

City Clerk File No. Ord. 12-114

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 12-114

TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AND ARTICLE IX (PARKING FOR THE DISABLED) OF THE JERSEY CITY CODE DESIGNATING A RESERVED PARKING SPACE AT 26 BARTHOLDI AVENUE; 166-168 BARTHOLDI AVENUE; 114 BOORAEM AVENUE; 150-152 BOYD AVENUE; 189 CLERK STREET; 253 CLERK STREET; 106-108 CLINTON AVENUE; 13 COLES STREET; 364 COMMUNIPAW AVENUE; 766 COMMUNIPAW AVENUE; 359 DANFORTH AVENUE; 385 DANFORTH AVENUE; 300 DUNCAN AVENUE; 194 EGE AVENUE; 323 ½, 325, 325 ½ EIGHTH STREET; 349 EIGHTH STREET; 316 FAIRMOUNT AVENUE; 138 FRANKLIN STREET; 100 GLENWOOD AVENUE; 50 HANCOCK AVENUE; 116 HUTTON STREET; 557 LIBERTY AVENUE; 71 LINCOLN STREET; 14-16 MADISON AVENUE; 20 NEW STREET; 216 NORTH STREET; WASHBURN STREET; 148 STEGMAN STREET; 76 STORMS AVENUE; 25 VAN REIPEN AVENUE; 160 VAN REIPEN AVENUE; 104 WESTERN AVENUE AND 12A WILLIAMS AVENUE AND REPEAL THE RESERVED PARKING SPACE AT 117 BOORAEM AVENUE AND 176-174 DWIGHT STREET

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

1. Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) and Article IX (Parking for the Disabled) of the Jersey City Code is hereby supplemented as follows:

Section 332-29 Disabled Parking Manual
Section 332-69 Restricted parking zones in front of or near residences of disabled drivers.

PARKING FOR THE DISABLED

Restricted parking spaces, (measuring approximately 22 feet in length) in front of residential building for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles and handicapped parking permits issued by the Traffic Division.

Eunice Wlodarski

Robert Fleming

Juan J. Parra

Dhanraj Seenanan

Mary Collis

Edna Stith

Veronica Moore

Victor Matamoros

Ava M. Norman

Janekia B. Wright

Felix Poventud

Juan Torres-Rodriguez

Rigoberto Cruz

Ann Marie DeGenova

Florence Brown

Richard A. Williams

26 Bartholdi Avenue

166-168 Bartholdi Avenue

114 Booraem Avenue [117 Booraem Avenue]

150-152 Boyd Avenue

189 Clerk Street

253 Clerk Street

106-108 Clinton Avenue

13 Coles Street

364 Communipaw Avenue

766 Communipaw Avenue

359 Danforth Avenue

385 Danforth Avenue

300 Duncan Avenue

194 Ege Avenue

323 ½-325-325 ½ Eighth Street

349 Eighth Street

continued.....
CFL: (pcl)
(08.30.12)

Shahnaz Bhatti
Joyce LaRose
Deogratia S. Benjamin
Jose Lopez
Evelyn Wassong
Caridad Sardinias
Blanche Foster
Andrea Ruffin
Ira Butler
Mario Garcia

316 Fairmount Avenue
138 Franklin Street
100 Glenwood Avenue
50 Hancock Avenue
116 Hutton Street
557 Liberty Avenue
71 Lincoln Street
14-16 Madison Avenue
20 New Street
216 North Street

Washburn Street

South side; beginning 35 feet west of Palisade Avenue and extending to a point 22 feet westerly therefrom.

Diane Anderson
Virgilio Andres
Frank Mendez
Sally Tanbonliong
Edmundo L. Nueva
Jossie Lightner

148 Stegman Street [176-174 Dwight Street]
76 Storms Avenue
25 Van Reipen Avenue
160 Van Reipen Avenue
104 Western Avenue
12A Williams Avenue

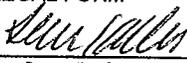
- 2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- 3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
- 4. This ordinance shall take effect at the time and in the manner as prescribed by law.
- 5. 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: The new material to be inserted is underscored; the material to be repealed is in [brackets].

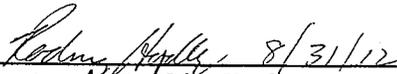
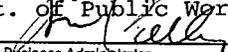
APPROVED: 
Municipal Engineer 8/29/12

CFL:pcl
(08.30.12)

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: 
Director, Dept. of Public Works 8/31/12
APPROVED: 

Business Administrator

Certification Required
Not Required

FACTSHEET

This summary sheet is to be attached to the front of any ordinance, resolution, cooperation agreement or contract that is submitted for Council consideration. Incomplete or sketchy summary sheets will be returned with the resolution or ordinance. The Department, Division or Agency responsible for the overall implementation of the proposed project or program should provide a concise and accurate statement of facts.

1. Full title of ordinance:

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AND ARTICLE IX (PARKING FOR THE DISABLED) OF THE JERSEY CITY CODE DESIGNATING A RESERVED PARKING SPACE AT 26 BARTHOLDI AVENUE; 166-168 BARTHOLDI AVENUE; 114 BOORAEM AVENUE; 150-152 BOYD AVENUE; 189 CLERK STREET; 253 CLERK STREET; 106-108 CLINTON AVENUE; 13 COLES STREET; 364 COMMUNIPAW AVENUE; 766 COMMUNIPAW AVENUE; 359 DANFORTH AVENUE; 385 DANFORTH AVENUE; 300 DUNCAN AVENUE; 194 EGE AVENUE; 323 1/2, 325, 325 1/2 EIGHTH STREET; 349 EIGHTH STREET; 316 FAIRMOUNT AVENUE; 138 FRANKLIN STREET; 100 GLENWOOD AVENUE; 50 HANCOCK AVENUE; 116 HUTTON STREET; 557 LIBERTY AVENUE; 71 LINCOLN STREET; 14-16 MADISON AVENUE; 20 NEW STREET; 216 NORTH STREET; WASHBURN STREET; 148 STEGMAN STREET; 76 STORMS AVENUE; 25 VAN REIPEN AVENUE; 160 VAN REIPEN AVENUE AND REPEAL THE RESERVED PARKING SPACE AT 117 BOORAEM AVENUE AND 176-174 DWIGHT STREET

2. Name and title of person initiating the ordinance:

Lee D. Klein, P.E., PTOE, Division of Engineering, Traffic and Transportation, Department of Public Works on behalf of the Municipal Council Committee for Disabled Parking

3. Concise description of program, project or plan proposed in the ordinance/resolution:

Designate a reserved parking space for the disabled at various locations throughout the City, for those disabled individuals whose applications have been reviewed and approved by The Municipal Council Committee for Disabled Parking. Remove from the Disabled Parking Manual reserved parking signs that are no longer warranted and the signs have been removed.

4. Reasons (need) for the proposed program, project, etc.:

To provide a reserved parking space for a disabled individual who has documented that his or her disability is severe enough to limit his mobility or so severe that he or she cannot be left unattended while the designated driver brings the vehicle to him or her or parks the vehicle.

5. Anticipated benefits to the community:

Allow those disabled individuals, whose application was approved by The Municipal Council Committee for Disabled Parking, to have a reserved parking space designated at his or her residence, therefore, improving the quality of his or her life.

6. Cost of proposed program, project, etc. (Indicate the dollar amount of City, state, and Federal Funds to be used, as well as match and in-kind contribution:

Approximately \$200.00 per sign/post installation for an approximate total of \$10,100.00
57 disabled parking signs @ \$100.00 ea. \$5,700.00
54 channels (approximate count) @ \$100.00 ea. \$5,400.00

7. Date proposed program, or project will commence:

Pending adoption by the Jersey City Municipal Council

8. Anticipated completion date:

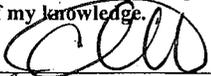
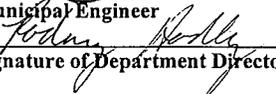
Twenty days after adoption by the Jersey City Municipal Council

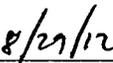
9. Person responsible for coordinating proposed program, project, etc.:

Patricia Logan, Supervising Traffic Investigator, Division of Engineering, Traffic and Transportation ex. 4492

10. Additional comments:

Based on the information provided to me, I certify that all the facts presented herein are accurate, to the best of my knowledge.


Municipal Engineer

Signature of Department Director


Date

Date

City Clerk File No. Ord. 12-115

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 12-115

TITLE:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE MAJESTIC II REDEVELOPMENT PLAN
REGULATIONS RELATING TO USE, DENSITY, AND BUILDING CONFIGURATION**

WHEREAS, the Municipal Council of the City of Jersey City adopted the Majestic II Redevelopment Plan on April 12, 2006; and

WHEREAS, the Planning Board, at its meeting of August 21, 2012, determined that the Majestic II Redevelopment Plan would benefit from amendments to revise its use, density, parking and building configuration standards; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Majestic II Redevelopment Plan is attached hereto, and made a part hereof, and is available for public inspection at the office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the aforementioned amendments to the Majestic II Redevelopment Plan be, and hereby are, adopted.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

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

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required

Not Required

Summary

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE MAJESTIC II REDEVELOPMENT PLAN REGULATIONS RELATING TO USE, DENSITY AND BUILDING CONFIGURATION

This ordinance proposed the following changes:

1. New signage restriction along York Street.
2. Limitation of Office uses to above the ground floor and only along Montgomery Street.
3. Change of the text relative to the landscaped area along York Street from may to shall.
4. Adding a minimum parking requirement of 0.4 spaces per unit for residential uses.
5. Restricts parking ingress and egress to Montgomery street
6. Changes building step-backs and heights
7. Increases density by permitting smaller unit sizes
8. Establishes minimum Sidewalk widths
9. Revises text to reflect new Block and Lot numbers and development procedures

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE MAJESTIC II REDEVELOPMENT PLAN REGULATIONS RELATING TO USE, DENSITY AND BUILDING CONFIGURATION

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:

1. New signage restriction along York Street.
2. Limitation of Office uses to above the ground floor and only along Montgomery Street.
3. Change of the text relative to the landscaped area along York Street from may to shall.
4. Adding a minimum parking requirement of 0.4 spaces per unit for residential uses.
5. Restricts parking ingress and egress to Montgomery street
6. Changes building step-backs and heights
7. Increases density by permitting smaller unit sizes
8. Establishes minimum Sidewalk widths
9. Revises text to reflect new Block and Lot numbers and development procedures

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

The redevelopment Plan and a Site Plan for this area was approved in 2006. Since that time, building styles and market trends have changes substantially enough to require these changes in the redevelopment plan.

5. Anticipated Benefits to the Community:

A better project

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

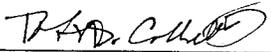
9. Person Responsible for Coordinating Proposed Program, Project, etc.:

Robert D. Cotter, Director, City Planning 547-5050

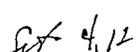
Maryann Bucci-Carter, Supervisor, City Planning 547-4499

10. Additional Comments:

I Certify that all the Facts Presented Herein are Accurate.



Division Director



Date

Department Director Signature

Date

Proposed Amendments to the Majestic II Redevelopment Plan as recommended by the Planning Board at the meeting of August 21, 2012

Revised: September 4, 2012

Text to be deleted is depicted with a strikethrough, thusly
Text to be added is depicted in bolded italic, *thusly*

II. BOUNDARIES

The Majestic II Redevelopment Area consists of Tax Lots found on Tax Block 200 *14102*. The Following are the Lot numbers which are to be included in the Redevelopment Area.

Block	Lots
200	D.1, E.1, 74, 75, 76, 77, 78.A, 84, 85, 86, 87
<i>14102</i>	<i>1, 16, 17, 35, 36 and 37</i>

The boundary of the Study Area is also depicted on Map 1.

V. GENERAL ADMINISTRATIVE REQUIREMENTS

C. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et.seq. Site plan review shall consist of a preliminary site plan application and a final site plan application. Submission of a site plan and site plan application shall conform to the requirements of the Jersey City Zoning Ordinance and this Plan. Applications may be submitted for an entire project or in phases. ~~Preliminary site plan approval for any phase shall entitle an applicant to building permits. Final site plan approval for any phase shall not be granted unless or until that phase is substantially complete, or performance guarantees for site improvements for that phase have been furnished by the redeveloper in accordance with NJSA 40:55D-53. No Certificate of Occupancy (CO) of any type, either permanent or temporary, shall be issued for any construction until the Planning Board has given final site plan approval for the phase in which such construction is located.~~

~~As part of final site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53. Such performance guarantees shall be in favor of the City of Jersey City, and be in a form approved by the Corporation Counsel or the Planning Board attorney. The amount of any such performance guarantees shall be determined by the City Engineer in conformance with applicable law, and shall be sufficient to assure completion of site improvements within one (1) year of final site plan approval, or such other time period as determined by the Planning Board if particular circumstances dictate a longer time frame.~~

VII. Urban Design Standards

D. Signage

1. Permitted Signage:

- d. Commercial Uses – Each such use fronting on a public street may be allowed one (1) exterior wall mounted sign not to exceed five (5%) percent of the area of the storefront (ground floor) to which it is attached. In addition, each commercial tenant may be permitted one blade sign. Each blade sign shall not exceed a maximum of 10 square feet and shall be externally lit. Blade signs are required to be located on the building facade directly on the sidewalk frontage and shall be placed such that the lowest point of the sign hangs at least 8 feet above the sidewalk. *Commercial signage shall not be permitted or located along the York Street frontage.*

VIII. SPECIFIC LAND USE REGULATIONS

The Redevelopment Area is a relatively compact area. However, the character of York Street is distinctly residential, while the character of Grove and Montgomery Streets is more mixed-use in nature. Therefore, the Redevelopment Area has been divided into two (2) land-use districts. The districts shall be known as the Mixed-Use District and the In-Fill District. ~~The In-Fill District shall be comprised of lots D-1, E-1 and 87. The Mixed-Use District shall be comprised of lots 74, 75, 76, 77, 78-A, 84, 85 and 86.~~ The two land-use districts are also indicated on Map 2 – Land-Use District Map.

A. Mixed-Use District

1. Principal Permitted Uses and Buildings
 - a. ~~Multi-Family Residential Buildings.~~
 - b. *Offices limited to above the ground floor along the Montgomery Street frontage only.*
 - c. *Retails sales of goods and services limited to the ground floor along Grove Street and Montgomery Street.*
 - d. *Restaurants, category one and two, limited to the ground floor along Grove Street and Montgomery Street; and which may include sidewalk cafes as regulated by the Jersey City Land Development Ordinance and/or other applicable ordinances, laws and codes.*
2. Uses incidental and accessory to the principal use, including:
 - a. ~~Retails sales of goods and services limited to the ground floor along Grove Street and Montgomery Street.~~

- b. ~~Restaurants, category one and two, limited to the ground floor along Grove Street and Montgomery Street; and which may include sidewalk cafes as regulated by the Jersey City Land Development Ordinance and/or other applicable ordinances, laws and codes. (See section VII.B. of this Plan for additional information related to street furnishings.)~~
 - e a. Off-street parking, only within structures as part of the principal building.
 - d b. Recreation facilities and areas, (indoor &/or outdoor) including pools, landscaped yards, decks, terraces, active and passive recreation uses, gymnasiums, exercise rooms, etc.
 - e c. Community rooms.
 - f d. Fences and walls.
 - g e. Home Occupations.
3. Permitted Maximum Density – ~~120~~ *160* d.u. per acre
 4. Mimimum Lot Size – 20,000 sq.ft.
 5. Maximum Building Coverage –
 - Parking Levels – 95%
 - *2nd & 3rd Floors* – 80%
 - Residential Levels above – 75%
 6. Required *Minimum* Setbacks
 - a. *Front Yard: 0 feet, plus such additional amount as necessary to meet the minimum sidewalk widths as listed below.* All street frontages shall conform to the *Front Yard requirements.* ~~be considered front property lines. The minimum front setback shall be only that which is necessary to provide the stoop on townhouse style units on the first floor. In other instances, there shall be no front setback required.~~

<i>Required Minimum Sidewalk Widths</i>	
<i>Montgomery Street</i>	<i>15 Feet</i>
<i>Grove Street</i>	<i>18 Feet</i>
<i>York Street</i>	<i>15 Feet – However, a planting area shall be provided in front of the building within the right-of-way similar to the front yards found in front of the town homes on York Street. This planting area shall be between 3 and 5 feet deep, but must leave a sidewalk measuring at least 10 feet wide as measured from the face of the curb to the outer edge of the planting area. A decorative fence and curb shall be installed between the planting area and sidewalk.</i>

- b. *Side Yard: 0 feet*
None required. Except that any wall of any residential structure containing windows shall be set back a minimum of 10 feet from the property line.

Any lot line which intersects with a street line shall be considered a side lot line.

- c. Rear Yard: Minimum of ~~9 5~~ feet *for the first floor/parking level*.
Minimum of ~~25 20~~ feet for residential levels above stories above the first floor / parking level.
- Balconies at the rear of the building may project up to 6 feet into the required rear yard.
 - Terraces may occupy the roof of the parking structure and project up to 12 feet from the rear building face.

7. Maximum Height – *Shall be regulated by Map 3 - Height and Stepback Requirements*
~~Five (5) residential stories over ground floor commercial.~~
~~Six (6) stories total.~~
~~Not to exceed seventy seven (77) feet in height.~~

a. Additional Height Regulations:

- All residential floors above the first floor or ground floor shall have a minimum floor to ceiling height of nine (9) feet, ~~except that the 5th residential floor may have a minimum floor to ceiling height of (8' 6") eight feet six inches.~~ Residential units on the first floor shall have a minimum floor to ceiling height of ten (10) feet. Residential units on the first floor of any building shall be raised at least two (2) feet above the grade of the adjoining sidewalk. Ground floor commercial areas shall have a minimum floor to ceiling height of sixteen (16) feet.
- Parapets and other roof-top appurtenances may exceed the permitted height within the limitations imposed by the Jersey City Land Development Ordinance.
- Parking levels partially below grade shall not count as a story.
- Building height shall be measured from 1 foot above base flood elevation (i.e. NAVD – 10 feet).*

8. Required Step Backs – *Shall be regulated by Map 3 - Height and Stepback Requirements*

- ~~Montgomery Street and Grove Street Frontage – A minimum ten (10) foot stepback shall be provided at the top of the 5th floor, such that the 6th floor is setback at least ten (10) feet from the building's facades along Montgomery and Grove Streets.~~
- ~~York Street Frontage – A minimum twenty five (25) foot stepback shall be provided at the top of the 5th floor, such that the 6th floor is setback at least twenty five feet (25) from the building façade along York Street.~~

iii. ~~Eastern Side Property Line~~—A minimum ten (10) foot setback shall be provided at the top of the parking structure for the rear portion of the residential building, such that the front portion of the building, i.e. that part of the residential portion of the building extending from the Montgomery Street line to a depth of up to forty (45) feet, may be built up to the side property line, but any portion of the building built to a depth greater than forty five (45) feet from the Montgomery Street line must be setback a minimum of ten (10) feet from the side property line.

~~An additional setback must be provided at the top of the 4th floor, such that the entire 5th floor (both the front and rear portion) is setback a minimum of ten (10) feet from the side property line.~~

~~A third setback of at least twenty (20) feet must be provided at the top of the 5th floor, such that the 6th floor of the building is setback a total of at least thirty (30) feet from the side property line.~~

iv. ~~Rear Garage Wall~~—A minimum four (4) foot setback shall be provided along the rear wall of the parking structure portion of the building at a height of between 15 feet and 20 feet from the adjacent grade so as to provide an area for additional landscaping, cascading vines and shrubs, etc. in order to soften the appearance of the rear façade of the parking structure portion of the building.

9. ~~Minimum~~ *Maximum* Parking Requirements –

- a. Residential – One (1) space per dwelling unit *with a minimum of 0.4 spaces per dwelling unit.*
- b. Commercial – One (1) space per 1,000 square feet.
- c. Shared usage of parking spaces, *stacked or tandem parking, and/or valet parking* may be permitted subject to review and approval of the Jersey City Planning Board.
- d. *Ingress or egress to the parking shall not be provided to or from York Street.*

B. In-Fill District

Development within the In-Fill District shall conform to the requirements of the Van Vorst Park Historic District as found in the Land Development Ordinance of the City of Jersey City. However, it is recognized that lots E.1, D.1 and 87 are pre-existing lots, and that lots D.1 and 87 are currently non-conforming. Therefore, the following criteria shall also apply within the Redevelopment Area.

1. ~~Lot D.1 and Lot E.1 are adjacent lots. Lot D.1 measures only 15.67 feet wide and is therefore non-conforming. Lot E.1 is 25 feet wide. Both are 100 feet deep.~~

Therefore, this Redevelopment Plan requires that Lots D.1 and E.1 be combined and re-subdivided such that each lot is a minimum of 20 feet wide by 100 feet deep. Both lots may then be developed in accordance with the requirements of the Van Vorst Park Historic District regulations as found in the Land Development Ordinance of the City of Jersey City.

2. — Lot 87 is highly irregular in shape. It is more than 32 feet wide along its frontage on York Street. However, it is only 75 feet deep along its eastern side property line. The rear property line is irregular. It extends 20 feet from the eastern property line toward the west, parallel to York Street. It then turns ninety degrees toward York Street for a distance of a little over 20 feet before again turning westerly for a distance of about 13 feet. The lot line then again turns toward York Street for a distance of a little over 55 feet.

Therefore, pursuant to this Redevelopment Plan, Lot 87 shall be considered a conforming lot for the purposes of constructing a townhouse as defined by the Land Development Ordinance of the City of Jersey City. The townhouse must be a minimum of 18 feet wide and constructed such that the new townhouse adjoins the existing structure to the east on Lot Z. The townhouse may be constructed wider than 18 feet, and if it is constructed at a width of more than 18 feet, off-street parking may be incorporated in the portion of the building that is wider than the required 18 feet at the western side of the property provided that the parking is within a garage within the building or within an adjoining building on the same lot constructed to resemble a traditional "carriage house", or the off-street parking may be provided behind a solid decorative brick wall and decorative gate within the western side yard of the townhouse. The rear yard requirements found in the Land Development Ordinance shall be reduced proportionately to the lot depth of Lot 87. That is to say that for that portion of lot 87 that is only 75 feet deep rather than the required 100 feet, the required rear setback shall be $\frac{3}{4}$ of what is required in the Land Development Ordinance. The same principle shall be applied to other portions of the lot. In the alternative, Lot 87 may be subdivided so as to be a minimum of 20 feet wide, in which case a portion of Lot 85 shall be added to the rear of the new Lot 87 such that the new lot will measure 20 feet wide by 100 feet deep. The new lot may then be developed in accordance with the requirements of the Van Vorst Park Historic District regulations as found in the Land Development Ordinance of the City of Jersey City.

XIV. DEFINITIONS

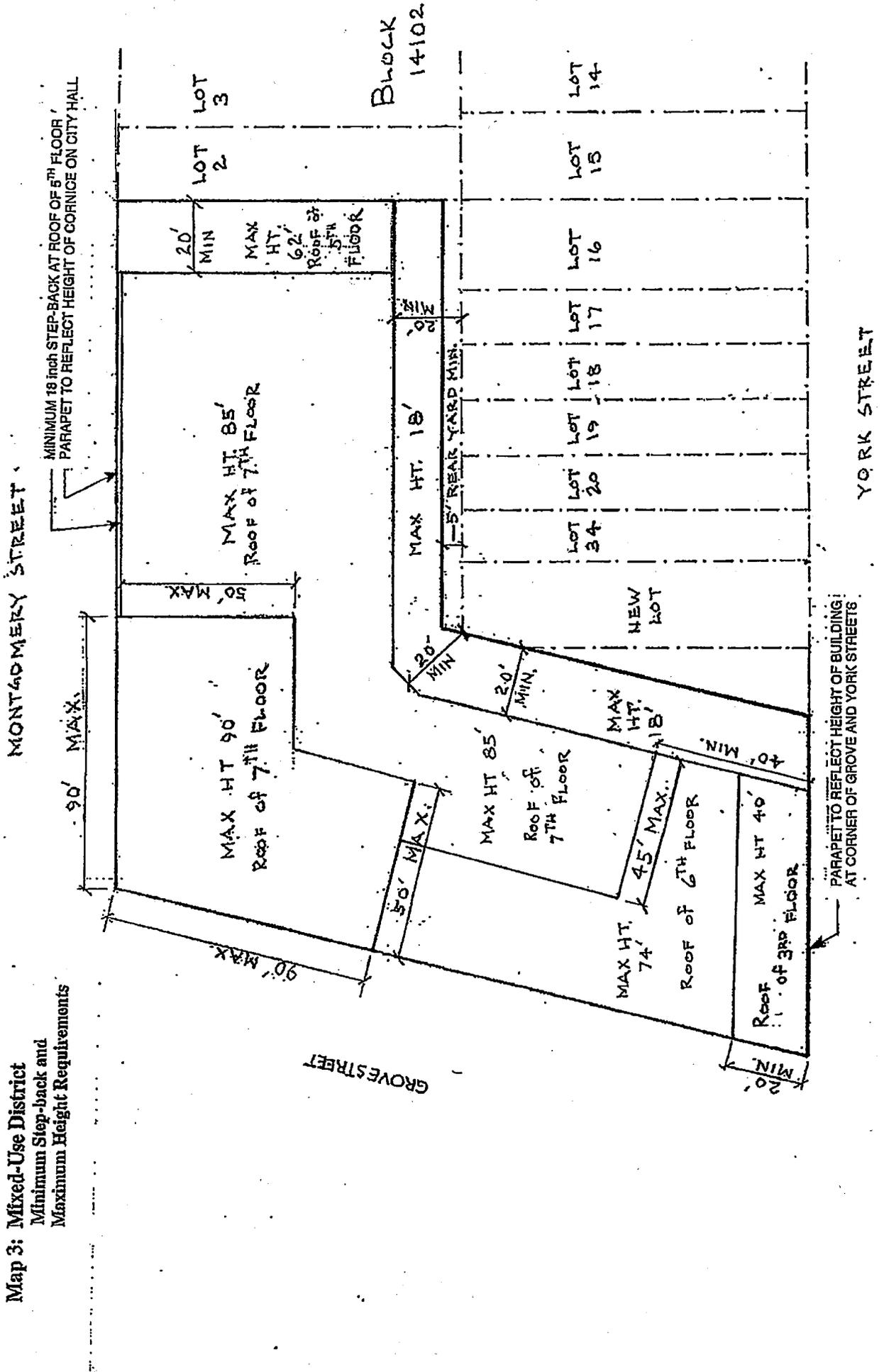
Definitions contained herein shall prevail within the Redevelopment Area. For definitions not contained herein, the definitions contained in the City of Jersey City Zoning Ordinance shall prevail.

Multi-Family Residential Building—A building of at least four (4) stories and not more than six (6) stories, containing four or more dwelling units that share common horizontal and/or

vertical separations, and which may also contain such accessory uses as permitted by this
Redevelopment Plan.

Majestic II Redevelopment Plan

Map 3: Mixed-Use District
Minimum Step-back and
Maximum Height Requirements



City Clerk File No. Ord. 12-116

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 12-116

TITLE: **ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE JOURNAL SQUARE 2060 REDEVELOPMENT PLAN**

WHEREAS, the Municipal Council of the City of Jersey City, adopted the Journal Square 2060 Redevelopment Plan at its meeting of July 14, 2010, Ordinance #10-103; and

WHEREAS, the Municipal Council seeks to advance and promote high quality new construction on un-built lots within the Redevelopment Plan and to promote higher densities near mass transit facilities, as is recommended by the Jersey City Master Plan; and

WHEREAS, a copy of the amended text is attached hereto and made a part hereof, and is available for public inspection at the Offices of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ; and

WHEREAS, the following amendments to the Journal Square 2060 Redevelopment Plan have been reviewed by the Jersey City Planning Board at its meeting of August 21, 2012; and

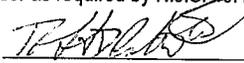
WHEREAS, the Planning Board voted to recommend adoption of these amendments by the Municipal Council; and

WHEREAS, the attached amendment is consistent with Resolution 12-574 adopted July 18, 2012, authorizing settlement of litigation entitled Robinhood Plaza, Inc. International Chain Enrico Corp., and Avner Netter v. City Council of City of Jersey City, Docket No. HUD-1-5825-10; and

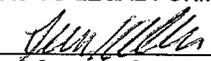
NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the recommended amendments to the Journal Square 2060 Redevelopment Plan be, and hereby are, adopted.

BE IT FURTHER ORDAINED THAT:

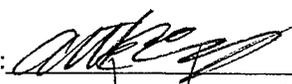
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is 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.

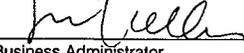
 Robert D. Cotter, PP, AICP, Director of Planning

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: 

APPROVED: 

Business Administrator

Certification Required

Not Required

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 JOURNAL SQUARE 2060 REDEVELOPMENT PLAN

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:

The amendment creates a new zone within the Journal Square 2060 Redevelopment Plan which increases the building height limit and provides for an additional building height bonus for the provision of land to the City for a public park. The amendment also adds medical office as a principal use to Bergen Avenue.

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

To settle a legal action by Robinhood Plaza Inc., et. al. and obtain land for a public park in the Journal Square area.

5. Anticipated Benefits to the Community:

Development of attractive new construction in a transit accessible location and obtain land for a future park.

6. Cost of Proposed Program, Project, etc.:

No expense to the city. All work done by in house staff.

7. Date Proposed Program or Project will commence:

Upon approval of the redevelopment plan amendment.

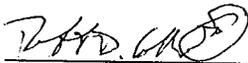
8. Anticipated Completion Date: N/A

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

Robert D. Cotter, Director, City Planning 547-5050
Jeff Wenger, City Planning 547-5453

10. Additional Comments: None

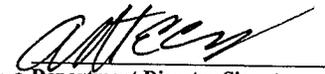
I Certify that all the Facts Presented Herein are Accurate.



Division Director



Date



Deputy Department Director Signature

Sept 4, 12, 2012

Date

SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE JOURNAL SQUARE 2060 REDEVELOPMENT PLAN

The amendment will create a new "Zone 11" within the Journal Square 2060 Redevelopment Plan. The new Zone will increase the permitted building height along Summit Avenue across from the Journal Square Transportation Center from 12 to 25 stories and provide for an additional building height bonus of 17 stories (for a total of 42 stories) tied to the provision of nearly an acre of land for future use as a public park.

This amendment is consistent with Resolution 12-574 which was adopted on July 18, 2012 authorizing settlement of litigation by the property owner in the proposed Zone 11 against the City.

The amendment also adds "medical office" as a permitted use in Zone 8 / Bergen Square.

PROPOSED AMENDMENTS TO THE JOURNAL SQUARE 2060 REDEVELOPMENT PLAN

PRESENTED TO THE JERSEY CITY PLANNING BOARD ON AUGUST 21, 2012

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Text that is added is in bold like this.

I) INTRODUCTION

On November 25, 2008 the Jersey City Municipal Council determined, by Resolution # 08-879, the *Greater Journal Square Study Area* to be an "area in need of rehabilitation," pursuant to the New Jersey Local Housing and Redevelopment Law (N.J.S.A. 40A:12A-1 et seq.). Previously, portions of the Journal Square area were also declared to be an "area in need of redevelopment," called the *Journal Square Redevelopment Plan* originally adopted in 1974 and amended several times since.

This redevelopment plan focuses on Journal Square, the PATH rail station and bus depot, as well as the surrounding neighborhoods within walking distance, comprising an area of approximately 21.1 acres, 57 city blocks, and approximately 1600 individual parcels.

The purpose of the Journal Square 2060 Plan is to foster the redevelopment of Journal Square, Jersey City's central business district, by providing for transit oriented development of new housing, offices, commercial, and public open spaces within walking distance to the Square and transit facilities, returning Journal Square to a flourishing central business and shopping destination.

Since the mid 1950's, various plans in and around Journal Square were adopted by the Jersey City Municipal Council to address the adjacent air-rights development over the PATH rail cut and various development parcels in the vicinity of the Journal Square Transportation Center. Then in 2007, *Vision Journal Square* was prepared by A. Nelessen Associates, Inc. (ANA) and Dean Marchetto Architects, PC (DMA) in coordination the Jersey City Redevelopment Agency (JCRA) and the City of Jersey City. The process included multiple charrettes and public meetings, producing a comprehensive vision for the greater Journal Square area.

The Jersey City Master Plan lists several specific objectives and recommended actions which guide the standards and requirements for this plan. More specifically, the award

winning Jersey City Master Plan Circulation Element, *Jersey City Mobility 2050*, recommends that the City:

Develop and implement smart growth strategies that locate new residential development within walking distance of bus stops and passenger rail stations, with the highest density zones located within walking distance of passenger rail stations; that mixes residential land use with commercial land use;

Create meaningful public spaces that facilitate integration of the built environment with arterials and major transit routes;

Requirements to provide bicycle amenities for building users, such as interior bicycle storage facilities for residential buildings that are accessible without stairs or tight corners, and bicycle racks and employee showers for commercial buildings;

Parking space requirement maximums that reduce the number of permitted parking spaces in development near fixed rail transit stations in proportion to distance and inversely proportional to the intensity of development.

In addition, the NJ Department of Transportation and NJ Transit created the "Transit Village Initiative" to recognize municipalities that have demonstrated a commitment to revitalizing and redeveloping areas within walking distance of rail or bus facilities into compact, mixed-use neighborhoods that are consistent with Smart Growth principles. In 2005, the Journal Square area received designation as a Transit Village by an inter-agency Transit Village Task Force.

It now appears appropriate for the City to take a more pro-active approach to redevelopment in this Area, so as to bring the Area into greater compliance with the recommendations of the Master Plan. The Master Plan calls for "station areas" around Jersey City's mass transit facilities to be up-zoned to include higher density residential, neighborhood retail, restaurants and other uses compatible with a mixed use transit oriented station area. In addition, parking requirements are to be reduced "to capitalize on the availability of high quality mass transit" and to increase building coverage, floor-area-ratios, and residential density, which can be supported near transit facilities.

As Jersey City enters the 21st century, we wish to continue developing in a sustainable direction. This means focusing future development to areas where mass transit is available, reducing parking to limit traffic congestion and effects on air quality, requiring bicycle parking and wider sidewalks to limit automobile use and promote alternative modes, requiring retail uses along pedestrian corridors to create an enjoyable and safe neighborhood environment, concentrating high density high-rise development along the major thoroughfares and immediately adjacent to mass transit facilities, preserving the

most distinguished historic structures, and provide for design guidelines so that new development sits comfortably next to the historic fabric of this area.

Journal Square and its surrounding neighborhoods are not a blank slate. The existing physical structure of the Area is extremely varied. Building types range from detached two-family homes with generous front yards, to 4 to 6 story apartment buildings, office buildings, and commercial uses. This variety of uses and building types are all interwoven at a fine scale. Some streets are quiet and narrow, while others have intensive retail uses. This diversity need not inhibit the City from drafting new development guidelines. This redevelopment plan balances the need for new development at higher densities with the existing context of diverse and varied neighborhoods. To do this, this plan employs an approach to development that requires higher density projects to assemble sufficient development sites to accommodate building designs and forms that can reasonably fit into its surroundings while providing improved infrastructure. The Plan employs the use of building setbacks, sidewalk widening, open space and plaza provisions, contextual yard requirements, required retail uses, parking limitations and bicycle parking requirements, green building requirements, and design guidelines to assure that future development contributes to the sustainable future of Journal Square.

II) BOUNDARIES

- A) A map of the boundary, entitled, *Map 1: Boundary Map*, dated July 8, 2010 is attached and shall govern the boundaries of this redevelopment plan.
- B) The boundary of the Journal Square 2060 plan omits land on Blocks 593.1 and 628.1 which was authorized as part of the Greater Journal Square Study Area (Resolution 08-879). As this site has already been redeveloped under the St John's Redevelopment Plan and no substantive change to this site is currently contemplated, this area will not be included as part of the Journal Square 2060 Plan.
- C) The boundary of the Journal Square 2060 plan also omits land on Block 631.1 and portions of Block 571 and 530 which are part of the Bergen Arches right-of-way and which were authorized as part of the Greater Journal Square Study Area (Resolution 08-879).

III) REDEVELOPMENT PLAN OBJECTIVES

Renewal activities for the Journal Square 2060 plan area will be undertaken in conformity with, and will be designed to meet, the following objectives of the Redevelopment Plan:

- 1) Re-establish Journal Square as a Jersey City's primary central business district and activity center.
- 2) Make sustainability a theme of future development and redevelopment that guides land use and transportation decisions.
- 3) Integrate open space into the Area by incorporating a system of parks, plazas, and natural amenities.
- 4) Promote a pattern of mixed and multiple-use development. New buildings within the Area should appropriately combine residential, commercial, and entertainment uses and encourage a balance of jobs-to-housing.

- 5) Make walking and biking an easy, safe, desirable, and convenient mode of transport.
- 6) Encourage local quality retail within the greater Journal Square area.
- 7) Reduce automobile dependency by encouraging high density development in close proximity to mass transit with low automobile parking ratios and with bicycle parking requirements.
- 8) Provide for urban amenities such as transit, housing variety, open space, and entertainment that will attract new employers and a range of new residents to the area while sustaining existing neighborhoods.
- 9) Encourage the adaptive reuse of existing structures.
- 10) Encourage buildings to meet or exceed the US Green Building Council's LEED (Leadership in Energy and Environmental Design) Certification or equivalent.
- 11) The removal of vacated, deteriorated and obsolete structures.
- 12) The overall improvement of traffic circulation through the development of new and improved vehicular and pedestrian circulation systems which provide for separation of vehicular and pedestrian traffic and the maximum use of public transportation.
- 13) Coordination of redevelopment activities, reinforcing already existing adjacent renewal programs and in accordance with the Master Plan for the City overall.
- 14) Provide for the conservation and preservation of select structures with historic or architectural significance, and provide opportunity for adaptive reuse for future generations.
- 15) Encourage the private sector to consolidate development parcels to allow for sufficient building setbacks providing, light and air to the street and adjacent properties.
- 16) Provide for redevelopment without public acquisition or relocation of residents and business concerns.
- 17) Provide for an active "front door" plaza entry way where Magnolia Avenue accesses the Journal Square PATH station, at the existing kiss-and-ride area.
- 18) To promote balanced development in accordance with applicable State laws and City requirements regarding affordable housing.
- 19) Creation of major new employment, housing, educational, recreational, commercial and retail opportunities for the residents of Jersey City.
- 20) Coordinate redevelopment activities to provide a uniform and consistent attack on blighted, dilapidated, and obsolete structures within the Area.
- 21) To promote the principles of "Smart Growth" and "Transit Village" development, including a variety of housing choices, providing wider sidewalks, minimize automobile use by maximizing the appeal of mass transit, encourage reduced parking and shared use parking solutions, and creating a livable community with convenient access to commercial facilities.
- 22) Maintain and improve pedestrian access to the Journal Square PATH Station from the surrounding communities.
- 23) To maximize the use of rooftop open space for recreation and/or green roofs.
- 24) Utilize setbacks, architectural design elements, and building massing regulation to maintained light and air to the street and adjacent properties.

- 25) All structures within the project area shall be designed and maintained so as to improve the visual impact of the Jersey City skyline as viewed from within and beyond the City's borders.
- 26) Provide for new transport systems such as a streetcar along Kennedy Blvd. and Bergen Avenues and a Bus Rapid Transit system connecting to Route 440.

IV) GENERAL ADMINISTRATIVE PROVISIONS

- A) No building shall be constructed over public rights-of-way in the project area with the exception of freestanding structures ancillary to public plazas and/or pedestrian walkways, which shall be subject to review by the Planning Board.
- B) Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the Area shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval so that compliance of such plans with the redevelopment objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases.
- C) As part of any site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53 et seq. Such performance guarantees shall be in favor of the City in a form approved by the Jersey City Corporation Counsel. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of on and off site improvements within one (1) year of final site plan approval.
- D) Split zoned development sites:
 - 1) For any consolidated development site which overlaps multiple zone districts, the zone that covers the largest portion of the site shall govern the entire development site. Zone 6 and 7 are excluded from this split zone provision. All property in Zone 6 or 7 must be developed under the provisions of that zone.
- E) All traffic impact studies shall incorporate, as part of the study, all projects approved or proposed in the immediate area. A listing of the projects may be obtained from the Division of City Planning.
- F) No use or reuse shall be permitted, which, when conducted under proper safeguards, will produce corrosive, toxic or noxious fume, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration (60 decibels), or other objectionable features so as to be detrimental to the public health, safety or general welfare.
- G) All residential redevelopment proposals and construction plans shall meet or exceed applicable FHA minimum room size requirements prior to approval by the Planning Board.
- H) The provisions of this plan specifying the redevelopment of the project area and the requirements and restrictions with respect thereto shall be in effect for a period of fifty (50) years from the date of approval of this plan by the City Council of the City of Jersey City, provided however that any development or redevelopment projects that are commenced and/or completed within said fifty (50) year period shall be deemed to comply with all applicable laws, so long as they comply with the provisions of this Redevelopment Plan. At the end of this fifty (50) year period, the zoning regulations contained herein shall be incorporated into the zoning ordinance of the City of Jersey City in accordance with the appropriate State statutes.

I) Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with the requirements of this plan and the Land Development Ordinance (LDO) of Jersey City.

J) Upon demolition of existing structures, the site shall be graded and planted or sodded, with a durable dust free surface in the interim period prior to construction of new buildings.

K) 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. Deviations from the required retail use as per section IX shall be considered a design waiver, cognizable by the Planning Board. 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.

No deviations may be granted which will result in permitting:

- 1) A use or principal structure in a district which does not permit such use or principal structure;
- 2) An expansion of a non-conforming use;
- 3) An increase in height of more than ten feet or 10% of the height in feet, whichever is less.
- 4) A breach in the required minimum or maximum building base height requirement of 5% or more;
- 5) An increase in the permitted floor area ratio;
- 6) An increase in the parking ratio of 10% or more above the maximum permitted;
- 7) Breach the minimum or maximum number of permitted stories.
- 8) Right-of-way width, and pavement width beyond normal adjustments encountered during survey synchronization;
- 9) Non-completion of minimum open space, parks, or other type of phased improvements required to be implemented;
- 10) Deviation from the Impact Fees provisions set forth in this Plan; or
- 11) Non-compliance with the specific goals and objectives enumerated in the Plan.

Any deviation in the above categories (1-11) or any other deviation that would otherwise constitute a "d" type variance or deviation constitutes a request for a legislative plan amendment cognizable only by the Governing Body. The Jersey City Zoning Board of Adjustment's powers are strictly limited to "a" and "b" appeals (N.J.S.A. 40:53D-70A&B).

L) All development projects within Zone 1, Zone 2, or Zone 10 shall be pursuant to a redevelopment agreement approved by the Jersey City Redevelopment Agency. The agreements will be undertaken on a project by project basis.

M) IMPACT FEE

1) Redevelopment shall provide adequate water, sewer and other necessary utilities to the site, to the satisfaction of the Municipal Engineer and the Municipal Utility Authority. All costs necessary for infrastructure improvements associated with a development project, off-site as well as on-site, are the responsibility of the developer or redeveloper.

N) PROCEDURES FOR AMENDING THE PLAN

1) This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law. A fee of \$5,000.00 plus all costs for copying and transcripts shall be payable to the City of Jersey City for any request by a private entity to amend this plan. The City of Jersey City reserves the right to amend this plan.

O) INTERIM USES

1) Interim uses may be established, subject to agreements 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 include surface parking provided there is no ingress or egress onto Journal Square itself. Interim uses must be approved by the Planning Board, which may establish an interim use period of between one (1) year and three (3) years in duration, subject to the Planning Board's discretion. Additional renewals of an interim use may be granted by the Planning Board, subject to the same interim period limitations specified above.

V) OTHER PROVISIONS NECESSARY TO MEET REQUIREMENTS OF STATE AND LOCAL LAWS

A) The Local Redevelopment and Housing Law, N.J.S.A 40A:12A-1 et seq. requires that a Redevelopment Plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

- 1) This Redevelopment Plan achieves the stated objectives of the Jersey City Master Plan by locating high density development in exceptionally close proximity to mass transit facilities with low parking ratios to reduce the traffic impact of future high density development. Other uses such as retail and office uses compatible with a mixed use transit oriented station area are permitted. The plan also provides for adequate setbacks for the widening of Pavonia Avenue, the continuation of Central Avenue, and improved access to the PATH station as well as requirements for the provision of rooftop recreation space so as to reduce the impact of new development on the City's park system.
- 2) This Redevelopment Plan provides for a list of permitted principal uses, as well as accessory uses and prohibited uses in the redevelopment area. The plan also provides for density restriction through the use of a maximum floor area ratio, maximum height limits, as well as setback and stepback requirements and various design controls.
- 3) There will be no displacement of existing residents through the implementation of this plan through condemnation, as this is an area in need of rehabilitation and condemnation is not permitted. Any condemnation action already commenced by the

Jersey City Redevelopment Agency may continue. **The condemnation of easements in areas previously declared in need of redevelopment may be pursued by the Jersey City Redevelopment Agency.**

- 4) The Journal Square 2060 Redevelopment Plan proposes no new acquisition or condemnation of private property for private redevelopment purposes, **however the condemnation of easements in areas previously declared in need of redevelopment may be pursued by the Jersey City Redevelopment Agency.**
- 5) The area covered by this Redevelopment Plan constitutes the area within walking distance of Jersey City's central business district and the transportation hub for Hudson County. This location in the very center of Jersey City and is remote from any adjacent municipality. Jersey City is designated as a "Planning Area 1" in the State Plan and is at the center of the Hudson County "urban complex." The development envisioned by this plan is in conformity with the "State Planning Act" P.L. 1985, c. 398 (C.52:18A-196 et al) as well as the master plan of Hudson County and all contiguous municipalities.
- 6) No affordable units are identified to be removed as part of the implementation of this redevelopment plan.
- 7) No affordable units are identified to be removed as part of the implementation of this redevelopment plan.

VI) TRANSPORTATION AND CIRCULATION

- A) The Plan proposes the widening of Pavonia and Oakland Avenues. The western half of Pavonia Avenue between Kennedy Blvd and Summit Avenue was previously widened along the PATH Transportation Center. The remainder of Pavonia Avenue must be widened to match the previous project. This shall be achieved through the dedicating of land to the City along the south side of Pavonia Avenue as shown on *Map 6: Circulation Map*. Oakland Avenue shall also be widened to a total width of 60 feet by a dedication of land along the western side of the Avenue between Newark Avenue and Hoboken Avenue as shown on *Map 6: Circulation Map*.
- B) Central Avenue currently functions as the primary commercial street for the Heights Neighborhood to the north of the Journal Square 2060 Plan area. This Plan proposes a new street to connect Central Avenue in the Heights Neighborhood to Summit Avenue and the Journal Square PATH station. A new street connector is shown on *Map 6: Circulation Map*.
- C) Cook Street is proposed to be vacated and added to Block 527, provided the Central Avenue connector is constructed.
- D) The Bergen Arches right-of-way runs along State Highway Route 139, connecting downtown Jersey City to the national railway network. This right-of-way has many potential future uses. To insure that future use of this right-of-way can be maximized for public benefit, any development on top of the Bergen Arches shall preserve an at grade public easement along the top of the Bergen Arches tunnel or open cut as shown on *Map 6: Circulation Map, Right-of-Way Preservation area*.
- E) The Journal Square Transportation Center is currently configured with its main entrance on Kennedy Blvd. A secondary entrance is located at the eastern end of the Transportation Center at Magnolia Avenue and currently functions as a kiss-and-ride drop off point. This secondary entrance must be upgraded and redesigned as a new front entry plaza by any developer with greater than 200 linear feet along the Magnolia Avenue

- right-of-way as required in Zone 1. Improvements shall include decorative sidewalk and lighting throughout the plaza with bollards to control traffic, street furniture, and other design elements to successfully create an active plaza entryway from Magnolia Avenue.
- F) The Plan envisions a narrow-gauge streetcar line that runs in a dedicated right-of-way along Kennedy Boulevard, Journal Square and Bergen Avenue. This streetcar system is a critical north/south component of a comprehensive transit network designed to service Journal Square and surrounding neighborhoods. A streetcar system will ensure that new and existing developments along Kennedy Boulevard and Bergen Avenue have convenient access to the Journal Square Transportation Center and proposed extensions of the Hudson Bergen Light Rail in the Bergen Arches. The Redevelopment Plan recommends that a streetcar run from the intersection of John F. Kennedy Boulevard and Route 139 to Bergen Avenue at McGinley Square (see Map 6). During the development of a streetcar system, a dedicated bus lane should be implemented along the streetcar right-of-way. All stops should be permanent and substantial in nature. A transitional bus along the streetcar route can help establish a riding habit among Journal Square residents and encourage transit appropriate development along the eventual streetcar corridor. The streetcar may be extended in the future to service additional neighborhoods as part of a comprehensive bus rapid transit system for Jersey City.
- G) Bus priority lanes should be provided within Sip, Pavonia, and Summit Avenues to accommodate a western waterfront bus rapid transit (BRT) system. A BRT line that connects the western waterfront corridor to the Journal Square Transportation Center is necessary to support the development and redevelopment of Jersey City's western waterfront. At the time of this writing, the City of Jersey City is developing a concept design for a two directional BRT route that runs along the Routes 440 and 1&9 Truck corridor between Danforth Avenue and Sip Avenue, and connects to the Journal Square Transportation Center via Sip Avenue. The route will have loop turnarounds at each end. The southern turnaround will be in the vicinity of Danforth Avenue, and the northern turnaround will be at the Journal Square Transportation Center via Pavonia, Summit and Sip Avenues. In order to accommodate the BRT route as it traverses the Journal Square area, the full length of Sip Avenue between Garrison Avenue and the transportation center should be designed to include bus priority lanes so that the BRT vehicles are not delayed by general traffic. These lanes may be placed within the existing right-of-way or cartway, and may be comprised of two one-directional lanes, or one reversible lane that is eastbound during the AM peak and westbound during the PM peak. Additionally, to accommodate the loop turnaround at Journal Square, Pavonia, Summit and Sip Avenue should be designed to include bus priority lanes so that BRT vehicles departing Journal Square for Route 440/1&9T via Sip Avenue are not delayed by general traffic.

VII) DESIGN REQUIREMENTS FOR ALL ZONES

A) GENERAL REQUIREMENTS

- 1) All structures within the project area shall be situated with proper consideration of their relationship to other buildings, both existing and proposed, in terms of light, air and usable open space, access to public rights of way and off-street parking, height and bulk.
- 2) All minimum building height requirements shall be measured as stories above sidewalk grade. No mezzanines or split levels or any floor partially below grade shall be considered for minimum height requirements (see building height tables for each

zone district). All floors necessary to meet the minimum height requirement must be approximately equal in floor area. No required minimum floor may be less than ~~75%~~ **60%** of the first floor area at grade.

- 3) All lots at the time of adoption of this plan are conforming lots for development, however any newly created lots or development sites through subdivision or consolidation shall have a maximum shape factor of 30. Shape factor is defined as the perimeter of the lot squared, divided by the lot area ($\frac{Perimeter^2}{area}$).
 - (a) Example for a standard 25' by 100' rectangular lot:
perimeter = 250'
perimeter squared = 62,500
area = 2500 square feet
shape factor is $\frac{62500}{2500} = 25$
- 4) Groups of related buildings shall be designed to present a harmonious appearance in terms of architectural style and exterior materials and shall be encouraged to incorporate historic elements found throughout the surrounding area.
- 5) Buildings shall be designed so as to have an attractive, finished appearance when viewed from all vantage points within and outside of the project area. Each façade shall be treated as being of equal importance in terms of material selection and architectural design.
- 6) Access by the elderly, physically handicapped and/or disabled shall meet barrier free design regulations as specified in the New Jersey and Federal ADA Standard Uniform Construction Code.
- 7) All utility distribution lines, including multi-media telecommunication lines, and utility service connections from such lines to the project area's individual use shall be located underground.
- 8) All adaptive reuse of existing structures shall not be required to meet minimum building height requirements.
- 9) Roof treatment, Mechanical Screening and Electrical Equipment
 - (a) All mechanical equipment located on any roof of a building shall be screened from view from all vantage points with a material complementary with the façade of the structure. The screening shall not resemble a utility or rooftop elevator or stair tower. It shall instead resemble an upper level extension of the building and be designed to contribute to the building top design.
 - (b) A roof plan must be developed and submitted for approval. Roof plans shall include mechanical equipment, trellises to obscure view, colored roof patterns and landscaping. Parking deck roofs shall be designed to maximize recreational amenity space and all remaining rooftop areas shall be developed as a green roof.
 - (c) All electrical communication equipment shall be located in such a way that it does not negatively impact the appearance of the building nor create objectionable views as seen from surrounding structures.
 - (d) Transformers and primary and back-up generators shall be located interior to the building or vaulted underground within the pavement area of an adjacent street. Location within and upon the sidewalk, between the sidewalk and the building, or anywhere outside at grade is not permitted.

- (e) The placement of all new or reconstructed signal boxes is required to be below grade.
 - (f) The screening of all new or reconstructed telecom equipment is required.
- 10) Streetscape
- (a) All buildings shall be designed to front on a public street to create a street wall and a pedestrian environment at a human scale.
 - (b) Main entrances into buildings shall be located on all public streets. Secondary entrances shall also be provided from parking areas and/or as necessary according to the design of the structure.
 - (c) Entrances shall be designed to be attractive and functional. Indicators such as awning, changes in sidewalk paving material or other indicator consistent with the design, proportions, material and character of the surrounding area shall be provided.
 - (d) Automobile parking between the building line and a public right-of-way is expressly prohibited, even where surface parking is a permitted use. Parking is not permitted in any front yard.
 - (e) Porte-cocheres and drop-off lanes are prohibited.
- 11) A cornerstone marking the date of construction shall be located in an appropriate ground level corner of any building five or more stories. The cornerstone shall be incorporated into the primary facade material.
- 12) Overhead walkways (skywalks) connecting buildings and or parking above streets or rights-of-ways are prohibited.
- 13) All facade vents for air conditioning or heating units must be incorporated into the window design such that vent grills and windows appear as a single unit. This is best achieved by lining up vent grills with the vertical or horizontal edge of the adjacent window and matching the window's length or width or using a spandrel panel to fill any voids.
- 14) All new sidewalk concrete shall be tinted charcoal grey or equivalent tint.
- 15) All storefronts shall incorporate a cornice element or horizontal projection above the storefront glazing separating ground floor uses from the building above.
- 16) Ground floor storefront bulkheads below the display windows shall be a maximum of 18 inches in height above sidewalk grade.
- 17) All ground floor non-residential facades shall incorporate a minimum of 80% transparent glass.
- 18) All ground floor entryways shall be recessed to avoid door swings into any public right-of-way.
- 19) All large residential development projects are strongly recommended to include provisions for a dog run.
- B) FLOOR HEIGHT MINIMUM
- 1) Residential floor-to-ceiling heights must be a minimum of 9 feet and a maximum of 12 feet.
 - 2) A ground floor residential use (where permitted) must be 2 feet above sidewalk grade. Building lobbies may be at grade for ADA accessibility.
 - 3) Ground floor floor-to-ceiling height minimums for a non-residential use are regulated by the following table:

Building Height	Minimum First Floor Height	Maximum First Floor Height	Maximum First Floor Height within 30' of a Rear Lot Line
2 to 6	12'	18'	12'
7 to 12	15'	20'	12'
13 and up	20'	30'	12'

Table 1

C) SPECIAL REQUIREMENTS FOR A TOWER ON A BASE

- 1) When indicated in the Building Stepback Tables in each Zone district, the following "Tower on a base" requirements shall apply.

- 2) All buildings shall have a base, which shall be designed according to the following:
 - (a) Building base height requirements:

Base Height Requirements by Zone (In feet)		
Zone	Minimum	Maximum
1	60'	75'
3	30'	60'
4	30'	42'
5	30'	50'
10	30'	55'

Table 2

- 3) Towers shall be setback from the front lot line a minimum of 10 feet for sites with a lot depth of 100 feet or less. Tower setback shall be a minimum of 15 feet for sites with a lot depth of more than 100 feet.
- 4) Towers shall be setback from side lot lines a minimum of 20 feet.
- 5) Maximum tower length or width dimension is 150 linear feet for primarily residential or hotel use buildings.
- 6) Maximum tower length or width dimension is 200 linear feet for primarily office use buildings.

- 7) Where the tower base abuts a lower density zone, the base of a tower shall be set back from side lot line a minimum of 10 feet and the tower shall be setback a minimum of 30 feet.
- 8) Tower bases must set back 30 feet from any adjacent property's rear property line, except the ground floor which may cover 100% of the lot.
- 9) Front yard setback requirements for each Zone shall apply.
- 10) Building Base Design Requirements:
 - (a) A visual cue or indicator such as a cornice, belt coursing, a significant change in the glass to solid ratio, or any other indicator consistent with the design, proportions, and materials shall be provided at the top of the base.
 - (b) Decorative features and materials are required to provide detail and interest to the pedestrian level of the building.
 - (c) Building bases shall be constructed of durable material of high quality, including but not limited to glass, stone, brick, textured concrete, metal paneling, etc. Glass shall constitute a minimum of 80 % of the ground floor facade (see ground floor height minimum).
 - (d) A decorative screening facade may substitute for glass to wrap parking facilities, subject to approval by the Planning Board.
 - (e) Retail and/or other permitted uses are required along all public rights-of-way, with a minimum depth of twenty-five (25) feet. No more than fifteen (15) percent of the first floor street frontage and no more than twenty (20) consecutive linear feet along a public right-of-way may be dedicated to other uses such as meter rooms, blank walls, garage doors or loading zones, emergency exits, etc.
 - (f) First floor retail height shall be regulated by the ground floor floor-to-ceiling height table in Table 1 above.
- 11) Building Tower Design Requirements:
 - (a) A visual cue or indicator such as a cornice, belt coursing, a significant change in the glass to solid ratio, or any other indicator consistent with the design, proportions, and materials shall be provided at the top of the tower.
 - (b) Building towers shall be constructed of durable material of high quality, including, but not limited to glass, stone, textured concrete, brick, metal paneling etc. Glass shall constitute a minimum of 40 % of the facade.
 - (c) Building towers are required to have a minimum separation distance of 50 feet.

D) PARKING STANDARDS

All parking shall be provided in multi-tiered structures or automatic garages. Parking structures shall meet the following requirements:

- 1) Bicycle Parking Provisions:
 - (a) For development on all lots greater than 2,500 square feet or residential projects more than four units, bicycle parking is required. A bicycle storage room, located in a convenient and accessible location to the front entry of the building with no more than four vertical steps (ramps may be utilized) between the bicycle room and the sidewalk with room for 1 bicycle space per dwelling unit and 1 bicycle space per 5000 square feet of non residential use is required. Short term bicycle

parking must also be provided in the sidewalk or accessory parking area for all retail or similar ground floor uses at a rate of 1 space per 5000 square feet to a maximum requirement of 10 spaces.

- (b) Bike racks must permit the ability to secure the frame of the bike to the rack system.
- 2) Automobile Maximum Parking Ratios By Use:
- (a) For lots of less than 60 feet in width: no parking is permitted.
 - (b) Residential uses may provide up to a maximum of 0.5 off-street parking space per dwelling unit.
 - (c) Office and other commercial uses may provide up to a maximum of 0.5 spaces per 1000 square feet of gross floor area.
 - (d) Retail, restaurants, bars, nightclubs and health clubs may provide up to a maximum of 0.5 space per 1000 square feet of gross floor area.
 - (e) Theaters may provide up to a maximum of 1 space per 20 seats.
 - (f) Hotels may provide up to a maximum of 1 space per every 3 rooms.
 - (g) Public/semi-public uses may provide a maximum 0.5 space per 1000 square feet of gross floor area.
 - (h) Colleges and Universities may provide a maximum of 1 space per faculty and administrative member per 8 hour shift.
 - (i) All other uses may provide a maximum 0.5 space per 1000 square feet of gross floor area.
 - (j) Public parking garages as a stand alone use are exempt from the parking maximum.
- 3) Automobile Parking Provisions
- (a) Commuter parking is prohibited.
 - (b) Semi-annual reporting of the parking pricing and usage shall be provided to the Director of the Division of City Planning and the Chairman of the Jersey City Planning Board in a format and detail similar to the semi-annual parking report submitted for the Newport Redevelopment Plan Area.
 - (c) To assure the most efficient and effective use of the parking resources located within the Redevelopment Area, shared use of the parking facilities is encouraged.
 - (d) Use of the first 10% of parking stalls from the garage entrance shall be limited to retail users of the on-site retail and neighboring retail uses and be limited to a maximum duration of 4 hours.
- 4) Design Standards:
- (a) In any building over six stories, or any stand-alone parking structure, a parking level at grade may not contain any parking or mechanical floor area adjacent to the sidewalk/street frontage. Atrium, lobby, and/or retail space shall occupy these areas with a minimum depth of 25 feet.
 - (b) In any building under six stories, a parking level at grade shall be set back from the sidewalk a minimum of 3 feet to provide for landscaping, screening the parking use.
 - (c) For stand alone parking structures, the ground floor retail use shall be a minimum height of 15 feet and a depth of 25 feet.

- (d) Any parking structure shall be designed to eliminate headlight glare by the provision of opaque screening for head lights and placement of interior garage lighting to be directed into the structure and mounted on the interior side of columns so as to prevent glare from such lighting to be visible from the street or adjacent property. Light fixture details and location shall be included within the garage floor plan at the time of site plan application.
- (e) The facade of all parking levels shall be of a compatible material to that used throughout the development or adjacent structures and shall be designed to provide visual interest.
- (f) All openings must be screened with glass or decorative façade materials. Any openings shall be in a vertical proportion. Open horizontal bands along the façade of any parking structure are prohibited.
- (g) Exterior lighting of the screening materials on a parking structure façade is required in order to provide additional visual interest in terms of light and shadow and to further mask the interior lighting of the parking structure and headlight glare.
- (h) All pedestrian access points shall be provided at street level and designed to encourage street activity. Overhead or elevated pedestrian or vehicular connections are prohibited.
- (i) All parking spaces shall be 9 feet wide by 18 feet deep. Compact parking spaces (8x15), may be provided, up to fifty (50) percent of approved parking spaces.
- (j) Aisle widths shall conform to the following standards:
 - (i) 90 degree parking 22' wide two-way aisle
 - (ii) 60 degree parking 18' wide one-way aisle
 - (iii) 45 degree parking 15' wide one-way aisle
 - (iv) 30 degree parking 12' wide one-way aisle
- (k) All one-way aisles shall be clearly designated.
- (l) All automatic garage parking is exempt from the above space and aisle dimension requirements.
- (m) Off-street parking and loading areas shall be coordinated with the public street system serving the project area in order to avoid conflicts with through traffic or obstruction of pedestrian walks and thoroughfares.
- (n) Surface parking lots (as an interim use) and all loading areas, shall provide a screen planting of dense evergreens along any street line and along all property lines except those instances where a building intervenes or where the proposed planting may interfere with sight triangles. Within the parking area, a minimum of three percent (3%) of the parking area shall be landscaped and maintained with shrubs no higher than three (3) feet and trees with branches no lower than six (6) so that the landscaping is dispersed throughout the parking area.
- (o) The number and design of off-street loading spaces shall be demonstrated by an applicant according to an anticipated need. All freight loading activities are encouraged to be restricted to early morning and/or late evening hours. The design and number of off-street loading shall be regulated by the Jersey City Land Development Ordinance.
- (p) Drop off areas may be required for uses generating organized pick-up and drop-off services such as, but not limited to, medical offices.

- (q) All entry ways to off-street parking and loading structures shall incorporate decorative materials coordinated with the primary base façade on all surfaces twenty-five (25) feet deep into the structure to create an attractive view from the sidewalk and adjacent pedestrian areas.
- (r) Parking and service access should not be located on the main traffic oriented streets. A head-in/head-out design is required for all loading and parking facilities. For parking facilities with 30 spaces or less, driveway widths shall be a maximum of 12 feet. For all other parking facilities, driveway widths shall be a maximum of 18 feet.
- (s) Direct new development to minimize pedestrian and traffic conflicts.
- (t) All site plan application for parking structures should demonstrate the ability to provide for electric vehicle charging stations in the future.
- 5) Below grade parking is permitted to cover 100% of the lot and shall not be counted against permitted FAR.
- 6) All developments which propose valet parking shall submit a parking management plan. Such plan shall include but not be limited to: number of vehicles to be parked, number of rows of cars to be stacked, all parking stall and aisle widths and any other information deemed necessary to effectively evaluate the management plan. All parking management plans shall be subject to review and approval of the Division of Traffic Engineering, the Division of City Planning and the Planning Board. Valet parking schemes shall not be permitted to increase the total number of parked cars above the maximum number of permitted spaces.

E) OPEN SPACE DESIGN REQUIREMENTS

- 1) Where possible, new structures surrounding or enclosing open space should be designed and sited to allow the greatest penetration of sunlight onto open space areas throughout the year.
- 2) Open space shall provide visual and functional elements such as bicycle parking, benches, seating walls, drinking fountains, refuse containers and planters, and public fountains. Open space amenities shall include decorative material such as: stone pavers, brick pavers, asphalt pavers, stamped and tinted concrete, and decorative lighting and detailing.
- 3) Adequate lighting shall be provided to encourage active usage and a sense of security in the open space.
- 4) Open space shall be distributed so as to provide for maximum usability.
- 5) Through creative design, open space features shall address the need for human comfort and enjoyment and provide both active and passive leisure uses for secure and pleasant outdoor and indoor settings to meet public and private use requirements. Open space and plazas shall be designed at a human scale to invite and attract the public.
- 6) Open space shall be oriented to maximize views.
- 7) As a general guide, one (1) linear foot of seating for each linear foot of plaza perimeter shall be provided. Seating space may include planters, benches, fountains, etc.

F) LANDSCAPING AND LIGHTING REQUIREMENTS

- 1) Landscaping shall be required for any part of any parcel not used for buildings, off-street parking, plaza areas or loading zones. The developer's plan shall include proposals for landscaping indicating the location, size and quantity of the various species to be used.
- 2) All plant material used must be able to withstand an urban environment. All screen planting shall be a minimum of 4 feet high and shall be planted, balled and burlapped as established by the American Association of Nurserymen. A planting schedule shall be provided by the developer and approved by the Planning Board. Ground cover shall be used in place of mulch.
- 3) All new trees shall be of a species and gender so as to minimize fruit and pollen.
- 4) Any landscaping which is not resistant to the environment or dies within 2 years of planting shall be replaced by the developer.
- 5) Underground watering facilities shall be required for all landscaped areas. Hose bibs shall be provided immediately adjacent to planting areas abutting a building.
- 6) Street trees shall be planted along curb lines of streets in a regular pattern, spaced at one-half the mature spread of the tree canopy to further enhance the aesthetic quality of the redevelopment area. All trees shall be a minimum of four (4) inches in caliper.
- 7) Lighting within the site shall sufficiently illuminate all areas, including those areas where buildings are setback or offset to prevent dark corners.
- 8) All lighting sources must be adequately shielded to avoid any off-site glare. The area of illumination shall have a uniform pattern of at least one-half (0.5) foot candles.
- 9) All landscaping must be fully enclosed by curb or seating wall constructed of a masonry or metal material with a minimum of 6 inch in height. Landscaping shall be elevated to match the height of the curb or seating wall. Fencing is discouraged, but may be set into the required curb.

G) GREEN BUILDING REQUIREMENTS

- 1) For new construction projects with more than 9,000 square feet of roof top area, 90% of all roof top area not used for recreation space, solar panels, elevator or stair housing or other areas necessary for mechanical equipment must be a "green roof".
- 2) All plumbing fixtures must demonstrate a 30% improvement over US EPA 1992 Energy Policy Act standards. All new toilets must be a dual-flush design and use an average of 1.28 gallons per flush or less and achieve the US EPA HET standard. All new shower heads and faucets must be equipped with aerators or other mechanisms to reduce water flow.
- 3) All new construction must demonstrate 20% improvement in energy efficiency of the building envelope and mechanical systems over ASHRAE 90.1 2007 or the most recently adopted energy standards by NJ Department of Energy.
- 4) All paints and carpets must be "low VOC" generally defined as having less than 60 grams per liter of volatile organic compounds.
- 5) All new installed appliances and light bulbs must be Energy Star rated.
- 6) The recycling and reuse of grey water is encouraged when feasible.

H) BUILDING AMENITY REQUIREMENTS

- 1) All buildings with 4 or more units must provide a washer/dryer room in the building.
- 2) Buildings with over 50 units must include at least 2% of the units designed with 3 bedrooms or more.

- 3) Buildings with 4 or more floors must provide an elevator.
- 4) A minimum of 30% of the lot area must be dedicated to useable recreation space by occupants. This space may be placed in a rear yard or on a roof. Roof decks are encouraged and may be necessary to achieve this requirement.
- 5) Showers and other facilities necessary to support people biking to work is required in all office buildings and other major centers of employment greater than 100,000 square feet.

D) BUILDING MATERIALS REQUIREMENTS

- 1) Synthetic stucco materials such as EIFS is prohibited.
- 2) Concrete block may not be used as a decorative finish on any facade.
- 3) Exterior doors including emergency exits and utility access shall not be secured with a pad lock. All door must include a built in lock mechanism.
- 4) Brick facades are encouraged to utilize multi toned brick selections with at least 3 tones so as not to create a dull or flat brick facade.
- 5) Front cantilevered balconies may project no more than 12 inches from the facade where located within 45 feet from grade or on the base of any "tower on a base" building design (see Section IV: C). Above a stepback, balconies may extend no more than the width of the stepback.
- 6) Use of chain link fencing, razor wire, barbed wire, or other similar security devises is expressly prohibited. Chain linked fencing may be temporality utilized during construction only.
- 7) Security Gates: All front security gates shall be completely composed of the open mesh type, except for two feet at the bottom of the gate which may be solid. Storage boxes for all security gates shall be mounted on the interior of the building. Gate tracks shall be recessed into the glazing reveal and the gate housing shall be flush with the plane of the storefront. No storage box, tracks or mechanical devices related to the gates may project from the plane of the storefront.

VIII) SIGNAGE REGULATIONS

A) Signage Approval Process

- 1) All signs are subject to site plan review when included as part of a major site plan application.
- 2) All temporary banner signs for marketing projects on site shall be considered as an interim use.
- 3) All new signage (except billboards) that complies with the redevelopment plan shall not require site plan approval.
- 4) Minor Site Plan application with deviation must be submitted to the Planning board for all non-conforming sign proposals.
- 5) Any signage (except billboards) more than 45 feet above grade is not permitted in this Redevelopment Plan. All requests for this type of signage constitutes a minor site plan application with deviation.
- 6) Billboards or theater marquees are subject to minor site plan review.
- 7) During construction, one (1) temporary sign indicating: the name of the project or development, general contractor, subcontractor, financing institution and public entity officials (where applicable) shall be permitted. The sign area shall not exceed forty (40) square feet.

B) Number and Size of Signage

- 1) The building address is required to be placed on either the main entry door, transom window, building, or awning flap at a maximum font height of 10 inches.
 - 2) Corner lot development is encouraged to display the street names on the building façade or imprinted into the sidewalk.
 - 3) Sign requirements along all Rights-of-Way where retail is mandatory (see *Map 4: Required Retail Use Map*):
 - (a) For retail, restaurants, bars, nightclubs, and other similar ground floor uses:
 - (i) Each use fronting on a public street may be permitted one (1) exterior sign per street frontage.
 - (ii) Maximum sign height shall be 24 inches.
 - (b) All other uses:
 - (i) Each such use fronting on a public street may be permitted one (1) exterior sign per entryway per street frontage. Buildings with multiple uses shall have no more than one (1) sign per use.
 - (ii) The total exterior sign area shall not exceed the equivalent of three (3) percent of the first story portion of the wall to which it is attached. In no case shall a sign on any structure exceed 10 square feet.
 - 4) Sign requirements along all Rights-of-Way where retail is not required (see *Map 4: Required Retail Use Map*):
 - (a) For retail, restaurants, bars, nightclubs, and other similar storefront uses:
 - (i) Each such use fronting on a public street may be permitted one (1) exterior sign per street frontage.
 - (ii) Maximum sign height shall be 18 inches.
 - (b) All other uses:
 - (i) Each such use fronting on a public street may be permitted one (1) exterior sign per entryway per street frontage. Buildings with multiple uses shall have not more than one (1) sign per use.
 - (ii) The total exterior sign area shall not exceed the equivalent of two (2) percent of the first story portion of the wall to which it is attached. In no case shall a sign on any structure exceed 8 square feet.
- C) Sign Design Requirements
- 1) All signs shall be attached to the first floor level of the building only, although blade signs may be attached to the first or second floor façade.
 - 2) All wall signs shall be flush mounted;
 - 3) All blade signs shall project no more than 30 inches from the facade and the bottom of the sign must be a minimum of 9 feet above the sidewalk.
 - 4) Window signs (other than lettering and logos as specifically permitted) shall be prohibited. Lettering or logos shall be limited to decorative metal leaf, flat black or etched / frosted glass style lettering and shall be limited to the name of the business occupying the commercial space / storefront and shall cover no more than twenty (20%) of the window area.
 - 5) Permitted signage material includes:
 - (a) Painted wood.
 - (b) Painted metals including aluminum and steel.
 - (c) Brushed finished aluminum, stainless steel, brass, copper, or bronze.
 - (d) Carved wood or wood substitute.

- 6) Permitted lettering material includes:
 - (a) Lettering forms applied to the surface of the sign.
 - (b) Single colored lettering forms applied to the surface of the sign.
 - (c) Metallic solid body letters with or without returns.
 - (d) Painted acrylic or metal letter.
 - (e) Vinyl lettering attached permanently to a wood, wood substitute or metal signboard.
 - 7) Signs may be lit from backlit halo, and up-lights. Internally lit signs and sign boxes are prohibited.
 - 8) Storefront windows shall not be blocked by any interior display case or other form of barrier. Pedestrians on the street shall have the ability to see into the shop and view the activity within.
 - 9) Signs may include the name of the store only. Building address, phone number, operating hours and other additional information may be stenciled on the door.
 - 10) One portable sign is permitted within of 8 feet of the entryway of the associated use. Portable signs are not permitted for parking garages.
- D) Parking Garage Signage
- 1) One (1) sign shall be provided per entrance to garages indicating the parking facility by the international parking symbol and direction arrow. The sign area shall not exceed twenty (20) square feet. If applicable, one (1) sign per entrance may be allowed indicating parking rates, not to exceed eight (8) square feet.
 - 2) Portable signs are not permitted for parking garages.
- E) Billboard Requirements
- 1) Billboards are only permitted within a 400 foot radius of the intersection of the center lines of Kennedy Boulevard and Bergen Avenue.
 - 2) Billboards are permitted only on building rooftops greater than 30 feet above grade. Billboards may also be permitted on a building facade only at the discretion of the Planning Board and only for the purpose of screening a blank wall or parking structures and within the 400 foot radius described above.
 - 3) All billboards are required to be coplanar, (placed in the same plane) with the building facade.
 - 4) Billboards may not exceed 20 feet in height and are required to be the same width as the portion of the facade it is built coplanar to.
 - 5) All support structures shall be screened from view from all public rights-of-way by the face of the billboard.
- F) Prohibited Signs
- 1) Freestanding signs, except for those indicating direction, transportation, circulation and parking are prohibited.
 - 2) Portable advertising signs not associated with use within 10 feet are strictly prohibited.
 - 3) Product advertising signage of any kind.
 - 4) Signage attached to parking meters, light poles, benches, or other street furniture.
 - 5) Monument signs
 - 6) Internally or externally illuminated box signs
 - 7) Flashing or animated signs, spinners, pennants, reflective materials that sparkle or twinkle

- 8) Window signs, posters, plastic or paper that appear to be attached to the window.
- 9) Pole signs.
- 10) Waterfall style or plastic awnings.

IX) REQUIRED LAND USE REGULATIONS

- A) Retail and/or other permitted active storefront type uses, which activate the adjacent sidewalk, are required along all public rights-of-way where indicated on *Map 4: Required Retail Use Map*. Active storefront type uses include, but not limited to, retail, storefronts, building lobbies, art galleries, bars and restaurants.
 - 1) Minimum depth of retail use shall be twenty-five (25) feet.
 - 2) No more than fifteen (15) percent and no more than twenty (20) consecutive linear feet may be dedicated to other uses such as meter rooms, blank walls, emergency exits, etc.
 - 3) Ground floor residential is only permitted if necessary to meet the requirements of the Americans with Disabilities Act, there is no elevator access, and provided the following conditions are met:
 - (a) Must be situated behind the retail use.
 - (b) The building must maintain a minimum of 600 square feet of retail space at grade level and at the front of the building.
 - (c) The building must incorporate a cellar not less than 600 square feet or 50% of the building's footprint, whichever is greater, to provide storage space for the retail use and for the location of trash rooms, mechanical rooms, meters or other infrastructure needs of the building so as to maximize available retail space at the ground floor level. Additional space may be allocated to residential tenants.

X) SPECIFIC LAND USE REGULATIONS

A) ZONE 1: CORE

The purpose of this zone is to provide for high-density, high-rise construction on parcels immediately adjacent to the Journal Square Transportation Center. As the center of the Journal Square plan with the greatest access to both heavy rail and bus transportation systems, this block has the greatest potential to provide housing, office space, and other uses in a transit oriented manner.

- 1) Permitted Principal Uses:
 - (a) Mid and High-rise Residential: no residential units permitted on the ground floor.
 - (b) Retail Sales of Goods and Services/Financial Services.
 - (c) Office: Permitted everywhere except ground floor.
 - (d) Art galleries
 - (e) Live/Work units and home occupations: except on the ground floor.
 - (f) Restaurants, category one and two.
 - (g) Hotels/Bed and Breakfast.
 - (h) Theaters.
 - (i) Child/Adult Day Care Centers: except on the ground floor.
 - (j) Night Clubs/Bars.
 - (k) Schools.
 - (l) Community Centers.
 - (m) Museums.
 - (n) Government uses.

- (o) Billboards: as per billboard requirements in Section VII: E above.
- (p) Any combination of the above
- 2) Accessory Uses
 - (a) Structured parking and loading
 - (b) Fences and seating walls
 - (c) Landscape features
 - (d) Improved Open Space
 - (e) Signs
 - (f) Rooftop Recreation
 - (g) Sidewalk Cafe: where sidewalk width permits.
- 3) Prohibited Uses
 - (a) Surface parking as a principal or accessory use.
 - (b) Drive-through facilities pertaining to restaurants, banks, pharmacies, and other drive through uses
 - (c) Gas stations, service stations, auto repair, auto body shops, and other automobile related uses (not including car share programs).
- 4) Lot Size and Dimension Requirements
 - (a) All existing lots at the time of adoption of this plan are conforming lots.
 - (b) Subdivisions must conform to the following minimum standards:
 - (i) Minimum lot area: 10,000 square feet.
 - (ii) Minimum lot width: 100 feet.
 - (iii) Minimum Lot Depth: 100 feet.
 - (iv) Shape Factor Maximum: 30
- 5) Maximum Floor Area Ratio (FAR) Standards
 - (a) The permitted Floor Area Ratio (FAR) for any new development shall be regulated according to the following table:

LOT SIZE (Square Feet)		Maximum Permitted FAR (residential primary use)	Maximum Permitted FAR (office primary use)
From	To		
0	5,999	4	4
6,000	19,999	8	6
20,000	29,999	16	8
30,000	59,999	20	12
60,000	∞	25	16

Table 3

- (b) The Floor Area Ratios in Table 3 above are inclusive of all built structures at or above grade including, but not limited to parking decks, lobbies, hallways, building core, common areas, etc.
- (c) Buildings over 210 feet must comply with "tower on a base" design requirements

in Section IV: C.

- 6) Minimum Building Height Requirement
 - (a) The minimum height for any new building shall be sixty-five (65) feet.
 - 7) Yard Requirements
 - (a) Front Yard Requirements:
 - (i) Front yard setback shall be sufficient to provide the minimum sidewalk width indicated in *Map 5: Required Sidewalk Width Map*, measured from the ground floor building facade to the existing curb-line at the time of adoption.
Example: If the existing sidewalk width is 10 feet, and the required sidewalk is 20 feet, then the required front yard setback shall be 10 feet.
 - (b) Side Yard Requirements:
 - (i) Side yards are not permitted within 10 feet of a right-of-way except where required by fire or building code to accommodate adjacent windows or as per the "Tower on a Base" requirements in Section IV: C.
 - (c) Rear Yard Requirements:
 - (i) No rear yard is required.
 - 8) Sidewalk and streetscape elements shall complement the established design, color, materials and street furniture of the Journal Square Streetscape improvements.
 - 9) The current public pedestrian access easement that traverses the Block 1866, Lot 36 and provides access between Sip Avenue and Concourse East shall be maintained at grade level. Its location may be shifted to the eastern edge of Block 1866, Lot 25H, parallel to the Hudson County College walkway. The existing College pedestrian walkway along the western side of Lot 27C on Block 1866 shall be maintained and widened to a minimum of 5 Feet.
 - 10) Improvement shall be provided to Concourse East to insure a seamless connection between the projects and usable shared sidewalk.
 - 11) It is required that Pavonia Avenue be widened by approximately ten feet (10') on the South side, in-line with a previous street widening in front on the Journal Square Transportation Center. The required setback along Pavonia Avenue therefore must be sufficient to accommodate this street widening as well as the required sidewalk width of twenty (20') feet, totaling an approximate thirty (30) foot setback from the existing curb line along this section of Pavonia Avenue. The land necessary for this right-of-way improvement shall be dedicated to the City. All setback and stepback requirements shall be measured from the new property lines created.
 - 12) A maximization of lot coverage and FAR is being permitted as a component of this zone due to its proximity to the Journal Square PATH station. At grade open space is not required on site, but instead must be provided as improvements to the Magnolia Ave kiss-and-ride drop off area as described in section VI) E above by any development adjacent to Magnolia Avenue for a length greater than 200 linear feet. Any developer that triggers this provision shall fund, improve, and maintain this new plaza entry way for the Journal Square Transportation Center. Any development application for building under this provision shall include the site plan development improvements for the plaza as part of the same application. Construction of the plaza shall be completed simultaneously with the principal building.
- B) ZONE 2: AIR-RIGHTS
- 1) The sole permitted use in this zone is for transportation uses. It is desirable in the

future to deck over the existing rail tracks and develop the air rights above for a variety of uses, including office, commercial and residential uses, and to incorporate public open space to create landscaped pedestrian plazas that form a continuous link from the Journal Square PATH station to the surrounding neighborhoods from Baldwin Avenue to Garrison Avenue. Recommended pedestrian corridors are shown on *Map 5: Required Sidewalk Width* and *Map 6: Circulation*. Building heights, forms, and permitted uses are to be determined as a future amendment to this redevelopment plan.

- 2) ~~It is desirable that privately owned land east of Summit Avenue in Zone 2 be reserved for public open space. To achieve this goal, any privately owned parcels in Zone 2 east of Summit Avenue may dedicate land to the City in exchange for an FAR bonus granted to an adjacent site in Zone 3 or 4. The bonus shall be calculated as a 1:1 ratio of land area to FAR. For example, a 10,000 square foot lot dedicated to the City may add 10,000 square feet of floor area above the permitted zoning on an adjacent site. Any structure built under this bonus provision shall have a maximum building height of 12 stories and 130 feet and must maintain a 30 foot separation buffer with the historic Summit House. Any structure built under this bonus provision that is adjacent to Zone 6 shall have a maximum building height of 8 stories and 85 feet.~~

C) ZONE 3: COMMERCIAL CENTER

The purpose of this zone is to provide for an active and intensive use of parcels surrounding the Journal Square Transportation Center. With close proximity and short walking distances to heavy rail and bus transit systems, this zone complements the established commercial center of Jersey City.

- 1) Permitted Uses:
- (a) Residential: permitted everywhere except on the ground floor of buildings greater than 65 feet in height.
 - (b) Retail Sales of Goods and Services/Financial Services.
 - (c) Offices: permitted everywhere except on the ground floor of buildings greater than 65 feet in height.
 - (d) Art galleries.
 - (e) Live/Work units and home occupations: except on the ground floor of buildings greater than 65 feet in height.
 - (f) Restaurants: category one and two.
 - (g) Structured Parking: provided the design standards of Section IV: D above are met. Structured Parking is not permitted at any street corner location.
 - (h) Hotels/Bed and Breakfast.
 - (i) Medical Offices
 - (j) Child and Adult Day Care Centers.
 - (k) Theatres/Night Clubs/Bars.
 - (l) Schools
 - (m) Museum
 - (n) Government uses.
 - (o) Billboards: as per billboard requirements in Section VII: E above.
 - (p) Any combination of the above.
- 2) Accessory Uses

- (a) Fences and seating walls.
 - (b) Landscape features.
 - (c) Improved Open Space.
 - (d) Signs.
 - (e) Rooftop Recreation.
 - (f) Sidewalk Cafe: where sidewalk width permits.
- 3) Prohibited Uses
- (a) Surface parking as a principal or accessory use.
 - (b) Drive-throughs pertaining to restaurants, banks, pharmacies, and other drive through uses.
 - (c) Gas stations, service stations, auto repair, auto body shops, and other automobile related uses (not including car share programs).
- 4) Lot Size and Dimension Requirements
- (a) All existing lots at the time of adoption of this plan are conforming lots.
 - (b) Subdivisions must conform to the following minimum standards:
 - (i) Minimum lot area: 7500 square feet.
 - (ii) Minimum lot width: 75 feet.
 - (iii) Minimum Lot Depth: 100 feet.
 - (iv) Shape Factor Maximum: 30
- 5) Density and Height Requirements
- (a) Density is not regulated by floor area ratio or units per acre in this zone. Instead, a "building envelope" is defined, depending on the size and shape of the site. Minimum room and unit sizes are regulated by building code.
- 6) Maximum and minimum building height shall be calculated based on the lot size according to the following table provided the required standards in the table are met:

Approximate Lot Dimension	Lot Area up to: (square feet)	Minimum Building Height (stories)/(feet)	Maximum Building Height (stories)/(feet)
	0 to 2499	3 / 32'	3 / 34'
25x100	2500 to 4999	3 / 32'	5 / 54'
50x100	5000 to 7499	4 / 42'	8 / 85'
75x100	7500 to 9999	5 / 52'	10 / 105'
100x100	10000 to 12499	5 / 52'	18 / 195'
125x100	12500 and up	5 / 52'	25 / 265'

Table 4

- 7) Building Stepbacks: To provide light and air to adjacent lots, buildings taller than 4 stories must provide a "stepback" from the property line at the following intervals:

Story Level	Front Stepback	Side Stepback	Rear Stepback
1	none	none	none
2 to 5	none	none	30'
6 to 10	10'	none	30'
11 to 18	10'	15'	30'
19 and up	See Tower on a Base Section IV: C.		

Table 5

8) Yard Requirements

(a) Front Yard Requirements:

- (i) Front yard setback shall be sufficient to provide the minimum sidewalk width indicated in *Map 5: Required Sidewalk Width Map*, measured from the ground floor building facade to the existing curb-line at the time of adoption.
Example: If the existing sidewalk width is 10 feet, and the required sidewalk is 20 feet, then the required front yard setback shall be 10 feet.
- (ii) Up to 30% of a building facade may be set back up to an additional 10 feet to accommodate outdoor seating areas or public space, but not for front yard car parking and must be designed to be impractical for such use.

(b) Side Yard Requirements:

- (i) Side yards are not permitted within 10 feet of a right-of-way except where required by fire or building code to accommodate adjacent windows or as per the "Tower on a Base" requirements in Section IV: C.

(c) Rear Yard Requirements:

- (i) No rear yard is required, however a second floor step back of 30 feet is required as per Table 5 above.
- (ii) For through lots, a 50 foot "rear yard" is required at grade or above the first floor, and centered in the middle of the block.
- (iii) Corner lots must stepback on the second floor 30 feet from any adjacent property's rear property line.

D) ZONE 4: NEIGHBORHOOD MIXED USE

The purpose of this zone is to provide for new housing, office space, and other uses on parcels within a 10 minute walk of the Journal Square Transportation Center. This zone continues the existing pattern of mixed land uses and building types while providing for increased height limits on corner lots.

1) Permitted Uses:

- (a) Residential: permitted everywhere except on the ground floor of buildings utilizing a corner height bonus depicted on *Map 3: Corner Lot Bonus Map*.
- (b) Retail Sales of Goods and Services/Financial Services.
- (c) Offices.
- (d) Art galleries.
- (e) Live/Work units and home occupations.
- (f) Restaurants: category one and two.

- (g) Structured Parking: provided the design standards of Section IV: D above are met. Structured Parking is not permitted at any street corner location.
 - (h) Hotels/Bed and Breakfast.
 - (i) Medical Offices.
 - (j) Child and Adult Day Care Centers.
 - (k) Theatres/Night Clubs/Bars: on corner lots, provided no more than 60 decibels is measureable outside the establishment. Night clubs and bars are limited to 5000 square feet.
 - (l) Houses of worship.
 - (m) Museum.
 - (n) Schools.
 - (o) Community Centers.
 - (p) Government uses.
 - (q) Any combination of the above.
- 2) Accessory Uses
- (a) Structured and surface parking and loading.
 - (b) Fences and seating walls.
 - (c) Landscape features.
 - (d) Improved Open Space.
 - (e) Signs.
 - (f) Rooftop Recreation.
 - (g) Sidewalk Cafe: where sidewalk width permits.
- 3) Prohibited Uses
- (a) Surface parking as a principal use.
 - (b) Drive-throughs pertaining to restaurants, banks, pharmacies, and other drive through uses.
 - (c) Gas stations, service stations, auto repair, auto body shops, and other automobile related uses (not including car share programs).
 - (d) Billboards.
- 4) Lot Size and Dimension Requirements
- (a) All existing lots at the time of adoption of this plan are conforming lots.
 - (b) Subdivisions must conform to the following minimum standards:
 - (i) Minimum lot area: 7500 square feet.
 - (ii) Minimum lot width: 75 feet.
 - (iii) Minimum Lot Depth: 100 feet.
 - (iv) Shape Factor Maximum: 30
- 5) Density and Height Requirements
- (a) Density is not regulated by floor area ratio or units per acre in this zone. Instead, a "building envelope" is defined, depending on the size and shape of the site. Minimum room and unit sizes are regulated by building code.
 - (b) Maximum and minimum building height shall be calculated based on the lot size according to the following table provided the required standards in the table are met:

Approximate	Lot Area	Minimum	Maximum	Maximum	Maximum	Maximum
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Lot Dimension	up to: (square feet)	Building Height (stories)/(feet)	Building Height (stories)/(feet)	Building Height with Bonus "C" (stories)/(feet)	Building Height with Bonus "B" (stories)/(feet)	Building Height with Bonus "A" (stories)/(feet)
	0 to 2499	2 / 22'	3 / 34'			
25x100	2500 to 4999	2 / 22'	4 / 44'	5 / 54'	5 / 54'	5 / 54'
50x100	5000 to 7499	3 / 32'	5 / 54'	6 / 64'	6 / 64'	8 / 85'
75x100	7500 to 9999	4 / 42'	6 / 64'	6 / 64'	8 / 85'	8 / 85'
100x100	10000 and up	5 / 52'	6 / 64'	6 / 64'	8 / 85'	12 / 130'

Table 6

- (c) **Corner Lot Bonus:** Corner lots at selected locations are permitted a height bonus to encourage larger buildings at street corners as indicated in *Map 3: Corner Lot Bonus Map*. To qualify for the bonus height, corner lots must have the minimum lot size indicated in Table 6 for each bonus as well as the minimum sidewalk width indicated in *Map 5: Sidewalk Width Map*. Corner Bonus projects are not required to match adjacent front yard setbacks in section 6 below, but instead must provide a front yard setback from the existing curb-line at the time of adoption sufficient to meet the minimum sidewalk width as per the *Map 5: Sidewalk Width Map*. Projects must also comply with the minimum floor-to-ceiling height requirements and required building setbacks. The Corner Lot Bonus is applicable to a maximum lot area of 20,000 square feet.
- (d) **Whole block development provision:** where an entire block measuring greater than 30,000 square feet (not including any property in Zone 6) is consolidated, bounded only by rights-of-way, the development standards for Zone 3 may be applied provided that:
- (i) A 20 foot sidewalk is provided around the entire circumference of the block.
 - (ii) Tower setbacks of 12 feet are accommodated set back from the base facade.
 - (iii) Parking is not permitted to front along any right-of-way at grade level. All parking uses must be screened from view through the use of wrap units. Any non-parking permitted use must occupy the first floor along all rights-of-way to a depth of a minimum of 25 feet. Parking may only be exposed on or above the second story.
 - (iv) Properties in Zone 6 must be excluded from any site plan under this provision.
 - (v) No buildings may be placed in the right-of-way preservation area as indicated on *Map 6: Circulation*. All preservation areas must be designed as publicly accessible plaza.
- (e) **Building Setbacks:** To provide light and air to adjacent lots, buildings must provide a "setback" from the property line at the following intervals:

Story Level	Front Stepback	Side Stepback	Rear Stepback
1	none	none	none
2 to 4	none	none	30'
5	10'	none	30'
6	10'	5'	30'

7	15'	5'	30'
8	15'	10'	30'
9 and Up	See Tower on a Base Section IV: C		

Table 7

6) Yard Requirements

(a) Front Yard Requirements:

- (i) Front yard setback shall match the setback of the "Primary Building Façade" (see Article I of the Land Development Ordinance for definition of Primary Building Façade) on either side of the subject parcel, provided that the building setback to be matched shall be closest to the predominant (most frequently occurring) setback on the block front. Where sidewalk widths are less than 8 feet, the front yard setback requirement must be the minimum of 8 feet from front facade at the ground floor to the curb.
- (ii) Up to 30% of a building façade may be set back up to an additional 10 feet to accommodate stoops, outdoor seating areas or public space, but not for front yard car parking and must be designed to be impractical for such use.
- (iii) If the adjacent front yard setbacks are greater than 10 feet, and the project site has 60 feet or more of frontage on a right-of-way, then the building may limit the front yard setback requirement to 10 feet.
- (iv) Where retail is required as indicated in *Map 4: Required Retail Use Map*, the front yard setback shall be from the existing curb-line at the time of adoption sufficient to provide the minimum sidewalk width as depicted in *Map 5: Required Sidewalk Width Map*, measured from the ground floor building facade to curb. Example: If the existing sidewalk width is 10 feet, and the required sidewalk is 20 feet, then the front yard setback shall be 10 feet.

(b) Side Yard Requirements:

- (i) Where the adjacent building is less than four stories, the minimum side yard setback shall be 10% of the lot width up to a maximum requirement of 10 feet and the minimum required by fire or building code to accommodate adjacent windows.
- (ii) Where a ground floor retail use is mandatory (see *Map 4: Required Retail Use Map*), side yards are not permitted within 10 feet of a right-of-way except where required by fire or building code to accommodate adjacent windows.
- (iii) Where the adjacent building is greater than 4 stories, or where the adjacent building is built on the lot line, side yards are not permitted within 10 feet of a right-of-way except where required by fire or building code to accommodate adjacent windows.

(c) Rear Yard Requirements:

- (i) No rear yard is required, however a second floor step back of 30 feet is required as per the building step back table above.
- (ii) For through lots, a 50 foot "rear yard" is required at grade or above the first floor, and centered in the middle of the block.
- (iii) Corner lots must stepback on the second floor 30 feet from any adjacent property's rear property line.
- (iv) Where a rear lot line abuts a side lot line, only a side yard is required.

E) ZONE 5: COMMERCIAL MAIN STREET

The purpose of this zone is to continue the existing pattern of main street type commercial buildings along Newark Avenue while providing for efficient modern new construction and increased density on corner lots.

- 1) Permitted Uses:
 - (a) Residential: permitted everywhere except on the ground floor.
 - (b) Retail Sales of Goods and Services/Financial Services.
 - (c) Offices.
 - (d) Art galleries.
 - (e) Live/Work units and home occupations: permitted everywhere except on the ground floor.
 - (f) Restaurants: category one and two.
 - (g) Structured Parking: provided the design standards of Section IV: D above are met. Structured Parking is not permitted at any street corner location.
 - (h) Hotels/Bed and Breakfast.
 - (i) Medical Offices.
 - (j) Child and Adult Day Care Centers.
 - (k) Night Clubs/Bars: on corner lots, provided no more than 60 decibels is measureable outside the establishment.
 - (l) Museum.
 - (m) Any combination of the above.
- 2) Accessory Uses
 - (a) Structured parking and loading.
 - (b) Fences and seating walls.
 - (c) Landscape features.
 - (d) Improved Open Space.
 - (e) Signs.
 - (f) Rooftop Recreation.
 - (g) Sidewalk Cafe: where sidewalk width permits.
- 3) Prohibited Uses
 - (a) Surface parking as a principal or accessory use.
 - (b) Drive-throughs pertaining to restaurants, banks, pharmacies, and other drive-through uses.
 - (c) Gas stations, service stations, auto repair, auto body shops, and other automobile related uses (not including car share programs).
 - (d) Billboards.
- 4) Lot Size and Dimension Requirements
 - (a) All existing lots at the time of adoption of this plan are conforming lots.
 - (b) Subdivisions must conform to the following minimum standards:
 - (i) Minimum lot area: 2500 square feet.
 - (ii) Minimum lot width: 25 feet.
 - (iii) Minimum Lot Depth: 100 feet.
 - (iv) Shape Factor Maximum: 30
- 5) Density and Height Requirements

- (a) Density is not regulated by floor area ratio or units per acre in this zone. Instead, a "building envelope" is defined, depending on the size and shape of the site. Minimum room and unit sizes are regulated by building code.
- (b) Maximum and minimum building height shall be calculated based on the lot size according to the following table provided the required standards in the table are met:

Approximate Lot Dimension	Lot Area up to: (square feet)	Minimum Building Height (stories)/(feet)	Maximum Building Height (stories)/(feet)	Maximum Building Height with Bonus "C" (stories)/(feet)	Maximum Building Height with Bonus "B" (stories)/(feet)	Maximum Building Height with Bonus "A" (stories)/(feet)
	0 to 2499	3 / 32'	3 / 34'			
25x100	2500 to 4999	3 / 32'	4 / 44'	5 / 54'	5 / 54'	5 / 54'
50x100	5000 to 7499	3 / 32'	5 / 54'	6 / 64'	6 / 64'	6 / 64'
75x100	7500 to 9999	4 / 42'	6 / 64'	6 / 64'	8 / 85'	8 / 85'
100x100	10000 and up	5 / 52'	6 / 64'	6 / 64'	8 / 85'	12 / 130'

Table 8

- (c) **Corner Lot Bonus:** Corner lots at selected locations are permitted a height bonus to encourage larger buildings at street corners as indicated in *Map 3: Corner Lot Bonus Map*. To qualify for the additional height, corner lots must have the minimum lot size indicated in Table 8 above for each bonus as well as the minimum sidewalk width indicated in *Map 5: Required Sidewalk Width Map*. Corner Bonus projects are not required to match adjacent front yard setbacks in Section 5 below, but instead provide a front yard setback from the existing curb-line at the time of adoption sufficient to meet the minimum sidewalk width. Projects must also comply with the minimum floor-to-ceiling height requirements and required building setbacks. The Corner Lot Bonus is applicable to a maximum lot area of 20,000 square feet.
- (d) **Building Setbacks:** To provide light and air to adjacent lots, buildings taller than 4 stories must provide a "setback" from the property line at the following intervals:

Story Level	Front Setback	Side Setback	Rear Setback
1	none	none	none
2 to 5	none	none	30'
6	10'	none	30'
7 to 8	15'	10'	30'
9 and Up	See Tower on a Base Section IV: C		

Table 9

6) Yard Requirements

(a) Front Yard Requirements:

- (i) The front yard setback shall be sufficient to provide the minimum sidewalk width as indicated in *Map 5: Required Sidewalk Width Map*, measured from the ground floor building facade to the existing curb-line at the time of adoption. Example: If the existing sidewalk width is 10 feet, and the required sidewalk is 20 feet, then the front yard setback shall be 10 feet.
- (ii) Up to 30% of a building façade may be set back up to an additional 10 feet to accommodate outdoor seating areas or public space, but not for front yard car parking and must be designed to be impractical for such use.

(b) Side Yard Requirements:

- (i) Side yards are not permitted within 10 feet of a right-of-way except where required by fire or building code to accommodate adjacent windows.

(c) Rear Yard Requirements:

- (i) No rear yard is required, however a second floor step back of 30 feet is required as per Table 9 above.
- (ii) For through lots, a 50 foot "rear yard" is required at grade or above the first floor, and centered in the middle of the block.
- (iii) Corner lots must stepback on the second floor 30 feet from any adjacent property's rear property line.

F) ZONE 6: PRESERVATION

Situated with the original palisaded town of Bergen to the south, and Newark Avenue and Five Corners to the north; the Journal Square 2060 Redevelopment Plan Area has been the site of architectural endeavors for some 350 years. Although many early buildings have been razed in the development of the area, much remains to give us an idea of the area's development: socially, economically, architecturally, historically and culturally. Many resources remain that are locally significant and that still possess integrity of location, design, setting, materials, workmanship, feeling, and association. These buildings and streetscapes give the area a unique sense of place different not experienced elsewhere in the city.

During prior waves of development in the twentieth century, when the area's landscape changed from that of a suburban small town to the city's Central Business District, important buildings were demolished, altered, or moved. Development, especially in the first half of the twentieth century, was sometimes undertaken without examination and appreciation of past cultural and architectural development. This plan seeks to preserve important resources which help to define the unique character of the Journal Square area. This Zone shall preserve a wide variety of buildings characteristic of the area's varied development encompassing the seventeenth century Newkirk / Summit House, the eighteenth and nineteenth century Apple Tree House, Victorian brick townhouse rows, a Classical Revival Terrace on East Street, late 19th century mixed use developments and large early 20th century apartment buildings as well as churches, theatres and office buildings.

The properties that have been selected for Zone 6: Preservation have, paraphrasing the National Register Criteria for Evaluation:

- A. Been associated with events that have made significant contribution to the broad patterns of our history; or
- B. Are associated with the lives of persons significant in our past; or
- C. Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. Have yielded, or may be likely to yield, information important in prehistory or history.

To respect the special character that the Journal Square area has acquired and retained over the past three and one half centuries, the buildings included in this Preservation Zone shall be rehabilitated in accordance with the *Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties* so that future generations can be delighted by the history and architecture of the Journal Square Neighborhood.

- 1) Permitted Uses:
 - (a) All uses at their existing location at the time of adoption of this Plan are permitted.
 - (b) New uses shall be considered by the Planning Board on a case by case basis, guided by adjacent uses only. Because historic buildings in this zone are scattered throughout the Plan Area, and are situated in a variety of land use areas, the permitted uses in this zone must be contextual to the site.
- 2) Lot Size and Dimension Requirements
 - (a) All existing lots at the time of adoption of this plan are conforming lots.
 - (b) Subdivision is not permitted.
- 3) Height and Bulk Requirements
 - (a) The existing building height, floor area, established setbacks and the exterior building envelope as of the adoption of this Plan shall constitute the development standards of each building. Any change to the above standards shall constitute a deviation from this plan.
 - (b) Minor alterations in site plan and façade characteristics may be permitted by the Planning Board provided such alterations are consistent with the above standards for this zone. Any changes not consistent with this Plan are cognizable under a deviation application, and will be judged on their merits.
- 4) Yard and Coverage Requirements
 - (a) building coverage: existing
 - (b) lot coverage: existing
 - (c) front yard: existing
 - (d) side yard: existing
 - (e) rear yard: existing

5) Building Design Requirements

- (a) All visible façades must retain historic building fabric where practicable. Architectural elements must be fully retained, preserved, restored, or recreated as necessary, based on site, photographic, or period documentation.
- (b) Any rehabilitation is to be done in compliance with the *Secretary of the Interiors Standards and Guidelines for the Treatment of Historic Properties*
- (c) All building must comply with all State or national historic register regulations.
- (d) Parking is not permitted in this zone unless present at the time of adoption of this redevelopment plan.

G) ZONE 7: DECO

The purpose of this zone is to retain and preserve the early twentieth century art-deco facades along Bergen Avenue while providing for vertical additions to these historic facades.

1) Permitted Uses:

- (a) Residential: permitted everywhere except on the ground floor.
- (b) Retail Sales of Goods and Services/Financial Services.
- (c) Offices: permitted everywhere except on the ground floor.
- (d) Art galleries.
- (e) Live/Work units and home occupations: permitted everywhere except on the ground floor.
- (f) Restaurants: category one and two.
- (g) Hotels/Bed and Breakfast.
- (h) Medical Offices: permitted everywhere except on the ground floor.
- (i) Child and Adult Day Care Centers: permitted everywhere except on the ground floor.
- (j) Night Clubs/Bars: on corner lots, provided no more than 60 decibels is measureable outside the establishment. Night clubs and bars are limited to 3000 square feet.
- (k) Museum.
- (l) Any combination of the above.

2) Lot Size and Dimension Requirements

- (a) All existing lots at the time of adoption of this plan are conforming lots.
- (b) Subdivision is not permitted.

3) Height Requirements

- (a) Maximum building height: 8 stories and 85 feet
- (b) Building Stepbacks: a 15 foot front stepback is required for any additions above the existing deco buildings along Bergen Avenue. A 5 foot stepback is required for any additions on Newkirk Street.

4) Yard Requirements

- (a) The maximum permitted building and lot coverage shall be the existing building and lot coverage at the time of adoption of this Plan.

5) Building Design Requirements

- (a) All visible façades must retain historic building fabric where practicable. Architectural elements must be fully retained, preserved, restored, or recreated as necessary, based on site, photographic, or period documentation.
- (b) Any facade rehabilitation is to be done in compliance with the *Secretary of the Interiors Standards and Guidelines for the Treatment of Historic Properties*
- (c) The front façade of any roof top addition must include 75 % glazing which will minimize any impact the addition may have on the historic resource.
- (d) Parking is not permitted in this zone.

H) ZONE 8: BERGEN SQUARE

The purpose of this zone is to demarcate and preserve the footprint, block, and lot lines of the original Dutch settlement of Bergen, established in 1661. This zone provides for mixed use development respecting the established height limits and development context found in Bergen Square.

1) Permitted Uses:

- (a) Residential: permitted everywhere except on the ground floor of buildings utilizing a corner height bonus.
- (b) Retail Sales of Goods and Services/Financial Services.
- (c) Offices.
- (d) **Medical Offices**
- (e) Art galleries.
- (f) Live/Work units and home occupations.
- (g) Restaurants: category one and two.
- (h) Bed and Breakfast.
- (i) Child and Adult Day Care Centers.
- (j) Night Clubs/Bars: restricted to Bergen Ave, provided no more than 60 decibels is measureable outside the establishment.
- (k) Schools.
- (l) Community Centers.
- (m) Government uses.
- (n) Museum.
- (o) Any combination of the above.

2) Accessory Uses

- (a) Fences and seating walls.
- (b) Landscape features.
- (c) Improved Open Space.
- (d) Signs.
- (e) Rooftop Recreation.
- (f) Sidewalk Cafe: where sidewalk width permits.

3) Prohibited Uses

- (a) Surface parking as a principal or accessory use.
 - (b) Drive-throughs pertaining to restaurants, banks, pharmacies, and other drive through uses.
 - (c) Gas stations, service stations, auto repair, auto body shops, and other automobile related uses (not including car share programs).
 - (d) Billboards.
- 4) Lot Size and Dimension Requirements
- (a) All existing lots at the time of adoption of this plan are conforming lots.
 - (b) Subdivisions must conform to the following minimum standards:
 - (i) Minimum lot area: 2500 square feet.
 - (ii) Minimum lot width: 25 feet.
 - (iii) Minimum Lot Depth: 100 feet.
 - (iv) Shape Factor Maximum: 30
- 5) Density and Height Requirements
- (a) Density is not regulated by floor area ratio or units per acre in this zone. Instead, a "building envelope" is defined, depending on the size and shape of the site. Minimum room and unit sizes are regulated by building code.
 - (b) Maximum and minimum building height shall be calculated based on the lot size according to the following table provided the required standards in the table are met:

Approximate Lot Dimension	Lot Area up to: (square feet)	Minimum Building Height (stories)/(feet)	Maximum Building Height (stories)/(feet)
	0 to 2499	2 / 22'	3 / 34'
25x100	2500 to 4999	2 / 22'	4 / 44'
50x100	5000 and up	3 / 32'	5 / 54'

Table 10

- (c) Building Stepbacks: To provide light and air to adjacent lots, buildings taller than 4 stories must provide a "stepback" from the property line at the following intervals:

Story Level	Front Stepback	Side Stepback	Rear Stepback
1 to 4	none	none	30'
5	10'	none	30'

Table 11

- 6) Yard Requirements
- (a) Front Yard Requirements:
 - (i) Front yard setback shall match the setback of the "Primary Building Façade" (see Article I of the Land Development Ordinance for definition of Primary Building Façade) on either side of the subject parcel, provided that the

building setback to be matched shall be closest to the predominant (most frequently occurring) setback on the block front.

- (ii) Where retail is required as indicated in *Map 4: Required Retail Use Map*, the front yard setback from the existing curb-line at the time of adoption shall be sufficient to provide the minimum sidewalk width as depicted in *Map 5: Required Sidewalk Width Map*, measured from the ground floor building facade to curb. Example: If the existing sidewalk width is 10 feet, and the required sidewalk is 20 feet, then the front yard setback shall be 10 feet.

(b) Side Yard Requirements:

- (i) Where the adjacent building is less than four stories, the minimum side yard setback shall be 10% of the lot width up to a maximum requirement of 10 feet and the minimum required by fire or building code to accommodate adjacent windows.
- (ii) Where a ground floor retail use is mandatory (see *Map 4: Required Retail Use Map*), side yards are not permitted within 10 feet of a right-of-way except where required by fire or building code to accommodate adjacent windows.
- (iii) Where the adjacent building is greater than 4 stories, or when the adjacent building is built on the lot line, side yards are not permitted within 10 feet of a right-of-way except where required by fire or building code to accommodate adjacent windows.

(c) Rear Yard Requirements:

- (i) A rear yard of 30 feet is required.
- (ii) Corner lots must stepback on the second floor 30 feet from any adjacent property's rear property line.

D) ZONE 9: PARKS

- 1) Parks, plazas, and other types of public open space are the only permitted at grade use in this zone. Underground parking facilities are also permitted beneath the required at grade park.

J) ZONE 10: TRANSITION

- 1) All parcels in Zone 10 must be submitted to the City Planning Division as a single site plan application, however construction may be phased.
- 2) A maximum of two buildings may be constructed in Zone 10, with the remainder of the zone developed as open space. One of the two buildings must be on Block 1863 Lot N25 adjacent to the historic Lowes Theatre. The second building must be situated south of the continuation of the Van Reipen Avenue right-of-way and a minimum of 40 feet from the Zone 2 boundary line.
- 3) The as-of-right building height shall be a maximum of 6 stories. This height limitation may be exceeded by constructing the un-built portions of Zone 10 as publicly accessible open space. Surface parking is not permitted. Each square foot of open space made available to the public may be converted to FAR applicable to the two permitted building sites at a ratio of 6:1. For example, 10,000 square feet of land designed as public open space will permit 60,000 additional square feet to be built above the permitted 6 stories. The building site on Block 1863 Lot N25 shall not be restricted in the amount of bonus FAR applied to this site, however any second building shall have a maximum height of 12 stories or 130 feet with applied bonus FAR.

- 4) The site plan for Zone 10 must be in conformity with all design requirements in Chapter VI as well as the required public sidewalk requirements found on *Map 5: Required Sidewalk Width*.

K) ZONE 11: TRANSITION

- 1) All land in Zone 11 must be submitted to the City Planning Board as a single site plan application, however construction may be phased.
- 2) Property in Zone 11 fronting on Summit Avenue, continuing to the east side of the West Street right-of-way and its extension to the south across Block 9604 Lot 11 and Block 10803 Lot 27 may utilize the development regulations of Zone 3 Commercial Center, with the following additional requirements:
 - (a) Summit House Plaza: A 30 foot side yard shall be provided along the southern property line of the Summit House at 510 Summit Avenue, one of the oldest buildings in the State of New Jersey. This yard area must be developed as a pedestrian plaza, and may include seating for restaurant or cafe type uses. Driveway egress only to Summit Avenue is permitted within the required plaza area.
 - (b) A 10 foot yard shall be provided along the eastern property line at the rear of the Summit House.
 - (c) No yard or building setbacks shall be required between any two buildings within Zone 11.
 - (d) Primary driveway entrance and exit must be from West Street.
 - (e) A 24 hour publicly accessible pedestrian easement and paved walkway shall be constructed along the full length of the southern property line of Block 10803 Lot 27 with a minimum width of 20 feet, running along the PATH rail tracks and connecting from Summit Avenue to the Zone 9 Park (see Map 5: Required Sidewalk Width Map).
 - (f) A building height bonus of 17 stories has been granted for this portion of Zone 11 due to the dedication of land for a public park. The maximum building height is therefore set at 42 stories and 440 feet.
- 3) Property in Zone 11 east of the West Street right-of-way and its extension to the south across Block 9604 Lot 11 and Block 10803 Lot 27 may utilize the development regulations of Zone 4 Neighborhood Mixed Use, with the following additional requirements:
 - (a) A publicly accessible pedestrian easement and paved walkway shall be constructed along the full length of the southern property line of Block 10803 Lot 27 with a minimum width of 20 feet, running along the PATH rail tracks and connecting from Summit Avenue to the Zone 9 Park (see Map 5: Required Sidewalk Width Map).
 - (b) Multi-level parking garages within this portion of Zone 11:
 - (i) shall have a height limit of 5 parking levels and 50 feet.
 - (ii) are required to provide a minimum 10 foot rear yard adjacent to Zone 6 and Zone 9.
 - (iii) shall not be required to provide building setbacks.

XI) DEFINITIONS

- A) All definitions shall refer to the Jersey City Land Development Ordinance.

XII) MAPS

- 1) Boundary Map
- 2) Zone Districts Map
- 3) Corner Lot Bonus Map
- 4) Required Retail Use Map
- 5) Sidewalk Width Map
- 6) Circulation Map

JOURNAL SQUARE 2060

MAP 2: ZONE DISTRICTS MAP

AUGUST 7, 2012

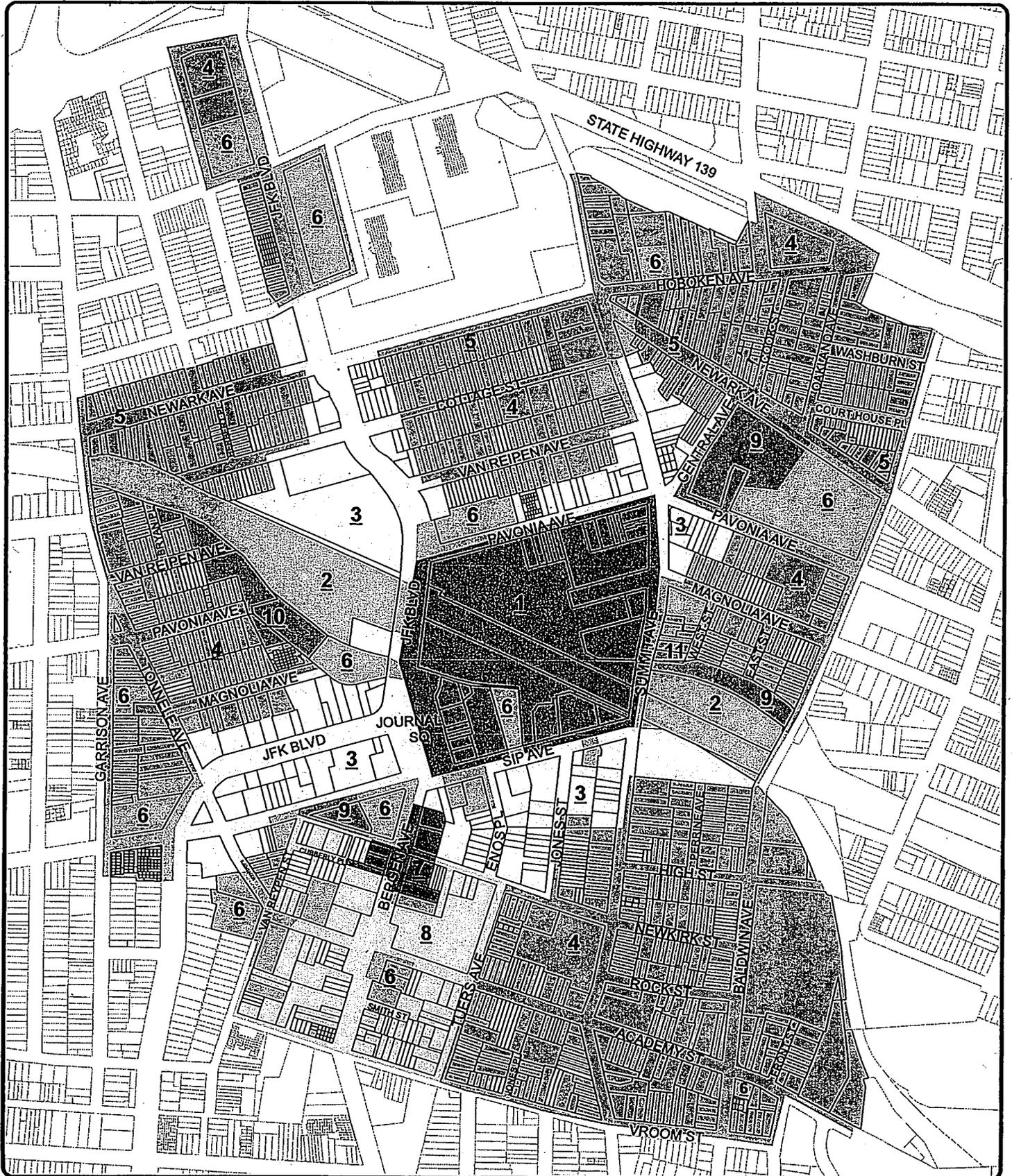
1 inch = 500 feet

0 250 500 1,000 Feet



Zone Districts

- Zone 1: Core
- Zone 2: Air-Rights
- Zone 3: Commercial Center
- Zone 4: Neighborhood Mixed Use
- Zone 5: Commercial Main Street
- Zone 6: Preservation
- Zone 7: Deco
- Zone 8: Bergen Square
- Zone 9: Parks
- Zone 10: Transition
- Zone 11: Transition



JOURNAL SQUARE 2060

MAP 5: REQUIRED SIDEWALK WIDTH MAP

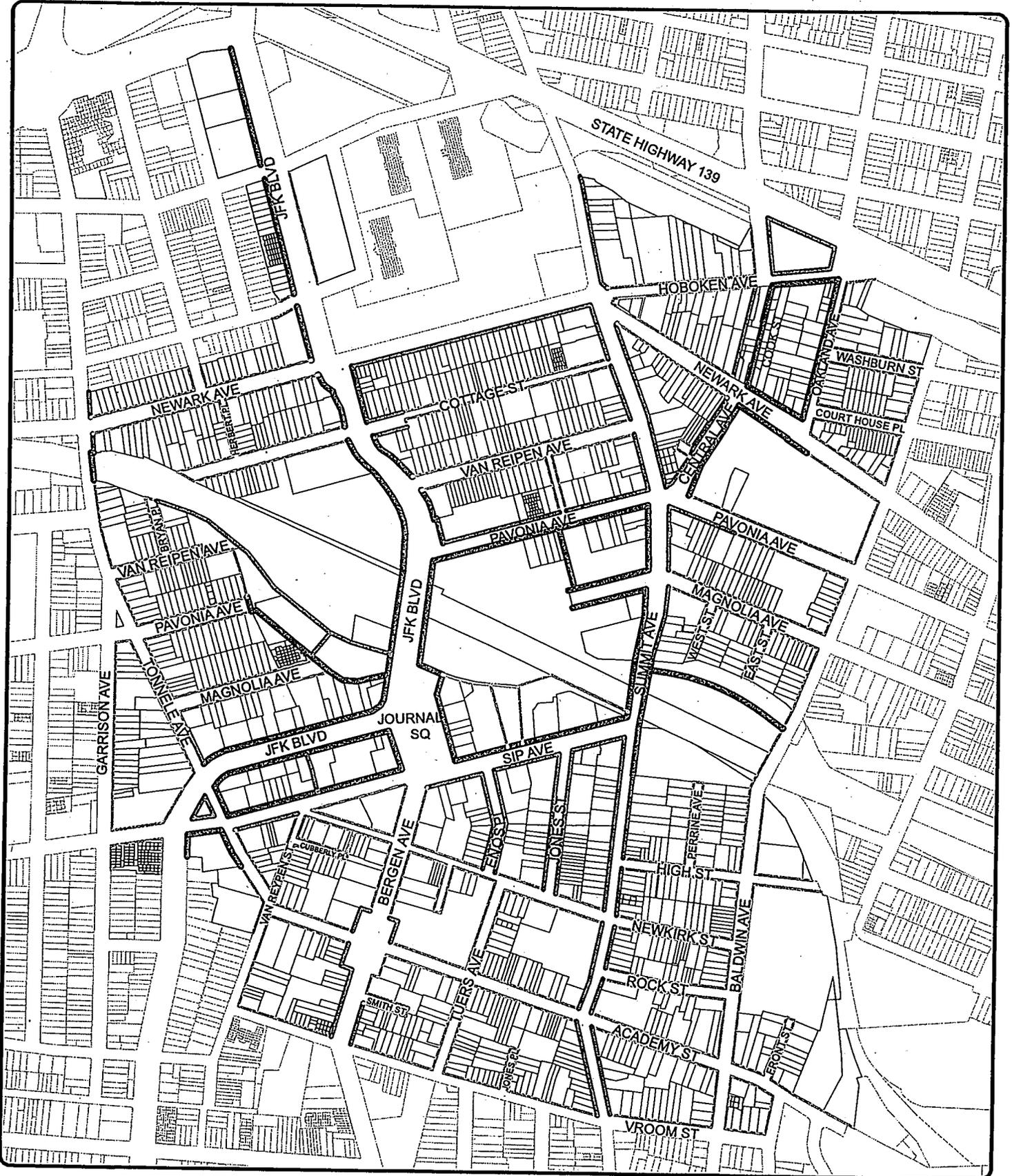
AUGUST 7, 2012

1 inch = 500 feet



Sidewalk Width Requirements

- 20 Foot Minimum Sidewalk Width
- 15 Foot Minimum Sidewalk Width
- Prevailing Width (Minimum of 8')





City Clerk File No. Ord. 12-117

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 12-117

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE JERSEY AVENUE PARK REDEVELOPMENT PLAN
NEW TAX BLOCK 6006 (FORMERLY TAX BLOCK 330)**

WHEREAS, the Municipal Council of the City of Jersey City adopted the Jersey Avenue Park Redevelopment Plan on March 14, 2007, and last amended it on November 23, 2010; and

WHEREAS, the Planning Board, at its meeting of August 21, 2012, determined that the Jersey Avenue Park Redevelopment Plan would benefit from amendments to revise Block 6006 building form standards; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Jersey Avenue Park Redevelopment Plan is attached hereto, and made a part hereof, and is available for public inspection at the office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the aforementioned amendments to the Jersey Avenue Park Redevelopment Plan be, and hereby are, adopted.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

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

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required

Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE JERSEY AVENUE PARK REDEVELOPMENT
PLAN NEW TAX BLOCK 6006 (FORMERLY TAX BLOCK 330)**

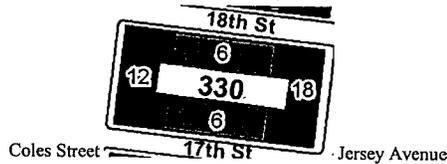
2. Name and Title of Person Initiating the Ordinance, etc.:

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

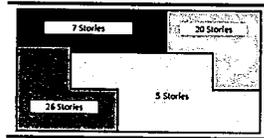
3. Concise Description of the Program, Project or Plan Proposed in the Ordinance:

- This ordinance proposes the following form based map change to Tax Block 6006. *No increase in density is accompanied with this change.*

From:



To:



- The amendment also proposes is to replace all references within the redevelopment plan of *designated developer* with *owner, developer, or designated developer*.

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

This Block contains the partially constructed Cast Iron Lofts Building. It was built pursuant to different zoning than the form based pattern that exists today. This change will allow for another building or buildings to be built on the balance of the block to match-up perfectly with the existing building, while still following the general pattern of the other neighborhood.

5. Anticipated Benefits to the Community:

A better project

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.

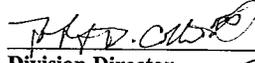
8. Anticipated Completion Date: N/A

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

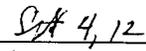
Robert D. Cotter, Director, City Planning	547-5050
Maryann Bucci-Carter, Supervisor, City Planning	547-4499

10. Additional Comments:

I Certify that all the Facts Presented Herein are Accurate.



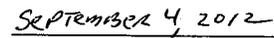
 Division Director



 Date



 Department Director Signature



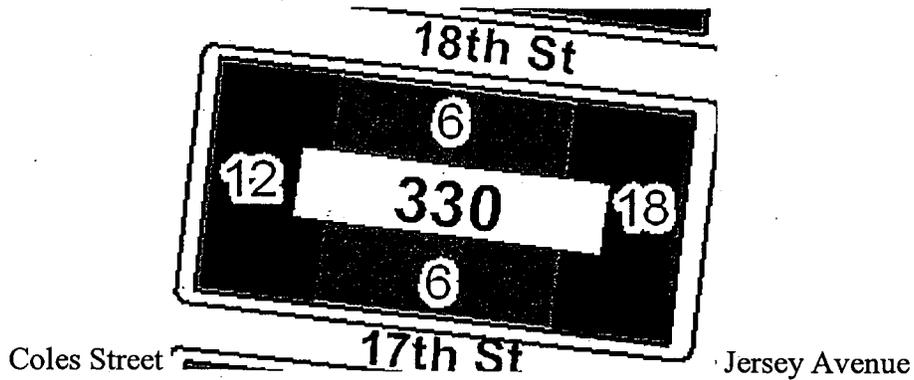
 Date

Summary

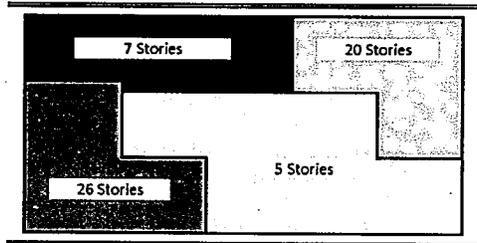
ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE JERSEY AVENUE PARK REDEVELOPMENT PLAN NEW TAX BLOCK 6006 (FORMERLY TAX BLOCK 330)

This ordinance proposes the following form based map change to Tax Block 6006. *No increase in density is accompanied with this change.*

From:



To:



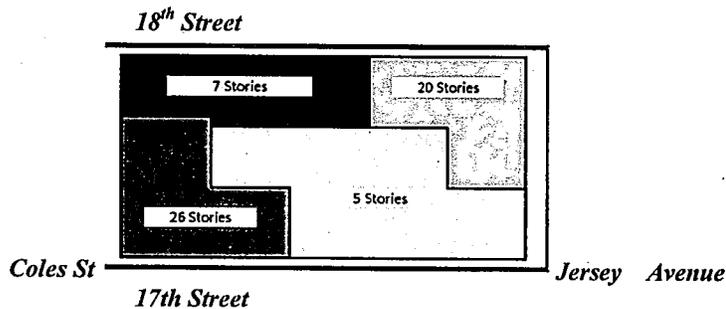
The amendment also proposes to replace all references within the redevelopment plan of *designated developer* with *owner, developer, or designated developer*.

Proposed Amendments to Jersey Avenue Park Redevelopment Plan Old Tax Block 330 (New Tax Block 6006)

Jersey City Planning Board

Date: August 21, 2012

1. Amend the Map entitled, Mixed Use District Proposed Heights Map to change the permitted development layout of Block 330 to the following:



Note: Mixed Use District Proposed Heights Map is attached for reference
No increase in density is accompanied with this change.

2. Delete all references to ~~designated developer~~ and amend such references to now read, owner, developer, or designated developer.

These changes occur in the following locations:

- Pg. 16 – C. Mixed Use District Bonus Provisions, bullet point 1
- Pg. 17 – C. Mixed Use District Bonus Provisions, bullet point 2

Note: Pages affected by this change are attached for reference

5. Additional Height Requirements:

- a. All residential floors above the first floor shall have a minimum floor to ceiling height of 9 feet and a maximum of 12 feet. Residential units on the first floor shall have a minimum floor to ceiling height at least 1 foot higher than the residential floors above.
- b. Ground floor commercial areas shall have a minimum floor to ceiling height of 12 feet. In addition, ground floor commercial space may include a mezzanine level, which shall not be counted as a floor. The maximum ceiling height of the commercial ground floor area shall not exceed 20 feet.
- c. The floor of all residential uses provided on the first floor of any building shall be located at least 30 inches above finished grade adjoining the building.
- d. Uses other than residential uses located above the ground floor shall have a minimum floor to ceiling height of 9 feet and a maximum of 15 feet.
- e. Buildings with frontage on Jersey Avenue may exceed the indicated height by up to two (2) additional stories, provided that the additional stories cover no more than 40% of the building foot print. These additional stories may be located at the corners of the building to create a tower effect, be centrally located or located in an asymmetrical design. The intent of this regulation is to create buildings which have an interesting profile along the tops of the building, permit architectural variety and interest and prohibit buildings with plain, box-like tops.
- f. Buildings with frontage on Coles Street may exceed the indicated height by no more than one (1) story, provided that the additional story covers no more than 30% of the building foot print. These additional stories may be located at the corners of the building to create a tower effect, be centrally located or located in an asymmetrical design. The intent of this regulation is to create buildings which have an interesting profile along the tops of the building, permit architectural variety and interest, and prohibit buildings with plain, box-like tops.
- g. Buildings located along the side streets between Jersey Avenue and Coles Street, indicated as being six (6) stories tall on the Proposed Height Plan, may have one additional story, provided that this story is setback a minimum of 5 feet from both the front and rear façade.
- h. Parapets and other roof-top appurtenances may exceed the permitted height within the limitations imposed by the City of Jersey City Land Development Ordinance.

6. Maximum Permitted Intensity of Development:

The owner/developer (designated redeveloper) may distribute permitted dwelling units and floor area among any properties owned by said owner/developer (designated redeveloper) within the Mixed Use District, provided that the distribution is consistent with the height, frontage and bulk requirements contained herein. Non-residential uses provided in areas where ground floor retail is either required or optional shall be allowed in addition to the permitted unit count / density. Where commercial uses are constructed above the ground floor, one (1) dwelling unit shall be deducted from the permitted density for every 1,000 square feet of commercial space constructed. The permitted base gross density in this district shall be 90 dwelling units per gross acre; inclusive of all rights-of-way (measured to the center line of the right-of-way adjoining the development parcel), open space, easements, etc. (whether existing or dedicated as part of these bonus provisions) within the mixed use district.

Bonus Provisions:

- The designated developer(s) of Blocks 328, 329, 330, 366 and 367 shall be entitled to receive a bonus of 60 dwelling units per gross acre if the developer agrees to dedicate the land necessary on Blocks 328, 329 and 330 in order to widen Jersey Avenue by 20 feet and to

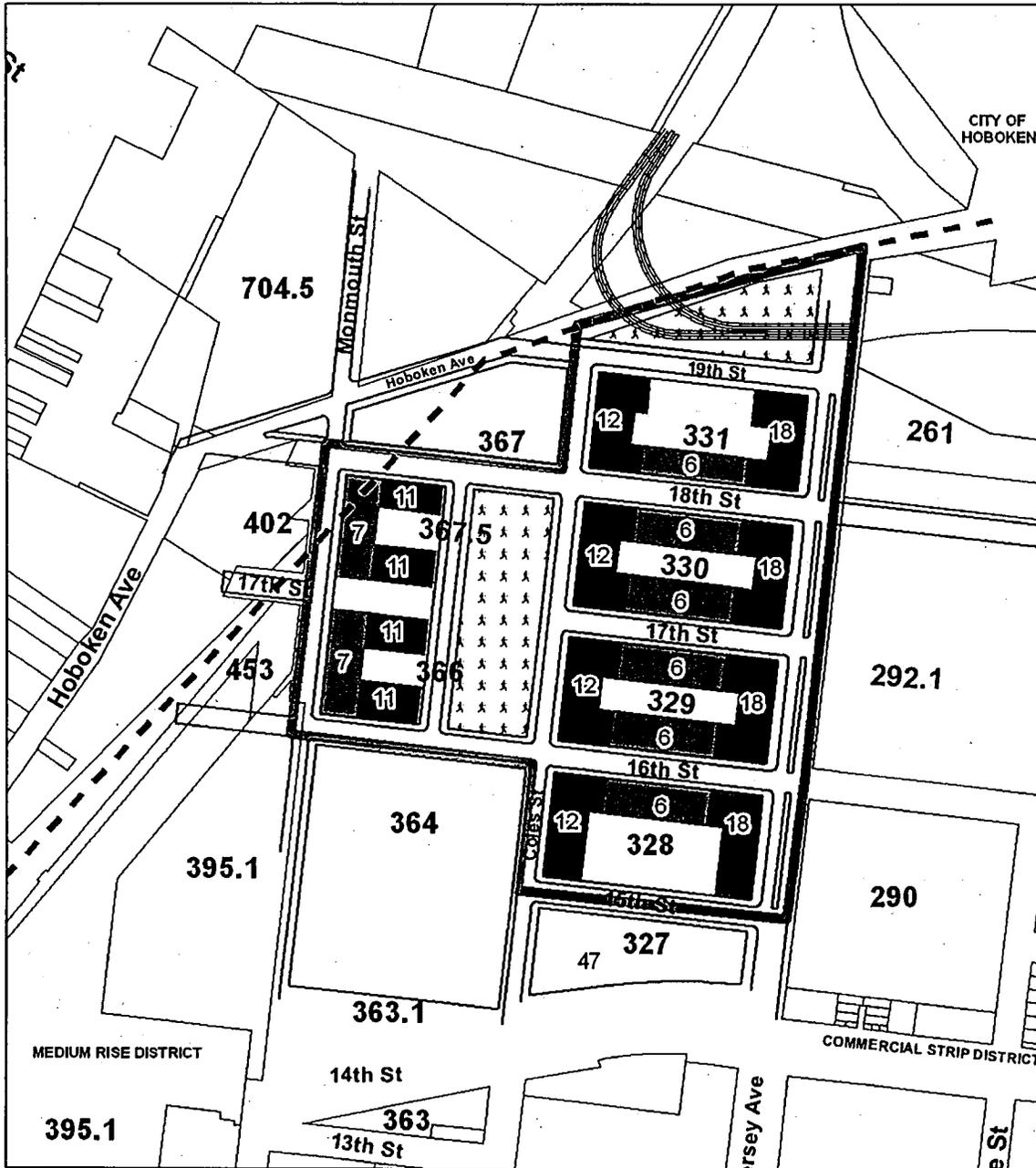
reconstruct Jersey Avenue to include a landscaped center median or landscaped mews along the western side of the street; and the developer(s) agrees to dedicate the land necessary to construct the park depicted on the maps included herein and to construct the park as a publicly dedicated open space. The Bonus Provisions of Section VII of this Plan are not available to Blocks 328, 329, 330, 366 and 367. Notwithstanding the above, and recognizing that development may be proposed and proceed on Blocks 328, 329 &/or 330 independent of development on Blocks 366 and 367, which would mean that the developers proceeding on Blocks 328, 329&/or 330 would be unable to dedicate land on Blocks 366 and 367 for the park; then the developer of parcels on Blocks 328, 329 &/or 330 shall be entitled to receive a bonus of 30 dwelling units per gross acre if the developer agrees to dedicate the land necessary on Blocks 328, 329 and 330 in order to widen Jersey Avenue by 20 feet and to reconstruct Jersey Avenue to include a landscaped center median or landscaped mews along the western side of the street; and the developer(s) shall be entitled to purchase up to the maximum total bonus (30 units per acre) available pursuant to Section VII of this Plan. The bonuses pursuant to Section VII of this Plan shall become available to the developer only after the developer has agreed to dedicate the land necessary on Blocks 328, 329 and/or 330 to widen Jersey Avenue by 20 feet and to reconstruct Jersey Avenue as described above. The funding raised by virtue of the purchase of these additional units shall be used to offset the acquisition &/or construction of the new park to be located on portions of Blocks 366 and 367.

- The designated developer of Block 331 shall be entitled to receive a bonus of 60 dwelling units per gross acre if the developer agrees to dedicate the land necessary on Block 331 in order to widen Jersey Avenue by 20 feet and to reconstruct Jersey Avenue and/or make necessary improvements to 18th Street, Coles Street and/or a new 19th Street; and the developer(s) agrees to purchase the maximum total bonus (30 units per acre) available pursuant to Section VII of this Plan. The bonuses pursuant to Section VII of this Plan shall become available to the developer only after the developer has agreed to dedicate the land necessary on Block 331 to widen Jersey Avenue by 20 feet and to reconstruct Jersey Avenue as described above. The funding raised by virtue of the purchase of these additional units shall be used to offset the acquisition &/or construction of the new park to be located on portions of Blocks 366 and 367.

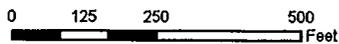
7. Minimum Unit Size: The minimum dwelling unit size for each type of dwelling unit (by bedroom count) is indicated below; along with the minimum and maximum percentage of each unit type permitted.

Unit Type / Bedroom Count	Minimum Unit Size	Min./ Max. Percentage
Studio	600 Sq. Ft.	0% to 10%
1 – Bedroom	750 Sq. Ft.	20% to 60%
2 – Bedroom	1000 Sq. Ft.	20% to 60%
3 – Bedroom & Up	1,250 Sq. Ft. plus 150 sq. ft. for each additional bedroom over the 3 rd bedroom..	0% to 30%

8. Required Lot Size: Traditional lot size requirements shall not apply within the Mixed Use District; provided, however, that all streets adjoining the block containing a proposed development shall be constructed as part of the construction of the subject development.



**Jersey Avenue Park Redevelopment Plan
Mixed Use District Map
Proposed Heights**



Legend

- Stories
- Open Space
- Palisades Preservation Overlay District
- Mixed Use District



City Clerk File No. Ord. 12-118

Agenda No. 3.E 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 12-118

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE CLARIFYING SITE PLAN REVIEW THRESHOLDS AS THEY PERTAIN TO PARKING

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, Section 345-16 of the Ordinance outlines the thresholds for site plan review, including thresholds for parking and loading facilities. However, this language is unclear and should be revised to prevent loopholes; 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 July 10, 2012 did vote to recommend that the Municipal Council include language clarifying Review Thresholds; 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.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

Robert D. Cotter, 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 JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE CLARIFYING SITE PLAN REVIEW THRESHOLDS AS THEY PERTAIN TO PARKING

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 Ordinance will amend the Land Development Ordinance (Zoning Ordinance) to clarify Site Plan Review Thresholds (§345-16). Amendments clarify the requirements for new or alterations to existing parking and loading facilities.

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

Existing ordinance language is unclear.

5. Anticipated Benefits to the Community:

Helps reviewing Board, interested parties, and community members understand what review thresholds are.

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.:

Carl Czaplicki, Director, Dept of HEDC
Robert D. Cotter, City Planning Director
Nick Taylor, Acting Director, Division of Zoning

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.



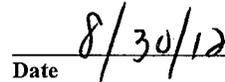
Division Director



Date



Department Director/Signature



Date

As of 7/10/12

§ 345-16 When Site Plan Approval Required

- A. Threshold for Major Site Plan Review. The following categories of site plans for new construction, rehabilitation and additions, pursuant to N.J.S.A. 40:55D-37a, fall within the major site plan review threshold and must receive Board approval prior to issuance of either a building permit or Certificate of Occupancy:
1. Creation of ten (10) or more dwelling units, regardless of number of structures and/or phases, and whether developed by one entity or several.
 2. Projects on parcels of ten thousand (10,000) or more square feet.
 3. Projects whose total gross floor area is ten thousand (10,000) or more square feet.
 4. Additions increasing gross floor area by two thousand five hundred (2,500) square feet or fifty percent (50%), whichever is less.
 5. Additions increasing coverage, by all structures on a project parcel, by two thousand five hundred (2,500) square feet or fifty percent (50%), whichever is less.
 6. Additions increasing gross floor area of all structures on a project parcel by fifty percent (50%) or two thousand five hundred (2,500) square feet, whichever is less.
 7. Off-street parking facilities, except for one or two family structures meeting minimum parking requirements and meeting the minimum stall size requirements.
 8. Changes in use requiring *new or* alteration of existing parking and/or loading facilities.
 9. Changes in the volume and/or configuration of existing parking and/or loading facilities.
 10. Wireless telecommunication towers.
- B. Threshold for Minor Site Plan Review. The following categories of site plans for new construction, rehabilitation and additions, pursuant to N.J.S.A. 40:55D-37a, fall within the minor site plan review threshold and must receive Board approval prior to issuance of either a building permit or Certificate of Occupancy:
1. Conversions, alterations, renovations and additions to existing storefronts.
 2. Wireless communication antennas.
 3. Projects whose total gross floor area is at least five thousand (5,000) and less than ten thousand (10,000) square feet.
 4. Any ancillary and/or mechanical equipment for a rooftop solar array which is located in any yard adjacent to a public right-of-way.
- C. Threshold for Site Plan Review within Redevelopment Plan Areas
1. Thresholds based on project size, gross floor area, lot area, additions, and all other criteria as outlined in §345-16(A) and (B) above shall apply to Redevelopment Plan Areas.
 2. Applications for new signage within a Redevelopment Plan Area shall be considered a Minor Site Plan.
 3. Site plan review shall not be considered necessary for the following site work:
 - a. Normal maintenance.
 - b. Health and safety upgrades that are essentially interior and do not require any changes to the site plan at grade.
 - c. Interior renovations.
 - d. Deck or balcony construction that otherwise complies with residential bulk standards of the applicable plan.
 - e. Installation of accessory structures that otherwise complies with requirements of the applicable redevelopment plan, with the specific exception of backup generators, which shall require minor site plan review.

SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE CLARIFYING SITE PLAN REVIEW THRESHOLDS AS THEY PERTAIN TO PARKING

This Ordinance will amend the Land Development Ordinance (Zoning Ordinance) to clarify Site Plan Review Thresholds (§345-16) as it pertains to parking and loading facilities.

City Clerk File No. Ord. 12-119

Agenda No. 3.F 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 12-119

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE EXCHANGE PLACE NORTH REDEVELOPMENT
PLAN TO UPDATE FEES, PROCEDURES, AND METES & BOUNDS**

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

WHEREAS, this Redevelopment Plan was adopted on February 3, 1983 and amended subsequently, most recently on June 29, 2011; and

WHEREAS, this Redevelopment Plan was intended to provide for the construction of residential and commercial development within comprehensively planned districts along the Hudson River; and

WHEREAS, the proposed amendment adds the standard fee and procedures language to this redevelopment plan as well as corrected metes and bounds description; and

WHEREAS, at its meeting of August 7, 2012, the Jersey City Planning Board, discussed the proposed amendments and unanimously recommended that the Municipal Council adopt the proposed amendments; and

WHEREAS, the Redevelopment Plan, reflecting the proposed amendments, 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 Redevelopment Plan, as Recommended by the Jersey City Planning Board on August 7, 2012 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 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.

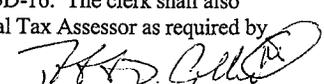
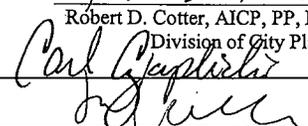
APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: _____

APPROVED: _____


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


Business Administrator

Certification Required

Not Required

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 EXCHANGE PLACE NORTH
REDEVELOPMENT PLAN TO UPDATE FEES, PROCEDURES, AND METES &
BOUNDS

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 Exchange Place North Redevelopment Plan to add the standard
procedures and fees language, as well as to correct errors in the written metes & bounds
description. Changes are administrative and will not affect area boundary or zoning.

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

Existing language in the Plan is out of date.

5. Anticipated Benefits to the Community:

Make the plan similar to all the other redevelopment plans of the City.

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.

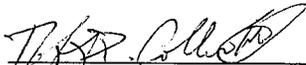
8. Anticipated Completion Date: N/A

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

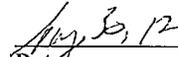
Robert D. Cotter, Director, City Planning 547-5050

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.



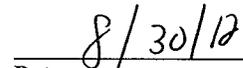
Division Director



Date



Department Director Signature



Date

SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE EXCHANGE PLACE NORTH REDEVELOPMENT PLAN TO UPDATE FEES, PROCEDURES, AND METES & BOUNDS

This ordinance amends the Exchange Place North Redevelopment Plan to add the standard procedures and fees language, as well as to correct errors in the written metes & bounds description. Changes are administrative and will not affect area boundary or zoning.

EXCHANGE PLACE NORTH REDEVELOPMENT PLAN

ADOPTED: FEBRUARY 3, 1983
WITH AMENDMENTS THROUGH:

MARCH 1986 : Ord. MC-356
AUGUST 1987 : Ord. C-17
JUNE 23 1999 : Ord. 99-080
JANUARY 12 2000 : Ord. 99-189
APRIL 12 2000 : Ord. 00-029
NOVEMBER 28 2001: Ord. 01-127
JUNE 13 2007 : Ord. 07-100
JANUARY 12, 2011 : Ord. 10-175
JUNE 29, 2011 : Ord. 11-072
PROPOSED August 7, 2012

I. INTRODUCTION

The purpose of the Exchange Place North Redevelopment Plan is to provide a comprehensive development plan that will assure future development within the project area. This is in keeping with the area's tremendous value and potential, given its proximity to the Hudson River waterfront, mass transit facilities and existing office and residential development along Montgomery Street. The Redevelopment Plan will serve to guide the physical development of the area, producing a unified relationship of buildings to each other and to the land and waterfront, to the Manhattan skyline, to existing and proposed roads and transit facilities, and to the existing surrounding neighborhoods and districts of Downtown Jersey City.

The setting for the Exchange Place North Redevelopment Plan is an area of approximately sixty (60) acres located on the Hudson River and just north of Exchange Place and Christopher Columbus Drive. The site abuts Jersey City's only area zoned C4 - Finance and Business, and yet the Study Area has never received the intensity of development evident in the Montgomery Street/Exchange Place area.

The Exchange Place PATH station is a short walk from most of the Redevelopment Area, as is the Grove Street PATH Station and Newark Avenue commercial shopping district, which abuts the site to the west. To the north and west of the area is the City's Warehouse District.

All of the existing development within the Study Area was or still is dependent upon railroads. As the railroads declined so did the properties they served. A new day is dawning in Jersey City and in the Exchange Place North Area as well. The Redevelopment Plan that follows will attempt to foresee that day and provide for and anticipate the development that inevitably will occur.

II. EXCHANGE PLACE NORTH STUDY AREA - BOUNDARY DESCRIPTION

~~* The Boundary Description is superseded by a Boundary Map as authorized by the City Council Amendment adopted January 12, 2000.~~

All of Blocks *13003, 11613, 11608, 11607, and partial 11603.* ~~8.1, 8.2, 8.3, 9, 11; Lots A, C9, C25, D of Block 15; all of Blocks 74, 75, 76, 104-105, 138; Lot S1 (vacated portion of Hudson street north of Christopher Columbus Drive)~~

BEGINNING at a point at the intersection of the centerline of Luis Munoz Marin Boulevard (formerly Henderson Street) and the centerline of Steuben Street, thence

in an easterly direction along the centerline of Steuben Street to a point at its intersection with the centerline of Washington Street, thence

in a northerly direction along the centerline of Washington Street to a point an its intersection with the centerline of *Bay First* Street, thence

- circulation systems which provide for separation of vehicular and pedestrian traffic, as well as for the maximum use of public transportation
- D. Creation of a well planned development area which will provide opportunities for permanent employment, housing, commercial and retail facilities within an area that is currently underutilized, contains substandard and obsolete structures and has physical impediments, all of which prevent sound development unless undertaken in a broad and comprehensive scale
 - E. Coordination of redevelopment activities to provide a uniform attack on blight which reinforces already existing renewal and improvement programs in adjacent areas, in accordance with a plan that integrates the Exchange Place North area with the rest of Jersey City
 - F. Take full advantage of the unique location of the Redevelopment Area along the Hudson River, directly opposite the scenic Manhattan skyline and proximate to two PATH stations
 - G. Expand the City's tax base by encouraging development of high intensity land uses, in keeping with the character of the area's adjacent high rise office and residential developments.
 - H. Encourage and provide for a variety of land uses which will generate and encourage a community active around the clock, populated by residents, business workers, and support personnel
 - I. Maximum participation by private sector developers with minimum assistance from the public sector
 - J. Coordinate redevelopment activities to provide a uniform and consistent attack on blight within the physical structure of Jersey City
 - K. Provide site improvements for the beautification of the Redevelopment Area and surrounding areas
 - L. Protect and preserve historic properties by providing opportunities for adaptive reuse consistent with the Redevelopment Plan
 - M. To promote balanced development in accordance with the Fair Housing Act, NJSA 52:27D-311, and the Housing Element and Fair Share Plan of the City of Jersey City Master Plan.

IV. TYPES OF PROPOSED REDEVELOPMENT ACTIONS

It is proposed to substantially improve and upgrade the Exchange Place North Study Area through a combination of redevelopment actions. These will include but not be limited to:

- A. Acquisition of and/or demolition of structures determined to be impediments-to sound and comprehensive redevelopment
- B. Retention and rehabilitation of sound compatible structures.
- C. Assemble into development parcels the vacant and underutilized land now in scattered and varied ownership
- D. Provisions for a full range of public infrastructure necessary to service and support the new development
- E. Construction of new structures and complementary facilities

VI. DESIGN REQUIREMENTS FOR BUILDINGS AND PARKING STRUCTURES

- A. **All Buildings Shall Have A "Base"** which shall be designed according to the following: [see Figure 1]
1. The base facade shall be from fifteen (15) to eighty five (85) feet in height
 2. The base facade shall be constructed of masonry, including but not limited to stone, brick, textured concrete etc. Glass shall constitute between forty percent (40%) and seventy five percent (75%) of the surface area of the base. If an arcade is provided, open space can be used in place of glass. If the base facade is greater than two (2) stories then the first two stories must have a minimum of 75% glass area except where residential units are to be incorporated into the building's base. Where residential units are incorporated into the base, the residential facades shall incorporate individual window openings, entrance doorways, with stoops and other architectural fenestration and elements that are characteristic of the surrounding neighborhood.
 3. At the top of the base, a visual cue or indicator such a cornice, belt coursing, a change in the glass to solid ratio or any other indicator consistent with the design, proportions and materials of the base shall be provided. As a substitute a stepback a minimum of ten (10) feet from the outermost edge of the base may be provided. The stepback shall occur at a minimum of thirty (30) feet and a maximum of eighty-five (85) feet from grade.
 4. All measurements specifying heights shall be taken from the average finished grade level for the perimeter of the building

- B. **Stepbacks** - In modern style buildings, employing a varied mix of stepbacks, setbacks, and building plains, 10% of the building frontage may maintain no stepback..

*Stepback Exemption for Tax Block *11607 8*-- For parking structures located on this parcel which contain a maximum of 7 parking levels and a minimum of three commercial floors above the parking, the elevator core and stairwell portion of the structure shall not be required to adhere to the stepback standards intended for buildings over 120 feet.

*Step-back exemption for Block *11603 10*, Lot *29 1*-(Plaza 4) – Buildings located on this site shall contain a curved brick façade on the east and south elevations. Window opening and window treatment shall appear uniform throughout all floors of the curved brick façade. Building conforming to these requirements shall not be required to step-back a minimum of 10 feet from the outermost edge of the base between 30 feet and 100 feet above grade.

1. All buildings exceeding one hundred twenty (120) feet shall be required to step

Lighting of this top shall be encouraged. [see Figure 7]

2. All major mechanical equipment located on any roof of a building shall be screened from view from all vantage points with a material harmonious to that used in the facade of the structure. The screening shall not impair the functioning of the equipment.
3. All electronic communication equipment shall be mounted in such a way that it does not negatively impact the appearance of the building nor create objectionable views as seen from surrounding structures.

D. Parking

1. Where a parking use occupies the lower levels of a building, and the structure's primary use is not parking, a maximum of fifty percent (50%) of the ground level perimeter of the building may be occupied by a parking or mechanical use. The fifty percent (50%) shall be located on the least heavily used pedestrian facade, shall be completely screened and shall be constructed of masonry as used in the base. The ground level masonry facade shall be articulated -in a manner providing visual interest. [see Figure 8]

Ingress and egress to the parking levels shall be included in the fifty percent (50%) calculation. The remaining fifty percent (50%) of the ground level perimeter shall be occupied by any permitted or accessory use other than parking or mechanical. Parking and/or mechanical uses may occupy one hundred percent (100%) of the perimeter above and/or below the ground level.

The structure shall have a base as specified in Item VI. A. Glass may be omitted or replaced by a material allowing the passage of air above the ground level.

Masonry, as used in the base, may also be substituted on all levels in place of glass. Provisions for setbacks as described in Item VI. B. shall apply.

2. All surface parking and parking structures shall be set back a minimum of ten (10) feet from the property line, except as necessary to provide ingress and egress and when meeting the requirements of 3 & 4 below. This setback area shall be landscaped to provide buffer and visual screening. The facade of the parking building shall be of a compatible material to that used throughout the development. [see Figure 9]
3. Where any side of the ground level of a parking structure is occupied by a permitted or accessory use other than parking and/or mechanical, that side of the building may be located up to the property line. The side(s) of the parking structure located at the property line shall have a base as specified in Item VI. A. Glass may be omitted or replaced by a material allowing the passage of air above the ground level. Masonry as used in the base may also be substituted for glass above the ground level. [see Figure 11]

3. Floor area ratios shall be defined for each specific use district in the appropriate section of this Plan. Any portion of an existing lot which is dedicated for use as the public Right of Way of Pearl Street will be permitted to be used by the developer of that lot in determining FAR and density for such lot.
4. Within Block 138 13003, sidewalk widths shall be increased to an average of Twenty (20) feet along Christopher Columbus Drive. The Planning Board shall also have the ability to vary this average slightly given after review of individual site plan circumstances. A minimum of fifteen (15) feet along Steuben Street, Warren Street, and Luis Munoz Marin Boulevard. Sidewalk widths may be increased by the use of building setbacks, colonnades, etc. Streets shall not be decreased in width in order to increase sidewalk widths.

G. Signage

1. One hotel identification sign shall be permitted on each frontage. The maximum sign area for each façade sign shall not exceed the following:
 - North and South façade identification signs shall not exceed 150 sq. ft.
 - West façade identification sign shall not exceed 250 sq. ft.
 - East identification façade sign shall not exceed 700 sq. ft.

Each identification sign shall not be directly illuminated or encased in plastic or similar translucent material. It may be indirectly illuminated and it must be consistent with the architecture of the building.

2. Residential : One (1) sign may be allowed, not to exceed fifty (50) square feet

3. Parking garages and lots

One (1) sign per vehicular entrance may be allowed, indicating the parking facility by the international parking symbol and a directional arrow, and not to exceed ten (10) square feet. One (1) sign per vehicular entrance may be allowed indicating parking rates, not to exceed twelve (12) square feet.

4. Retail sales, restaurants & health clubs, theaters, & night clubs

Each such use fronting on a public street may be allowed one (1) exterior sign, not to exceed ten percent (10%) of the area of the ground floor to which it is attached. Additionally, theaters and night clubs may have a marquee not to exceed fifty (50) square feet.

5. Sign standards

- a) all signs shall be flush mounted and project no more than fifteen (15) inches from the face of the building
- b) no sign shall be flashing or animated

2. Traffic & circulation analysis and plans, which shall include mass transit routes. Each time the Master Plan is significantly revised, a full traffic analysis shall be provided to the City for review. This analysis shall include the cumulative effect of the ingress and egress to all Project Phases and Plazas, the impact of the Light Rail relocation, Greene Street redesign, and affects on other adjacent and affected roadways created by the overall floor area proposed and projected by the Master Plan.
3. Parking and vehicular access plan
4. Environmental impact analysis
5. Utilities plan
6. Phasing plan
7. Fiscal impact analysis

Subsequent applications for preliminary site plan approval for specific elements or phases shall be consistent with the master plan. In reviewing such specific applications for preliminary site plan approval, the Planning Board may rely upon the studies submitted and reviewed during the master plan hearing, except that traffic analysis shall be provided for each site plan if determined necessary by the Director of City Planning. The Planning Board shall determine which major revisions of the master plan shall be required to come before the Planning Board for review.

B. Submission of redevelopment proposals

Prior to commencement of construction, architectural drawings, specifications, and site plans for the construction and/or rehabilitation of improvements to the Redevelopment Area shall be submitted by the redevelopers for review and approval by the Planning Board and by the Board of Commissioners of the Redevelopment Agency

C. Adverse influences

No use or reuse shall be permitted, which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare

D. Off-street parking and loading objectives

preliminary site plan approval and further provided that the number of parking spaces which may be available for use shall not exceed the maximum permitted spaces for the phase or phases which have received preliminary site plan approval. Interim uses for the excess parking shall not be permitted.

- c) The parking ratio for the excess spaces built, as referenced in Item B. above, shall be determined at the time of preliminary site plan approval for the phase of construction served by these parking spaces
- d) On weekdays, the excess spaces shall be available only after 9 AM, and shall be designated as visitor parking

10. Maximum off-street parking requirements/ interim policy

- a) residential - 1.0 space per unit
- b) offices/museums -
 - 1.0 space for every 1000 square feet of gross floor area up to 660,000 square feet
 - 0.9 space for every 1000 square feet of gross floor area above 660,000 square feet

Within Block 438 13003, parking spaces for Office Use shall meet the following maximum requirements:

- 1 Space/1000 sf. of gross floor area up to 500,000 sf.
- .5 Space/1000 sf. of gross floor area over 500,000 sf.

- c) hotels -
 - 1.0 space per room up to 100 units
 - 0.5 space per room for 101 to 250 units
 - 0.3 space per room for 251 to 500 units
 - 0 space per room for 501 units & above
- d). retail, restaurants, health clubs, night clubs - 0.5 space per 1,000 square feet of gross floor area
- e). theaters and convention centers - 1.0 space per 8 seats
- f). marinas - 0.33 space per berth
- g). heliports - no parking spaces are required

The above maximums are interim standards; a final determination on parking requirements will be made pending release of a Traffic Engineering Division analysis in the fall of 1987. All developers shall abide by any reduction in the permitted maximums for site plans submitted subsequent to the completion of this study, and adoption of a

shrubbery, attractive paving materials, street furniture, lighting and other architectural and artistic amenities to produce and provide a pleasant environment at street level to compliment the building and project area. Open space and plazas shall be designed to invite and attract the public. Elevated open space and plazas must also be so designed.

3. All screen planting shall be coniferous and only species with proven resistance to the urban environment in this area will be acceptable. Screen planting shall be a minimum of four (4) feet in height. Material shall be planted, balled and burlapped and of specimen quality as established by the American Association of Nurserymen. At initial planting the materials shall provide a screen from the top of the planting to within six (6) inches of grade. Other plant materials shall be dense, and of specimen quality determined as above. All deciduous trees shall be a minimum of two and one half (2.5) inches in caliper. All plants, trees and shrubs shall be installed in accordance with a planting schedule provided by the developer and approved by the Division of Urban Research and Design.
4. any landscaping which dies due to natural cause or vandalism within two (2) years of planting shall be replaced by the developer at their expense
5. all landscaped areas shall be serviced by underground watering facilities

F. Restriction Of Occupancy Or Use

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

G. Circulation And Landscaping Design Objectives

1. Unless unpaved, all open space shall be landscaped and maintained in an attractive condition
2. Open space for new construction shall be provided to the maximum extent feasible and be so located as to provide for maximum usability by residents, and to create a harmonious relationship of buildings and open space throughout the project area
3. Sidewalk areas shall be adequate for the movement of pedestrians through and around the site
4. Sidewalk areas shall be attractively landscaped and durably paved and shall be provided with adequate lighting
5. Trees and shrubs shall be planted along the curblines of streets and principal internal roadways at not more than 40 foot centers or in groupings, in a regular pattern and spaced alternately on either side of streets or roadways to further

written approval of the Redevelopment Agency and the Division of Engineering

- E. 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
- F. Prior to commencement of construction, architectural drawings, specifications, and site plans for the construction and/or rehabilitation of improvements to the project area shall be submitted by the developers to the Redevelopment Agency Board of Commissioners and the Planning Board for review and approval, so that compliance of such drawings, specifications, and plans to the redevelopment objectives can be determined
- G. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et seq. Site plan review shall consist of preliminary site plan application and final site plan application. Applications may be submitted for the entire project or in any number of phases. Preliminary site plan approval for any phase shall entitle an applicant to building permits.

~~Final site plan approval for any phase shall not be granted unless or until that phase is substantially completed, or performance guarantees for site improvements for that phase have been furnished by the redeveloper in accordance with NJSA 40:55D-53. No Certificate of Occupancy of any type shall be issued for any construction until the Planning Board has given final site plan approval for the phase in which such construction is located.~~

~~As part of any site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA:55D-3. Such performance guarantees shall be in favor of the City in a form approved by either the Corporation Counsel or the Planning Board attorney. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of site improvements within one (1) year of final site plan approval.~~

Prior to commencement of construction, architectural drawings and site plans with detailed specifications for the construction and/or rehabilitation of improvements to the area shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval so that compliance of such plans with the redevelopment requirements and objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases. Final Site Plan approval for any phase shall entitle an applicant to building permits.

As part of any Final Site Plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53 et seq. Such performance guarantees shall be in favor of the City in a form approved by the Jersey City Corporation Counsel. The amount of any such performance guarantees shall be

access point

- C. Exchange Place Station and the Grove Street Station shall serve the project area as the major mass transit facilities.
- D. Pedestrian movement shall be encouraged on city streets by providing attractively landscaped malls and plazas throughout the project area. Retail and Restaurant uses within commercial developments shall provide frontage on and direct access from city streets and plazas.
- E. The availability of transit on the surface of the Hudson River shall be encouraged in, or proximate to, the project area
- F. Air transportation in the form of helicopter service may be provided for as a conditional use
- G. The use of mass (public) transit by employees, residents, and visitors of the Redevelopment Area shall be encouraged

XI. SPECIFIC LAND USE PROVISIONS

Construction of the Hudson River Waterfront Walkway is required in conjunction with development within Harborside West District and development within the Harborside District. Refer to these districts for specific requirements.

A. River View District

- 1. Principal permitted uses
 - a. office buildings
 - b. multifamily residential structures
 - c. hotels
 - d. mass transit station
 - e. mixed use of any of the above
- 2. Accessory uses
 - All accessory uses located on the ground floor shall maintain at least one main entrance providing direct ingress and egress to the street.
 - a. parking garages when constructed as an integral part of any of the principal permitted uses in this district. Any base parking structure located on Block *13003* *438* shall wrap the first two stories of the parking base with residential development along the Steuben street frontage, public retail uses along the C. Columbus and Luis Munoz Marin Blvd. Frontage, and either retail or residential along the Warren Street frontage. The purpose of this requirement is to insure that no parking garage space

- b. restaurants
- c. theaters
- d. health clubs
- e. night clubs
- f. surface parking areas
- g. parking structures
- h. plazas and fountains

3. Maximum height

fifty (50) stories, however any story where a minimum of eighty percent (80%) of that level's gross floor area is used for parking and/or mechanicals shall not be considered in the maximum number of stories permitted. In no case shall any structure exceed 800 feet.

4. Area, yards and bulk - minimum lot size, one (1) acre

- a. buildings may be located up to any two property lines
- b. the floor area ratio (FAR) shall not exceed twelve (12); parking and mechanical levels shall not be included in this calculation

5. Specific design guidelines for the City View District

- a. in order to facilitate the development of a street wall, locating of buildings up to two (2) property line shall be encouraged
- b. any structure located on the First Street (north) frontage of Tax Block ~~13~~ **11603** shall align with or be set back further than the northern edge of the existing structure located on Tax Block ~~76~~ **11609**.

C. Harborside District

1. Principal permitted uses

- a. office buildings
- b. residential structures
- c. hotels
- d. transit station
- e. commuter ferry dock
- f. mixed use of any of the above

* Existing structures shall not be deemed a nonconforming use

2. Accessory uses

- a. parking garages when constructed as an integral part of and ancillary to any of

- b. Existing buildings may be allowed one hundred percent (100%) lot coverage. New construction occurring on existing piers shall not exceed coverage of seventy five percent (75%) of the pier deck, the balance to be preserved as improved open space. Existing pier structures may be maintained at their current coverage.

Where a heliport has been approved by the Planning Board, as a conditional use, the building coverage allowance shall be reduced in direct proportion to the square footage of the heliport as part of the conditional use approval. Where the building coverage is such that the minimum landscaping requirements cannot be met on the subject lot, the required landscaping may be provided on an adjacent lot.

- c. Any additional stories added to structures which exist at the time of adoption of this plan are required to provide for the protection of upland sightlines by the maintenance of two (2) one hundred (100) foot wide view corridors

6. Specific design guidelines for the Harborside District

All buildings located on piers shall be set back a minimum of ten (10) feet from the edge of the pier, in order to provide pedestrian and/or emergency vehicle access.

a. Waterfront Walkway Construction

The Hudson River Waterfront walkway esplanade shall at a minimum comply with the NJ State Waterfront Development Regulation. It shall be exterior to the building and shall be a minimum of 32 feet wide on two levels, 16 feet on the upper level and 16 feet on the lower level. The upper level shall be lined with pavers and the lower level shall be lined with a more durable, weather resistant surface such as fiberglass or similar composite materials used along the Jersey Shore boardwalks. Plantings along the walkway shall be tolerant of the brackish waterfront environment. Operable doors along the interior Harborside Terminal Building Arcade shall provide easy access to the walkway from interior spaces. The walkway shall connect to the exterior walkway space on each pier and the C. Columbus Drive to the South and Harborside Place, (North Pier Access Road), to the North. Perpendicular access shall also be provided during the day through the Atrium and exterior arcade doors.

There is expected to be a 2 foot to five foot differential in elevation between the upper and lower levels. They shall be connected by ramps and stairs and planters where the elevations permit. A visible screening barrier shall be incorporated into the design to shield the gap between the upper and lower level.

The 32 foot wide exterior walkway and exterior perpendicular access to it shall be

3. Maximum height

Fifty (50) stories, however any story where a minimum of eighty percent (80%) of that level's gross floor area is used for parking and/or mechanicals shall not be considered in the maximum number of stories permitted. In no case shall any structure exceed 800 feet.

4. Area, yards and bulk - minimum lot size, one (1) acre

- a. Buildings may be located up to any (2) two property lines
- b. The floor area ratio (FAR) shall not exceed fifteen (15); parking and mechanical levels shall not be included in this calculation

5. Waterfront Walkway Construction

The Hudson River Waterfront walkway esplanade shall at a minimum comply with the NJ State Waterfront Development Regulation. It shall be exterior to the building and shall be a minimum of 32 feet wide on two levels, 16 feet on the upper level and 16 feet on the lower level. The upper level shall be lined with pavers and the lower level shall be lined with a more durable, weather resistant surface such as fiberglass or similar composite materials used along the Jersey Shore boardwalks. Plantings along the walkway shall be tolerant of the brackish waterfront environment. Operable doors along the interior Harborside Terminal Building Arcade shall provide easy access to the walkway from interior spaces. The walkway shall connect to the exterior walkway space on each pier and the C. Columbus Drive to the South and Harborside Place, (North Pier Access Road), to the North. Perpendicular access shall also be provided during the day through the Atrium and exterior arcade doors.

There is expected to be a 2 foot to five foot differential in elevation between the upper and lower levels. They shall be connected by ramps and stairs and planters where the elevations permit. A visible screening barrier shall be incorporated into the design to shield the gap between the upper and lower level.

The 32 foot wide exterior walkway and exterior perpendicular access to it shall be opened for 24 hours.

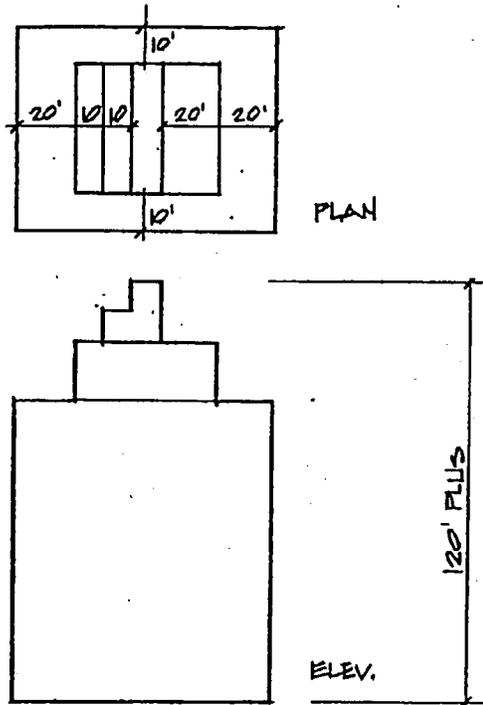
It is a requirement that the waterfront walkway improvements as referenced above shall be built concurrent with the issuance of the building permit for the full or partial development of any one of the following project segments:

- 1) the North Pier
- 2) the South Pier
- 3) Block 10 Lot 1 11603 Lot 29 (Plaza 4)
- 4) Block 10 Lot 16 11603 Lot 31 (Plaza 7)

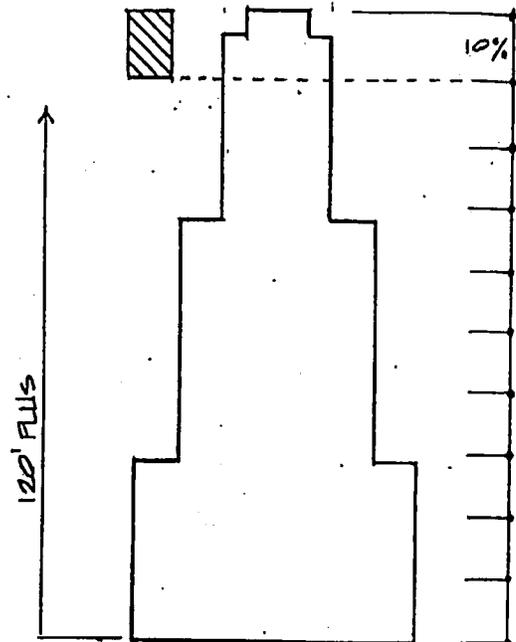
3. Provisions for the temporary and permanent relocation of persons living in the Redevelopment Area are not applicable as the area does not contain any residents nor residential structures.
4. The City of Jersey City, through the services of the Jersey City Redevelopment Agent relocation staff, will provide displaced commercial entities with the relocation assistance necessitated by State Law. This office will be staffed by qualified personnel who will actively assist displaced businesses and individuals in finding adequate accommodations. All businesses and individuals being displaced will be interviewed to determine their relocation requirements.

XIII PROCEDURE FOR AMENDING THE PLAN

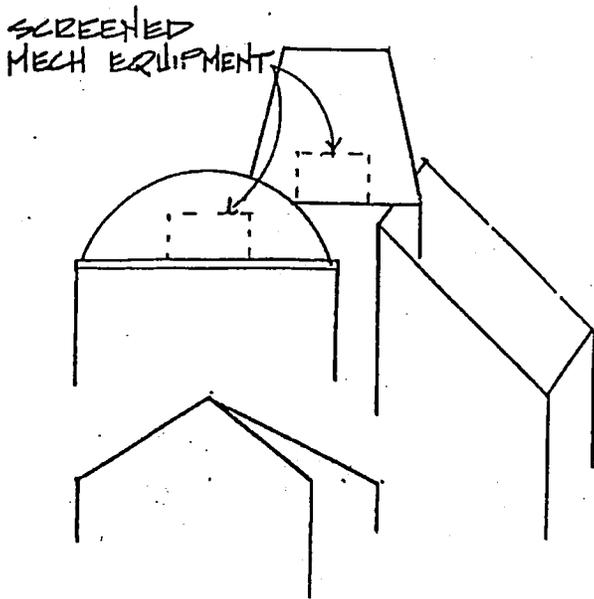
This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law. A fee of \$500 *1,000* plus all costs of copying and transcripts shall be payable to the City of Jersey City for any request to amend this Plan.



STEP BACK OPTION "C"
FIG. #5

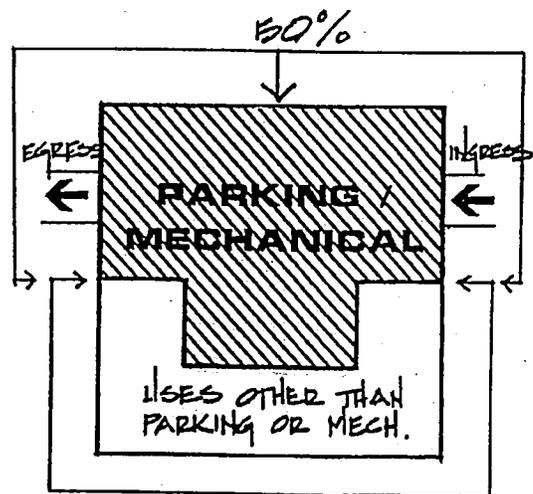


STEP BACKS IN TOP 10%
FIG. #6



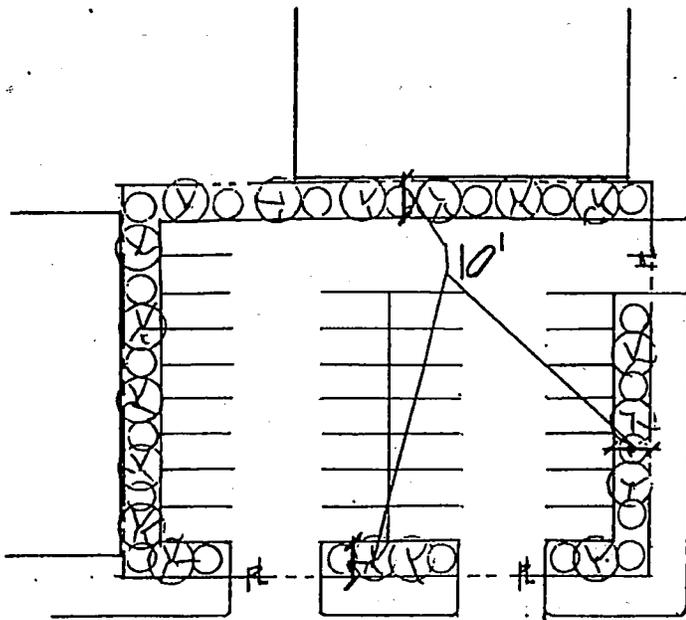
BUILDING TOPS

FIG. #7



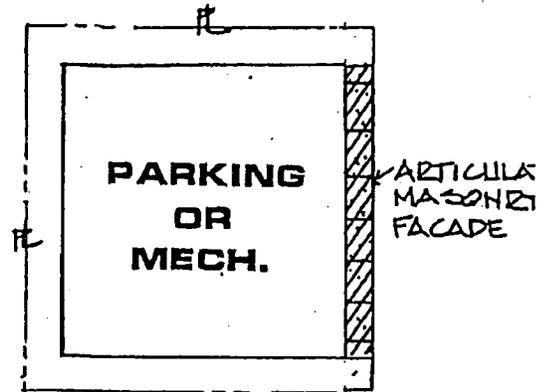
GROUND LEVEL PARKING
(MULTIUSE STRUCTURE)

FIG. #8



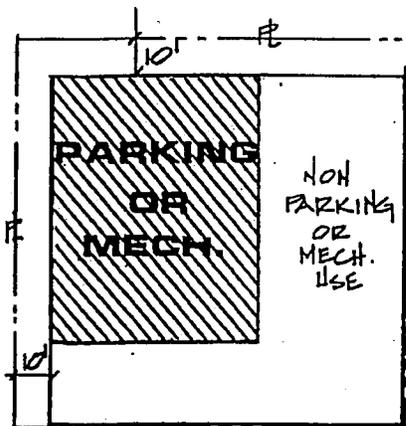
**OPEN PARKING STRUCTURE
SET BACKS**

FIG. #9



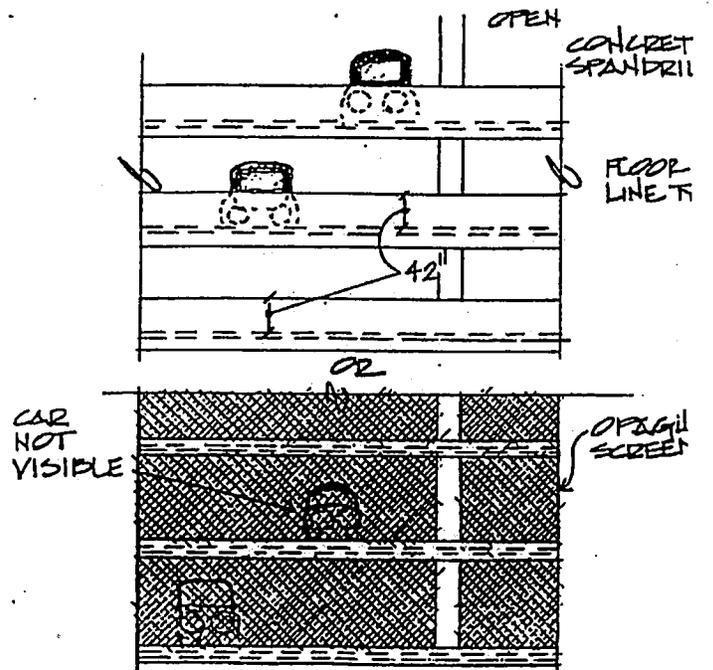
**PARKING STRUCTURE W/
MASONRY FACADE
(GROUND LEVEL)**

FIG. #10



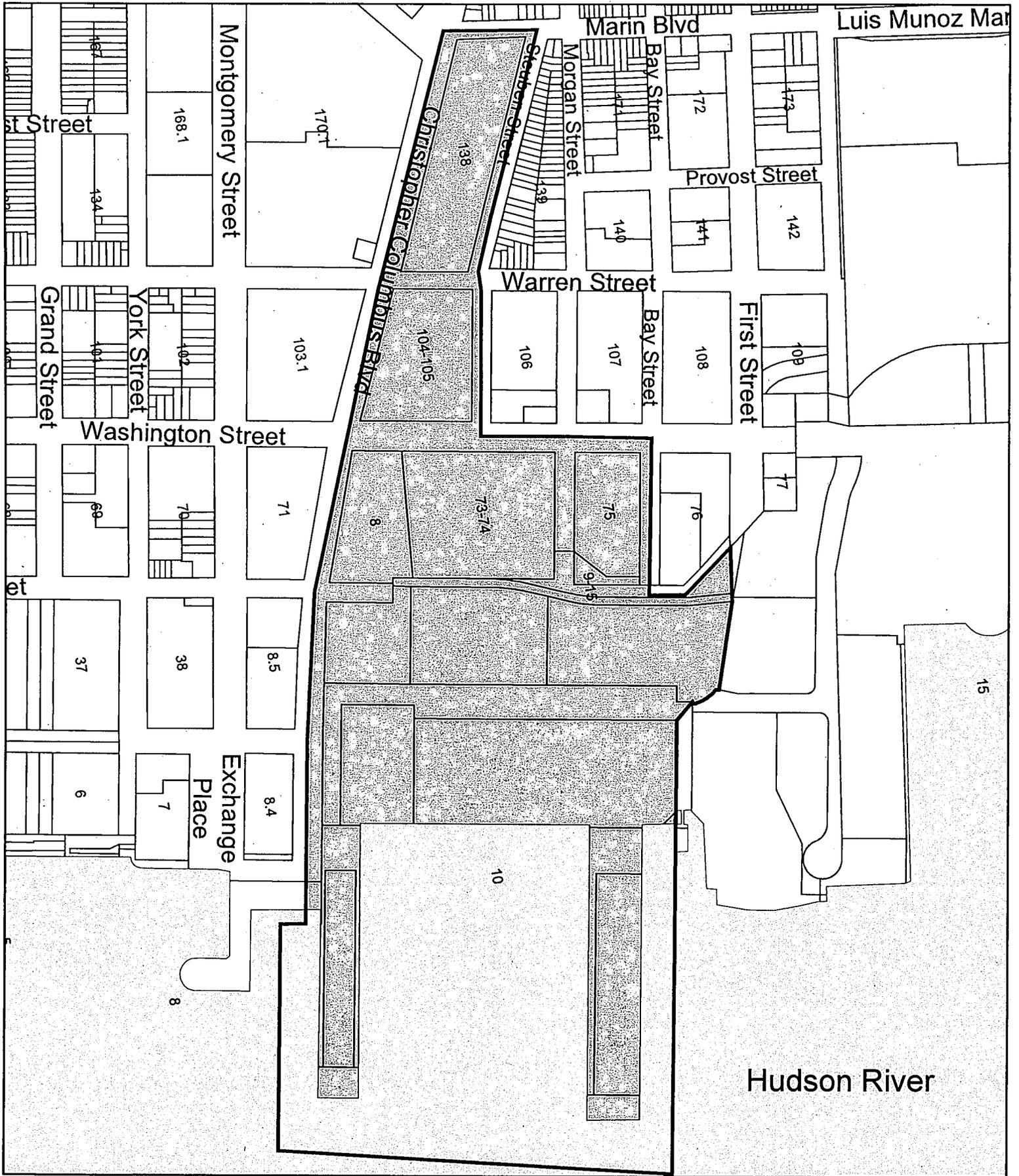
**PARKING STRUCTURE W/
NONPARKING USE
(GROUND LEVEL)**

FIG. #11



**SCREENING FOR
OPEN PARKING STRUCTURES**

FIG. #12

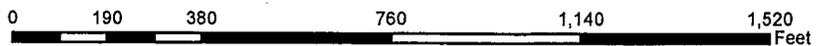


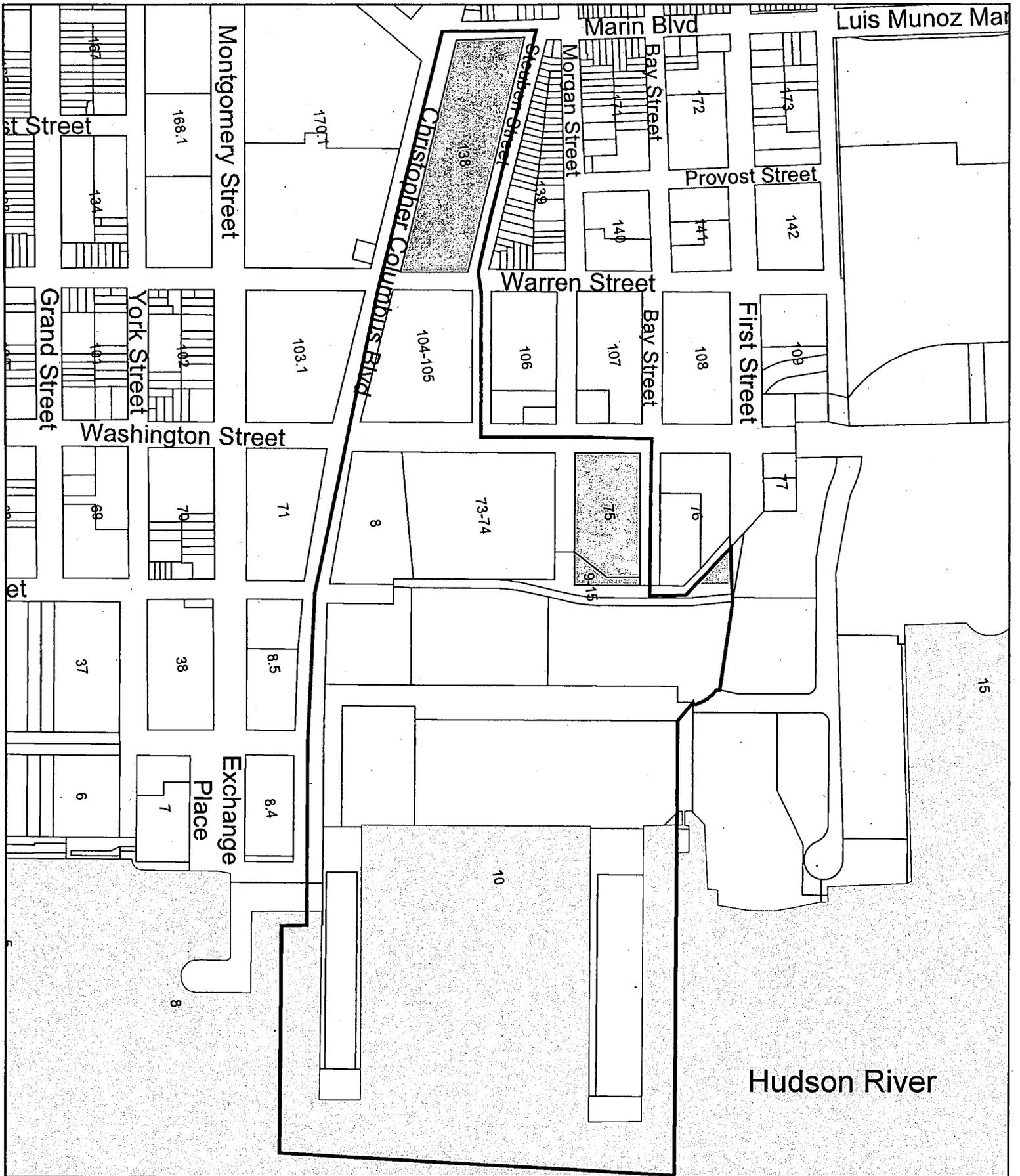
Exchange Place North Redevelopment Plan Area
Boundary Map

May 10, 2007



1 inch = 380 feet





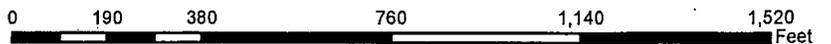
**Exchange Place North Redevelopment Plan Area
Acquisition Map**

Legend

 To be Acquired

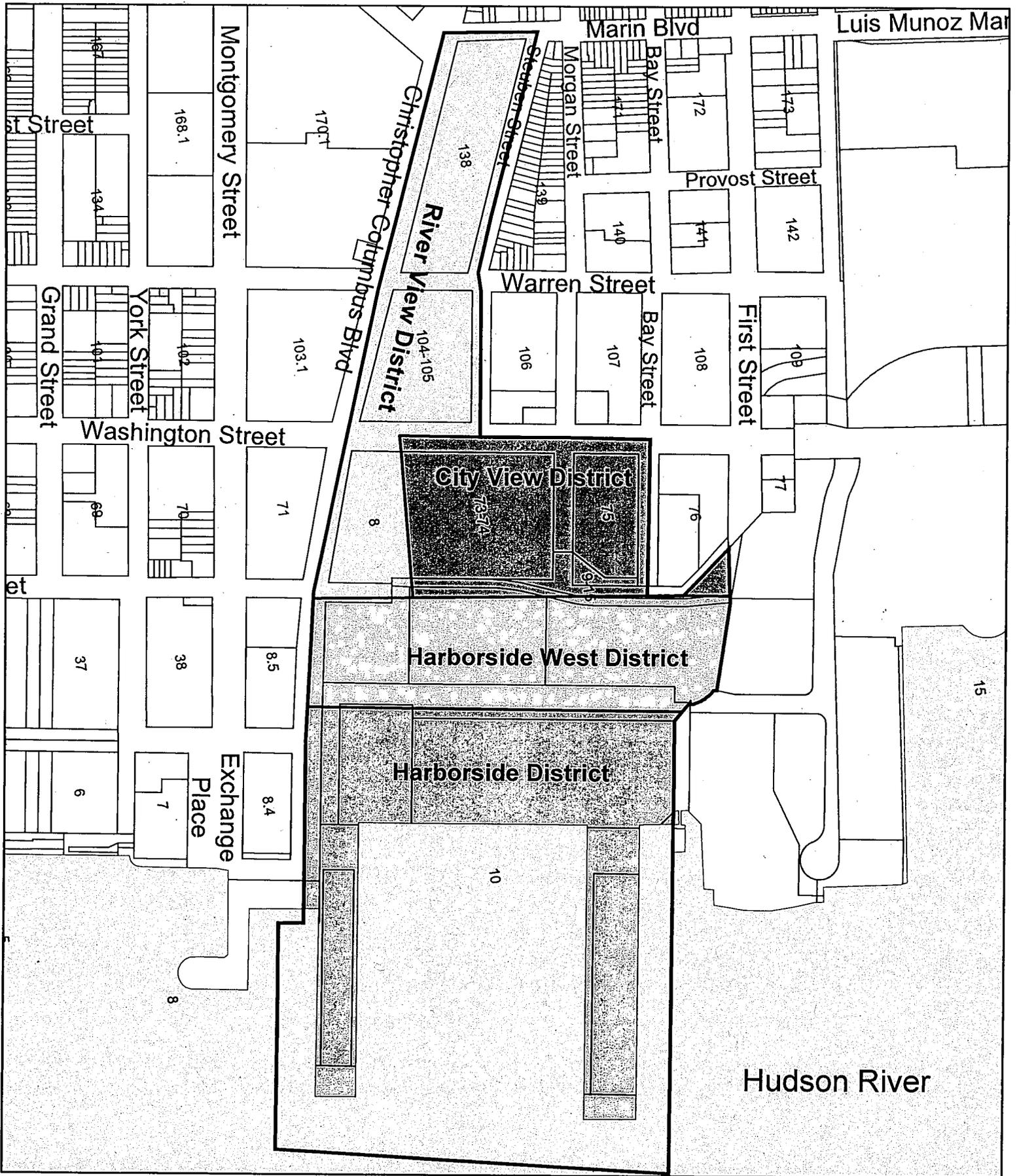


1 inch = 380 feet



July 5, 2007

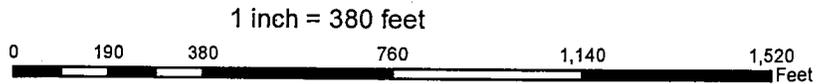




**Exchange Place North Redevelopment Plan Area
Land Use Districts**



May 11, 2007



City Clerk File No. Ord. 12-120

Agenda No. 3.6 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 12-120

TITLE: ORDINANCE 1) AUTHORIZING THE ASSIGNMENT NUNC PRO TUNC OF THE FINANCIAL AND PREPAYMENT AGREEMENTS FROM THE CRITERION URBAN RENEWAL COMPANY, LLC, TO BR CRITERION; AND 2) APPROVING A 15 YEAR TAX EXEMPTION WITH BR CRITERION URBAN RENEWAL COMPANY, LLC, FOR THE PROPERTY WITH A CONVERSION FROM A CONDOMINIUM PROJECT TO A MARKET RATE RESIDENTIAL RENTAL PROJECT

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

WHEREAS, on or about November 30, 2005, The Criterion Urban Renewal Company, LLC, applied for a Long Term Tax Exemption under N.J.S.A. 40A:20-1 et seq., for land and improvements located within a redevelopment plan area, known as Block 15303, Lot 12 (formerly known as Block 1915, Lot 25), and more commonly known by the street address of 100 Clifton Place [Property]; and

WHEREAS, The Criterion Urban Renewal Company, LLC, was to have substantially rehabilitated, restored and constructed a residential building, containing approximately 156 market rate residential condominium units [Project]; and

WHEREAS, by adoption of Ordinance 06-156 on December 13, 2006, the City of Jersey City [City] approved a 30 year long term tax exemption with a service charge equal to twelve percent (12%) of the Annual Gross Revenue with a term of the earlier of thirty-five (35) years from adoption of the ordinance or thirty (30) years from substantial completion of the Project; and

WHEREAS, on January 3, 2007, the City executed a financial agreement with The Criterion Urban Renewal Company, LLC, for the Project [Financial Agreement] and a Prepayment Agreement for the Project [Prepayment Agreement]; and

WHEREAS, pursuant to the Prepayment Agreement, The Criterion Urban Renewal Company, LLC, was required to make a prepayment equal to the Annual Service Charge of \$405,738.50 on or before June 1, 2007, which sum was to have been credited over the ensuing four (4) years [Prepayment]; and

WHEREAS, The Criterion Urban Renewal Company, LLC, paid the full amounts of the Prepayment and its Affordable Housing contribution; and

WHEREAS, on or about December 29, 2011, The Criterion Urban Renewal Company, LLC, transferred the property to BR Criterion Urban Renewal Company, LLC; and

WHEREAS, on August 2, 2012, The Criterion Urban Renewal Company, LLC, filed an application to substantially amend its tax exemption and obtain the City's approval nunc pro tunc to assign the tax exemption to BR Criterion Urban Renewal Company, LLC; and

WHEREAS, pursuant to Section 9.1 of the Financial Agreement, the City is required to consent to the assignment so long as 1) the new Entity does not own any other Project subject to long term tax exemption at the time of transfer; 2) the new Entity is formed and eligible to operate under the Law; 3) the Entity is not then in default of this Agreement or the Law; 4) the Entity's obligations under this Agreement is fully assumed by the new Entity, 5) the Entity shall pay the City a transfer fee equal to 2% of the then current Annual Service Charge as required by N.J.S.A. 40A:20-10d; and

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ORDINANCE 1) AUTHORIZING THE ASSIGNMENT NUNC PRO TUNC OF THE FINANCIAL AND PREPAYMENT AGREEMENTS FROM THE CRITERION URBAN RENEWAL COMPANY, LLC, TO BR CRITERION; AND 2) APPROVING A 15 YEAR TAX EXEMPTION WITH BR CRITERION URBAN RENEWAL COMPANY, LLC, FOR THE PROPERTY WITH A CONVERSION FROM A CONDOMINIUM PROJECT TO A MARKET RATE RESIDENTIAL RENTAL PROJECT

WHEREAS, BR Criterion Urban Renewal Company, LLC, has initially complied with Executive Order 2002-005 concerning "Disclosure of Lobbyist Representative Status" by filing an appropriate letter in the Office of the City Clerk; and

WHEREAS, on August 10, 2012, the Tax Exemption Committee recommended the approval of the assignment of the tax exemption to the Mayor.

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

A. The application of The Criterion Urban Renewal Company, LLC, to assign the tax exemption and financial agreement to BR Criterion Urban Renewal Company, LLC, an urban renewal company, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. a copy of which is on file in the office of the City Clerk, for designated as Block 15303, Lot 12 (formerly known as Block 1915, Lot 25), on the City's Official Tax map, more commonly known by the street address of 100 Clifton Place, more specifically described by metes and bounds in the application, is hereby approved, nunc pro tunc.

B. The Mayor or Business Administrator is hereby authorized to acknowledge or approve an assignment and assumption agreement of the tax exemption and financial agreement between the parties.

C. The City Clerk shall deliver a certified copy of the Ordinance and Amended and Restated Financial Agreement to the Tax Assessor and Director of the Division of Local Government Services.

D. The application is on file with the office of the City Clerk. The Amended Financial Agreement and Project Employment and Contracting Agreement shall be in substantially the form on file in the Office of the City Clerk, subject to such modification as the Business Administrator or Corporation Counsel deems appropriate or necessary.

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

F. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

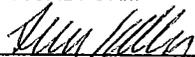
G. This ordinance shall take effect at the time and in the manner provided by law.

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

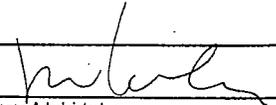
JM/he
9/05/12

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: _____

APPROVED: 

Business Administrator

Certification Required
Not Required

**CONSENT TO ASSIGNMENT OF FINANCIAL AGREEMENT AND
ASSUMPTION OF FINANCIAL AGREEMENT, AMONG
THE CRITERION URBAN RENEWAL COMPANY, LLC,
BR CRITERION URBAN RENEWAL COMPANY, LLC
AND THE CITY OF JERSEY CITY**

THIS AGREEMENT is dated the ___ day of _____, 2012, between the **CITY OF JERSEY CITY [City]**, located at 280 Grove Street, Jersey City, New Jersey 07302, **THE CRITERION URBAN RENEWAL COMPANY, LLC**, a New Jersey limited liability company having an office at c/o Metrovest Equities, Inc., 731 Lexington Avenue, New York, NY 10022 [Original Entity]; and **BR CRITERION URBAN RENEWAL COMPANY, LLC**, a New Jersey limited liability company having an office at c/o Beacon Redevelopment, LLC, 4 Beacon Way, #16, Jersey City, NJ 07304 [New Entity].

WHEREAS, pursuant to N.J.S.A. 40A:20-1 et seq., and Ordinance 06-156 adopted on December 13, 2006, the City approved a Long Term Tax Exemption and the execution of a Financial Agreement with The Criterion Urban Renewal Company, LLC [Original Entity] for the construction of a residential building, containing approximately 156 market rate residential condominium units, and more particularly described as Block 15303, Lot 12 (formerly known as Block 1915, Lot 25), on the official Tax Map of the City of Jersey City, and more commonly known by the street address of 100 Clifton Place, Jersey City [Project]; and

WHEREAS, the City and the Original Entity, entered into a financial agreement dated and executed on January 3, 2007 [Financial Agreement]; and

WHEREAS, pursuant to an Agreement of Sale the Original Entity, as seller agreed to sell the Project and assign the Financial Agreement to BR Criterion Urban Renewal Company, LLC [the New Entity]; and

WHEREAS, the Financial Agreement provides that any sale of the Project or Assignment of the Financial Agreement is null and void unless approved by the City in advance; and

WHEREAS, by application dated August 2, 2012, the Original Entity formally requested that the City give its consent and approval sell the Project and assign the Financial Agreement to the New Entity; and

WHEREAS, by adoption of Ordinance ____ on _____ 2012, the Municipal Council of the City of Jersey City consented to 1) the sale of the Project from the Original Entity to the New Entity; 2) the assignment of the Financial Agreement by the Original Entity; 3) the assumption of the Financial Agreement by the New Entity; and 4) authorized the City Business Administrator to execute any documents necessary and appropriate to effectuate the foregoing; and

WHEREAS, the parties hereto now seek to memorialize the consent of the City to the sale of the project and the assignment of the Financial Agreement by the Original Entity and the assumption of the Financial Agreement by the New Entity;

NOW, THEREFORE, it is hereby agreed by and between the parties as follows:

1. The City hereby authorizes, approves and consents to the Assignment by the Original Entity of the Financial Agreement to the New Entity and the assumption of the Financial Agreement by the New Entity.

2. The City acknowledges that as of the date hereof, the names and the addresses of the New Entity entitled to receive notice under and pursuant to paragraph 9.1 of the Financial Agreement shall be amended as follows:

3. Pursuant to Section 9.1 of the Financial Agreement, upon written application by the original Entity, the City is required to consent to the sale or transfer of the tax exemption financial Agreement if: 1) the New Entity does not own any other tax exempt projects; 2) the New Entity is formed and eligible to operate under the Law; 3) the existing Entity is not in default of the Financial Agreement; and 4) the New Entity agrees to assume all obligations of the existing Entity under the Financial Agreement.

4. In addition, pursuant to Section 9.1 of the Financial Agreement and as permitted under N.J.S.A. 40A:20-22, any Entity seeking to sell a project, is required to pay the City an amount equal to [1% of the actual sales price, which is ordinarily the consideration stated in the deed to the New Entity, which the Entities hereby confirm is \$ _____ OR 2% of the gross annual service charge].

5. The Financial Agreement dated January 3, 2007, hereby remains in full force and effect.

6. The Original Entity hereby consents to the assignment of the Financial Agreement to the New Entity.

7. The New Entity hereby agrees to assume all obligations previously belonging to the Original Entity under the Financial Agreement.

Any and all capitalized terms in this Agreement shall be defined in accordance with and by reference to the Financial Agreement and/or N.J.S.A. 40A:20-1 et seq.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement as of the date first set forth above.

ATTESTED:

CITY OF JERSEY CITY

**ROBERT BYRNE
CITY CLERK**

**JOHN KELLY
BUSINESS ADMINISTRATOR**

WITNESS:

**THE CRITERION URBAN RENEWAL
COMPANY, LLC [Original Entity]**

WITNESS:

By:

**BR CRITERION URBAN RENEWAL
COMPANY, LLC [New Entity]**

By:

City Clerk File No. Ord. 12-121

Agenda No. 3.H 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 12-121

TITLE: ORDINANCE 1) AUTHORIZING THE ASSIGNMENT NUNC PRO TUNC OF THE FINANCIAL AND PREPAYMENT AGREEMENTS FROM THE HAGUE URBAN RENEWAL COMPANY, LLC, TO BR HAGUE; AND 2) APPROVING A 15 YEAR TAX EXEMPTION WITH BR HAGUE URBAN RENEWAL COMPANY, LLC, FOR THE PROPERTY WITH A CONVERSION FROM A CONDOMINIUM PROJECT TO A MARKET RATE RESIDENTIAL RENTAL PROJECT

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

WHEREAS, on or about November 30, 2005, The Hague Urban Renewal Company, LLC, applied for a Long Term Tax Exemption under N.J.S.A. 40A:20-1 et seq., for land and improvements located within a redevelopment plan area, known as Block 15303, Lot 11 (formerly known as Block 1915, Lot 24), and more commonly known by the street address of 88 Clifton Place [Property]; and

WHEREAS, The Hague Urban Renewal Company, LLC, was to have substantially rehabilitated, restored and constructed a residential building, containing approximately 149 market rate residential condominium units [Project]; and

WHEREAS, by adoption of Ordinance 06-157 on December 13, 2006, the City of Jersey City [City] approved a 30 year long term tax exemption with a service charge equal to twelve percent (12%) of the Annual Gross Revenue with a term of the earlier of thirty-five (35) years from adoption of the ordinance or thirty (30) years from substantial completion of the Project; and

WHEREAS, on January 3, 2007, the City executed a financial agreement with The Hague Urban Renewal Company, LLC, for the Project [Financial Agreement] and a Prepayment Agreement for the Project [Prepayment Agreement]; and

WHEREAS, pursuant to the Prepayment Agreement, The Hague Urban Renewal Company, LLC, was required to make a prepayment equal to the Annual Service Charge of \$344,911 on or before June 1, 2007, which sum was to have been credited over the ensuing four (4) years [Prepayment]; and

WHEREAS, The Hague Urban Renewal Company, LLC, paid the full amounts of the Prepayment and its Affordable Housing contribution; and

WHEREAS, on or about December 29, 2011, The Hague Urban Renewal Company, LLC, transferred the property to BR Hague Urban Renewal Company, LLC; and

WHEREAS, on August 2, 2012, The Hague Urban Renewal Company, LLC, filed an application to substantially amend its tax exemption and obtain the City's approval nunc pro tunc to assign the tax exemption to BR Hague Urban Renewal Company, LLC; and

WHEREAS, pursuant to Section 9.1 of the Financial Agreement, the City is required to consent to the assignment so long as 1) the new Entity does not own any other Project subject to long term tax exemption at the time of transfer; 2) the new Entity is formed and eligible to operate under the Law; 3) the Entity is not then in default of this Agreement or the Law; 4) the Entity's obligations under this Agreement is fully assumed by the new Entity, 5) the Entity shall pay the City a transfer fee equal to 2% of the then current Annual Service Charge as required by N.J.S.A. 40A:20-10d; and

0 2 0 1 2 1 3 0

ORDINANCE 1) AUTHORIZING THE ASSIGNMENT NUNC PRO TUNC OF THE FINANCIAL AND PREPAYMENT AGREEMENTS FROM THE HAGUE URBAN RENEWAL COMPANY, LLC, TO BR HAGUE; AND 2) APPROVING A 15 YEAR TAX EXEMPTION WITH BR HAGUE URBAN RENEWAL COMPANY, LLC, FOR THE PROPERTY WITH A CONVERSION FROM A CONDOMINIUM PROJECT TO A MARKET RATE RESIDENTIAL RENTAL PROJECT

WHEREAS, BR Hague Urban Renewal Company, LLC, has initially complied with Executive Order 2002-005 concerning "Disclosure of Lobbyist Representative Status" by filing an appropriate letter in the Office of the City Clerk; and

WHEREAS, on August 10, 2012, the Tax Exemption Committee recommended the approval of the assignment of the tax exemption to the Mayor:

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

A. The application of The Hague Urban Renewal Company, LLC, to assign the tax exemption and financial agreement to BR Hague Urban Renewal Company, LLC, an urban renewal company, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. a copy of which is on file in the office of the City Clerk, for designated as Block 15303, Lot 11 (formerly known as Block 1915, Lot 24), on the City's Official Tax map, more commonly known by the street address of 88 Clifton Place, more specifically described by metes and bounds in the application, is hereby approved, nunc pro tunc.

B. The Mayor or Business Administrator is hereby authorized to acknowledge or approve an assignment and assumption agreement of the tax exemption and financial agreement between the parties.

C. The City Clerk shall deliver a certified copy of the Ordinance and Amended and Restated Financial Agreement to the Tax Assessor and Director of the Division of Local Government Services.

D. The application is on file with the office of the City Clerk. The Amended Financial Agreement and Project Employment and Contracting Agreement shall be in substantially the form on file in the Office of the City Clerk, subject to such modification as the Business Administrator or Corporation Counsel deems appropriate or necessary.

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

F. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

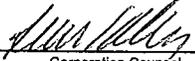
G. This ordinance shall take effect at the time and in the manner provided by law.

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

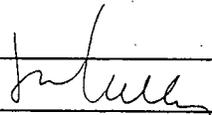
JM/he
9/05/12

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: _____

APPROVED: 

Business Administrator

Certification Required

Not Required

**CONSENT TO ASSIGNMENT OF FINANCIAL AGREEMENT AND
ASSUMPTION OF FINANCIAL AGREEMENT, AMONG
THE HAGUE URBAN RENEWAL COMPANY, LLC,
BR HAGUE URBAN RENEWAL COMPANY, LLC
AND THE CITY OF JERSEY CITY**

THIS AGREEMENT is dated the ___ day of _____, 2012, between the **CITY OF JERSEY CITY** [City], located at 280 Grove Street, Jersey City, New Jersey 07302, **THE HAGUE URBAN RENEWAL COMPANY, LLC**, a New Jersey limited liability company having an office at c/o Metrovest Equities, Inc., 731 Lexington Avenue, New York, NY 10022 [Original Entity]; and **BR HAGUE URBAN RENEWAL COMPANY, LLC**, a New Jersey limited liability company having an office at c/o Beacon Redevelopment, LLC, 4 Beacon Way, #16, Jersey City, NJ 07304 [New Entity].

WHEREAS, pursuant to N.J.S.A. 40A:20-1 et seq., and Ordinance 06-157 adopted on December 13, 2006, the City approved a Long Term Tax Exemption and the execution of a Financial Agreement with The Hague Urban Renewal Company, LLC [Original Entity] for the construction of a residential building, containing approximately 149 market rate residential condominium units, and more particularly described as Block 15303, Lot 11 (formerly known as Block 1915, Lot 24), on the official Tax Map of the City of Jersey City, and more commonly known by the street address of 88 Clifton Place, Jersey City [Project]; and

WHEREAS, the City and the Original Entity, entered into a financial agreement dated and executed on January 3, 2007 [Financial Agreement]; and

WHEREAS, pursuant to an Agreement of Sale the Original Entity, as seller agreed to sell the Project and assign the Financial Agreement to BR Hague Urban Renewal Company, LLC [the New Entity]; and

WHEREAS, the Financial Agreement provides that any sale of the Project or Assignment of the Financial Agreement is null and void unless approved by the City in advance; and

WHEREAS, by application dated August 2, 2012, the Original Entity formally requested that the City give its consent and approval sell the Project and assign the Financial Agreement to the New Entity;
and

WHEREAS, by adoption of Ordinance ____ on _____ 2012, the Municipal Council of the City of Jersey City consented to 1) the sale of the Project from the Original Entity to the New Entity; 2) the assignment of the Financial Agreement by the Original Entity; 3) the assumption of the Financial Agreement by the New Entity; and 4) authorized the City Business Administrator to execute any documents necessary and appropriate to effectuate the foregoing; and

WHEREAS, the parties hereto now seek to memorialize the consent of the City to the sale of the project and the assignment of the Financial Agreement by the Original Entity and the assumption of the Financial Agreement by the New Entity;

NOW, THEREFORE, it is hereby agreed by and between the parties as follows:

1. The City hereby authorizes, approves and consents to the Assignment by the Original Entity of the Financial Agreement to the New Entity and the assumption of the Financial Agreement by the New Entity.
2. The City acknowledges that as of the date hereof, the names and the addresses of the New Entity entitled to receive notice under and pursuant to paragraph 9.1 of the Financial Agreement shall be amended as follows:
3. Pursuant to Section 9.1 of the Financial Agreement, upon written application by the original Entity, the City is required to consent to the sale or transfer of the tax exemption financial Agreement if: 1) the New Entity does not own any other tax exempt projects; 2) the New Entity is formed and eligible to operate under the Law; 3) the existing Entity is not in default of the Financial Agreement; and 4) the New Entity agrees to assume all obligations of the existing Entity under the Financial Agreement.
4. In addition, pursuant to Section 9.1 of the Financial Agreement and as permitted under N.J.S.A. 40A:20-22, any Entity seeking to sell a project, is required to pay the City an amount equal to [1% of the actual sales price, which is ordinarily the consideration stated in the deed to the New Entity, which the Entities hereby confirm is \$ _____ OR 2% of the gross annual service charge].

5. The Financial Agreement dated January 3, 2007, hereby remains in full force and effect.

6. The Original Entity hereby consents to the assignment of the Financial Agreement to the New Entity.

7. The New Entity hereby agrees to assume all obligations previously belonging to the Original Entity under the Financial Agreement.

Any and all capitalized terms in this Agreement shall be defined in accordance with and by reference to the Financial Agreement and/or N.J.S.A. 40A:20-1 et seq.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement as of the date first set forth above.

ATTESTED:

CITY OF JERSEY CITY

ROBERT BYRNE
CITY CLERK

JOHN KELLY
BUSINESS ADMINISTRATOR

WITNESS:

THE HAGUE URBAN RENEWAL
COMPANY, LLC [Original Entity]

WITNESS:

By:

BRHAGUE URBAN RENEWAL COMPANY,
LLC [New Entity]

By:

City Clerk File No. Ord. 12-122

Agenda No. 3.1 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 12-122

TITLE: **ORDINANCE AUTHORIZING THE CITY OF JERSEY CITY TO EXECUTE AN AMENDMENT TO ITS LEASE WITH 30 MONTGOMERY PROPERTY, LLC, FOR OFFICE SPACE AT 30 MONTGOMERY STREET, BLOCK 8, LOT C2**

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

WHEREAS, the City of Jersey City [City] needs office space for its Department of Housing and Economic Development; and

WHEREAS, 30 Montgomery Property, LLC, is the present owner of Block 8, Lot C2 , more commonly known by the street address of 30 Montgomery Street [Property]; and

WHEREAS, the City of Jersey City has been occupying various portions of 30 Montgomery Street as a tenant under a Lease that first began on February 1, 1993, and amended thereafter [the Lease]; and

WHEREAS, under the present Lease, as amended, square footage was measured as 29,593 square feet and the rent ranged between \$27.00 and \$30.00 a square foot with 3% annual escalations, plus utilities at \$2.00 a square foot; and

WHEREAS, the present Lease will expire on July 31, 2012; and

WHEREAS, 30 Montgomery Property, LLC, has offered to extend the Lease for three (3) years; for approximately 33,650 square feet of space (which is not an increase of space but a recalculation of the space); and

WHEREAS, the rent for the space will be a flat charge of \$24.00 per square foot through July 31, 2015, plus a flat utility charge of \$1.60 a square foot or \$71,786.66 per month or a total of \$861,440 per year for the remainder of the term; and

WHEREAS, N.J.S.A. 40A:12-5 provides that a municipality may negotiate a lease and by ordinance authorize the leasing of real property it determines it needs for municipal purposes; and

WHEREAS, the sum of \$263,000 is available in the 2012 calendar year budget in Account Number 01-201-31-432-304; and

WHEREAS, the balance of the lease funds will be made available in subsequent budget years.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY that:

1. The Mayor or Business Administrator is authorized to execute an amendment to the Lease agreement with 30 Montgomery Property, LLC.
2. The term of the Lease shall be extended for three (3) years commencing July 31, 2012 and

Rent shall be payable in twelve equal installments of \$71,786.66, payable on the 1st day of each month. Upon expiration of the lease, the hold over rent will not exceed 125% of the rent.

- 3. The Lease shall be in substantially the form attached, subject to such modification as may be deemed necessary or appropriate by the Business Administrator or Corporation Counsel.
 - A. All ordinances and parts or ordinances inconsistent herewith are hereby repealed.
 - B. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
 - C. This ordinance shall take effect at the time and in the manner as provided by law.
 - D. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing Code, in order to avoid confusion and possible accidental repealers of existing provisions.

I _____, Donna Mauer, as Chief Financial Officer, hereby certify that \$263,000 of these funds are available in Account Number 01-201-31-432-304, for this expenditure in accordance with the Local Budget Law, N.J.S.A. 40A:4-1 et seq.

JM/he
7/26/12
9/06/12

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required
Not Required