

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE TIDEWATER BASIN REDEVELOPMENT PLAN**

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 updates the Tidewater Basin Redevelopment Plan by encouraging "green building practices" in exchange for density bonuses.

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

Green building incentives are a step toward responsible development in Jersey City, and offering density bonuses is an effective way to achieve this higher standard.

5. Anticipated Benefits to the Community:

Will encourage environmentally responsible development.

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

FEB 24, 2010
Date

Carl Czaplicki
Department Director Signature

3/1/10
Date

Ordinance of the City of Jersey City, N.J.

ORDINANCE NO. Ord. 10-036
 TITLE: 3.E. MAR 1 0 2010 4.A.



Ordinance of the Municipal Council of the City of Jersey
 City adopting amendments to the Tidewater Basin
 Redevelopment Plan.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
MAR 1 0 2010 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			FLOOD	✓		
LOPEZ	✓			RICHARDSON	✓			VEGA	✓		

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
Councilperson				moved, seconded by Councilperson				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VEGA			

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson				moved to amend* Ordinance, seconded by Councilperson				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VEGA			

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VEGA			

✓ Indicates Vote N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on MAR 1 0 2010
 Adopted on second and final reading after hearing on _____

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on

APPROVED: _____
 Peter M. Brennan, Council President

 Robert Byrne, City Clerk

*Amendment(s):

Date: _____
 APPROVED: _____
 Jerramiah T. Healy, Mayor

03/10/10

Date _____

Date to Mayor _____

Summary Sheet:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY
CITY ADOPTING AMENDMENTS TO THE TIDEWATER BASIN
REDEVELOPMENT PLAN**

This ordinance adjusts the use and bulk standards of the Tidewater Basin Redevelopment Plan in order to encourage “green” building practices in exchange for a density bonus.

TIDEWATER BASIN REDEVELOPMENT PLAN

November 10, 1999

Amended June 27, 2007 : Ord. 07-109

Amended Sept 9, 2009: Ord. 09-092

Proposed Amendment February 23, 2010

**CITY OF JERSEY CITY
DIVISION OF CITY PLANNING**

I. Introduction

The purpose of the Tidewater Basin Redevelopment Plan (hereinafter referred to as the "Plan"), is to provide for comprehensive redevelopment designed to ensure coordinated and harmonious growth within the Tidewater Basin Redevelopment Plan Area (hereinafter referred to as the "Area").

The redevelopment plan takes into consideration the surrounding neighborhoods and takes into account the character and nature of current and proposed land-uses. Bordering the Tidewater Basin area to the east is the Colgate Redevelopment Area. Until recently the Colgate area was dominated by vacant lots and unused industrial buildings: It is planned to become a mixed use area with office, commercial and residential uses. This area is now active with construction as this project moves forward. The Paulus Hook Historic District, a quiet neighborhood of nineteenth century brownstones, borders the Tidewater Basin area to the north and to the east. The Liberty Harbor North Redevelopment Plan Area borders the Area to the west. Liberty Harbor North is planned as a predominantly residential, waterfront community.

A common element throughout all of these neighborhoods and the Area is the Hudson-Bergen Light Rail Transit System which will connect them all by means of a modern trolley service, and the Hudson River Waterfront Walkway, which connects these neighborhoods by means of a pedestrian ribbon park along the water's edge.

II. Boundary Description

See the Boundary Map for the boundary illustration.

III. Redevelopment Objectives and Minimum Standards

All new development, rehabilitation, or adaptive re-use must conform to, and be consistent with the following objectives and minimum standards:

- A. At street level, human-scale development to compliment the neighboring Paulus Hook Historic District is required. New development, especially infill housing, shall be consistent in height, scale, material and design with the predominant form of housing – the brick rowhouse – of the neighborhood.
- B. Eliminate incongruous land uses by reinforcing, through acquisition and demolition, if necessary, the dominant residential pattern of the neighborhood.
- C. Encourage the elimination of obsolete and deleterious land uses and structures and the rehabilitation of deteriorated structures, including dilapidated piers and bulk-heading.
- D. Improve vehicular and pedestrian traffic through the re-establishment of a public

neighborhood street grid, while improving the circulation through the neighborhood by addressing traffic direction, R-O-W width, cartway width and sidewalk design to discourage vehicular through traffic while improving pedestrian and bicycle access and by incorporating into all waterfront projects the public pedestrian walkway system known as the Hudson River Waterfront Walkway.

- E. Provide for decorative streetscape and site improvements for the beautification of the redevelopment plan area and adjacent neighborhoods.
- F. Provide for the enhancement of the Paulus Hook Historic District through improvement of its waterfront access, redevelopment of industrial sites and historically sensitive treatment of vacant sites within and immediately contiguous to the historic district.
- G. Encourage the preservation and promotion of the buildings contributing to the area's historic and cultural fabric, and the protection and re-establishment of view corridors along existing and new public streets to accentuate views of Manhattan Island, the Statue of Liberty, Ellis Island and Liberty State Park.
- H. Develop a network of public open space nodes along the Hudson River Waterfront Walkway which shall be designed to improve pedestrian circulation, act as a catalyst for residential development and help to improve valuable and desirable vistas.

IV. Types of Proposed Redevelopment Actions

This plan will improve and upgrade the Tidewater Basin Redevelopment Area substantially through a combination of redevelopment actions. These include, but are not limited to:

- Clearance of dilapidated, deteriorated, obsolete or under-utilized structures.
- Assembly of vacant and/or underutilized land into developable parcels.
- Construction of new structures and complementary facilities.
- Provisions for public infrastructure necessary to service and support the new development, including separated storm and sanitary sewers, through special assessment, if necessary, so that the low-lying areas of the Redevelopment Area can experience improved drainage as a result of this Plan's implementation.
- Designation of pedestrian and vehicular Rights of Way to be improved in conjunction with project area development and dedicated to the City.

V. **Redevelopment Regulations and Guidelines**

A. The following guidelines apply to all development within the Redevelopment Area and are mandatory.

1. All structures that share a property line with a historic district or property must be compatible to the design of the historic district property design, including, but not limited to: building height, scale, setback, fenestration, window and door placement, construction material, roofline and shape, and colors.
2. All infill housing, must compliment the existing indigenous housing on the street, especially with regard to height, scale, materials, rooflines and setbacks.
3. All structures shall be designed to have an attractive and finished appearance from all vantage points and utilize the same high quality material on all facades of the building.
4. Signage:
 - No billboards or junior billboards permitted.
 - No back lighted signs or flashing lights.
 - Signage shall be in proportion to the structure
 - Signage shall be of quality material
5. Standard chain link fencing and/or barbed wire is prohibited, except that chain link fencing may be utilized during construction.
6. View corridors along the existing street network and extended network made part of this redevelopment plan shall be preserved, to maximize sight lines to the Manhattan Skyline, the Statue of Liberty, Ellis Island and Liberty State Park.
7. All utility distribution lines and utility service connections from such lines to the project area's individual uses shall be located underground. All meters for utility service shall be located inside the building they serve and shall not be visible from the street (remote readers are permitted, however, to be located on the exterior of structures).
8. All mechanical equipment located on the roof of any building must be enclosed by the building's façade, which must be consistent in design with the rest of the building. Where roofs can be looked down upon from adjacent buildings, a "roofscape" plan must be developed and submitted for Planning Board approval. All electrical communications equipment shall be located in such a way that it does not adversely impact the appearance of the building or site, nor create objectionable views as seen from surrounding structures or public areas.
9. All development containing commercial uses, and all residential apartment projects of more than 3 units, shall provide facilities to secure bicycles in the public sidewalk area. All residential developments shall provide bicycle lockers within the parking areas or common areas of the building at a ratio of one locker for every two units.

B. The following regulations apply to all development and are mandatory.

1. **Façade Materials:** The predominant building material for exterior cladding shall be brick, and the façade shall consist of no more than three materials, textures or colors.
2. **Façade Articulation:** Buildings shall consist of three horizontal elements: the base, a middle, and a top, which shall be achieved through the use of different materials, colors or surface treatments.
3. **Rooflines:** All roofs shall be flat, and may contain roof decks for recreation purposes. Access structures, such as staircase bulkheads or elevator rooms may be provided to allow access such rooftop areas. The bulk of such access structures shall be the minimum necessary to meet building codes and shall not be considered as part of the height of the structure. No habitable space is allowed in such access structures. Color and materials shall compliment that of the principal structure.
4. **Cornices:** All buildings shall incorporate a cornice feature at the roofline, which may not be constructed of lightweight material such as plastic, and which should be of natural materials such as wood, masonry or metal. Fiberglass reproduction cornices are acceptable provided they are well made and true to original form.
5. **Common Elements:** All projects, as part of the site plan approval process, shall identify and incorporate at least three (3) elements that are similar to adjacent structures, such as the type and color of brick, or the height and scale of the cornice, so that there is connectivity across time as the Area builds out.
6. **Stoops and Stairs:** All residential developments shall incorporate stoops and stairs along all frontages where stoops and stairs are the established mode on the same or opposite side of the street.
7. **Residential Heights Above Sidewalk:** All residential uses located on the first floor or story shall maintain visual separation to maintain a sense of privacy. The floor of such residences shall be at least two feet higher than the adjacent public sidewalk or walkway, and the window sills of all windows on such frontages shall be at least five feet higher than the adjacent public sidewalk or walkway. Wheelchair access may be provided by means of lifts or internal ramps.
8. **Story Height:** The maximum height for any story shall be fourteen feet and the minimum height shall be nine feet, except that the first story height shall be a minimum of ten feet, unless the floor is raised at least three feet above the sidewalk level. The first story height shall be taller than the stories above it, either by raising the first story from grade level with a stoop, or by raising the ceiling height.
9. **Shopfronts:** All shopfronts shall be a minimum of 75% glass or void, shall be individually designed, and shall have three distinct elements: the storefront, the entrance and the sign band. Each retail storefront shall be allowed one sign and one blade sign, which shall be located in a sign band area. If lighted, only direct lighting is permitted.
10. **Fencing:** All front yard fencing shall consist of mild steel "wrought iron"

style fencing, painted black, and consisting of solid pickets a minimum 5/8 inch thick which fully penetrate all horizontal rails and are capped with decorative elements. Rear yards may be fenced with wooden fences, provided such fencing shows a "good" side on both sides.

11. **Balconies:** Balconies shall be recessed into, rather than projecting out of, the façade. At least 25 percent of the units in developments of 4 units or more shall contain a balcony.
12. **Sidewalks:** All sidewalks shall be tinted "French Gray" and contain an admixture of mica. All sidewalks shall be a minimum of 10 feet wide, which may include the planting strip, and may be located within the property line, if necessary, to achieve the required ten feet minimum. Minimum cross sections shall be as follows: Curb: 8 inches / Planting strip: 28 inches / Sidewalk: 7 feet. The planting strip, if not vegetative, will be constructed of bricks or cobblestone between the tree wells.
13. **Landscaping:** All landscaped areas shall be irrigated. Street trees are required to be planted along all streets, within a planting strip, which is within the first 36 inches inboard of the curb face. All trees shall be a minimum 3.0 to 3.5 inches caliper. All trees shall be protected by a suspended tree grate which must be approximately 3 by 6 feet, and be of two halves, and be made so as to facilitate growth of the tree by having easily removed sections. A minimum of 10 percent of every lot shall be landscaped with living vegetative material, which shall provide more than 90 percent coverage after one growing season. Mulch is not considered "living vegetative material."
14. **Development Parcels** are required as follows:
Parcel 1: Block 130, Lots A, B, C, 84, G1, 77, 75, 73, H, J, K, L, M, N, 83, 85, 87, 89A;
Parcel 2: Block 131, Lots 81, 79A, A, B, C, D, E, 78;
Parcel 3: Block 131, Lots 95A, 95B, 92, 91, 93;
Parcel 4: Block 130, Lot 90
Any redevelopment on these parcels shall include all properties within the designated development parcel.

VI. Parking Standards and Requirements

1. All residential development must provide parking at a minimum ratio of one space for every unit containing up to two bedrooms, and two spaces for every unit containing more than two bedrooms. All such spaces must be tied to the residential lease or deed, unless otherwise authorized by the Planning Board pursuant to a Community Benefit Parking Plan and Developer's Agreement referenced under Section VII herein. An additional number of spaces, equal to 10% of the number required by the above calculations shall be required for guest and staff parking.
2. Parking garages must be either under the principal building(s) of an individual project and have an elevation above the average grade of the public sidewalk abutting the project of no more than one-half the floor to floor

height of the garage/first occupied floor, or, if at ground level, be wrapped and completely surrounded by and be covered from view by the principal use building.

3. Parking at grade level must be screened and not appear readily visible from street level. The use of brick walls, landscaped berms and evergreen hedges (in combination or singularly) is the preferred means of achieving this requirement. The Planning Board may allow other, equally appropriate means of screening parking, at their complete discretion.
4. Neither at-grade exposed parking, nor parking as a principal use are permitted.
5. No unimproved lots may be used for off-street parking, even on an interim basis. All lots used for construction workers' parking shall be improved to the satisfaction of the Planning Board, and must, at a minimum, be covered with crushed stone and gravel to prevent mud from being tracked into the streets and sewers, and be fenced. Chain link is permitted in such cases where the parking area will only be used for the duration of the construction activity it serves.

VII. Land Use District Standards

A. Legacy District

1. This district contains all of Block 97 and Block 98. It is currently approved for 324 dwelling units in four story structures with an additional story of parking under the building and fifth floor mezzanine space provided on the interior courtyards. These buildings are approved not to exceed 65 feet in height, are predominantly comprised of brick cladding, have peaked roofs, some individual entries and stoops, and balconies. This Redevelopment Plan establishes the current zoning approval, as approved by the Zoning Board of Adjustment in their resolution of January 14, 1999, as the land use regulations and standards for this district. Nothing contained herein is intended to negate, modify nor amend that approval. However, the referenced approval shall be the maximum development allowed within this district
2. 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.

B. Portside District

1. This district contains Lot 34 of Block 60, an area of 5.35 Acres as per the City's Tax Assessor's maps. It has been approved and is partially developed as *Portside*, a mixed-use development consisting of a maximum of 527 dwelling units, a maximum of 753 parking spaces, and approximately 62,000 square feet of commercial space. Phases one and two of this three phase

project have been completed. This Redevelopment Plan establishes the current zoning approval, as first approved by the Zoning Board of Adjustment in their resolution of March 3, 1986, which approvals were amended several times, as the land use regulations and standards for this district. Nothing contained herein is intended to negate, modify nor amend that approval. However, the referenced approval shall be the maximum development allowed within this district.

2. 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.

C. Waterfront District

1. This district lies between Warren Street and the extension of Van Vorst Street and runs from Morris Street to the Tidewater Basin. A significant portion of this district is located on the water's edge, where a marina is permitted and encouraged to be developed as part of a larger, predominantly residential development. The Hudson River Waterfront Walkway is required for all development located on property that abuts the water's edge. The minimum standards of the New Jersey Department of Environmental Protection (DEP) for the Hudson River Waterfront Walkway are adopted herein by reference, and are considered to be a part of this Redevelopment Plan.
2. Permitted Uses
 - a. Residential
 - b. mixed-uses consisting of residential uses ~~above the ground floor~~ mixed with retail sales and services, including child day care, restaurants, and offices
 - c. marina and related uses on the underwater parcels.
3. Accessory uses
 - a. off-street parking
 - b. recreation areas
 - c. day care facilities
 - d. access to the marina.
4. Maximum Heights
 - a. Heights shall not exceed six stories and 75 feet on Blocks 60 and 130.
 - b. Heights shall not exceed four stories and 50 feet on Block 131. However, a height bonus of up to an additional 30 feet and three stories, for a maximum height of 80 feet and seven stories, may be permitted where the Planning Board approves a community benefit parking plan ("Community Benefit Parking Plan") and enters into an agreement with a developer outlining such Community Benefit Parking Plan ("Developer's Agreement"), providing for the development of accessory off-street parking on the site. Any such approved Community Benefit Parking Plan and Developer's Agreement must comply with the Parking Standards and

Requirements set forth in Section VI herein, with the exception that a 10% additional number of spaces for guest and staff parking, referenced in Section VI(1), shall not be required. Any approved Community Benefit Parking Plan and Developer's Agreement must require that additional parking of at least 50 parking spaces above the minimum parking standard shall be provided and made available to residents of the Tidewater Basin Redevelopment Plan Area, which shall not include residents of the proposed development. ***The Community Benefit Parking Plan and Developer's Agreement may permit valet parking.***

5. Setbacks

- a. All development will be setback a minimum of eight feet and a maximum of 15 feet of existing or proposed street lines, including Dudley Street as depicted on the Circulation Map. Development containing commercial space on the ground floor may locate up to the street line ***for the length of the entire development.*** Residential buildings fronting on the required waterfront walkway shall set back a least ten feet from the walkway easement, which setback area may be landscaped and fenced. All facades facing onto the waterfront walkway shall be designed to appear as front entrances and not back yards.

6. Densities

- a. 75 dwelling units per acre for developments that are 100 percent residential. Mixed use projects shall have their residential density reduced by the number of units that could have been built in the commercial space given the average square footage of a residential unit within the development not including any common areas. However, a density bonus of up to an additional ~~56~~ **100** units per acre, for a maximum density of ~~131~~ **175** units per acre, may be permitted where ***the following is achieved:***

- 1) The Planning Board approves a Community Benefit Parking Plan and enters into a Developer's Agreement, consistent with the requirements of Section VII C 4(b) above.
- 2) ***The developer incorporates within the development at least one "green" building component, which shall consist of the installation of a solar panel array covering a minimum of 10% of the roof area above the highest residential floor or 5% of the footprint of any proposed building, whichever is greater, for the purpose of converting sunlight into useable electricity***
- 3) ***The developer agrees that through-the-wall heat pumps will not be installed within any first or second floor residential units that front on a public street.***

D. Historic Buffer District

1. This district is designed to compliment and maintain the historic district streetscape and pattern of land uses. Design standards are established to ensure development which is appropriate to be located adjacent to a National Register Historic District. The area includes portions of Block 132 and Block 166. (Please refer to the Land Use Map for identification of the Zoning Districts' boundaries.) Any development project that has legally valid approvals at the time this Plan is adopted by the Jersey City Municipal Council shall be considered to have established the Land Use Standards for such project, the following notwithstanding, provided, however, that such standards shall become the maximum development potential for such project sites unless the standards below provide greater development potential.
2. Principal permitted uses
 - a) One, two and three family attached dwellings
 - b) Recreation and open space
3. Accessory Uses
 - a. Off-street parking, conforming with plan standards
 - b. Fences and railings
 - c. Home occupations
4. Maximum Height
 - a. 4 stories, not to exceed 45 feet, provided that the maximum height shall not exceed the average height of the existing structures immediately adjacent and within the same block or across the street. All structures shall be of a scale and design that mirrors that of the historic structures across the street.
5. Minimum lot size
 - a.) Interior lot - 2000 square feet
 - b.) Corner lot - 2400 square feet
 - c.) Minimum lot sizes may be reduced by an equivalent amount of lot area dedicated to any rear alleyway.
6. Maximum Lot Coverage:
 - a.) 75%, except that under building parking garages shall not be considered as building coverage, provided that the area of such garages covered by a principal use building shall be bound by the 75% maximum coverage rule, and the remaining area shall be covered by landscaped areas, sidewalks, stairs, walls and/or recreation areas.
 - b.) 80% in the case of development that provides parking structures surrounded along all public rights-of-way by principal use buildings
 - c.) recreation and open space may cover 100% of the lot area
7. Setbacks:
 - a.) Front: 5 feet minimum, 15 feet maximum, or in the case of a block of continuous structures of more than 20 years old, the setback shall line up with the contiguous existing properties on the block.
 - b.) Rear Yards: Interior lots – 15 feet
Corner lots – none
8. Parking:

- a.) Residential: a minimum of 1 space per dwelling unit and a maximum of 2 spaces per dwelling unit, accessed from the rear of the property, and which may be provided in free standing garage located at the rear.
 - b.) All parking must be covered and under the building and at least four feet below average sidewalk grade adjacent to the principal structure or, if at grade or above, be located within and be wrapped by the principal structure so as to not be visible from the public view.
 - c.) If rear access is not possible, or would severely compromise the architectural integrity and historic appropriateness of the development the parking requirements may be waived, at the sole discretion of the Planning Board.
9. Design Standards
- a.) Building design of this district shall be compatible with the Paulus Hook historic district structures. Building height, width, mass and proportion are important elements of the historic district. All building facades will feature decorative elements harmonious with the architecture of the historic district including, but not exclusive to lintels, decorative brickwork, cornices, railings, light fixtures, doors and doorways.
 - b.) Buildings in the redevelopment area that also are part of the Paulus Hook historic district must follow the Jersey City Historic Preservation Commission Regulations for Alterations and Additions to buildings and New Construction in Historic Districts.
 - 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.) Roof forms must be honored. In new construction, designers must take care to paradigmatically honor the existing historic roof forms and slopes of the area so as not to violate the aesthetic harmony of the whole.
 - f.) Building materials: All new structures must be constructed of high quality masonry materials.
 - g.) Fences: Permitted are decorative tubular steel, wrought iron, wooden board on board, or board on baton.
 - h.) Rehabilitation: The rehabilitation of historically significant structures (of 70 years or older) shall follow the historic district guidelines for rehabilitation to ensure compatibility within the neighborhood. Required of rehabilitation are that: Historic store fronts be preserved; Historic features are not removed, covered or converted; Doorway and window size can not be diminished.
 - i.) Additions: Building additions which add height shall not be visible

from the street frontage of the structure and shall not exceed building coverage standards.

- j.) Landscaping: Front yards are to be attractively landscaped and at least one 3"-3.5" caliper tree shall be planted curbside for every 25 feet of frontage.
- k.) Signs may not exceed two square feet, and must be of natural materials.

E. Grand and Marin District

This district is designed to provide space for athletic fields, open space, recreation and educational facilities at the corner of Marin and Grand Streets.

- 1. Principal Permitted Uses
 - a. Outdoor recreation and improved open space
 - b. Athletic facilities
 - c. Educational facilities
 - d. Mixed uses of the above
- 2. Accessory Uses
 - a. Off-street parking conforming with plan standards
 - b. Fences and railings
 - c. Signs, not to exceed 12 square feet, and not to be internally illuminated
- 3. Maximum Height
 - a. 15 feet
- 4. Buffering
- 5. All permitted principal uses must be adequately buffered from adjoining residential uses, through the use of a five feet wide evergreen hedge-row, of a species that will grow tall and can be trained (clipped) into a dense evergreen hedge, and contain fencing, which must be located on the non-residential side of the landscaped buffer.
- 6. All other requirements shall be as regulated in Sub-Section D. Historic Buffer District

F. Office/Residential District

This district fronts on Van Vorst Street, and contains several sites that were predominantly historically used for industrial purposes. Re-use of these sites for commercial purposes is favored for feasibility reasons, although residential uses are permitted because of the strong demand for such uses.

- 1. Permitted Principal Uses
 - a. Office
 - b. Residential
 - c. Parks, pedestrian and bicycle paths, open space
- 2. Accessory Uses
 - a. Off-street parking conforming with plan standards

- b. Health clubs serving units
 - c. Fences and railings
 - d. Home occupations
 - e. Signs
3. Maximum Height
- a. The maximum height shall be six stories and 75 feet.
4. Signs
- a. Offices uses may have one sign, not to exceed 16 square feet for corporate identification, and/or to list tenants at the main entrance
 - b. Home occupations may have one sign, not to exceed 2 square feet, and to be comprised of natural materials.
5. All other requirements shall be as regulated in Sub-Section D. Historic Buffer District

VIII. PROCEDURAL REQUIREMENTS

A. Submission of Redevelopment Proposals

Site plan review shall be conducted by the Jersey City Planning Board pursuant to NJSA 40:55D-1 et seq.

As part of the final site plan approval process, 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 Attorney for the Jersey City Planning Board. The amount of 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.

B. Duration of Plan's Effect

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.

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, 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.

D. Procedure for Amending this Plan

This Redevelopment Plan may be amended from time-to-time upon compliance with the requirements of law. A fee of \$500 plus all costs of 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 40:55 C-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.

E. Interim Uses

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 is specifically prohibited and does not qualify as an interim use.

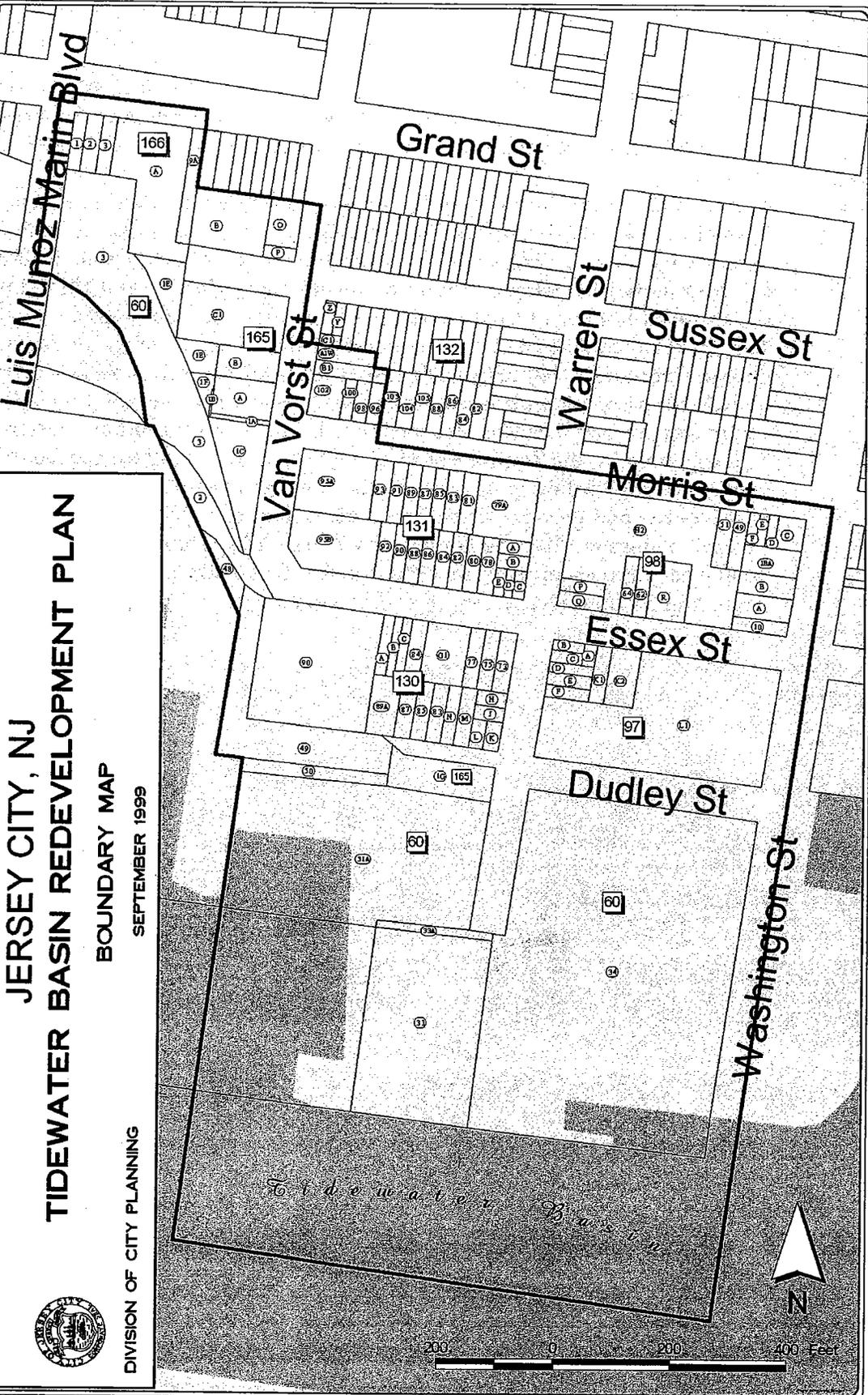
IX. OTHER PROVISIONS TO MEET STATE AND LOCAL REQUIREMENTS

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. Jersey City shall ensure that any residents displaced by this Redevelopment Plan are afforded all reasonable and lawfully required efforts to secure adequate replacement housing. It is

estimated that sufficient relocation housing is available, including subsidized housing, if necessary. All commercial enterprises to be acquired under this Plan will be given relocation assistance in compliance with all applicable laws.

- 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 is 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 Tidewater Basin Redevelopment Area, and all underlying zoning will be voided.



JERSEY CITY, NJ
TIDEWATER BASIN REDEVELOPMENT PLAN
BOUNDARY MAP
SEPTEMBER 1999

DIVISION OF CITY PLANNING



TIDEWATER BASIN REDEVELOPMENT PLAN LAND USE DISTRICTS MAP

SEPTEMBER 1999

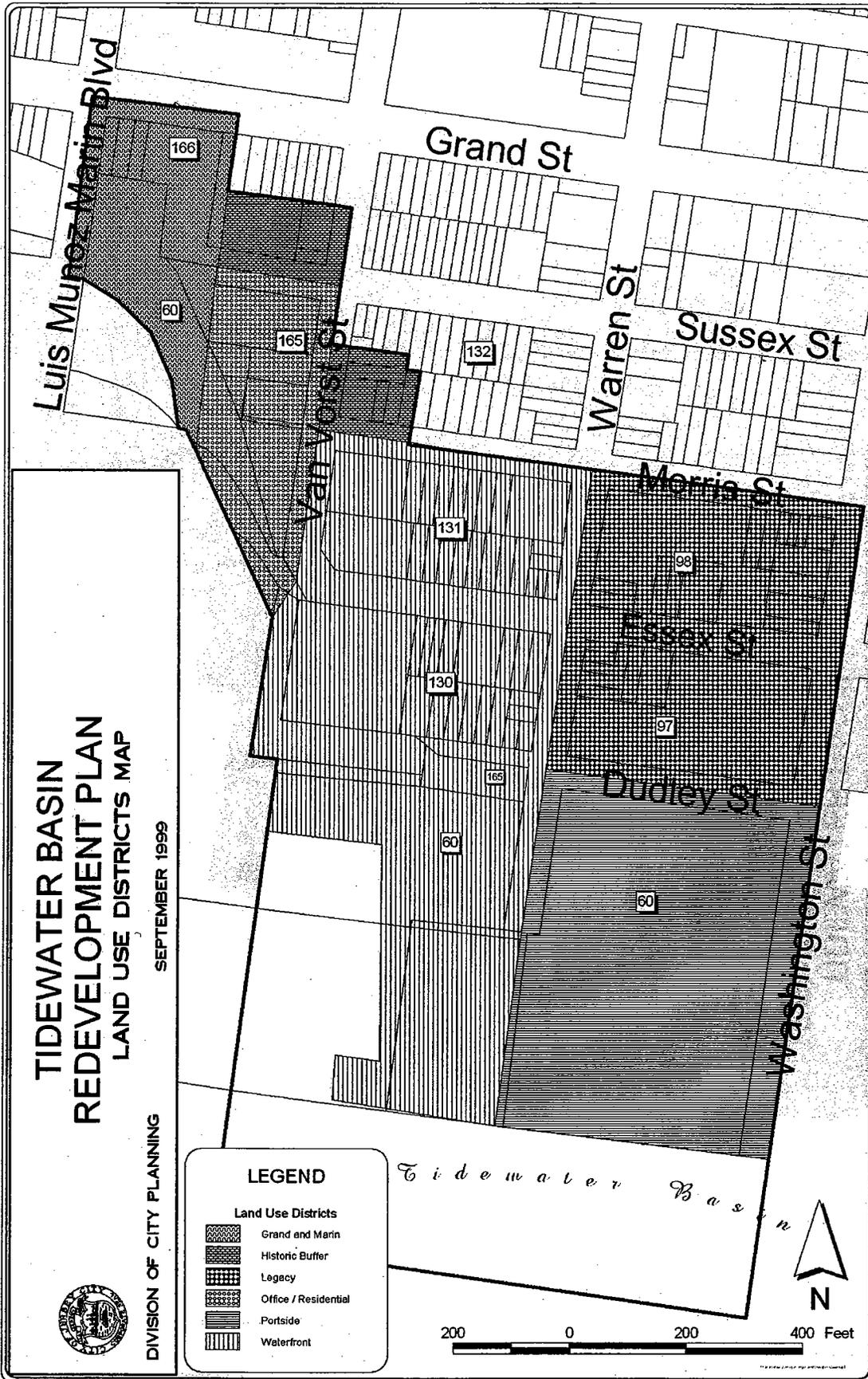
DIVISION OF CITY PLANNING



LEGEND

Land Use Districts

-  Grand and Marin
-  Historic Buffer
-  Legacy
-  Office / Residential
-  Portside
-  Waterfront



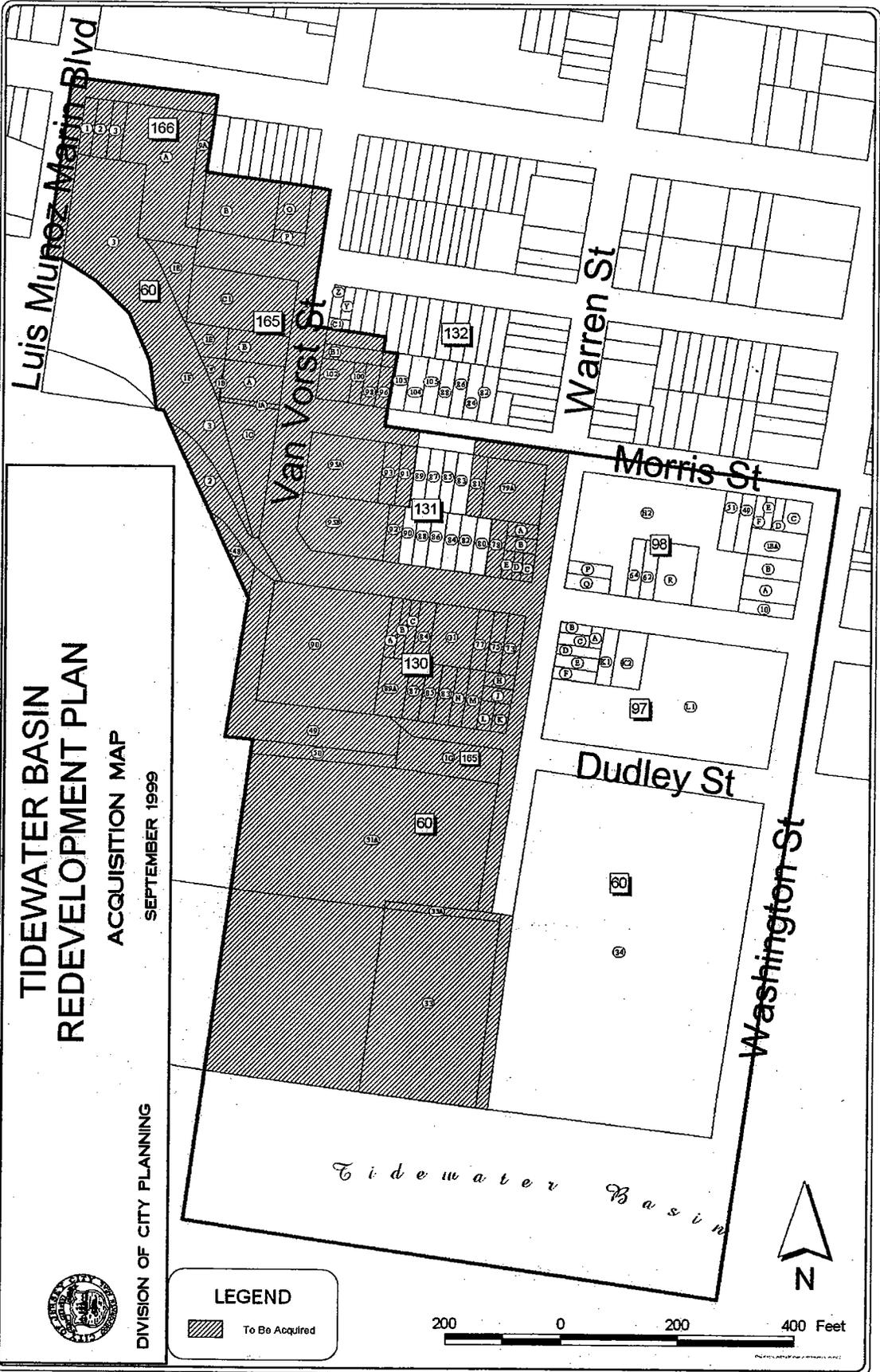
200 0 200 400 Feet



TIDEWATER BASIN REDEVELOPMENT PLAN

ACQUISITION MAP
SEPTEMBER 1999

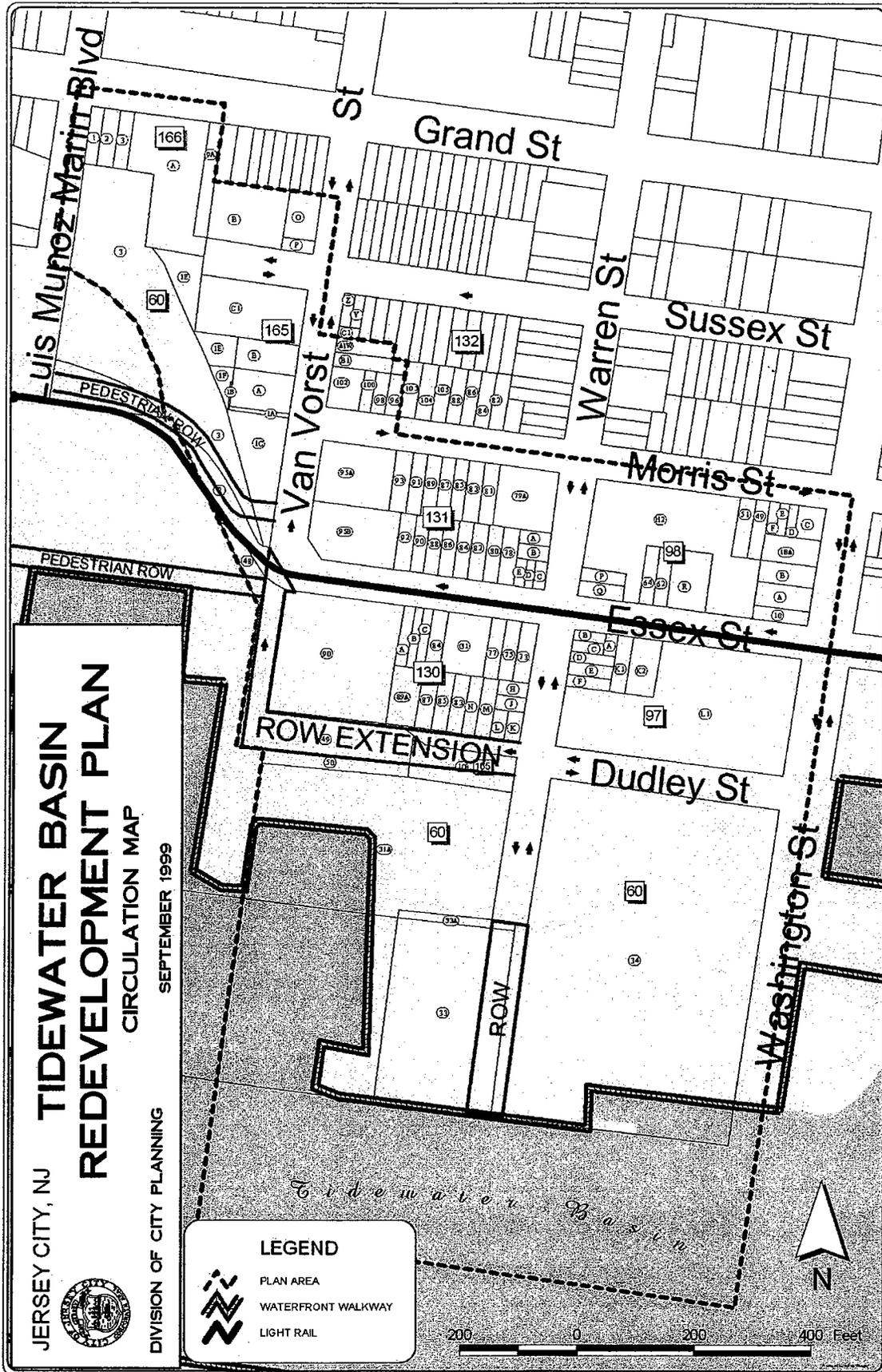
DIVISION OF CITY PLANNING



LEGEND

To Be Acquired





**TIDEWATER BASIN
REDEVELOPMENT PLAN
CIRCULATION MAP**

SEPTEMBER 1999

DIVISION OF CITY PLANNING

JERSEY CITY, NJ



LEGEND



PLAN AREA

WATERFRONT WALKWAY

LIGHT RAIL

200 0 200 400 Feet



City Clerk File No. Ord. 10-037
Agenda No. 3.F 1st Reading
Agenda No. 4.B. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-037

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE AMENDING
THE MARION WORKS OFFICE/RESIDENTIAL DISTRICT TO PERMIT RESIDENTIAL
DENSITY BONUSES FOR THE CREATION OF IMPROVED PUBLIC PARK AREA

WHEREAS, the Municipal Council, pursuant to NJSA 40:55D-62, may adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon; and

WHEREAS, the Municipal Council adopted the Land Development Ordinance, Chapter 345 of the Code of the City of Jersey City, on April 11, 2001, (Ordinance No. 01-042), and several amendments since then; and

WHEREAS, the Land Development Ordinance currently contains the Marion Works Residential/Office Overlay Zone District, and

WHEREAS, the Municipal Council, pursuant to NJSA 40:55D-64, has sought and received the recommendations of the Jersey City Planning Board relative to these issues; and

WHEREAS, the Planning Board at its meeting of February 123, 2010 did vote to recommend that the Municipal Council to permit residential density bonuses for the creation of new public park space, and

WHEREAS, the amendments to the Land Development Ordinance are attached hereto and made a part hereof, and are 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 Land Development Ordinance, be and hereby is amended as per the attached document;

BE IT FURTHER ORDAINED THAT:

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


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

APPROVED AS TO LEGAL FORM


Corporation Counsel

APPROVED: 

APPROVED: 

Business Administrator

Certification Required

Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERESEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE AMENDING THE MARION WORKS OFFICE/RESIDENTIAL DISTRICT TO PERMIT RESIDENTIAL DENSITY BONUSES FOR THE CREATION OF IMPROVED PUBLIC PARK AREA

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

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

3. Concise Description of the Plan Proposed in the Ordinance:

This amendment provides for a residential density bonus for new residential construction when improved public park space is provided. A project shall qualify for the density bonus when open space is provided in excess of Fifteen Percent (15%) of the project area and when these new open spaces are improved as a public park and deed restricted as publicly accessible open space.

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

Residential areas within and around the Marion Works Office/Residential District, located near Journal Square, are deficient in park and open space. Requiring the creation of new park space with new residential construction is needed.

5. Anticipated Benefits to the Community:

More public open space provided through private investment

6. Cost of Proposed Plan, etc.:

None

7. Date Proposed Plan will commence:

Upon approval

8. Anticipated Completion Date: N/A

9. Persons Responsible for Coordinating Proposed Program, Project, etc.:

Robert D. Cotter, City Planning Director
Maryann Bucci-Carter, Supervising Planner

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.



Division Director

FEB 26, 2010
Date



Department Director Signature

3/1/10
Date

SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE AMENDING THE MARION WORKS OFFICE/RESIDENTIAL DISTRICT TO PERMIT RESIDENTIAL DENSITY BONUSES FOR THE CREATION OF IMPROVED PUBLIC PARK AREA

The Marion Works Office/Residential District is roughly located between Newark Avenue, St. Pauls Avenue, Garrison Avenue and the industrial Zone of Van Winkle Avenue.

This amendment provides for a residential density bonus for new residential construction when improved public park space is provided. A project shall qualify for the density bonus when open space is provided in excess of Fifteen Percent (15%) of the project area and when these new open spaces are improved as a public park and deed restricted as publicly accessible open space.

Ordinance of the City of Jersey City, N.J.

ORDINANCE NO. Ord. 10-037
 TITLE: 3.F. MAR 1 0 2010 4.B.



Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Land Development Ordinance amending the Marion Works Office/Residential District to permit residential density bonuses for the creation of improved public park area.

RECORD OF COUNCIL VOTE ON INTRODUCTION								MAR 1 0 2010 9-0			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			FLOOD	✓		
LOPEZ	✓			RICHARDSON	✓			VEGA,	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
Councilperson _____				moved, seconded by Councilperson _____				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VEGA			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____				moved to amend* Ordinance, seconded by Councilperson _____				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VEGA			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VEGA			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on MAR 1 0 2010

Adopted on second and final reading after hearing on _____

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on

APPROVED:

Robert Byrne, City Clerk

Peter M. Brennan, Council President

*Amendment(s):

Date: _____

APPROVED: _____

Jerramiah T. Healy, Mayor

03/10/10

Date _____

Date to Mayor _____

**Proposed Amendments
to the
Land Development Ordinance
of the
City of Jersey City, New Jersey**

*As Recommended to the city Council
by the Planning Board on
February 23, 2010*

The following text reflects the proposed amendment as such:
Text to be deleted is depicted with a strikethrough, ~~thusly~~
Text to be added is depicted in bolded italic, ***thusly***

345-50a- Marion Works Office/Residential District

A. Purpose

1. The Marion Works Office/Residential District (MWORD) shall apply to the area depicted on the revised Zoning Map of the City of Jersey City. The area encompassed by the MWORD is an older Industrial District located at the periphery of the Journal Square community. The purpose of this district is to encourage the redevelopment, rehabilitation and conversion of older industrial structures in the area to higher intensity residential and mixed-use buildings, and the construction of new residential and mixed-use buildings on vacant and underutilized land, ***while incorporating much needed public open space for district residents and the surrounding community..*** Ancillary commercial facilities are also encouraged to serve the surrounding community.
2. The MWORD shall apply as an overlay district, which means that it applies as alternative zoning regulations, when and if chosen by the property owner. Property owners within the MWORD may also continue to maintain uses of the property that were permitted at the time of the adoption of this amendment. However, it is recognized that the size and configuration of the existing blocks and lots are the result of the industrial and railroad use and development of this area. Therefore, if a property owner / developer chooses to utilize the Office/Residential Overlay Zoning, then the property owner / developer shall be required to provide new and/or re-opened streets rights of way. These may include the re-opening of previously vacated streets, such as Dey Street and/or the creation of new public streets and rights-of-way to accommodate the new residential and commercial re-use of property within the MWORD. It is specifically anticipated that new street connections will be necessary from the western end of Dey Street to both Saint Pauls Avenue and Newark Avenue. The location of new streets and rights-of-way should be located so as not to destroy existing or modified structures within the district. The intent of requiring these new and/or re-opened streets is to extend the street pattern into the district in order to better integrate the district into the

surrounding street grid and urban fabric of the community, and to better disperse traffic from new developments.

3. Because of the nature and scale of the existing industrial buildings within the MWORD, the conversion from industrial to residential and mixed-use land uses may occur in a phased fashion, wherein a portion of a building and/or property may continue to be used for uses permitted at the time of adoption of this amendment, as other portions of the building and/or property are rehabilitated and used for residential and/or mixed-use purposes; provided that all building, health, safety, fire and other applicable codes are complied with.

B. Permitted principal uses are as follows:

1. Residential dwelling units within existing structures.
2. Work/Live Units.
3. High-Rise Apartments.
4. Mid-Rise Apartments.
5. Townhouses.
6. Offices, provided that not more than 10% of the floor area of any development project may be dedicated to office uses.
7. Financial institutions and brokerage houses.
8. Retail sales of goods and services, including health clubs.
9. Restaurants, category one and two.
10. Theaters
11. Hotels.
12. Colleges and Universities.
13. Governmental uses, including public parks.
14. Child Care Centers
15. Any combination of the above.

C. Uses incidental and accessory to the principal use, such as:

1. Off-street parking garages and lots and off-street loading.
2. Recreation facilities and areas, including pools, active recreation uses, gymnasiums, exercise rooms, etc.
3. Meeting rooms, banquet facilities, conference centers.

4. Fences and walls.
5. Home occupations.
6. Signs.

D. Bulk Standards: (Note: Townhouses shall follow R-2 Standards.)

1. Minimum Lot Size: 10,000 square feet
2. Minimum Lot Width: 100 feet
3. Minimum Lot Depth: 100 feet
4. Minimum Front Yard: None
5. Maximum Front Yard: 10 feet
6. Minimum Rear Yard:
 - a. Buildings up to 25 feet tall: 10 feet
 - b. Buildings up to 50 feet tall: 20 feet
 - c. Buildings over 50 feet tall: 30 feet
7. Minimum Side Yard: None
8. Minimum Building Height: 2 stories or 20 feet
9. Maximum Building Coverage:
 - a. Not including enclosed parking: 65%
 - b. Inclusive of enclosed parking: 85%
10. Maximum Lot Coverage: 90%
11. Maximum Building Height:

It is recognized that the MWORD district is located on a slope wherein the highest elevation of the district is located on the eastern side of the district and the lowest elevation is located to the western side of the district. It is also recognized that taller buildings and the Pulaski Skyway are located on the north of the district and that there is an existing low-rise residential community located just to the east of the district between Dey Street and Van Winkle Avenue. Therefore, in order to accommodate the higher intensity residential and mixed-use development envisioned for the MWORD district, while at the same time respecting the existing community to the east and the opportunities afforded by the existing topography of the district, the following height regulations shall apply.

- a. Sub-district A: Four (4) stories. The first residential floor shall be at least one (1) foot taller than the floors above, and no floor shall be less than eight (8) feet tall as measured from floor to ceiling.

- b. Sub-district B: Existing building height at the time of adoption of the MWORD overlay zoning shall be considered conforming. In addition, the height of the eastern most building within the former American Can Company complex and the existing industrial buildings located on Newark Avenue, may be increased by one (1) story, but not more than 15 feet, provided that the additional story is setback a minimum of 15 feet from the exterior walls of the building and are designed in conformance with paragraph G of this section "Building Design Standards for Rehabilitation of Existing Industrial Structures". New buildings shall not exceed 110 feet.

12. Maximum Density and Floor Area Ratio:

Similar to height, maximum density and floor area ratio shall be regulated within each sub-district as follows:

- a. Sub-district A:
Max Density - 80 units per acre
- b. Sub-district B:
Max Density-The number of units permitted within any existing building shall be determined by dividing the gross floor area of that building, which shall include any permitted additional floor area or mezzanines, by 1,200 square feet. The maximum permitted density within newly constructed buildings shall be 125 units per acre.

Max Floor Area Ratio - ~~N/A for existing buildings~~, rather, the permitted floor area shall be the existing floor area within any existing building and any additional floor area permitted pursuant to the regulations found in the MWORD. The maximum permitted floor area ratio for newly constructed buildings shall be 4.5. Areas dedicated to parking, loading areas and mechanical rooms shall be excluded from the calculation of gross floor area.

c. **Density Bonus for additional Open Space**

A residential density bonus is available for new residential construction projects only, not renovation projects. A project shall qualify for the density bonus when open space is provided in excess of the Minimum Ten Percent (10%) requirement and when these new open spaces are improved as a public park and deed restricted as publicly accessible open space. The available bonus and conditions that must exist to receive the bonus are further described in Section D. 14 of this plan.

13. Required Publicly Accessible Open Space:

At least 10% of the net land area of any development (less any area provided for public streets or rights-of-way) shall be dedicated as publicly accessible open space / vest pocket parks. All such open spaces shall be at least 5,000 square feet in area.

Development projects consisting of multiple phases or parcels may provide such publicly accessible open space at a later date and on another parcel or parcels within the MWORD district other than the parcel that is the subject of the development application. Projects consisting of the rehabilitation of existing buildings shall provide 5% of the net land area of any development (less any area provided for public streets, or rights-of-way) as publicly accessible open space. Phased and/or larger development projects shall group the proposed open spaces so as to create larger more effective and usable areas.

14. Specific Bonus Requirements:

a. Sub-district A: ~~Within Sub-district A,~~

- i. A density bonus of an additional thirty-five (35) units per acre shall be permitted (for a total of 115 units per acre) when a new construction project provides an additional 5% improved open space park (to total at least 15%) of the net land area of new construction. Net Land area shall be the lot area, less any area provided for public streets or rights-of-way.**
- ii. Number of Stories shall be permitted to increase to 6 levels of residential over one level of parking, but only for the portion of the building having frontage along Senate Place . This higher portion of the building shall not be greater than 75 feet in depth as measured from the Senate Place frontage building facade.**
- iii. Direct pedestrian ingress and egress to individual ground floor units shall be provided along Senate Place.**
- iv. Required Conditions to Qualify for Sub-District A Bonus**
 - The land shall be deed restricted as public open space and dedicated to the City as a public Municipal Park.**
 - This open space shall be located at the corner of Dey Street and Senate Place so as to provide a centrally located recreational focal point within the district.**
 - Site Plan approval by the Planning Board for the park design, configuration, amenities and materials shall be pursued and received in order to receive the bonus.**
 - The open space improvement s shall be constructed prior to the issuance of any Certificate of Occupancy for the project.**

b. Sub-district B:

- i. A density bonus of an additional Fifty-five (55) units per acre shall be permitted (for a total of 180 units per acre) where a development project provides an additional 5% improved open space and park (to**

total at least 15%) of the net land area of any development. Net Land area shall be the lot area, less any area provided for public streets or rights-of-way.

- ii. Because the street elevations are so varied within and adjacent to Block 613.1 Lot 2, a portion of open space associated with this new construction at this location, if it is proposed, may be located on a roof top provided that the roof-top open space has at least one 20 foot wide connection to an adjacent street at the elevation of the public sidewalk and the roof-top open space is publicly accessible and identified as such within the project deed and through signage at the Street level.**
- iii. Direct pedestrian ingress and egress to individual units shall be provided along Senate Place, Dey Street and Newark Avenue.**
- iv. Required Conditions to Qualify for Sub-District B Bonus:**
 - The land shall be deed restricted as open space and dedicated to the City or remain in private ownership and protected for perpetual public access through an easement attached to the deed.**
 - This open space shall be located at the corner of Dey Street and Senate Place so as to provide a centrally located recreational focal point within the district.**
 - Site Plan approval by the Planning Board for the park design, configuration, amenities and materials shall be pursued and received in order to receive the bonus.**
 - The open space improvements shall be constructed prior to the issuance of any Certificate of Occupancy for the project.**

E. Exceptions to Bulk Standards:

- 1. Existing buildings and structures shall be exempt from all Bulk Standards. However, any expansion of an existing building or structure must be in conformance with the Bulk Standards listed above.**
- 2. On development sites containing multiple parcels or lots; individual parcels or lots may exceed the above bulk standards provided that the development site taken as a whole is in compliance with the above bulk standards. For lots with frontage on multiple streets, all frontages shall be treated as a front lot line / yard.**
- 3. Any open space or open area on a development site that is dedicated or set aside as public open space, such as a park, and which is accessible to the public at grade shall be utilized in calculating the Maximum Density, F.A.R., Maximum Building Coverage and Maximum Lot Coverage of said development site.**
- 4. Any area on a development site that is dedicated or set aside as a street or public right-of-way, shall be utilized in calculating the permitted Maximum**

Density, F.A.R., Maximum Building Coverage and Maximum Lot Coverage of said development site.

5. Within any existing building, interior spaces may be modified to include new interior floors and/or mezzanine levels where ceiling heights permit. Interior spaces may also be modified to provide interior courtyards to provide air and light in compliance with applicable building codes.

F. Minimum Parking Standards:

1. Residential and Work/Live Units:
 - a. In Rehab Buildings - 0.5 space per unit.
 - b. New Construction
 - 1 Bedroom - 0.5 space per unit
 - 2 Bedroom & above - 1.0 space per unit
2. Offices: 1 space per 600 square feet
3. Retail Sales of Goods and Services: 1 space per 600 square feet
4. Restaurants and Theaters: 1 space per 600 square feet
5. Financial Institutions and Brokerage Houses: 1 space per 600 square feet.
6. Hotels: 1 space per 600 square feet of gross floor area, including banquet, meeting and conference rooms.
7. Colleges and Universities: 2 spaces per classroom, plus 1 space per 20 seats for each auditorium, gymnasium and/or lecture hall
8. Shared parking and valet parking arrangements are permitted upon submission of a parking plan by the developer demonstrating that such alternative parking arrangements are appropriate and approval by the Planning Board of such parking plan.

G. Building Design Standards for Rehabilitation of Existing Industrial Structures:

1. General: Rehabilitation and renovation of existing industrial structures shall be done in a manner that respects the individual architectural style and character of the particular building being renovated. The Dominant features or characteristics of these buildings shall be maintained. For example, many larger industrial structures were designed as a series of bays consisting of a repetition of building units along the streetscape, broken up by recessed areas or voids intended to bring air and light to inner portions of the building. These voids shall not be filled in.
2. Materials: it is preferable to repair, rather than replace, materials on the facades of the buildings. However, if materials must be replaced, they must

be carefully selected to match the appearance of existing materials to the greatest extent practical.

3. **Windows:** Windows are a major component of a building's appearance, therefore all windows that are visible along street facades must be treated in a manner that are consistent with the architectural character of the building. Such window openings must not be reduced or modified. Although it is recognized that replacement windows must conform to contemporary standards for energy efficiency; replacement windows must be selected to be compatible with the character of the existing windows (including muntins and mullions) and the architectural style and character of the building being renovated.
4. **Entrances:** Care must be taken in locating new entrances into the buildings to accommodate the re-use of these structures. All buildings must relate to the streetscape and orient their primary entrance to the public right-of-way. Pedestrian access points shall be located on less trafficked streets and designed in manner that relates to the adjoining street and encourages pedestrian activity along the street. Conversely, vehicular access points shall be located and designed to limit their impact on the pedestrian environment and to the appearance of the building.
5. **Roofscape:** Many older industrial buildings contained skylights, water towers and other rooftop appurtenances that add to the architectural style and character of the structure. These features shall be retained and incorporated into the design and reuse of the structure. New necessary mechanical equipment and rooftop appurtenances may be located on the roof, but shall be screened and/or incorporated into the roofscape design.
6. **Other Design Features:** Many older industrial structures contained unique features such as tall smoke stacks, which became familiar features in the landscape. These features shall be retained and incorporated into the design of the building. However, other smaller or minor buildings, or minor portions of buildings, which may have been accessory to the previous use, but are no longer appropriate to the new reuse; may be removed.
7. **Additions/Expansions:** New additions/expansions of existing structures must be done in a manner that is complimentary to the existing building's design and architecture in term of size, scale, materials, etc. However, new additions should not seek to copy the existing building, as each building is a product of its own time. Additional floors may be added to the top of existing buildings provided that such construction is not contrary to the intent of paragraph G. 5. above and is in compliance with the height requirements of paragraph D. 11. of this section.

8. New Construction: New buildings constructed as part of the reuse and/or redevelopment of industrial sites, either as accessory to the new reuse or as infill buildings, must be designed to compliment the architecture of the existing major buildings on the site. It is recognized that each building is a product of its own time. Therefore, the new buildings should not be copies of the architectural style of the existing buildings.

H. Parking Structure Design Standards

1. Along all street rights-of-way **within sub-district B**, any all parking levels shall be screened by an intervening use (i.e. residential, office, retail, lobby, etc.) between the parking and the building facade. Parking levels below grade shall be exempt from this requirement. In addition, parking levels fronting onto St. Pauls Avenue west of Van Wagenen Avenue shall also be exempt from this requirement. ***The design of parking levels within sub-district A shall adhere to the requirements of paragraph 2. below.***
2. The façades of all parking structures or levels within buildings that are not screened by an intervening use shall be architecturally screened so as to not give the apparent perception of garage space from the exterior. The facade 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 be of the punched style. 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 a hinged solid metal plate/shutter, or recessed decorative grill over a louvered opening as described below. Blind windows, where appropriate shall also be permitted. Where louvers are needed or proposed, decorative grills shall be installed over functional louvers, or other comparable decorative material shall be used in openings or portions of the openings resembling the windows provided above and/or below parking levels. The intent of the above regulations is that no exposed garage exterior wall shall be detectable as a garage.
3. The design of parking structures and levels shall be consistent with paragraph G of this section "Building Design Standards for Rehabilitation of Existing Industrial Structures".
4. Garage doors shall be provided at the ingress and egress to the parking garage and shall be designed to reflect the architecture of the building. Open metal grates and similar type doors are prohibited. Garage doors shall be

kept to the minimum height and width possible so as to limit their visual impact on the streetscape and the facade of the building.

I. Signage: The signage regulations as found in section 345-68 of this ordinance, and as applied to the O/R District shall apply to the MWORD district. In addition, the following signage may be permitted by the Planning Board after site plan review and approval.

1. A roof sign or wall sign on an existing building that has been or is being renovated for a mixed use development, indicating the name of the mixed-use development; provided that it can be evidenced by photographs or other historical documentation that a similar sign previously existed on the building. Such signage must conform to the size, shape, lettering style and design of the historically documented sign.
2. Signs that were historically used on certain mechanical elements or architectural features of a building or complex, such as watertowers, smokestacks and chimneys, provided that said signage is not used to advertise businesses or services outside the building or complex (i.e. no outdoor advertising signs).

City Clerk File No. Ord. 10-042

Agenda No. 3.K 1st Reading

Agenda No. 4.C. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-042

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A350 (COUNCIL RULES OF
TITLE: ORDER) RULE V, SECTION 6 (AGENDA - CONSENT AGENDA)

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

A. The following amendments and supplements to Chapter A350 (Council Rules of Order) and of the Jersey City Code are adopted.

§ A350-6. Agenda -Consent Agenda.

- A. Agenda. All reports, communications, ordinances, resolutions or other matters to be submitted to the Council by the administration [~~should~~] or by Council Members must by [~~noontime~~] 3:00 P.M. on Wednesday preceding each Council meeting be delivered to the Clerk, whereupon the Clerk shall immediately prepare a calendar of such matters together with such additional matters that he or she may have to present. He or she shall furnish a copy of the calendar to each member of the Council, the Mayor, the Business Administrator and the Corporation Counsel, prior to the Council meeting, and as far in advance of the meeting as time will permit.
- B. All ordinances and resolutions which authorize the sale, conveyance or leasing of any interest in real property; or authorize the acquisition or grant of a license or easement in real property; or grant real estate tax exemptions or tax abatements; or authorize the settlement or termination of legal proceedings affecting real property; or authorize the construction, rehabilitation, repair or demolition of real property; or repeal or cancel any ordinance or resolution referred to in this subsection shall contain both the lot and block number and the street address of such real property.
- C. Any ordinance that is defeated on first reading shall not be reintroduced or considered in substantially the same form again on first reading for six(6) months after the day of its defeat.
- [E] D. All ordinances, resolutions, claims, contract documents and all other legal documents shall bear the stamp and signature of the corporation counsel approving the same pursuant to law prior to their consideration by the Council. No legal document shall be signed by the Mayor or administrative heads until the approval of the Corporation Counsel is appended thereto.
- [D] E. Consent agenda. Items of business which the Council at its premeeting conferences has determined to be routine and which do not require discussion shall be included under a single section of the calendar known as the "consent agenda." Such items may be adopted, approved or introduced, as the case may be, upon motion by a single roll call vote in accordance with the rules of procedure of the Council.
- [E] F. The consent agenda section of the calendar shall be preceded by an explanatory note substantially as follows:

"All matters listed under Subsection B and D, Consent agenda, are considered routine by the Municipal Council and will be enacted by one (1) motion in the form listed below. There will

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A350 (COUNCIL RULES OF ORDER) RULE V, SECTION 6 (AGENDA - CONSENT AGENDA)

be no separate discussion of these items. If discussion is desired on any item and permitted by the Council, that item will be considered separately."

- 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*.

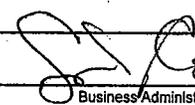
WM/igp
3/3/10

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____


Business Administrator
ARST

Certification Required

Not Required

Ordinance of the City of Jersey City, N.J.

ORDINANCE NO. Ord. 10-042
 TITLE: **3.K. MAR 1 0 2010 4.C.**



Ordinance amending and supplementing Chapter A350
 (Council Rules of Order) Rule V, Section 6 (Agenda-
 Consent Agenda).

RECORD OF COUNCIL VOTE ON INTRODUCTION											
MAR 1 0 2010 7-1-1											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP		✓		FLOOD	✓		
LOPEZ	✓			RICHARDSON	ABSTAIN			VEGA,	✓		

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
Councilperson				moved, seconded by Councilperson				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VEGA			

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson				moved to amend* Ordinance, seconded by Councilperson				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VEGA			

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				FLOOD			
LOPEZ				RICHARDSON				VEGA			

✓ Indicates Vote N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on MAR 1 0 2010
 Adopted on second and final reading after hearing on _____

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on

APPROVED:

 Robert Byrne, City Clerk

 Peter M. Brennan, Council President

*Amendment(s):

Date: _____
 APPROVED: _____

 Jerramiah T. Healy, Mayor

03/10/10

Date _____

Date to Mayor _____