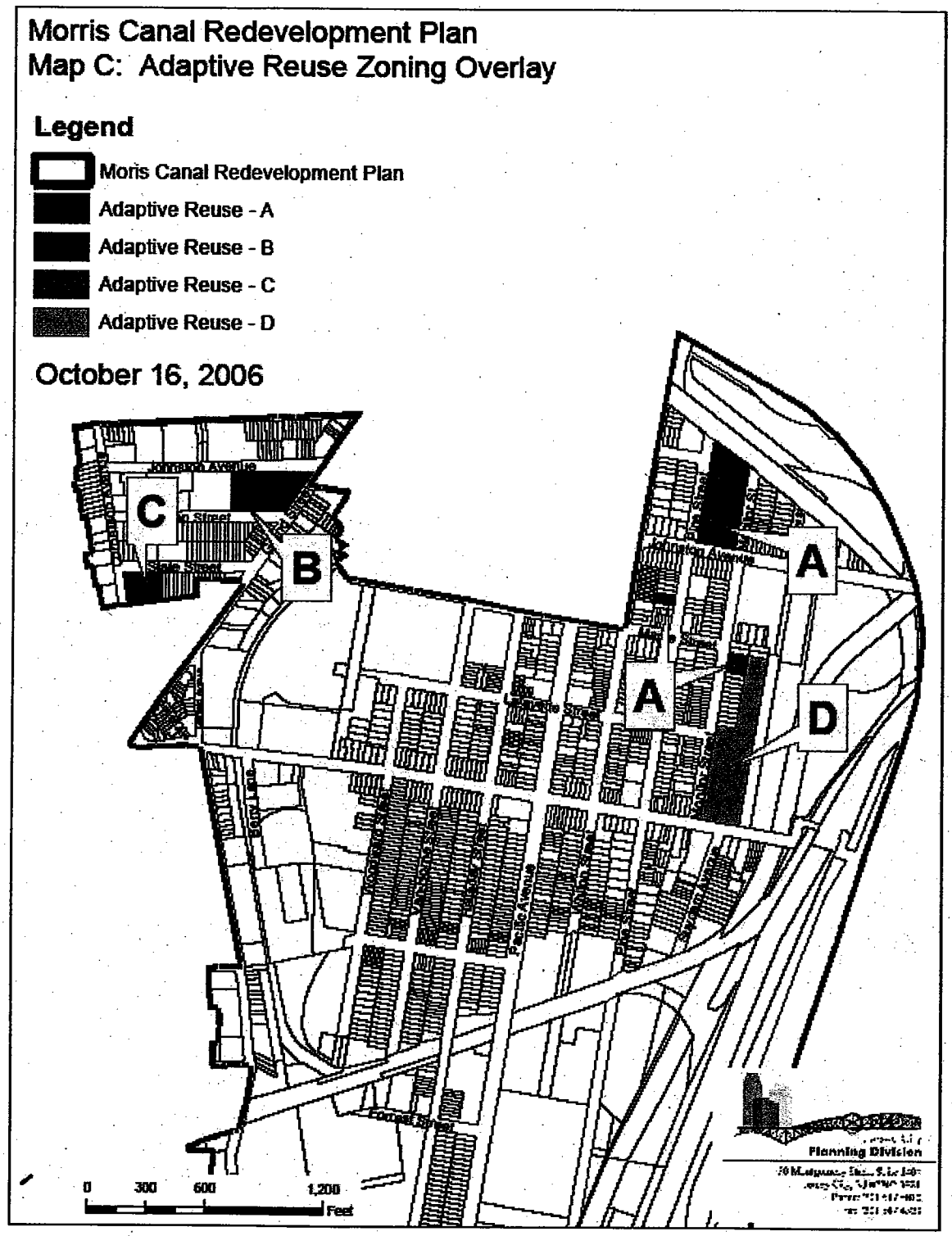
R	Residential	MU-D	Mixed Use - D	RS	Retail Services
R-2	Residential 2	MU-E/R	Mixed Use - E/Residential		
MU-A/R	Mixed Use - A or Residential	I-A	Industrial - A		
MU-A	Mixed Use - A	I-B	Industrial - B		
MU-B	Mixed Use - B	RTC	Rail Transportation Corridor		
MU-C	Mixed Use - C	W	Whitlock Cordage ARD		

MAY 13, 2010

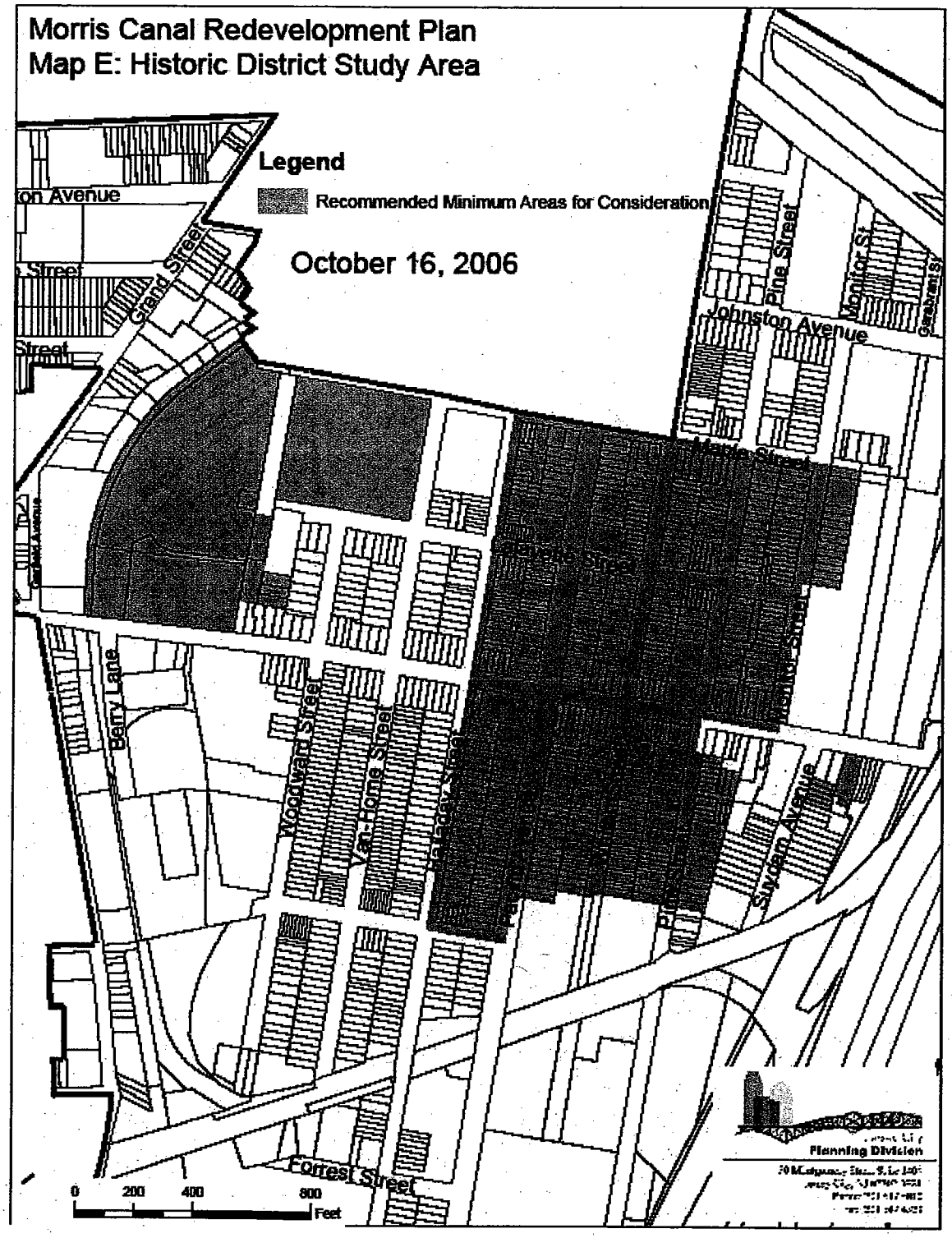
N 0 400 800 1,600 Feet

City Planning Division

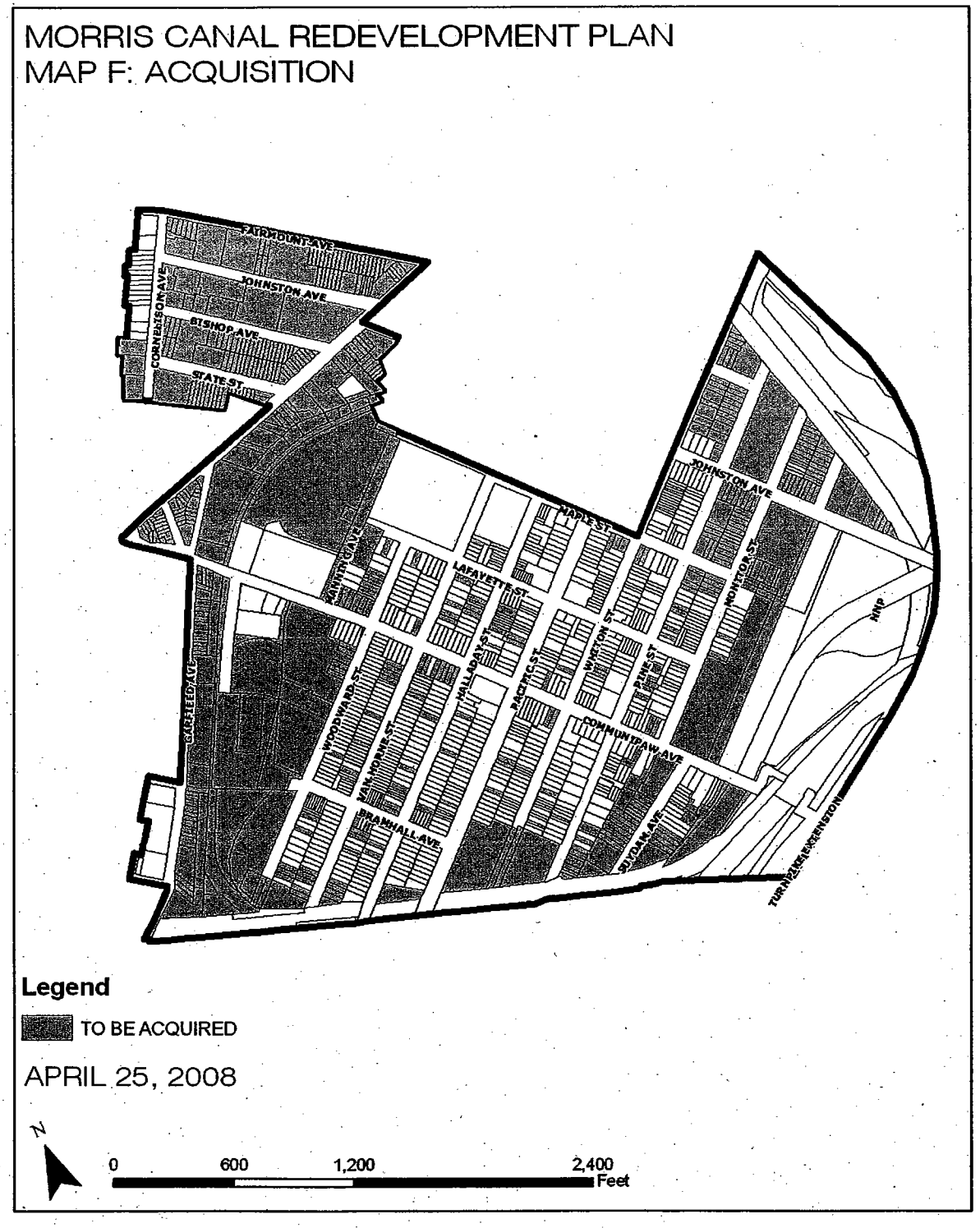
C. **Adaptive Reuse Zoning Overlay Map**



D. **Recommended Historic District Study Area**



E. Acquisition Map



City Clerk File No. Ord. 10-157

Agenda No. 3.Q 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 10-157

TITLE: **AN ORDINANCE TO 1) TRANSFER THE DIVISION OF ARCHITECTURE AND ENGINEERING (INCLUDING TRAFFIC AND TRANSPORTATION) FROM THE DEPARTMENT OF PUBLIC WORKS TO THE DEPARTMENT OF ADMINISTRATION; 2) REPEAL CHAPTER 3 (ADMINISTRATION OF GOVERNMENT) ARTICLE IX (DEPARTMENT OF PUBLIC WORKS) OF THE JERSEY CITY MUNICIPAL CODE; AND 3) AUTHORIZE AN AGREEMENT WITH THE JERSEY CITY INCINERATOR AUTHORITY(JCIA), WHEREBY JCIA WILL ASSUME THE DUTIES OF THE DEPARTMENT OF PUBLIC WORKS**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:

WHEREAS, the Jersey City Incinerator Authority (JCIA) was created by an ordinance of the City of Jersey City (the "City") pursuant to the New Jersey Incinerator Authorities Law, N.J.S.A. 40:66A-1, et seq.; and

WHEREAS, the Jersey City Department of Public Works (DPW) was also created by ordinance of the City, specifically, Chapter 3, Article IX of the Jersey City Municipal Code; and

WHEREAS, the Divisions of Architecture and Engineering are presently under the Department of Public Works, specifically, Chapter 3, Article IX of the Jersey City Municipal Code; and

WHEREAS, the City has conducted extensive research and engaged in significant discussion concerning the possible consolidation of the JCIA and the DPW and determined that such consolidation would result in significant cost savings to the City and markedly increased efficiency of City services and functions; and

WHEREAS, one exception to the consolidation would be the Divisions of Architecture and Engineering, which divisions should be transferred from the Department of Public Works to the Department of Administration; and

WHEREAS, the City and the JCIA are parties to an operating agreement known as the Amended and Restated Operating and License Agreement dated April 1, 1996 (the "Agreement") which sets forth the various functions of the JCIA in the City; and

WHEREAS, in order to consolidate the JCIA and the DPW, the City must eliminate the DPW, except the Divisions of Architecture and Engineering, and transfer the functions of DPW to the JCIA by way of an amendment to the April 1, 1996 Agreement; and

WHEREAS, the Agreement authorized by this Ordinance shall be subject to the annual appropriation of funds in either the temporary or final budget adopted by the City in accordance with N.J.S.A. 40:66A-1, et seq.

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

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

§ 3-59. Division of Architecture.

A. Creation of the Division of Architecture: Director of Architecture in charge. There is hereby created within the Department of Administration a Division of Architecture, the Director of which shall be the Chief Architect. Prior to appointment, the Chief Architect shall possess a license to practice architecture in the State of New Jersey and shall be qualified by further training and experience of five years in responsible charge of building construction.

(1) Division of Architecture: functions. Under the direction and supervision of the Business Administrator, the Division of Architecture shall:

(a) provide architectural services for the construction, reconstruction, maintenance, rehabilitation and demolition of public buildings, parks and related facilities. The Chief Architect shall produce plans and specifications under signature and seal.

(b) provide for the structural maintenance, repair and alteration of all public buildings and parks owned or operated by the City of Jersey City.

(c) establish standards and procedures for the control, use and care of all city-owned equipment, materials and supplies in the custody of the Division.

(d) supervise the performance of all contracts for public works related capital improvement projects and certify the amounts due and payable thereunder.

(e) provide for the preparation of plans and specifications for the construction-repair, alteration and demolition of all City building and structures.

(f) set standards for the construction, reconstruction and maintenance of all facilities in and/or on public lands.

(g) be responsible for grant coordination and control and preparation of all plans and specifications for public works and capital improvements.

(2) Enforce the following section of the City Code and issue summonses for violation of this section:

(a) Chapter 134. Contractors

§ 3-59.1 Division of Engineering, Traffic and Transportation.

A. Creation of the Division of Engineering, Traffic and Transportation: Director. There is hereby created within the Department of Administration a Division of Engineering, Traffic and Transportation, the Director of which shall be the Municipal Engineer. Prior to appointment, the Municipal Engineer shall hold a degree in engineering from a recognized school or college of engineering and shall be qualified by further training and experience of at least ten (10) years in responsible municipal engineering. The Municipal Engineer shall also be licensed by the State of New Jersey and shall comply with N.J.S.A. 45:8-1 et seq., governing the licensing and practice of professional engineers and all other applicable laws.

B. Engineering functions.

(1) Be responsible for grant coordination and control and preparation of all plans and specifications for public works and capital improvements, including those funded under NJDOT administered grants (undertaken by the City).

(2) Supervise the performance of all contracts for public works and transportation related capital improvement projects and certify the amounts due and payable thereunder.

(3) Provide and maintain surveys, maps, specifications and operating records with respect to all property, works and facilities under the jurisdiction of the Division.

(4) Establish standards and procedures for the control, use and care of all city-owned equipment, materials and supplies in the custody of the division.

(5) Provide, supervise and coordinate engineering and technical activities and services of all departments.

(6) Perform or supervise land surveys of public land and rights-of-way and maintain the official tax assessment maps for the City.

(7) Enforce the following sections of the City Code and issue summonses for violation of these sections:

(a) Article I of Chapter 287, Solid Waste.

(b) Chapter 340, Waterfront.

(8) The Municipal Engineer shall have the authority and duties as provided by the Jersey City Municipal Code.

(9) The Municipal Engineer shall have plenary authority and control over transportation-related capital improvement projects and the coordination and control over NJDOT administered grants and aid for capital construction.

C. Traffic and Transportation functions.

(1) Administer and enforce Chapter 332, Vehicles and Traffic, and such other provisions of the Jersey City Code relating to traffic, transportation and traffic engineering, except as otherwise provided by federal, state, county or local laws.

(2) Assure that all signs conform to federal, state, county and Local laws, rules and regulations governing traffic signs, marking or pavements-and related markings for such purposes. All traffic control devices shall conform, insofar as practicable, with the standards set forth in the Manual of Uniform Traffic Control Devices for Streets and Highways, United States Department of Transportation, Federal Highway Administration.

(3) Designate the location and design of highway lighting devices, poles and fixtures and the type and intensity of illumination for streets and ways.

(4) Collect and compile traffic data and prepare engineering studies and surveys in regard to vehicular and pedestrian traffic.

(5) Establish parking meter zones and determine the design, type, size, location and use of parking meters.

(6) Make and promulgate regulations designating curb loading zones, taxi stands and bus stops pursuant to N.J.S.A. 39:4-197(3)b.

(7) Conduct studies of the causes of accidents and determine remedial measures to prevent their future occurrence.

(8) Maintain a suitable system of filing traffic accident reports and prepare an annual traffic report, which report shall contain the following information: the number of traffic accidents; number of persons killed; number of persons injured; and other similar pertinent traffic accident data.

(9) Plan the operation and movement of traffic on the streets and highways of the city.

(10) Establish rules and regulations governing the use if public highways by vehicles and pedestrians within the limits established by state law and Chapter 332, Vehicles and Traffic, of the Jersey City Code, including, but not to the exclusion of other regulatory powers conferred, the installation of traffic control devices, designations of through streets and stop streets, of curb parking zones and the manner of their use, including areas for the installation of parking meters, designation of public carrier stands and areas for the installation of parking meters, designation of public carrier stands and stops, curb loading zones, crosswalks, safety zones and streets at which drivers shall not make right or left turns, speed of vehicles and time of loading and unloading.

(11) Review all requests for street openings and public utility work plans which in any way would affect traffic within the City of Jersey City, issue street opening permits to municipal and utility excavators, establish rules and regulations governing construction and maintenance work zones on public rights-of-way and assure that such zones conform to established standards for the protection of traffic and pedestrians and review arid approve all curb cuts on the municipal right-of-way.

(12) Cooperate with other city officials in the development of ways to improve traffic conditions.

(13) Carry out additional duties imposed by this Code.

(14) Provide by regulation for the closing of any street or portion thereof to motor vehicle traffic on any ways whenever such closing is necessary for the preservation of the public safety, health and welfare: said regulations shall be promulgated in accordance with N.J.S.A. 40:67-16.7 and 40:67-16.9.

(15) The Division of Engineering, Traffic and Transportation shall, concurrently, with the Department of Police and the Jersey City Parking Authority, enforce all laws and regulations regulating the parking of vehicles:

(a) In on-street and off-street parking metered areas in the City.

(b) On the roadway side of any vehicle stopped or parked at the curb.

(c) Within ten (10) feet of a fire hydrant.

(d) Within no stopping and no standing zones where signs indicate the existence for such zones.

(e) In a bus stop or in a taxi stand zone where signs indicate the existence of such zones.

(f) On a roadway within twelve (12) inches of the curb.

(g) In an off-street parking area operated by the Jersey City Parking Authority.

(16) Drawings for construction of proposed traffic facilities to be submitted to the Municipal Engineer. All design drawings prepared by other agencies, departments or divisions for the construction of proposed highways, bridges, parking terminals and other traffic handling facilities shall be submitted to the Municipal Engineer for a review and recommendation, but nothing in this section shall be construed to prevent the City Council from acting on such matter without such review or recommendation.

B. The Chapter 3 (Administration of Government) Article IX (Department of Public Works) is hereby repealed in its entirety:

ADMINISTRATION OF GOVERNMENT

~~**ARTICLE IX**~~

~~**Department of Public Works**~~

~~**[§ 3-66. Department Created; Head.**~~

~~There shall be a Department of Public Works, the head of which shall be the Director of Public Works.~~

~~**§ 3-67. - Duties of Director; divisions.**~~

~~The Director shall be responsible for the proper and efficient conduct of all public works functions of the city government and shall provide technical advice and service to other departments as needed. The Director shall serve as city liaison with the Jersey City Incinerator and Sewerage Authorities. Within the Department shall be the following divisions:~~

~~A. Division of Architecture.~~

~~B. Division of Engineering, Traffic and Transportation.~~

~~C. Division of Buildings and Street Maintenance.~~

~~D. Division of Automotive Maintenance.~~

~~E. Division of Park Maintenance.~~

~~F. Division of Neighborhood Improvement.~~

~~**§ 3-68. - Division of Architecture.**~~

~~A. Creation of the Division of Architecture. Director of Architecture in charge. There is hereby created within the Department of Public Works a Division of Architecture, the Director of which shall be the Chief Architect. Prior to appointment, the Chief Architect shall possess a license to practice architecture in the State of New Jersey and shall be qualified by further training and experience of five years in responsible charge of building construction.~~

~~(1) Division of Architecture: functions. Under the direction and supervision of the Director of Public Works, the Division of Architecture shall:~~

~~(a) provide architectural services for the construction, reconstruction, maintenance, rehabilitation and demolition of public buildings, parks and related facilities. The Chief Architect shall produce plans and specifications~~

~~under signature and seal.~~

~~(b) provide for the structural maintenance, repair and alteration of all public buildings and parks owned or operated by the City of Jersey City.~~

~~(c) establish standards and procedures for the control, use and care of all city-owned equipment, materials and supplies in the custody of the Division.~~

~~(d) supervise the performance of all contracts for public works related capital improvement projects and certify the amounts due and payable thereunder.~~

~~(e) provide for the preparation of plans and specifications for the construction-repair, alteration and demolition of all City building and structures.~~

~~(f) set standards for the construction, reconstruction and maintenance of all facilities in and/or on public lands.~~

~~(g) be responsible for grant coordination and control and preparation of all plans and specifications for public works and capital improvements.~~

~~(2) Enforce the following section of the City Code and issue summonses for violation of this section:~~

~~(a) Chapter 134. Contractors~~

~~§ 3-68.1. - Division of Engineering, Traffic and Transportation.~~

~~A. Creation of the Division of Engineering, Traffic and Transportation: Director. There is hereby created within the Department of Public Works a Division of Engineering, Traffic and Transportation, the Director of which shall be the Municipal Engineer. Prior to appointment, the Municipal Engineer shall hold a degree in engineering from a recognized school or college of engineering and shall be qualified by further training and experience of at least ten (10) years in responsible municipal engineering. The Municipal Engineer shall also be licensed by the State of New Jersey and shall comply with N.J.S.A. 45:8-1 et seq., governing the licensing and practice of professional engineers and all other applicable laws.~~

~~B. Engineering functions.~~

~~(1) Be responsible for grant coordination and control and preparation of all plans and specifications for public works and capital improvements, including those funded under NJDOT administered grants (undertaken by the City).~~

~~(2) Supervise the performance of all contracts for public works and transportation related capital improvement projects and certify the amounts due and payable thereunder.~~

~~(3) Provide and maintain surveys, maps, specifications and operating records with respect to all property, works and facilities under the jurisdiction of the Division.~~

~~(4) Establish standards and procedures for the control, use and care of all city-owned equipment, materials and supplies in the custody of the division.~~

~~(5) Provide, supervise and coordinate engineering and technical activities and services of all departments.~~

~~(6) Perform or supervise land surveys of public land and rights-of-way and maintain the official tax assessment maps for the City.~~

~~(7) Enforce the following sections of the City Code and issue summonses for violation of these sections:~~

~~(a) Article I of Chapter 287, Solid Waste.~~

~~(b) Chapter 340, Waterfront.~~

~~(8) The Municipal Engineer shall have the authority and duties as provided by the Jersey City Municipal Code.~~

~~(9) The Municipal Engineer shall have plenary authority and control over transportation-related capital improvement projects and the coordination and control over NJDOT administered grants and aid for capital construction.~~

~~C. Traffic and Transportation functions.~~

~~(1) Administer and enforce Chapter 332, Vehicles and Traffic, and such other provisions~~

~~of the Jersey City Code relating to traffic, transportation and traffic engineering, except as otherwise provided by federal, state, county or local laws.~~

~~(2) Assure that all signs conform to federal, state, county and Local laws, rules and regulations governing traffic signs, marking or pavements and related markings for such purposes. All traffic control devices shall conform, insofar as practicable, with the standards set forth in the Manual of Uniform Traffic Control Devices for Streets and Highways, United States Department of Transportation, Federal Highway Administration.~~

~~(3) Designate the location and design of highway lighting devices, poles and fixtures and the type and intensity of illumination for streets and ways.~~

~~(4) Collect and compile traffic data and prepare engineering studies and surveys in regard to vehicular and pedestrian traffic.~~

~~(5) Establish parking meter zones and determine the design, type, size, location and use of parking meters.~~

~~(6) Make and promulgate regulations designating curb loading zones, taxi stands and bus stops pursuant to N.J.S.A. 39:4-197(3)b.~~

~~(7) Conduct studies of the causes of accidents and determine remedial measures to prevent their future occurrence.~~

~~(8) Maintain a suitable system of filing traffic accident reports and prepare an annual traffic report, which report shall contain the following information: the number of traffic accidents; number of persons killed; number of persons injured; and other similar pertinent traffic accident data.~~

~~(9) Plan the operation and movement of traffic on the streets and highways of the city.~~

~~(10) Establish rules and regulations governing the use if public highways by vehicles and pedestrians within the limits established by state law and Chapter 332, Vehicles and Traffic, of the Jersey City Code, including, but not to the exclusion of other regulatory powers conferred, the installation of traffic control devices, designations of through streets and stop streets, of curb parking zones and the manner of their use, including areas for the installation of parking meters, designation of public carrier stands and areas for the installation of parking meters, designation of public carrier stands and stops, curb loading zones, crosswalks, safety zones and streets at which drivers shall not make right or left turns, speed of vehicles and time of loading and unloading.~~

~~(11) Review all requests for street openings and public utility work plans which in any way would affect traffic within the City of Jersey City, issue street opening permits to municipal and utility excavators, establish rules and regulations governing construction and maintenance work zones on public rights-of-way and assure that such zones conform to established standards for the protection of traffic and pedestrians and review arid approve all curb cuts on the municipal right-of-way.~~

~~(12) Cooperate with other city officials in the development of ways to improve traffic conditions.~~

~~(13) Carry out additional duties imposed by this Code.~~

~~(14) Provide by regulation for the closing of any street or portion thereof to motor vehicle traffic on any ways whenever such closing is necessary for the preservation of the public safety, health and welfare: said regulations shall be promulgated in accordance with N.J.S.A. 40:67-16.7 and 40:67-16.9.~~

~~(15) The Division of Engineering, Traffic and Transportation shall, concurrently, with the Department of Police and the Jersey City Parking Authority, enforce all laws and regulations regulating the parking of vehicles:~~

~~(a) In on-street and off-street parking metered areas in the City.~~

~~(b) On the roadway side of any vehicle stopped or parked at the curb.~~

~~(c) Within ten (10) feet of a fire hydrant.~~

~~(d) Within no stopping and no standing zones where signs indicate the existence for such zones.~~

(e) In a bus stop or in a taxi stand zone where signs indicate the existence of such zones.

(f) On a roadway within twelve (12) inches of the curb.

(g) In an off-street parking area operated by the Jersey City Parking Authority.

(16) Drawings for construction of proposed traffic facilities to be submitted to the Municipal Engineer. All design drawings prepared by other agencies, departments or divisions for the construction of proposed highways, bridges, parking terminals and other traffic handling facilities shall be submitted to the Municipal Engineer for a review and recommendation, but nothing in this section shall be construed to prevent the City Council from acting on such matter without such review or recommendation.

§ 3-69. - Division of Automotive Maintenance.

A. Creation of the Division of Automotive Maintenance; Director of Automotive Maintenance in charge. There is hereby created within the Department of Public Works a Division of Automotive Maintenance, the head of which shall be the Director of Automotive Maintenance.

B. Division of Automotive Maintenance; functions. Under the direction and supervision of the Director of Public Works, the Division of Automotive Maintenance shall:

(1) Supervise the work done in all city garages or by contract for the storage, repair and maintenance of city-owned vehicles.

(2) Operate a garage or garages for the storage, servicing, repair and maintenance of all city-owned motor vehicles.

(3) Maintain individual vehicle records of mileage, costs of operation and maintenance and replacement schedules and charge all such costs to the using department under appropriate regulations by the Business Administrator.

(4) Operate a motor pool consisting of all motor vehicles, equipment and apparatus of the city and allocate the use of motor vehicles, equipment and apparatus to the departments of the city.

(5) Operate and maintain communication equipment and supervise radio repair work done by contract.

§ 3-70. - Division of Buildings and Street Maintenance; functions.

A. Creation of the Division of Buildings and Street Maintenance; Director of Buildings and Street Maintenance in charge. There is hereby created within the Department of Public Works a Division of Buildings and Street Maintenance, the head of which shall be the Director of Buildings and Street Maintenance.

B. Division of Buildings and Street Maintenance; functions.

(1) Under the supervision and direction of the Director of Public Works, the Division of Buildings and Street Maintenance shall:

(a) Install and maintain traffic signals and other traffic control devices.

(b) Erect barriers, ropes, lines, traffic cones and stanchions when necessary to control or regulate traffic emergencies, parades, crowds and gatherings.

(c) Construct, install, maintain and repair all traffic signs and traffic markings by all departments.

(d) Provide for the repair and maintenance of all public streets.

(2) Establish standards and procedures for the control, use and care of all city-owned equipment, materials and supplies in the custody of the Division.

(3) Supervise the performance of all contracts for public works related capital improvement projects and certify the amounts due and payable thereunder.

(4) Provide for the preparation of plans and specifications for the construction, repair, alteration and demolition of all City buildings and structures.

(5) Set standards for the construction, reconstruction and maintenance of all facilities in and/or on public lands and rights-of-way.

(6) Provide for custodial services for all public buildings owned and operated by the City of Jersey City.

(7) Secure abandoned properties.

§ 3-71.1. - Division of Park Maintenance.

A. Creation of the Division of Park Maintenance; Director of Park Maintenance in charge. There is hereby created within the Department of Public Works a Division of Park Maintenance, the Director of which shall be the Director of Park Maintenance.

(1) Division of Park Maintenance; functions. Under the direction and supervision of the Director of Public Works, the Division of Park Maintenance shall:

(a) be responsible for planning and maintaining all facilities for recreational purposes offered by the City, which include parks, playgrounds, green space, sitting areas and indoor recreational facilities.

(b) Be responsible for the administration of the Clean Communities Program.

(c) Be responsible for the trimming of trees on sidewalks.

(d) Be responsible for the planting of trees within public easement areas.

(e) Be in charge of issuing park usage permits for picnics, reunions, flea markets, weddings and all other social gatherings.

(f) Be responsible for certifying cost to the Tax Collector on work performed on private property.

§ 3-71.2. - Division of Neighborhood Improvement

A. Creation of the Division of Neighborhood Improvement; Director of Division of Neighborhood Improvement in charge. There is hereby created within the Department of Public Works, the Division of Neighborhood Improvement, the head of which shall be the Director of the Division of Neighborhood Improvement.

B. Under the supervision of the Director of Public Works and of the Division, Neighborhood Managers shall:

(1) Direct the daily operations of all aspects of the Neighborhood Improvement Districts program within an assigned Neighborhood Improvement District.

(2) Act as a resident liaison through scheduling and attending neighborhood meetings, soliciting input and program evaluation, soliciting service requests, producing work orders and monitoring City employee performance regarding said requests.

(3) Monitor any public works contracts specifically designed to enhance a particular Neighborhood Improvement District for timely and satisfactory performance on a scheduled and random basis.

(4) Inspect backfilling operations of street openings permitted in accordance with § 296-20 thru 296-51.

C. Neighborhood Managers, under the supervision of the Director of Neighborhood Improvement, and in cooperation with relevant City agencies, are authorized to issue summonses for the violation of the following City ordinances:

(1) Chapter 90 (Animals), Article III (Dogs), section(s):

(a) Section 90-16 (Use of leash in public places);

(b) Section 90-19 (Noisy dogs);

(c) Section 90-20 (Removal and disposal of dog feces); and

(d) Section 90-21 (Enforcement).

(2) Chapter 296 (Streets and Sidewalks),

(a) Article I (Snow and Ice Removal), section(s):

[a] Section 296-1 (Duties of owners or occupants; time for removal);

[b] Section 296-2 (Snow removal);

[c] Section 296-3 (Ice removal);

~~[d] Section 296-4 (Injury to pavement; spreading of ashes, sawdust or sand); and~~

~~[e] Section 296-5 (Deposit of harmful substances prohibited; rock salt).~~

~~(b) Article Vii (Excavations), Subarticle V (Post-excavations repair, maintenance and pavement), Section(s);~~

~~[a] Section 296-45 to 296-50 (Post-excavation repair, maintenance, and pavement).~~

~~(3) Chapter 287 (Solid Waste), Article I (Storage, Collection and Disposal), section(s):~~

~~(a) Section 287-4 (Accumulation of refuse and noxious plants on vacant lots);~~

~~(b) Section 287-9 (Accumulation of refuse and swill);~~

~~(c) Section 287-13 (Dumping prohibited);~~

~~(d) Section 287-17 (Burning of refuse, rubbish and other materials prohibited);~~

~~(e) Section 287-19 (Depositing litter in public places);~~

~~(f) Section 287-21 (Litter from vehicles);~~

~~(g) Section 287-22 (Litter prohibited; litter receptacles);~~

~~(h) Section 287-23 (Use of litter receptacles);~~

~~(i) Section 287-24 (Vehicles to be loaded to prevent littering);~~

~~(j) Section 287-25 (Littering in parks);~~

~~(k) Section 287-26 (Materials not permitted in litter receptacles);~~

~~(l) Section 287-27 (Handbills); and~~

~~(m) Section 287-31 (Persons authorized to enforce provisions).~~

~~(4) Chapter 26 (Vehicles and Traffic).~~

~~(a) Article VII (Traffic).~~

~~[1] Subarticle VIII (Parking of Vehicles), section(s):~~

~~[a] Section 26-66 (Parking of vehicles); and~~

~~[b] Section 26-67 (Parking prohibited for certain purposes; parking adjacent to handicap access ramps; penalties).~~

~~[2] Subarticle IX (Prohibited or Restricted Street Parking), section(s):~~

~~[a] Section 26-70.1.2 (Permit parking exemptions); and~~

~~[b] Section 26-71.1 (Stopping or standing prohibited at all times on designated streets).~~

~~[3] Subarticle XII (Snow Streets), section(s):~~

~~[a] Section 26-76 (Parking prohibited on snow streets);~~

~~[b] Section 26-76.1 (Snow emergency); and~~

~~[c] Section 26-78 (Vehicles parked).~~

~~[4] Subarticle XXII (Driveways), section:~~

~~[a] Section 26-87.7 (Prohibited entrance and exit locations established).~~

~~(5) Chapter 173 (Retail Florists), section(s)~~

~~(a) Section 173-3 (Sale of cut flowers prohibited without proper refrigeration).~~

~~(6) Chapter 245 (Peddling, Soliciting and Canvassing), Article I (Licensing of Peddlers), section(s):~~

~~(a) Section 245-8 (Articles not to be sold).]~~

C. Chapter 12 (Authorities, Municipal), Article II (Incinerator Authority), Section 2 of the City Code of the City of Jersey City, shall remain in full force and effect. All functions currently exercised by the JCIA shall remain unchanged, as shall the JCIA's status as an autonomous, independent public body politic and corporate authorized by statute and its current debts, bonds and/or other obligations.

D. The Mayor and/or Business Administrator are hereby authorized to execute an Amended and Restated Operating and License Agreement with the JCIA which shall set forth the additional functions to be undertaken by the new consolidated JCIA entity, which shall include, but not be limited to, those duties previously performed by the Department of Public Works, and delineated in Chapter 3, Article IX, Sections 66-71.2 of the Jersey City Municipal Code.

E. All ordinances or portions of ordinances which are inconsistent with this Ordinance shall be repealed as to their inconsistencies only.

F. If any provision or paragraph of this Ordinance shall be held invalid by any court of competent jurisdiction, the other provisions or paragraphs of this Ordinance shall not be affected, except so far as the provision or paragraph declared invalid shall be inseparable from the remainder or any portion thereof.

G. This ordinance shall take effect at the time and in the manner as provided by law but not before as required, (1) approval for the consolidation plan is received from the New Jersey Civil Service Commission, or another entity of the State of New Jersey and (2) an Amended and Restated Operating License Agreement is approved and executed by the City Council and Board of Commissioners of the Jersey City Incinerator Authority.

H. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

I. This ordinance shall take effect at the time and in the manner as provided by law.

J. 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.*

JM/he
11/04/10

APPROVED AS TO LEGAL FORM

APPROVED: _____

_____
Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐