

City Clerk File No. Ord. 10-167

Agenda No. 3.A 1st Reading

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



# ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-167

**TITLE:** AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AND ARTICLE IX (PARKING FOR THE DISABLED) OF THE JERSEY CITY CODE DESIGNATING A RESERVED PARKING SPACE AT 181 ARLINGTON AVENUE; 268 ARMSTRONG AVENUE; 122 BROADWAY; 257 COLUMBIA AVENUE; 377 EGE AVENUE; 100 GLENWOOD AVENUE; 90 HAGUE STREET; 48-50 JONES STREET; 153 LIBERTY AVENUE AND 429 LIBERTY AVENUE AND REPEAL THE RESERVED PARKING SPACE AT 266 ARMSTRONG AVENUE; 103 FERRY STREET AND 106 GLENWOOD AVENUE

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

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

Section 332-29 Disabled Parking Manual

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

### PARKING FOR THE DISABLED

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

Charles Sampson  
Josemari Torres  
Michele Torrillo  
Nitan Shah  
Priscilla Collazo  
Jayesh Solanki  
Frederick Hass  
Selim Selim  
Thomas Brazicki  
Anthony Matarezzo

181 Arlington Avenue  
[266] 268 Armstrong Avenue  
122 Broadway  
257 Columbia Avenue  
377 Ege Avenue  
[106] 100 Glenwood Avenue  
90 Hague Street  
48-50 Jones Street [103 Ferry Street]  
153 Liberty Avenue  
429 Liberty 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 All ordinances and parts of ordinances inconsistent herewith are hereby repealed.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:pc1  
(11.22.10)

APPROVED AS TO LEGAL FORM

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

APPROVED: \_\_\_\_\_  
Director of Traffic & Transportation

APPROVED: \_\_\_\_\_ 11/22/10  
Municipal Engineer

APPROVED: \_\_\_\_\_ 11/23/10  
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 332(Vehicles and Traffic) Article III (Parking, Standing and Stopping) and Article IX (Parking for the Disabled) of the Jersey City Code designating a reserved parking space at 181 Arlington Avenue; 268 Armstrong Avenue; 122 Broadway; 257 Columbia Avenue; 377 Ege Avenue; 100 Glenwood Avenue; 90 Hague Street; 48-50 Jones Street; 153 Liberty Avenue and 429 Liberty Avenue and repeal the reserved parking space at 266 Armstrong Avenue; 103 Ferry Street and at 106 Glenwood 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 \$2,900.00  
16 disabled parking signs @ 100.00 ea. \$1,600.00  
13 channels @ \$100.00 ea. \$1,300.00

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

Pending adoption by the Jersey City Municipal Council

**8. Anticipated completion date:**

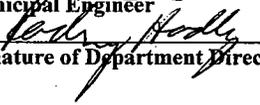
Twenty days after adoption by the Jersey City Municipal Council

**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.

	11/22/10
Municipal Engineer	Date
	11/23/10
Signature of Department Director	Date

City Clerk File No. Ord. 10-168

Agenda No. 3.B 1st Reading

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



## ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-168

**TITLE: ORDINANCE AMENDING ORDINANCE NO. 09-128 AUTHORIZING THE CONVEYANCE OF 90 VIRGINIA AVENUE TO 90 VIRGINIA AVE. , LLC WHICH IS SOLELY OWNED BY THE JERSEY CITY COMMUNITY HOUSING CORPORATION, A NON PROFIT CORPORATION, TO CONSTRUCT 13 UNITS OF EMERGING MARKET AND LOW AND MODERATE INCOME CONDOMINIUM UNITS**

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

**WHEREAS**, Ordinance No. 09-128 approved on January 13, 2010 authorized the transfer of Block 1978, Lot 41.99, also known as 90 Virginia Avenue (Property) from the City of Jersey City (City) to the Jersey City Community Housing Corporation (JCCHC) for the purpose of constructing 14 units of low and moderate income housing; and

**WHEREAS**, it is necessary to amend Ordinance No. 09-128 to indicate that the City will be transferring the property to 90 Virginia Ave., LLC which is solely owned by JCCHC, a non profit 501 (c) 3 corporation, organized for the purpose of constructing affordable housing for families and persons of low and moderate income; and

**WHEREAS**, Ordinance No. 09-128 indicated that JCCHC would be constructing 14 units of affordable rental housing; and

**WHEREAS**, the City's zoning law restricts the number of units that can be constructed on the Property to 13 units; and

**WHEREAS**, Ordinance No. 09-128 indicated that there was an existing 4-story building located on the Property and that the developer would be constructing rental affordable housing units; and

**WHEREAS**, the improvements currently on the Property consist of a small one-story garage and the developer will be constructing 13 units of home ownership condominium affordable housing units not rental units; and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-301 et seq., the Fair Housing Act, the City may authorize the private sale of City property for the construction of affordable housing for nominal consideration, provided the property is sold to and remains occupied by families or persons of low and moderate income for a minimum period of thirty (30) years.

**NOW, THEREFORE BE IT ORDAINED**, by the Municipal Council of the City of Jersey City that Ordinance 09-128 is amended as follows:

1. The Property shall be transferred to 90 Virginia Ave., LLC which is solely owned by JCCHC; and
2. 90 Virginia Avenue, LLC shall construct 13 units of affordable housing home ownership condominium units on the Property.

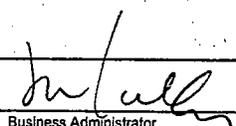
**ORDINANCE AMENDING ORDINANCE NO. 09-128 AUTHORIZING THE CONVEYANCE OF 90 VIRGINIA AVENUE TO 90 VIRGINIA AVE. , LLC WHICH IS SOLELY OWNED BY THE JERSEY CITY COMMUNITY HOUSING CORPORATION, A NON PROFIT CORPORATION, TO CONSTRUCT 13 UNITS OF EMERGING MARKET AND LOW AND MODERATE INCOME CONDOMINIUM UNITS**

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect in the manner as prescribed 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.

**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/cw  
12/08/10

APPROVED AS TO LEGAL FORM  
  
\_\_\_\_\_  
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 10-169

**TITLE:**  
**AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) OF THE JERSEY CITY CODE ARTICLE VIII (PERMIT PARKING) EXTENDING ZONE 2 RESIDENTIAL PERMIT PARKING ON NEWARK AVENUE FROM CHESTNUT AVENUE TO WALDO AVENUE**

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

1. Chapter 332 (Vehicles and Traffic) Article XIII (Permit Parking) of the Jersey City Code is hereby supplemented as follows:

Article VIII PERMIT PARKING  
Sec. 332-58 Parking restrictions in residential zones.

A. No Change  
Zone 1 No Change

**ZONE 2**

<u>Name of Street</u>	<u>Limits</u>
Academy Street	Between Baldwin Avenue and Van Reypen Street
Alan Terrace	Entire length
Baldwin Avenue	Between Mercer Street and Waverly Street
Beacon Avenue	Between Palisade Avenue and Kennedy Boulevard
Bergen Avenue	Between Mercer Street and Sip Avenue
Bevan Street	Entire length
Berkeley Place	Between Liberty Avenue and Tonnele Avenue
Bond Street	Entire length
Booraem Avenue	Between Palisade Avenue and Webster Avenue
Broadway	Between Tonnele Avenue and Route 1 & 9
Bryan Place	Entire length
Bryant Avenue	Entire length
Cambridge Avenue	Between Ferry Street and North Street
Central Avenue	Between Pavonia Avenue and Beacon Avenue
Chestnut Avenue	Entire length
Clifton Place	Between Fairmount Avenue and Baldwin Avenue
Collard Street	Entire length
Concord Street	Entire length
Cook Street	Entire length
Corbin Avenue	Entire length
Cottage Street	Entire length
Court House Place	Entire length
Crawford Place	Entire length
Cubberly Place	Entire length
Dales Avenue	Entire length
DeKalb Avenue	Entire length
Dick Street	Entire length
East Street	Entire length
Elizabeth Street	Entire length
Elm Street	Entire length
Emerson Avenue	Entire length
Enos Place	Entire length

continued.....  
JDS:pcl  
(11.18.10)

Ferry Street	Between Central Avenue and Ogden Avenue
Field Avenue	Entire length
Fleet Street	Between Baldwin Avenue and Palisade Avenue
Floyd Street	Entire length
Fox Place	Entire length
Franklin Street	Between Ogden Avenue and Central Avenue
Freeman Avenue	Entire length
Garrison Avenue	Between Tonnele Avenue and DeKalb Avenue
Giles Avenue	Entire length
Glenwood Avenue	Between Bergen Avenue and Kennedy Boulevard
Gray Street	Entire length
Griffith Street	Between Ogden Avenue and Central Avenue
Hancock Avenue	Between North Street and Ferry Street
Hawthorne Avenue	Entire length
Henry Street	Entire length
Herbert Place	Entire length
High Street	Entire length
Highland Avenue	Between [ <i>Westside</i> ] <u>West Side</u> Avenue and Bergen Avenue
Hoboken Avenue	Between Palisade Avenue and Central Avenue
Hoboken Avenue	Between Summit Avenue and State Highway 130
Holmes Avenue	Entire length
Homestead Place	Entire length
Hopkins Avenue	Between Baldwin Avenue and Palisade Avenue
Hopkins Avenue	Between Collard Street and Central Avenue
Hutton Street	Between Central Avenue and Palisade Avenue
Kennedy Boulevard	Between Glenwood Avenue and Manhattan Avenue
Jefferson Avenue	Between Palisade Avenue and Baldwin Avenue
Jones Place	Entire length
Jones Street	Entire length
Jordan Avenue	Between Mercer Street and Vroom Street
Laidlaw Avenue	Between Baldwin Avenue and Palisade Avenue
Laidlaw Avenue	Between Central Avenue and Collard Street
Lake Street	Between Montrose Avenue and Kennedy Boulevard
Liberty Avenue	Between State Highway 139 and Newark Avenue
Logan Avenue	Entire length
Lott Street	Entire length
Magnolia Avenue	Between Summit Avenue and Waldo Avenue
Magnolia Avenue	Between Tonnele Avenue and Journal Square Concourse
Maiden Lane	Entire Length
Manhattan Avenue	Between Central Avenue and Sherman Avenue
Marion Place	Entire length
Mead Street	Entire length
Mercer Street	Between Mill Road and Bergen Avenue
New York Avenue	Between Paterson Plank Road and [ <i>Ferry Street</i> ] Palisade Avenue
Nardone Place	Entire Length
Newark Avenue	Between Tonnele Avenue and [ <i>Chestnut</i> ] <u>Waldo</u> Avenue
Newkirk Street	Entire length
Oakland Avenue	Between Newark Avenue and Hoboken Avenue
Orchard Street	Between Monticello Avenue and Crawford Street
Palisade Avenue	Between State Highway 139 and Waverly Street
Pavonia Avenue	Between Giles Avenue and Newark Avenue
Perrine Avenue	Entire length
Perry Street	Entire length
Ravine Avenue	Between Webster Avenue and Palisade Avenue
Rock Street	Entire length
Romaine Avenue	Entire length
Sherman Avenue	Between Ferry Street and North Street
Sip Avenue	Between Summit Avenue and Route 1 & 9
Smith Street	Entire length
Spruce Street	Between Kennedy Boulevard and Collard Street
[ <i>Saint</i> ] St. Paul's Avenue	Between Kennedy Boulevard and Tonnele Avenue
[ <i>Saint</i> ] St. Paul's Avenue	Between Central Avenue and Summit Avenue
Skillman Avenue	Between State Highway 139 and Van Winkle Avenue
Stuyvesant Avenue	Between West Side Avenue and Van Reypen [ <i>Avenue</i> ] <u>Street</u>
Summit Avenue	Between Baldwin Avenue and Beacon Avenue
Tonnele Avenue	Between Van Reypen Avenue and [ <i>Saint</i> ] <u>St. Paul's</u> Avenue
Trenton Street	Entire length

continued.....

JDS:pc1

(11.18.10)

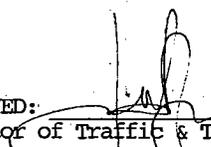
Troy Street	Entire length
Tuers Avenue	Between Mercer Street and Newkirk Street
Van [ <del>Reypen</del> ] <u>Reipen</u> Avenue	Entire length
Van Reypen Street	Entire length
Van Wagenen Avenue	Path R.R. Tracks to Stuyvesant Avenue
Van Winkle Avenue	Between Kennedy Boulevard and Senate Place
Vine Street	Entire length
Vroom Street	Between Van Reypen Street and Baldwin Avenue
Waldo Avenue	Entire length
Wales Avenue	Entire length
Wallis Avenue	Entire length
Washburn Street	Entire length
Waverly Street	Between Baldwin Avenue and Palisade Avenue
Wayne Street	Between Mill Road and Summit Avenue
Webster Avenue	Between Booraem Avenue and Paterson Plank Road
Weldon Street	Entire length
West Street	Entire length
[ <del>Westside</del> ] <u>West Side</u> Avenue	Between Glenwood Avenue and Broadway
Whitman Avenue	Entire length
Wright Avenue	Entire length

Zone 3      No Change  
 Zone 4      No Change  
 Zone 5      No Change  
 Zone 6      No Change  
 Zone 7      No Change

B.            No Change  
 Zone 9      No Change

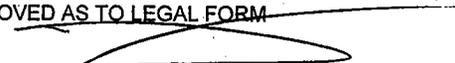
C.            No Change  
 Zone 10     No Change

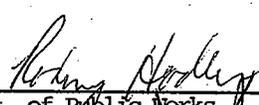
2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
  3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
  4. The City Clerk and the Corporation Counsel may change any chapter numbers, 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:** New material to be inserted is underscored; material to be repealed is in [*brackets*].

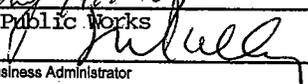
APPROVED:   
 Director of Traffic & Transportation

APPROVED:   
 Municipal Engineer

APPROVED AS TO LEGAL FORM

  
 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/ resolution/cooperation agreement:**

An ordinance supplementing Chapter 332 (Vehicles and Traffic) of the Jersey City Code amending Article III (Permit Parking) extending Zone 2 Residential Permit Parking on Newark Avenue from Chestnut Avenue to Waldo Avenue

**2. Name and title of person initiating ordinance/resolution, etc.:**

Joao D'Souza, Director of Traffic & Transportation, Division of Engineering, Traffic and Transportation at the request of Robert Byrne, City Clerk on behalf of the Jersey City Municipal Council

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

Extend Zone 2 Residential Permit Parking on Newark Avenue from Chestnut Avenue to Waldo Avenue

And, correct some errors in the new Traffic Code.

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

To allow the residents of Newark Avenue between Chestnut Avenue and Waldo Avenue the ability to apply for a Zone 2 parking permit.

**5. Anticipated benefits to the community:**

To increase parking for the residents of Newark Avenue and to deter commuters from parking their vehicles on Newark Avenue between Chestnut Avenue and Waldo Avenue

**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 6 parking signs and 3 channels at an approximate cost of \$900.00

City funds for the signs

Parking Authority funds for the permits

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

Pending adoption by the Jersey City Municipal Council

**8. Anticipated completion date:**

Twenty days after adoption of the Ordinance by the Jersey City Municipal Council

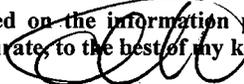
**9. Person responsible for coordinating proposed program, project, etc.:**

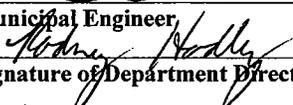
Patricia Logan, Supervising Traffic Investigator, Division of Engineering, Traffic and Transportation, 201.547.4492 for the Sign Installation

Mary Spinello-Paretti, Executive Director, JCPA for the permits, 201.653.6969

**10. Additional comments:**

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

  
Municipal Engineer

  
Signature of Department Director

11/18/10  
Date

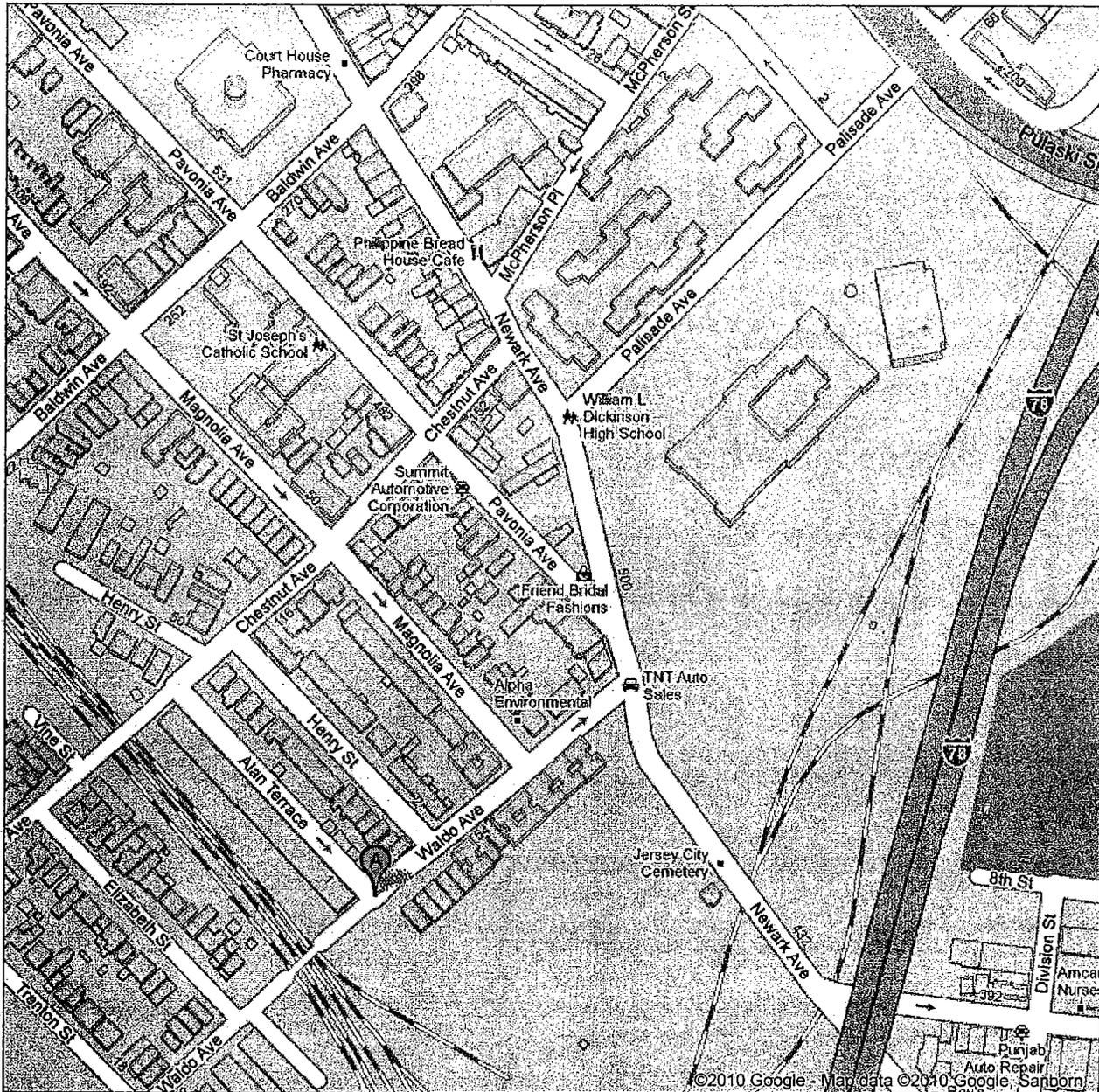
11/19/10  
Date

[Print](#)

Google maps

Address **Waldo Ave**  
Jersey City, NJ 07306

Notes



City Clerk File No. Ord. 10-170

Agenda No. 3.D 1st Reading

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



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 10-170

TITLE:

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 53 (PERSONNEL) OF THE JERSEY CITY MUNICIPAL CODE, IMPLEMENTING ARTICLE XIII (RETIREE HEALTH AND MEDICAL BENEFITS) CONFIRMING THE PROVISION OF MEDICAL AND HEALTH INSURANCE BENEFITS TO CERTAIN ACTIVE EMPLOYEES AND RETIREES WITH 25 YEARS OF SERVICE CREDIT IN A STATE OR LOCALLY ADMINISTERED RETIREMENT SYSTEM, PURSUANT TO N.J.S.A. 40A:10-23, BUT LIMITING THE BENEFITS IN THE FUTURE TO ONLY THOSE EMPLOYEES WHO ALSO RETIRE WITH AT LEAST 20 YEARS OF SERVICE WITH THE CITY OF JERSEY CITY; REQUIRING ALL RETIREES TO PAY TO RETAIN A TRADITIONAL HEALTH BENEFIT PLAN**

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

**WHEREAS**, given the dismal global economy, and the City of Jersey City's declining State aid, and notwithstanding recent tax increases, the costs of operating municipal government have sharply increased; and

**WHEREAS**, the City of Jersey City has an obligation to reduce or minimize its present and future costs whereas possible; and

**WHEREAS**, one area of costs that has been subject to an especially sharp increase are those associated with retiree health benefits; and

**WHEREAS**, New Jersey law authorizes local governments such as the City of Jersey City, to pay the cost of medical and health insurance coverage, including premiums for Part B of the Federal Medicare Program, for certain eligible retired employees, including their spouses and dependents, as defined therein; and

**WHEREAS**, the statutory authorization to pay for such coverage extends both to municipalities which are members of the New Jersey State Health Benefits Commission, pursuant to N.J.S.A. 52:14-17.38 and to those municipalities which are not members, pursuant to N.J.S.A. 40A:10-23; and

**WHEREAS**, in 1973 pursuant to N.J.S.A. 52:14-17.38, the City of Jersey City adopted a resolution, as a then member of the New Jersey State Health Benefits Commission, and committed itself to paying the cost of such coverage for eligible retirees, their spouses and dependents; and

**WHEREAS**, in 1973, N.J.S.A. 52:14-17.38 stated that retiree health benefits were available upon "retirement from a State or locally administered retirement system . . . based on 20 or more years of service credited in such retirement system"; and

**WHEREAS**, in 1999, N.J.S.A. 52:14-17.38 was amended to allow a municipality to provide such benefits to employees who had 25 years of service credit in one or more State or locally administered retirement systems, and a period of service of "up to" 25 years, unless the municipality adopted a resolution requiring that all or a portion of 25 years of actual service, to be with it; and

**WHEREAS**, the City of Jersey City did not adopt a resolution or ordinance restricting actual service to the City of Jersey City, and appears to have provided medical and health benefits for retirees with less than 25 years of actual service to the City, so long as they had at least 25 years of service credit, in one or more State or locally administered retirement systems; and

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 53 (PERSONNEL) OF THE JERSEY CITY MUNICIPAL CODE, IMPLEMENTING ARTICLE XIII (RETIREE HEALTH AND MEDICAL BENEFITS) CONFIRMING THE PROVISION OF MEDICAL AND HEALTH INSURANCE BENEFITS TO CERTAIN ACTIVE EMPLOYEES AND RETIREES WITH 25 YEARS OF SERVICE CREDIT IN A STATE OR LOCALLY ADMINISTERED RETIREMENT SYSTEM, PURSUANT TO N.J.S.A. 40A:10-23, BUT LIMITING THE BENEFITS IN THE FUTURE TO ONLY THOSE EMPLOYEES WHO ALSO RETIRE WITH AT LEAST 20 YEARS OF SERVICE WITH THE CITY OF JERSEY CITY; REQUIRING ALL RETIREES TO PAY TO RETAIN A TRADITIONAL HEALTH BENEFIT PLAN**

**WHEREAS**, pursuant to N.J.S.A. 40A:10-23, the City of Jersey City is authorized to pay the cost of medical and health insurance coverage for employees, including their dependents and the premium charges under Part B of the Federal Medicare Program, who have "retired after 25 or more years of service... and a period of up to 25 years with the [City] at the time of retirement, such period of service to be determined by the [City], and set forth in an ordinance, or resolution, as appropriate"; and

**WHEREAS**, the City Council needs to reaffirm its commitment to pay the cost of providing medical and health insurance coverage for its eligible employees, including the premium charges under Part B of the Federal Medicare Program for its active employees and its presently retired employees, including their spouses and dependents, pursuant to N.J.S.A. 40A:10-23; and

**WHEREAS**, accordingly, as to all new employees hired after the adoption of the within Ordinance, the City of Jersey City has determined to clarify by Ordinance that the City shall pay the cost of such medical and health benefits to its eligible retirees but only if they have at least 20 years of actual service with the City of Jersey City including a public body, corporate and politic, established by the City of Jersey City, at the time of retirement, pursuant to N.J.S.A. 40A:10-23; and

**WHEREAS**, in addition, in 2007 the City of Jersey City withdrew from the New Jersey State Health Benefits Program, and the Municipal Council approved a group contract to provide medical and health insurance coverage to both current employees and its eligible retirees through Horizon Blue Cross/Blue Shield of New Jersey, pursuant to N.J.S.A. 40A:10-23; and

**WHEREAS**, in 2008, the State Health Benefits Commission eliminated traditional medical and health benefits [Traditional Plan] for its members, including any retirees; and

**WHEREAS**, because the City of Jersey City had already withdrawn from the State Health Benefits Program, the City collective bargaining removed all active employees from the Traditional Plan; and

**WHEREAS**, effective January 1, 2011 no active City employee will be covered by a Traditional Plan; and

**WHEREAS**, the cost of continuing a Traditional Plan for those who have already retired alone cost the City of Jersey City approximately \$3 Million Dollars a year; and

**WHEREAS**, accordingly, effective March 1, 2011 the City of Jersey City shall only pay the premium for the Point of Service or Preferred Provider Health Plan for retirees, past and future, and any retirees wishing to retain or enroll in a Traditional Plan, shall be required to pay the cost differential between the two plans.

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

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

**ARTICLE XIII**  
Retiree Medical and Health Benefits

**§53-84 Provision of Retiree Medical and Health Benefits.**

The City will pay the entire cost of medical and health benefits, including the premium charges for Part B of the Federal Medicare Program, for certain Eligible Employees, as defined hereinafter, who retire or have retired from the City, pursuant to N.J.S.A. 40A:10-23.

**§53-84.1 Retiree Medical and Health Benefits Plans.**

Effective March 1, 2011, the City will not pay the premium for a Traditional Indemnity Health Insurance Plan. All retirees will be automatically enrolled in a Point of Service or Preferred Provider Health Plan or its substantial equivalent. Those employees who have already retired, may elect to retain or enroll in a Traditional Plan but only if they pay any difference in cost between the premiums for the Traditional Plan and Point of Service or Preferred Provider Health Insurance Plan.

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 53 (PERSONNEL) OF THE JERSEY CITY MUNICIPAL CODE, IMPLEMENTING ARTICLE XIII (RETIREE HEALTH AND MEDICAL BENEFITS) CONFIRMING THE PROVISION OF MEDICAL AND HEALTH INSURANCE BENEFITS TO CERTAIN ACTIVE EMPLOYEES AND RETIREES WITH 25 YEARS OF SERVICE CREDIT IN A STATE OR LOCALLY ADMINISTERED RETIREMENT SYSTEM, PURSUANT TO N.J.S.A. 40A:10-23, BUT LIMITING THE BENEFITS IN THE FUTURE TO ONLY THOSE EMPLOYEES WHO ALSO RETIRE WITH AT LEAST 20 YEARS OF SERVICE WITH THE CITY OF JERSEY CITY; REQUIRING ALL RETIREES TO PAY TO RETAIN A TRADITIONAL HEALTH BENEFIT PLAN**

**§53-84.2 Eligibility for Retiree Medical and Health Benefits.**

"Eligible Employees" are defined as employees, including their spouses and dependents, who retire with:

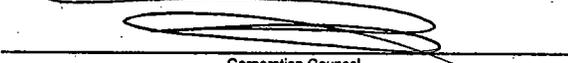
1. At least 25 years of credited service in a State or locally administered pension system at the time of retirement; and
2. At least 20 years of actual service with the City of Jersey City, which may include any prior actual service with a public body, corporate and politic, that it has been established by the City of Jersey City.

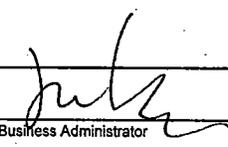
The additional requirement of retirement with at least 20 years of actual service credit with the City of Jersey City, will only apply: 1) to new Eligible Employees, that is, those hired after the effective date of this ordinance, and 2) upon successful negotiation with each collective bargaining unit of the City of Jersey City.

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

NOTE: All material is new, therefore, underlining has been omitted.

*JM/he*  
12/08/10

APPROVED AS TO LEGAL FORM  
  
\_\_\_\_\_  
Corporation Counsel

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

Certification Required   
Not Required



**CITY OF JERSEY CITY**  
**Office of the Corporation Counsel**

280 Grove Street  
Jersey City, New Jersey 07302  
Telephone: (201) 547-4667  
Fax: (201) 547-5230

Jerramiah Healy, Mayor

Bill Matsikoudis, Corporation Counsel

December 6, 2010

Council President and Members of the Council  
City Hall-280 Grove Street  
Jersey City, NJ 07302

**Re: Ordinance Amending Chapter 53 (Personnel)**  
**Implementing Article XIII, Removing Retirees from Traditional Plan**

Dear Council President and Members of the Municipal Council:

Enclosed please find an ordinance that provides retiree health benefits pursuant to contract, under N.J.S.A. 40A:10-23, not State Health Benefits Program which the City left 3 years ago. In addition to requiring 25 years of service in a public pension (minimum required by law), it also requires 20 years of actual service with Jersey City or any agencies established by the City. The 20 years of actual service with the City will only be imposed on new employees and be subject to collective bargaining.

Effective Feb 1, 2011, all retirees, present and future, will be automatically enrolled in POS health plans, unless they elect to pay the premium difference between the cost of POS and traditional health coverage. This provision is not subject to collective bargaining but retirees will be duly educated and informed of change.

Very truly yours,

A handwritten signature in black ink, appearing to read "WILLIAM MATSIKOU", with a large, stylized flourish.

**WILLIAM MATSIKOU  
CORPORATION COUNSEL**

WM/igp

Enclosure

c: Jack Kelly, Business Administrator  
Robert Byrne, City Clerk

City Clerk File No. Ord. 10-171

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 10-171

**TITLE: ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A351  
(EXECUTIVE ORDERS AND ORDINANCES) AND CHAPTER 53-83  
(PERSONNEL) OF THE JERSEY CITY CODE**

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

**WHEREAS**, the State of New Jersey is confronting a fiscal and economic crisis more severe than any experienced since the Great Depression, a consequence of which will be dramatically reduced revenues available to local governments to provide governmental services; and

**WHEREAS**, municipalities will be compelled to decrease spending to offset shortfalls in State aid previously available, during this fiscal year; and

**WHEREAS**, while the City of Jersey City remains resolute in its commitment to providing essential governmental services, it needs to impose at least certain temporary decreases in expenses, such as voluntary furloughs of its employees, in order to maintain a balanced budget; and

**WHEREAS**, department directors and their statutory equivalents, form the essential management core needed to effectuate budgetary restraint and sacrifice and to guide the Mayor and Municipal Council in these fiscally challenging times; and

**WHEREAS**, in order to attract and retain the highest caliber of department directors, including their statutory equivalents, they need to be fairly compensated; and

**WHEREAS**, accordingly, the City of Jersey City adjusted the base salaries set by ordinance in to include an annual increase based upon the annual consumer price index; and

**WHEREAS**, given the current economic environment, department directors and their statutory equivalents, will need to be paradigms of fiscal responsibility and sacrifice, and should forbear the annual consumer price index increase for this fiscal year.

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

A. The following amendments and supplements to Chapter A351 (Executive Orders and Ordinances) and Chapter 53-83 (Personnel) of the Jersey City Code are adopted:

Fixed Salaries

(Base with CPI)\* Title

Business Administrator

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A351 (EXECUTIVE ORDERS AND ORDINANCES) AND CHAPTER 53-83 (PERSONNEL) OF THE JERSEY CITY CODE**

- Chief Financial Officer/Municipal Chief
- Financial Officer
- City Clerk
- Corporation Counsel
- Deputy City Clerk
- Deputy Tax Assessor
- Director, Department of Finance
- Director, Department of Fire and Emergency Services
- Director, Department of Health and Human Services
- Director, Department of Housing, Economic Development, and Commerce
- Director, Department of Police
- Director, Department of Public Works
- Director, Department of Recreation
- Mayor
- Tax Assessor
- Tax Collector

**\* The CPI increase to Base Salaries as set forth in Chapter 53-83 (Personnel) shall not be provided for the above stated Titles\*\* until reinstated by Ordinance.**

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

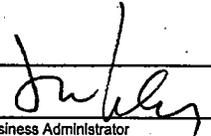
**NOTE:** All new material is underlined; words in [brackets] are omitted. For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

*\*Pursuant to N.J.S.A. 40:69A-43a.*

**\*\* Note:** *Council Members, Council Aides and Municipal Court Judges do not receive the CPI increase in accordance with Chapter 53-83.*

12/07/10

APPROVED AS TO LEGAL FORM  
  
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 10-172

TITLE:

## ORDINANCE AMENDING CHAPTER 9 (ASSESSMENT COMMISSIONERS, BOARD OF) OF THE JERSEY CITY CODE

The Municipal Council of the City of Jersey City hereby ordains:

### CHAPTER 9

Assessment Commissioners, Board of

A. The following amendments to Chapter 9 (Assessment Commissioners, Board of) of the Jersey City Code are hereby adopted:

#### Sec. 9-1 Jurisdiction; membership

A Board of Assessment Commissioners shall be responsible for all assessments of local improvements in accordance with N.J.S.A. 40:56-1 et seq. The Board shall consist of three (3) regular members and one (1) alternate member appointed by the Mayor. No member may be an officer or employee of the city.

#### Sec. 9-2 Terms; conflicts of interest; removal; qualifications.

Members shall serve without compensation for a term of three (3) years from the date of appointment, except that of the first regular members appointed, one (1) member shall serve a term of one (1) year, one (1) a term of two (2) years and the third a term of three (3) years. Each member appointed thereafter shall serve three (3) years. The alternate member shall serve a term of three (3) years. A vacancy, occurring otherwise than by expiration of the term of a member or an alternate member, shall be filled by appointing a replacement member for the unexpired term only. No member shall participate in any matter in which he or she has, directly or indirectly, any personal or financial interest. Any member may, after a public hearing if requested, be removed by the Mayor for cause. Insofar as possible, members and alternate members shall be employed in real estate, accounting, law, engineering, finance or any other field pertinent to their responsibilities.

#### ~~Sec. 9-3 Compensation; funding.~~

~~Members shall receive compensation of fifty dollars (\$50.) per day, or any part of a day, while engaged in Commission business. Such compensation, as well as any other costs related to the actions of the Board, shall be funded by the local improvement authorizations considered during such engagements.]~~

#### Sec. 9-4 Organization.

The Board shall elect a chairperson who shall preside at meetings of the Board. The Chief Engineer shall designate a staff member to serve as secretary to the Board, and the Corporation Counsel an Assistant Corporation Counsel to serve as attorney to the Board.

#### Sec. 9-5 Rules and regulations.

The Board shall establish rules and fix the time and place for holding its meetings. It shall take no action without the presence of a quorum. All action shall be taken by a majority vote of the members present. All meetings shall be held in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-1 et seq.

**Sec. 9-6 Hearings.**

- A. The Chairperson shall have the power to administer oaths of any witness called to testify at a hearing. The testimony of all witnesses relating to any matter before the Board shall be taken under oath or affirmation by the Chairperson. Interested parties may cross-examine witnesses, either through their attorney or directly, subject to the discretion of the Chairperson and to reasonable limitations as to the time and number of witnesses.
- B. Technical rules of evidence shall not apply to a hearing, but the Board may exclude irrelevant, immaterial or unnecessarily repetitious evidence.

**Sec. 9-7 Records to be kept.**

The Board shall provide for verbatim recording or, in its discretion, minutes of all proceedings. Minutes shall be available for public inspection and copying during normal business hours. Verbatim transcripts shall be available at the expense of the person requesting the transcript. In furnishing a transcript, the Board shall not charge a fee in excess of the maximum permitted under N.J.S.A. 2A:11-15.

**Sec. 9-8 Decisions.**

All decisions of the Board shall be in writing and shall include findings of fact and conclusions based solely upon relevant evidence submitted to the Board at any of its public meetings.

**Sec. 9-9 Statement of improvement completion.**

Upon the completion of any local improvement, the Chief Engineer shall immediately notify the Board and certify a statement showing in detail the cost of the improvement, including the cost of advertising, financing and inspection and the engineering expense and the cost of any real estate or interest in real estate acquired for the improvement. This statement shall also show the proportion of the total cost of the improvement, if any, contributed by the municipality or the county or by any person. The total amount of the assessment levied upon the real estate benefited by the improvement shall not exceed the cost of the improvement less any payment or contribution. If the benefits assessed do not equal the cost less such contribution, the balance shall be paid by the city.

**Sec. 9-10 Viewing of improvement; notice.**

After receiving notice of the completion of a local improvement, members of the Board shall examine the improvement and all lands and real estate in the vicinity of the improvement. After the viewing, the Board shall fix a time and place for hearing all persons interested. Notice of the time and place of the hearing shall be mailed to the owners of all real estate affected, directed to their last known post office address, and shall be published at least once in a newspaper circulating in the municipality at least ten (10) days before the hearing. Failure to mail any notice shall not invalidate any proceeding or assessment.

**Sec. 9-11 Criteria for decisions.**

The Board shall give all interested parties or parties affected by an improvement ample opportunity to be heard upon the subject of the assessment. The Board's decision shall be based upon an equitable assessment of the burdens conferred upon any real estate as a result of an improvement, giving due regard to the rights and interest of all parties concerned, as well as to the value of the real estate.

- B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- C. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- D. This ordinance shall take effect at the time and in the manner as provided by law.
- E. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental

repealers of existing provisions.

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

APPROVED AS TO LEGAL FORM

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

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

APPROVED: *[Signature]*  
Business Administrator

Certification Required   
Not Required



**CITY OF JERSEY CITY**  
**Office of the Corporation Counsel**

280 Grove Street  
Jersey City, New Jersey 07302  
Telephone: (201) 547-4667  
Fax: (201) 547-5230

Jerramiah Healy, Mayor

Bill Matsikoudis, Corporation Counsel

December 3, 2010

Council President and Members of the Council  
City Hall-280 Grove Street  
Jersey City, NJ 07302

**Re: Ordinance Amending Chapter 9 (Assessment Commissioners, Board of)**

Dear Council President and Members of the Council:

Although we have an ordinance establishing a Jersey City Board of Assessment Commissioners (Sections 9-1 to 9-11), the board has not to my knowledge met for several years.

The Mayor would like the Board to begin meeting in January 2011, but in light of budgetary limitations, he has requested that Section 9-3, which provides for compensation of board members, be deleted from the ordinance.

Very truly yours,

**WILLIAM MATSIKOUDIS**  
**CORPORATION COUNSEL**

WM/igp  
Enclosure

c: Jack Kelly, Business Administrator  
Omar Perez, Mayor's Office

City Clerk File No. Ord. 10-173

Agenda No. 3.6 1st Reading

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



## ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-173

TITLE:

**AN ORDINANCE GRANTING PERMISSION TO 769 MONTGOMERY STREET URBAN RENEWAL COMPANY, LLC, ITS SUCCESSORS AND ASSIGNS TO PERMIT EXISTING ENCROACHMENTS IN THE MONTGOMERY STREET AT BOLAND STREET RIGHTS OF WAY ADJACENT TO THE PROPERTY LOCATED AT 769 MONTGOMERY STREET, JERSEY CITY, NEW JERSEY ALSO KNOWN ON THE TAX MAPS OF THE CITY OF JERSEY CITY AS BLOCK 1831, LOT A1**

The Municipal Council of the City of Jersey City does hereby ordain:

**WHEREAS**, 769 Montgomery Street Urban Renewal Company, LLC ("Petitioner") having offices at 769 Montgomery Street, Jersey City, NJ 07306 is the owner of the property located at 769 Montgomery Street, Jersey City, and known as Block 1831, Lot A1 on the current tax maps of the City of Jersey City ("Property"); and

**WHEREAS**, pursuant to Resolution for Preliminary Site Plan (case #P05-076), the Planning Board of Jersey City granted approval to renovate the Property containing a six (6) story building with thirty-eight (38) residential units, two (2) units of first floor retail space and thirty (30) on-site parking spaces; and

**WHEREAS**, part of the development of the Property pertained to the refurbishing of the exterior of the existing building including the brick front entry stairs of the building which faces Montgomery Street and the existing westerly brick façade which contains window wells providing light and air to the basement level of the building; and

**WHEREAS**, The Jersey City Engineering Division made an inspection of the Property on March 2, 2010 and concluded: "The staircase located on Montgomery Street and the window well located on Boland Avenue are within the public Right-of-Way A Franchise Ordinance Agreement must be submitted for City Council approval"; and

**WHEREAS**, the Petitioner has filed a Petition for a Franchise Ordinance in order to satisfy one of the conditions of its Planning Board approval, namely to address "comments from other municipal agencies"; and

**WHEREAS**, there has always been and there will remain sufficient area in the right-of-way which will not impede or have a negative impact on typical pedestrian use; and

**WHEREAS**, Petitioner has filed a petition for relief and represented to the Municipal Council of the City of Jersey City that the passage of this Ordinance is in the best interest and essential for the completion of construction of the development; and

**WHEREAS**, after due notice was given in accordance with law, a public hearing was held on the Petition filed by 769 Montgomery Street Urban Renewal Company, LLC to grant permission for the private improvements to remain within the public right-of-way for the following purposes:

1. The subjects of this Ordinance are the existing brick front stairway facing Montgomery Street and the existing window wells on the westerly façade facing Boland Avenue both of which are located in the public rights-of-way and both of which were a part of the original structure which was built in the early 1900's.
2. All costs associated with these improvements, including maintenance costs will be borne by the Petitioner, its successors and assigns and there being no objections thereto.

AN ORDINANCE GRANTING PERMISSION TO 769 MONTGOMERY STREET URBAN RENEWAL COMPANY, LLC, ITS SUCCESSORS AND ASSIGNS TO PERMIT EXISTING ENCROACHMENTS IN THE MONTGOMERY STREET AT BOLAND STREET RIGHTS OF WAY ADJACENT TO THE PROPERTY LOCATED AT 769 MONTGOMERY STREET, JERSEY CITY, NEW JERSEY ALSO KNOWN ON THE TAX MAPS OF THE CITY OF JERSEY CITY AS BLOCK 1831, LOT A1

**WHEREAS**, Jersey City Building Department approved construction of the improvements on the Property but Petitioner needs to file an Application for Final Site Plan to reflect that all improvements and conditions approved by the Planning Board in its Preliminary approval have been met, including its application for a Franchise Ordinance; and

**WHEREAS**, a Franchise Ordinance is required to permit the continued uninterrupted use of the subject improvements within the public rights-of-way; and

**WHEREAS**, by reason of the character of the development of the area within which the Property is located, the completion of the project will enhance the aesthetic character of the Property and greatly benefit Jersey City, and the surrounding neighborhood; and

**WHEREAS**, the public interest will be served by said improvements to the Property, which will be of great benefit to the citizens of New Jersey and Hudson County and the rights of the public will not be injuriously or adversely affected by the requested relief;

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

**SECTION I.** Permission be, and is hereby granted to 769 Montgomery Street Urban Renewal Company, LLC, its successors and assigns, to refurbish, maintain and utilize the improvements to a portion of lands located in the public rights-of-way adjacent to 769 Montgomery Street, Jersey City, and known as Block 1831, Lot A1, on the current tax maps of the City of Jersey City, said areas being more particularly described on the survey attached to the Petition as Exhibit C, as Proposed Easements #1 and #2 and further described by metes and bounds descriptions on Exhibits D & E respectively, also attached to the Petition.

1. Easement #1 includes the brick front entry stairway which faces Montgomery Street and Easement #2 faces Boland Avenue, both of which are located within public rights-of-way.
2. There will remain sufficient area in the right-of-way (at least five (5) unobstructed feet) for typical pedestrian use.
3. The improvements within the right-of-way have been refurbished consistent with the plans approved by the Jersey City Planning Board, the Jersey City Division of Engineering and the Jersey City Building Department.
4. All costs associated with these improvements will be incurred by the Petitioner.
5. The requested Franchise Ordinance is necessary to permit completion of the project in accordance with the development approvals and will greatly benefit Petitioner's Property and the surrounding neighborhood.
6. Petitioner and its successors and assigns shall maintain all improvements which are the subject of this Ordinance for the entire term of this Franchise at no cost to the City of Jersey City.
- 7.

**SECTION II.** All the work herein has/shall be done under the supervision of the proper department or departments of the City of Jersey City. Further, all the work herein authorized shall comply with any State of New Jersey Uniform Construction Code requirements. The construction plans shall be submitted to the City Engineer for his review and comments prior to the start of construction. After construction there shall remain no damage to the sidewalk or roadway or interference with the free and safe flow of pedestrian traffic and vehicular traffic. 769 Montgomery Street Urban Renewal Company, LLC and its successors and assigns, shall maintain all improvements installed by it for the entire term of this Franchise at no cost to the City.

**SECTION III.** This Ordinance shall remain in full force and effect for a period of ninety-nine (99) years. This Ordinance shall take effect upon final passage and publication according to law. In the event that the Municipal Council determines that this Ordinance must be canceled in whole or in part because of a public purpose, the City reserves the right to cancel this Ordinance or any part thereof by giving written notice to the Petitioners one year (1) prior to the date of cancellation.

**SECTION IV.** All costs and expenses incident to the introduction, passage and publication of this Ordinance shall be borne and paid by said 769 Montgomery Street Urban Renewal Company, LLC, its successors and assigns.

**SECTION V.** In accepting the privileges of this Ordinance and the installation, maintenance and use hereby authorized, 769 Montgomery Street Urban Renewal Company, LLC, its successors and assigns, hereby agree to assume full, complete and undivided responsibility for any and all injury or damage to persons or property by reason of such installation, maintenance and use, and to indemnify and hold the City of Jersey City harmless from all injury or damage to persons or property by reason of such installation, maintenance and use (except such injury or damage which is caused by the negligence or misconduct of the City or its officers, employees or agents) for the term of this Ordinance. 769 Montgomery Street Urban Renewal Company, LLC, its successors and assigns, shall maintain in effect, during the term of this franchise, liability insurance naming the City of Jersey City, its officers and employees as additional insured, covering the use and occupancy of the public property subject to this franchise. A certificate of insurance, in the amount of \$1,000,000.00 in a form deemed acceptable by the City's Risk Manager, shall be delivered to the Risk Manager before use or occupancy of the premises subject to this Franchise Ordinance.

AN ORDINANCE GRANTING PERMISSION TO 769 MONTGOMERY STREET URBAN RENEWAL COMPANY, LLC, ITS SUCCESSORS AND ASSIGNS TO PERMIT EXISTING ENCROACHMENTS IN THE MONTGOMERY STREET AT BOLAND STREET RIGHTS OF WAY ADJACENT TO THE PROPERTY LOCATED AT 769 MONTGOMERY STREET, JERSEY CITY, NEW JERSEY ALSO KNOWN ON THE TAX MAPS OF THE CITY OF JERSEY CITY AS BLOCK 1831, LOT A1

**SECTION VI.** This Ordinance shall not become effective unless an acceptance hereof in writing is filed by the Petitioner with the City Clerk. In the event, that the Petitioner shall not file with the City Clerk its acceptance in writing of the provisions of this Ordinance within 30 days after receiving notice of its passage, this Ordinance shall become void and be of no effect.

**SECTION VII.** Only with prior written consent and approval by the City Council of the City of Jersey City, which consent and approval shall not be unreasonably withheld, shall Petitioner have the right to assign or otherwise transfer its rights under this Franchise Ordinance.

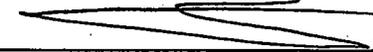
**SECTION VIII.** An easement for the duration of this Ordinance is reserved for the benefit of the City of Jersey City and all public utility companies including any cable television company as defined in the "Cable Television Act", P.L. 1972, c. 186 (c. 48:5A-1 et seq.) for the purpose of ingress and egress over and upon the area subject to this Franchise Ordinance in order to maintain, repair or replace existing utility facilities including water lines, sewer lines, gas lines and telephone, electrical and cable television wires and poles which may be located either beneath or above the surface of the area subject to this Franchise Ordinance.

**SECTION IX.** For the rights and privileges herein granted, said beneficiaries hereunder, their successors and assigns, shall pay annually to the City of Jersey City the sum of One Dollar (\$1.00), which payment shall be made annually on the 1<sup>st</sup> day of July next succeeding the time when this Ordinance shall become effective and on each first day of July thereafter until the termination of this Ordinance.

**SECTION X.**

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This Ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this Ordinance certified 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 repeals of existing provisions.

~~APPROVED AS TO LEGAL FORM~~

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

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

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

Certification Required   
Not Required

## PETITION

**TO: THE HONORABLE, THE MAYOR AND MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY:**

Your Petitioner, 769 Montgomery Street Urban Renewal Company, LLC respectfully says that:

1. Petitioner is the owner of property at 769 Montgomery Street, and known as Block 1831, Lot A1 on the current tax map of the City of Jersey City (the "Property"). The Petitioner is the designated Redeveloper of the Property and has renovated the existing building into a six (6) story building with thirty-eight (38) residential units, two (2) units of first floor retail space and thirty one (31) onsite parking spaces in connection with the Property.
2. The Jersey City Planning Board granted Preliminary major site plan approval (Case #P05-076) for the project on January 24, 2006. A copy of the Resolution is attached as Exhibit A. That approval was conditioned upon receipt of comments from "other municipal review agencies" including the Division of Engineering.
3. The Jersey City Division of Engineering issued a written memorandum requiring Petitioner to obtain a Franchise Ordinance from the City Council with respect to the encroachments into the public right of way that are described below. A copy of the Division of Engineering's Memorandum is attached as Exhibit B.
4. The original structure at 769 Montgomery Street was built in the early 1900's and formerly contained the Police Headquarters and the Jersey City municipal courts.

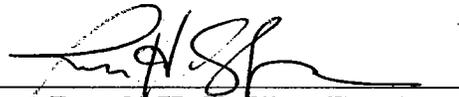
5. The original structure was built at the northeast corner of Montgomery Street and Boland Avenue. The brick front entry stairs of the building face Montgomery Street and encroach onto the public right of way (the sidewalk).
6. Along Boland Avenue, the original structure contained window wells that serve the basement level that also encroach onto that public right of way (the sidewalk).
7. The present conditions of the property are shown on the "As-built Survey and Right of Way Easement Plan" prepared by TY International/Medina Robert S. Tomzick, P.L.S. dated April 19, 2005 last revised April 26, 2010. (See Exhibit C.)
8. Other than aesthetic improvements, Petitioner has not done or constructed any improvements that encroach onto the Montgomery Street or Boland Avenue rights of way beyond what was originally constructed when the structure was first built.
9. The area shown on the As Built Survey (Exhibit C) which contains the window wells on Boland Avenue is referenced as Easement #1 and it is described by metes and bounds description attached as Exhibit D.
10. The area shown on the As Built Survey (Exhibit C) which contains the entrance stairs on Montgomery Street is referenced as Easement #2 and it is described by metes and bounds description attached as Exhibit E.
11. Applicant has completed the renovations and improvements to the Property as approved in the Preliminary site plan and is now ready to submit its application for Final Site Plan to the Jersey City Planning Board.
12. The requested Franchise Ordinance is necessary to satisfy one of the conditions of approval imposed by the Jersey City Planning Board and to address title questions

which may be raised by Petitioner's lender as well as future purchasers of condominium units.

WHEREFORE, your Petitioner respectfully prays for itself, its successors and assigns for the enactment of a Franchise Ordinance to permit existing encroachments onto the sidewalk area of the public right of way of Montgomery Street and Boland Avenue, all as more particularly shown on the plans annexed hereto and made a part hereof.

**769 Montgomery Street  
Urban Renewal Company, LLC**

By:

  
\_\_\_\_\_  
**Ronald H. Shaljian, Esquire  
Attorney for Petitioner**

**RESOLUTION OF THE PLANNING BOARD  
OF THE CITY OF JERSEY CITY  
APPROVING PRELIMINARY MAJOR SITE PLAN, # P05-076  
SUBMITTED BY 769 MONTGOMERY STREET URBAN  
RENEWAL COMPANY, LLC  
(769 Montgomery Street)  
(Block 1831, Lot A1)**

**WHEREAS**, the Planning Board has considered the above matter at its meeting on January 24, 2006, as more fully set forth herein; and

**WHEREAS**, it appears that due notice of a hearing on the application for Preliminary and Major Site Plan approval before the Planning Board of the City of Jersey City was provided as prescribed in the Zoning Ordinance of the City of Jersey City and the Municipal Land Use Law; and

**WHEREAS**, the Applicant appeared before the Board on January 24, 2006 represented by Eugene T. Paolino, Esq. of Schumann Hanlon LLC; and

**WHEREAS**, the Applicant has submitted proof that it has complied with the applicable procedural requirements, including payment of fees and public notices; and

**WHEREAS**, the Planning Board did consider the application, exhibits, staff recommendations and other evidence and specifically the testimony of the Applicant's witness, Alex Soffiantino, licensed Professional Architect; and

**WHEREAS**, the Planning Board did consider the comments of Applicant's counsel, and the comments of the members of the public, all of which were recorded in the record of the hearing; and

**NOW THEREFORE**, the Planning Board of the City of Jersey City, having given careful consideration to the foregoing and the entire record in this matter, makes the following findings of fact:

- (1) The owner of the subject premises is 769 Montgomery Street Urban Renewal Company, LLC.
- (2) The subject premises has frontage on Montgomery Street, Boland Street and Fairmont Avenue and currently contains the former Municipal Court Building for the City of Jersey City.
- (3) It is located in the "Boland Street Redevelopment Plan Zone" ("Redevelopment Plan"), which Plan was enacted by the Jersey City Council on April 28, 2004, as Ord # 04-044.
- (4) This application conforms with the Redevelopment Plan in all respects.
- (5) The project will contain 28 residential units and 5,178 square feet of retail space with on site parking with 31 spaces.
- (6) The project shall rehabilitate the former Municipal Court Building and contemplates the addition of two stories to the top of the building, for a total of six (6) stories. The first floor of the building shall contain 5,178 square feet of retail space. The remainder of the first floor shall contain 31 parking spaces. The remaining floors shall consist of residential units.

- (7) The project is located at the intersection of Montgomery Street and Boland Street.
- (8) Applicant's licensed professional architect testified that the proposed project meets the intent of the Redevelopment Plan to redevelop this section of Jersey City. He also testified, and the Board, finds that it is the Applicant's intent to maintain the historical character of the former Municipal Court by maintaining the facades.
- (9) Applicant's Project is a great way to re-use an existing formerly public building.

**NOW THEREFORE, BE IT RESOLVED** that the Planning Board of Jersey City, for the foregoing reasons, as well as those stated on the record which are incorporated by reference herein, hereby approves the Application of 769 Montgomery Street Urban Renewal Company, LLC for Preliminary Major Site Plan, subject to the following:

- A. Applicant will comply with all of the comments both received to date and yet still unreceived from the City Planning Department and other municipal review agencies.
- B. Applicant will meet with the West Bergen Lincoln Park Neighborhood Coalition.
- C. Applicant will keep a set of approved site plan drawings on site at all times

during construction.

- D. Saturday work permits shall be obtained from the Jersey City Building Department should work take place on Saturdays.
- E. Applicant will work with the Jersey City Planning Department staff with respect to the proposed lighting plan for the project.
- F. Applicant will provide the Jersey City Planning Department with the catalog and details for the garage doors on Boland Street and Applicant will work with the Jersey City Planning Department staff to select an appropriate design.
- G. Applicant will work with the Jersey City Planning Department staff to introduce the design element of the streetscape along Montgomery Street around Boland Street facade so that it wraps around the project.
- H. With respect to the southernmost garage door on Boland Street, Applicant will either install a garage door at that location or, alternatively, use that location as an emergency exist resulting in an additional on street parking space. Applicant will work with the Jersey City Planning Department staff with respect to this condition.

**SUBJECT: RESOLUTION OF THE PLANNING BOARD OF THE  
CITY OF JERSEY CITY APPROVING PRELIMINARY  
MAJOR SITE PLAN # P05-076**

DATE OF HEARING: January 24, 2006

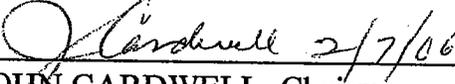
VOTE: 7 - 0 - 0

VOTING IN FAVOR: Chairman Cardwell  
Commissioner Branum  
Commissioner Yost  
Commissioner Ryan  
Commissioner Lopez  
Commissioner DeSanto  
Commissioner Sottolano  
Commissioner Eccleston

ABSENT: Commissioner Donnelly  
Commissioner D'Amico

VOTING AGAINST: None

ABSTAINING: None

  
\_\_\_\_\_  
JOHN CARDWELL, Chairman  
JERSEY CITY PLANNING BOARD

  
\_\_\_\_\_  
ROBERT D. COTTER, Secretary  
JERSEY CITY PLANNING BOARD

APPROVED AS TO LEGAL FORM:

  
\_\_\_\_\_  
JOHN F. HAMILL, JR., ESQ.  
JERSEY CITY PLANNING BOARD

DATE OF MEMORIALIZATION: February 7, 2006



5. The pedestrian crosswalk and stop bar at the intersection of Boland Avenue and Fairmount Avenue must be repainted.
6. The staircase located on Montgomery Street and the window well located on Boland Avenue are within the public Right-of-Way. A franchise ordinance agreement must be submitted for City Council approval.
7. The cleanouts located on Boland Avenue pose tripping hazard to pedestrians. They must be made flushed with the sidewalk.
8. All expansion joint fillers must be flushed with the sidewalk.
9. Please provide a bond estimate prepared by a licensed professional engineer signed and sealed.

*CF*  
3.18.10

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Chuck F. Lee, P.E., Assistant City Engineer



**DESCRIPTION OF RIGHT OF WAY EASEMENTS**  
**FOR THE BENEFIT OF BLOCK 1831, LOT A1**  
**CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY**

Easements for the purpose of site improvements to the subject property within the public right of way in Boland Avenue and Montgomery Street.

Easement #1 - Boland Avenue

All that certain lot, tract or parcel of land and premises, situate, laying, and being in the City of Jersey City, being bounded and described as follows:

COMMENCING at the point of intersection of the easterly right of way line of Boland Avenue (50' wide per tax map) and the southerly right of way line of Montgomery Street (60' wide per tax map), running thence;

- A. South 01 degrees 31 minutes 35 seconds West, 7.00 feet, coincident with said easterly right of way of Boland Avenue to the true point and place of BEGINNING, thence;
1. Coincident with said Boland Avenue right of way, South 01 degrees 31 minutes 35 seconds West, 83.00 feet to a point along said right of way, thence the following 3 courses through the Boland Avenue right of way;
  2. North 88 degrees 28 minutes 25 seconds West, 5.00 feet to a point, thence;
  3. North 01 degrees 31 minutes 35 seconds East, 83.00 feet to a point, thence;
  4. South 88 degrees 28 minutes 25 seconds East, 5.00 feet to the Boland Avenue right of way and the true point and place of BEGINNING.

Containing 415 square feet or 0.010 acres of land more or less.

The above described easement is in accordance with a map entitled "As-Built Survey and Right of Way Easement Plan, Block 1831, Lot A1, City of Jersey City, Hudson County, New Jersey" revised through 6/1/2010, and prepared by T.Y. Lin International | Medina, Hackettstown, NJ.

Easement #2 - Montgomery Street

All that certain lot, tract or parcel of land and premises, situate, laying, and being in the City of Jersey City, being bounded and described as follows:

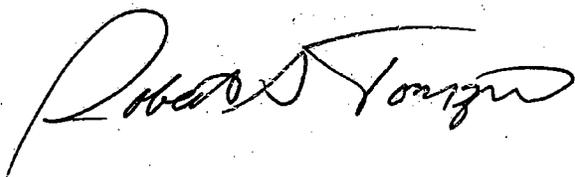
COMMENCING at the point of intersection of the easterly right of way line of Boland Avenue (50' wide per tax map) and the southerly right of way line of Montgomery Street (60' wide per tax map), running thence;

A. North 85 degrees 28 minutes 36 seconds West, 6.00 feet, coincident with the southerly right of way of Montgomery Street to the true point and place of BEGINNING, thence the following 3 courses through the Montgomery Street right of way;

1. North 04 degrees 31 minutes 24 seconds East, 5.00 feet to a point, thence;
2. South 85 degrees 28 minutes 36 seconds East, 16.00 feet to a point, thence;
3. South 04 degrees 31 minutes 24 seconds West, 5.00 feet to a point in the southerly right of way of Montgomery Street, thence;
4. Along said southerly right of way of Montgomery Street, North 85 degrees 28 minutes 36 seconds West, 16.00 feet to the true point and place of BEGINNING.

Containing 80 square feet or 0.002 acres of land more or less.

The above described easement is in accordance with a map entitled "As-Built Survey and Right of Way Easement Plan, Block 1831, Lot A1, City of Jersey City, Hudson County, New Jersey" revised through 6/1/2010, and prepared by T.Y. Lin International | Medina, Hackettstown, NJ.



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Robert S. Tomzick, P.L.S.  
New Jersey Professional Land Surveyor  
License Number: 24GS03488200

City Clerk File No. Ord. 10-174

Agenda No. 3.H 1st Reading

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



# ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-174

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY  
ADOPTING AMENDMENTS TO THE LIBERTY HARBOR NORTH  
REDEVELOPMENT PLAN RELATING TO REDEVELOPMENT PLAN BLOCK 11 &  
BLOCK 5.5**

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

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

**WHEREAS**, the proposed amendments change the building class permitted on redevelopment plan Development Block 11 from *L-Class* to *M-Class*, and Block 5.5 from *M-Class* to *L-Class*. They also sets forth a new alignment for Regent Street, allow Civic usage on the western half of the Morris Blvd. frontage of Block 11, and establishes Block 11 as the first green building block of the plan; and

**WHEREAS**, at its meeting of November 30, 2010, the Jersey City Planning Board, discussed the proposed amendments; and

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

**WHEREAS**, the Redevelopment Plan, reflecting the proposed amendments, dated November 17, 2010 is attached and made a part hereof and is available for public inspection at the Office of the City Clerk in City Hall, 280 Grove Street, Jersey City, NJ;

**NOW, THEREFORE, BE IT ORDAINED** by the Municipal Council of the City of Jersey City that the proposed Amendments and Map revisions, attached hereto, as Recommended by the Jersey City Planning Board on November 30, 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

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

APPROVED: Carl Coppolillo

APPROVED: Jon Kelly  
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 NORTH  
REDEVELOPMENT PLAN RELATING TO REDEVELOPMENT PLAN BLOCK 11 &  
BLOCK 5.5

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

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

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

This ordinance amends the following components of the Liberty Harbor North Redevelopment Plan: 1) Regulating Plan: Height Map; 2) Regulating Plan: Frontage Map; 3) Vehicular Circulation Map; 4) Street Network Map. Specifically, it changes the building class permitted on redevelopment plan Development Block 11 from L-Class to M-Class, and Block 5.5 from M-Class to L-Class. It also sets forth a new alignment for Regent Street allowing it to extend thru to Luis Munoz Marin Blvd., allows Civic usage on the Western half of the Morris Blvd. frontage of Block 11, and establishes Block 11 as a green building location.

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

To foster development coordination between the four different designated developers and owners that converge in this area of the plan.

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

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

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

No expense to the city.

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

It will commence upon approval of the redevelopment plan amendment.

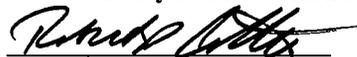
**8. Anticipated Completion Date: N/A**

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

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

**10. Additional Comments: None**

I Certify that all the Facts Presented Herein are Accurate.

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

12.6.10  
 \_\_\_\_\_  
 Date

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

12/7/10  
 \_\_\_\_\_  
 Date

## **SUMMARY STATEMENT**

### **ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LIBERTY HARBOR NORTH REDEVELOPMENT PLAN RELATING TO REDEVELOPMENT PLAN BLOCK 11 & BLOCK 5.5**

This ordinance amends the following components of the Liberty Harbor North Redevelopment Plan: 1) Regulating Plan: Height Map; 2) Regulating Plan: Frontage Map; 3) Vehicular Circulation Map; 4) Street Network Map. Specifically, it changes the building class permitted on redevelopment plan Development Block 11 from *L-Class* to *M-Class*, and Block 5.5 from *M-Class* to *L-Class*. It also sets forth a new alignment for Regent Street allowing it to extend thru to Luis Munoz Marin Blvd., allows Civic usage on the Western half of the Morris Blvd. frontage of Block 11, and establishes Block 11 as a green building location.

# Liberty Harbor North Amendments and Map Revisions recommended by the Planning Board on November 30, 2010

## I. Block 11 Amendments

### Section V – General Regulations

- a. (Page V.7) Amend the REGULATING PLAN: HEIGHTS MAP by changing the height pattern of Block 11 to provide for an M-Class building across the entirety of the block, with a provision allowing up to 4 additional stories to provide for 10 stories of residential development over either one story of retail (and may include a mezzanine) or a 2-story civic use, for 12 stories maximum, for a project designed to achieve a LEEDs certification from the U.S. Green Building Council.
- b. (Page V.8) Amend the REGULATING PLAN: FRONTAGES by modifying the “Retail Frontage Required” designation along the north side (Morris Boulevard) of Block 11 to permit, as an alternative, a 2-story Civic use as defined by the Use Standards on the western half of the Morris Boulevard frontage.
- c. Amend the URBAN AND ARCHITECTURAL REGULATIONS: STORY HEIGHT that provides for a maximum 20-foot floor to floor height (and may include a mezzanine within) for the ground floor retail by allowing on Block 11 ground floor retail levels up to a maximum of 30 feet (and may include a mezzanine within).

### Section VII – Capacity Calculations

- a. (Page VII.1) Amend the CAPACITY SUMMARY for Block 11 as follows:

Maximum Allowable											Total Building Area
Housing in S.F.			Housing in Units			Other Uses					
Liner	Other	Total	Liner	Other	Total	Retail	School/Civic	Hotel	Office	Garage	
0	900,000	900,000	0	585	585	30,000	40,000	0	30,000	250,000	1,175,000

# REGULATING PLAN: FRONTAGES

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

**Frontage Line:** where buildings must place their facades, as described in the Regulating Plan.

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

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

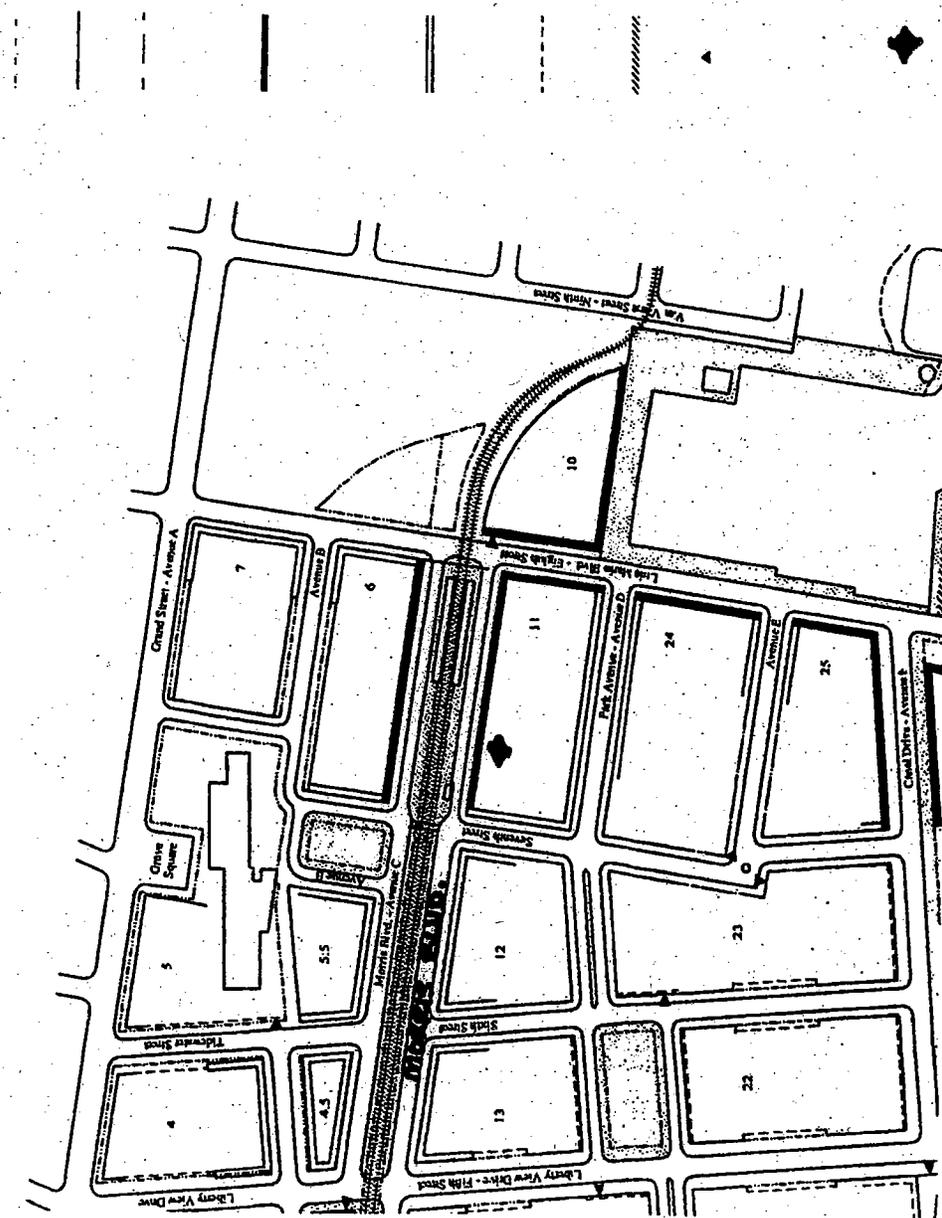
**Retail Frontage Optional:** those Frontage Lines designated on the Regulating Plan that are allowed to provide a shopfront making the ground level available for retail use as described in the Use Standards (of the two lines the outer one is the actual Frontage Line).

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

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

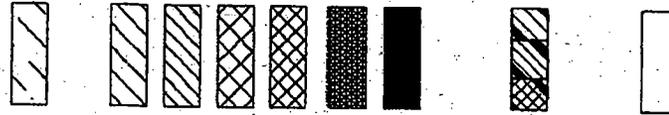
**Terminated Vista:** a location at the axial termination of a thoroughfare. A building located at a terminated vista must receive the axis with an appropriately scaled articulation of the facade and/or roofline.

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



**AN ALTERNATIVE 2-STORY CIVIC USE SHALL BE PERMITTED ON THE WESTERN HALF OF THE MORRIS BOULEVARD FRONTAGE ON BLOCK 11.**

# REGULATING PLAN: HEIGHTS



**XS-Class Buildings:** 2 Stories, Max. height limit 40'

Restaurant, Retail and Entertainment uses only on Block 28.

**S-Class Buildings:** 4 Stories plus Attic

**SM-Class Buildings:** 6 Stories plus Attic

**M-Class Buildings:** 8 Stories plus Attic

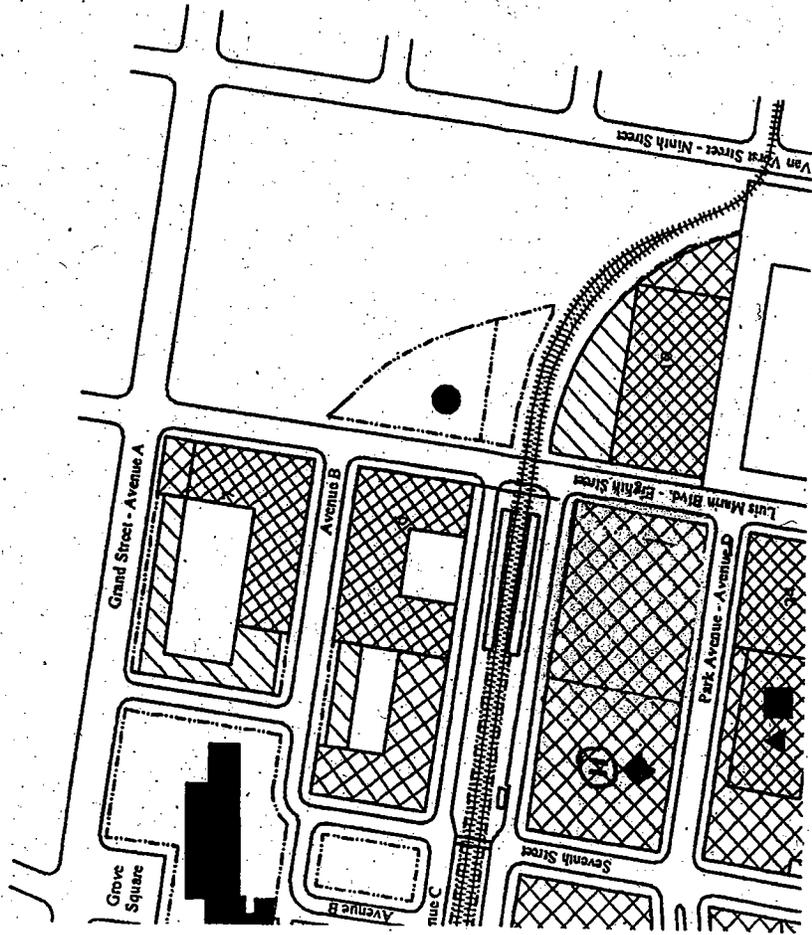
**L-Class Buildings:** 16 Stories

**XL-Class Building:** 32 Stories plus Cupola

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

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

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



**UP TO 12 STORIES MAX. TO BE PERMITTED ON BLOCK 11 FOR A PROJECT DESIGNED TO BE LEAD, CERTIFIED BY THE U.S. GREEN BUILDING COUNCIL.**

**II. Block 5.5 and Roadway Amendments**

**Section III – Vehicular Circulation**

- a. (Page V.7) Amend the REGULATING PLAN: HEIGHTS MAP by changing the height pattern of Block 5.5 to provide for an L-Class building across the entirety of the block.
- b. (Page III.2) Amend VEHICULAR CIRCULATION PLAN to show the extension of Regent Street East to Morris Square Park.

**Section V – General Regulations**

- a. (Page III.1) Amend STREET NETWORK PLAN to show the extension of Regent Street East to Morris Square Park.

**Section VII – Capacity Calculations**

- a. (VII.1& VII.2) Amend CAPACITY SUMMARY and INTENSITY SUMMARY to change the maximum allowable housing units to 300 and residential building area to 300,000Sq. Ft.

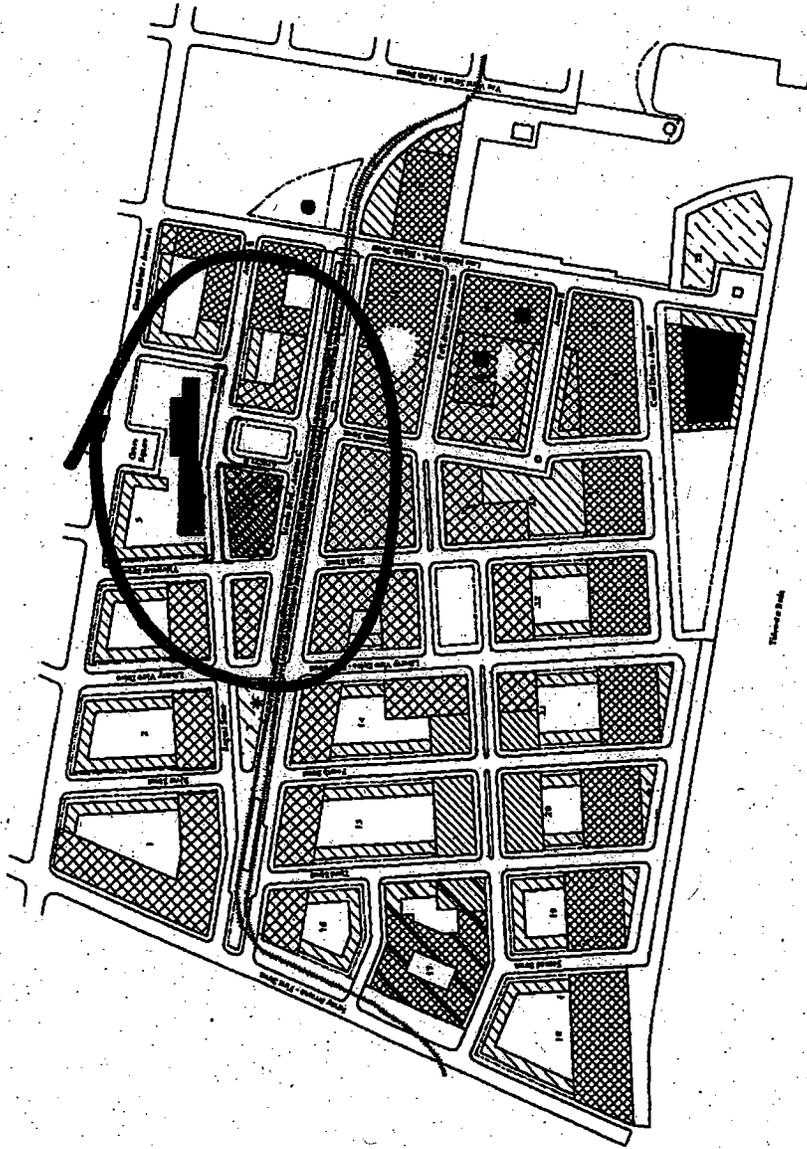
Maximum Allowable												Total Building Area
Housing in S.F.			Housing in Units			Other Uses						
Liner	Other	Total	Liner	Other	Total	Retail	School/Civic	Hotel	Office	Garage		
0	229917	300,000	0	300	300	30,000			30,000	70,000	300,000	

**III. Draft Maps Reflecting the Map Changes are Attached.**

# Amendment #1

LIBERTY HARBOR NORTH

# REGULATING PLAN: HEIGHTS



- XS-Class Buildings: 2 Stories, Max. height limit 40'
- Restaurant, Retail and Entertainment uses only on Block 28.
- S-Class Buildings: 4 Stories plus Attic
- SM-Class Buildings: 6 Stories plus Attic
- M-Class Buildings: 8 Stories plus Attic
- L-Class Buildings: 16 Stories
- XL-Class Building: 32 Stories plus Cupola
- Civic Class Buildings: 2 Stories of max. 20' each, plus roof articulations above if desired. (no above-grade parking)
- Civic Class Base within S, SM & L-Class Building: (As many as 3 stories shall be civic) OR as alternative, S, SM & L-Class Building only.
- Mid-Block Parking: open space at block centers may be used for parking lots of a max. height determined by the Urban and Architectural Regulations. A minimum of 20% of this midblock area will be dedicated to open space, primarily in the form of townhouse rear yards, as discussed in III.L of the General Regulations.
- Possible exception to story-height requirement as discussed in Urban and Architectural Regulations.
- Zoning for this area to match corresponding area in the Tidewater Basin Redevelopment Plan, Grand and Main district, and R.O.W.'s
- Required Hotel

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



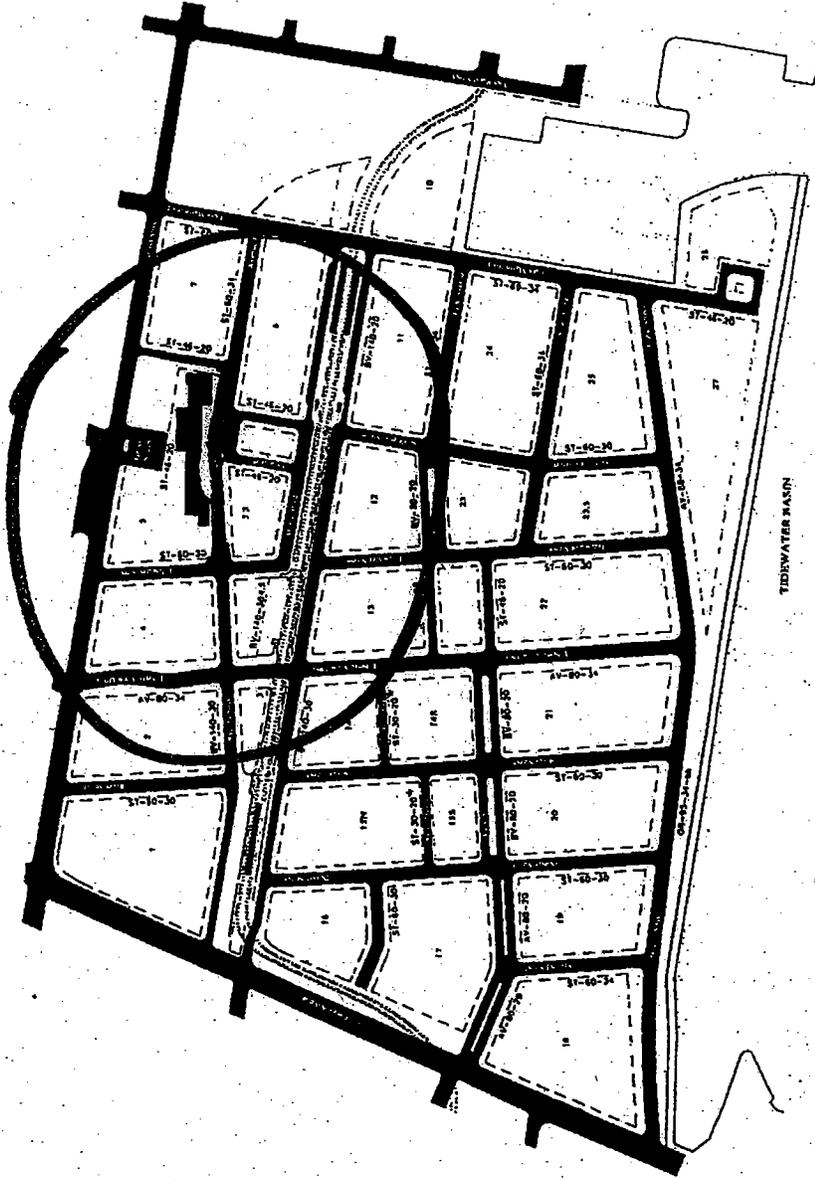
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# Amendment #3

LIBERTY HARBOR NORTH

## STREET NETWORK



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

The labels refer to the design of each street, provided in the Thoroughfare Standards ahead. The names indicate the right-of-way width and pavement width, such that a ST-60-30 is a street with a 30' pavement in a 60' R.O.W. This one-way thoroughfare type matches similar rowhouse streets in Jersey City's historic neighborhoods. All of the remaining streets are two way, with the exception of ST-46-20 and ST-30-20. ST-46-20 is a street that circles public squares while ST-30-20 refers to the private streets that divide Blocks 14 and 15 into northern and southern portions.

\* Private Streets



City Clerk File No. Ord. 10-175

Agenda No. 3. I 1st Reading

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



# ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-175

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY  
ADOPTING AMENDMENTS TO THE EXCHANGE PLACE NORTH  
REDEVELOPMENT PLAN CITY VIEW DISTRICT**

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

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

**WHEREAS**, the proposed amendments: (1) delete all reference to the Powerhouse District that is now a separate Redevelopment Plan, and (2) add general parking as a permitted use within the City View District as long as it is in a structured garage and located on Tax Block 75, aka the Trump Garage; and

**WHEREAS**, justification for this exception is that the site Plan for the Trump Building garage permitted general commercial parking; and

**WHEREAS**, The Division of City Planning, the Planning Board and counsel for the owner do not recommend this major waterfront project to be treated as a non-conforming use when valid approval had been applied for and received for this particular characteristic of the project: and

**WHEREAS**, at its meeting of November 30, 2010, the Jersey City Planning Board, discussed the proposed amendments and unanimously recommended that the Municipal Council adopt the proposed amendments; and

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

**NOW, THEREFORE, BE IT ORDAINED** by the Municipal Council of the City of Jersey City that the proposed Redevelopment Plan, as Recommended by the Jersey City Planning Board on November 30, 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

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

APPROVED: Carl Gasdicler

APPROVED: John Kelly

Business Administrator

Certification Required

Not Required

**ORDINANCE FACT SHEET**

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

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY  
ADOPTING AMENDMENTS TO THE EXCHANGE PLACE NORTH  
REDEVELOPMENT PLAN CITY VIEW DISTRICT

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

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

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

This ordinance amends the Exchange Place North Redevelopment Plan's City View District. Specifically, it allows general commercial parking within a structured parking garage within Tax Block 75, aka, the Trump project garage. It also removes all references to the Powerhouse District that was removed from the Plan when the Powerhouse Arts District was adopted.

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

The site Plan for the Trump Building garage permitted general commercial parking. Since that approval, the plan was changed to permit parking by on-site residents or employees only. The Division of City Planning, the Planning Board and counsel for the owner do not want this major waterfront project to be treated as a non-conforming use when valid approval had been applied for and received for this project.

Therefore, the proposed change applies only to this garage.

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

Parking for visitors to the waterfront, special waterfront events and parking support for the Powerhouse Arts District and Powerhouse Entertainment re-use.

**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

12.6.10  
Date

  
Department Director Signature

12/7/10  
Date

## **SUMMARY STATEMENT**

### **ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE EXCHANGE PLACE NORTH REDEVELOPMENT PLAN CITY VIEW DISTRICT**

This ordinance amends the Exchange Place North Redevelopment Plan's City View District. Specifically, it allows general commercial parking within a structured parking garage within Tax Block 75, aka the Trump project garage. It also removes all references to the Powerhouse District that was removed from the Plan when the Powerhouse Arts District was adopted.

# EXCHANGE PLACE NORTH REDEVELOPMENT PLAN

**Document Containing Proposed Amendments  
to the  
City View District and Powerhouse District**

**Dated: November 17, 2010**

**ADOPTED: FEBRUARY 3, 1983  
WITH AMENDMENTS THROUGH:**

**MARCH 1986 : Ord. MC-356  
AUGUST 1987 : Ord. C-17  
JUNE 23 1999 : Ord. 99-080  
JANUARY 12 2000 : Ord. 99-189  
APRIL 12 2000 : Ord. 00-029  
NOVEMBER 28 2001: Ord. 01-127  
JUNE 13 2007 : Ord. 07-100**

## Table of Contents

I.	INTRODUCTION.....	2
II.	EXCHANGE PLACE NORTH STUDY AREA - BOUNDARY DESCRIPTION .....	2
III.	REDEVELOPMENT PLAN OBJECTIVES .....	3
IV.	TYPES OF PROPOSED REDEVELOPMENT ACTIONS.....	4
V.	BUILDING DESIGN REQUIREMENTS FOR NEW CONSTRUCTION .....	6
VI.	DESIGN REQUIREMENTS FOR BUILDINGS AND PARKING STRUCTURES .....	6
VII.	SPECIFIC OBJECTIVES .....	12
VIII.	INTERIM USES .....	18
IX.	GENERAL PROVISIONS.....	18
X.	TRAFFIC CIRCULATION AND TRANSIT SYSTEM OBJECTIVES.....	19
XI.	SPECIFIC LAND USE PROVISIONS.....	21
XII.	OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS.....	28
XIII.	PROCEDURE FOR AMENDING THE PLAN .....	29

## **I. INTRODUCTION**

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

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

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

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

## **II. EXCHANGE PLACE NORTH STUDY AREA - BOUNDARY DESCRIPTION**

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

All of Blocks 8.1, 8.2, 8.3, 9, 11; Lots A, C9, C25, D of Block 15; all of Blocks 74, 75, 76, 104-105, 138; Lot S1 (vacated portion of Hudson street north of Christopher Columbus Drive)

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

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

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

in an easterly direction along the centerline of First Street to a point at its intersection with the western block limit line of Block 15, thence

in a southeasterly direction along said block limit line to a point at its intersection with the southern lot line of Lot S of Block 15, thence

along said lot line in an easterly direction 238.63 feet to a point at its intersection with the northeastern lot line of Lot C9 of Block 15, thence

along said lot line in a southerly direction 208 feet to a point at its intersection with the northern lot line of Block 15, Lot C25, thence

in an easterly direction along said lot line and the northern block limit of Block 11 to a point with its intersection with the modified Pier-head Line dated January 12, 1931, thence

in a southerly direction along said Pier-head to a point at its intersection with the southern block limit line of the southern block limit line of Block 11, thence

in a westerly direction 693.49 feet to a point, thence

turning northerly along a line running 125 feet north/south along the block limit line of Block 11 to a point at its intersection with extension of the centerline of Christopher Columbus Drive (formerly Railroad Avenue), thence

in a westerly direction along said centerline to a point at its intersection with the centerline of Luis Munoz Marin Boulevard to the point and place of BEGINNING, herein described

### **III. REDEVELOPMENT PLAN OBJECTIVES**

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

- A. The elimination of substandard buildings and other deteriorated and obsolete structures, including dilapidated piers and bulk heading, and the elimination of blighting influences such as incompatible land uses
- B. The improvement of the functional and physical layout of the project area for contemplated new development and the removal of impediments to land disposition
- C. The overall improvement of traffic circulation through development of new circulation systems which provide for separation of vehicular and pedestrian traffic, as well as for the maximum use of public transportation

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

#### **IV. TYPES OF PROPOSED REDEVELOPMENT ACTIONS**

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

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

## **V. BUILDING DESIGN REQUIREMENTS FOR NEW CONSTRUCTION**

- A. All structures within the project area shall be situated with proper consideration of their relationship to other buildings, both existing and proposed, in terms of light, air, and usable open space, access to public rights of way and off-street parking, height and bulk
- 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 so as to be attractive from all vantage points
- D. Christopher Columbus Drive shall be maintained as an important view corridor by the use of stepbacks
- E. All structures within the project area shall be designed and maintained so as to improve the visual impact of the Jersey City shoreline as viewed from within and beyond the City's borders
- F. 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.
- G. All residential development proposals and construction plans shall meet minimum room size requirements as specified in the Municipal Code prior to approval by the Redevelopment Agency and the Planning Board
- H. To the maximum extent feasible, sight-lines along Washington Street, specifically the view of the Statue of Liberty, shall be preserved and protected
- I. Within Block 138, residential development shall be provided on the first two (2) stories by wrapping the base structure with residential units along Steuben Street to enhance the residential neighborhood.
- J. The Grove Street PATH Station tunnel entrance to Block 138 is located at or near the intersection of Luis Munoz Marin Blvd and Christopher Columbus Drive. A public connection to this tunnel and the Grove Street Station shall be accommodated for within this project site.

## **VI. DESIGN REQUIREMENTS FOR BUILDINGS AND PARKING STRUCTURES**

- A. **All Buildings Shall Have A "Base"** which shall be designed according to the following:  
[see Figure 1]
  - 1. The base facade shall be from fifteen (15) to eighty five (85) feet in height
  - 2. The base facade shall be constructed of masonry, including but not limited to stone, brick,

textured concrete etc. Glass shall constitute between forty percent (40%) and seventy five percent (75%) of the surface area of the base. If an arcade is provided, open space can be used in place of glass. If the base facade is greater than two (2) stories then the first two stories must have a minimum of 75% glass area except where residential units are to be incorporated into the building's base. Where residential units are incorporated into the base, the residential facades shall incorporate individual window openings, entrance doorways, with stoops and other architectural fenestration and elements that are characteristic of the surrounding neighborhood.

3. At the top of the base, a visual cue or indicator such a cornice, belt coursing, a change in the glass to solid ratio or any other indicator consistent with the design, proportions and materials of the base shall be provided. As a substitute a setback a minimum of ten (10) feet from the outermost edge of the base may be provided. The setback shall occur at a minimum of thirty (30) feet and a maximum of eighty-five (85) feet from grade.
4. All measurements specifying heights shall be taken from the average finished grade level for the perimeter of the building

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

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

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

1. All buildings exceeding one hundred twenty (120) feet shall be required to step back a minimum of ten (10) feet from the outermost edge of the base, on all sides of the structure. The setback shall occur at a minimum of thirty (30) feet and below the maximum of one hundred twenty (120) feet from grade (the setback option defined in item A. 3. of this Section, if chosen, shall satisfy this requirement). [ see Figure 2]
2. All buildings exceeding one hundred twenty (120) feet shall be required to have one setback or a combination of stepbacks to meet one of the following options:
  - a. stepbacks on four (4) or more sides with a minimum total of twenty five (25) feet per side  
[see Figure 3]
  - b. stepbacks on three (3) sides with a minimum total of thirty (30) feet per side

[see Figure 4]

- c. setbacks on two (2) sides with a minimum total of forty (40) feet per side.
- d. Residential Buildings located diagonally on the site shall be setback from the building's base a minimum of ten (10) feet on all sides. Additional setbacks of 25 feet shall be provided on at least two sides no higher than 200 feet above the top of the building's base (see figure 13) on the diagonal.

(OR)

- e. Residential Buildings that are set parallel to the property lines shall be setback from the building's base a minimum of ten (10) feet on all sides. Additional setbacks of 25 feet shall be provided at all property lines no higher than 75 feet above the top of the building's base (see figure 14).

Nonrectangular buildings may use the average of two (2) or more adjacent sides when calculating setback requirements. [see Figure 5]

Figures are inclusive of the ten (10) feet required in Item B. 1. of this Section and/or Item A. 3. of this Section, if the setback option is chosen to define the base

3. Setbacks occurring within the top ten percent (10%) of any building exceeding one hundred twenty (120) feet shall not count toward meeting the requirements listed above [see Figure 6]
4. Buildings under one hundred twenty (120) feet are not required to use setbacks

**C. Roof Treatment, Mechanical Screening And Electrical Equipment**

1. All buildings exceeding one hundred twenty (120) feet shall have a significant top designed to gracefully cap the structure. In lieu of a significant top, buildings may be permitted to use articulated elements that create the perception of a top or cap. Lighting of this top shall be encouraged. [see Figure 7]
2. All major mechanical equipment located on any roof of a building shall be screened from view from all vantage points with a material harmonious to that used in the facade of the structure. The screening shall not impair the functioning of the equipment.
3. All electronic communication equipment shall be mounted in such a way that it does not negatively impact the appearance of the building nor create objectionable views as seen from surrounding structures.

**D. Parking**

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

articulated -in a manner providing visual interest. [see Figure 8]

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

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

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

2. All surface parking and parking structures shall be set back a minimum of ten (10) feet from the property line, except as necessary to provide ingress and egress and when meeting the requirements of 3 & 4 below. This setback area shall be landscaped to provide buffer and visual screening. The facade of the parking building shall be of a compatible material to that used throughout the development. [see Figure 9]
3. Where any side of the ground level of a parking structure is occupied by a permitted or accessory use other than parking and/or mechanical, that side of the building may be located up to the property line. The side(s) of the parking structure located at the property line shall have a base as specified in Item VI. A. Glass may be omitted or replaced by a material allowing the passage of air above the ground level. Masonry as used in the base may also be substituted for glass above the ground level. [see Figure 11]
4. Where any side of the ground level of a parking building is concealed behind a solid masonry wall, that side of the structure may be located up to the property line. This masonry facade shall be articulated in a manner providing visual interest. The above referenced side shall have a base as specified in Item VI. A. Glass may be omitted or replaced by a material allowing the passage of air above the ground level. Masonry matching that required on the ground level may also be substituted in place of glass on all levels. [see Figure 10]
5. All open parking structures shall be designed to eliminate headlight glare. Opaque screening the full height of the opening of spandrels rising a minimum of forty two inches (42") from the floor line shall be required.
6. Parking requirements can be found in the Parking/Loading section of this plan.
  - a) At least (1) one parking space shall be included within the residential leasehold for a minimum of 65% of the proposed dwelling units. The remaining 35% of residential parking spaces, if unused by the residential tenants, shall be subleased to the retail tenants of the project. Residential parking may not be subleased to the office portion of the project and no parking shall be leased as general parking or commuter parking.
  - b) A parking validation mechanism shall be implemented to insure all parking deck users are residents, retail shoppers, or employees of the office building within the tower portion of the project.

#### **E. Site guidelines**

1. All trash receptacles shall be anchored and/or enclosed, and adequately screened
2. No chain link fencing shall be permitted
3. Wherever roofs can be seen or looked down upon from adjacent buildings a roof scape design 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 should be designed so as to obscure the view of broad expanses of parking with the use of landscaping, screens, trellises and roofs.
4. Generators for the buildings are to be located on the interior of the buildings, incorporated into the design of the façade, and not located at or near pedestrian or lower levels of the building.

**F. Coverage and floor area ratio**

1. The maximum permitted coverage for all principal and accessory uses shall not exceed seventy five percent (75%) – Except that for tax block 138, the maximum permitted coverage for all principal and accessory uses shall not exceed ninety percent (90%) of the total site (excluding water areas) controlled by a single owner or designated developer
2. No part of the remaining site shall be left unimproved
3. Floor area ratios shall be defined for each specific use district in the appropriate section of this Plan. Any portion of an existing lot which is dedicated for use as the public Right of Way of Pearl Street will be permitted to be used by the developer of that lot in determining FAR and density for such lot.
4. Within Block 138, sidewalk widths shall be increased to an average of Twenty (20) feet along Christopher Columbus Drive. The Planning Board shall also have the ability to vary this average slightly given after review of individual site plan circumstances. A minimum of fifteen (15) feet along Steuben Street, Warren Street, and Luis Munoz Marin Boulevard. Sidewalk widths may be increased by the use of building setbacks, colonnades, etc. Streets shall not be decreased in width in order to increase sidewalk widths.

**G. Signage**

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

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

2. Residential

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

3. Parking garages and lots

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

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

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

5. Sign standards

- ~~a. within the Power House District, all signs shall be in keeping with the historic nature of the building. No sign on any structure shall exceed twenty (20) square feet in area.~~
- b. all signs shall be flush mounted and project no more than fifteen (15) inches from the face of the building
- c. no sign shall be flashing or animated
- d. Roof signs are prohibited
- e. billboards and signboards are prohibited
- f. above the ground floor level, window signs are prohibited
- g. Freestanding signs, except for marinas and regulatory signs indicating transportation, circulation and parking are prohibited
- h. All signs are subject to site plan review
- i. Kiosks listing tenants and giving directions may be provided. Such kiosks shall not exceed forty (40) square feet, or its circular equivalent, in sign area
- j. A pedestrian oriented monument sign, of materials consistent with the sidewalk and plaza design may be permitted provided the scale, design and material is acceptable to the Planning Board, and site plan approval is revived.
- k. Banners both temporary or permanent shall be considered as signs and subject to the standards and terms of this ordinance.

## **H. Streetscape**

1. A unified streetscape plan is required for all phased projects. The street scape plan shall be presented to, and receive approval by, the Planning Board and be implemented and applied to all project sites as they are developed. This plan shall identify a decorative sidewalk, color, and materials standards for the outer 5 to 7 feet of sidewalk. It shall also include tree guards, tree grates and other decorative street furniture to be employed within the plan area, including but not limited to: benches, trash receptacles, newspaper vending box style, dimension and placement, kiosks, etc.
2. The construction of underground utility connections and decorative lighting poles and fixtures is required. They shall be selected from the public utility decorative standard fixtures. They shall be purchased by private capital expenditure. They shall not be leased by the City.

## **VII. SPECIFIC OBJECTIVES**

### **A. Submission of a master plan**

In order to achieve more comprehensive multiphase development, a master plan shall be presented to the Planning Board prior to submission of individual site plans. The master plan shall be consistent with the provisions of the Redevelopment Plan governing the site. Individual site plans that provide for less density than the approved Master Plan shall be considered consistent. The Master Plan shall, at a minimum, include the following elements:

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

## 7. Fiscal impact analysis

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

### **B. Submission of redevelopment proposals**

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

### **C. Adverse influences**

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

### **D. Off-street parking and loading objectives**

1. Off-street parking and loading areas shall be coordinated with the public street system serving the project area in order to avoid conflicts with through traffic or obstruction to pedestrian walks and thoroughfares
2. A minimum of ten percent (10%) of any surface parking facility shall be landscaped area and shall include shade trees of at least two and a half (2.5) inch caliper spaced not more than forty (40) feet on center or in groupings
3. Large concentrations of surface parking should be avoided. Poured in place concrete curbing or some other suitable material, such as granite, shall be used in parking areas to prevent vehicles from encroaching upon planted area. Under no circumstances shall bumper stops be permitted on the exterior of the building. All curbing, regardless of material used, is subject to Planning Board approval.

4. All parking and loading areas abutting streets in residential zones shall be landscaped about their periphery with berms, shrubs, trees and/or ground cover
5. All required parking and loading areas shall be provided off-street. All such parking and loading areas shall be graded, paved with a durable dust-free surface, adequately drained, well landscaped, and all access points shall be defined and limited in accordance with the Jersey City Zoning Ordinance.
6. All required parking spaces shall be a minimum of nine (9) feet wide by eighteen (18) feet deep, as measured from the curb stop. All aisles shall be twenty two (22) feet wide. Fifty percent (50%) of parking stalls may be compact, a minimum of eight (8) feet wide by fifteen (15) feet deep.
7. Required off-street parking shall be located on the same site for residences, but otherwise may be provided on a separate lot, if such offsite off-street parking is within seven hundred (700) feet of the use it was intended to serve
8. Valet parking may be allowed if it can be demonstrated that an efficient, safe means of operation will be provided
9. Where the master plan has been reviewed and accepted and its elements are to be built in stages, the developer shall be permitted to construct the maximum number of parking spaces provided for under the master plan subject to the following:
  - a. The developer shall build sufficient parking spaces to accommodate the entire area of development receiving preliminary site plan approval
  - b. In cases where a single parking structure is to accommodate the parking for each of the proposed uses and phases of a development; the developer shall be permitted to construct the single parking structure containing the allowable spaces for the entire development in conjunction with the construction of the first phase of the development, provided that the developer has received preliminary site plan approval and further provided that the number of parking spaces which may be available for use shall not exceed the maximum permitted spaces for the phase or phases which have received preliminary site plan approval. Interim uses for the excess parking shall not be permitted.
  - c. The parking ratio for the excess spaces built, as referenced in Item B. above, shall be determined at the time of preliminary site plan approval for the phase of construction served by these parking spaces
  - d. On weekdays, the excess spaces shall be available only after 9 AM, and shall be designated as visitor parking
10. Maximum off-street parking requirements/ interim policy

- a. residential -  
1.0 space per unit
- b. offices/museums -  
1.0 space for every 1000 square feet of gross floor area up to 660,000 square feet  
.9 space for every 1000 square feet of gross floor area above 660,000 square feet  
Within Block 138, parking spaces for Office Use shall meet the following MAXIMUM requirements:  
1 Space/1000 sf. of gross floor area up to 500,000 sf.  
.5 Space/1000 sf. of gross floor area over 500,000 sf.
- c. hotels -  
1.0 space per room up to 100 units  
.5 space-per room for 101 to 250 units  
.3 space per room for 251 to 500 units  
.0 space per room for 501 units & above
- d. retail, restaurants, health clubs, night clubs -  
.5 space per 1000 square feet of gross floor area
- e. theaters and convention centers  
1.0 space per 8 seats
- f. marinas - .33 space per berth
- g. heliports - no parking spaces are required

~~In the Power House District, all required parking may be provided offsite if the existing unimproved vacant land within the District is developed as a landscaped plaza in excess of the required minimum~~

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

## 11. Off-street Loading - Maximum Requirements

All loading shall be off-street and not discernable from outside view. Any pre-existing outdoor loading/service areas shall be screened by a solid brick wall, that matches in style the appearance and style of the primary building the loading serves.

Adequate provision shall be made for maneuvering vehicles

All loading areas shall be screened and landscaped. ~~The Power House District loading zone shall be screened by a solid brick wall that matches, in style and appearance, the brickwork of the Power House.~~

~~Power House District: 250 square feet~~

#### **E. Open space design objectives**

1. Fifteen percent (15%) of the total site (excluding underwater area) controlled by a single owner or designated developer shall be required to be improved/ landscaped open space. This open space shall be divided into two (2) categories--

a. totally accessible open space which shall be open to the public twenty four (24) hours per day and shall include:

- sidewalks with trees
- landscaped medians
- bicycle paths
- parks
- plazas
- arcades, defined as partially covered
- public walkways
- waterfront promenades
- landscaped buffer areas greater than ten (10) feet in width

Totally accessible open space shall be calculated at one hundred percent (100%) of the actual area

b. limited access open space, which shall be open to the public a minimum of twelve (12) hours per day and shall include:

- atriums or a large open public space area enclosed primarily by glass
- enclosed commercial arcades
- elevated plazas

Limited access open space shall be calculated at fifty percent (50%) of the actual site area

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

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

**F. Restriction Of Occupancy Or Use**

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

**G. Circulation And Landscaping Design Objectives**

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

**H. Underground Utility Placement**

All utility distribution lines and utility service connections from such lines to the project areas' individual uses shall be located underground

- I. Where property controlled by a single owner or designated developer is within two (2) redevelopment areas, the redevelopment area containing the greater land area of the two shall be used to calculate aggregate totals. These shall include FAR, open space, parking and coverage. However, any improvement occurring on the parcel with the lesser land area shall adhere to the regulations governing height and setbacks as specified in the redevelopment plan for the smaller site.

## **VIII. INTERIM USES**

Interim uses may be established, subject to agreement between the developers and the Planning Board and the Redevelopment Agency Board of Commissioners that such use will not have an adverse effect upon existing or contemplated development during the interim use period. Interim uses must be approved by the Planning Board. The Planning Board will determine the time period during which the interim use will be allowed. In no case will any additional commercial parking be permitted as an interim use. Subject to Article IX, B., of this plan.

## **IX. GENERAL PROVISIONS**

- A. The regulations and controls in this section will be implemented where applicable by appropriate covenants, or other provisions, or agreements for land disposition and conveyance executed pursuant thereto
- B. The developer shall begin and complete the development of the land and the construction of improvements agreed upon in the disposition contract within a reasonable amount of time as determined in the said disposition contract between the Jersey City Redevelopment Agency and designated developers
- C. No covenant, lease, conveyance or other instrument shall be affected or executed by the Jersey City Redevelopment Agency or by a redeveloper or any of his successors or assignees, whereby land within the project area is restricted by the Jersey City Redevelopment Agency or the redeveloper upon the basis of race, creed, color or national origin in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments.
- D. No building shall be constructed over an easement in the project area without prior written approval of the Redevelopment Agency and the Division of Engineering
- E. The provisions of this plan specifying the redevelopment of the project area and the requirements and restrictions with respect thereto shall be in effect for a period of forty (40) years from the date of approval of this plan by the City Council

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

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

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

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

## **X. TRAFFIC CIRCULATION AND TRANSIT SYSTEM OBJECTIVES**

- A. To the Maximum extent feasible, sight-lines along Washington Street, specifically the view of the Statue of Liberty, shall be preserved and protected
- B. Christopher Columbus Drive shall serve the project area as the major southern access point
- C. Exchange Place Station and the Grove Street Station shall serve the project area as the major mass transit facilities.
- D. Pedestrian movement shall be encouraged on city streets by providing attractively landscaped malls and plazas throughout the project area. Retail and Restaurant uses within commercial developments shall provide frontage on and direct access from city streets and plazas.

- E. The availability of transit on the surface of the Hudson River shall be encouraged in, or proximate to, the project area
- F. Air transportation in the form of helicopter service may be provided for as a conditional use
- G. The use of mass (public) transit by employees, residents, and visitors of the Redevelopment Area shall be encouraged

## **XI. SPECIFIC LAND USE PROVISIONS**

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

### **A. River View District**

#### **1. Principal permitted uses**

- a. office buildings
- b. multifamily residential structures
- c. hotels
- d. mass transit station
- e. mixed use of any of the above

#### **2. Accessory uses**

All accessory uses located on the ground floor shall maintain at least one main entrance providing direct ingress and egress to the street.

- a. parking garages when constructed as an integral part of any of the principal permitted uses in this district. Any base parking structure located on Block 138 shall wrap the first two stories of the parking base with residential development along the Stuben street frontage, public retail uses along the C. Columbus and Luis Munoz Marin Blvd. Frontage, and either retail or residential along the Warren Street frontage. The purpose of this requirement is to insure that no parking garage space occupies the area adjacent to street frontage within the first two floors of any structure located within this block.
- b. surface parking areas
- c. retail sales of goods and services
- d. restaurants
- e. health clubs
- f. night clubs
- g. theaters
- h. plazas and fountains

#### **3. Maximum height**

In no case shall any structure exceed five hundred (500) feet.

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

- a. except as provided for in Section VI. D. 3. of this plan and setback treatments at building egress points, all buildings, regardless of use, shall be located up to the property line on Christopher Columbus Drive, and in addition, may be located up to one

(1) or more of the remaining property lines. Structures not located on Christopher Columbus Drive may be located up to any two (2) property lines on side streets provided those structures contain retail or residential uses on the ground floor.

- b. the floor area ratio (FAR) shall not exceed ten (10); parking and mechanical levels and vertical circulation (stairs, elevators, escalators) areas, shall not be included in this calculation
5. Specific design guidelines for the River View District parking structures built along Christopher Columbus Drive shall adhere to the provisions stated in Section VI. D. 3. of this Plan

**B. City view District**

1. Principal permitted uses

- a. office buildings
- b. multifamily residential structures
- c. hotels
- d. mass transit station
- e. ~~f.~~ mixed use of any of the above
- e. **notwithstanding any other provisions of this plan to the contrary, Block 75 shall be permitted to have general commercial parking within a structured parking garage.**

2. Accessory uses

- a. retail sales of goods and services limited to the ground floor of all structures
- b. restaurants
- c. theaters
- d. health clubs
- e. night clubs
- f. surface parking areas
- g. parking structures
- h. plazas and fountains

3. Maximum height

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

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

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

shall not be included in this calculation

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

### **C. Harborside District**

#### **1. Principal permitted uses**

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

\* Existing structures shall not be deemed a nonconforming use

#### **2. Accessory uses**

- a. parking garages when constructed as an integral part of and ancillary to any of the principal uses of this district
- b. surface parking areas
- c. retail sales of goods
- d. restaurants
- e. health clubs
- f. night clubs
- g. theaters
- h. plazas and fountains

#### **3. Conditional uses**

- a. one (1) helicopter landing pad, a maximum of ten thousand (10,000) square feet in area, provided such pad is located at least two hundred (200) feet east of the March 4, 1980 bulkhead line. Conditional use approval shall be in accordance with the existing Zoning ordinance of Jersey City. No fueling allowed.
- b. marina, limited to the area located between Piers D and F and within the pier-head line, for the berthing of boats, sale of equipment and supplies, and incidental repair necessary and incidental to marine activities. No land-based boat storage or repair is allowed. Any

fuel depot will be subject to review and approval by the Jersey City Fire Prevention Bureau, United States Coast Guard and the New Jersey Department of Environmental Protection, in addition to conditional use approval by the Planning Board.

4. Maximum height

NEW CONSTRUCTION:

No building shall exceed eight (8) stories or one hundred twenty (120) feet. Nine and one half stories (9 ½ ), may be permitted provided the overall height does not exceed and average height of 90 feet and a maximum of 120 feet at any point.

RENOVATION OF EXISTING BUILDINGS:

An addition of four (4) stories or fifty five (55) feet may be permitted, not covering more than fifty percent (50%) of the existing building's footprint, subject to conformance with the zoning guidelines and architecture consistent with that of the existing structures.

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

- a. Existing structures to be rehabilitated shall be exempt from area and yard requirements, but subject to a floor area ratio (FAR) of 7.5. Any new construction development in addition to or as a replacement for any existing structures shall also be exempted as above and shall also be subject to an FAR of 7.5. In calculating FAR, underwater property shall be considered at fifty percent (50%) of its actual acreage.
- b. Existing buildings may be allowed one hundred percent (100%) lot coverage. New construction occurring on existing piers shall not exceed coverage of seventy five percent (75%) of the pier deck, the balance to be preserved as improved open space. Existing pier structures may be maintained at their current coverage.

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

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

6. Specific design guidelines for the Harborside District

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

## 1. Waterfront Walkway Construction

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

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

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

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

1. the North Pier
2. the South Pier
3. Block 10 Lot 1 (Plaza 4)
4. Block 10 Lot 16 (Plaza 7)

Plaza 4 and 7 are to accommodate the two larger buildings and therefore, like the piers, will trigger construction of the walkway when built.

If either one of the twin smaller buildings are built on Block 10 Lots 2 or 16 (Plazas 5 or 6), prior to the above listed larger segments, the waterfront walkway will then be required prior to or commensurate with the issuance of a building permit for any further development of the Harborside Project, including the other twin smaller building or any other full or partial plaza segment.

Construction must be completed and the walkway opened for public use prior to the Issuance of a Certificate of Occupancy for any portion of the project triggering the construction of the walkway.

## **~~D. Power House District~~**

The intent and purpose of this district is to preserve the historic Power House and to provide opportunities for the imaginative adaptive reuse of this structure. Therefore, the land use provisions hereinafter outlined are purposely directed to achieving this end.

1. ~~Principal permitted uses~~

- ~~a. residential~~
- ~~b. office~~
- ~~c. theater~~
- ~~d. convention center/meeting hall~~
- ~~e. hotel~~
- ~~f. restaurant~~
- ~~g. museum~~
- ~~h. appropriate mixes of the above~~

2. ~~Accessory uses~~

- ~~a. plazas and fountains~~
- ~~b. fences and walls~~
- ~~c. parking areas~~

3. ~~Maximum height~~

~~The maximum building height is determined by the height of the existing smokestacks~~

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

~~The existing Power House structure shall not be enlarged, except as necessary for structural stability.~~

**E. Harborside West District**

1. Principal permitted uses

- a. office buildings
- b. multifamily residential structures
- c. hotels
- d. mass transit station
- e. mixed use of any of the above

2. Accessory uses

- a. retail sales of goods and services limited to the ground floor of all structures
- b. restaurants
- c. theaters
- d. health clubs
- e. night clubs

- f. surface parking areas
- g. parking structures
- h. plazas and fountains

3. Maximum height

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

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

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

5. Waterfront Walkway Construction

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

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

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

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

- 5. the North Pier
- 6. the South Pier
- 7. Block 10 Lot 1 (Plaza 4)

8. Block 10 Lot 16 (Plaza 7)

Plaza 4 and 7 are to accommodate the two larger buildings and therefore, like the piers, will trigger construction of the walkway when built.

If either one of the twin smaller buildings are built on Block 10 Lots 2 or 16 (Plazas 5 or 6), prior to the above listed larger segments, the waterfront walkway will then be required prior to or commensurate with the issuance of a building permit for any further development of the Harborside Project, including the other twin smaller building or any other full or partial plaza segment.

Construction must be completed and the walkway opened for public use prior to the Issuance of a Certificate of Occupancy for any portion of the project triggering the construction of the walkway.

## **XII. OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS**

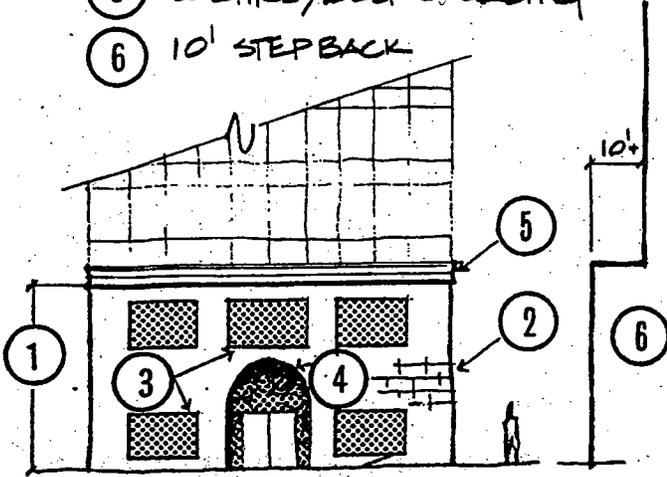
- A. The "Redevelopment Agencies Law, "NJSA 40:55C-1, et seq, specifically 40:55C-32, requires that a redevelopment plan shall:
1. "Conform to the general plan for municipality as a whole; and
  2. shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, conservation or rehabilitation as may be proposed to be carried out in the area of the project, zoning and planning changes, if any, land uses, maximum densities, building requirements, and the plan's relationship to definite local objectives respecting appropriate land use, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements".
- B. In accordance with the State requirements, the following statements are made:
1. The proposals of this Plan conform with the general plan for the municipality:
  2. This Plan provides an outline for the development or redevelopment of the Exchange Place North Redevelopment Area and is sufficiently complete to indicate such land acquisition, demolition, and removal of structures, redevelopment, improvements as proposed, planning changes, land uses, maximum densities, building requirements, and its relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, community facilities, and other public improvements -
  3. Provisions for the temporary and permanent relocation of persons living in the Redevelopment Area are not applicable as the area doe. not contain any residents nor residential structures

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

### **XIII. PROCEDURE FOR AMENDING THE PLAN**

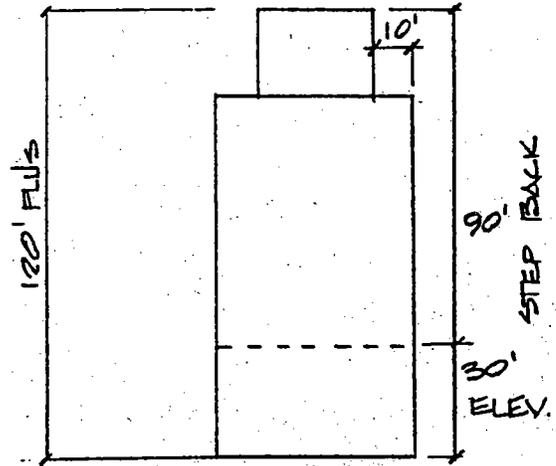
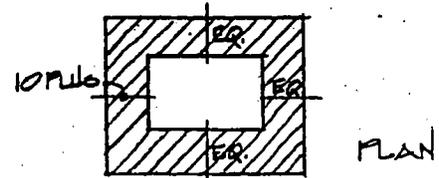
This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law. A fee of \$500 plus all costs of copying and transcripts shall be payable to the City of Jersey City for any request to amend this Plan. If there is a designated developer, as provided for under NJSA 40: 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.

- ② MASONRY CONSTRUCTION
- ③ 40% - 75% OF SURFACE AREA GLASS
- ④ OPEN SPACE FOR ARCADE
- ⑤ CORNICE, BELT COURSING
- ⑥ 10' STEP BACK



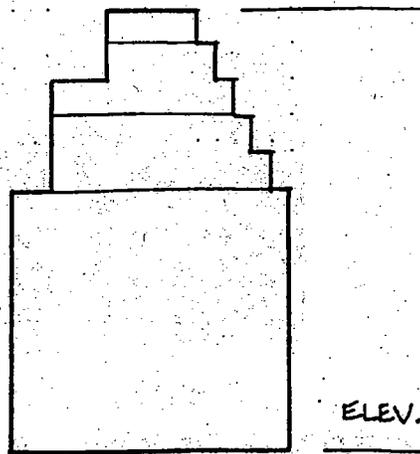
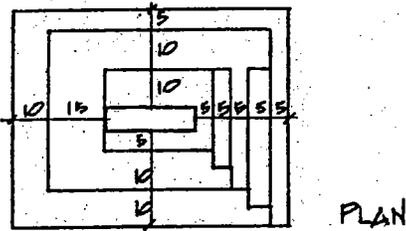
**BASE REQUIREMENTS**

**FIG. # 1**



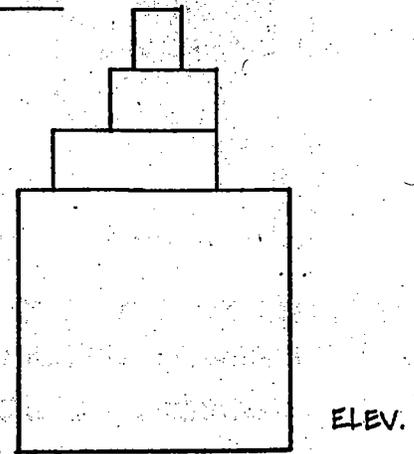
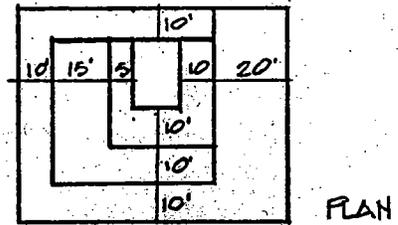
**REQUIRED 10 FT. STEP BACK**

**FIG. # 2**



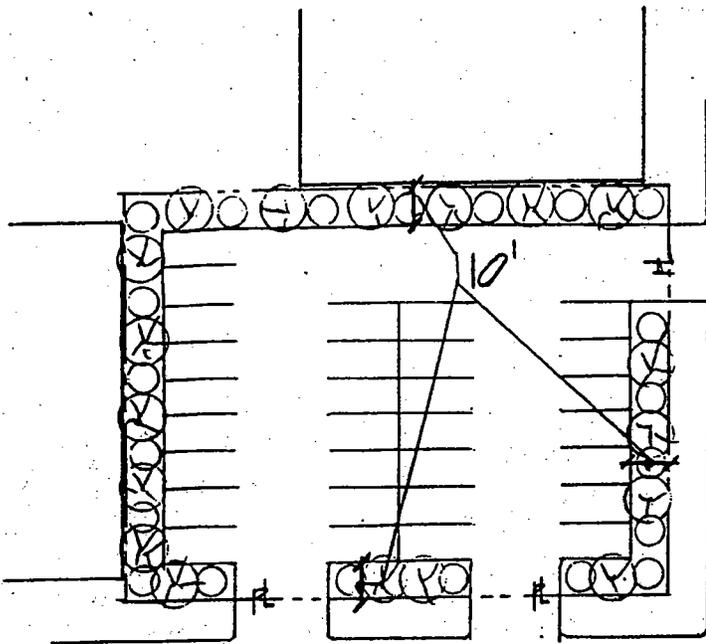
**STEP BACK OPTION "A"**

**FIG. # 3**



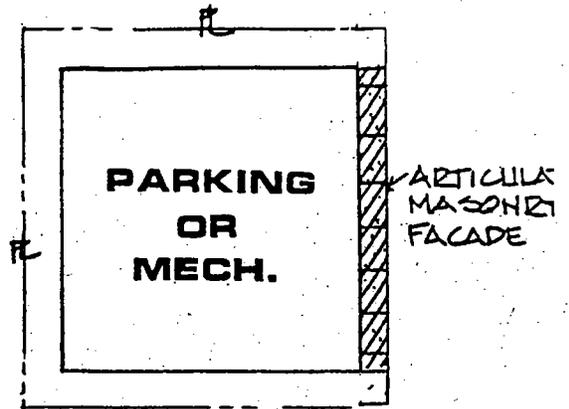
**5A- STEP BACK OPTION "B"**

**FIG. # 4**



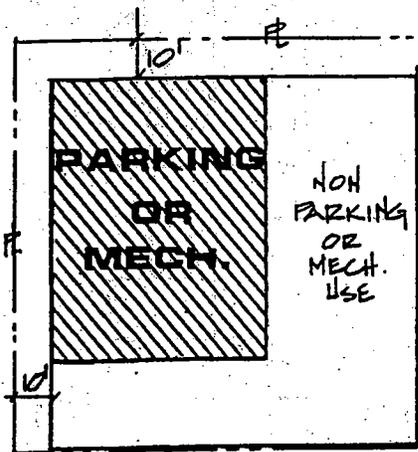
**OPEN PARKING STRUCTURE  
SET BACKS**

**FIG. #9**



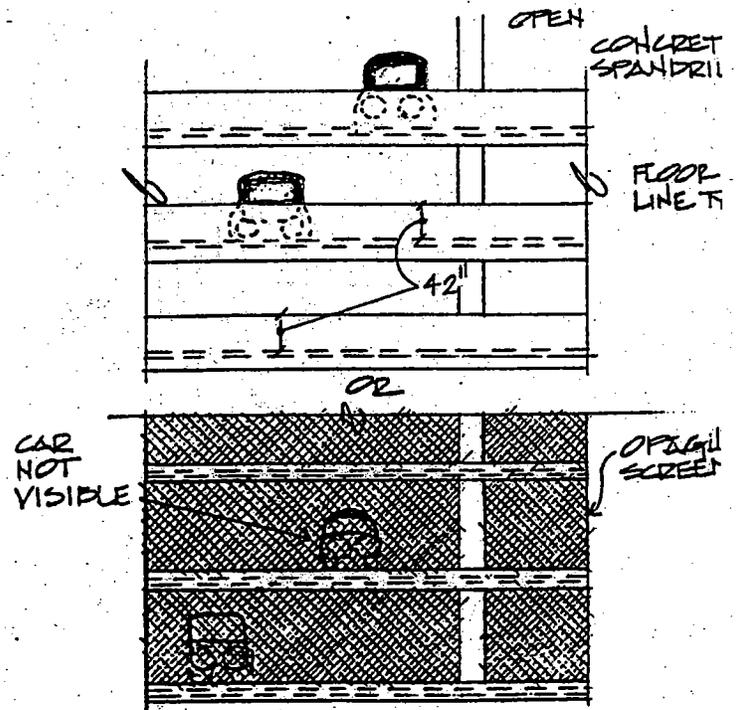
**PARKING STRUCTURE W/  
MASONRY FACADE  
(GROUND LEVEL)**

**FIG.# 10**



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

**FIG.# 11**



**SCREENING FOR  
OPEN PARKING STRUCTURES**

**FIG.# 12**

