City Clerk File No. Ord. 11-073

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 11-073

TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE REGARDING THE MEDICAL DISTRICT IN GREENVILLE

WHEREAS, the Municipal Land Use Law (NJSA 40:55D-1 et seq.,) permits municipalities to adopt and amend zoning ordinances relating to the nature and extent of the uses of land and of buildings; and

WHEREAS, the Jersey City Planning Board considered and adopted a Master Plan Reexamination Report in February of 2011, that recommended, among other things, that the Greenville Medical District be amended to add schools as a permitted use and to reduce the maximum height to be consistent with the character of the community; and

WHEREAS, the Jersey City Planning Board has reviewed the proposed amendments and recommended unanimously that they be adopted by the Municipal Council; and

WHEREAS, a copy of the text of the amendments are attached hereto and made a part hereof; and

WHEREAS, the amendments are available for public review in 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 amendments to LDO affecting the Medical District in Greenville 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A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.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 hereby 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, Planning Director

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: Carl Caplicki

APPROVED: [signature]
Business Administrator

Certification Required ☐

Not Required ☐

Date Submitted to B.A._____

ORDINANCE FACT SHEET

1. **Full Title of Ordinance: ORDINANCE OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE REGARDING THE MEDICAL DISTRICT IN GREENVILLE**

2. **Name and Title of Person Initiating the Ordinance:** Carl S. Czaplicki, Director, HEDC

3. **Concise Description of the Program, Project or Plan Proposed in the Ordinance:** Amends the LDO to allow schools in the Greenville Medical District and reduces the maximum height from 10 stories to 5.

4. **Reasons (Need) for the Proposed Program, Project, etc.:** Greenville Hospital is vacant and unlikely to ever function again as a hospital. There is interest in reusing the building for a charter school.

5. **Anticipated Benefits to the Community:** A school re-use of the building would give the vacant building new life and represents a "day-time" use which would not burden the overnight parking situation. The reduction in maximum height is in response to the community's request to reduce the height to be more in tune with the character of the neighborhood.

6. **Cost of Proposed Project:** There are no new costs to the City as all work involved in this amendment has been done by in-house staff.

7. **Date Proposed Program or Project will commence:** Immediately upon adoption

8. **Anticipated Completion Date:** Not Applicable (This is enabling legislation.)

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

   Robert D. Cotter, City Planning Director 547-5050

10. **Additional Comments:**

I Certify that all the Facts Presented Herein are Accurate.

Robert D Cotter — June 21, 2011

Division Director Signature — **Date**

Carl Czaplicki — 6/21/11

Department Director Signature — **Date**

345-53 M Medical District.

Amendments to Article V of the Jersey City Land Development Ordinance

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.

A. Purpose.

1. The purpose of this district is to recognize the existing medical facilities in the city and other medical related uses traditionally associated with these facilities.
2. The medical district encompasses Christ Hospital in the Heights, Greenville Hospital in Greenville, Saint Francis Hospital in Downtown.

B. Permitted principal uses are as follows:

1. Hospitals.
2. Medical offices.
3. Ambulatory care facilities.
4. Offices.
5. Diagnostic centers.
6. Rehabilitation centers.
7. Assisted living residences.
8. Nursing homes.
9. Senior housing.
10. Public utilities, except that natural gas transmission lines shall be prohibited.
11. ***Schools, limited to the Medical District in Greenville***

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

1. Parking garages and off-street parking.
2. Meeting rooms, conference facilities, gymnasiums and exercise rooms and pools.
3. Staff housing.
4. Medical training including nursing and therapists.
5. Fences and walls.
6. Signs.

D. Bulk and Parking Standards for Medical District.

1. Maximum Height: Ten (10) stories and one hundred (100) feet, ***provided, however, that in the Medical District in Greenville, the maximum height shall be limited to five (5) stories.***
2. Maximum Building and Lot Coverage: Eighty percent (80%).
3. Maximum Height of Parking Garage: Four stories.
4. Minimum Buffer adjacent to residential uses and zones: Ten (10) feet.
5. Parking Standards: One space for five thousand (5,000) square feet of gross floor area

SUMMARY SHEET

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE REGARDING THE MEDICAL DISTRICT IN GREENVILLLE

This ordinance will allow schools to be located within the Medical Zoning District in Greenville and reduce the maximum height from 10 stories to 5 stories.

City Clerk File No. Ord. 11-074

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 11-074

TITLE: **ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LIBERTY HARBOR NORTH REDEVELOPMENT PLAN RELATING TO REDEVELOPMENT PLAN BLOCK 5**

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

WHEREAS, this Redevelopment Plan was intended to provide for the construction of a New Urbanist Development connecting this waterfront neighborhood to the established downtown historic neighborhood districts of the City; and

WHEREAS, the proposed amendments changes redevelopment plan Block 5 development by breaking it into two (2) blocks to be known as 5.1 and 5.2. It also changes the building class permitted in the redevelopment plan of that area from Civic Boys Club to *M-Class* for the un-built portion of Block 5.1 and *XL-Class* for Block 5.2. It requires the extension of Grove Street through to Regent Street and establishes this new roadway segment as a raised decorative pedestrian and vehicular plaza, changes the thoroughfare standards of St. Peter's Street, and makes Morris Street Park larger.; and

WHEREAS, at its meeting of June 14, 2011, the Jersey City Planning Board, discussed the proposed amendments; and

WHEREAS, the Planning Board found there to be many advantages to the proposed amendments and unanimously recommended that the Municipal Council adopt the proposed amendments; and

WHEREAS, the Redevelopment Plan, reflecting the proposed amendments, dated June 14, 2011 is attached and made a part hereof and is available for public inspection at the Office of the City Clerk in City Hall, 280 Grove Street, Jersey City, NJ;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the proposed Amendments and Map revisions, attached hereto, as Recommended by the Jersey City Planning Board on June 14, 2011 be, and hereby is, 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 hereby 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.

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: Carl Gaspitcia

APPROVED: _____

Business Administrator

Certification Required ☐

Not Required ☐

Date Submitted to B.A._____

ORDINANCE FACT SHEET

1. **Full Title of Ordinance/Resolution/Cooperation Agreement:**

   ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LIBERTY HARBOR NORTH REDEVELOPMENT PLAN RELATING TO REDEVELOPMENT PLAN BLOCK 5

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

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

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

   This ordinance amends the following components of the Liberty Harbor North Redevelopment Plan: 1) Regulating Plan: Height Map; 2) Regulating Plan: Frontage Map; 3) Vehicular Circulation Map; 4) Street Network Map; 5) Superimposed Map, 6) Community Facilities Map; 7) Block Identification Plan; 8) Thoroughfare Standards; 9) Capacity Summary; and 10) Intensity summary. Specifically, it changes Block 5 development by breaking it into two (2) blocks to be known as 5.1 and 5.2. It also changes the building class permitted in the redevelopment plan of that area from Civic Boys Club to *M-Class* for the un-built portion of Block 5.1 and *XL-Class* for Block 5.2. It requires the extension of Grove Street through to Regent Street and establishes this new roadway segment as a raised decorative pedestrian and vehicular plaza; changes the thoroughfare standards of St. Peter's Street, and it makes Morris Street Park larger.

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

   This amendment allows for the demolition of the existing aging Boys and Girls Club Building and establishes, through New Urbanist zoning standards, a new roadway network and development standards to replace it. The redevelopment plan also permits the existing Boys and Girls Club use to have a new building to re-locate into prior to any building demolition.

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

   1. Allows for the continued investment into this plan area,
   2. Improved street connections.
   3. Improved pedestrian and vehicular circulation.
   4. Addition of another Green building within the City
   5. Increased Civic space within the Plan area

6. **Cost of Proposed Program, Project, etc.:**
   No expense to the city.

7. **Date Proposed Program or Project will commence:**
   It will commence upon approval of the redevelopment plan amendment.

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

9. **Person Responsible for Coordinating Proposed Program, Project, etc.:**
   Robert D. Cotter, Director, City Planning 547-5050
   Maryann Bucci-Carter, City Planning 547-4499

10. **Additional Comments:** None
    I Certify that all the Facts Presented Herein are Accurate.

Robert D. Cotter — June 15, 2011
Division Director — **Date**

Carl Czaplicki — 6/15/11
Department Director Signature — **Date**

SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LIBERTY HARBOR NORTH REDEVELOPMENT PLAN RELATING TO REDEVELOPMENT PLAN BLOCK 5

This ordinance amends the following components of the Liberty Harbor North Redevelopment Plan: 1) Regulating Plan: Height Map; 2) Regulating Plan: Frontage Map; 3) Vehicular Circulation Map; 4) Street Network Map; 5) Superimposed Map, 6) Community Facilities Map; 7) Block Identification Plan; 8) Thoroughfare Standards; 9) Capacity Summary; and 10) Intensity summary.

Specifically, it changes Block 5 development by breaking it into two (2) blocks to be known as Blocks 5.1 and 5.2. It also changes the building class permitted in the redevelopment plan of that area from Civic Boys Club to *M-Class* for the un-built portion of Block 5.1 and *XL-Class* for Block 5.2. It requires the extension of Grove Street through to Regent Street and establishes this new roadway segment as a raised decorative pedestrian and vehicular plaza, changes the thoroughfare standards of St. Peter's Street, and makes Morris Street Park larger.

Proposed Liberty Harbor North Redevelopment Plan Amendments As Recommended by the Jersey City Planning Board on June 14, 2011

*The amendment, as outlined below, refers to both the text and the maps. The attached Redevelopment Plan Text contains new amendments depicted or circled in **RED**. Previously approved amendments that were adopted by the City Council are incorporated into the document in **BLUE**.*

1) **SECTION I – SITE PLANS:**

   a. (Page I.2) Amend the BLOCK INDENTIFICATION plan to show the dividing of Block 5 into two separate redevelopment blocks to be known as Block 5.1 and Block 5.2. These new Blocks are to be created as result of the STREET NETWORK PLAN amendment described below, which divides the parcel with the proposed extension of Grove Street. This change is attached and presented in a map revision to the Plan along with certain prior amendments referenced.

   b. (Page I.5) Amend the SUPERIMPOSED MAP plan to reflect changes in the STREET NETWORK PLAN as described in this Amendment. This change is attached and presented in a map revision to the Plan.

2) **SECTION III – DIAGRAMS:**

   a. (Page III.1) Amend the STREET NETWORK plan to show a new extension of Grove Street connecting between Grand Street and Regent Street. The thoroughfare for this street is proposed as ST-68-34 with surface treatment that shall include decorative pavement and/or raised plaza elements (to be presented at the time of Site Plan application, or before). The amendment also provides for the cartway of St. Peter's Street to shift east (ST-35-20) with a sidewalk easement required from the Block 7 developer. The Regent Street thoroughfare is identified as ST-60-34. These changes are attached and presented in a map revision to the Plan along with certain prior amendments referenced.

   b. (Page III.2) Amend the VEHICULAR CIRCULATION plan by introducing a new 2-way direction for the proposed extension of Grove Street and updating circulation patterns and directions in and around Block 5.5. These changes are attached and presented in a map revision to the Plan along with certain prior amendments referenced.

3) **SECTION V – REGULATIONS AND STANDARDS:**

   a. (Page V.7) Amend the REGULATING PLAN: HEIGHTS map by changing the height pattern of new Block 5.1 to allow for an M-Class building along a portion of the block, including a provision allowing up to 4 additional stories to provide for 12 stories of residential development for a project designed to achieve a LEEDs certification from the U.S. Green

Building Council. Also, amend the height pattern of Block 5.2 to provide for an XL-Class building with a maximum of 45 stories of residential development on an SM-Class podium including mid-block parking for a project designed to achieve a LEEDs certification from the U.S. Green Building Council. The expansion of the Morris Square parcel to the north shall be completed in conjunction with the Regent Street extension. Improvements to the expanded Morris Square shall be presented at the time of Site Plan application for the Block 5.2 project. These changes are attached and presented in a map revision to the Plan along with certain prior amendments referenced.

b. (Page V.8) Amend the REGULATING PLAN: FRONTAGES map to reflect the new Block 5.1 and Block 5.2 frontages and provide for a combination of *"Retail Frontage Optional"* and *"Retail Required"* along the new extension of Grove Street as indicated on the map. Also, amend to provide for a *"B Frontage Line"* for Block 5.2 along St. Peter's Street. A requirement for individual residential private entrance stoops is to be included for units facing Grand Street on Block 5.2. Finally, *"Terminated Vistas"* are to be added to the map on Block 5.2 across from Morris Square and at the corner of Grand Street and the Grove Street extension at Blocks 5.1 and 5.2. These changes are attached and presented in a map revision to the Plan along with certain prior amendments referenced.

c. (Pages V.9, V.10 & V.11) Update the URBAN AND ARCHITECTURAL REGULATIONS to reflect the prior amendments referenced.

d. (Pages V.12) Update the USE REGULATIONS to reflect the prior amendment referenced.

e. (Pages V.13 thru V.16) Update the THOROUGHFARE STANDARDS to reflect the amendments herein.

4) **SECTION VI – BUILDINGS:**

a. (Add Page VI.8) Amend to add the ***Residential XL-Class Point Tower Building***.

- The Residential XL-Class Point Tower on Block 5.2 shall be permitted to rise to a maximum of 45 stories for a project designed to achieve a LEEDs certification from the U.S. Green Building Council.

- The building shall contain a podium that is SM-Class with a mid-block parking structure.

- Individual residential units on the first floor at Grand Street shall be accessed directly from the exterior with stoops.

- The building shall incorporate architectural fenestration and elements that respect the characteristic of the surrounding historic district.

- The XL Tower on Block 5.2 shall be situated as depicted on the ***Height Regulating Plan Map***. The tower footprint shall be no greater than 125' x 90'.

- The building shall be designed as a signature building with a distinctive design theme. The tower shall be a terminated vista for southbound vehicular and pedestrian travelers on Grove Street. The design shall take this characteristic into consideration during design and, all building sides shall be distinctive with no side of lesser design value that the other. The building shall contain a detectible base, middle and crown. Detailed rooftop features are required to insure the building becomes an iconic marquee building within the downtown neighborhood.

5) **SECTION VII – CAPACITY CALCULATIONS:**

a. (Page VII.1) Amend the CAPACITY SUMMARY for new **Block 5.1** as follows, with corresponding new totals for the overall summary:

Maximum Allowable – BLOCK 5.1												Total Building Area
	Housing in S.F.			Housing in Units			Other Uses					
	Liner	Other	Total	Liner	Other	Total	Retail	School	Hotel	Office	Garage	
Existing (Block 5)	144,000	0	144,000	85	0	85	0	0	0	23,625	25,000	150,000
Proposed	144,000	392,000	536,000	85	280	365	15,000	0	40,000	23,625	90,000	704,625

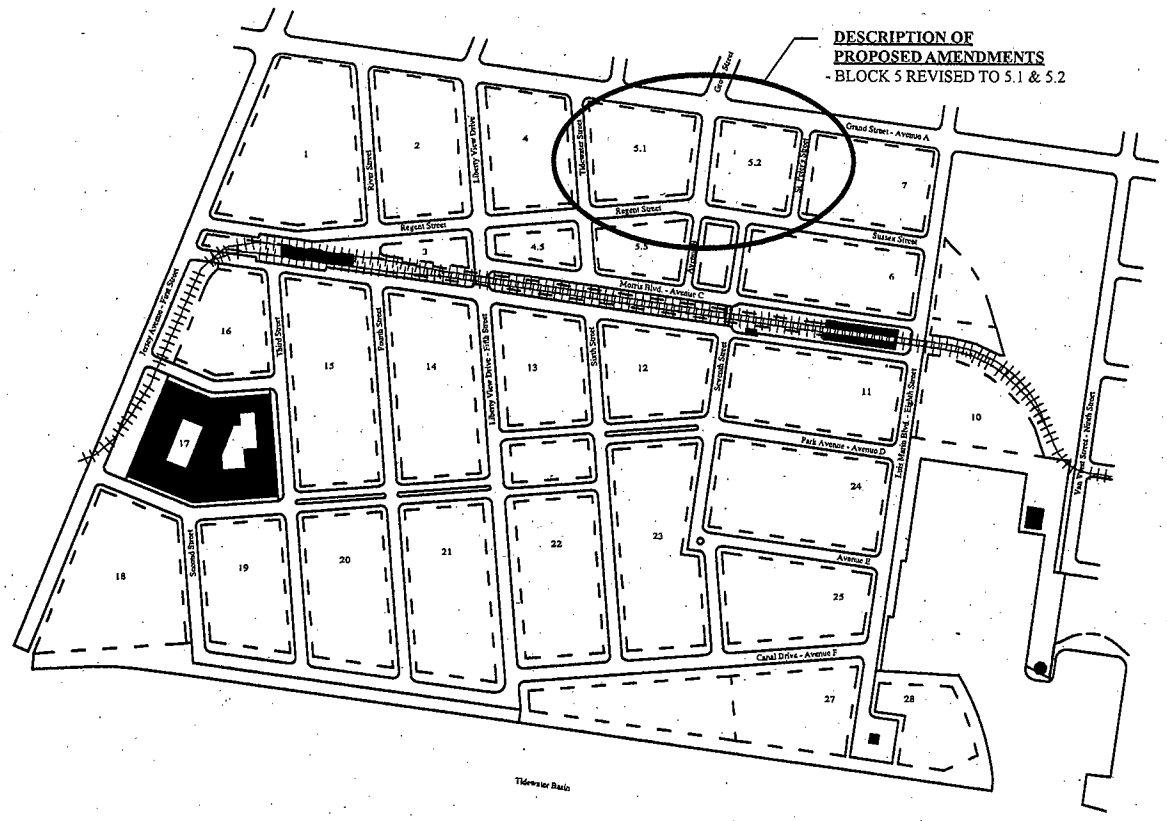
b. (Page VII.1) Amend the CAPACITY SUMMARY for new **Block 5.2** as follows, with corresponding new totals for the overall summary:

Maximum Allowable – BLOCK 5.2												Total Building Area
	Housing in S.F.			Housing in Units			Other Uses					
	Liner	Other	Total	Liner	Other	Total	Retail	School	Hotel	Office	Garage	
Proposed	0	770,000	770,000	0	550	550	15,000	0	0	0	200,000	985,000

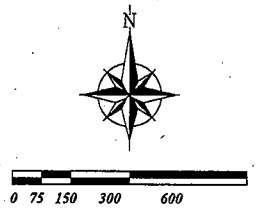
c. (Page VII.2) Amend the INTENSITY SUMMARY for new Block 5.1 and Block 5.2 as follows, with corresponding new totals for the overall summary and COMPOSITION OF SITE AREA chart:

	Size in S.F.		Size in Acres		Ratio	Max Housing		Max SF all uses	Units/Acre		FAR	
	Gross	Net	Gross	Net	Gross /Net	# du	Total SF		Gross	Net	Gross	Net
Proposed 5.1	94,148	56,343	2.16	1.29	1.67	365	536,000	704,625	169	282	7.48	12.51
Proposed 5.2	66,446	38,780	1.53	0.89	1.71	550	770,000	985,000	361	618	14.82	25.40

BLOCK IDENTIFICATION PLAN



The block numbers shown here do not form a consecutive sequence, as some blocks have been eliminated and added during the process of development of this plan.



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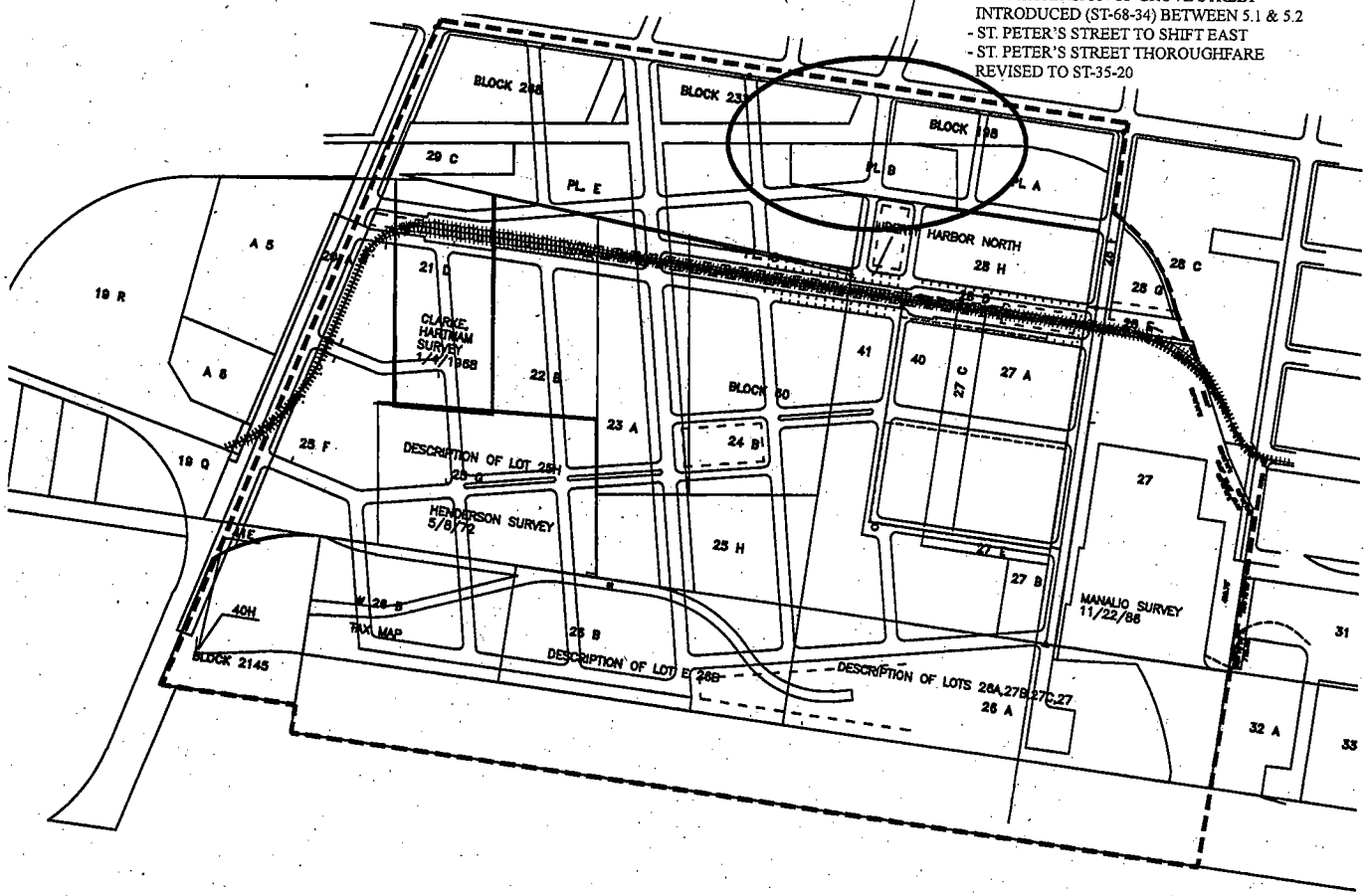
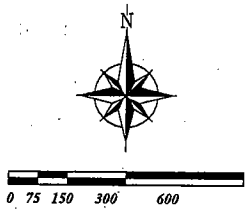
SUPERIMPOSED MAP

DESCRIPTION OF PROPOSED AMENDMENTS
- BLOCK 5 REVISED TO 5.1 & 5.2
- EXTENDED MORRIS SQUARE
- ELIMINATION OF GROVE SQUARE
- NEW EXTENSION OF GROVE STREET INTRODUCED (ST-68-34) BETWEEN 5.1 & 5.2
- ST. PETER'S STREET TO SHIFT EAST
- ST. PETER'S STREET THOROUGHFARE REVISED TO ST-35-20



The drawings superimposes the Boundary Survey and the Current Plan. The two blocks just south of the light rail and just West of the Marina can be seen to have been configured in order to correspond with existing property divisions.

* NOTE: There may be further potential subdivisions of property lot lines that are not current in this drawing.



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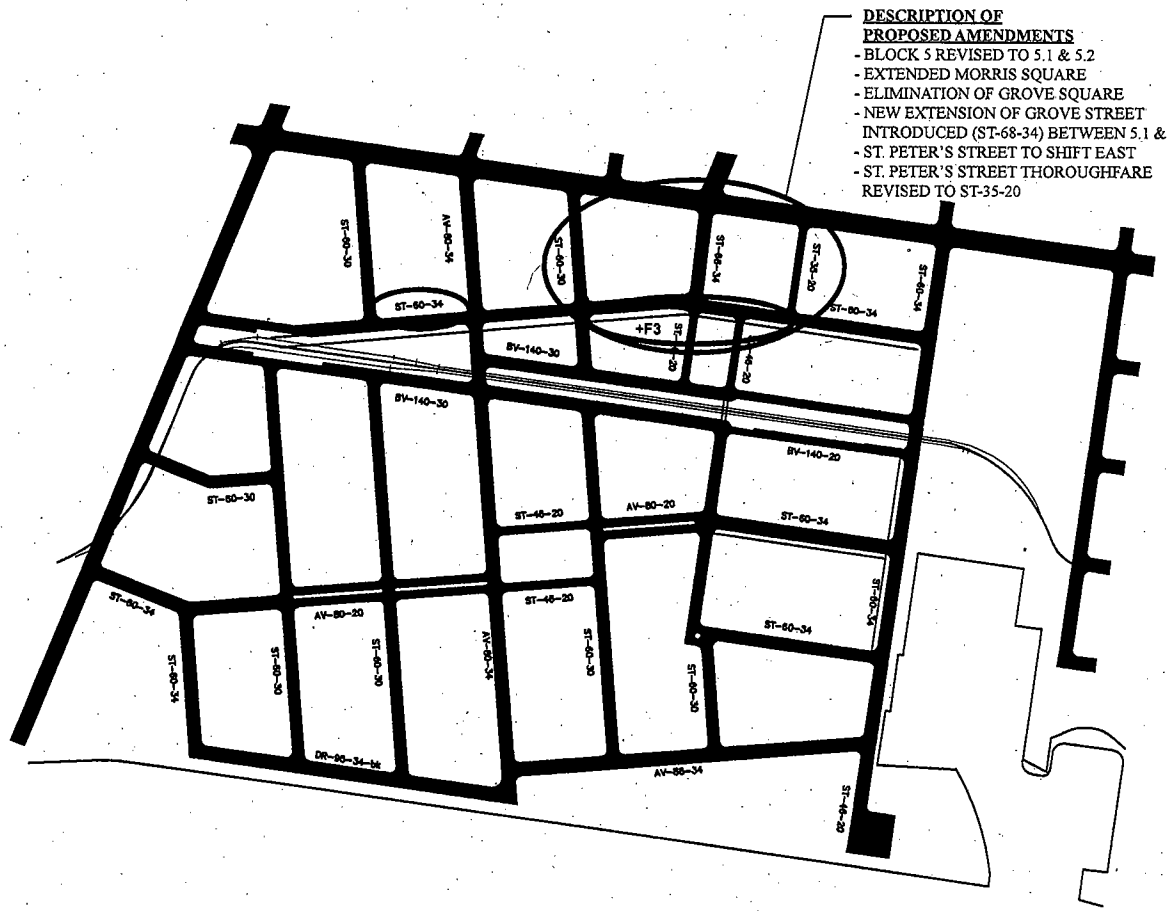
STREET NETWORK



DESCRIPTION OF PROPOSED AMENDMENTS

- BLOCK 5 REVISED TO 5.1 & 5.2
- EXTENDED MORRIS SQUARE
- ELIMINATION OF GROVE SQUARE
- NEW EXTENSION OF GROVE STREET INTRODUCED (ST-68-34) BETWEEN 5.1 & 5.2
- ST. PETER'S STREET TO SHIFT EAST
- ST. PETER'S STREET THOROUGHFARE REVISED TO ST-35-20

As in the best cities and towns, the plan calls for a porous street network of many small thoroughfares. Automobile traffic is distributed evenly across the site, so that no street requires more than one lane of traffic in each direction. Traffic is kept moving slowly, so that the sidewalks feel safe for walking. The presence of a true network provides multiple paths to every destination, so that pedestrians can have a varied routine, and drivers can avoid backups by taking alternate routes. Blocks are small – averaging 220' by 500', further easing pedestrian circulation.

The labels refer to the design of each street, provided in the Thoroughfare Standards ahead. The names indicate the right-of-way width and pavement width, such that a ST-60-30 is a street with a 30' pavement in a 60' R.O.W. This one-way thoroughfare type matches similar rowhouse streets in Jersey City's historic neighborhoods. All of the remaining streets are two way, with the exception of ST-46-20, which is a street that circles public squares.

Improvements to extensions of Grove Street between blocks 5.1 & 5.2 shall include decorative surface treatment and / or raised plaza elements. Details shall be presented for approval at the time of SITE PLAN APPLICATION, or before. The curb layouts regarding the extension of Morris Square shall occur in conjunction with the extension of Regent Street. Details of improvements to Morris Square shall be presented for approval at the time of SITE PLAN APPLICATION, or before, with block 5.2

0 75 150 300 600

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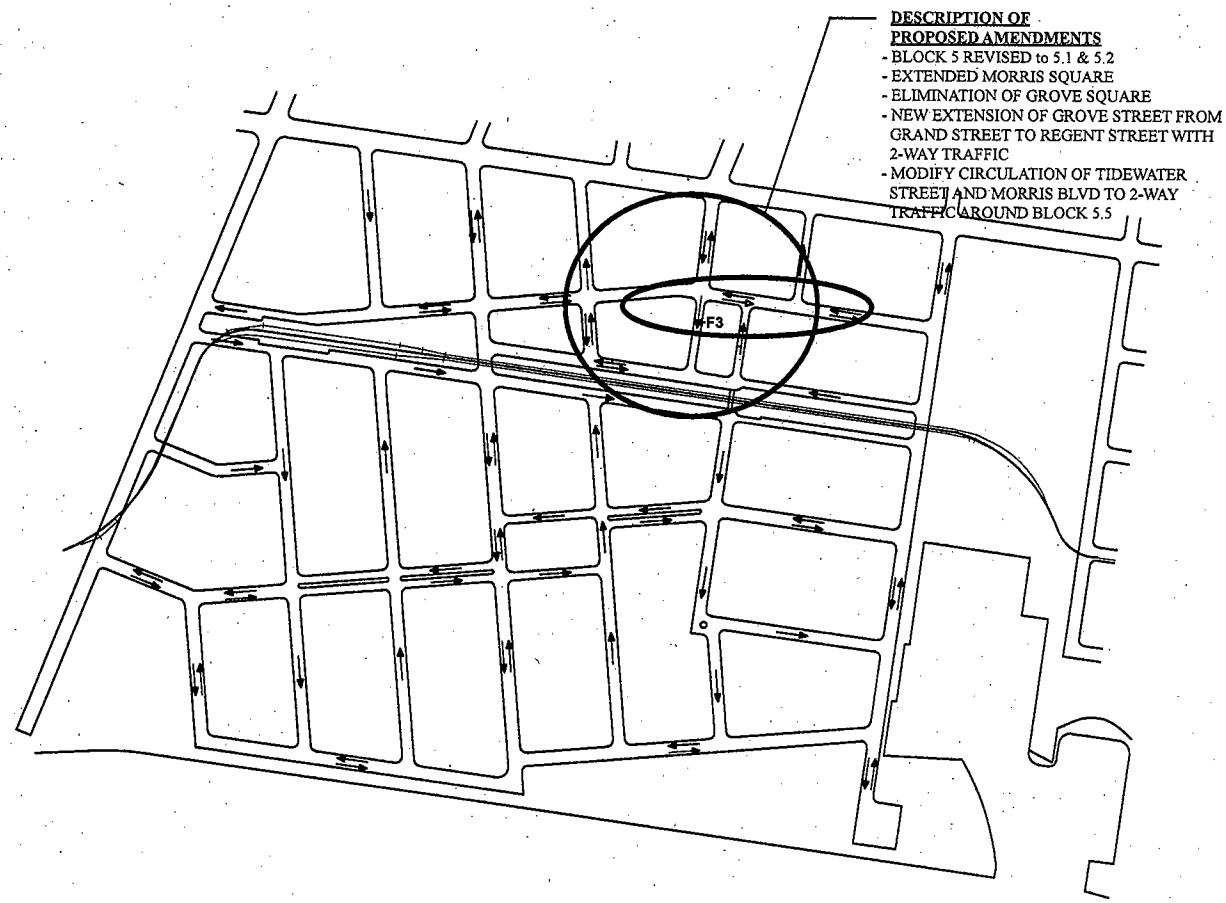
+F3 Amendment extending Regent St. through Block 5 adopted by City Council on December 6, 2010 - Ordinance: 10-174

VEHICULAR CIRCULATION



DESCRIPTION OF PROPOSED AMENDMENTS

- BLOCK 5 REVISED to 5.1 & 5.2
- EXTENDED MORRIS SQUARE
- ELIMINATION OF GROVE SQUARE
- NEW EXTENSION OF GROVE STREET FROM GRAND STREET TO REGENT STREET WITH 2-WAY TRAFFIC
- MODIFY CIRCULATION OF TIDEWATER STREET AND MORRIS BLVD TO 2-WAY TRAFFIC AROUND BLOCK 5.5

Similar to much of Manhattan's grid, streets that pass the ends of blocks carry two-way traffic, while the more frequent cross-streets are largely one-way. One-way streets are typically provided in pairs, so that lengthy loops are avoided. All streets shall be improved to the satisfaction of the Municipal Engineer and developed to municipal standards and shall be maintained without gates and open to public vehicles and pedestrians.

* The vehicular traffic directions identified here reflect directions at total build-out. Traffic direction may change during various phases of completion, pursuant to Planning Board approval.

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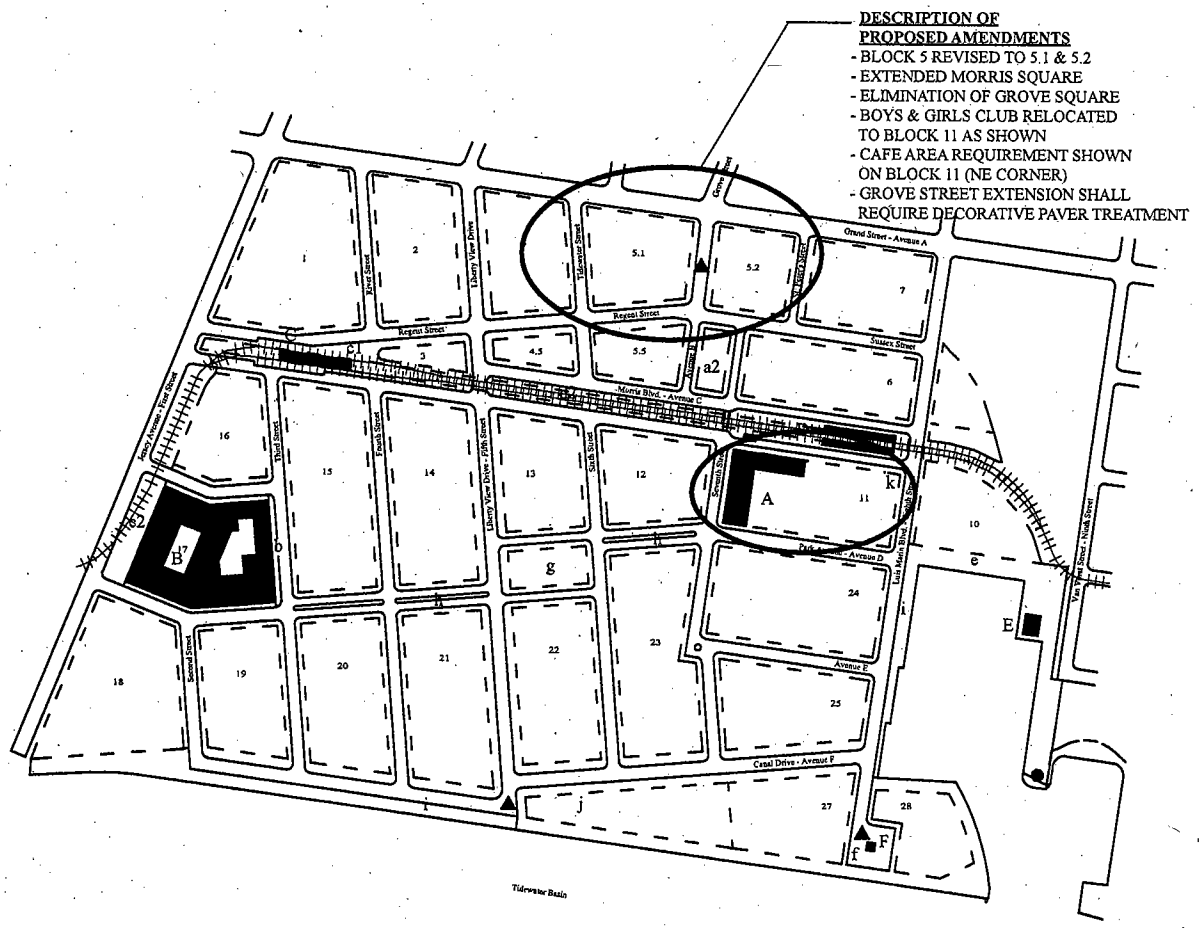
+F3 Amendments modifying circulation pattern around block 5 adopted by City Council on December 6, 2010 - Ordinance: 10-174

RECREATIONAL & COMMUNITY FACILITIES SPACES



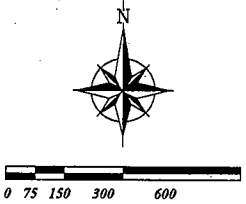
This drawing shows the many civic buildings, recreational space, community facility space and open space that are distributed throughout the plan, and how all of the civic buildings and facilities are complimented by at least one corresponding civic space. The civic buildings are as follows:

A. Boys and Girls Club
B. Elementary School at base of apartment building
C. *Jersey Medical Center* Light-Rail Station
D. *Marin Boulevard* Light-Rail Station
E. Marina Pavilion - Approved as a requirement of Fulton's Landing Waterfront Development Permit
F. Monument in Market Plaza

The civic spaces are as follows:

a1. Grove Square is a private property to be maintained as an interim passive open space.
a2. Morris Square Neighborhood Green
b. Elementary School Yard (Option if school is incorporated)
c1. Light-Rail Station Plaza ✱
c2. Light-Rail Attached Plaza
d1. N/A
d2. Light-Rail Boulevard Median ✱
e. Marina Walk ✱✱
f. Market Plaza
g. Central Square
h. Park Avenue Median
i. Waterfront Linear Park
j. Canal Drive Park and Plaza
k. Cafe Area

As can be learned from the experience of the new suburbs, it is not enough simply to provide open space; one must provide open spaces which are carefully modeled after familiar archetypes that



✱ The land area located within the light-rail easement has no development potential.

✱✱ The Marina walk is provided to ease pedestrian traffic into the development from the adjacent Paulus Hook neighborhood and shall provide an area for cafe seating and other amenities.

▲ Location of decorative paver treatments is to be from Canal Drive south to the walkway and other locations as shown

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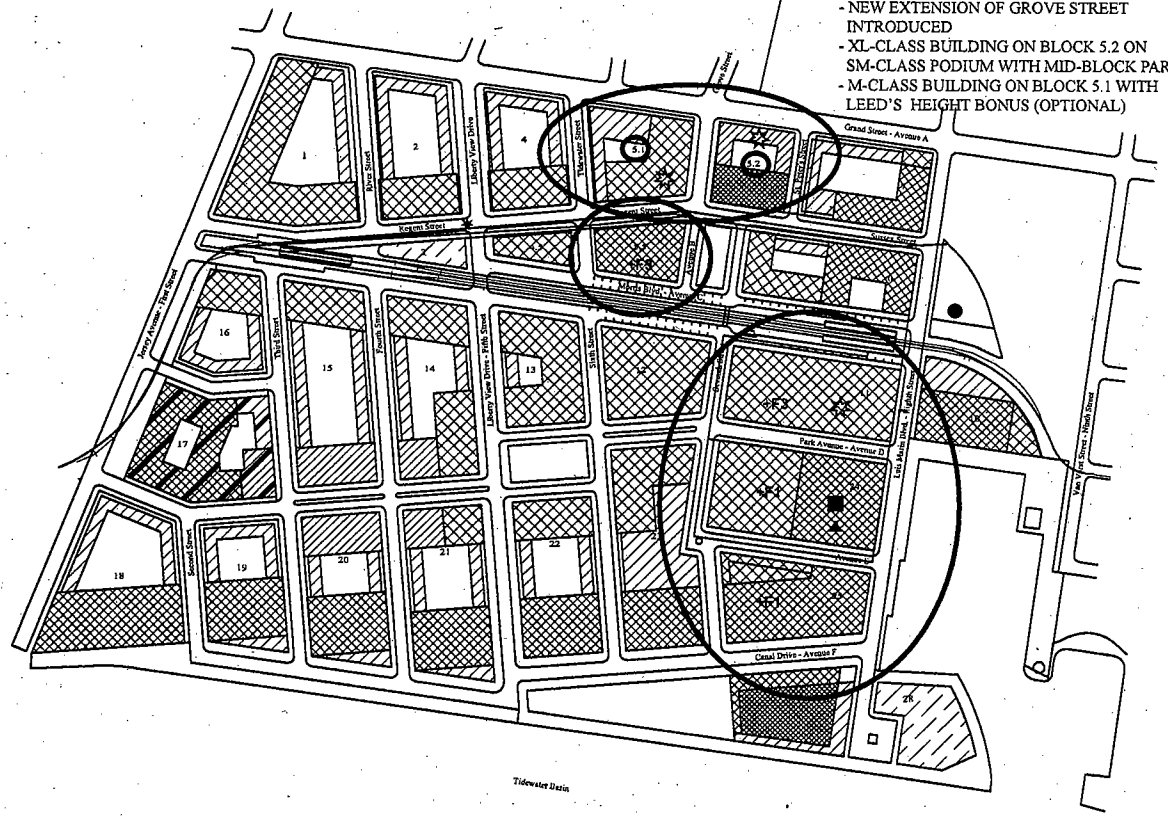
REGULATING PLAN: HEIGHTS

DESCRIPTION OF PROPOSED AMENDMENTS
- BLOCK 5 REVISED TO 5.1 & 5.2
- EXTENDED MORRIS SQUARE
- ELIMINATION OF GROVE SQUARE
- NEW EXTENSION OF GROVE STREET INTRODUCED
- XL-CLASS BUILDING ON BLOCK 5.2 ON SM-CLASS PODIUM WITH MID-BLOCK PARKING
- M-CLASS BUILDING ON BLOCK 5.1 WITH LEED'S HEIGHT BONUS (OPTIONAL)



XS-Class Buildings: 2 Stories, Max. height limit 40 '
Restaurant, Retail and Entertainment uses only on Block 28.

S-Class Buildings: 4 Stories plus Attic

SM-Class Buildings: 6 Stories plus Attic

M-Class Buildings: 8 Stories plus Attic

L-Class Buildings: 16 Stories plus Towers/Penthouse

XL-Class Buildings: 45 Stories plus Cupola

Civic Class Buildings: 2 Stories of max. 20' each, plus roof articulations above if desired. (no above-grade parking)

Civic Class Base within S, SM, & L-Class Building: (As many as 3 stories shall be civic) OR as alternative, *S, SM, & L-Class Building only.*

Mid-Block Parking: open space at block centers may be used for parking lots of a max. height determined by the Urban and Architectural Regulations. A minimum of 20% of this midblock area will be dedicated to open space, primarily in the form of townhouse rear yards, as discussed in III.L of the General Regulations.

▲ Possible exception to story-height requirement as discussed in Urban and Architectural Regulations.

● Zoning for this area to match corresponding area in the Tidewater Basin Redevelopment Plan, Grand and Main district, and R.O.W.'s.

■ Required Hotel

✱ This area shall be a maximum of 3 stories and a height limit of 80'.

✲ Up to 12-stories maximum to be permitted on a project designed to be LEED Certified by the U.S. Green Building Council. +F3 (see footnote)

The expansion of Morris Square towards Regent Street shall be completed in conjunction with the Block 5.2 project.

N

0 75 150 300 600

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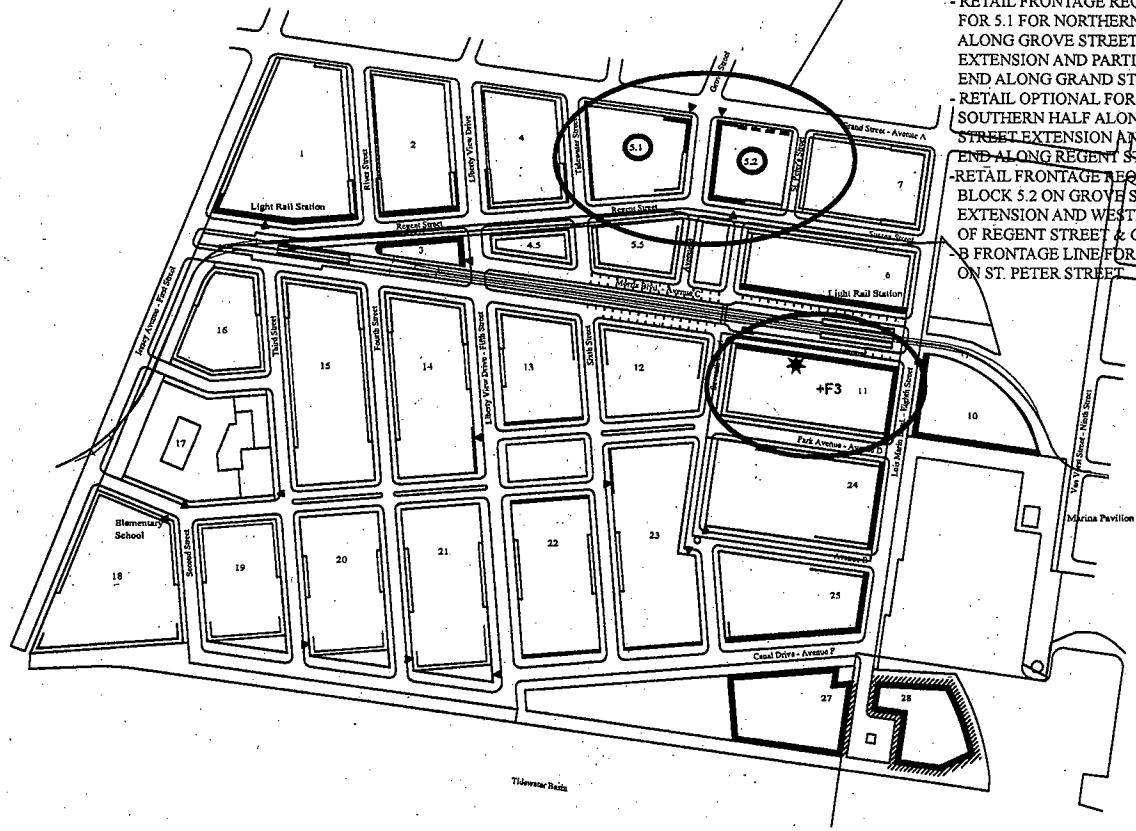
+F1 Amendments modifying building classification adopted by City Council on February 28, 2007 - Ordinance: 07-019

+F3 Amendments modifying building classification adopted by City Council on December 6, 2010 - Ordinance: 10-174

REGULATING PLAN: FRONTAGES

DESCRIPTION OF PROPOSED AMENDMENTS

- BLOCK 5 REVISED TO 5.1 & 5.2
- RETAIL FRONTAGE REQUIRED FOR 5.1 FOR NORTHERN HALF ALONG GROVE STREET EXTENSION AND PARTIAL EAST END ALONG GRAND STREET.
- RETAIL OPTIONAL FOR 5.1 FOR SOUTHERN HALF ALONG GROVE STREET EXTENSION AND EAST END ALONG REGENT STREET.
- RETAIL FRONTAGE REQUIRED FOR BLOCK 5.2 ON GROVE STREET EXTENSION AND WESTERN END OF REGENT STREET & GRAND ST.
- B FRONTAGE LINE FOR BLOCK 5.2 ON ST. PETER STREET.



Property Line: those lines designating private property boundaries. (These lines are often obscured by Frontages Lines)

FrontageLine: where buildings must place their facades, as described in the Regulating Plan.

B FrontageLine: those Frontage Lines designated on the Regulating Plan (on Seventh Street and Avenue E) where structured parking lots are permitted to be visible to the sidewalk. In all other locations, lots must be screened behind habitable buildings.

Retail Frontage Required: those Frontage Lines designated on the Regulating Plan that are required to provide a shopfront making the ground level available for retail use as described in the Use Sandards. Buildings on Marin Boulevard south of Morris Boulevard must face Marin Boulevard with a minimum of 50% restaurant/entertainment-oriented retail frontage, or other destination-type retail compatible with enteratinment use.

Retail Frontage Optional: those Frontage Lines designated on the Regulating Plan that are allowed to provide a shopfront making the ground level available for retail use as described in the Use Sandards (of the two lines the outer one is the actual Frontage Line).

Residential-Only Frontage Line: those Frontage Lines designated on the Regulating Plan that may provide no Lodging, Office, Retail, or Civic Use as described in the Use Standards.

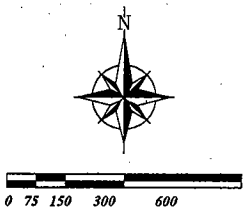
Arcade Frontage: a one-story arcade required over full width of sidewalk.

Terminated Vista: a location at the axial termination of a thoroughfare. A building located at a terminated vista must receive the axis with an appropriately scaled articulation of the facade and/or roofline.

* NOTE: In addition to residential frontages identified on the this map, buildings fronting on Canal Drive and the Central Square shall be residential ~~only for blocks 19, 20, and 21.~~

An alternative 2-story civic use shall be permited on the western half of the Morris Boulevard frontage on Block 11 - (see footnote +F3)

Residential Entry Stoop Frontage Line: those Frontage Lines designated on the Regulating Plan that require individual residential private entry stoops appropriately scaled and articulated along the facade.



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+F3 Amendments allowing civic use on block 11 adopted by City Council on December 6, 2010 - Ordinance: 10-174

URBAN AND ARCHITECTURAL REGULATIONS

These written **URBAN AND ARCHITECTURAL REGULATIONS** are to be used in conjunction with the graphic **REGULATING PLANS**.

MANDATORY

• **Additional Regulations:** These Regulations supplement the General Regulations also contained in this plan, which should be read in conjunction with these pages.

• **Streetscape Materials:** Vehicular cartpaths shall be constructed of asphalt. The main portion of sidewalks shall be constructed in concrete with mica added to sparkle at night. The outer 4' - 5' of sidewalks shall be constructed of bricks (or similar pavers) between flush-mounted metal tree grates. (Tree grates shall be maintained regularly to avoid trunk restriction.) Curbs shall be vertical without horizontal lips (no gutter pans).

• **Street Planting:** The street-tree pattern shall be regularly spaced at the distance specified in the Thoroughfare Standards.

• **Street Lighting:** Street lights shall be located at the outer edge of all sidewalks, and shall correspond to the Regulating Plan as follows:
Required Retail Frontages: One lighting standard (no more than 15' tall) for every 30 linear feet of sidewalk average.
Optional Retail Frontages: One lighting standard (no more than 15' tall) for every 50 linear feet of sidewalk average.
Undesignated Frontages: One lighting standard (no more than 20' tall) for every 70 linear feet of sidewalk average.
Residential-Only Frontages: One lighting standard (no more than 25' tall) for every 90 linear feet of sidewalk average.

These requirements may be adjusted relative to one another in response to the photometric specifications of the chosen light standards. Street lights shall be placed by beginning at corners (without blocking crosswalks) and then working inward to the block middle. Street lights shall produce a spectrum in the daylight-incandescent range. (Blueish and very yellowish lamps are not allowed.)
All street lighting shall be of decorative design design and comply with the approved fixture type. The developer is responsible for all additional costs of this lighting.

• **Utilities:** Transformers, dumpsters, junction boxes, lift stations, electrical meters, condensers, signal boxes, other such machinery, and the mechanical controls for same shall be below ground or interior to the block and masked from frontages by building elements in a manner consistent with the design of the building, incorporating 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. When a mid-block location is incorporated into the project or phase, above referenced utilities shall be located mid-block if technologically possible.

• **Street Signage:** Public signage shall be consolidated and affixed onto lamp posts wherever possible.

• **Obstructions:** Mailboxes, bicycle racks, and other pedestrian impediments shall be located at the outer edge of the sidewalk. Exceptions: Sidewalk dining may encroach the majority of the sidewalk providing that a 5' clear aisle is maintained. Benches shall be placed against building walls as people dislike sitting with motion behind them.

• **Building Depth:** Buildings of class SM, M, and L may not reach beyond the depths indicated in the Regulating Plan, but they may choose to pull back at midblock to create rear courtyards.

• **Building Frontages:** Buildings are required to place their front walls along the Frontage Lines indicated in the Regulating Plan along at least 80% of their frontage. The remaining 20% allows for architectural articulations such as recessed walls.

• **Building Attachments:** Arcades, Awnings, Bay Windows, Balconies, Roof Overhangs, Stoops and Porches, may encroach into private property in front of the Frontage Line, provided they are conforming to the maximum attachment dimensions listed below, and those are found acceptable by the Planning Board, receiving site Plan approval as required by this plan. Of the above, all may also encroach into public rights of way in front of the Frontage Line.

• **Attachment Dimensions:** Arcades shall cover all but the outer 2' of the enfronting sidewalk. Awnings shall be 5 to 10 feet deep and may place supports upon the public sidewalk. Bay Windows shall be a maximum depth of 4'. Balconies shall be a maximum depth of 2'. Roof Overhangs under 20' in height shall not encroach a vehicular cartpath. Porches shall be 7' to 12' deep.

• **Building Height:** Maximum building height shall specified in number of stories as shown in the Regulating Plan. Minimum Building height shall be three quarters of the maximum.

• **Story Height:** Each story shall not be less than 9' from floor to ceiling (or 10' from floor to floor) nor more than 15' from floor to floor, with the exception of the ground-level retail story, which may reach 20' from floor to floor (and may include a mezzanine within). On Block 11 ground floor level may reach up to 30 feet (and may include a mezzanine within) - (see footnote +F3). *Buildings that wish to exceed the story heights indicated herein may only do so by reducing the number of stories.* For example, an M-Class building may not exceed 20' + (7 x 15') = 125' in height (plus attic), even if it contains less than 8 stories. For further clarification: Maximum Height is guided by both Maximum Height in distance *and* Maximum Number of stories simultaneously. Therefore, if a floor to floor height of 10 feet were provided, the resulting number of stories could not be increased to fill the bulk of what a floor to floor height of 15 would have achieved.

• **Exception**: The only exception to the "number of stories" rule is the eastern portion of Block 24 fronting on Marin Boulevard, Park Avenue and Avenue E extending only to the center of the Block as depicted on the Regulating Plan: Heights. This exception shall only be allowed when the hotel use is a Class A hotel incorporating a minimum total of 80,000 sq. ft. of indoor convention, banquet, and meeting room space, swimming pool, fitness center, salon services and other retail shops and services which must be incorporated into any project taking advantage of this exception at this location. This is the only location within the Redevelopment Area where a hotel is required. The plan envisions a mixed use hotel / residential building at this location. This exception shall only permit the construction of additional floors dedicated to hotel uses. No more than 10 floors may be dedicated to residential dwelling units. All floors must conform to the minimum and maximum floor heights as stipulated above, except that the height of the first and second floors of the hotel may be increased to a maximum of 25 feet in order to provide sufficient height and volume for banquet and convention facilities, and may include mezzanine areas. The maximum height of the building shall not exceed 245 feet, which is the maximum height which would otherwise be allowed pursuant to the requirements of this section - (see footnote +F2).

• **Story Height Variety:** The first above-ground story of a building shall be a minimum of 1' taller than the upper stories.

• **Tower Stories:** L-Class Buildings facing the Tidewater Basin are permitted to include one or two towers each. These towers shall have a footprint no larger than 6400 s.f. for a maximum of four stories. Above that height, they may continue to rise within a roof or stepbacks at a maximum average slope between 6:12 and 24:12. No tower shall contain more than 60,000 s.f. total occupied space.

• **Cupola Stories:** XL - Class buildings are allowed to rise above their required height within a roof or stepbacks at a maximum average slope of between 6:12 and 12:12.

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+F2 Text Amendments adopted by City Council on June 27, 2007 - Ordinance: 07-110

+F3 Text Amendments adopted by City Council on December 6, 2010 - Ordinance: 10-174

• **Attic Story:** S, SM, and M-Class buildings may contain a single attic story located above the cornice or behind the parapet, within the sloped roof, which receives its light exclusively through dormer windows and/or skylights. As an alternative, this story may have (windowed) walls perpendicular to the ground if it is set back a minimum of 10' from the Frontage Line, creating a roof deck.

• **Penthouse Story:** L-Class buildings may contain a penthouse story located above the roof. Penthouse shall be setback from the main building frontage line a minimum which assures clearance of any visual site lines from the midpoint of the sidewalk across the street at eye-level. Penthouse does not require to be duplex.

• **XS-Class Building Height:** The XS-Class is reserved for commercial buildings of quasi-civic use (market halls, etc.) that are intended to have a civic presence. These buildings are limited to two stories in height but have no story-height limits.

• **First-Floor Ground Heights:** A building's first floor shall be located between 0' and 7' above the sidewalk. Retail first floors shall be located at sidewalk height. Residential first floors shall be located a minimum of 2' above the sidewalk, with window sills a minimum of 5' above the sidewalk.

• **Building Entries:** Every use within a building, except for indoor accessory swimming pool amenities, shall have a primary point of pedestrian ingress and egress to the street. All buildings shall place their primary entrance at one street Frontage, although additional secondary entrances shall be permitted. Every apartment and office within a building shall be provided with a path to and from the sidewalk that does not pass through a parking garage that shall serve as the primary, prominent entrance. Every retail and commercial (including entertainment) establishment within a building shall place its primary entrance at the sidewalk. This is true of hotel restaurants and gift shops as well.

• **Prominent Entries:** Main building entries shall be easily identifiable as such from the sidewalk, and may not occur simply as voids between buildings.

• **Facade Articulation, General:** Buildings shall have a clear base, middle, and top by providing string courses and/or horizontally differentiating surface treatment, as further required below. (For example, a building could have a stucco base and a string course between a brick middle and top.) Transition locations:
XS: exempt.
S: once between the basement ceiling and the first floor ceiling, once again within the top story (attic not counted).
SM: once between the first floor window sill and the second floor ceiling, once again at or above the window sill of the second-to-last story.
M: once between the second floor ceiling and the third floor sill, once again within the top 2 stories.
L: once between the second floor ceiling and the third floor sill, once again within the top 2 stories (towers not included). Any towers shall contain an additional articulation within the top 2 stories.
XL: once at the eighth floor, once again 2 to 4 stories from the top.

• **Facade Articulation, Specific:** In order to create certain unified streetscapes, the facade articulations required above are further specified to include a cornice, balcony, slight stepback, or heavy string course at precisely the following heights. These articulations shall substitute for, or be in addition to, those discussed above.
Marin Boulevard: 80' above sidewalk grade.
Canal Drive: 160' above sidewalk grade.
Park Avenue: 60' above sidewalk grade.
Morris Boulevard: 70' above sidewalk grade.

Buildings at corners shall transition gracefully between articulations required at different heights.

• **Facade Ratio:** The percentage of void area (windows and other openings) in a building facade shall be between 20% and 60%, except at street-level retail Frontages, where it shall not be lower than 75%.

• **Facade Composition:** "Scattered-window" facades shall not be allowed at Frontages. Each facade shall present a unified, rational composition.

• **Facade Materials:** To avoid busyness, facades shall consist of no more than three materials, textures or colors (windows and framing not counted). Any changes in primary wall material shall occur across a horizontal line, with the heavier-appearing material below the lighter (for example, wood over bricks, or bricks over stone).

• **Facade Color:** The color of building walls shall be within the white-to-russet quadrant of the color wheel, including cream, beige, tan, gray, yellow, ochre, red, and brown.

• **Blank Walls:** Walls at Frontages may not be blank at the street level; first floor walls at Frontages shall have at least one window per structural bay, in a pattern that suggests habitation. Exposed basement walls at Frontages shall have at least one small window per structural bay as appropriate to an occupied foundation.

• **Parking Frontage:** Where parking structures directly enfront the sidewalk, they shall be articulated to resemble habitable buildings, with vertically proportioned openings at every level (smaller at grade, larger above).

• **Parking Entrances:** Mid-block parking structures shall be entered not through gaps between buildings, but through vehicular openings in the Frontage-line wall of the liner building (not applicable on B-Street Frontages). Mid-block parking structures shall provide direct pedestrian access to sidewalks so that residents may exit the parking lot without entering a building. Such vertical circulation, if located within the liner building, shall be fenestrated to approximate a residential stairwell, and shall be lit in the daylight-incandescent range.

• **Simple Skyline:** Hyperactive parapets and roofs are not allowed. Any breaks in these elements (height changes, for example) shall be limited to corners, vista terminations, and required stepbacks.

• **Courtyard Dimensions:** All courtyards shall maintain a minimum width:height ratio of 1:3 in at least one dimension, in order to avoid lightwell conditions.

• **True Muntins:** Windows with muntins shall be true divided lights, or shall include exterior snap-in muntins that cast a shadow on the exterior glass.

• **Expansion Joints** - Facades shall be designed so that any expansion joints are rationalized by the logic of the composition, and thus made less obvious. Expansion joint gaps shall be colored to match the surrounding wall.

• **EIFS:** are prohibited.

• **Dish Antennas:** Dish antennas are prohibited where visible from any public area or R-O-W.

RECOMMENDED

• **Variety:** No architectural firm shall complete the schematic design of more than one (adjacent) block. However, a single firm may prepare construction drawings consolidating the schematic designs of a number of independent firms.

• **Shopfronts:** Successful shopfronts glint, with high-gloss paint. Adjacent stores should have their fronts designed individually rather than according to a repeated template.

• **Simple Facades:** The major articulation of facades should be confined to the corners of the urban block, the area around entries, and at designated vista terminations.

• **Aligned Openings:** The tops of windows and doors should be aligned to avoid confusing

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perspectival views.

• **Sill Emphasis:** Window sills should be emphasized more than window headers. The bottom of the window can use the emphasis of the shadow line, while the top already has one.

• **Soffit Emphasis:** In most buildings, the underside of the overhang is more visible than the roof. The soffit should therefore receive a greater amount of attention and budget than it is typically afforded.

• **Mullions:** Mullions and muntins provide privacy by diffusing problematic views. They should be used on residential windows facing onto sidewalks and courts, but they should be avoided on retail windows, which require transparency.

• **Courtyard Landscaping:** The landscaping of courtyards should be simple. Brick paving, large trees, and benches are often enough.

• **Awnings:** Retail establishments should use awnings at their Frontages. Awnings shall be 5' - 10' deep, retractable, and rectangular with no side panels or lettering.

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USES ALLOWED

Residential: Premises available for long-term human habitation by means of ownership and rental, but excluding short-term letting of less than a month's duration. Included under Residential use may be Bed and Breakfasts with 8 or fewer guest rooms, home offices and home artisan studios no larger than 1500 s.f..
Examples: houses, rowhouses, apartments, condominiums, Artesian Live/Work space etc.

Lodging: Premises available for short-term human habitation, including daily and weekly letting. Food service may be provided at all times. Bed and Breakfasts with 8 or fewer guest rooms may be considered as a Residential use.
Examples: hotels, hostels, inns, etc.

Office: Premises available for the transaction of general business, but excluding retail sales and manufacturing activity. Home offices no larger than 1500 s.f. may be considered a Residential use.
Examples: law offices, medical offices, banking back offices, telecommunicating centers, etc.

Retail: Premises available for the commercial sale of merchandise and prepared foods, but excluding manufacturing activity.
Examples: markets, stores, shopfronts, outlets, convenience centers, entertainment, restaurants, cafes, bars, etc.

Civic: Premises available for not-for-profit organizations dedicated to: religion, arts and culture, education, government, social service, transit, and the like. Civic uses are conditional by approval of the Planning Board.
Examples: church, temple, mosque, meeting hall, school, post office, day care center, bus stop, etc.

Ferry Stop and Light Rail: However, parking is not a necessary or accessary support for the permitted transit use. (Parking for these uses may only be permitted on an interum basis, with Planning Board approval.)

Marina: Premises containing any dock, pier, bulkhead, mooring or similar structure under similar or related ownership, and providing permanent or semi-permanent dockage to five or more vessels, they may also include ancillary facilities, such as, but not limited to: dry storage area; public launching facilities; berth spaces; repair, maintenance and sales facilities; public restrooms; fuel sales and pumping facilities - (see footnote +F1).

USES PROHIBITED

- Drive-through commercial where patrons remain in automobiles, except service stations, book and video drops, and banking facilities.
- Gas and service stations.
- Vending machines, except within buildings.
- Billboards.
- Commercial Kennels and animal husbandry facilities.
- Prisons except as accessories to police stations.
- Terminals for large scale transportation.
- Depots for large scale storage or distribution of goods.
- Scrap Yards for the processing, storage and disposal of waste materials.
- Automotive sales, repair, or long-term storage.
- Mineral Extraction or mining.
- Cell phone towers.
- Labor pool buildings, halfway houses, and food pantries.
- Landfills and Dumps.
- Adverse Impacts in General: uses with negative consequences of a use on adjacent lots, usually as a result of noise, vibration, odor, pollution, or socioeconomic disruption. Consequences confined to the lot boundary are not considered to create adverse impact. Specific performance standards may be set by the City.
- Surface parking lots along street frontages.
- Commuter and commercial parking lots or structures.
- Upland Dry Dock

USE DISTRIBUTION

As indicated in the Regulating Plan: all uses are allowed (but none required) throughout the development, with the following exceptions:

Retail Frontage Required: those Frontage Lines designated on the Regulating Plan that are required to provide a shopfront at sidewalk level for Retail use as described herein. These are located to provide the retail continuity that is necessary for merchant success.

Retail Frontage Optional: those Frontage Lines designated on the Regulating Plan that are allowed to provide a shopfront at sidewalk level for Retail use as described herein. These are located in the areas of the development where Retail use is not considered detrimental. Other areas intended for a quieter atmosphere remain unmarked.

100% Residential Frontage Required: those Frontage Lines designated on the Regulating Plan that may provide no Lodging, Office, Retail, Manufacture, or Civic use, as described herein. These are located in areas where strictly residential atmosphere is desired.

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+F1 Text Amendments adopted by City Council on February 28, 2007 - Ordinance: 07-019

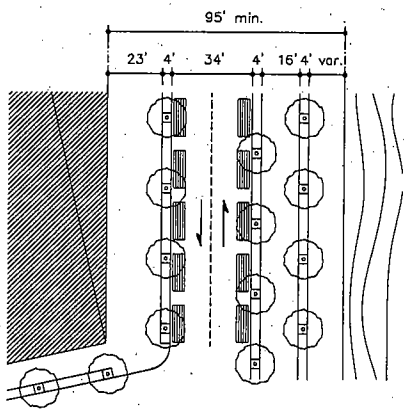
THOROUGHFARE STANDARDS

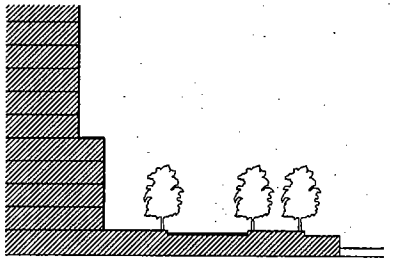
THOROUGHFARE TYPE

DR: Drive
BV: Boulevard
AV: Avenue
ST: Street

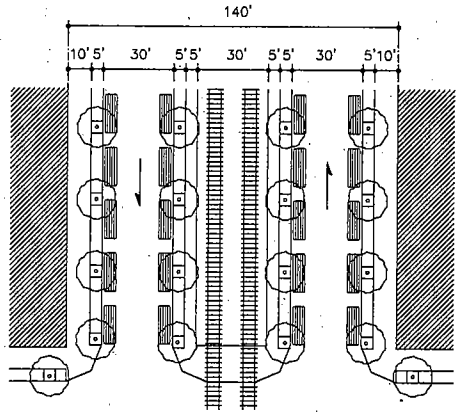
AV-80-34

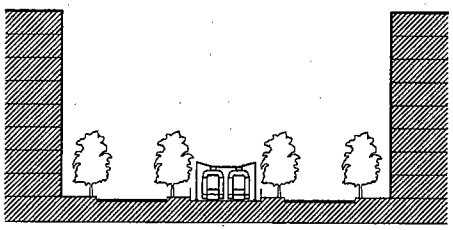
Pavement Width
Right of Way
Width



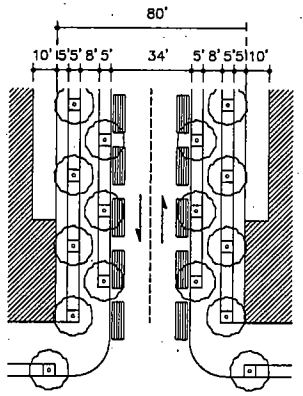


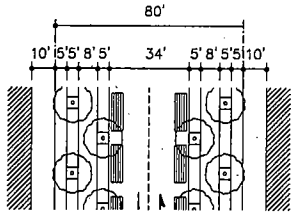
DR-95-34





BV-140-30





AV-80-34

Type	Canal Drive	Morris Boulevard	Liberty View Avenue
Movement	Free Movement	Free Movement	Free Movement
Traffic Lanes	Two Ways	Two One-way Lanes	Two Ways
Parking Lanes	Both Sides	Both Sides, Each Direction	Both Sides
R.O.W. Width	95 feet minimum	140 feet, but varies	80 feet
Pavement Width	34 feet	30 feet/30 feet	34 feet
Curb Radius	15 feet	15 feet	15 feet
Vehicular Design Speed	25 MPH	25 MPH	25 MPH
Pedestrian Crossing Time	9.7 seconds	8.6 seconds + 8.6 seconds	9.7 seconds
Sidewalk Width	27 feet/24 feet	15 feet/10 feet	23 feet
Planter Width	4 feet	5 feet	5 feet
Planter Type	Square tree grate in paving stone	Square tree grate in paving stone	Square tree grate in paving stone
Planting	Staggered at 24' o.c. Avg.	Aligned at 20' o.c. Avg.	Staggered pair at 28' o.c. Avg.
Tree Species	Bloodgood London Plane Tree	Trackside: Lacebark Curbside: Scholartree	Princeton American Elm
Other		Includes 50 foot median with a railbed framed by planters and sidewalks. Grade Level of rail track top is 1 foot below street grade.	Interior tree row drops off where frontage line meets property line (no setback).

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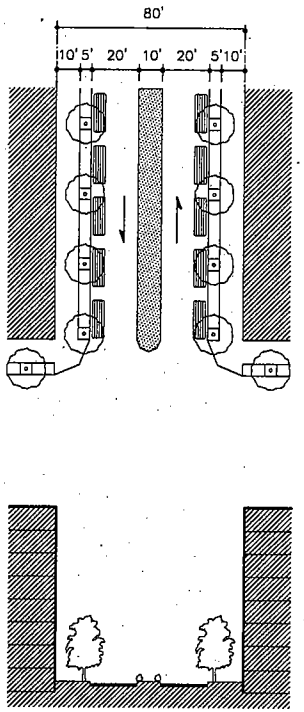
THOROUGHFARE STANDARDS

THOROUGHFARE TYPE

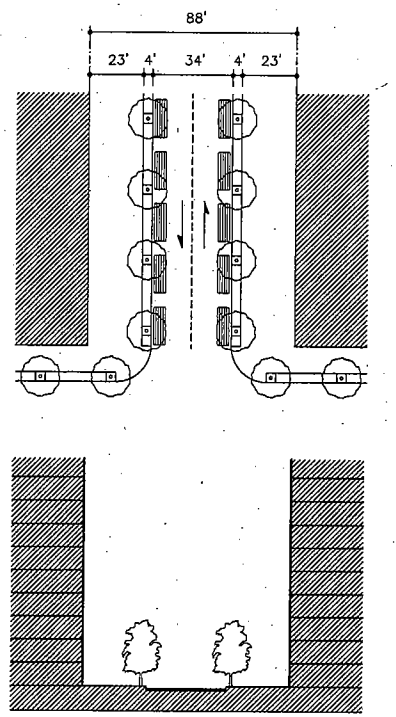
DR: Drive
BV: Boulevard
AV: Avenue
ST: Street

AV-80-34

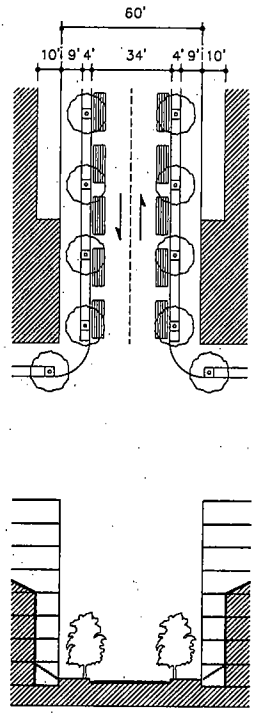
Pavement Width
Right of Way Width



AV-80-20



ST-88-34



ST-60-34

Type	Park Avenue	Large Street I	Large Street II
Movement	Free Movement	Free Movement	Free Movement
Traffic Lanes	Two One-way Lanes	Two Ways	Two Ways
Parking Lanes	Outer Side, Each Direction	Both Sides	Both Sides
R.O.W. Width	80 feet	88 feet	60 feet
Pavement Width	20 feet/20 feet	34 feet	34 feet
Curb Radius	15 feet	15 feet	15 feet
Vehicular Design Speed	25 MPH	25 MPH	25 MPH
Pedestrian Crossing Time	5.7 seconds + 5.7 seconds	9.7 seconds	9.7 seconds
Sidewalk Width	15 feet	27 feet	13 feet
Planter Width	5 feet	4 feet	4 feet
Planter Boulevard Treatment	Square tree grate in paving stone	Square tree grate in paving stone	Square tree grate in paving stone
Planting Interval	Repeated at 28' o.c. Avg.	Repeated at 24 ' o.c. Avg.	20' o.c.Avg., 24' o.c. Avg. at Canal
Tree Species	Tulip Tree	Bloodgood London Plane Tree	Scholartree; at Canal frontage: Bloodgood London Plane
Other	Hedges in Median		

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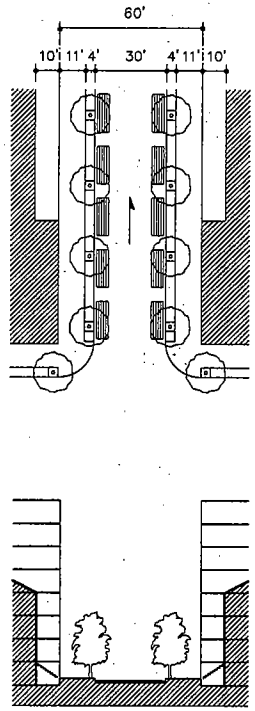
THOROUGHFARE STANDARDS

THOROUGHFARE TYPE

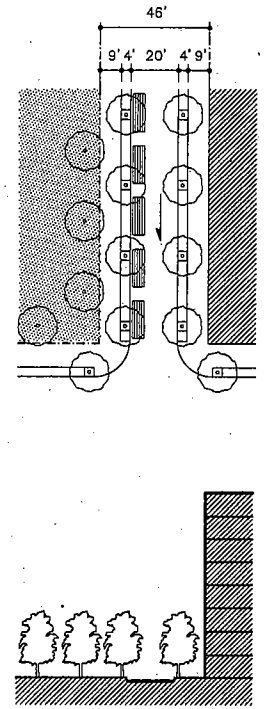
- **DR: Drive**
- **BV: Boulevard**
- **AV: Avenue**
- **ST: Street**

AV-80-34

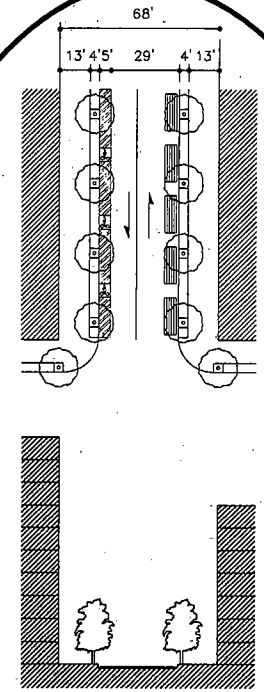
- Pavement Width
- Right of Way Width



ST-60-30



ST-46-20



ST-68-34

	ST-60-30	ST-46-20	ST-68-34
Type	Street	Half Street	Grove Street
Movement	Free Movement	Free Movement	Free Movement
Traffic Lanes	One Way	One Way	Two Ways
Parking Lanes	Both Sides	One Side	One Side
R.O.W. Width	60 feet	46 feet	68 feet
Pavement Width	30 feet	20 feet	34 feet
Curb Radius	15 feet	15 feet	15 feet
Vehicular Design Speed	25 MPH	25 MPH	25 MPH
Pedestrian Crossing Time	8.6 seconds	5.7 seconds	9.7 seconds
Sidewalk Width	15 feet	13 feet	17 feet
Planter Width	4 feet	4 feet	4 feet
Planter Boulevard Treatment	Square tree grate in paving stone	Square tree grate in paving stone	Square tree grate in paving stone
Planting Interval	Repeated at 24' o.c. Avg.	24' o.c. Avg.	Required at 24' o.c. Avg.
Tree Species	Scarlet Oak	Maidenhair Tree at East Urban Marina	TBD
Other		Sugar Maple at Boys Club Yard	Two Way 5' bike lane on one side

Improvements to Grove Street shall include decorative surface treatment and / or raised plaza elements. Details shall be presented for approval at the time of SITE PLAN APPLICATION or before.

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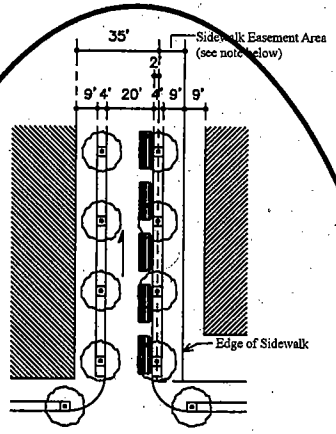
THOROUGHFARE STANDARDS

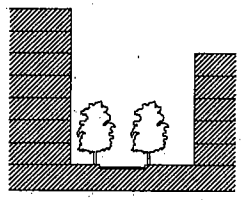
THOROUGHFARE TYPE

- **DR: Drive**
- **BV: Boulevard**
- **AV: Avenue**
- **ST: Street**

AV-80-34

- Pavement Width
- Right of Way Width





ST-35-20

Type	St. Peter's Street
Movement	Free Movement
Traffic Lanes	One Way
Parking Lanes	One Side
R.O.W. Width	35 feet
Pavement Width	20 feet
Curb Radius	15 feet
Vehicular Design Speed	25 MPH
Pedestrian Crossing Time	5.7 seconds
Sidewalk Width	13 feet
Planter Width	4 feet
Planter Boulevard Treatment	Square tree grate in paving stone
Planting Interval	24 ' o.c. Avg.
Tree Species	TBD
Other	Sidewalk easement required from Block 60.05 lot 5 in addition to the 35 ft R.O.W. in order to achieve 13 feet sidewalk width on the east side.

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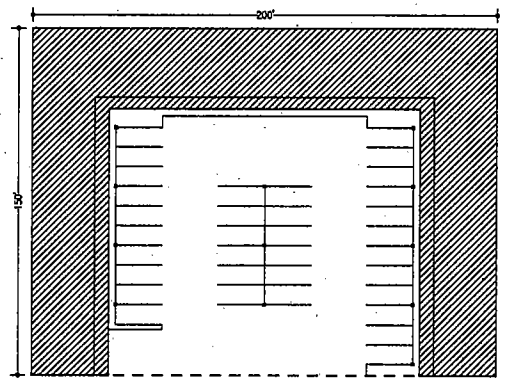
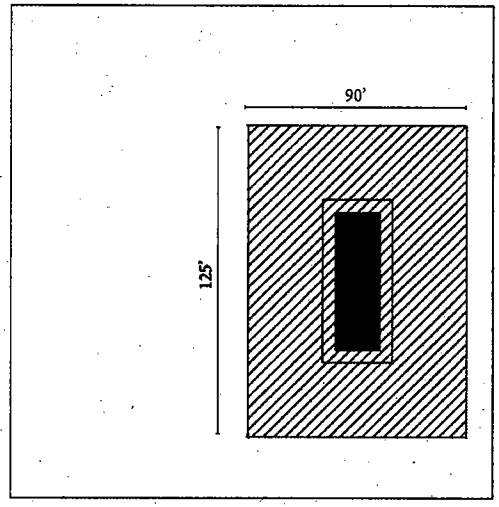
BUILDING TYPES

XL-Class

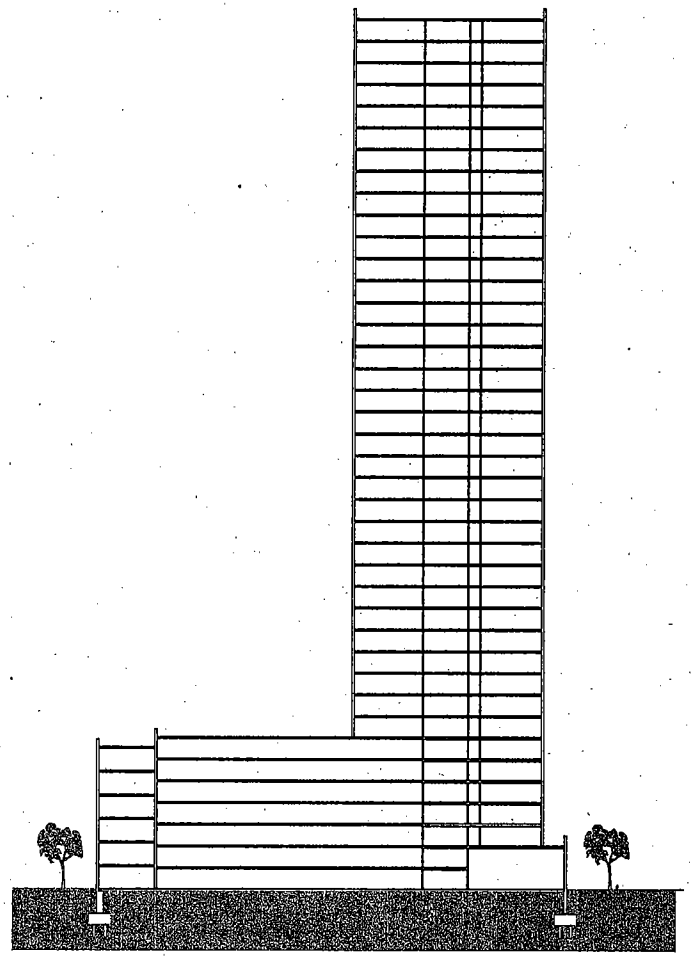
Point Tower *with hallway system and embedded parking structure*



Lower Story



Upper Stories



Section B

The XL-Class Tower on Block 5.2 shall be permitted to rise to a maximum of 45 stories for a project designed to achieve a LEEDs certification from the U.S. Green Building Council. The Building shall contain a podium that is SM-Class with a mid-block parking structure. Individual residential units on the first floor at Grand Street shall be accessed directly from the exterior with stoops. The building shall incorporate architectural fenestration and elements that respect the characteristic of the surrounding historic district. The XL Tower on Block 5.2 shall be situated as depicted on the ***Height Regulating Plan Map***. The tower footprint shall be no greater than 125' x 90'. The building shall be designed as a signature building with a distinctive design theme. The tower shall be a terminated vista for southbound vehicular and pedestrian travelers on Grove Street. The design shall take this characteristic into consideration during design and, all building sides shall be distinctive with no side of lesser design value than the other. The building shall contain a detectible base, middle and crown. Detailed rooftop features are required to insure the building becomes an iconic marquee building within the downtown neighborhood.

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CAPACITY SUMMARY

CAPACITY SUMMARY

	Maximum Allowable:											TOTAL	
	HOUSING In SF			HOUSING In Units			OTHER USES					BUILDING	
Block #	Liner	Other	Total	Liner	Other	Total	Retail	School	Hotel	Office**	Garage	AREA*	
1	107,335	483,305	590,640	63	345	408	65,000			55,000	160,000	680,000	**
2	122,345	153,800	276,145	72	110	182	20,000			20,000	70,000	305,000	**
3	0	0	0	0	0	0	25,000			0	0	25,000	
4	103,250	163,800	267,050	61	117	178	20,000			30,000	70,000	285,000	**
4.5	0	119,547	119,547	0	85	85	15,000			15,000	35,000	120,000	**
5.1	144,000	392,000	536,000	85	280	365	15,000		40,000	23,625	90,000	704,625	**
5.2	0	770,000	770,000	0	550	550	15,000			0	200,000	985,000	
+F3	0	229,817	300,000	0	300	300	30,000			30,000	70,000	300,000	**
6	187,000	252,000	439,000	110	180	290	45,000			40,000	185,000	445,000	**
7	100,000	367,000	467,000	88	262	350	20,000			20,000	150,000	467,000	
10	0	0	0	0	0	0	15,000			530,000	150,000	625,000	
+F3 11	0	800,000	800,000	0	585	585	30,000	40,000		30,000	250,000	1,175,000	
12	0	412,002	412,002	0	294	294	25,000			30,000	130,000	700,000	**
13	24,000	374,094	398,094	14	267	281	20,000			50,000	110,000	445,000	**
14	74,350	374,752	449,102	44	268	311	20,000			50,000	125,000	525,000	**
15	113,495	295,358	408,853	67	211	278	20,000			40,000	110,000	440,000	**
16	110,545	123,237	233,782	65	88	153	15,000			25,000	50,000	245,000	**
17	0	445,696	445,696	0	318	318	0	175,000		60,000	140,000	505,000	**
18	84,730	722,928	807,658	50	516	566	25,000			55,000	245,000	1,055,000	**
19	81,325	489,056	570,381	48	349	397	15,000			30,000	170,000	685,000	**
20	53,920	610,584	664,504	32	436	468	15,000			55,000	200,000	795,000	**
21	71,220	631,000	702,220	42	451	493	15,000			55,000	205,000	835,000	**
22	45,460	651,000	696,460	27	465	492	15,000			50,000	205,000	830,000	
23	178,345	601,674	780,019	106	430	536	15,000			80,000	220,000	1,070,000	**
+F2 24	0	570,000	570,000	0	470	470	65,000		530,000	0	250,000	1,210,000	***
25	0	0	0	0	0	0	15,000			1,100,000	200,000	1,190,000	
27	0	0	0	0	0	0	20,000			1,200,000	150,000	1,330,000	
28	0	0	0	0	0	0	85,000			0	0	85,000	
Total	1,601,320	10,132,750	11,804,153	971	7,378	8,350	760,000	215,000	570,000	3,643,625	3,930,000	17,851,625	

Notes: ATTENTION: These notes are essential component of the requirements of this table.

1. Maximums are per use, and will thus add up to a figure above the total block area in mixed-use blocks. For example, a housing block with optional retail frontage will only be able to achieve maximum retail area by reducing the maximum amount of housing area. In all cases, the total combined area will not be allowed to exceed the total building area in the right-hand column. +F2 (see footnote) **Maximum square footage for each use, as well as total building area, is further limited by constrains dictated by maximum height, floor area ratio and other bulk criteria; such that the maximums indicated in the above chart may not be practically achievable.**
2. By the same logic, the totals at the bottom of this table are not simultaneously achievable. Achieving a maximum in any column would require the reduction of the maximum in another column.
3. The number of units is determined based upon an average unit size of 1700 sf for liner units, 1400 sf for other units; +F2 (see footnote)**except on Block 24. Due to the unique requirement that block 24 must contain a Hotel, the maximum unit count shall be determined exclusively by the Capacity Summary chart above.**
4. Areas designated as office may be converted to residential or hotel use as well, but such additional housing shall average no less than 1400s.f./unit. +F2 (see footnote) **except on Block 24 where no additionaql housing units over the maximum permitted in the Capacity Summary chart shall be permitted.**
5. If the amount of residential area is reduced in order to serve other uses as allowed, the maximum number of housing units shall be reduced correspondingly, calculated at 1700 sf per liner unit, 1400 sf per other unit.
6. * Parking garages are only counted as a part of building area when they are contained within the building. Except for blocks 5.5, 10, 12, 23, 24, 25, and 27, parking garage area is not counted in the building area, and is in addition.
7. **Maximum office area in blocks 1, 2, 4-6, 12-21, 23 and portions of block 24, which totals 900,000, may be redistributed differently among these listed blocks as long as the 900,000 sf total is not exceeded.

+F2 8. ***The required hotel on Block 24 shall contain a minimum of 250 rooms; and shall also contain a full service restaurant, bar and lounge area, retail shops, meeting rooms and banquet rooms, in addition to a swimming pool, fitness center and salon services.

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+F2 Summary Amendments adopted by City Council on June 27, 2007 - Ordinance: 07-110

+F3 Summary Amendments adopted by City Council on December 6, 2010 - Ordinance: 10-174

INTENSITY SUMMARY

DENSITY SUMMARY

	Block Number	Size in Square Feet		Size in Acres		Ratio	Max Housing		Max. S.F.	Units/Acre		FAR	
		Gross	Net	Gross	Net	Gross/Net	#Units	Total S.F.	ALL USES	Gross	Net	Gross	Net
	1	183,092	112,595	4.20	2.58	1.63	408	590,640	680,000	97	158	3.71	6.04
	2	113,775	71,320	2.61	1.64	1.60	182	276,145	305,000	70	111	2.68	4.28
	3	30,375	11,543	0.70	0.26	2.63	0	0	25,000	0	0	0.82	2.17
	4	97,216	58,590	2.23	1.35	1.66	178	267,050	285,000	80	132	2.93	4.86
	4.5	46,978	13,265	1.08	0.30	3.54	85	119,547	120,000	79	286	2.55	9.03
	5.1	94,148	56,343	2.16	1.29	1.67	365	536,000	704,625	169	282	7.48	12.51
	5.2	66,446	38,780	1.53	0.89	1.71	550	770,000	985,000	361	618	14.82	25.40
+F3	5.3	56,492	28,213	1.30	0.65	2.00	330	396,000	396,000	231	463	5.31	10.63
	6	154,176	67,064	3.54	1.54	2.30	290	439,000	445,000	82	188	2.89	6.64
	7	96,406	64,260	2.21	1.48	1.50	350	467,000	467,000	158	237	4.84	7.27
	10	133,256	52,904	3.06	1.21	2.52	0	0	625,000	0	0	4.69	11.81
	11	140,690	77,834	3.23	1.79	1.81	585	900,000	1,175,000	181	327	8.35	15.10
	12	102,917	54,028	2.36	1.24	1.90	294	412,002	490,000	125	237	4.76	9.07
	13	120,381	55,067	2.76	1.26	2.19	281	398,094	445,000	102	223	3.70	8.08
	14	152,161	90,593	3.49	2.08	1.68	311	449,102	525,000	89	150	3.45	5.80
	15	161,838	102,149	3.72	2.34	1.58	278	408,853	440,000	75	118	2.72	4.31
	16	101,288	47,253	2.33	1.08	2.14	153	233,782	245,000	66	141	2.42	5.18
	17	144,437	72,035	3.32	1.65	2.01	318	445,696	505,000	96	193	3.50	7.01
	18	167,065	108,605	3.84	2.49	1.54	566	807,658	1,055,000	148	227	6.31	9.71
	19	116,084	64,122	2.66	1.47	1.81	397	570,381	685,000	149	270	5.90	10.68
	20	131,533	75,611	3.02	1.74	1.74	468	664,504	795,000	155	270	6.04	10.51
	21	155,005	87,136	3.56	2.00	1.78	493	702,220	835,000	138	246	5.39	9.58
	22	186,741	80,303	4.29	1.84	2.33	492	696,460	830,000	115	267	4.44	10.34
	23	208,951	99,369	4.80	2.28	2.10	535	780,019	1,070,000	111	234	5.12	10.77
+F2	24	138,050	95802	3.17	2.20	1.44	470	570,000	1,210,000	149	214	8.76	12.63
	25	120,265	70,449	2.76	1.62	1.71	0	0	1,190,000	0	0	9.89	16.89
	27	100,362	60,332	2.30	1.39	1.66	0	0	1,330,000	0	0	13.25	22.04
	28	86,227	40,080	1.98	0.92	2.15	0	0	85,000	0	0	0.99	2.12
	Total	3,406,355	1,855,663	78.20	42.60	1.84	8,349	11,804,153	17,851,625	107	196	5.24	9.62

COMPOSITION OF SITE AREA

AREAS	Sq. Feet	Acres	Percentage
Open Space	163,649	3.76	4.61%
Street ROW	1,010,034	23.19	28.47%
Transit ROW	113,720	2.61	3.21%
Walkway (30')	115,184	2.64	3.25%
Private Water	201,188	4.62	5.67%
Civic Buildings	181,806	4.17	5.12%
All other Buildings	1,762,323	40.46	49.67%
TOTAL	3,547,904	81.45	100.00%

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+F2 Summary Amendments adopted by City Council on June 27, 2007 - Ordinance: 07-110

+F3 Summary Amendments adopted by City Council on December 6, 2010 - Ordinance: 10-174

City Clerk File No. Ord. 11-075

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 11-075

TITLE: **ORDINANCE AMENDING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE VI (PARKING FACILITIES OPERATED BY PARKING AUTHORITY) AND ARTICLE X (IMPOUNDING AND BOOTING VEHICLES) OF THE JERSEY CITY MUNICIPAL CODE**

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

A. The following amendments to Chapter 332 (Vehicles and Traffic) Article VI (Parking Facilities Operated by Parking Authority) are hereby adopted:

VEHICLES AND TRAFFIC

ARTICLE VI
Parking Facilities Operated by Parking Authority

§332-40. Through § 332-43. No Change.

§332-44. Towing away and booting of vehicles whose owners have failed to appear in response to traffic tickets.

A. Notwithstanding any other penalty provided by law, or any previous authorization given to the Jersey City Parking Authority, no motor vehicle parked in violation of Articles IV and V, or parked in violation of any other law, regulation, or ordinance, including but not limited to the City's zone parking ordinances, may be booted; or towed from its parking space and impounded by the City or the Parking Authority unless the owner of the vehicle has three (3) or more outstanding parking tickets and has received failure to appear notices from the Jersey City Municipal Court on such parking tickets provided, however, that this limitation does not apply within Parking Authority Zones Three (3) and Eight (8) and also provided, however, that any vehicle may be towed in an emergency, or when the vehicle is unreasonably impeding vehicular or pedestrian traffic, or when the vehicle is deemed a hazard to persons or property.[1]

B. No Change.

C. No Change.

§332-45. Through § 332-46. No Change.

A. The following amendments to Chapter 332 (Vehicles and Traffic) Article X (Impounding and Booting Vehicles) are hereby adopted:

ARTICLE X
Impounding and Booting Vehicles

---

[1]This provision is made in concurrence with that of the Jersey City Police Department in Article X, Section 73, of the within Chapter.

ORDINANCE AMENDING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE VI (PARKING FACILITIES OPERATED BY PARKING AUTHORITY) AND ARTICLE X (IMPOUNDING AND BOOTING VEHICLES) OF THE JERSEY CITY MUNICIPAL CODE

§332-72 No Change.

§332-73. Impounding and Booting Motor Vehicles.

A. The Police Department may tow away and impound or boot any vehicle under the following circumstances:

(1) The vehicle has been abandoned as provided in the preceding section.

(2) The vehicle is parked in violation of any provision of this chapter or of Title 39 of the New Jersey Statutes.

(3) The vehicle constitutes a danger or impediment to traffic or a danger to public safety.

(4) There exists outstanding warrants against the owner of the vehicle issued in connection with parking offenses involving that specific vehicle.

(5) The vehicle has three (3) or more outstanding parking tickets and has received failure to appear notices from the Jersey City Municipal Court on such parking tickets. The vehicle may be booted at any given time including, but not limited to, between the hours of 12:00 a.m. and 6:00 a.m.[2]

B. Neither the city nor its agents or employees shall be liable for the loss of any vehicle or for damage to any vehicle which is booted or impounded and stored by the city or by an agent of the city, nor shall the city be liable for the disposal of any impounded vehicle.

C. The Police Department may use the services of a private tower to enforce any of the provisions of this Article.

§332-74. Through §332-77. No Change.

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

C. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

D. This ordinance shall take effect at the time and in the manner as provided by law.

E. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

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

TK/he
5/12/11
6/21/11

[2] This provision is made in concurrence with that of the Municipal Parking Authority in Article VI, Section 44, of the within Chapter.

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required ☐
Not Required ☐

City Clerk File No. Ord. 11-076

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 11-076

TITLE: **ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 296 (STREETS AND SIDEWALKS) ARTICLE XII (SIDEWALKS CAFES) OF THE JERSEY CITY MUNICIPAL CODE**

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

WHEREAS, the Municipal Council (Council) of the City of Jersey City deems it in the best interests of the citizens of Jersey City and the patrons of Jersey City's food service establishments to operate open air sidewalk cafés; and

WHEREAS, open air sidewalk cafés promote and facilitate tourism potential and create active and vital street frontages; and

WHEREAS, the Municipal Council, where appropriate, desires to encourage the establishment of outdoor dining in the City of Jersey City to support local economic development and commercial viability; and

WHEREAS, sidewalk cafés promote a high quality visual environment, ensuring that outdoor dining contributes to the improvement of the street scape; and

WHEREAS, by the adoption of Ordinance 98-080 on June 24, 1998, the Municipal Council established the rules and regulations governing sidewalk café under Chapter 296, Article XII of the Jersey City Municipal Code; and

WHEREAS, the Council now deems it in the best interests of the City to amend and supplement the Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL of the City of Jersey City that Chapter 296 be modified as follows:

A. The following amendments to Chapter 296 (Streets and Sidewalks) Article XII (Sidewalks Cafes) are hereby adopted:

STREETS AND SIDEWALKS

ARTICLE XII
Sidewalks Cafés

§296-79. Definitions.

As used in this article, the following terms shall have the meaning indicated:

~~[RESTAURANT — An indoor facility established primarily for the serving of food and drink and offering tables and chairs for the use of dining patrons. A facility established primarily for the serving of alcoholic beverages, e.g., bar, pub, and saloon, is not a restaurant for purposes of this article. A facility which is solely "take-out" is also not a restaurant for purposes of this article.]~~

FOOD SERVICE ESTABLISHMENT – A facility established primarily for the service of food and drink which shall include restaurants of all classes, bakeries, ice cream parlors, taverns and delicatessens.

SIDEWALK- That portion of the public easement which lies between the building line and the curb.

SIDEWALK CAFÉ- The use of partitioned sidewalk space beyond the building line to accommodate tables, chairs and the serving of food and drink of patrons of a food service establishment.

§296-80. Operation of a Sidewalk Café; Projection into [streets] sidewalks:

A. No person may operate a sidewalk café without obtaining a license from the Division of Commerce pursuant to the procedures provided for in 296-83 herein.

B. No sidewalk café shall be permitted to project into a sidewalk more than half the width of said sidewalk [or eight feet, whichever is less], but only to a maximum of 10 feet. In no case shall it extend so far as to leave less than six feet for pedestrian traffic. [, except in areas where the sidewalk is 20 feet or more from the building line to the curb, then a sidewalk café may be permitted to project into a sidewalk a maximum of 10 feet.]

C. Prior to the issuance of a license, Division of Commerce Inspector will visit and measure the site, take photographs and gather such information as is necessary to fully inform the Departments set forth in 296-83(b).

§296-81. Permitted location; regulations.

A. Sidewalk cafes shall only be permitted in front of [an operating restaurant] a Food Service Establishment that is permitted current conforming under the City's zoning ordinances. [Restaurants] Food Service Establishments seeking to expand a prior nonconforming use shall be required to obtain the appropriate variance from the Jersey City Zoning Board of Adjustment. In those situations where [an operating restaurant] a Food Service Establishment is located on a corner, both the front and side sidewalk areas fronting the [restaurant] Food Service Establishment may be used for the sidewalk café. A survey, schematic, or other evidence of the location of the boundary line must be provided to the Division o Commerce.

B. All sidewalk cafés shall comply with the following regulations:

(1) The sidewalk café area shall be partitioned by a three-sided, movable structure separating the sidewalk café from the public portion of the sidewalk and which is no less than 30 inches in height and no more than 36 inches in height, providing one opening for entrance and exit which is no less than 42 inches in width and no more than 60 inches in width, and whose boundaries allow patrons and pedestrians to clearly ascertain the entrance and exit to the sidewalk café area.

(2) [The sidewalk café shall have an overhead covering, consisting of either an individual umbrella over each table or a retractable awning covering all tables and chairs.] All fence partitions shall be secured in place by means of drilling holes in the sidewalk for the insertion of fence partition posts so as to prevent encroachment of the pedestrian right-of-way.

(3) [The sidewalk café partition and overhead covering shall be appropriate in style to the facade of the building and shall not contain advertising.] All fence partitions

shall be removed and all sidewalk holes shall be capped at the end of each business day and whenever the café is not in use.

(4) ~~[The sidewalk café partition, overhead covering, and all tables, chairs, and other café furniture shall be removed from the sidewalk at the close of business each day.]~~ In a Historic District (as defined in Chapter 34), the movable structures described herein shall be in keeping with the style of the building and the surrounding historic resources. The use of traditional fencing materials such as iron, steel, or other metals, in traditional forms, is encouraged. All partitions must be topped with a horizontal rail with no projections above it. All sidewalk cafes within a Historic District shall obtain a Certificate of No Effect or a Certificate of Appropriateness from the Jersey City Historic Preservation Commission before installation of the structure described herein.

(5) ~~[Food service shall be available during all times in which the sidewalk café is open for business.]~~ The sidewalk café may have an overhead covering consisting of either an individual umbrella over each table or a retractable awning covering all tables and chairs, and no part of the covering shall project over the railing into the public sidewalk area, and umbrellas must be of sufficient height to allow free passage under them. In the Historic District, all awnings and/or umbrellas shall conform to the awning and umbrella standards contained in Chapter 345-71.

(6) Through (8) No Change.

(9) No planters, flower boxes, menu stands and/or other decorative items are allowed to protrude outside the fence partition area in order to keep clear the pedestrian right-of-way.

(10) No audio speakers may be placed outside of the Food Service Establishment.

(11) No advertising signs, banners, or menus shall be placed (on), draped, or attached to the fence partition.

§296-82. Permitted months and hours of operation.

Operation of sidewalk cafes shall be permitted from ~~[April 1 through October 31, inclusive]~~ March 15 through November 30 inclusive, or on any day December 1 through March 14 that the temperature rises above 55 degrees Fahrenheit. The hours of operation of Sidewalk Cafes shall be between 8:00 a.m. and 10:00 p.m., Sunday through Wednesday; 8:00 a.m. and 11:00 p.m., Thursday; and between 8:00 a.m. and 12:00 midnight, Friday and Saturday, except that no alcoholic beverages, when permitted under this article, shall be served in a sidewalk café before noon on any day.

§296-83. License fee, term, maximum number of patrons, and application; approvals required; revocation; closure; hearing.

A. No Change.

B. Prior to the granting of any license, the Division of Commerce shall notify the Departments of Police and Fire, the Directors of Zoning and Health, the Construction Official and, in the case of restaurants possessing a liquor license, the Alcoholic Beverage Control (ABC) Board. If no objection is received within thirty days, the approval will be granted; provided, however, if a restaurant with a liquor license seeks an outdoor café that would constitute an expansion of the licensed premises, a permit will not be issued until the ABC Board approves

the expansion. Any objection shall be in writing and shall set forth the reasons therefor. Sidewalk cafes located within the Historic District meeting all of the requirements contained in Chapter 345-71 shall obtain a Certificate of ~~[Appropriateness]~~ No Effect from the Jersey City Historic Preservation Commission for the partition, tables, chairs and overhead coverings and any other café appurtenances. Any cafes within a Historic District that are deemed by the Historic Preservation Officer not to meet those standards shall require a Certificate of Appropriateness. Upon receiving an application for a certificate of appropriateness, the Historic Commission shall decide whether to grant the certificate within one month of the receipt of the application.

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

C. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

D. This ordinance shall take effect at the time and in the manner as provided by law.

E. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

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

VS/he
6/22/11

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required ☐
Not Required ☐