



# ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-120

TITLE: **An Ordinance Dedicating That Sussex Street Between  
Washington Street and Warren Street Be Also Known as  
"OUR LADY OF CZESTOCHOWA ROMAN CATHOLIC PARISH WAY"**

**WHEREAS**, Our Lady of Czestochowa Roman Catholic Parish was established on April 26, 1911 to serve the growing Polish immigrant community in the Paulus Hook section of Jersey City, N.J.; and

**WHEREAS**, the Our Lady of Czestochowa Church building is one of the oldest continuing worship sites in Hudson County, N.J. The original granite stone walls date back as far as 1831, when they were first built by St Matthew's Church, the first Episcopalian congregation in Jersey City. The land was donated by the Associates of the Jersey Company, the founding fathers of our municipality; and

**WHEREAS**, the Roman Catholic priests and pastoral associates of Our Lady of Czestochowa Roman Catholic Parish have faithfully ministered to the sacramental and spiritual needs of the community for 100 years, providing leadership, guidance, and charitable assistance; and

**WHEREAS**, the teachers and administration of Our Lady of Czestochowa Roman Catholic School, both the Roman Catholic Felician sisters of Lodi, N.J. and their contemporary lay successors, have faithfully served the religious and educational needs of the children of Jersey City, from the earlier days of the parish through the present day; and

**WHEREAS**, Our Lady of Czestochowa Parish has since 1995, begun to evolve into a broader, more inclusive Church serving the ever-changing and international population of the revitalized neighborhoods, historic districts, and rapidly growing waterfront communities of Jersey City; and

**WHEREAS**, Our Lady of Czestochowa Parish has been an active and contributing member of the Paulus Hook community, providing a public meeting place for local neighborhood groups such as the Historic Paulus Hook Association and the Downtown Harvest Community Supported Agriculture initiative, as having sponsored over the years a variety of outreach organizations such as the Victory Hall, Inc., Cultural Arts Center and numerous annual public-spirited events such as the Festival of Christmas Song and Spring on Sussex Street; and

**WHEREAS**, following the terrorist attacks of September 11, 2001, Our Lady of Czestochowa Parish, the closest religious institution to Ground Zero in New Jersey, opened its doors as a spiritual sanctuary for all, housed stranded students from New York City, served as a clearinghouse for food donations and for survivors struggling to make their way back home on that day; and

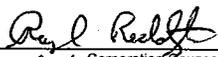
**WHEREAS**, Our Lady of Czestochowa Parish has taken extraordinary measures to maintain, improve, restore, and preserve the character and architectural details of its historic church building as recognized by a May 2009 award by the Jersey City Landmarks Conservancy for Excellence in Historic Preservation in recognition of the parish's stabilization and restoration of its two circa-1911 masonry, terra cotta, and copper spires.

**NOW, THEREFORE BE IT ORDAINED**, that the Municipal Council of the City of Jersey City deems it fitting and proper to honor Our Lady of Czestochowa Roman Catholic Parish for its historic legacy, its service to its members and contributions to the greater community by dedicating that Sussex Street Between Washington Street and Warren Street be also known as "Our Lady of Czestochowa Roman Catholic Parish Way"

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

G:\WPDOC\SYLO\ONDA\RESOS\IRENAME\Our Lady of Czestochowa Roman Catholic Parish Way.wpd

APPROVED AS TO LEGAL FORM

  
\_\_\_\_\_  
A. J. Corporation Counsel

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

APPROVED:   
\_\_\_\_\_  
Business Administrator

Certification Required

Not Required



# ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-121

TITLE: **ORDINANCE SUPPLEMENTING CHAPTER 151 (DRUG-FREE SCHOOL ZONES) ARTICLE I, OF THE JERSEY CITY MUNICIPAL CODE**

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

- A. The following supplements to Chapter 151, Drug-Free School Zone, of the Jersey City Code are adopted:

## ARTICLE I

### DRUG-FREE SCHOOL ZONES

#### **§ 151.1 Map adopted; official record; changes; copies.**

- A. Pursuant to the authority of L. 1988, c. 44, the Drug-Free School Zone Map produced by the Chief Engineer of the City of Jersey City in December 2009 and revised in [~~September 1992~~] April 2010, is hereby adopted as an official record of areas within one thousand (1,000) feet of property which is:
- (1) Used for school purposes; and
  - (2) Owned by or leased to any elementary or secondary school or school board, and of the areas on or within one thousand (1,000) feet of such school property.
- B. The map adopted pursuant to this chapter shall constitute an official record of the City of Jersey City until such time, if any, that this chapter shall be amended to reflect any additions or deletions to the location and boundaries of school property and Drug-Free School Zones.
- C. The School Board, or the Chief Administrative Officer of any private or parochial school, shall promptly notify the Chief Engineer and the Corporation Counsel of the City of Jersey City of any changes or contemplated changes in the location and boundaries of any property owned by or leased to any elementary or secondary school or school board and used for school purposes.
- D. The City Clerk shall provide certified copies of the Drug-Free School Zone Map:
- (1) At a reasonable cost to any person, agency or court which may from time to time request such a copy, along with a certification that such copy is a true copy of the map approved and adopted herein and kept on file; and
  - (2) Without cost to the Hudson County Clerk and to the Office of the Hudson County Prosecutor.
- C. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

- D. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- E. This ordinance shall take effect in the manner as prescribed by law.
- F. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

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

RR/he  
09/21/10

APPROVED AS TO LEGAL FORM

Ray Raddit  
Asst. Corporation Counsel

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

APPROVED: Julie  
Business Administrator

Certification Required

Not Required

City Clerk File No. Ord. 10-122

Agenda No. 3.C, 1st Reading

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



# ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-122

TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 26 (VEHICLES AND TRAFFIC) ARTICLE X (SCHEDULES) SCHEDULE 22 (PARKING FOR THE DISABLED) OF THE JERSEY CITY CODE DESIGNATING A RESERVED PARKING SPACE AT 262 BERGEN AVENUE; 239 GRANT AVENUE; 158-160 LEONARD STREET; 540-542 LIBERTY AVENUE; 338 PALISADE AVENUE; 19 SANFORD PLACE; 147 VAN HORNE STREET AND 9-9A-11 VAN WAGENEN AVENUE

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

1. Chapter 26 (Vehicles and Traffic) Article X (Schedules) of the Jersey City Code is hereby supplemented as follows:

Section 26-95

SCHEDULE 22

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.

Sharon Taylor

262 Bergen Avenue

Cristian Godoy

239 Grant Avenue

Kevin Frick

158-160 Leonard Street

Marie Marte

540-542 Liberty Avenue

Lucila Santiago

338 Palisade Avenue

Robert George Glasser

19 Sanford Place

Benito Rosario

147 Van Horne Street

Souzana Yassa

9-9A-11 Van Wagenen Avenue

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

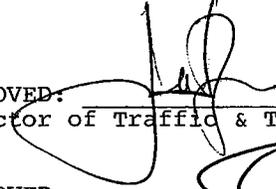
3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.

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.

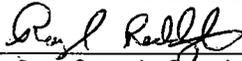
NOTE: The new material to be inserted is underscored; the material to be repealed is in [brackets].

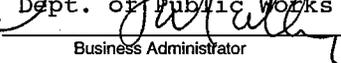
JDS:pcl  
(09.21.10)

APPROVED:   
Director of Traffic & Transportation

APPROVED:   
Municipal Engineer

APPROVED AS TO LEGAL FORM

  
Asst Corporation Counsel

APPROVED:   
Director, Dept. of Public Works  
APPROVED:   
Business Administrator

Certification Required

Not Required

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 26(Vehicles and Traffic) Article V(Schedules) Schedule 22(Parking for the Disabled) of the Jersey City Code designating a reserved parking space for the disabled at 262 Bergen Avenue; 239 Grant Avenue; 158-160 Leonard Street; 540-542 Liberty Avenue; 338 Palisade Avenue; 19 Sanford Place; 147 Van Home Street and 9-9A-11 Van Wagenen Avenue

**2. Name and title of person initiating the ordinance:**

Joao D'Souza, Director of Traffic & Transportation, Division of Engineering, Traffic and Transportation 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.

**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 \$3,000.00  
36 disabled parking signs @ 100.00 ea. \$1,600.00  
14 channels @ \$100.00 ea. \$1,400.00

**7. Date proposed program, or project will commence:**

Pending adoption by the Jersey City Municipal Council

**8. Anticipated completion date:**

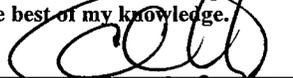
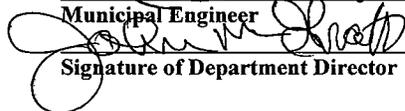
Twenty days after adoption by the Jersey City Municipal Council

**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.

	<u>9/21/10</u>
Municipal Engineer	Date
	<u>10/21/10</u>
Signature of Department Director	Date



# ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 10-123

**TITLE: ORDINANCE SUPPLEMENTING CHAPTER 3 (ADMINISTRATIVE CODE, ARTICLE XI (DEPARTMENT OF POLICE) OF THE CITY OF JERSEY CITY ESTABLISHING THE PROCEDURE AND FEES FOR PROVIDING OFF-DUTY POLICE OFFICERS FOR SPECIAL DETAIL ASSIGNMENTS**

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

**WHEREAS**, the Police Director has advised that it is in the interest of the City of Jersey City for the Police Department to facilitate off-duty employment, with separate and independent employers and to administer payment to police officers for off-duty assignments; and

**WHEREAS**, the Police Director has requested that the Council establish the fees to be charged to a private employer requiring the services of an off-duty police officer; and

**WHEREAS**, The Police Director intends to notify all private employers which regularly use the services of off-duty police officers that the Police Department has established new procedures for requesting the use of these officers.

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

A. The following supplement to Chapter 3 (Administrative Code), Article XI (Department of Police) of the Jersey City Code is adopted:

## **ARTICLE XI Department of Police**

### **§ 3-85.1 Off-duty employment.**

#### **A. Definitions.**

As used in this ordinance, the following terms shall have the following meanings unless the context clearly indicates otherwise:

- (1) Alcohol Beverage Control premise means one which is licensed by the Alcohol Beverage Control Board.
- (2) Chief of Police means the Chief of Police or his or her designee.
- (3) City Owned Facility means any property owned by the City of Jersey City rented by individuals or entities for the purpose of a privately held function.
- (4) Large Commercial Establishment means a commercial establishment such as a store, bank or financial institution of 4,000 square feet or more or one which is part of a franchise, chain or multi-store complex.

- (5) Construction Sites - (a) City Projects - any construction project performed by a vendor pursuant to a contract with the City of Jersey City for a public project on City-owned buildings or properties.
- (b) Private Contractor Projects - i)any construction project other than a City Project as defined above; and  
ii)construction projects performed upon family units (under 4 units in size) where the owner resides on the premises.
- (6) Employer or prospective employer means a prospective employer of off-duty officers.
- (7) Event requiring major or unusual crowd control means:  
 (a) an event where 5,000 people or more expected to attend, such as an athletic event;  
 (b) any event where alcohol will be served (except for the Bethune Center); and  
 (c) any event which in the opinion of the Police Department will produce an unusual amount of vehicular or pedestrian traffic.
- (8) Film Production Sites include, but are not limited to, movie sets, television productions, and photography.
- (9) Holidays are defined as New Years Eve, New Years Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day following Thanksgiving Day, Christmas Eve and Christmas Day.
- (10) Person means any individual, corporation, partnership or organization unless the context clearly indicates otherwise.
- (11) Superior Officer means Lieutenant, Sergeant, or Captain.
- (12) Tax Exempt Organization means a non-profit organization as defined by state or federal law.

**[A]B. Purpose.** For the convenience of those persons [and entities] which utilize the services of off-duty law enforcement officers of the Jersey City Police Department, and to authorize the outside employment of [Municipal] police while off-duty, the City of Jersey City hereby establishes a policy regarding the use of [said] off-duty officers in compliance with Attorney General Formal Opinion 1997-No. 23.

- (1) ~~[Members of the City of Jersey City Police Department]~~ Police Officers, at their option, shall be permitted to accept police-related employment ~~for~~ from private employer[s], who are separate and independent from the City of Jersey City, only during off-duty hours and at such time as will not interfere with the efficient performance of regularly scheduled or emergency duty of the City; provided, however, that no officer may work within a premises licensed by the Alcohol Beverage Board. Officers are not permitted on the "licensed premise" itself, which is the area licensed for alcohol consumption, retail sale or storage; provided further that no officer may accept off-duty employment under this ordinance by any governmental agency of the City of Jersey City other than the Jersey City Housing Authority.
- (2) ~~[Any person or entity wishing to employ]~~ Prospective employers of off-duty police shall: [first] 1) obtain the prior written approval of the Chief of Police [for his or her designee], which approval shall be granted if, in the opinion of the Chief of Police [for his or her designee], such employment is necessary and would not be inconsistent with the efficient functioning and good reputation of the Police Department and

would not unreasonably endanger or threaten the safety of the officer or officers who are to perform the work.

- (3) Upon approval by the Chief of Police, the amount estimated to pay for the off-duty employment shall be deposited in the trust account established under subsection C.
- (4) No officer shall be paid directly by any employer for requested services, nor provide services for more hours than specified in the request for services.

**BC. Trust account established.**

- (1) To assure the timely payment of wages to police officers who perform off-duty service[s] and to meet the requirements of the Fair Labor Standards Act, the City of Jersey City has established a trust fund account known as the "Off-Duty Employment Trust Account". This which trust fund account is dedicated for the receipt of fees collected from private persons or entities for the payment to police officers for off-duty or outside employment services. The "Off-Duty Employment Trust Account" shall be administered by the Fiscal Bureau of the Jersey City Police Department, which shall make a written report to the Chief of Police every ninety (90) Days regarding said account. Payments to police officers shall be on a bi-weekly basis with all appropriate deductions. All payments must be remitted directly to the City of Jersey City for said account. Deposits shall be in the form of certified check, bank check, money order or business check, at the discretion of the Fiscal Officer.

(2) Hour Estimate

- (a) Hours Known: Any person or entity requesting the services A prospective employer of an off-duty law enforcement police officer in the City of Jersey City Police Department shall estimate the number of hours such law enforcement services are required. The which estimate shall be approved in writing by the Chief of Police, for his or her designee, and shall establish a Trust Account within the "Off-Duty Employment Trust Account" deposit the amount and an amount sufficient to cover the rates of compensation and administrative fees set forth in Subsection D for the total estimated hours of service shall be deposited into the Trust Account.
- (b) Hours Unknown or In Excess of Ten (10) Days: In any instance where the number of hours required is unknown and cannot be reasonably estimated~~;~~ or is anticipated to be in excess of 10 days, the person or entity requesting the services of an off-duty law enforcement officer a prospective employer shall deposit an amount sufficient to cover the rate of compensation and administrative fees set forth in Subsection D for the equivalent of 10 days prior to the commencement of any work services. Any unused portion of the deposit shall be returned or credited against the final amount owed.

- (3) Prior to Before posting any request for services of off-duty law enforcement police officers, the Chief of Police for his or her designee shall verify that the balance in the F trust account of the person or entity requesting services prospective employer is sufficient to cover the compensation and fees for the number of hours specified in the request for services. The Chief of Police for his or her designee shall not post a request for services from any person or entity unless all fees and compensation required in the manner described above have been deposited in the "Off-Duty Employment Trust Account" trust account. All payments must be remitted directly to the City of Jersey City for said account. Deposits shall be in the form of certified check, bank check, money order or business check, at the discretion of the Fiscal Officer. No officer shall be paid directly by any employer for requested services nor provide any such services for more hours than are specified in the request for services.

- (4) Depletion of Funds in a Trust Account for any Individual Person or Entity: In the event the funds in such any individual or entity's F trust A account should

become depleted, services of off-duty law enforcement officers shall cease, and requests for further or future services shall not be ~~performed or~~ posted until additional funds have been deposited in the ~~FF~~ trust ~~A~~ account in the manner prescribed above. In the event of an unforeseen emergency situation that would require an officer to remain beyond the time for which funds have been posted, the Chief of Police ~~for his or her designee~~ may waive the requirement for posting additional funds after the first 10 hours for any ~~person or entity~~ employer exhibiting a previous satisfactory payment history. However, payment for the additional hours shall be made ~~by the person or entity requiring the extended service~~ within 48 hours.

~~(6)(5)~~ ~~The person or entity requesting such services~~ A prospective employer shall be responsible for ensuring that sufficient funds remain in the ~~FF~~ trust account in order to avoid any interruption of services. In the event of a project which requires services over an extended period ~~of time~~ the Fiscal Officer may require advance payment equal to 25% of the projected extended time period with additional 25% advances as a project continues.

~~(7)(6)~~ Exemption: ~~All~~ public utility companies ~~that are~~ under the jurisdiction of, and regulated by, the New Jersey Board of Public Utilities is exempt from the provisions set forth in this section requiring advance payment to the ~~FF~~ trust ~~A~~ account; providing, however, that there are no amounts previously due that are outstanding for a period in excess of 15 days. Any such delinquent balances shall require advance payment of the amount outstanding prior to any officer engaging in any further off-duty assignments.

#### ~~C~~D. Requests for services.

(1) ~~All~~ Requests ~~to the City~~ for the services of off-duty law enforcement officers ~~in the City of Jersey City Police Department~~ for a period of one week or longer shall be forwarded to the Chief of Police ~~for his or her designee~~ for posting at least 10 days before such services are required. ~~Any law enforcement officers, when so employed by private employers shall be compensated at the rates set forth in Section D, hereafter.~~

(2) ~~All~~ Requests ~~to the City~~ for the services of off-duty law enforcement officers ~~in the City of Jersey City Police Department~~ for a period of less than one week shall be forwarded to the Chief of Police ~~for his or her designee~~ for posting as soon as practicable, but in no event less than 24 hours before such services are required, except in emergency situations. ~~Any law enforcement officers, when so employed by private employers shall be compensated at the rates set forth in Section D, hereafter.~~

(3) In emergency situations, requests for ~~the~~ services ~~of off-duty law enforcement officers in the City of Jersey City Police Department~~, shall be made, as necessary, to the Chief of Police ~~for his or her designee~~, who shall make every effort to accommodate such request in a reasonable manner in his or her discretion. Any ~~law enforcement~~ police officers, when so employed by private employers, shall be compensated at the rates set forth in Section D, hereafter. All payments in emergency situations ~~must be paid~~ shall be made within 48 hours. Completed claim forms are to be provided to the officer at the time the services are rendered and the officer shall deliver same to the appropriate precinct.

(4) In the event an off-duty assignment is not picked, posting must be forwarded to all districts in order to secure an officer for the assignment. If the post is not filled within 24 hours prior to the scheduled event, the building supervisor may contact any officer directly to fill the off-duty assignment.

#### ~~D~~E. Rates of compensation; administrative fee; payment for services.

- (1) Rates of compensation for ~~[contracting]~~ the services of off-duty law enforcement officers are established as follows:
- ~~[(a) Rate of compensation for police officers for details at construction sites between the hours of 7:00 a.m. and 4:00 p.m. shall be at the rate of thirty-five dollars (\$35.00) per hour. Any hours after 4:00 p.m. shall incur a night differential at an additional ten dollars (\$10.00) per hour. In addition, any construction details on Saturdays, shall be paid at time and a half rate and Sunday or Holidays as set forth herein, shall be at a double time rate, without any night differential.]~~
  - ~~[(b) Any details at a commercial multi store complex shall be at the hourly rate of thirty-five dollars (\$35.00) without any night, Saturday, Sunday and Holiday differential.]~~
  - ~~[(c) Any details for or on behalf of tax exempt organizations, non-profit (503c) organizations, civic organizations, individuals in non-commercial situations at any City owned Community Center or property owned by an Autonomous Agency or Authority created by Jersey City, shall be at the hourly rate of thirty-five dollars (\$35.00) without any night, Saturday, Sunday and holiday differential.]~~
  - ~~[(d) Any commercial single store detail; details for or on behalf of tax exempt organization, nonprofit (503c3) organizations, civic organizations, individuals in non-commercial situations (except at any City owned Community Center or property owned by an Autonomous Agency or Authority created by Jersey City), shall be at the hourly rate of twenty-five dollars (\$25.00) without any night, Saturday, Sunday and Holiday differential. However, any such details deemed by the Chief of Police or his designee, based upon prior history, to involve major or unusual crowd control issues, including but not limited to, parades and festivals, then in that event the hourly rate shall be fifty dollars (\$50.00), per hour.]~~
  - ~~[(e) Rate of compensation for police officers for details at movie sets shall be at the rate of forty-five dollars (\$45.00). Any hours after 4:00 p.m. shall incur a night differential at an additional ten dollars (\$10.00) per hour. There shall be no differential for Saturday, Sunday or Holidays.]~~
  - ~~[(f) Rate of compensation for police officers for details outside an Alcoholic Beverage Control licensed premises and/or event, shall be at the hourly rate of fifty dollars (\$50.00). Details are not permitted on the "licensed premises" itself, which is the area licensed for alcohol consumption, retail sale or storage. There shall be no differential for nights, Saturday, Sunday or Holidays.]~~
  - ~~[(g) Any detail requiring the services of a superior of the rank of Sergeant or Lieutenant only, shall receive compensation at an additional ten dollars (\$10.00) per hour, above the hourly rate of police officers assigned to said details. The Chief of Police or his designee, shall determine if a detail requires the services of such a superior.]~~
  - ~~[(h) Holidays referenced herein are New Years Eve, New Years Day, Martin Luther King's Birthday, Good Friday, Memorial Day, July 4th, Labor Day, Veterans Day, Thanksgiving Day, Christmas Eve and Christmas Day.]~~
  - ~~[(i) Any off-duty details over eight hours will be paid at a time and a half rate beginning with the ninth hour.]~~
  - ~~[(j) Fee for police vehicle and fuel per hour or part thereof: ten dollars (\$10.00). The necessity for a police vehicle at a particular job site will be at the determination of the District Commander of the district of the detail.]~~

~~[(k) Additional fee of five dollars (\$5.00) per officer per hour is hereby established to cover administrative costs, overhead and out-of-pocket expenses of the City of Jersey City. This additional fee will not be charged to any organization for any event that takes place in a City owned building or to the Jersey City Housing Authority.]~~

~~[(f) Any work or project conducted by a Jersey City Governmental Entity shall not qualify for off-duty police services with the exception of the Jersey City Housing Authority. The rate for police officers and detectives for the Jersey City Housing Authority shall be, at site based assignments, twenty-five dollars (\$25.00) per hour; Sgts. twenty-six dollars (\$26.00) per hour; Lt. twenty-seven dollars (\$27.00) per hour; and Capt. twenty-nine dollars (\$29.00) per hour. All rotating assignments shall be paid at the rate of twenty-two dollars (\$22.00) per hour. There shall be no night, Saturday, Sunday and Holiday differential regardless of assignment. The aforesaid rates may be reviewed from time-to-time as may be appropriate, however, shall remain in full force and effect until appropriately amended.]~~

<u>CONSTRUCTION SITES</u>	<u>COMMERCIAL ESTABLISHMENTS</u>	<u>TAX EXEMPT ORG.</u>
CITY PROJECTS \$35.00 / hour SAT TIME & A HALF SUN-HOLIDAYS DOUBLE TIME AFTER 4PM - Additional \$10.00 / hour  PRIVATE CONTRACTORS As Defined in A:5(b)i \$45.00 / hour SAT TIME & A HALF SUN-HOLIDAYS DOUBLE TIME AFTER 4PM - Additional \$10.00 / hour EFFECTIVE 1/1/12 \$50.00 / hour  PRIVATE CONTRACTORS Work Performed On Family Units As Defined In A:5(b)ii \$35.00 / hour	Commercial Bank or Financial Institution \$35.00 / hour EFFECTIVE 1/1/12 \$40.00 / hour  Commercial Establishments: \$35.00 / hour OVER 4,000 SQ FT. EFFECTIVE 1/1/12 \$40.00 / hour  All Other Retail Establishments Not Covered Above \$25.00 UNDER 4,000 SQ FT.	\$35.00 / hour
<u>LARGE EVENTS UNDER 5,000 PEOPLE</u> (Except City-Owned Facility Events)  \$50 / hour	<u>LARGE EVENTS OVER 5,000 PEOPLE</u>  \$65.00 / hour	<u>FILM PRODUCTION SITES</u>  \$55.00 / hour
<u>OUTSIDE AN ALCOHOLIC BEVERAGE CONTROL LICENSED PREMISE</u>  \$55.00 / hour	<u>SUPERIOR OFFICER REQUIRED</u>  Additional \$10.00 /hour above rates of police officers for above assignments.	<u>CITY OWNED FACILITY</u> Private party held at Bethune Center after 8 p.m. only  \$35.00 / hour

\*\*\*UNLESS STATED IN THE ABOVE TABLE, NO NIGHT, WEEKEND OR HOLIDAY DIFFERENTIAL\*\*\*

- (2) Any off-duty assignments over eight (8) hours shall be paid at a time and a half rate beginning with the ninth hour.
- (3) Fee for police vehicle and fuel per hour or part thereof: \$10. 00. The necessity for a police vehicle at a particular site will be at the determination of the District Commander of the district of the detail.
- (4) The minimum period of compensation shall be four (4) hours.
- (5) An officer who is compensated for this minimum period because of a late cancellation under subsection G or because of early termination of an assignment may not accept additional off-duty assignments during that period.

**F. Administrative Costs.** An additional fee of \$5.00 per officer per hour is hereby established to cover administrative costs, overhead and out-of-pocket expenses of the City of Jersey City. This additional fee shall not be charged to a nonprofit organization for an event in a City owned building nor to the Jersey City Housing Authority.

The aforesaid rates shall be reviewed every three (3) years commencing January 1, 2014.

**G. Cancellation.** A perspective employer who fails to notify the Chief of Police at least twelve (12) hours before the commencement of services shall compensate the officer(s) for four (4) hours.

**H. Public emergency.** The Chief of Police shall have the authority to order any police officer engaged in off-duty assignments to respond to an emergency. The Chief of Police may terminate an assignment whenever said assignment creates an unacceptable risk to the off-duty officer or to the citizens of the City of Jersey City. If an off-duty assignment is cancelled or terminated by the Chief of Police, the employer shall not be responsible for any compensation or fees until the officer returns to the assignment.

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

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

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

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

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

TK/TF/he  
9/29/10

APPROVED AS TO LEGAL FORM

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

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

APPROVED: \_\_\_\_\_  
Business Administrator

Certification Required

Not Required

City Clerk File No. Ord. 10-124

Agenda No. 3.E 1st Reading

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



# ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-124

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

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

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

**WHEREAS**, the proposed amendments further detail the project design and development of the Residential -Mixed Use District which includes the project known as *The Residences @ Liberty*; and

**WHEREAS**, inspiration for the redevelopment design is the Italian hill town of San Gimignano. The new design adds multiple buildings, and varies the permitted height, density, and bulk standards of the Residential -Mixed Use District; and

**WHEREAS**, at its meeting of September 14, 2010, the Jersey City Planning Board, discussed the proposed amendment and viewed a presentation of design concepts by Architects A. Nelessen Associates, Inc, and Dean Marchetto Architects, PC. These architects worked closely with staff of the Division of City Planning to craft design standards consistent with the inspirational vision; and

**WHEREAS**, the Planning Board unanimously recommended that the Municipal Council adopt the proposed amendments, with adjustments as discussed during the meeting, to guide future redevelopment within the Residential -Mixed Use District; 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 September 14, 2010 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 Clerk is hereby directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the 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 further 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.

APPROVED AS TO LEGAL FORM

Ray L. Reddy  
Asst. Corporation Counsel

APPROVED: [Signature]

APPROVED: [Signature]  
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 LIBERTY HARBOR 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:**

A re-design of the zoning standards that apply to the Residences@ Liberty Project District. Inspiration for the redevelopment design is the Italian hill town of San Gimignano. The new design adds multiple buildings, and varies the permitted height, density, and bulk standards of the Residential Mixed - Use District; and

It incorporates design concepts conceived by Architects A. Nelessen Associates, Inc, and Dean Marchetto Architects, PC. These architects worked closely with staff of the Division of City Planning to craft design standards consistent with the inspirational vision; and

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

New standards are necessary to improve the overall Mixed - Use Residential District appeal and character.

This District is immediately adjacent to the Liberty National Golf Course. The Mixed Use Residential Project it contains needs to be able to adequately accommodate the clientele it will serve. The original residential development contemplated was of average stature and appeal. The developers and planners have come to recognize that this area given its unique location and access to and views of the NY/NJ Harbor, Liberty State Park, Ellis Island and the Statue of Liberty need to stand on its own as a world class destination and development

It needs to accommodate residents, regional retail and entertainment venues, tourist accommodations and special golf events. Its access to the Hudson River Waterfront Walkway and Liberty State Park make it uniquely placed to serve key local needs along these special Jersey City recreational spaces in addition to attracting international investment and interest in Jersey City overall.

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

- The creation of an attractive desirable development project in Jersey City.
- Further investment in Jersey City
- Continued economic development in the City and Region.

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

No expense to the city.

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

It will commence upon approval of the redevelopment plan amendment.

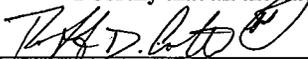
**8. Anticipated Completion Date: N/A**

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

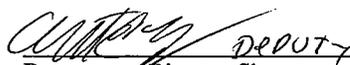
Robert D. Cotter, Director, City Planning	547-5050
Maryann Bucci-Carter, City Planning	547-4499

**10. Additional Comments: None**

**I Certify that all the Facts Presented Herein are Accurate.**

  
 \_\_\_\_\_  
 Division Director

9/16/10  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Deputy  
 Department Director Signature

September 22, 2010  
 \_\_\_\_\_  
 Date

## **SUMMARY STATEMENT**

### **ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LIBERTY HARBOR REDEVELOPMENT PLAN**

This ordinance amends the Liberty Harbor Redevelopment Plan's Mixed-Use Residential District. Specifically, it is a re-design of the zoning standards that apply to the Residences@ Liberty Project.

Inspiration for the re-design is the Italian hill town of San Gimignano. The new design adds multiple buildings, and varies the permitted height, density, and bulk standards of the Residential –Mixed Use District. New standards are necessary to improve the overall Mixed-Use Residential District appeal and character. They establish the top of the parking garage as a plaza level suitable for entertainment outdoor dining special event space.

# JERSEY CITY

DEPARTMENT OF HOUSING, ECONOMIC DEVELOPMENT & COMMERCE  
DIVISION OF CITY PLANNING



ROBERT D. COTTER, PP, AICP  
PLANNING DIRECTOR

JERRAMIAH T. HEALY, MAYOR  
CARL S. CZAPLICKI, DIRECTOR

September 1, 2010

Stephen D. Marks, PP, AICP, CFM  
Planning Director / Board Secretary  
Hudson County Division of Planning  
Meadowview Campus, Bldg. 1, Floor 2  
595 County Avenue  
Secaucus, New Jersey 07094

Re: **Amendments to the Liberty Harbor Redevelopment Plan**

Dear Mr. Marks:

This letter shall serve to advise the Hudson County Planning Board that the Jersey City Planning Board, at their September 14, 2010 meeting, will consider the above redevelopment Plan amendment. The Planning Board meeting will be held at 5:30PM in the Council Chambers at 280 Grove Street, 2<sup>nd</sup> floor, JC, NJ.

A copy of the amendment is attached. Formal Action in the form of a recommendation the City Council may be taken.

The City Council of Jersey City will then hold a public hearing on this item. First reading will be on September 29, 2010, and second reading will be on October 13, 2010. The public is welcome to attend and participate. The City Council meeting is held in the Council Chamber of City Hall, 280 Grove Street, 2<sup>nd</sup> floor, JC, NJ. The City Council meeting begins at 6:00PM.

If you have any questions, please contact me at 547-4499.

Sincerely,

Maryann Bucci-Carter, PP, AICP  
Supervising Planner

cc: C. Czablicki, HEDC  
Rosemary McFadden, Deputy Mayor  
File

---

30 Montgomery Street – Suite 1400, Jersey City, NJ 07302  
201-547-5010 office • 201-547-4323 fax  
[www.cityofjerseycity.com](http://www.cityofjerseycity.com)



IT'S IN OUR HANDS

# **LIBERTY HARBOR REDEVELOPMENT PLAN**

**MARCH 1973**

**AMENDED MARCH 1983**

**AMENDED DECEMBER 1984**

**AMENDED JANUARY 1988**

**AMENDED SEPTEMBER 1989**

**AMENDED AUGUST 1997**

**AMENDED APRIL 1998**

**AMENDED SEPTEMBER 1998**

**AMENDED JULY 1999**

**AMENDED JUNE 13 2001 – Ord # 01-071**

**AMENDED JULY 17 2002 – Ord # 02-080**

**AMENDED JUNE 25 2008 – Ord # 08-083**

**As Recommended to the Jersey City Council**

**By the Jersey City Planning Board**

**on September 14, 2010**

**Department of Housing, Economic Development & Commerce  
Division of City Planning**

**Amendments to this Plan are indicated in the following way:**

Text indicated by a strikethrough, ~~like this~~, is existing text that is proposed to be deleted.  
Text indicated in bold italic *like this* is new material proposed to be enacted.

TABLE OF CONTENTS

Amendments to the Plan.....V

I. BOUNDARY DESCRIPTION ..... 1

II. DESCRIPTION OF PROJECT.....2

    A. Redevelopment Plan Objective.....2

    B. Types of Proposed Redevelopment Actions .....2

    C. Duration and Effective Date of Controls .....3

III. LAND USE PLAN REQUIREMENTS ..... 3

    A. Permitted Uses.....3

        1. Multi-Purpose District.....3

        2. Industrial District .....3

        3. Park District .....3

        4. Residential Mixed-Use District .....4

    B. Regulations and Controls on Land Use.....4

        1. Urban Design Requirements ..... 5

        2. Circulation and Open Space Requirements.....7

        3. Off-Street Parking and Loading Requirements .....8

        4. Landscaping Design Requirements .....11

        5. Deviation Clause.....13

        6. Specific Requirements .....13

        7. Industrial District Parcels.....13

    C. Prohibited Uses.....14

IV. SUBMISSION OF REDEVELOPERS PROPOSALS ..... 14

    A. Procedure .....14

    B. Adverse Influence.....15

    C. Restriction of Occupancy or Use.....15

    D. Interim Uses.....15

    E. Maintenance of Open Areas.....15

    F. Signs ..... 15

V. DISTRICT AREA, YARD, AND BULK REQUIREMENTS .....16

    A. Multi-Purpose District .....16

        Residential .....16

        Non-Residential .....17

    B. Industrial District .....17

    C. Park District .....17

    D. Residential Mixed-Use District .....17

    E. Applicable to All Districts .....23

VI. PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS ..... 23

    A. Land Acquisition .....23

        1. Properties to be Acquired.....23

        2. The Law of the State provides that.....23

VII. PROCEDURE FOR CHANGES IN APPROVED PLAN ..... 24

VIII. DEFINITIONS..... 25

VIII. MAPS .....26

Liberty Harbor Redevelopment Area  
Map No. 1 Project Boundary  
Map No. 2 Land Use Map  
Map No. 3 Circulation Map  
Map No. 4 Acquisition Map

***Residential Mixed-Use District***

Map No. 5 ***District Context Map***  
Map No. 6 ***Ground Level: Retail Frontage Regulating Plan***  
Map No. 7 ***Ground Level: On-Street Parking Plan***  
Map No. 8 ***Ground Level: Illustrative Landscaping Plan***  
Map No. 9 ***Plaza Level: Illustrative Landscaping Plan***  
Map No. 10 ***Plaza Level: View Sheds***  
Map No. 11 ***Plaza Level: Retail Frontage Regulating Plan***  
Map No. 12 ***Plaza Level: Build to Lines and Heights Regulating Plan***  
Map No. 13 ***Plaza Level: Tower Step-backs***

***Table No. 1 Residential Mixed-Use District Capacity Regulations***

***Exhibit No. 1 Residential Mixed-Use District Illustrative Rendering***

Amendments to the redevelopment plan maps are also authorized and adopted as part of this amendment. They are as follows:

1. *The Residential Mixed-Use District contains the following lots:*

<i>Block 1497 Lot 33</i>	<i>10.26 acres</i>
<i>Block 1497 Lot 34</i>	<i>2.28 acres*</i>
<i>Block 1497 Lot 35</i>	<i>4.88 acres</i>
<i>Block 1497 Lot 11a</i>	<i>.0983 acres</i>

*Footnote shall be added to the Residential Mixed-Use District Map, to read as follows: \*This land is under water. Under water area shall not apply toward the calculation of density for the district. There are 13.84acrea of upland property in the Residential Mixed-Use District.*

2. *A new base maps reflecting new lot and Block designation shall be prepared for the overall redevelopment plan utilizing GIS mapping to replace the existing Mylar maps.*

## I. BOUNDARY DESCRIPTION

BEGINNING at the intersection of the centerline of Johnston Avenue and the eastern right-of-way line of the Hudson County Extension of the New Jersey Turnpike as crossing above, thence in a southerly direction along the eastern right-of-way line of the Hudson County Extension of the New Jersey Turnpike to the point of its intersection with the northern block line of Block 1500, thence in an easterly direction along the northern block line of Block 1500 to the point of its intersection with the western lot line of Lot 1E, Block 1497, thence in a northerly direction along the western lot lines of Lots 1E and ID, Block 1497 to the point of its intersection with the northern lot line of Lot ID, Block 1497, thence in an easterly direction along the northern lot lines of Lots ID and IF, Block 1497 to the point of its intersection with the U.S. Pier-head and Bulkhead line as adopted March 6, 1939, thence in a northerly direction along such pier-head and bulkhead line to the point of its intersection with the southern limit of the Tidewater Basin, thence in a westerly direction along the southern limit of the Tidewater Basin to the point of its intersection with the eastern lot line of Lot 54C, Block 2145, thence in a northerly direction along the eastern lot line of Lot 54C, Block 2145 to the point of its intersection with the southern lot line of Lot 40H, Block 2145, thence in a westerly direction along the southern lot line of Lot 40H, Block 2145 to the point of its intersection with the eastern lot line of Lot 40Z, Block 2145, thence in a southerly direction along the eastern lot line of Lot 40Z, Block 2145 to the point of its intersection with the northern lot line of Lot 55, Block 2145, thence in a westerly direction along the northern lot line of Lot 55, Block 2145 to the point of its intersection with the western lot line of Lot 55, Block 2145, thence in a southerly direction along the western lot line of Lot 55, Block 2145 to the point of its intersection with the southern lot line of Lot 41F, Block 2145, thence in a westerly direction along the southern lot line of Lot 41F, Block 2145 to the point of its intersection with the centerline of Johnston Avenue, thence in a westerly direction along the centerline of Johnston Avenue to the point of its intersection with the eastern right-of-way line of the Hudson County Extension of the New Jersey Turnpike as crossing above, the point and place of BEGINNING (See Map No.1 Project Boundary).

## II. DESCRIPTION OF PROJECT

### A. Redevelopment Plan Objectives

Renewal activities for Liberty Harbor (hereinafter called "The Project") will be undertaken in conformity with, and will be designed to meet the following objectives of this redevelopment Plan:

1. The elimination of substandard buildings and other deteriorated and obsolete structures, including dilapidated piers and bulkheads, and the elimination of blighting influences such as incompatible uses.
2. The improvement of the functional and physical layout of the project area for contemplated new development and the removal of impediments to land disposition.
3. The overall improvement of traffic circulation through the development of new vehicular and pedestrian circulation systems which provide for separation of vehicular and pedestrian traffic, as well as for maximum use of public transportation, including a ferry stop.
4. Creation of major new employment opportunities within a modern industrial park, including provision for new manufacturing, warehousing, distribution, office, and recreation activities and opportunities.
5. Creation by the State of New Jersey of a major new park on the waterfront that is responsive to the urban needs of Jersey City and provides a suitable backdrop for Ellis Island and the Statue of Liberty.
6. The creation of employment and the expansion of the City's tourism sector.
7. The creation of new residential development with ancillary retail and ancillary commercial development, class 'A' hotels, and public and private recreation facilities.
8. Provision for redevelopment with minimum relocation of residents and business or industrial concerns. Priority shall be given to persons and businesses displaced by project activities.
9. Coordination of redevelopment activities to provide a uniform attack on blight which reinforces already existing renewal and improvement programs in adjacent areas in accordance with a plan that integrates Liberty Harbor with the remainder of the City of Jersey City.
10. To promote balanced development in accordance with the Fair Housing Act, NJSA 52:27D-311, and the Housing Element and Fair Share Plan of the Jersey City Master Plan.

### B. Types of Proposed Redevelopment Actions

It is proposed to substantially improve and upgrade Liberty Harbor through a combination of redevelopment actions. These will include (1) clearance of dilapidated or deteriorated buildings and structures; (2) retention and conservation of sound compatible uses which are not to be acquired; (3) assembly into developable parcels of vacant, underutilized or blighting parcels now in scattered and varied ownership; (4) creation of additional land through fill and bulkheading of land presently underwater; (5) prevention of flooding through use of fill or other means to raise land areas to safe levels; and (6) provision of a full range of public infrastructure necessary to service and support the new facilities.

### C. Duration and Effective Date of Controls

The land use provisions and building requirements and/or any modification thereof shall remain in effect for a period of thirty (30) years from the date of approval of this Redevelopment Plan by the governing body of the City of Jersey City. The termination of this Plan shall in no way permit the project land or any part thereof to be restricted on the basis of race, creed, color or national origin in the sale, lease, use or occupancy thereof.

The redevelopment of property within the boundaries of this plan has not proceeded at the expected rate. The original thirty (30) year duration must be extended. An additional twenty (20) years shall be added to the plans duration. Therefore, the land use provisions and building requirements and/or any modifications thereof shall remain in effect for a period of fifty (50) years from the original date of approval of this redevelopment plan by the governing body of the City of Jersey City.

## III. LAND USE PLAN REQUIREMENTS

*(Individual Land Use Districts are identified within the Map No.2 Land Use Map)*

### A. Permitted Uses

1. **Multi-Purpose District** - Residential Dwellings, home occupations, public and semi-public uses, full service, class A hotels with a three meal restaurant and on-site related banquette/conference/spa facilities, sports facilities, public and private recreation, restaurants and nightclubs, television transmission tower with public observation deck. Ancillary retail functions customarily accessory to these uses shall also be permitted.
2. **Industrial District**- Permitted uses of parcels designated Industrial shall be: manufacturing; assembly; laboratory; testing; research; marine commercial storage; neighborhood commercial, and service, container port; shipping; trucking; business offices; professional; and governmental offices; full service, class A hotels with a three meal restaurant and on site related banquette/conference/spa facilities; public and quasi-public uses; public or private recreation and open space (including golf courses, driving ranges and associated golf facilities); off-street parking and loading; and railroad uses.
3. **Park District** - Permitted uses of parcels designated Park shall include:
  - parks, playgrounds, tot lots, ball fields
  - swimming pools
  - promenades
  - marinas
  - open spaces
  - public and private active and passive recreation including but not limited to golf courses, driving ranges, water parks, theme parks, theatres, arena facilities

- ancillary retail functions customarily associated with these uses such as restaurants and services.
- structures and facilities appropriate to a major urban state park and compatible with adjoining residential and industrial development.

4. **Residential Mixed-Use District – *The boundary of the Residential Mixed-Use District can be found on Map No. 5, District Context Map.*** This District affords a form of overlay district offering two development options:

- a. Residential Mixed-Use project developed only when developed as a single integrated project consisting of multiple residential towers with an optional hotel tower/ structure constructed over totally enclosed, ventilated, and screened structured parking with accessory retail and commercial uses and only in conjunction with the development of an eighteen (18) hole golf course and associated waterfront walkway improvements. The golf course shall be existing or it must be constructed simultaneously with the mixed-use project. The purpose of the decked garage is two fold; it accommodates accessory parking in a screened environment and utilizes the change in grade of the site to deck and thereby create land area needed at the appropriate elevation to provide for active golf course area of the 18-hole golf course. The golf course shall be partially located within this district with portions on the deck, including the club house, driving range and portions of various holes and fairways, and partially on adjacent property.

Specific uses may include: Residential dwellings; home occupations; full service, class A hotels with a three meal restaurant and on-site related banquette/conference/spa facilities; public or private recreation and open space (including golf courses, driving ranges, club house and associated golf facilities, health clubs, tennis courts, etc.); Accessory decked off-street parking and loading; ferry stops including piers and passenger waiting areas; restaurants and nightclubs; banking facilities and financial institutions; accessory professional and business offices; retail sales of goods and services intended to serve the resident population of and visitors to the project area. Uses customarily accessory to these uses shall also be permitted. More than one use may occupy any building.

This project may be phased however, the golf course shall be constructed **prior to or** contemporaneously with the construction of Phase 1 if implementation is permitted

- b. If the proposed development within this district does not meet the above criteria, then the permitted uses in this district shall include only hotels, as regulated in the Industrial District above, but with garage design façade, and internal ventilation requirements as set forth for the Residential Mixed-Use Zone.

**B. Regulations and Controls on Land Use**

Regulations and controls applying to all sections of the project area.

This redevelopment plan authorizes the Planning Board to identify, review and approve the site improvements and building including the façade design of all building in the redevelopment plan area. All applicants may meet with the Planning Board Technical Review Subcommittee, present their design, and work with them to receive their endorsement prior to a hearing of the full Board. Television transmission tower with

observation deck shall be limited to one in this redevelopment plan area and be located on land owned by the City of Jersey City within the Multi-Purpose District. Due to its unique design requirements, such tower shall not be subject to the regulations and design requirements imposed on the standard land uses permitted in this redevelopment plan. Such television transmission tower shall be subject to Planning Board site plan review and approval. The Planning Board review shall be directed to architectural design, parking, landscaping and signage as well as public access and safety.

#### 1. Urban Design Requirements

These design objectives have been developed as a framework for the detailed design of specific redevelopment proposals. Combined with the land use and building controls established in this Redevelopment Plan, these design objectives and requirements will assure that development proposals will take place in an environment in the best interests of the City of Jersey City and the future occupants of Liberty Harbor. All redevelopers will be required to comply with this plan.

- a. All buildings in the project shall be located with the proper consideration of their relationship to other buildings, both existing and proposed, in terms of light, air and usable open space, access to public rights-of-way and off-street parking, height and bulk.
- b. Groups of related buildings shall be designed to present a harmonious appearance in terms of architectural style and exterior materials.
- c. Buildings should be designed to be attractive from all vantage points.
- d. Building setbacks should be varied to the extent practicable in order to provide an interesting interplay of buildings and open space.
- e. Building height in each part of the project should be varied in order to avoid a monotonous uniformity of development.
- f. All buildings, except for permitted industrial buildings, shall have a base which shall be designed according to the following:
  - The base façade shall be 15 to 40 feet in height.
  - The base façade shall be constructed of *glass and* masonry, including but not limited to stone, brick, textured concrete. Concrete Block is prohibited. Glass shall constitute 70% of the first 2 stories of the base and at least 40% of any stories above the second within the base façade area. Except that for buildings containing residential use within the base façade area of the building, the above 70% and 40% criteria shall not apply. Instead, window openings consistent with the residential use shall be utilized and no window sill of any window to a residential unit shall be less than (5) five feet above the elevation of the nearest sidewalk.
  - *Window openings more consistent with the residential use can be utilized provided that and no window sill of any window to a residential unit shall be less than five (5) feet above the elevation of the nearest sidewalk or pedestrian pathway. Floor to ceiling glass can be used.*
  - In no instance, no matter what the use or zone district, shall blank walls be permitted.
  - At the top of the base, 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, of the

base shall be provided. A step-back a minimum of 10 feet from the outermost edge of the base shall be provided. The step-back shall occur at a minimum of 30 feet and a maximum of 75 feet from grade. ~~Except that within the Residential Mixed-Use district the 10-foot stepback need not be provided where the residential and/or hotel tower elements are designed to be part of the base façade masking the parking structure.~~

**Except that within the Residential Mixed-Use District, building step-backs shall be governed by the standards in Section V.D.**

- g. Access by the elderly, physically handicapped and/or disabled shall be required. Design standards shall meet, at a minimum, barrier free design regulations as specified in the Uniform Construction Code. Handicapped parking requirements shall meet, at a minimum, regulations as specified in the Municipal Code.
- h. Step backs - All buildings exceeding 120 feet shall be required to have one step back or a combination of step backs, *except that within the Residential Mixed-Use District, building step-backs shall also be governed by the standards in Section V.D.*
- i. Roof treatment, Mechanical Screening and Electrical Equipment:
- All buildings exceeding 75 feet shall have a significant top designed to gracefully cap the structure. The Planning Board may permit the cap requirement to be replaced by the use of articulated elements that create the perception of a lower scale structure. Lighting of the building top shall be required.
  - All mechanical equipment located on any roof of a building shall be screened from view from all vantage points with a material identical to that used in the façade of the structure. The screening shall not impair the functioning of the equipment.
  - Wherever roofs can be seen or looked down upon from adjacent buildings a roof-scape plan must be developed and submitted for approval. Roof-scapes should include mechanical equipment, trellises to obscure view, colored roof patterns and landscaping. Parking decks shall be designed to obscure the view of broad expanses of parking with the use of landscaping, screens, trellises and roofs. Parking shall not be visible on the roof of any deck.
  - All electrical communications equipment shall be located in such a way that it does not negatively impact the appearance of the building nor create objectionable views as seen from surrounding structures.
  - *The roof treatment may include features such as wind turbines, solar collectors, green roof technology, and observation areas. If these features are incorporated, they must be designed and integrated into the overall composition of the building.*
- j. Streetscape
- All buildings shall be designed to front on a public street to encourage and create a street wall and a pedestrian environment at a human scale. Within the Residential Mixed-Use District, this requirement shall be met by providing the pedestrian environment at a human scale along the frontage with the Waterfront Walkway and providing pedestrian access to

the uses and structures along *the waterfront walkway and the pedestrian areas, and on portions of the plaza/deck and Liberty View Drive.*

Because of the importance of the Waterfront Walkway, it is required that all easements be maintained to continue the connection of the Waterfront Walkway within the Residential Mixed-Use District with the Waterfront Walkway at Liberty State Park and with Audrey Zapp Drive.

- ***Within the Residential Mixed-Use District, Liberty Drive may be designed to include sidewalks, parallel parking at selected locations, and lobby entrances. Permitted and possible retail frontages along Liberty Drive are indicated on Map No. 6 Ground Level Frontage Regulating Plan.***
  - Main entrances into buildings shall be located on public streets. Except that within the Residential Mixed-Use District, any building that utilizes the roof deck of a parking structure as its base, entrance plaza and/or outdoor park/recreation area shall provide its main entrance from the roof deck area ***shall provide its main entrance from this roof deck area or from Liberty Drive.*** Secondary entrances shall also be provided from parking areas and/or as necessary according to the design of the structure. In addition, buildings located within the Residential Mixed-Use District shall provide convenient access to and from the adjacent Waterfront Walkway, the parking structure, and accessory retail uses ***and possible retail uses along Liberty Drive. Elevators from lower parking levels shall provide access to the deck level without directly continuing into the residential portions of towers.***
  - ~~Entrances shall be designed to be attractive and functional. Indicators such as awning, changes in sidewalk paving material or other indicator consistent with the design, proportions, material and character of the surrounding area shall be provided.~~
  - A decorative streetscape, sidewalk and street trees in grates or with guards shall be provided in conjunction with every project site plan and be included on all street and R-O-W frontages.
- k. Utility distribution lines, utility service connections, and all other cable, telephone, or other communication lines to project area uses shall be located underground.

## 2. Circulation and Open Space Requirements

- a. Interior drives within redevelopment parcels shall be so designed as to discourage through traffic.
- b. Sidewalks, malls and plazas shall be attractively and durably paved with a suitable variety of minimum maintenance type materials and provided with adequate lighting.
- c. Open spaces shall be so located as to provide for maximum usability and to create a harmonious relationship of buildings and open space throughout the project area. The open space system should be continuous and provide for

- pedestrian movement and access to shopping and community facilities and recreation areas.
- d. Modern, decorative, pedestrian friendly traffic calming techniques shall be utilized within each development site, both within the site and along the R-O-W that it abuts.
  - e. Within the Residential Mixed-Use District, vehicular ~~drive shall be provided as access from Caven Point Road on the west to the top of the parking structure. to the parking structure shall be provided from Caven Point Road with up to four additional ingress and egress locations along Liberty Drive.~~ ~~A second vehicular access~~ **Vehicular access shall may** also be provided from Audrey Zapp Drive to the lower level of the parking structure and to convenience parking along the north side of the site in the vicinity of the ancillary retail facilities. Pedestrian access, i.e. sidewalks, shall also be provided along these vehicular drives **and from the waterfront walkway to the plaza level and inviting decorative staircase, similar to the grand stair constructed at the club entrance.**
  - f. Within the Residential Mixed-Use District, pedestrian access shall be provided from Audrey Zap Drive to the Waterfront Walkway at the eastern end of the district.

### 3. Off-Street Parking and Loading Requirements

- a. Off-street parking and loading areas shall be coordinated with the public street system serving the project in order to avoid conflicts with through traffic or obstruction to pedestrian walks.
- b. Parking for high-density uses shall be provided in multi-level garages.
- c. **Residential Mixed-Use District Parking Provision**
  - ***A maximum of 2,300 parking spaces shall be provided within the Residential Mixed-Use District. These spaces shall include parking for residential units, retail establishments, hotels, offices, and golf facilities as well as any spaces designated as shared parking.***
  - ***Parking will be provided within a multilevel, mixed-use parking structure that is partially embedded in the ground.***
  - ***The location of permitted on-street parking is indicated on Map No. 7. Any on-street spaces provided within the District shall count towards the District's parking maximum count.***
  - ***All required parking spaces must be a minimum of 9 feet wide by 18 feet deep except for handicapped spaces. A number of smaller spaces for compact and subcompact cars may be considered. 15% of the spaces can be compact with dimensions of 8 feet by 16 feet.***

***Valet parking is permitted to occupy any portion of the parking structure and through its use the total number of spaces could be increased.***
- d. Structured Parking, in garages or principal Buildings:
  - All parking structures shall be masked along all street frontages or areas visible from a street, by usable floor area designed to contain permitted uses other than parking, for parking structures located within the Residential Mixed-Use District, the requirements of Section V.D.8. shall prevail, in

addition to other requirements of this section.

- Any parking garage level equal to street level shall not contain any parking or mechanical floor area adjacent to the sidewalk/street frontage, except that for parking structures located within the Residential Mixed-Use District, the requirements of Section V.D.8. shall prevail.
  - The parking structure shall be designed to eliminate headlight glare by the provision of opaque screening for headlights and placement of interior garage lighting to be directed into the structure and mounted on the interior side of columns.
  - The facade of the parking levels in the building shall be of a compatible material to that used throughout the development and shall be designed to provide visual interest.
  - The exterior material and design shall be the same or similar, to the greatest extent possible, as the exterior walls of the principal building. Where there is no principal building, the exterior materials and design shall be as attractive as a principal building, (not applicable to the Residential Mixed-Use District).
  - Any openings in the garage facade must be of the punched type and relate in design to the fenestration pattern of the principal building. All openings must be screened with glass or decorative metal grills, (chain link is prohibited). Any openings shall preferably be in a vertical proportion, (not applicable to the Residential Mixed-Use District).
  - Blank walls on any facade are prohibited.
  - All building and garage access points shall be provided at street level and designed to encourage street activity. Overhead or elevated pedestrian or vehicular connections are prohibited. Except that due to the topography within the Residential Mixed-Use District, garage access shall be provided at the upper levels from Caven Point Road in addition to the street level, and building access shall be provided in conformance with section III.B.1.j. of this Plan. ***All parking structure ingress and egress locations shall be integrated into the overall composition of the development site.***
- e. Surface parking facilities shall be extensively landscaped. Large concentrations of parking without landscaping shall be prohibited.
- f. All parking areas abutting streets shall be landscaped on the periphery with berms, shrubs, trees and/or ground cover.
- g. Parking shall not front on a street. Buildings shall instead be situated to front on and be immediately adjacent to streets.
- h. All access drives shall be well landscaped along their perimeter.
- i. All non-recreational use parking shall be provided internal to the buildings or in enclosed garages with exterior design and materials to match the principal building(s). Recreational uses may provide exterior at grade parking.

j. Residential uses shall provide off-street parking according to the following schedule:

Unit Type	Minimum Spaces Per Unit	Maximum Spaces Per Unit
Studio	0.5	0.75
1 Bedroom	0.75	1.0
2 Bedroom & above	1.0	1.75

- k. Office and other commercial uses shall provide up to a maximum of 0.9 space per 1000 square feet of gross floor area. This parking ratio can be averaged for the entire redevelopment area.
- l. Retail, restaurants, bars, nightclubs and health clubs shall provide up to a maximum of 0.5 space per 1000 square feet of gross floor area.
- m. Theaters shall provide up to a maximum of 0.5 space per 8 seats.
- n. Hotels shall provide up to a maximum of 1 space per room up to 100 rooms; 0.5 space per room for 101 to 250 rooms; 0.3 space per room for 251 to 500 rooms, and 1 space per 1000 square feet of gross floor area for meeting rooms, banquet rooms, restaurants, and conference rooms (excluding hall, lobby, mechanical, and utility spaces), and shall be included in the 2,300 total spaces provided.
- o. Public/semi-public uses shall provide up to 0.9 space per 1000 square feet of gross floor area and incorporated predominately on the plaza deck level of the structure.
- ~~p. Golf courses shall provide off-street parking up to a maximum of 120 spaces for a 9-hole golf course, 200 spaces for an 18-hole golf course and 1 space per stall for driving range.~~
- p. ***Liberty National golf course, because it is seasonal and at times valeted, shall provide off-street parking with in the 2,300 total spaces***
- q. Ferry stops shall provide off-street parking through the use of shared parking with other facilities.
- ~~r. All required parking spaces must be a minimum of 9 feet wide and 18 feet deep.~~
- r. ***A percentage of the parking spaces which may be shorter due to changes in car design which can be determined by the Planning Board at the time of approval.***
- s. Landscaping shall be required for any part of any parcel not used for buildings off-street parking, or loading space. The developer's plan shall include proposals for landscaping indicating the location, size and quantity of the various species to be used.

- t. *Surface* parking lots for more than 10 vehicles, and all loading areas, shall provide a screen planting of dense evergreens, landscaped berm, and or decorative planting, not less than three (3) feet high along any street line and along all property lines except those instances where a building intervenes or where the proposed planting may interfere with sight triangles.
- u. *Surface* parking lot shall contain interior tree planting of 1 tree per 10 parking stalls, in addition to tree plantings provided along the perimeter of the parking lot and in addition to those within the Street R-O-W..
- v. Parking and service access should be separated from the main traffic to the project site.
- w. Decorative protected pedestrian walkways shall be provided through parking lot(s).
- x. Shared use of accessory parking facilities is encouraged and shall be considered in areas adjacent to underutilized parking facilities.
- y. Lighting used to illuminate off-street parking and loading areas shall be arranged and shielded to prevent the spillage of light off the premises and shall be in accordance with the lighting requirements of the zoning ordinance.
- z. All required parking and loading areas shall be provided off-street. All such parking and loading areas shall be graded and paved with a durable dust free surface and adequately drained. All parking and loading areas shall be designed in accordance with the requirements of the Jersey City Zoning Ordinance, except that overflow parking may be improved with perforated pavers to maintain grass off-season.
- aa. The off-street parking requirements shall apply to all new construction, rehabilitation, and change in use. Required parking may be provided on-site or within five hundred (500) feet of the property line of the development to which it will serve.
- bb. The number and design of off-street loading spaces shall be demonstrated by an applicant according to an anticipated need. All loading activities should be encouraged to be restricted to early morning and/or late evening hours. The design and number of off-street loading shall be subject to review and approval of the Planning Board.
- cc. All developments that propose valet parking shall submit a parking management plan. Such plan shall include but not be limited to: number of vehicles to be parked, number of rows of cars to be stacked, all parking stall and aisle widths and any other information deemed necessary to effectively evaluate the management plan. All parking management plans shall be subject to review and approval of the Division of Traffic Engineering and the Planning Board.

- dd. All buildings shall provide a main entrance onto a public street. Additional entrances may be provided from parking areas or any other place necessitated by the design of the building. Except as provided for in section III.B.1.j. of this Plan for buildings within the Residential Mixed-Use District.

#### 4. Landscape Design Requirements

- a. Landscaping shall be required for any part of any parcel not used for buildings, off-street parking, or loading space. The developer's plan shall include plans for landscaping indicating the location, size and quantity of the various plant species to be used in landscaping, as well as proposals for berms, and other earth sculpting.
- b. Open space shall provide visual and functional elements such as benches, low walls, drinking fountains, refuse containers and planters, and public fountains.
- c. Open space amenities shall include: decorative material such as, stone, brick, or asphalt pavers; stamped and tinted concrete; decorative lighting; and other such detailing. Adequate lighting shall be provided to encourage active usage and a sense of security in the open space. Open space shall be distributed so as to provide for maximum usability.
- d. Through creative design, open space features shall address the need for human comfort and enjoyment and provide both active and passive leisure uses for secure and pleasant outdoor and indoor settings to meet public and private use requirements. Open space and plazas shall be designed at a human scale to invite and attract the public.
- e. Open space shall be oriented to focus on areas to maximize views.
- f. As a general guide, one (1) linear foot of seating for each linear foot of plaza perimeter shall be provided. Except that this criteria shall not apply to plazas located on the roof deck of parking structures located within the Residential Mixed-Use District. Seating space shall still be required within plazas located on the roof deck of parking structures located within the Residential Mixed-Use District subject to Site Plan review and approval by the Jersey City Planning Board. Seating space may include planters, benches, fountains, etc.
- g. *Preliminary landscape plans have been prepared for the Residential Mixed-Use District. Map No. 8 is an illustrative plan for the ground level while Map No. 9 is an illustrative plan for the plaza level. Landscaping is required throughout the site to effectively integrate the new complex of buildings with the existing landscaping of the golf course and to the marina edge by the use of landscaped stairs. The roof deck of the parking structure may be designed to include paved plaza, water features, sculptures, plantings, and seating areas.*

*A formal landscape, streetscape, and paving plan must be prepared for the Residential Mixed-Use District by a certified landscape architect. These plans may incorporate plantings on the roof of the parking structure, the use of sculptural stair elements, and the integration of the top level of the parking structure with the adjoining golf course.*

*Green roofs are permitted.*

## 5. Deviation Requests

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

## 6. Specific Requirements

- a. Buildings *streetscapes and plazas* shall be arranged so as to form a compact, continuous, and interesting ~~streetscape composition with~~ *buildings of various heights.*
- b. All development shall *complement the skyline and* provide for the continuation of sight lines to the *Jersey City / NY skyline and the Statue of Liberty* ~~from the NJ Turnpike through this project plan area. Maximum building heights and~~ The arrangement of the buildings in the project area shall be determined on this basis.
- c. Sight lines must be identified in a view corridor study and maintained.
- d. Consideration must also be given to the skyline that is being created as part of this development.
- e. *Map No. 10 Plaza Level View Sheds illustrates the view sheds from the plaza of the Residential Mixed-Use District. Important sight lines include vistas of the Statue of Liberty, Verrazano Bridge, Lower Manhattan, the New York Bay, and Liberty National Golf Course. Towers constructed on the roof top deck should be arranged to preserve these views from the plaza level.*

## 7. Industrial District Parcels

- a. Adequate buffering in the form of appropriate plants and earth sculpting shall be provided along the shoreline in these areas where industrial reuse parcels are opposite the Statue of Liberty.
- b. Large parking areas should be subdivided by substantial landscape areas into smaller units.
- c. The edges of all parking areas should be set aside for a substantial landscaped area.
- d. Entrances and exits to parking areas must be designed to provide adequate storage capacity in order to avoid back-ups on project area streets.
- e. No uses shall have direct access from parking and loading areas onto the proposed north-south arterial road.

## C. PROHIBITED USES

- a. *To protect the vista along the New Jersey Turnpike Hudson County Extension which was declared a "scenic corridor" in 1995, and other views of the Statue of Liberty, Ellis Island, and New York Bay, as recommended in the Jersey City Master Plan, monopole towers, lattice towers, or other types of communication towers are prohibited within the redevelopment plan area. Roof top antennas are permitted, however their height and design must not interfere with the scenic corridor or general views of the bay.*

## IV. SUBMISSION OF REDEVELOPER'S PROPOSALS

### A. Procedure

Prior to commencement of construction, architectural drawings, specifications and site plans for the construction of improvements shall be submitted by the developers for review and approval so that the compliance of such drawings, specifications and plans with the Redevelopment Plan and these Design Requirements can be determined.

Any development, whether designated by the State of New Jersey or otherwise, within Liberty State Park by private development must appear before the Planning Board for site plan review for informational purposes.

Site plan review shall be conducted by the Jersey City Planning Board pursuant to NJSA 40:55D-1 et seq. for new construction, additions, rehabilitation, re-use or change in use. Site plan review shall consist of a preliminary site plan application and a final site plan application. Preliminary site plan approval shall entitle an applicant to building permits. Final site plan approval shall not be submitted unless or until a development is substantially completed.

Development may proceed in phases. However, such phasing must be so indicated on preliminary site plans and any subsequent approvals will be based upon such phasing. No Certificate of occupancy of any type shall be issued for such development unless or until the Planning Board of Jersey City has given final site plan approval for such phase.

As part of the final site plan approval, the Jersey City Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D53. Such performance guarantees shall be in favor of Jersey City and in a form approved by either the corporation counsel or planning Board attorney of Jersey City. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of improvements within one (1) year of final site plan approval.

**B. Adverse Influences**

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

**C. Restriction of Occupancy or Use**

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

**D. Interim Uses**

Interim uses may be established, subject to site plan approval by the Planning Board. The developer/applicant must satisfactorily demonstrate, and the Planning Board must find that, such use will not have an adverse effect upon existing or contemplated development during the interim use period. Interim uses must receive Site Plan approval from the Planning Board. The Planning Board shall establish an interim use period of between one (1) year and three (3) years in duration, subject to the Planning Board's discretion. Additional renewals of an interim use may be granted by the Planning Board, subject to the same interim period limitations specified above.

**E. Maintenance of Open Areas**

All open areas shall be landscaped and maintained in an attractive condition.

**F. Signs**

1. All signs shall require Site Plan approval.
2. They shall be minimal in size and be of material consistent with that of the principal building. Back-lit box or letter shaped signs made of plastic or similar looking material, are not permitted.
3. A maximum of 2 per project site shall be permitted.
4. Billboards and freestanding signs are prohibited.

5. Illuminated identification signs, and advertising signs, visible from Liberty State Park are prohibited.
6. Each complex may have one monument style sign at each vehicular entrance to the complex identifying the name of the complex. Said monument sign to be no greater than four feet in height nor have a sign area in excess of twelve (12) square feet, and shall be attractively landscaped. All signage must be compatible with the material, character, color scheme and design of the principal structure.
7. Each residential building shall be permitted one (1) sign not to exceed eight (8) square feet, attached flush to the building wall, identifying the name of the building or complex, and street address only.
8. Retail sales, restaurant uses, and any other permitted uses not mentioned within this section, shall be permitted (1) one sign per establishment, identifying the use, not to exceed 10% of the first story portion of the wall containing the uses frontage to which it is attached.
9. Hotels, shall be permitted one (1) sign not to exceed Twenty (20) square feet, attached flush to the building wall, identifying the name of the building or complex, and street address and logo only. Additionally, the logo and/or hotel name may be added to the monument sign area in conformance to the requirements of item 6. Of this section.
10. Parking Garages - One (1) attached sign per parking entrance may be allowed indicating the parking facility by the international parking symbol and a directional arrow. Said sign not to exceed four (4) square feet.

**V. DISTRICT AREA, YARD, AND BULK REQUIREMENTS**

*(Regulations and controls applying to specific use areas designated in the Land Use Map) within the larger Liberty Harbor Redevelopment Area Multi-Purpose District shall not apply to the Mixed Use Residential District))*

**A. Multi-Purpose District**

**Residential**

1. **Maximum density:** seventy-five (75) dwellings per gross acre of land within the residential area.
2. **Maximum floor area ratio of residential uses:** 6 (six)
3. **Maximum height:** 6 stories, or as regulated in conformance with the view corridor requirements located within Section III. B. 6 Specific Requirements of this plan, whichever is less.
4. **Required setbacks:**
  - From any street line: 15 feet
  - From any parking lot: 10 feet
  - From the NJ Turnpike property or R-O-W line: 100 feet  
(Containing heavily landscaped buffer)

**5. Required off-street parking:**

Maximum ratio of 1 space per dwelling unit

**Multi-Purpose Non-Residential**

1. For uses other than residential within the Multi-Purpose District, the industrial Development standards shall apply with the following addition:
  - Setback from the NJ Turnpike for all non-residential uses shall be a minimum of 30 feet (containing a heavily landscaped buffer) and the parking requirements for restaurants, nightclubs, recreational and public uses shall conform to the current Institute of Transportation Engineers Standards, (ITE).

**B. Industrial District**

1. **Maximum height:** height shall be regulated as identified below and in conformance with the view corridor requirements located within Section III. B. 6 Specific Requirements of this plan, whichever is less.

Hotels: 10 stories  
Other Uses: 6 stories

2. **Required setbacks:**

From any street: 15 feet  
From any parking lot: 10 feet

3. **Minimum Lot Size:** 5 acres

4. **Minimum Number of Hotel Rooms:** 300

**C. Park District**

1. **Maximum Height:** height shall be regulated as identified below and in conformance with the view corridor requirements located within Section III. B. 6. Specific Requirements of this plan, whichever is less.
2. The only structures permitted are those necessary to the park uses provided that such structures shall not cover more than 20 percent of the overall total park land area within the Park District.

- D. Residential Mixed-Use District:** The following criteria shall apply only when pursuant to Section III.A.4. of this Plan. If the proposed development within this district does not meet the above criteria, then the permitted uses in this district shall include only hotels, as regulated in the Industrial District of this plan.

1. Maximum Density: ~~Eighty (80)~~ **145** dwellings per gross acre of *upland property* within the district **not including the under water area to a maximum total of 2,006 units.**
  
2. Maximum Intensity of Development: In addition to the residential development permitted above in sub-section D.1; the following land-uses shall be permitted.
  - a. Retail Sales and Restaurants - a minimum of 20,000 square feet of retail sales and/or restaurants shall be provided in the ground floor area of the parking structure **and Building D.** and shall be located in the northern portion of the eastern façade facing the Waterfront Walkway and the eastern portion of the northern façade facing Audrey Zap Drive. Up to an additional 20,000 square feet of retail sales and/or restaurants may also be provided on the site. ***The location of permitted retail frontages is indicated on Map No. 6 Ground Level Frontage Regulating Plan. Additional retail may be provided on the plaza level. Map No. 11, Plaza Level Frontage Regulating Plan indicates the location of permitted retail frontages atop the plaza level.*** The retail sales and/or restaurants required and permitted in this section shall be in addition to any retail and/or restaurant activity that may occur as a part of the Golf Club House, Hotel, Health Club or other permitted commercial use.
  
  - b. Health Club ~~a maximum of 30,000 square feet~~
  
  - c. Golf Clubhouse ~~a maximum of 20,000 square feet~~
  
  - d. Professional and Business Office ~~a maximum of 50,000 square feet inclusive of banking and financial institutions, (there are not considered retail)~~
  
  - e. Class A Hotel (shall be full service only with a three meal restaurant, on-site related banquette, conference, spa facilities, and recreation amenities including indoor/outdoor pool and lounge) - a maximum of 300,000 square feet. (Also see 4, b ii)
  
3. Maximum Permitted Building and Lot Coverage:
  - a. Coverage of the Lot: Up to ~~Sixty-five (65%)~~ **eighty (80%) percent** of the lot area **Residential Mixed-Use District Area** may be covered by buildings, inclusive of parking structures and all other buildings, **walkways, stairs, sidewalks, waterfront walkway, and pavement associated with Liberty Drive. Not included are the private ground level terraces associated with the townhouse villas. Map No. 12, Ground Level Build-to-Lines illustrates the build-to-lines and the maximum tower heights for buildings. To allow some flexibility for the location and size of the towers, variations of the build-to-line up to five (5) feet on any edge of the build-to line is allowed provided that it does not exceed the allowable base plate square footages specified on Table 1.**
  
  - b. ~~Coverage of the Parking Structures Roof Top Deck: total building coverage of the Roof Top Deck shall not exceed thirty (30%) percent and as further limited below:~~
    - ~~Not more than 2/3 of the 30% permitted coverage, ( not more than 20% of the total roof top deck area) shall be covered by buildings over two (2) stories tall;~~

- ~~Not more than 1/2 of the 30% permitted coverage, (15% of the total roof top deck area), may be covered by buildings over 20 stories and there shall be no more than 3 such structures.~~
  - ~~Exception for a full service Hotel, as defined above in the Residential Mixed-Use section D.2.e Class A Hotel~~  
~~There may be one (1) additional building pad constructed over two stories and no more than 20 stories. It would constitute the fourth (4<sup>th</sup>) pad. In this instance, the total roof top coverage are by buildings over 2 stories shall not exceed 20% of the total roof top deck area.~~
- b. *A maximum of six (6) towers are permitted. Map No. 12, Plaza Level Build-to-Lines and Tower Heights indicates the location of these towers atop the roof top deck.*
- c. *Encroachments: To allow for more flexibility in the design and layout of the towers, the footprint of each building on the plaza level may encroach over the build to line a maximum of five (5) feet as long as a distance of forty (40) feet between towers is maintained.*
- *A continuous colonnade is an optional design feature of the Plan. This colonnade would act to create horizontal continuity along the base while also creating a sense of enclosure at the plaza level. Along Liberty Drive, the height of the colonnade may reach a maximum of five (5) stories. The columns may support a continuous lintel of sufficient mass to act as a major architectural feature. If constructed during the first phase of the project, the colonnade may extend the entire length of Liberty Drive and act as a screening device for the remaining construction phases.*
  - *No individual building feature shall extend beyond four (4) feet of the build to line. Approved encroachments may include cornice projects, fixed sunshades and awnings, bay or box windows, balconies, terraces or signs.*
4. **Maximum Height:** Height shall be regulated as identified below and in conformance with the view corridor requirements located within Section III. B. 6 Specific Requirements of this plan. *Optimum building heights for the plaza level are regulating in Map No. 12 Build to Lines and Heights Plan.*
- a. *The parking structure may contain up to three (3) parking levels above the grade of Liberty Drive and shall not exceed forty (40) feet in height above the grade of Liberty Drive. Surface parking and parking on top of any deck is prohibited. Only access to building fronts at top of the deck for drop-off is permitted.*
- b. *Buildings shall be constructed on top of the rooftop deck of the parking structure:*
- i. *Tower structures constructed on top of the rooftop deck of the parking garage must be of varying heights. There shall be a maximum of three (3) to six (6) such tower structures within the District.*
- ~~One tower structure may be up to fifty (50) stories or a maximum of 600 feet in height.~~
  - ~~One tower structure may be up to forty (43) stories or a maximum of 530 feet in height~~

- One tower structure may be up to thirty (36) stories or a maximum of 440 feet in height.

*Optimum building heights for towers constructed on the rooftop deck are indicated on Map No. 12 Build to Lines and Heights Plan. Towers may range from nine (9) stories to fifty-seven (57) stories in height based on minimum and maximum stories of retail and residential. No two towers shall be of identical height. Towers should be designed to optimize views. Exhibit 1 Illustrative Rendering represents a conceptual rendering of the Residential Mixed-Use District.*

- ii. ~~Hotel portions of any building constructed above the roof top deck shall not exceed a total of twenty (20) stories or two hundred and fifty (250) feet inclusive of any two (2) story buildings, or portions thereof, associated with the hotel, as described below.~~
- iii. All other buildings, including a golf clubhouse building, any building or portions thereof containing the public rooms of a hotel such as banquet rooms, restaurant, meeting and conference rooms, etc., and all other structures shall not exceed four (4) stories or seventy-five (75) feet in height.
- iv. Maximum height for these ~~the tower~~ structures shall be measured from the surface of the rooftop deck of the parking structure and calculated to include mechanical floors and rooftop equipment; however, antennas and decorative cap shall be exempt from the height calculations. *The maximum height does not include the mechanical penthouses, parapets, equipment such as wind turbines or solar collectors, or architectural embellishments for the "crown" of the building or antennas provided they are an integral feature of the building design.*
- c. Any other structures such as, free standing restaurants, waterborne transportation support buildings and other similar buildings not constructed on the roof top deck shall not exceed three (3) stories or forty 40 feet in height.

5. Required Minimum Setbacks:

- a. There shall be no required setbacks, except that all buildings and structures shall be setback a minimum of fifty (50) feet from the bulkhead line, and shall provide sufficient setback to accommodate, at a minimum, a thirty (30) foot wide Waterfront Walkway *as shown on Map 9.*
- b. There shall be a minimum of ~~100~~ 60 feet between tower structures, *with exceptions permitted for the building base (first 4-6 levels above Plaza) to be no less than 40 feet.*

6. Minimum Open Space Requirement:

All lot area not covered by buildings and structures shall be maintained as open space. Open space shall include golf course areas, driving range, putting greens, walkways, tennis courts, pools, landscaped areas, yards and outdoor passive and active recreation areas. Streets and roadways shall be permitted to traverse open space areas to provide

access to parking and service areas as necessary and subject to Site Plan Review and approval by the Planning Board.

In addition, all areas of the roof top deck over a parking structure not covered by buildings and structures shall be improved open space, which may include pools, tennis courts, landscaped areas, paved plaza areas, *outdoor cafes*, footpaths and walkways, outdoor active and passive recreation areas, golf putting greens, driving range areas and/or other similar spaces and facilities. Single story pavilions, gazebos and other similar passive recreation structures may be constructed within this improved open space area but may not cover more than ten (10%) percent of said open space area. Streets and roadways shall be permitted to traverse open space areas to provide access to buildings located on top of the rooftop deck, drop-off areas and service areas as necessary and subject to Site Plan Review and approval by the Planning Board.

7. Additional Design Requirements for the Rooftop Deck of Parking Structures:

The rooftop deck shall serve as the primary platform for the residential and other buildings. The rooftop deck shall contain an access drive, which shall create a loop road that shall provide vehicular circulation in front of each of the buildings. The buildings constructed on the deck shall be designed to front onto this loop road.

~~Primary vehicular access to these buildings shall be provided along Liberty Drive and Caven Point Road. Access may also be provided through a secondary means to the rooftop deck by utility vehicles. Entrances to buildings on top of the rooftop deck shall be designed to be attractive and functional. Indicators such as awnings, changes in sidewalk paving material or other architectural and design treatments consistent with the design, proportions, materials and character of the rooftop deck shall be provided. A decorative streetscape shall be provided through the use of decorative sidewalk paving materials, pedestrian scale lighting, landscaping and other amenities in order to create a pedestrian environment at a human scale. The rooftop deck shall also contain a central open space or "Green", which shall consist of lawn areas, footpaths, landscaping, and/or other decorative features, which shall be designed to serve as a focal point.~~

- The rooftop deck shall serve as the primary platform for the residential and other buildings and shall be design to be attractive and functional gathering/entertainment outdoor space.*
- Vehicular parking and vehicular access to this level is specifically prohibited. Services for retail or restaurant establishments on the plaza level shall be access via the loading/service level of the garage.*
- If emergency fire access is required, access would be gained in the grass area at the south- western end of the plaza and designed to hide the access via removable bollards and movable planters.*

8. Additional Design Requirements for the Facade of Parking Structures:

- a. Facades with frontage along the Waterfront Walkway and the eastern portion of the northern property line fronting onto the former railroad right of way:

Parking structures shall contain residential and/or commercial uses, including dwelling units, retail, office, health clubs, and other similar uses, along the perimeter of the parking structure fronting onto the Waterfront Walkway in order to mask the parking structure from view and to give the appearance that the parking structure is a low rise residential and/or commercial building. Exterior entrances to commercial and/or residential units located in the ground floor shall be provided,

along with stoops, walkways, fencing and/or other architectural treatments consistent with traditional low rise urban development. A total of at least twenty thousand (20,000) square feet of retail and/or restaurant uses shall be provided in the ground floor area of these facades, with visible and direct access to the outside of the building.

- b. Facades with frontage along the western portion of the northern property line (former railroad right of way) and facing the western property line (Caven Point Road):

Parking structures facing to the west, Caven Point Road, shall be buried in the ground. The topography of the site in this area slopes from Caven Point Road down toward the proposed parking structure. This area shall be re-graded to accommodate the golf course and access drive and to essentially bury the parking structure. It is recognized that a portion of the parking structure will emerge from the ground and be visible, especially along the western portion of the northern property line, to accommodate a more natural slope of the land. This portion of the facade of the parking structure shall not be required to provide residential and/or commercial uses in this portion of the perimeter of the structure. However, this portion of the facade of the parking structure shall have a similar architectural appearance to the portions of the parking structure described in paragraph "a." above. The materials used on these facades of the parking structure shall be the same as those used on the rest of the structure.

- c. Façade of the parking structure facing to the south &/or southwest, i.e. fronting on the golf course:

This portion of the façade of the parking structure shall be screened by being buried into the topography of the golf course as described above in paragraph b, or it may be screened by the clubhouse and a landscape feature toward the southeastern end of this façade. The purpose of the landscape feature is not only to act as screening for the garage structure, but to also serve as a backdrop for the golf course. The landscape feature shall consist of all of the following: decorative and screen plantings, earth berms, natural &/or artificial rock sculptures, and water features such as a waterfall. The landscape feature shall be mounded up against the face of the parking structure to totally hide visibility of the parking structure foundation and give the appearance of a natural topographic feature. Where portions of the façade of the garage are exposed due to the sloping of the earthen berms and/or rock sculpture, the requirements of paragraph b. above shall prevail.

- d. All parking structures within this district shall be mechanically ventilated and clad in the same material, window patterns, and rhythms as the principal building.
- e. No part of any foundation of the parking structure shall be visible from any vantage point.

**9. Additional Design Requirements:**

- a. ***All vents on building façades must be integrated into the treatment of the façade. Antennas of any type, shall only be permitted on the exterior of the building with the approval of the Jersey City Planning Board***

*regarding their size, shape, placement and design.*

- b. The tops of all buildings, as well as significant architectural features, shall be appropriately lit.*

10. Vehicular and Pedestrian Access to Parking Structures:

Vehicular and pedestrian access to parking structures shall be provided via access roads at grade and via easement over the adjacent Railroad R-O-W, and at other intermediate levels of the garage. Pedestrian access to the parking structure shall be provided to and from each of the residential/hotel buildings constructed above the rooftop deck; and to and from the parking structure and the Waterfront Walkway and the retail uses located in the façade of the parking structure. In addition, pedestrian access shall be provided from the Waterfront Walkway, via stairways, to the rooftop deck of the parking structure.

11. Additional Step-back Requirements for Tower Buildings:

In addition to the Urban Design Requirements found in Section III.B.1. All buildings over two hundred and fifty (250) feet in height shall have at least two (2) additional 10 foot step-backs on all four sides of the towers:

*shall have step-backs to assure that the proper proportions of the building are respected and provides a visual cue to highlight various uses within a mixed-use building. Step-backs are required on all tower buildings at the same level to diminish the height of the tower and provide visual continuity to all the towers as well to enhance the pedestrian experience at the plaza level as well as diminish the visual impact of a building as it increases in height. Map No. 13 Plaza Level Tower Step-backs indicates the required location of the step-backs for each tower buildings. The notations on this map indicate the story height and the required step-back. The distance of the recommended step-back can be more but not less than indicated on Map 13.*

12. *Loggias: Loggias are an optional design element which may be incorporated into tower structures. A loggia is a gallery, or breaking of the façade that can be open to the air to create a community open space and viewing/recreation platform. The location and form of the loggias create divisions in the vertical scale of a building and are surrounded by exposed columns or created by a setback within the façade. The floor area can contain community/social/functional facilities for tenants in the tower building or contain other non-residential but related services. In addition to reducing the vertical scale of high-rise buildings, loggias when used in conjunction with the step-backs can create a horizontal architectural element that unifies the composition of towers within the Residential Mixed-Use District. In lieu of being open, this architectural feature can also be accomplished by a change in material or façade treatment.*

- a. The recommended height for each loggia is three floors.*
- b. Map No. 13 Plaza Level Tower Step-backs indicates the recommended placement of loggias within towers.*

13. *Capacity Table: A Capacity Table 1, indicates the maximum square footage for the base plates of the buildings, the minimum and maximum number of stories for each of the towers and villa buildings, the maximum number of residential units, the allowable gross square foot area for residential and retail uses, and the total number of parking spaces*
14. *Waste Collection and Recycling: Each building shall coordinate the size and placement of their waste collection and recycling areas with the anticipated collection services for glass, plastic, newspapers, cardboard, and organic waste to maximize the effectiveness of the dedicated areas. These areas shall be confined indoors and not viewable from any public areas, ventilated, temperature controlled and maintained to prevent odors.*
15. *District Phasing  
Phasing within the Residential Mixed-use District shall be flexible based on the market demands the need to provide adequate structured parking and to create a complete architectural composition of buildings, building walls, public spaces, landscaping and walkways The towers and villas can be constructed in any order. The towers can be built in any order.*

**E. Applicable to all Districts**

A structure which is non-conforming in regard to meeting the coverage, setbacks, or height requirements of this Plan may continue provided that if it is enlarged, altered or reconstructed, non-conformity with the applicable regulations of this Plan shall not be increased. A structure that is non-conforming as to off street parking or loading requirements may continue if the shape or size of the lot or location of the building prevent conformity with said requirements.

**VI. PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS**

**A. Land Acquisition**

1. Properties to be Acquired
  - a. Map No.1, "Project Boundary" designates those properties that are not to be acquired. All other properties shall be acquired and cleared and redeveloped in accordance with the provisions of this Plan in order to remove substandard conditions, remove blighting influences, provide land for public improvements or facilities and provide land for redevelopment and other plan objectives.
  - b. All redevelopment activities undertaken by the redevelopers shall be in accordance with the controls of this Redevelopment Plan.
2. The laws of the State of New Jersey provide that a redevelopment plan shall:
  - a. Conform to the general plan for the municipality as a whole;
  - b. Shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements and conservation or rehabilitation as may be proposed to be carried out in the area of the project, zoning, and planning changes, if any, land uses, maximum densities, building

requirements, and the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities and other public improvement.

- c. In accordance with State requirements, the following statements are made:
- The proposals of this Plan conform with the general plan for the municipality;
  - This Plan provides an outline for the development or redevelopment of Liberty Harbor and is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements as proposed, planning changes, land uses, maximum densities, building requirements, and its relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, community facilities, and other public improvements.
  - The proposals of this Plan necessitate zoning changes, which shall be made prior to land disposition by the City of Jersey City in accordance with the land use provisions and controls of this redevelopment plan.
  - Local planning objectives having a direct bearing on the project, which has been planned as an integral part of the total planning for the City are as follows:
    - The effectuation of the Redevelopment Plan will carry out major proposals of the current comprehensive plan for the City and will comply with local objectives of the City as to appropriate land uses, improved street systems, and overall improvement to the Liberty Harbor area.
    - The effectuation of the Redevelopment Plan will improve the total living conditions of the City through improvement of a blighted area, removal of structures in poor condition and the provision of land for new development, park and industrial development.

## VII. PROCEDURE FOR CHANGES IN APPROVED PLAN

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law; provided that in respect to any land in the project area previously disposed of for use in accordance with the Redevelopment Plan, written consent is received from the owner of such lands whose interests therein are materially affected by such amendment.

A fee of \$5,000 plus all costs of copying and transcripts shall be payable to Jersey City for any request to amend the plan. If there is a designated developer, as provided for under NJSA 40:55C-1 et seq. said developer shall pay these costs. If there is no developer, the appropriate agency shall be responsible for any and all such costs.

## VIII. DEFINITIONS

***Build to Line:*** a line along which the primary façade of a building must be located. The build to line provides flexibility to the articulation of the façade by allowing limited deviation from this line.

***Colonnade:*** a linear series of columns which support a continuous lintel.

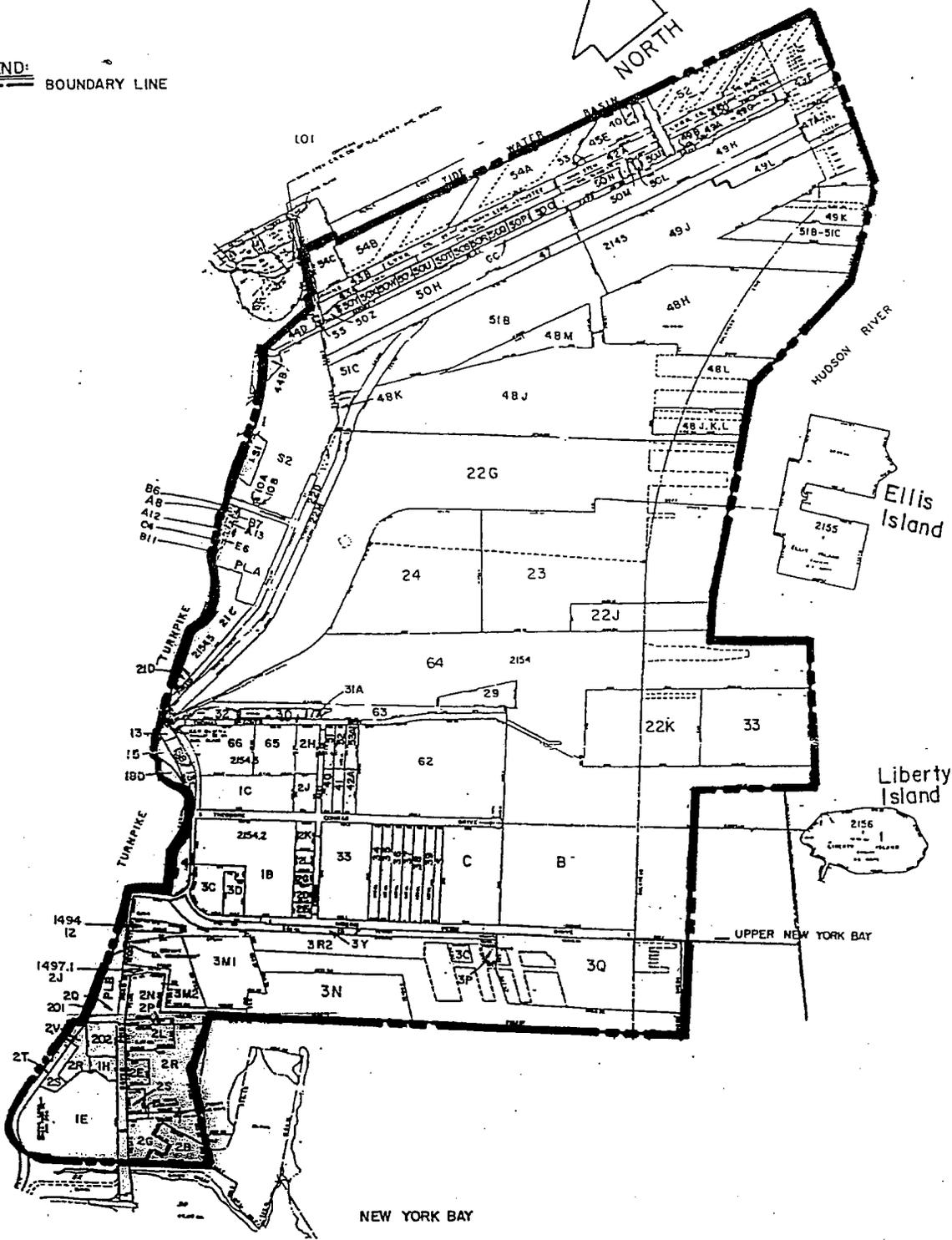
***Encroachment: an area beyond the build to line into which certain building elements may protrude. Typical encroachments may include overhangs, windows signing, or other elements that commonly protrude over the main façade of the building.***

***Loggia: a gallery or breaking in the façade that can be open to the air on at least one side. In this Plan, a loggia is composed of a minimum of three floors on the upper level of buildings over 12 stories tall. Loggias create breaks in the vertical scale of a building and are surrounded by columns or created by a setback or overhang within the façade. The interior of these spaces can be used as common space for these vertical neighborhoods, live work offices, mechanical equipment space, or any number of other uses.***

# MAPS

# BOUNDARY MAP

**LEGEND:**  
----- BOUNDARY LINE

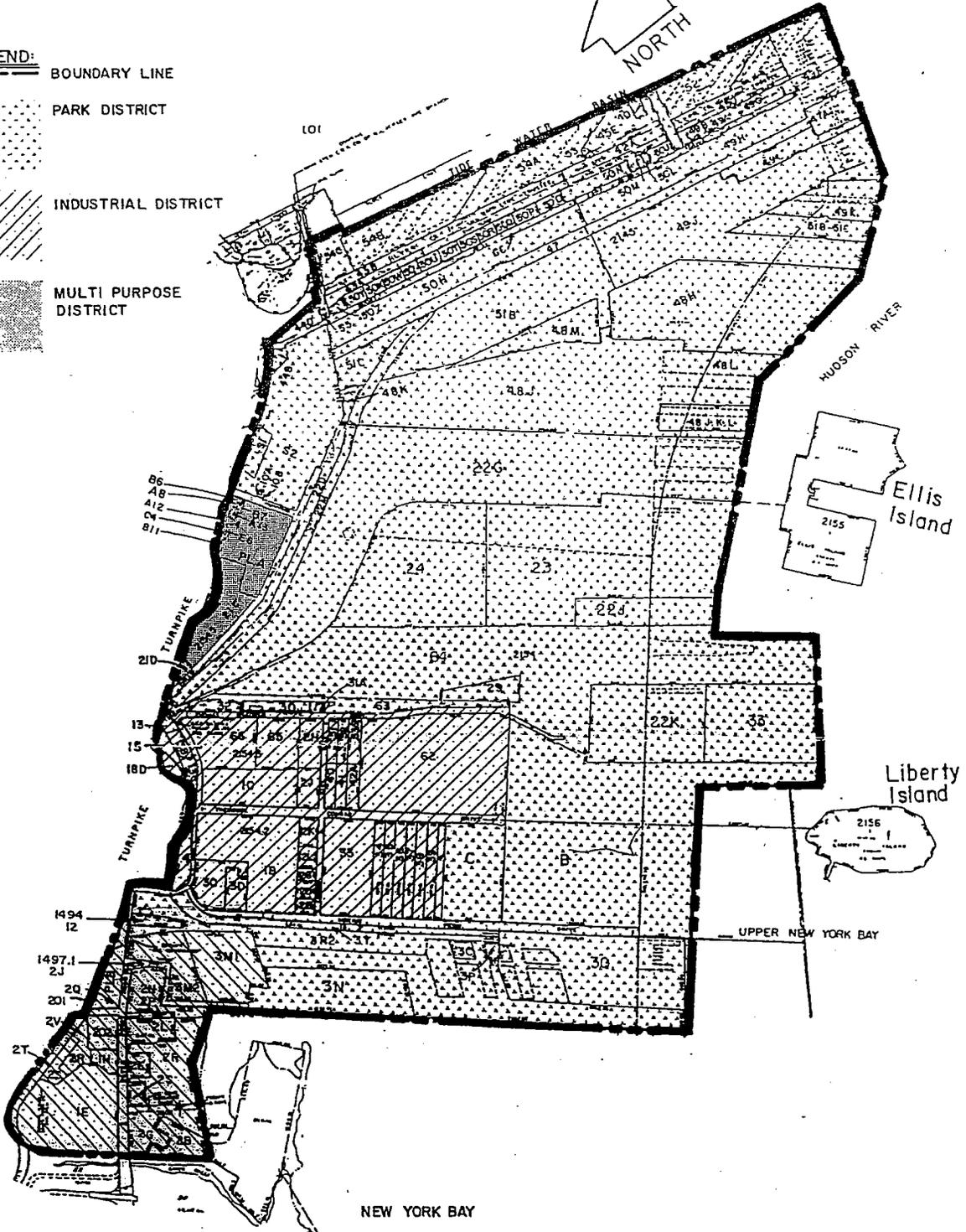


## LIBERTY HARBOR REDEVELOPMENT AREA

# LAND USE MAP



- LEGEND:**
-  BOUNDARY LINE
  -  PARK DISTRICT
  -  INDUSTRIAL DISTRICT
  -  MULTI PURPOSE DISTRICT



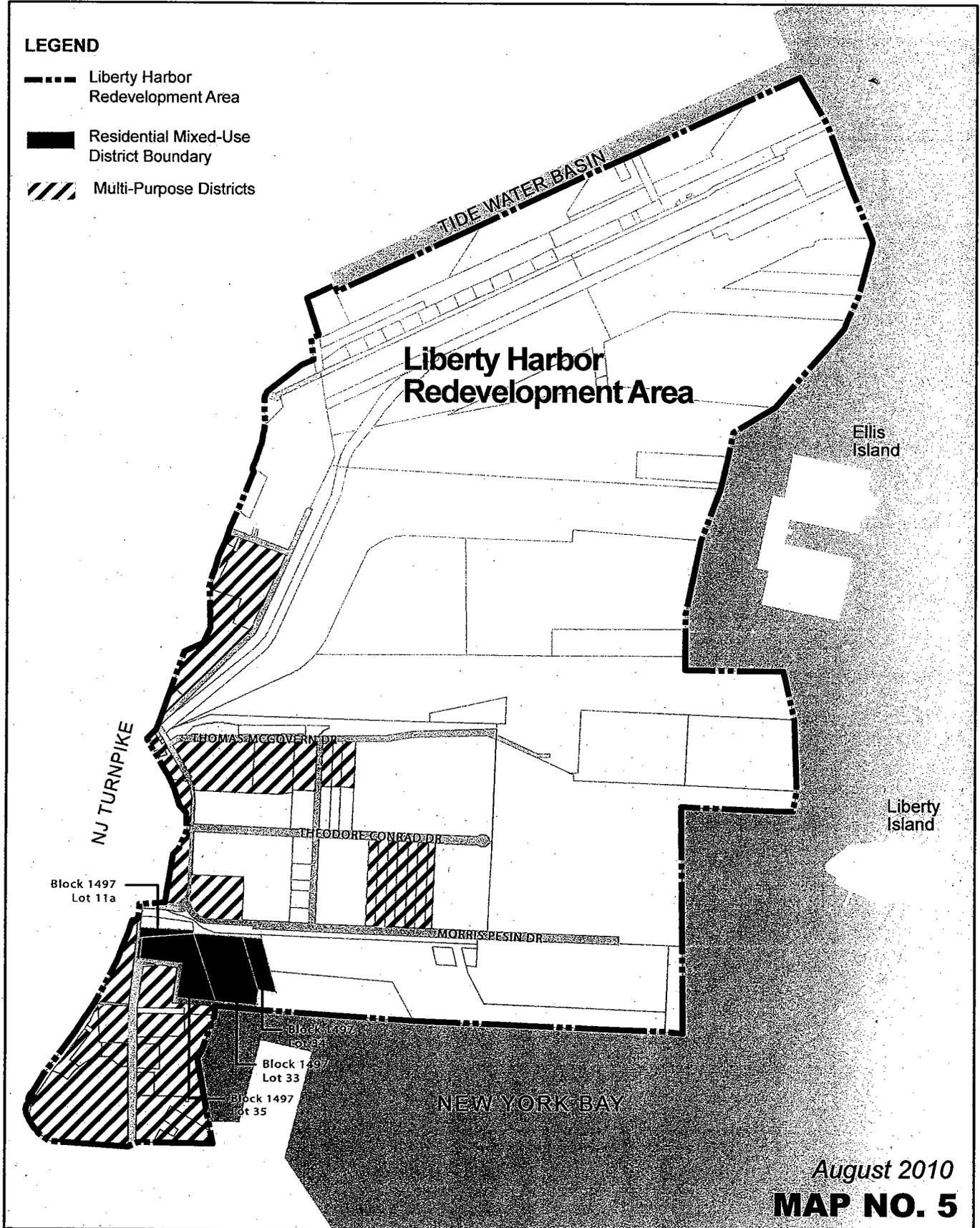
## LIBERTY HARBOR REDEVELOPMENT AREA





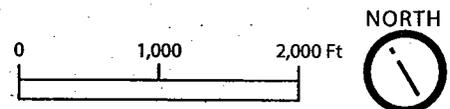
**LEGEND**

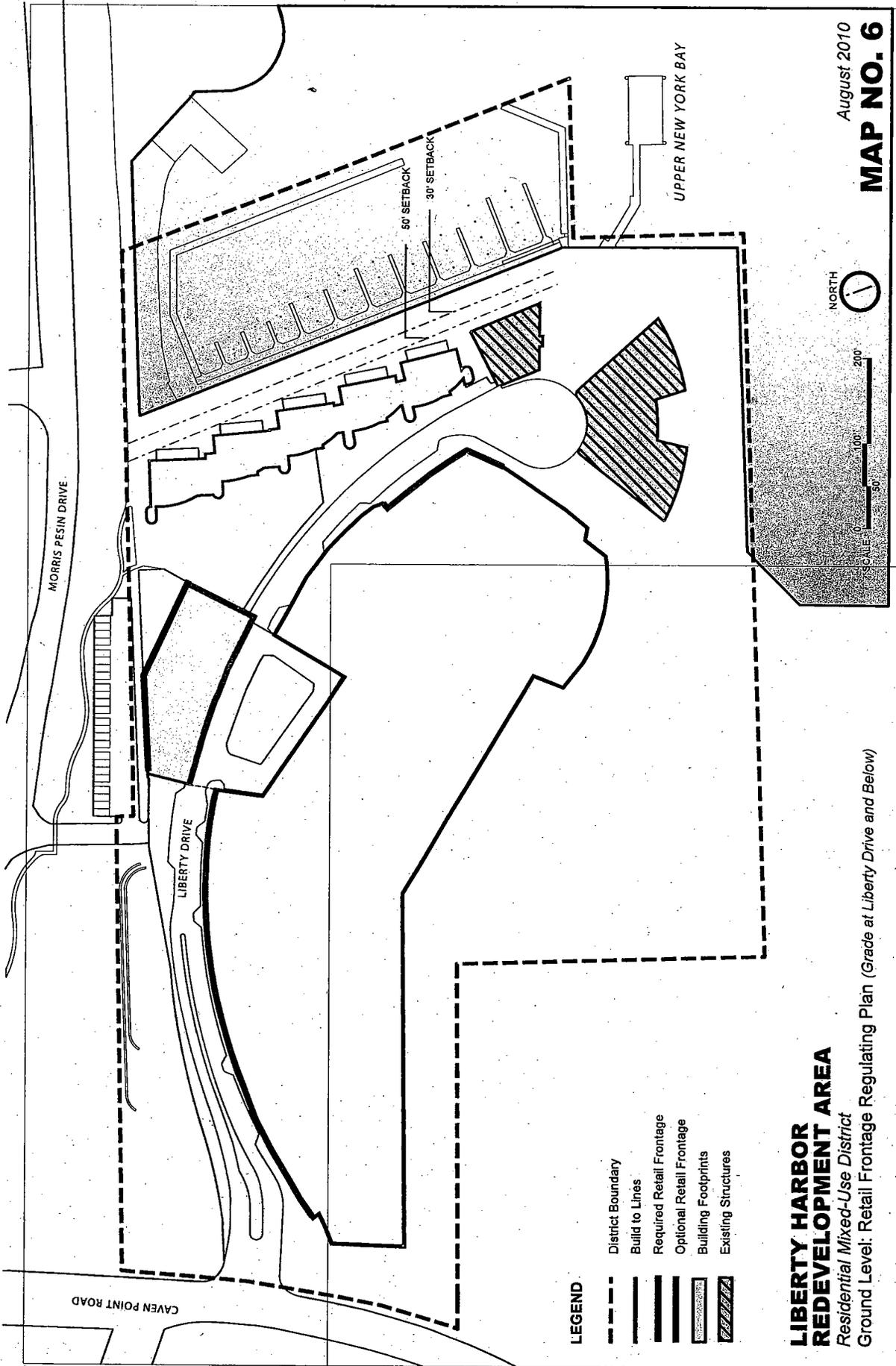
-  Liberty Harbor  
Redevelopment Area
-  Residential Mixed-Use  
District Boundary
-  Multi-Purpose Districts



August 2010  
**MAP NO. 5**

**LIBERTY HARBOR  
REDEVELOPMENT AREA**  
Residential Mixed-Use Key Map





**LEGEND**

- District Boundary
- Build to Lines
- ▬ Required Retail Frontage
- ▬ Optional Retail Frontage
- ▨ Building Footprints
- ▩ Existing Structures

**LIBERTY HARBOR  
REDEVELOPMENT AREA**

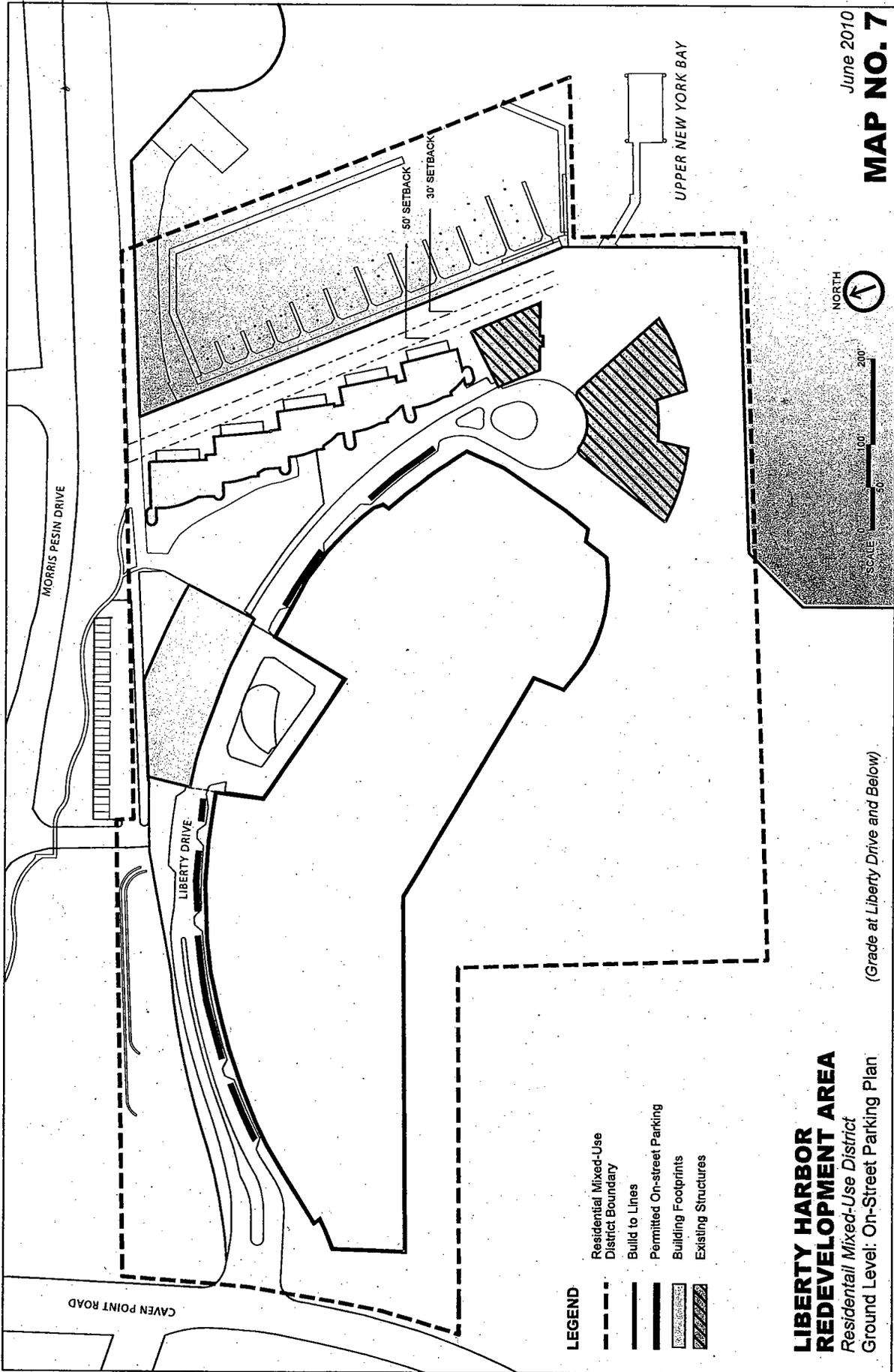
*Residential Mixed-Use District*

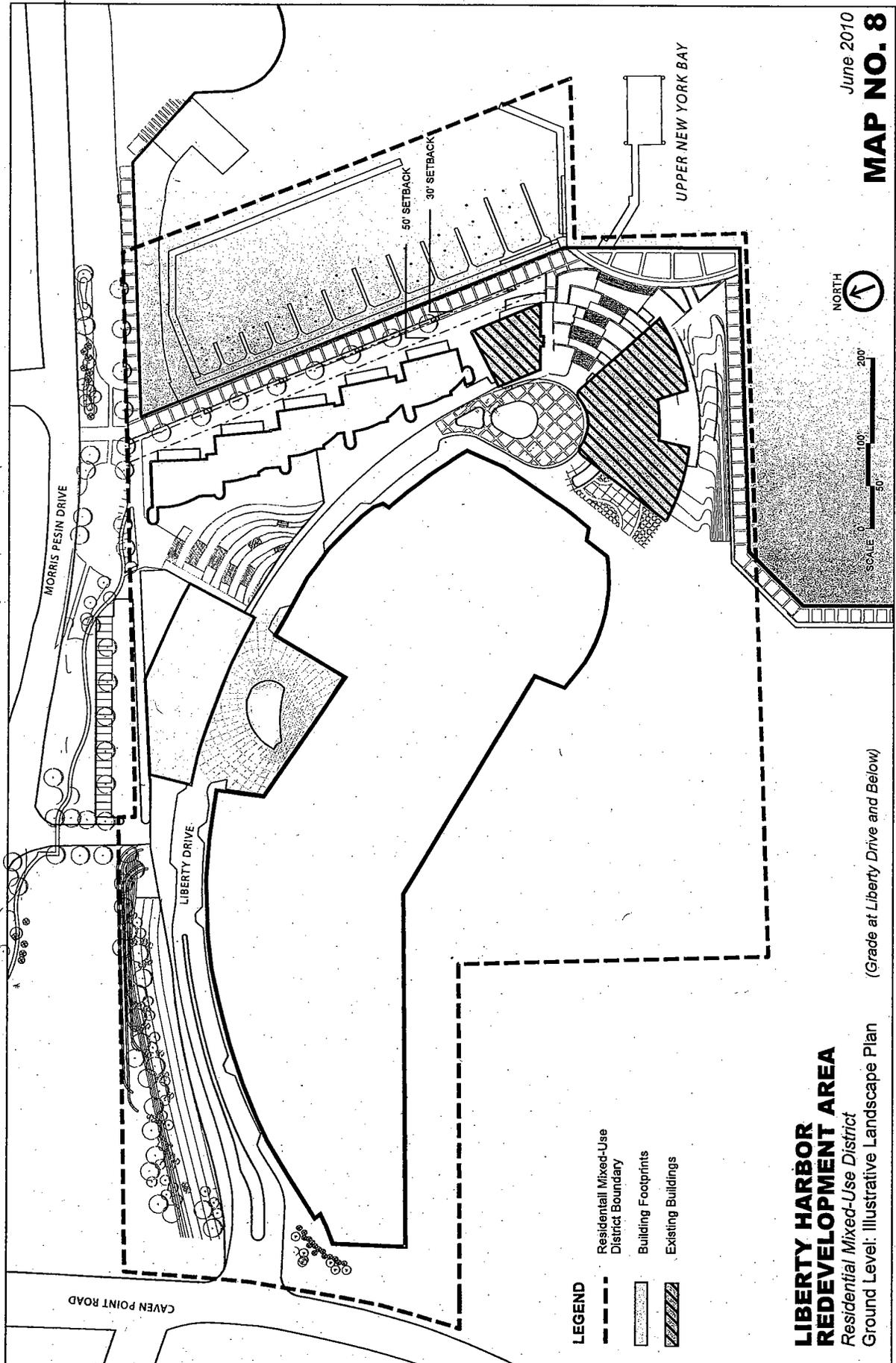
Ground Level: Retail Frontage Regulating Plan (Grade at Liberty Drive and Below)



August 2010

**MAP NO. 6**





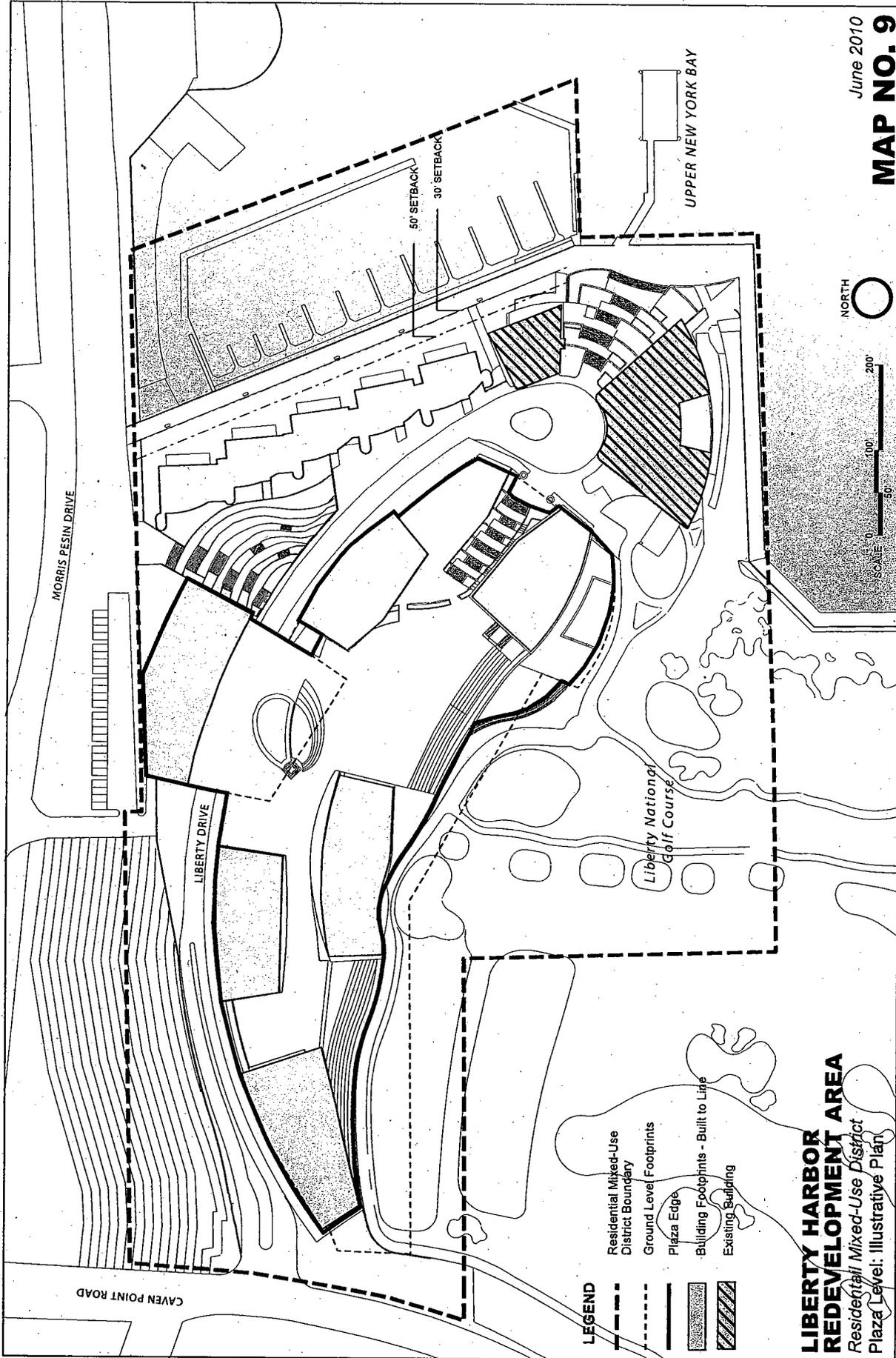
- LEGEND**
- Residential Mixed-Use District Boundary
  - ▭ Building Footprints
  - ▨ Existing Buildings

**LIBERTY HARBOR  
REDEVELOPMENT AREA**  
Residential Mixed-Use District  
Ground Level: Illustrative Landscape Plan

(Grade at Liberty Drive and Below)



June 2010  
**MAP NO. 8**



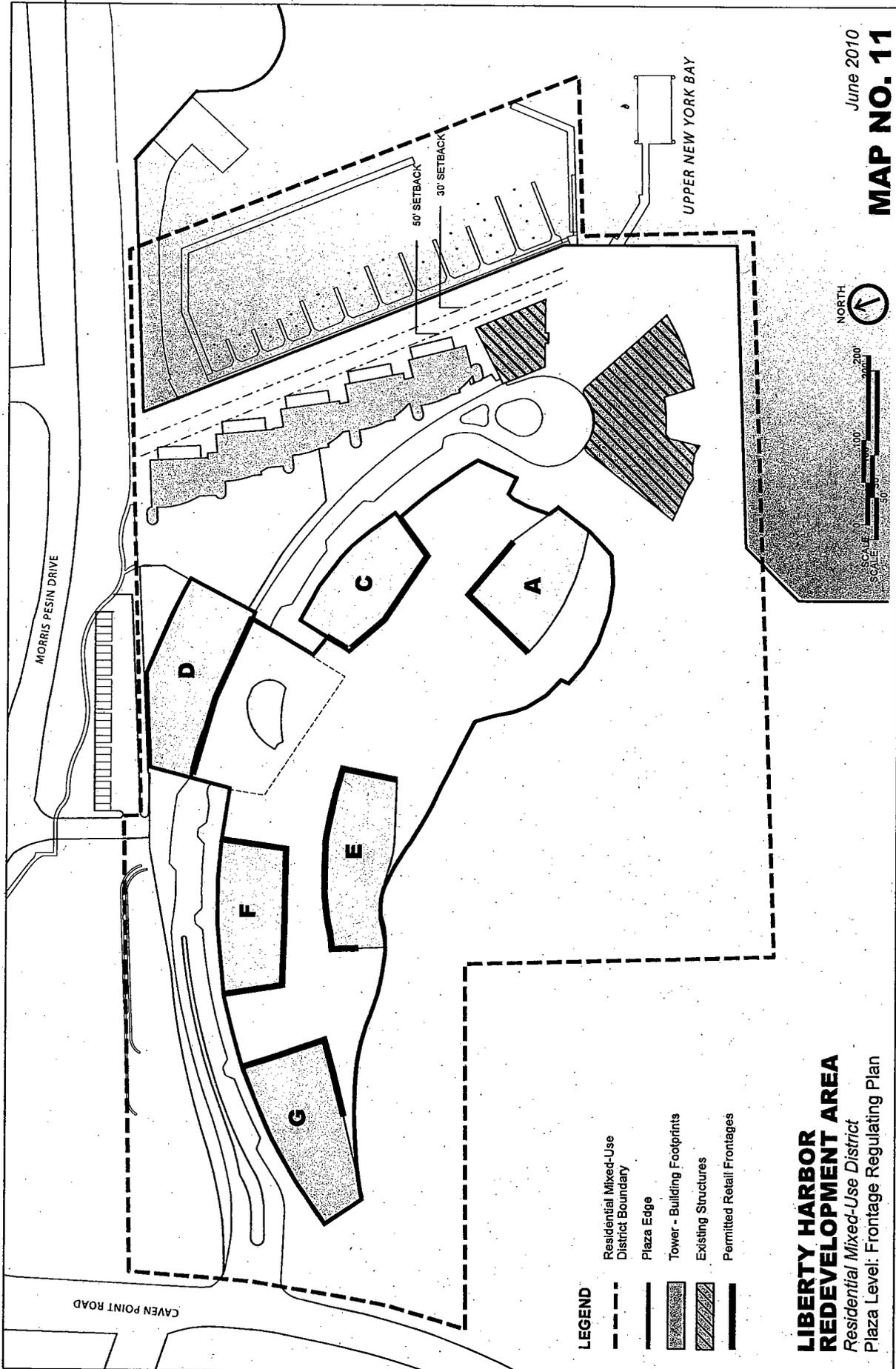
**LEGEND**

- Residential Mixed-Use District Boundary
- Ground Level Footprints
- Plaza Edge
- Building Footprints - Built to Line
- Existing Building

**LIBERTY HARBOR REDEVELOPMENT AREA**  
 Residential Mixed-Use District  
 Plaza Level: Illustrative Plan







MORRIS PESIN DRIVE

CAVEN POINT ROAD

50' SETBACK  
30' SETBACK

UPPER NEW YORK BAY

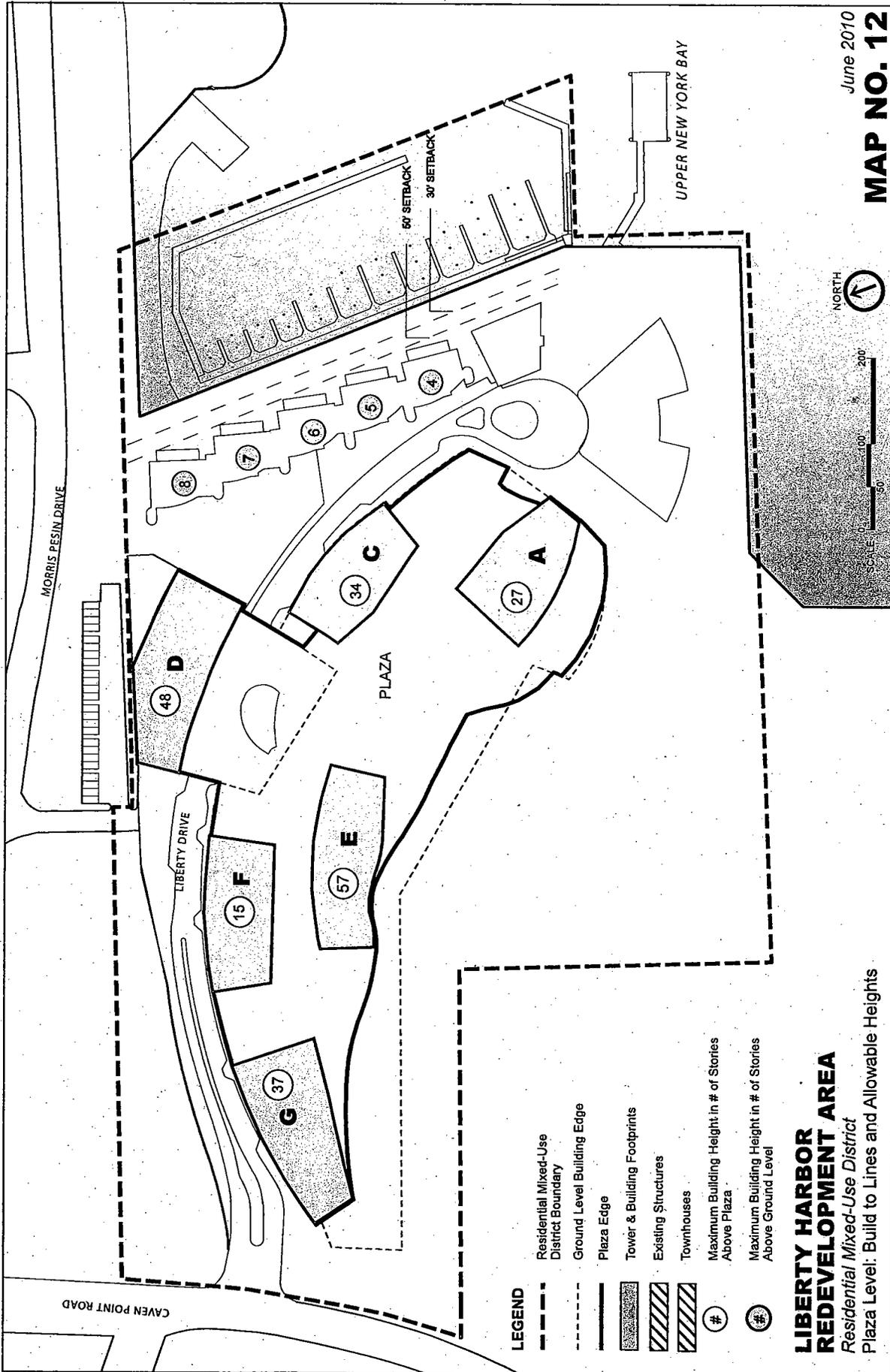
**LEGEND**

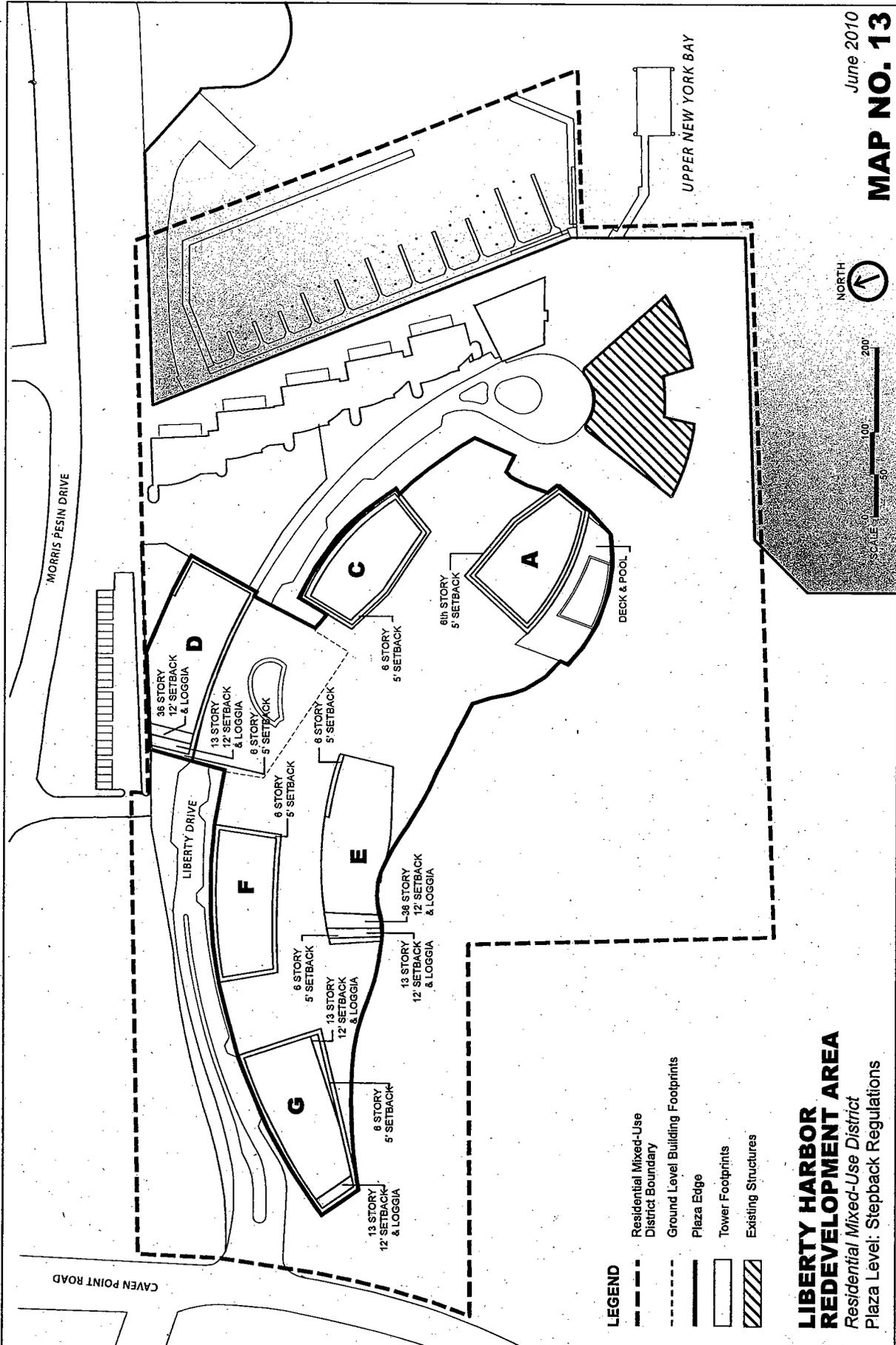
- Residential Mixed-Use District Boundary
- Plaza Edge
- ▨ Tower - Building Footprints
- ▩ Existing Structures
- Permitted Retail Frontages

**LIBERTY HARBOR  
REDEVELOPMENT AREA**  
Residential Mixed-Use District  
Plaza Level: Frontage Regulating Plan



June 2010  
**MAP NO. 11**





**LEGEND**

- Residential Mixed-Use District Boundary
- Ground Level Building Footprints
- Plaza Edge
- Tower Footprints
- ▨ Existing Structures

**LIBERTY HARBOR  
REDEVELOPMENT AREA**  
Residential Mixed-Use District  
Plaza Level: Stepback Regulations





City Clerk File No. Ord. 10-125

Agenda No. 3.F 1st Reading

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



# ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-125

**TITLE:**

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AMENDING ORDINANCE # 10-013 TO INCLUDE TEXT AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE THAT APPEARS NOT TO HAVE BEEN ATTACHED TO THAT ORDINANCE AT THE TIME COUNCIL VOTED TO ADOPT**

**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**, Ordinance # 10-013 was adopted by Municipal Council on March 10, 2010; and

**WHEREAS**, text that was intended to be attached to Ordinance #10-013, appears not to have been attached at the time Council voted to adopt; and

**WHEREAS**, the Planning Board of Jersey City, at its meeting of January 19, 2010, did recommend that the Municipal Council adopt the text amendments contained herein; 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 Clerk is hereby directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the 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 further 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.

*Clare Davis - Acting Director*  
Robert D. Cotter, AICP, PP, Director  
Division of City Planning

APPROVED AS TO LEGAL FORM

*Royal Reddy*  
Asst. Corporation Counsel

APPROVED: *[Signature]*

APPROVED: *[Signature]*  
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  
AMENDING ORDINANCE # 10-013 TO INCLUDE TEXT AMENDMENTS TO THE LAND  
DEVELOPMENT ORDINANCE THAT APPEAR NOT TO HAVE BEEN ATTACHED TO  
THAT ORDINANCE AT THE TIME COUNCIL VOTED TO ADOPT**

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

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

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

Amendment to Ordinance #10-013 to include text that appears not to have been attached to that ordinance at the time Council voted to adopt.

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

Text amendments provide needed bulk standards that are intended to apply to already adopted amendments to conditional uses in the R1 Zone and to the Zoning Map.

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

Facilitation of more appropriate, compatible development in the R1 zone.

**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 S. Czaplicki, Director, Dept of HEDC  
Robert D. Cotter, City Planning Director  
Anthony J. Lambiase, Director, Division of Zoning

**10. Additional Comments: None**

**I Certify that all the Facts Presented Herein are Accurate.**

*Clare Davis*  
*Acting* \_\_\_\_\_  
Division Director

*9/22/10*  
\_\_\_\_\_  
Date

*Carl S. Czaplicki*  
\_\_\_\_\_  
Department Director Signature

*September 22, 2010*  
\_\_\_\_\_  
Date

## **SUMMARY STATEMENT**

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AMENDING  
ORDINANCE # 10-013 TO INCLUDE TEXT AMENDMENTS TO THE LAND DEVELOPMENT  
ORDINANCE THAT APPEAR NOT TO HAVE BEEN ATTACHED TO THAT ORDINANCE AT THE  
TIME COUNCIL VOTED TO ADOPT**

This ordinance will amend Ordinance #10-013 to include text that appears not to have been attached to that ordinance at the time Council voted to adopt.

Adopted by Ordinance #10-13 March 10, 2010

**Proposed Amendments to Article V of the Jersey City Land Development Ordinance pertaining to Medical Office Use in the R-1 Zoning district along a portion of Palisade Avenue**

Revised Draft Prepared: January 4, 2010

Material indicated by strikethrough ~~like this~~ is existing material that is intended to be deleted.

Material indicated by bold italic ***like this*** is new material that is intended to be enacted

§ 345-40. R-1 One and Two Family Housing District.

A. Purpose.

[Amended 9-10-2003 by Ord. No. 03-113]

1. The purpose of this district is to accommodate existing housing and encourage compatible in-fill development with ~~detached~~ [Deleted 3-14-2007 by Ord. No. 07-036] one- and two-family homes that preserve the streetscape, utilize on-street parking where the frontages are narrow and maintain the low-rise character of the area.
2. An intended consequence of this designation is preserving the integrity of residential neighborhoods, limiting non-residential uses to appropriate areas, increasing the availability of community resources and reinforcing the viability of existing neighborhood districts.

B. Permitted principal uses are as follows:

1. One family dwellings.
2. Dwellings with two dwelling units.
3. Houses of worship.
4. Parks and playgrounds.
5. Essential services.
6. Schools.
7. Governmental uses.
8. Conversions of first floor commercial to a single residential unit per commercial unit converted, in addition to and regardless of the number of existing residential units (Provided, however, that the original storefront character including window configuration shall be maintained or restored as per the 1938 Tax Assessor's photo).

[Amended 9-10-2003 by Ord. No. 03-113]

9. Assisted living residences.
10. Nursing homes.
11. Senior housing.

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

[Amended 3-14-2007 by Ord. No. 07-036]:

1. Private garages in accordance with R-1 bulk standards.
2. Off-street parking (See also 345-70 Off Street Parking and Loading).
3. Fences and walls (See 345-67 for specific fence standards).
4. Meeting rooms, recreation areas and similar uses normally associated with houses of worship.
5. Home occupations (See 345-60.G.2. Standards for Specific Accessory Uses. a. Home Occupations).
6. Swimming pools (See 345-60.G.2.b for specific standards).
7. Signs (See 345-68 for specific standards).
8. Decks and patios (See 345-60.G.2.c for specific standards).

D. Conditional Uses.

1. Mortuaries.

***2. Medical Offices, only along the west side of Palisade Avenue between Saint Paul's Avenue and Waverly Street, limited to the ground floor. Conditional use application to the Planning Board shall be required for a new medical office or the expansion of an existing medical office, subject to the following standards and conditions:***

- a. ***No Ambulatory care facility, diagnostic center, rehabilitation center, or narcotic and drug abuse treatment center shall be permitted.***
- b. ***Staff offices directly associated with ground floor medical office may be located on the second floor of the building that houses the medical office, provided that no examining rooms or any other patient services shall be located on the second floor.***
- c. ***For adaptive reuse of an existing building:***

***1) The existing lot and structure shall be considered conforming with respect to area, yard, bulk and height, provided that where 3 story structures already exist above an uninhabited basement area, no additional stories shall be created by lowering the basement floor.***

***2) Additions to an existing building shall conform to height and bulk standards for 1- and 2- family housing in the R-1 zone.***

***3) No parking shall be required for the Medical Office use***

***d. For new construction:***

***1) Minimum height: 2 stories***

***2) Bulk standards shall be the same as for a 1- or 2-family house in the R-1 Zone. Parking standards for the R-1 Zone shall not apply to the Medical Office use.***

*e. Sign standards for both new and expanded medical office use along Palisade Avenue shall be as follows:*

- 1) One (1) building sign pertaining to the Medical Office use shall be permitted at the ground floor level, not to exceed 5% of the area of the ground floor façade, or 10 square feet, whichever is smaller.*
- 2) One rectangular freestanding sign shall be permitted, to not exceed 24 inches in width and 12 inches in height. The top of the freestanding sign structure shall not be more than 5 feet in height from grade at the base of the sign, which grade shall not be raised for the purpose of increasing the height of the sign.*
- 3) No sign shall be internally lit.*

E. Bulk Standards for One and Two Family Dwellings  
No change

F. Parking Standards for One and Two Family Dwellings  
No Change