

City Clerk File No. Ord. 10-103

Agenda No. 3.A 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-103

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

WHEREAS, the Local Redevelopment and Housing Law, NJSA 40A:12A-1 et 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, the Municipal Council of the City of Jersey City directed the Planning Board to review a Resolution designating the Greater Journal Square Study Area as an "area in need of rehabilitation"; and

WHEREAS, the Planning Board, at its meeting of November 13, 2008, recommended that the Municipal Council designate the Greater Journal Square Study Area as "an area in need of rehabilitation;" and

WHEREAS, the Municipal Council of the City of Jersey City designated the Greater Journal Square as "an area in need of rehabilitation" by Resolution 08-879 on November 25, 2008; and

WHEREAS, The Planning Board, at its meeting of July 13, 2010 and continued at its meeting of July 27, 2010, heard testimony from staff of the Division of City Planning as well as members of the public on the proposed Journal Square 2060 Redevelopment Plan; and

WHEREAS, the Journal Square 2060 Redevelopment Plan boundary is within the Greater Journal Square Study Area which was previously declared an area in need of rehabilitation, excluding certain portions of the Study Area; and

WHEREAS, the Journal Square 2060 Redevelopment Plan is the product of extensive outreach and neighborhood charettes and discussions which were conducted to develop the vision and plan for the future of the City's Central Business District and surrounding neighborhoods; and

WHEREAS, the Planning Board, at its meeting of July 27, 2010, recommended that the Municipal Council adopt the Journal Square 2060 Redevelopment Plan to guide and regulate future redevelopment within the redevelopment plan area; and

WHEREAS, said Redevelopment Plan 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 attached Greater Journal Square Redevelopment Plan be, and hereby is, adopted.

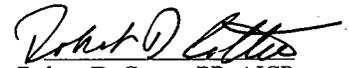
BE IT FURTHER ORDAINED THAT:

- 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

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

official copies of the Jersey City Code.

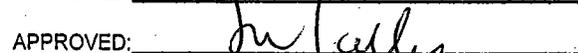
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance 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.


 Robert D. Cotter, PP, AICP
 Director of Planning

APPROVED AS TO LEGAL FORM


 Corporation Counsel

APPROVED:


 Business Administrator

Certification Required
 Not Required

SUMMARY STATEMENT

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

This ordinance adopts the Journal Square 2060 Redevelopment Plan covering Journal Square and the surrounding neighborhoods. The Plan provides guidelines and regulations for a mixed use transit oriented development pattern around the Journal Square Transportation Center, allowing for the highest densities to be built adjacent to mass transit facilities and along major thoroughfares. Lower densities are permitted on side streets and in residential neighborhoods. Buildings with significant historic architecture are preserved to lend character as the Journal Square Area develops. As a transit oriented plan, automobile parking is restricted while bicycle parking and other environmental amenities are required of new development.

Journal Square 2060 Redevelopment Plan

As Recommended to the Jersey City Municipal City Council by
the Jersey City Planning Board

On July 27, 2010



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I) INTRODUCTION

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

This redevelopment plan focuses on Journal Square, the PATH rail station and bus depot, as well as the surrounding neighborhoods within walking distance, comprising an area of approximately 211 acres, 57 city blocks, and approximately 1600 individual parcels.

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

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

The Jersey City Master Plan lists several specific objectives and recommended actions which guide the standards and requirements for this plan. More specifically, the award winning Jersey City Master Plan Circulation Element, *Jersey City Mobility 2050*, recommends that the City:

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

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

Requirements to provide bicycle amenities for building users, such as interior bicycle storage facilities for residential buildings that are accessible without

stairs or tight corners, and bicycle racks and employee showers for commercial buildings;

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

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

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

As Jersey City enters the 21st century, we wish to continue developing in a sustainable direction. This means focusing future development to areas where mass transit is available, reducing parking to limit traffic congestion and effects on air quality, requiring bicycle parking and wider sidewalks to limit automobile use and promote alternative modes, requiring retail uses along pedestrian corridors to create an enjoyable and safe neighborhood environment, concentrating high density high-rise development along the major thoroughfares and immediately adjacent to mass transit facilities, preserving the most distinguished historic structures, and provide for design guidelines so that new development sits comfortably next to the historic fabric of this area.

Journal Square and its surrounding neighborhoods are not a blank slate. The existing physical structure of the Area is extremely varied. Building types range from detached two-family homes with generous front yards, to 4 to 6 story apartment buildings, office buildings, and commercial uses. This variety of uses and building types are all interwoven at a fine scale. Some streets are quiet and narrow, while others have intensive retail uses. This diversity need not inhibit the City from drafting new development guidelines. This redevelopment plan balances the need for new development at higher densities with the existing context of diverse and varied neighborhoods. To do this, this plan employs an approach to development that requires higher density projects to

assemble sufficient development sites to accommodate building designs and forms that can reasonably fit into its surroundings while providing improved infrastructure. The Plan employs the use of building stepbacks, sidewalk widening, open space and plaza provisions, contextual yard requirements, required retail uses, parking limitations and bicycle parking requirements, green building requirements, and design guidelines to assure that future development contributes to the sustainable future of Journal Square.

II) BOUNDARIES

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

III) REDEVELOPMENT PLAN OBJECTIVES

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

- 1) Re-establish Journal Square as a Jersey City's primary central business district and activity center.
- 2) Make sustainability a theme of future development and redevelopment that guides land use and transportation decisions.
- 3) Integrate open space into the Area by incorporating a system of parks, plazas, and natural amenities.
- 4) Promote a pattern of mixed and multiple-use development. New buildings within the Area should appropriately combine residential, commercial, and entertainment uses and encourage a balance of jobs-to-housing.
- 5) Make walking and biking an easy, safe, desirable, and convenient mode of transport.
- 6) Encourage local quality retail within the greater Journal Square area.
- 7) Reduce automobile dependency by encouraging high density development in close proximity to mass transit with low automobile parking ratios and with bicycle parking requirements.
- 8) Provide for urban amenities such as transit, housing variety, open space, and entertainment that will attract new employers and a range of new residents to the area while sustaining existing neighborhoods.
- 9) Encourage the adaptive reuse of existing structures.
- 10) Encourage buildings to meet or exceed the US Green Building Council's LEED (Leadership in Energy and Environmental Design) Certification or equivalent.
- 11) The removal of vacated, deteriorated and obsolete structures.

- 12) The overall improvement of traffic circulation through the development of new and improved vehicular and pedestrian circulation systems which provide for separation of vehicular and pedestrian traffic and the maximum use of public transportation.
- 13) Coordination of redevelopment activities, reinforcing already existing adjacent renewal programs and in accordance with the Master Plan for the City overall.
- 14) Provide for the conservation and preservation of select structures with historic or architectural significance, and provide opportunity for adaptive reuse for future generations.
- 15) Encourage the private sector to consolidate development parcels to allow for sufficient building setbacks providing, light and air to the street and adjacent properties.
- 16) Provide for redevelopment without public acquisition or relocation of residents and business concerns.
- 17) Provide for an active "front door" plaza entry way where Magnolia Avenue accesses the Journal Square PATH station, at the existing kiss-and-ride area.
- 18) To promote balanced development in accordance with applicable State laws and City requirements regarding affordable housing.
- 19) Creation of major new employment, housing, educational, recreational, commercial and retail opportunities for the residents of Jersey City.
- 20) Coordinate redevelopment activities to provide a uniform and consistent attack on blighted, dilapidated, and obsolete structures within the Area.
- 21) To promote the principles of "Smart Growth" and "Transit Village" development, including a variety of housing choices, providing wider sidewalks, minimize automobile use by maximizing the appeal of mass transit, encourage reduced parking and shared use parking solutions, and creating a livable community with convenient access to commercial facilities.
- 22) Maintain and improve pedestrian access to the Journal Square PATH Station from the surrounding communities.
- 23) To maximize the use of rooftop open space for recreation and/or green roofs.
- 24) Utilize setbacks, architectural design elements, and building massing regulation to maintained light and air to the street and adjacent properties.
- 25) All structures within the project area shall be designed and maintained so as to improve the visual impact of the Jersey City skyline as viewed from within and beyond the City's borders.
- 26) Provide for new transport systems such as a streetcar along Kennedy Blvd. and Bergen Avenues and a Bus Rapid Transit system connecting to Route 440.

IV) GENERAL ADMINISTRATIVE PROVISIONS

- A) No building shall be constructed over public rights-of-way in the project area with the exception of freestanding structures ancillary to public plazas and/or pedestrian walkways, which shall be subject to review by the Planning Board.
- B) Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the Area shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval so that compliance of such plans with the redevelopment objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases.

- C) As part of any site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53 et seq. Such performance guarantees shall be in favor of the City in a form approved by the Jersey City Corporation Counsel. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of on and off site improvements within one (1) year of final site plan approval.
- D) Split zoned development sites:
- 1) For any consolidated development site which overlaps multiple zone districts, the zone that covers the largest portion of the site shall govern the entire development site. Zone 6 and 7 are excluded from this split zone provision. All property in Zone 6 or 7 must be developed under the provisions of that zone.
- E) All traffic impact studies shall incorporate, as part of the study, all projects approved or proposed in the immediate area. A listing of the projects may be obtained from the Division of City Planning.
- F) No use or reuse shall be permitted, which, when conducted under proper safeguards, will produce corrosive, toxic or noxious fume, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration (60 decibels), or other objectionable features so as to be detrimental to the public health, safety or general welfare.
- G) All residential redevelopment proposals and construction plans shall meet or exceed applicable FHA minimum room size requirements prior to approval by the Planning Board.
- H) The provisions of this plan specifying the redevelopment of the project area and the requirements and restrictions with respect thereto shall be in effect for a period of fifty (50) years from the date of approval of this plan by the City Council of the City of Jersey City, provided however that any development or redevelopment projects that are commenced and/or completed within said fifty (50) year period shall be deemed to comply with all applicable laws, so long as they comply with the provisions of this Redevelopment Plan. At the end of this fifty (50) year period, the zoning regulations contained herein shall be incorporated into the zoning ordinance of the City of Jersey City in accordance with the appropriate State statutes.
- I) Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with the requirements of this plan and the Land Development Ordinance (LDO) of Jersey City.
- J) Upon demolition of existing structures, the site shall be graded and planted or sodded, with a durable dust free surface in the interim period prior to construction of new buildings.
- K) Deviation Requests
The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan, where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific

piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. Deviations from the required retail use as per section IX shall be considered a design waiver, cognizable by the Planning Board. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan.

No deviations may be granted which will result in permitting:

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

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

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

M) IMPACT FEE

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

N) PROCEDURES FOR AMENDING THE PLAN

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

O) INTERIM USES

- 1) Interim uses may be established, subject to agreements between the developers and the Planning Board, that such use will not have an adverse effect upon existing or contemplated development during the interim use period. Interim uses may include surface parking provided there is no ingress or egress onto Journal Square itself. Interim uses must be approved by the Planning Board, which may establish an interim use period of between one (1) year and three (3) years in duration, subject to the Planning Board's discretion. Additional renewals of an interim use may be granted by the Planning Board, subject to the same interim period limitations specified above.

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

- A) The Local Redevelopment and Housing Law, N.J.S.A 40A:12A-1 et seq. requires that a Redevelopment Plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:
 - 1) This Redevelopment Plan achieves the stated objectives of the Jersey City Master Plan by locating high density development in exceptionally close proximity to mass transit facilities with low parking ratios to reduce the traffic impact of future high density development. Other uses such as retail and office uses compatible with a mixed use transit oriented station area are permitted. The plan also provides for adequate setbacks for the widening of Pavonia Avenue, the continuation of Central Avenue, and improved access to the PATH station as well as requirements for the provision of rooftop recreation space so as to reduce the impact of new development on the City's park system.
 - 2) This Redevelopment Plan provides for a list of permitted principal uses, as well as accessory uses and prohibited uses in the redevelopment area. The plan also provides for density restriction through the use of a maximum floor area ratio, maximum height limits, as well as setback and stepback requirements and various design controls.
 - 3) There will be no displacement of existing residents through the implementation of this plan through condemnation, as this is an area in need of rehabilitation and condemnation is not permitted. Any condemnation action already commenced by the Jersey City Redevelopment Agency may continue.
 - 4) The Journal Square 2060 Redevelopment Plan proposes no new acquisition or condemnation of private property for private redevelopment purposes.
 - 5) The area covered by this Redevelopment Plan constitutes the area within walking distance of Jersey City's central business district and the transportation hub for Hudson County. This location in the very center of Jersey City and is remote from any adjacent municipality. Jersey City is designated as a "Planning Area 1" in the State Plan and is at the center of the Hudson County "urban complex." The development envisioned by this plan is in conformity with the "State Planning Act" P.L. 1985, c. 398 (C.52:18A-196 et al) as well as the master plan of Hudson County and all contiguous municipalities.
 - 6) No affordable units are identified to be removed as part of the implementation of this redevelopment plan.
 - 7) No affordable units are identified to be removed as part of the implementation of this redevelopment plan.

VI) TRANSPORTATION AND CIRCULATION

- A) The Plan proposes the widening of Pavonia and Oakland Avenues. The western half of Pavonia Avenue between Kennedy Blvd and Summit Avenue was previously widened along the PATH Transportation Center. The remainder of Pavonia Avenue must be widened to match the previous project. This shall be achieved through the dedicating of land to the City along the south side of Pavonia Avenue as shown on *Map 6: Circulation Map*. Oakland Avenue shall also be widened to a total width of 60 feet by a dedication of land along the western side of the Avenue between Newark Avenue and Hoboken Avenue as shown on *Map 6: Circulation Map*.
- B) Central Avenue currently functions as the primary commercial street for the Heights Neighborhood to the north of the Journal Square 2060 Plan area. This Plan proposes a new street to connect Central Avenue in the Heights Neighborhood to Summit Avenue and the Journal Square PATH station. A new street connector is shown on *Map 6: Circulation Map*.
- C) Cook Street is proposed to be vacated and added to Block 527, provided the Central Avenue connector is constructed.
- D) The Bergen Arches right-of-way runs along State Highway Route 139, connecting downtown Jersey City to the national railway network. This right-of-way has many potential future uses. To insure that future use of this right-of-way can be maximized for public benefit, any development on top of the Bergen Arches shall preserve an at grade public easement along the top of the Bergen Arches tunnel or open cut as shown on *Map 6: Circulation Map, Right-of-Way Preservation area*.
- E) The Journal Square Transportation Center is currently configured with its main entrance on Kennedy Blvd. A secondary entrance is located at the eastern end of the Transportation Center at Magnolia Avenue and currently functions as a kiss-and-ride drop off point. This secondary entrance must be upgraded and redesigned as a new front entry plaza by any developer with greater than 200 linear feet along the Magnolia Avenue right-of-way as required in Zone 1. Improvements shall include decorative sidewalk and lighting throughout the plaza with bollards to control traffic, street furniture, and other design elements to successfully create an active plaza entryway from Magnolia Avenue.
- F) The Plan envisions a narrow-gauge streetcar line that runs in a dedicated right-of-way along Kennedy Boulevard, Journal Square and Bergen Avenue. This streetcar system is a critical north/south component of a comprehensive transit network designed to service Journal Square and surrounding neighborhoods. A streetcar system will ensure that new and existing developments along Kennedy Boulevard and Bergen Avenue have convenient access to the Journal Square Transportation Center and proposed extensions of the Hudson Bergen Light Rail in the Bergen Arches. The Redevelopment Plan recommends that a streetcar run from the intersection of John F. Kennedy Boulevard and Route 139 to Bergen Avenue at McGinley Square (see Map 6). During the development of a streetcar system, a dedicated bus lane should be implemented along the streetcar right-of-way. All stops should be permanent and substantial in nature. A transitional bus along the streetcar route can help establish a riding habit among Journal Square residents and encourage transit appropriate development along the eventual streetcar corridor. The streetcar may be extended in the future to service additional neighborhoods as part of a comprehensive bus rapid transit system for Jersey City.

G) Bus priority lanes should be provided within Sip, Pavonia, and Summit Avenues to accommodate a western waterfront bus rapid transit (BRT) system. A BRT line that connects the western waterfront corridor to the Journal Square Transportation Center is necessary to support the development and redevelopment of Jersey City's western waterfront. At the time of this writing, the City of Jersey City is developing a concept design for a two directional BRT route that runs along the Routes 440 and 1&9 Truck corridor between Danforth Avenue and Sip Avenue, and connects to the Journal Square Transportation Center via Sip Avenue. The route will have loop turnarounds at each end. The southern turnaround will be in the vicinity of Danforth Avenue, and the northern turnaround will be at the Journal Square Transportation Center via Pavonia, Summit and Sip Avenues. In order to accommodate the BRT route as it traverses the Journal Square area, the full length of Sip Avenue between Garrison Avenue and the transportation center should be designed to include bus priority lanes so that the BRT vehicles are not delayed by general traffic. These lanes may be placed within the existing right-of-way or cartway, and may be comprised of two one-directional lanes, or one reversible lane that is eastbound during the AM peak and westbound during the PM peak. Additionally, to accommodate the loop turnaround at Journal Square, Pavonia, Summit and Sip Avenue should be designed to include bus priority lanes so that BRT vehicles departing Journal Square for Route 440/1&9T via Sip Avenue are not delayed by general traffic.

VII) DESIGN REQUIREMENTS FOR ALL ZONES

A) GENERAL REQUIREMENTS

- 1) All structures within the project area shall be situated with proper consideration of their relationship to other buildings, both existing and proposed, in terms of light, air and usable open space, access to public rights of way and off-street parking, height and bulk.
- 2) All minimum building height requirements shall be measured as stories above sidewalk grade. No mezzanines or split levels or any floor partially below grade shall be considered for minimum height requirements (see building height tables for each zone district). All floors necessary to meet the minimum height requirement must be approximately equal in floor area. No required minimum floor may be less than 75% of the first floor area at grade.
- 3) All lots at the time of adoption of this plan are conforming lots for development, however any newly created lots or development sites through subdivision or consolidation shall have a maximum shape factor of 30. Shape factor is defined as the perimeter of the lot squared, divided by the lot area ($\frac{Perimeter^2}{area}$).
 - (a) Example for a standard 25' by 100' rectangular lot:
 - perimeter = 250'
 - perimeter squared = 62,500
 - area = 2500 square feet
 - shape factor is $\frac{62500}{2500} = 25$
- 4) Groups of related buildings shall be designed to present a harmonious appearance in terms of architectural style and exterior materials and shall be encouraged to incorporate historic elements found throughout the surrounding area.
- 5) Buildings shall be designed so as to have an attractive, finished appearance when viewed from all vantage points within and outside of the project area. Each façade

shall be treated as being of equal importance in terms of material selection and architectural design.

- 6) Access by the elderly, physically handicapped and/or disabled shall meet barrier free design regulations as specified in the New Jersey and Federal ADA Standard Uniform Construction Code.
- 7) All utility distribution lines, including multi-media telecommunication lines, and utility service connections from such lines to the project area's individual use shall be located underground.
- 8) All adaptive reuse of existing structures shall not be required to meet minimum building height requirements.
- 9) Roof treatment, Mechanical Screening and Electrical Equipment
 - (a) All mechanical equipment located on any roof of a building shall be screened from view from all vantage points with a material complementary with the façade of the structure. The screening shall not resemble a utility or rooftop elevator or stair tower. It shall instead resemble an upper level extension of the building and be designed to contribute to the building top design.
 - (b) A roof plan must be developed and submitted for approval. Roof plans shall include mechanical equipment, trellises to obscure view, colored roof patterns and landscaping. Parking deck roofs shall be designed to maximize recreational amenity space and all remaining rooftop areas shall be developed as a green roof.
 - (c) All electrical communication equipment shall be located in such a way that it does not negatively impact the appearance of the building nor create objectionable views as seen from surrounding structures.
 - (d) Transformers and primary and back-up generators shall be located interior to the building or vaulted underground within the pavement area of an adjacent street. Location within and upon the sidewalk, between the sidewalk and the building, or anywhere outside at grade is not permitted.
 - (e) The placement of all new or reconstructed signal boxes is required to be below grade.
 - (f) The screening of all new or reconstructed telecom equipment is required.
- 10) Streetscape
 - (a) All buildings shall be designed to front on a public street to create a street wall and a pedestrian environment at a human scale.
 - (b) Main entrances into buildings shall be located on all public streets. Secondary entrances shall also be provided from parking areas and/or as necessary according to the design of the structure.
 - (c) Entrances shall be designed to be attractive and functional. Indicators such as awning, changes in sidewalk paving material or other indicator consistent with the design, proportions, material and character of the surrounding area shall be provided.
 - (d) Automobile parking between the building line and a public right-of-way is expressly prohibited, even where surface parking is a permitted use. Parking is not permitted in any front yard.
 - (e) Porte-cocheres and drop-off lanes are prohibited.

- 11) A cornerstone marking the date of construction shall be located in an appropriate ground level corner of any building five or more stories. The cornerstone shall be incorporated into the primary facade material.
 - 12) Overhead walkways (skywalks) connecting buildings and or parking above streets or rights-of-ways are prohibited.
 - 13) All facade vents for air conditioning or heating units must be incorporated into the window design such that vent grills and windows appear as a single unit. This is best achieved by lining up vent grills with the vertical or horizontal edge of the adjacent window and matching the window's length or width or using a spandrel panel to fill any voids.
 - 14) All new sidewalk concrete shall be tinted charcoal grey or equivalent tint.
 - 15) All storefronts shall incorporate a cornice element or horizontal projection above the storefront glazing separating ground floor uses from the building above.
 - 16) Ground floor storefront bulkheads below the display windows shall be a maximum of 18 inches in height above sidewalk grade.
 - 17) All ground floor non-residential facades shall incorporate a minimum of 80% transparent glass.
 - 18) All ground floor entryways shall be recessed to avoid door swings into any public right-of-way.
 - 19) All large residential development projects are strongly recommended to include provisions for a dog run.
- B) FLOOR HEIGHT MINIMUM**
- 1) Residential floor-to-ceiling heights must be a minimum of 9 feet and a maximum of 12 feet.
 - 2) A ground floor residential use (where permitted) must be 2 feet above sidewalk grade. Building lobbies may be at grade for ADA accessibility.
 - 3) Ground floor floor-to-ceiling height minimums for a non-residential use are regulated by the following table:

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

Table 1

- C) SPECIAL REQUIREMENTS FOR A TOWER ON A BASE**
- 1) When indicated in the Building Stepback Tables in each Zone district, the following "Tower on a base" requirements shall apply.

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

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

Table 2

- 3) Towers shall be setback from the front lot line a minimum of 10 feet for sites with a lot depth of 100 feet or less. Tower setback shall be a minimum of 15 feet for sites with a lot depth of more than 100 feet.
- 4) Towers shall be setback from side lot lines a minimum of 20 feet.
- 5) Maximum tower length or width dimension is 150 linear feet for primarily residential or hotel use buildings.
- 6) Maximum tower length or width dimension is 200 linear feet for primarily office use buildings.
- 7) Where the tower base abuts a lower density zone, the base of a tower shall be set back from side lot line a minimum of 10 feet and the tower shall be setback a minimum of 30 feet.
- 8) Tower bases must set back 30 feet from any adjacent property's rear property line, except the ground floor which may cover 100% of the lot.
- 9) Front yard setback requirements for each Zone shall apply.
- 10) Building Base Design Requirements:
- (a) A visual cue or indicator such as a cornice, belt coursing, a significant change in the glass to solid ratio, or any other indicator consistent with the design, proportions, and materials shall be provided at the top of the base.
 - (b) Decorative features and materials are required to provide detail and interest to the pedestrian level of the building.
 - (c) Building bases shall be constructed of durable material of high quality, including but not limited to glass, stone, brick, textured concrete, metal paneling, etc. Glass shall constitute a minimum of 80 % of the ground floor facade (see ground floor height minimum).
 - (d) A decorative screening facade may substitute for glass to wrap parking facilities, subject to approval by the Planning Board.

- (e) Retail and/or other permitted uses are required along all public rights-of-way, with a minimum depth of twenty-five (25) feet. No more than fifteen (15) percent of the first floor street frontage and no more than twenty (20) consecutive linear feet along a public right-of-way may be dedicated to other uses such as meter rooms, blank walls, garage doors or loading zones, emergency exits, etc.
 - (f) First floor retail height shall be regulated by the ground floor floor-to-ceiling height table in Table 1 above.
- 11) Building Tower Design Requirements:
- (a) A visual cue or indicator such as a cornice, belt coursing, a significant change in the glass to solid ratio, or any other indicator consistent with the design, proportions, and materials shall be provided at the top of the tower.
 - (b) Building towers shall be constructed of durable material of high quality, including, but not limited to glass, stone, textured concrete, brick, metal paneling etc. Glass shall constitute a minimum of 40 % of the facade.
 - (c) Building towers are required to have a minimum separation distance of 50 feet.

D) PARKING STANDARDS

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

- 1) Bicycle Parking Provisions:
- (a) For development on all lots greater than 2,500 square feet or residential projects more than four units, bicycle parking is required. A bicycle storage room, located in a convenient and accessible location to the front entry of the building with no more than four vertical steps (ramps may be utilized) between the bicycle room and the sidewalk with room for 1 bicycle space per dwelling unit and 1 bicycle space per 5000 square feet of non residential use is required. Short term bicycle parking must also be provided in the sidewalk or accessory parking area for all retail or similar ground floor uses at a rate of 1 space per 5000 square feet to a maximum requirement of 10 spaces.
 - (b) Bike racks must permit the ability to secure the frame of the bike to the rack system.
- 2) Automobile Maximum Parking Ratios By Use:
- (a) For lots of less than 60 feet in width: no parking is permitted.
 - (b) Residential uses may provide up to a maximum of 0.5 off-street parking space per dwelling unit.
 - (c) Office and other commercial uses may provide up to a maximum of 0.5 spaces per 1000 square feet of gross floor area.
 - (d) Retail, restaurants, bars, nightclubs and health clubs may provide up to a maximum of 0.5 space per 1000 square feet of gross floor area.
 - (e) Theaters may provide up to a maximum of 1 space per 20 seats.
 - (f) Hotels may provide up to a maximum of 1 space per every 3 rooms.
 - (g) Public/semi-public uses may provide a maximum 0.5 space per 1000 square feet of gross floor area.

- (h) Colleges and Universities may provide a maximum of 1 space per faculty and administrative member per 8 hour shift.
 - (i) All other uses may provide a maximum 0.5 space per 1000 square feet of gross floor area.
 - (j) Public parking garages as a stand alone use are exempt from the parking maximum.
- 3) Automobile Parking Provisions
- (a) Commuter parking is prohibited.
 - (b) Semi-annual reporting of the parking pricing and usage shall be provided to the Director of the Division of City Planning and the Chairman of the Jersey City Planning Board in a format and detail similar to the semi-annual parking report submitted for the Newport Redevelopment Plan Area.
 - (c) To assure the most efficient and effective use of the parking resources located within the Redevelopment Area, shared use of the parking facilities is encouraged.
 - (d) Use of the first 10% of parking stalls from the garage entrance shall be limited to retail users of the on-site retail and neighboring retail uses and be limited to a maximum duration of 4 hours.
- 4) Design Standards:
- (a) In any building over six stories, or any stand-alone parking structure, a parking level at grade may not contain any parking or mechanical floor area adjacent to the sidewalk/street frontage. Atrium, lobby, and/or retail space shall occupy these areas with a minimum depth of 25 feet.
 - (b) In any building under six stories, a parking level at grade shall be set back from the sidewalk a minimum of 3 feet to provide for landscaping, screening the parking use.
 - (c) For stand alone parking structures, the ground floor retail use shall be a minimum height of 15 feet and a depth of 25 feet.
 - (d) Any parking structure shall be designed to eliminate headlight glare by the provision of opaque screening for head lights and placement of interior garage lighting to be directed into the structure and mounted on the interior side of columns so as to prevent glare from such lighting to be visible from the street or adjacent property. Light fixture details and location shall be included within the garage floor plan at the time of site plan application.
 - (e) The facade of all parking levels shall be of a compatible material to that used throughout the development or adjacent structures and shall be designed to provide visual interest.
 - (f) All openings must be screened with glass or decorative façade materials. Any openings shall be in a vertical proportion. Open horizontal bands along the façade of any parking structure are prohibited.
 - (g) Exterior lighting of the screening materials on a parking structure façade is required in order to provide additional visual interest in terms of light and shadow and to further mask the interior lighting of the parking structure and headlight glare.

- (h) All pedestrian access points shall be provided at street level and designed to encourage street activity. Overhead or elevated pedestrian or vehicular connections are prohibited.
 - (i) All parking spaces shall be 9 feet wide by 18 feet deep. Compact parking spaces (8x15), may be provided, up to fifty (50) percent of approved parking spaces.
 - (j) Aisle widths shall conform to the following standards:
 - (i) 90 degree parking 22' wide two-way aisle
 - (ii) 60 degree parking 18' wide one-way aisle
 - (iii) 45 degree parking 15' wide one-way aisle
 - (iv) 30 degree parking 12' wide one-way aisle
 - (k) All one-way aisles shall be clearly designated.
 - (l) All automatic garage parking is exempt from the above space and aisle dimension requirements.
 - (m) Off-street parking and loading areas shall be coordinated with the public street system serving the project area in order to avoid conflicts with through traffic or obstruction of pedestrian walks and thoroughfares.
 - (n) Surface parking lots (as an interim use) and all loading areas, shall provide a screen planting of dense evergreens along any street line and along all property lines except those instances where a building intervenes or where the proposed planting may interfere with sight triangles. Within the parking area, a minimum of three percent (3%) of the parking area shall be landscaped and maintained with shrubs no higher than three (3) feet and trees with branches no lower than six (6) so that the landscaping is dispersed throughout the parking area.
 - (o) The number and design of off-street loading spaces shall be demonstrated by an applicant according to an anticipated need. All freight loading activities are encouraged to be restricted to early morning and/or late evening hours. The design and number of off-street loading shall be regulated by the Jersey City Land Development Ordinance.
 - (p) Drop off areas may be required for uses generating organized pick-up and drop-off services such as, but not limited to, medical offices.
 - (q) All entry ways to off-street parking and loading structures shall incorporate decorative materials coordinated with the primary base façade on all surfaces twenty-five (25) feet deep into the structure to create an attractive view from the sidewalk and adjacent pedestrian areas.
 - (r) Parking and service access should not be located on the main traffic oriented streets. A head-in/head-out design is required for all loading and parking facilities. For parking facilities with 30 spaces or less, driveway widths shall be a maximum of 12 feet. For all other parking facilities, driveway widths shall be a maximum of 18 feet.
 - (s) Direct new development to minimize pedestrian and traffic conflicts.
 - (t) All site plan application for parking structures should demonstrate the ability to provide for electric vehicle charging stations in the future.
- 5) Below grade parking is permitted to cover 100% of the lot and shall not be counted against permitted FAR.
- 6) All developments which propose valet parking shall submit a parking management plan. Such plan shall include but not be limited to: number of vehicles to be parked,

number of rows of cars to be stacked, all parking stall and aisle widths and any other information deemed necessary to effectively evaluate the management plan. All parking management plans shall be subject to review and approval of the Division of Traffic Engineering, the Division of City Planning and the Planning Board. Valet parking schemes shall not be permitted to increase the total number of parked cars above the maximum number of permitted spaces.

E) OPEN SPACE DESIGN REQUIREMENTS

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

F) LANDSCAPING AND LIGHTING REQUIREMENTS

- 1) Landscaping shall be required for any part of any parcel not used for buildings, off-street parking, plaza areas or loading zones. The developer's plan shall include proposals for landscaping indicating the location, size and quantity of the various species to be used.
- 2) All plant material used must be able to withstand an urban environment. All screen planting shall be a minimum of 4 feet high and shall be planted, balled and burlapped as established by the American Association of Nurserymen. A planting schedule shall be provided by the developer and approved by the Planning Board. Ground cover shall be used in place of mulch.
- 3) All new trees shall be of a species and gender so as to minimize fruit and pollen.
- 4) Any landscaping which is not resistant to the environment or dies within 2 years of planting shall be replaced by the developer.
- 5) Underground watering facilities shall be required for all landscaped areas. Hose bibs shall be provided immediately adjacent to planting areas abutting a building.
- 6) Street trees shall be planted along curb lines of streets in a regular pattern, spaced at one-half the mature spread of the tree canopy to further enhance the aesthetic quality of the redevelopment area. All trees shall be a minimum of four (4) inches in caliper.

- 7) Lighting within the site shall sufficiently illuminate all areas, including those areas where buildings are setback or offset to prevent dark corners.
- 8) All lighting sources must be adequately shielded to avoid any off-site glare. The area of illumination shall have a uniform pattern of at least one-half (0.5) foot candles.
- 9) All landscaping must be fully enclosed by curb or seating wall constructed of a masonry or metal material with a minimum of 6 inch in height. Landscaping shall be elevated to match the height of the curb or seating wall. Fencing is discouraged, but may be set into the required curb.

G) GREEN BUILDING REQUIREMENTS

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

H) BUILDING AMENITY REQUIREMENTS

- 1) All buildings with 4 or more units must provide a washer/dryer room in the building.
- 2) Buildings with over 50 units must include at least 2% of the units designed with 3 bedrooms or more.
- 3) Buildings with 4 or more floors must provide an elevator.
- 4) A minimum of 30% of the lot area must be dedicated to useable recreation space by occupants. This space may be placed in a rear yard or on a roof. Roof decks are encouraged and may be necessary to achieve this requirement.
- 5) Showers and other facilities necessary to support people biking to work is required in all office buildings and other major centers of employment greater than 100,000 square feet.

I) BUILDING MATERIALS REQUIREMENTS

- 1) Synthetic stucco materials such as EIFS is prohibited.
- 2) Concrete block may not be used as a decorative finish on any facade.
- 3) Exterior doors including emergency exits and utility access shall not be secured with a pad lock. All door must include a built in lock mechanism.
- 4) Brick facades are encouraged to utilize multi toned brick selections with at least 3 tones so as not to create a dull or flat brick facade.
- 5) Front cantilevered balconies may project no more than 12 inches from the facade where located within 45 feet from grade or on the base of any "tower on a base"

- building design (see Section IV: C). Above a stepback, balconies may extend no more than the width of the stepback.
- 6) Use of chain link fencing, razor wire, barbed wire, or other similar security devices is expressly prohibited. Chain linked fencing may be temporality utilized during construction only.
 - 7) Security Gates: All front security gates shall be completely composed of the open mesh type, except for two feet at the bottom of the gate which may be solid. Storage boxes for all security gates shall be mounted on the interior of the building. Gate tracks shall be recessed into the glazing reveal and the gate housing shall be flush with the plane of the storefront. No storage box, tracks or mechanical devices related to the gates may project from the plane of the storefront.

VIII) SIGNAGE REGULATIONS

A) Signage Approval Process

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

B) Number and Size of Signage

- 1) The building address is required to be placed on either the main entry door, transom window, building, or awning flap at a maximum font height of 10 inches.
- 2) Corner lot development is encouraged to display the street names on the building facade or imprinted into the sidewalk.
- 3) Sign requirements along all Rights-of-Way where retail is mandatory (see *Map 4: Required Retail Use Map*):
 - (a) For retail, restaurants, bars, nightclubs, and other similar ground floor uses:
 - (i) Each use fronting on a public street may be permitted one (1) exterior sign per street frontage.
 - (ii) Maximum sign height shall be 24 inches.
 - (b) All other uses:
 - (i) Each such use fronting on a public street may be permitted one (1) exterior sign per entryway per street frontage. Buildings with multiple uses shall have no more than one (1) sign per use.

- (ii) The total exterior sign area shall not exceed the equivalent of three (3) percent of the first story portion of the wall to which it is attached. In no case shall a sign on any structure exceed 10 square feet.
 - 4) Sign requirements along all Rights-of-Way where retail is not required (see *Map 4: Required Retail Use Map*):
 - (a) For retail, restaurants, bars, nightclubs, and other similar storefront uses:
 - (i) Each such use fronting on a public street may be permitted one (1) exterior sign per street frontage.
 - (ii) Maximum sign height shall be 18 inches.
 - (b) All other uses:
 - (i) Each such use fronting on a public street may be permitted one (1) exterior sign per entryway per street frontage. Buildings with multiple uses shall have not more than one (1) sign per use.
 - (ii) The total exterior sign area shall not exceed the equivalent of two (2) percent of the first story portion of the wall to which it is attached. In no case shall a sign on any structure exceed 8 square feet.
- C) Sign Design Requirements
- 1) All signs shall be attached to the first floor level of the building only, although blade signs may be attached to the first or second floor façade.
 - 2) All wall signs shall be flush mounted;
 - 3) All blade signs shall project no more than 30 inches from the facade and the bottom of the sign must be a minimum of 9 feet above the sidewalk.
 - 4) Window signs (other than lettering and logos as specifically permitted) shall be prohibited. Lettering or logos shall be limited to decorative metal leaf, flat black or etched / frosted glass style lettering and shall be limited to the name of the business occupying the commercial space / storefront and shall cover no more than twenty (20%) of the window area.
 - 5) Permitted signage material includes:
 - (a) Painted wood.
 - (b) Painted metals including aluminum and steel.
 - (c) Brushed finished aluminum, stainless steel, brass, copper, or bronze.
 - (d) Carved wood or wood substitute.
 - 6) Permitted lettering material includes:
 - (a) Lettering forms applied to the surface of the sign.
 - (b) Single colored lettering forms applied to the surface of the sign.
 - (c) Metallic solid body letters with or without returns.
 - (d) Painted acrylic or metal letter.
 - (e) Vinyl lettering attached permanently to a wood, wood substitute or metal signboard.
 - 7) Signs may be lit from backlit halo, and up-lights. Internally lit signs and sign boxes are prohibited.
 - 8) Storefront windows shall not be blocked by any interior display case or other form of barrier. Pedestrians on the street shall have the ability to see into the shop and view the activity within.
 - 9) Signs may include the name of the store only. Building address, phone number, operating hours and other additional information may be stenciled on the door.

- 10) One portable sign is permitted within of 8 feet of the entryway of the associated use.
Portable signs are not permitted for parking garages.

D) Parking Garage Signage

- 1) One (1) sign shall be provided per entrance to garages indicating the parking facility by the international parking symbol and direction arrow. The sign area shall not exceed twenty (20) square feet. If applicable, one (1) sign per entrance may be allowed indicating parking rates, not to exceed eight (8) square feet.
- 2) Portable signs are not permitted for parking garages.

E) Billboard Requirements

- 1) Billboards are only permitted within a 400 foot radius of the intersection of the center lines of Kennedy Boulevard and Bergen Avenue.
- 2) Billboards are permitted only on building rooftops greater than 30 feet above grade. Billboards may also be permitted on a building facade only at the discretion of the Planning Board and only for the purpose of screening a blank wall or parking structures and within the 400 foot radius described above.
- 3) All billboards are required to be coplanar, (placed in the same plane) with the building facade.
- 4) Billboards may not exceed 20 feet in height and are required to be the same width as the portion of the facade it is built coplanar to.
- 5) All support structures shall be screened from view from all public rights-of-way by the face of the billboard.

F) Prohibited Signs

- 1) Freestanding signs, except for those indicating direction, transportation, circulation and parking are prohibited.
- 2) Portable advertising signs not associated with use within 10 feet are strictly prohibited.
- 3) Product advertising signage of any kind.
- 4) Signage attached to parking meters, light poles, benches, or other street furniture.
- 5) Monument signs
- 6) Internally or externally illuminated box signs
- 7) Flashing or animated signs, spinners, pennants, reflective materials that sparkle or twinkle
- 8) Window signs, posters, plastic or paper that appear to be attached to the window.
- 9) Pole signs.
- 10) Waterfall style or plastic awnings.

IX) REQUIRED LAND USE REGULATIONS

- A) Retail and/or other permitted active storefront type uses, which activate the adjacent sidewalk, are required along all public rights-of-way where indicated on *Map 4: Required Retail Use Map*. Active storefront type uses include, but not limited to, retail, storefronts, building lobbies, art galleries, bars and restaurants.

- 1) Minimum depth of retail use shall be twenty-five (25) feet.
- 2) No more than fifteen (15) percent and no more than twenty (20) consecutive linear feet may be dedicated to other uses such as meter rooms, blank walls, emergency exits, etc.

- 3) Ground floor residential is only permitted if necessary to meet the requirements of the Americans with Disabilities Act, there is no elevator access, and provided the following conditions are met:
 - (a) Must be situated behind the retail use.
 - (b) The building must maintain a minimum of 600 square feet of retail space at grade level and at the front of the building.
 - (c) The building must incorporate a cellar not less than 600 square feet or 50% of the building's footprint, whichever is greater, to provide storage space for the retail use and for the location of trash rooms, mechanical rooms, meters or other infrastructure needs of the building so as to maximize available retail space at the ground floor level. Additional space may be allocated to residential tenants.

X) SPECIFIC LAND USE REGULATIONS

A) ZONE 1: CORE

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

1) Permitted Principal Uses:

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

2) Accessory Uses

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

3) Prohibited Uses

- (a) Surface parking as a principal or accessory use.

- (b) Drive-through facilities pertaining to restaurants, banks, pharmacies, and other drive through uses
 - (c) Gas stations, service stations, auto repair, auto body shops, and other automobile related uses (not including car share programs).
- 4) Lot Size and Dimension Requirements
- (a) All existing lots at the time of adoption of this plan are conforming lots.
 - (b) Subdivisions must conform to the following minimum standards:
 - (i) Minimum lot area: 10,000 square feet.
 - (ii) Minimum lot width: 100 feet.
 - (iii) Minimum Lot Depth: 100 feet.
 - (iv) Shape Factor Maximum: 30
- 5) Maximum Floor Area Ratio (FAR) Standards
- (a) The permitted Floor Area Ratio (FAR) for any new development shall be regulated according to the following table:

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

Table 3

- (b) The Floor Area Ratios in Table 3 above are inclusive of all built structures at or above grade including, but not limited to parking decks, lobbies, hallways, building core, common areas, etc.
 - (c) Buildings over 210 feet must comply with "tower on a base" design requirements in Section IV: C.
- 6) Minimum Building Height Requirement
- (a) The minimum height for any new building shall be sixty-five (65) feet.
- 7) Yard Requirements
- (a) Front Yard Requirements:
 - (i) Front yard setback shall be sufficient to provide the minimum sidewalk width indicated in *Map 5: Required Sidewalk Width Map*, measured from the ground floor building facade to the existing curb-line at the time of adoption.
Example: If the existing sidewalk width is 10 feet, and the required sidewalk is 20 feet, then the required front yard setback shall be 10 feet.
 - (b) Side Yard Requirements:
 - (i) Side yards are not permitted within 10 feet of a right-of-way except where

required by fire or building code to accommodate adjacent windows or as per the "Tower on a Base" requirements in Section IV: C.

(c) Rear Yard Requirements:

(i) No rear yard is required.

- 8) Sidewalk and streetscape elements shall complement the established design, color, materials and street furniture of the Journal Square Streetscape improvements.
- 9) The current public pedestrian access easement that traverses the Block 1866, Lot 36 and provides access between Sip Avenue and Concourse East shall be maintained at grade level. Its location may be shifted to the eastern edge of Block 1866, Lot 25H, parallel to the Hudson County College walkway. The existing College pedestrian walkway along the western side of Lot 27C on Block 1866 shall be maintained and widened to a minimum of 5 Feet.
- 10) Improvement shall be provided to Concourse East to insure a seamless connection between the projects and usable shared sidewalk.
- 11) It is required that Pavonia Avenue be widened by approximately ten feet (10') on the South side, in-line with a previous street widening in front on the Journal Square Transportation Center. The required setback along Pavonia Avenue therefore must be sufficient to accommodate this street widening as well as the required sidewalk width of twenty (20') feet, totaling an approximate thirty (30) foot setback from the existing curb line along this section of Pavonia Avenue. The land necessary for this right-of-way improvement shall be dedicated to the City. All setback and stepback requirements shall be measured from the new property lines created.
- 12) A maximization of lot coverage and FAR is being permitted as a component of this zone due to its proximity to the Journal Square PATH station. At grade open space is not required on site, but instead must be provided as improvements to the Magnolia Ave kiss-and-ride drop off area as described in section VI) E above by any development adjacent to Magnolia Avenue for a length greater than 200 linear feet. Any developer that triggers this provision shall fund, improve, and maintain this new plaza entry way for the Journal Square Transportation Center. Any development application for building under this provision shall include the site plan development improvements for the plaza as part of the same application. Construction of the plaza shall be completed simultaneously with the principal building.

B) ZONE 2: AIR-RIGHTS

- 1) The sole permitted use in this zone is for transportation uses. It is desirable in the future to deck over the existing rail tracks and develop the air rights above for a variety of uses, including office, commercial and residential uses, and to incorporate public open space to create landscaped pedestrian plazas that form a continuous link from the Journal Square PATH station to the surrounding neighborhoods from Baldwin Avenue to Garrison Avenue. Recommended pedestrian corridors are shown on *Map 5: Required Sidewalk Width* and *Map 6: Circulation*. Building heights, forms, and permitted uses are to be determined as a future amendment to this redevelopment plan.
- 2) It is desirable that privately owned land east of Summit Avenue in Zone 2 be reserved for public open space. To achieve this goal, any privately owned parcels in Zone 2 east of Summit Avenue may dedicate land to the City in exchange for an FAR bonus granted to an adjacent site in Zone 3 or 4. The bonus shall be calculated as a 1:1 ratio

of land area to FAR. For example, a 10,000 square foot lot dedicated to the City may add 10,000 square feet of floor area above the permitted zoning on an adjacent site. Any structure built under this bonus provision shall have a maximum building height of 12 stories and 130 feet and must maintain a 30 foot separation buffer with the historic Summit House. Any structure built under this bonus provision that is adjacent to Zone 6 shall have a maximum building height of 8 stories and 85 feet.

C) ZONE 3: COMMERCIAL CENTER

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

1) Permitted Uses:

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

2) Accessory Uses

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

3) Prohibited Uses

- (a) Surface parking as a principal or accessory use.
- (b) Drive-throughs pertaining to restaurants, banks, pharmacies, and other drive through uses.
- (c) Gas stations, service stations, auto repair, auto body shops, and other automobile related uses (not including car share programs).

- 4) Lot Size and Dimension Requirements
- (a) All existing lots at the time of adoption of this plan are conforming lots.
 - (b) Subdivisions must conform to the following minimum standards:
 - (i) Minimum lot area: 7500 square feet.
 - (ii) Minimum lot width: 75 feet.
 - (iii) Minimum Lot Depth: 100 feet.
 - (iv) Shape Factor Maximum: 30
- 5) Density and Height Requirements
- (a) Density is not regulated by floor area ratio or units per acre in this zone. Instead, a "building envelope" is defined, depending on the size and shape of the site. Minimum room and unit sizes are regulated by building code.
- 6) Maximum and minimum building height shall be calculated based on the lot size according to the following table provided the required standards in the table are met:

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

Table 4

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

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

Table 5

- 8) Yard Requirements
- (a) Front Yard Requirements:

- (i) Front yard setback shall be sufficient to provide the minimum sidewalk width indicated in *Map 5: Required Sidewalk Width Map*, measured from the ground floor building facade to the existing curb-line at the time of adoption.
Example: If the existing sidewalk width is 10 feet, and the required sidewalk is 20 feet, then the required front yard setback shall be 10 feet.
- (ii) Up to 30% of a building façade may be set back up to an additional 10 feet to accommodate outdoor seating areas or public space, but not for front yard car parking and must be designed to be impractical for such use.
- (b) Side Yard Requirements:
 - (i) Side yards are not permitted within 10 feet of a right-of-way except where required by fire or building code to accommodate adjacent windows or as per the "Tower on a Base" requirements in Section IV: C.
- (c) Rear Yard Requirements:
 - (i) No rear yard is required, however a second floor step back of 30 feet is required as per Table 5 above.
 - (ii) For through lots, a 50 foot "rear yard" is required at grade or above the first floor, and centered in the middle of the block.
 - (iii) Corner lots must stepback on the second floor 30 feet from any adjacent property's rear property line.

D) ZONE 4: NEIGHBORHOOD MIXED USE

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

- 1) Permitted Uses:
 - (a) Residential: permitted everywhere except on the ground floor of buildings utilizing a corner height bonus depicted on *Map 3: Corner Lot Bonus Map*.
 - (b) Retail Sales of Goods and Services/Financial Services.
 - (c) Offices.
 - (d) Art galleries.
 - (e) Live/Work units and home occupations.
 - (f) Restaurants: category one and two.
 - (g) Structured Parking: provided the design standards of Section IV: D above are met. Structured Parking is not permitted at any street corner location.
 - (h) Hotels/Bed and Breakfast.
 - (i) Medical Offices.
 - (j) Child and Adult Day Care Centers.
 - (k) Theatres/Night Clubs/Bars: on corner lots, provided no more than 60 decibels is measureable outside the establishment. Night clubs and bars are limited to 5000 square feet.
 - (l) Houses of worship.
 - (m) Museum.
 - (n) Schools.
 - (o) Community Centers.
 - (p) Government uses.

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

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

Table 6

- (c) Corner Lot Bonus: Corner lots at selected locations are permitted a height bonus to encourage larger buildings at street corners as indicated in *Map 3: Corner Lot Bonus Map*. To qualify for the bonus height, corner lots must have the minimum

lot size indicated in Table 6 for each bonus as well as the minimum sidewalk width indicated in *Map 5: Sidewalk Width Map*. Corner Bonus projects are not required to match adjacent front yard setbacks in section 6 below, but instead must provide a front yard setback from the existing curb-line at the time of adoption sufficient to meet the minimum sidewalk width as per the *Map 5: Sidewalk Width Map*. Projects must also comply with the minimum floor-to-ceiling height requirements and required building setbacks. The Corner Lot Bonus is applicable to a maximum lot area of 20,000 square feet.

- (d) Whole block development provision: where an entire block measuring greater than 30,000 square feet (not including any property in Zone 6) is consolidated, bounded only by rights-of-way, the development standards for Zone 3 may be applied provided that:
 - (i) A 20 foot sidewalk is provided around the entire circumference of the block.
 - (ii) Tower setbacks of 12 feet are accommodated set back from the base facade.
 - (iii) Parking is not permitted to front along any right-of-way at grade level. All parking uses must be screened from view through the use of wrap units. Any non-parking permitted use must occupy the first floor along all rights-of-way to a depth of a minimum of 25 feet. Parking may only be exposed on or above the second story.
 - (iv) Properties in Zone 6 must be excluded from any site plan under this provision.
 - (v) No buildings may be placed in the right-of-way preservation area as indicated on *Map 6: Circulation*. All preservation areas must be designed as publicly accessible plaza.
- (e) Building Setbacks: To provide light and air to adjacent lots, buildings must provide a "stepback" from the property line at the following intervals:

| Story Level | Front Stepback | Side Stepback | Rear Stepback |
|-------------|-----------------------------------|---------------|---------------|
| 1 | none | none | none |
| 2 to 4 | none | none | 30' |
| 5 | 10' | none | 30' |
| 6 | 10' | 5' | 30' |
| 7 | 15' | 5' | 30' |
| 8 | 15' | 10' | 30' |
| 9 and Up | See Tower on a Base Section IV: C | | |

Table 7

- 6) Yard Requirements
 - (a) Front Yard Requirements:
 - (i) Front yard setback shall match the setback of the "Primary Building Façade" (see Article I of the Land Development Ordinance for definition of Primary Building Façade) on either side of the subject parcel, provided that the building setback to be matched shall be closest to the predominant (most frequently occurring) setback on the block front. Where sidewalk widths are

less than 8 feet, the front yard setback requirement must be the minimum of 8 feet from front facade at the ground floor to the curb.

- (ii) Up to 30% of a building façade may be set back up to an additional 10 feet to accommodate stoops, outdoor seating areas or public space, but not for front yard car parking and must be designed to be impractical for such use.
 - (iii) If the adjacent front yard setbacks are greater than 10 feet, and the project site has 60 feet or more of frontage on a right-of-way, then the building may limit the front yard setback requirement to 10 feet.
 - (iv) Where retail is required as indicated in *Map 4: Required Retail Use Map*, the front yard setback shall be from the existing curb-line at the time of adoption sufficient to provide the minimum sidewalk width as depicted in *Map 5: Required Sidewalk Width Map*, measured from the ground floor building facade to curb. Example: If the existing sidewalk width is 10 feet, and the required sidewalk is 20 feet, then the front yard setback shall be 10 feet.
- (b) Side Yard Requirements:
- (i) Where the adjacent building is less than four stories, the minimum side yard setback shall be 10% of the lot width up to a maximum requirement of 10 feet and the minimum required by fire or building code to accommodate adjacent windows.
 - (ii) Where a ground floor retail use is mandatory (see *Map 4: Required Retail Use Map*), side yards are not permitted within 10 feet of a right-of-way except where required by fire or building code to accommodate adjacent windows.
 - (iii) Where the adjacent building is greater than 4 stories, or where the adjacent building is built on the lot line, side yards are not permitted within 10 feet of a right-of-way except where required by fire or building code to accommodate adjacent windows.
- (c) Rear Yard Requirements:
- (i) No rear yard is required, however a second floor step back of 30 feet is required as per the building step back table above.
 - (ii) For through lots, a 50 foot "rear yard" is required at grade or above the first floor, and centered in the middle of the block.
 - (iii) Corner lots must stepback on the second floor 30 feet from any adjacent property's rear property line.
 - (iv) Where a rear lot line abuts a side lot line, only a side yard is required.

E) ZONE 5: COMMERCIAL MAIN STREET

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

1) Permitted Uses:

- (a) Residential: permitted everywhere except on the ground floor.
- (b) Retail Sales of Goods and Services/Financial Services.
- (c) Offices.
- (d) Art galleries.
- (e) Live/Work units and home occupations: permitted everywhere except on the ground floor.
- (f) Restaurants: category one and two.

- (g) Structured Parking: provided the design standards of Section IV: D above are met. Structured Parking is not permitted at any street corner location.
 - (h) Hotels/Bed and Breakfast.
 - (i) Medical Offices.
 - (j) Child and Adult Day Care Centers.
 - (k) Night Clubs/Bars: on corner lots, provided no more than 60 decibels is measureable outside the establishment.
 - (l) Museum.
 - (m) Any combination of the above.
- 2) Accessory Uses
- (a) Structured parking and loading.
 - (b) Fences and seating walls.
 - (c) Landscape features.
 - (d) Improved Open Space.
 - (e) Signs.
 - (f) Rooftop Recreation.
 - (g) Sidewalk Cafe: where sidewalk width permits.
- 3) Prohibited Uses
- (a) Surface parking as a principal or accessory use.
 - (b) Drive-throughs pertaining to restaurants, banks, pharmacies, and other drive-through uses.
 - (c) Gas stations, service stations, auto repair, auto body shops, and other automobile related uses (not including car share programs).
 - (d) Billboards.
- 4) Lot Size and Dimension Requirements
- (a) All existing lots at the time of adoption of this plan are conforming lots.
 - (b) Subdivisions must conform to the following minimum standards:
 - (i) Minimum lot area: 2500 square feet.
 - (ii) Minimum lot width: 25 feet.
 - (iii) Minimum Lot Depth: 100 feet.
 - (iv) Shape Factor Maximum: 30
- 5) Density and Height Requirements
- (a) Density is not regulated by floor area ratio or units per acre in this zone. Instead, a "building envelope" is defined, depending on the size and shape of the site. Minimum room and unit sizes are regulated by building code.
 - (b) Maximum and minimum building height shall be calculated based on the lot size according to the following table provided the required standards in the table are met:

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

Table 8

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

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

Table 9

6) **Yard Requirements**

(a) **Front Yard Requirements:**

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

- (b) Side Yard Requirements:
 - (i) Side yards are not permitted within 10 feet of a right-of-way except where required by fire or building code to accommodate adjacent windows.
- (c) Rear Yard Requirements:
 - (i) No rear yard is required, however a second floor step back of 30 feet is required as per Table 9 above.
 - (ii) For through lots, a 50 foot "rear yard" is required at grade or above the first floor, and centered in the middle of the block.
 - (iii) Corner lots must stepback on the second floor 30 feet from any adjacent property's rear property line.

F) ZONE 6: PRESERVATION

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

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

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

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

D. Have yielded, or may be likely to yield, information important in prehistory or history.

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

1) Permitted Uses:

- (a) All uses at their existing location at the time of adoption of this Plan are permitted.
- (b) New uses shall be considered by the Planning Board on a case by case basis, guided by adjacent uses only. Because historic buildings in this zone are scattered throughout the Plan Area, and are situated in a variety of land use areas, the permitted uses in this zone must be contextual to the site.

2) Lot Size and Dimension Requirements

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

3) Height and Bulk Requirements

- (a) The existing building height, floor area, established setbacks and the exterior building envelope as of the adoption of this Plan shall constitute the development standards of each building. Any change to the above standards shall constitute a deviation from this plan.
- (b) Minor alterations in site plan and façade characteristics may be permitted by the Planning Board provided such alterations are consistent with the above standards for this zone. Any changes not consistent with this Plan are cognizable under a deviation application, and will be judged on their merits.

4) Yard and Coverage Requirements

- (a) building coverage: existing
- (b) lot coverage: existing
- (c) front yard: existing
- (d) side yard: existing
- (e) rear yard: existing

5) Building Design Requirements

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

G) ZONE 7: DECO

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

1) Permitted Uses:

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

2) Lot Size and Dimension Requirements

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

3) Height Requirements

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

4) Yard Requirements

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

5) Building Design Requirements

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

H) ZONE 8: BERGEN SQUARE

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

- 1) Permitted Uses:
 - (a) Residential: permitted everywhere except on the ground floor of buildings utilizing a corner height bonus.
 - (b) Retail Sales of Goods and Services/Financial Services.
 - (c) Offices.
 - (d) Art galleries.
 - (e) Live/Work units and home occupations.
 - (f) Restaurants: category one and two.
 - (g) Bed and Breakfast.
 - (h) Child and Adult Day Care Centers.
 - (i) Night Clubs/Bars: restricted to Bergen Ave, provided no more than 60 decibels is measureable outside the establishment.
 - (j) Schools.
 - (k) Community Centers.
 - (l) Government uses.
 - (m) Museum.
 - (n) Any combination of the above.
- 2) Accessory Uses
 - (a) Fences and seating walls.
 - (b) Landscape features.
 - (c) Improved Open Space.
 - (d) Signs.
 - (e) Rooftop Recreation.
 - (f) Sidewalk Cafe: where sidewalk width permits.
- 3) Prohibited Uses
 - (a) Surface parking as a principal or accessory use.
 - (b) Drive-throughs pertaining to restaurants, banks, pharmacies, and other drive through uses.
 - (c) Gas stations, service stations, auto repair, auto body shops, and other automobile related uses (not including car share programs).
 - (d) Billboards.
- 4) Lot Size and Dimension Requirements
 - (a) All existing lots at the time of adoption of this plan are conforming lots.
 - (b) Subdivisions must conform to the following minimum standards:
 - (i) Minimum lot area: 2500 square feet.
 - (ii) Minimum lot width: 25 feet.
 - (iii) Minimum Lot Depth: 100 feet.
 - (iv) Shape Factor Maximum: 30
- 5) Density and Height Requirements
 - (a) Density is not regulated by floor area ratio or units per acre in this zone. Instead, a "building envelope" is defined, depending on the size and shape of the site. Minimum room and unit sizes are regulated by building code.
 - (b) Maximum and minimum building height shall be calculated based on the lot size according to the following table provided the required standards in the table are

met:

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

Table 10

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

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

Table 11

6) Yard Requirements

(a) Front Yard Requirements:

- (i) Front yard setback shall match the setback of the "Primary Building Façade" (see Article I of the Land Development Ordinance for definition of Primary Building Façade) on either side of the subject parcel, provided that the building setback to be matched shall be closest to the predominant (most frequently occurring) setback on the block front.
- (ii) Where retail is required as indicated in *Map 4: Required Retail Use Map*, the front yard setback from the existing curb-line at the time of adoption shall be sufficient to provide the minimum sidewalk width as depicted in *Map 5: Required Sidewalk Width Map*, measured from the ground floor building facade to curb. Example: If the existing sidewalk width is 10 feet, and the required sidewalk is 20 feet, then the front yard setback shall be 10 feet.

(b) Side Yard Requirements:

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

right-of-way except where required by fire or building code to accommodate adjacent windows.

- (c) Rear Yard Requirements:
 - (i) A rear yard of 30 feet is required.
 - (ii) Corner lots must stepback on the second floor 30 feet from any adjacent property's rear property line.
- I) ZONE 9: PARKS
 - 1) Parks, plazas, and other types of public open space are the only permitted at grade use in this zone. Underground parking facilities are also permitted beneath the required at grade park.
- J) ZONE 10: TRANSITION
 - 1) All parcels in Zone 10 must be submitted to the City Planning Division as a single site plan application, however construction may be phased.
 - 2) A maximum of two buildings may be constructed in Zone 10, with the remainder of the zone developed as open space. One of the two buildings must be on Block 1863 Lot N25 adjacent to the historic Lowes Theatre. The second building must be situated south of the continuation of the Van Reipen Avenue right-of-way and a minimum of 40 feet from the Zone 2 boundary line.
 - 3) The as-of-right building height shall be a maximum of 6 stories. This height limitation may be exceeded by constructing the un-built portions of Zone 10 as publicly accessible open space. Surface parking is not permitted. Each square foot of open space made available to the public may be converted to FAR applicable to the two permitted building sites at a ratio of 6:1. For example, 10,000 square feet of land designed as public open space will permit 60,000 additional square feet to be built above the permitted 6 stories. The building site on Block 1863 Lot N25 shall not be restricted in the amount of bonus FAR applied to this site, however any second building shall have a maximum height of 12 stories or 130 feet with applied bonus FAR.
 - 4) The site plan for Zone 10 must be in conformity with all design requirements in Chapter VI as well as the required public sidewalk requirements found on *Map 5: Required Sidewalk Width*.

XI) DEFINITIONS

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

XII) MAPS

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

JOURNAL SQUARE 2060

MAP 1: BOUNDARY MAP

JULY 8, 2010

1 inch = 500 feet

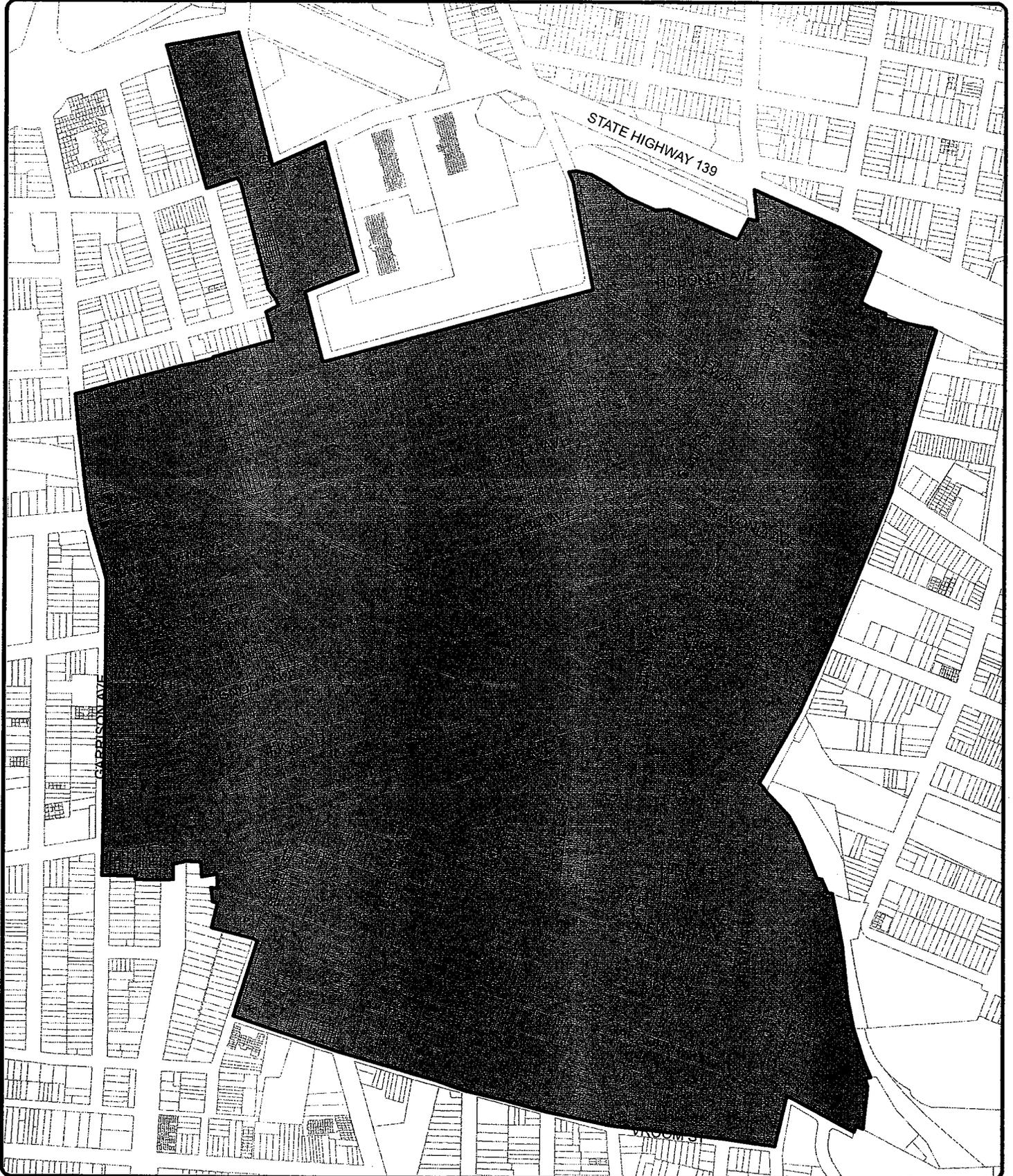
0 250 500 1,000 Feet



Boundary



Redevelopment Plan Boundary



JOURNAL SQUARE 2060

MAP 2: ZONE DISTRICTS MAP

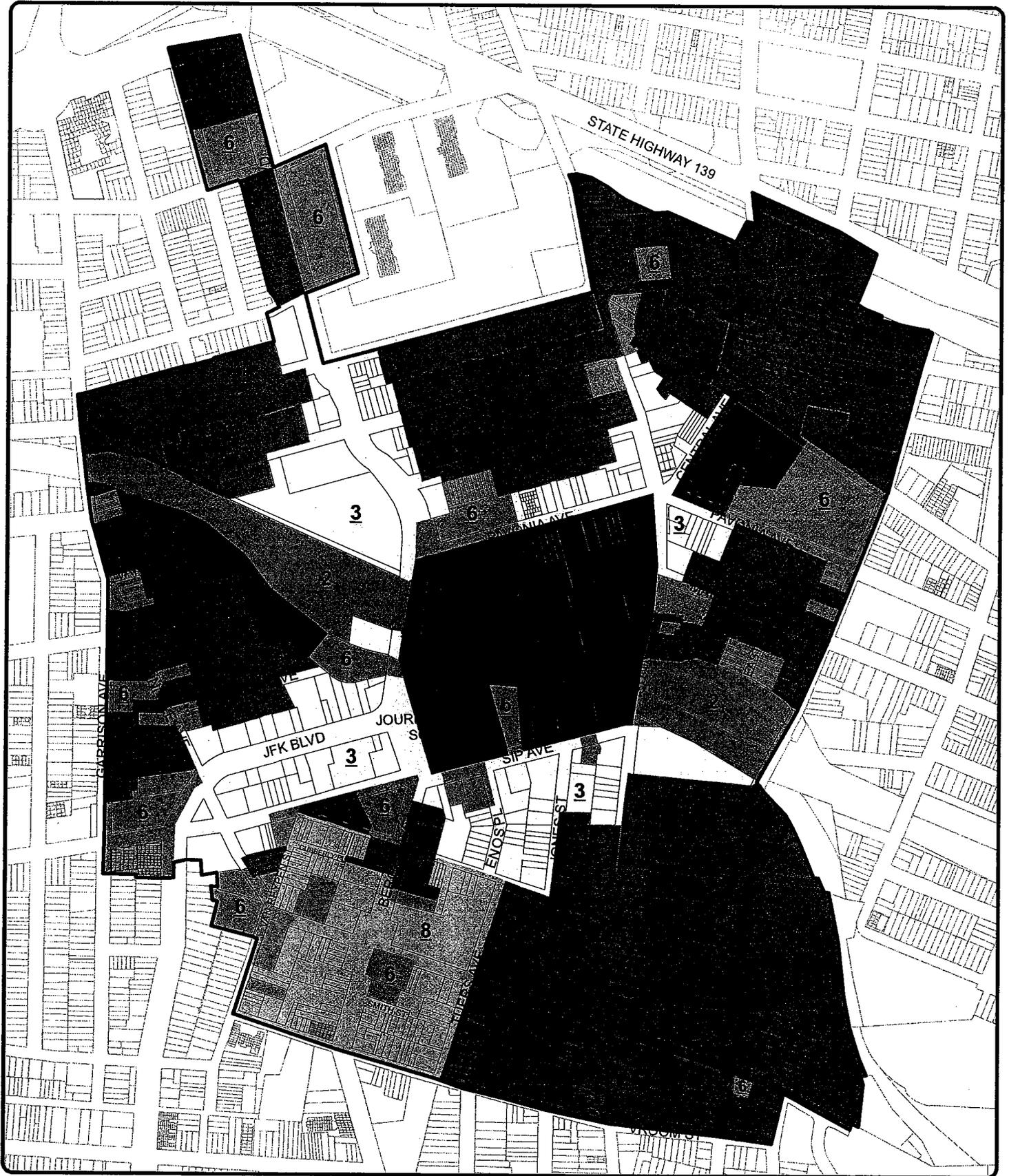
JULY 8, 2010

1 inch = 500 feet



Zone Districts

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



JOURNAL SQUARE 2060

MAP 3: CORNER LOT BONUS MAP

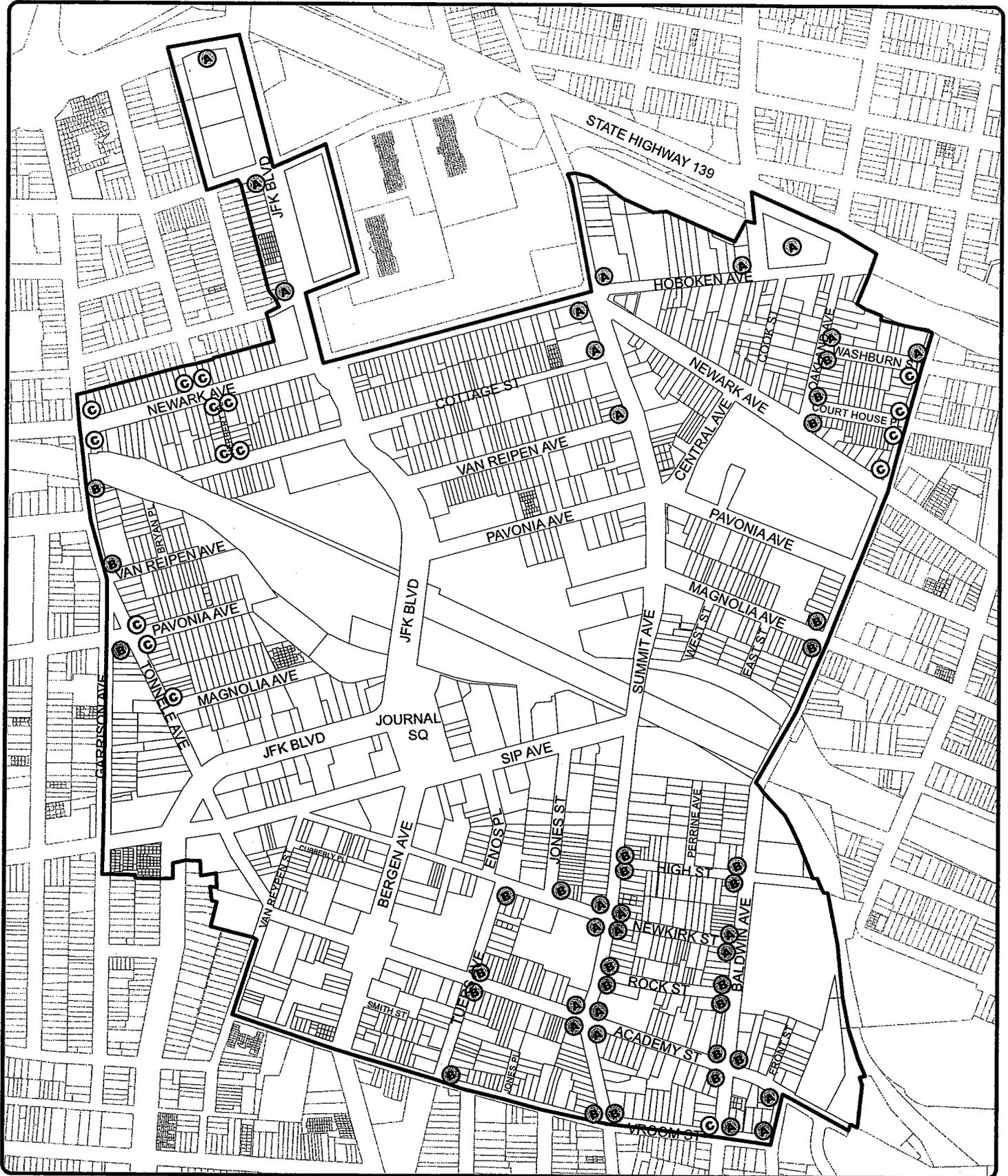
JULY 8, 2010

1 inch = 500 feet



Corner Lot Bonus Locations

-  A Bonus Corner
-  B Bonus Corner
-  C Bonus Corner



JOURNAL SQUARE 2060

MAP 4: REQUIRED RETAIL USE MAP

JULY 22, 2010

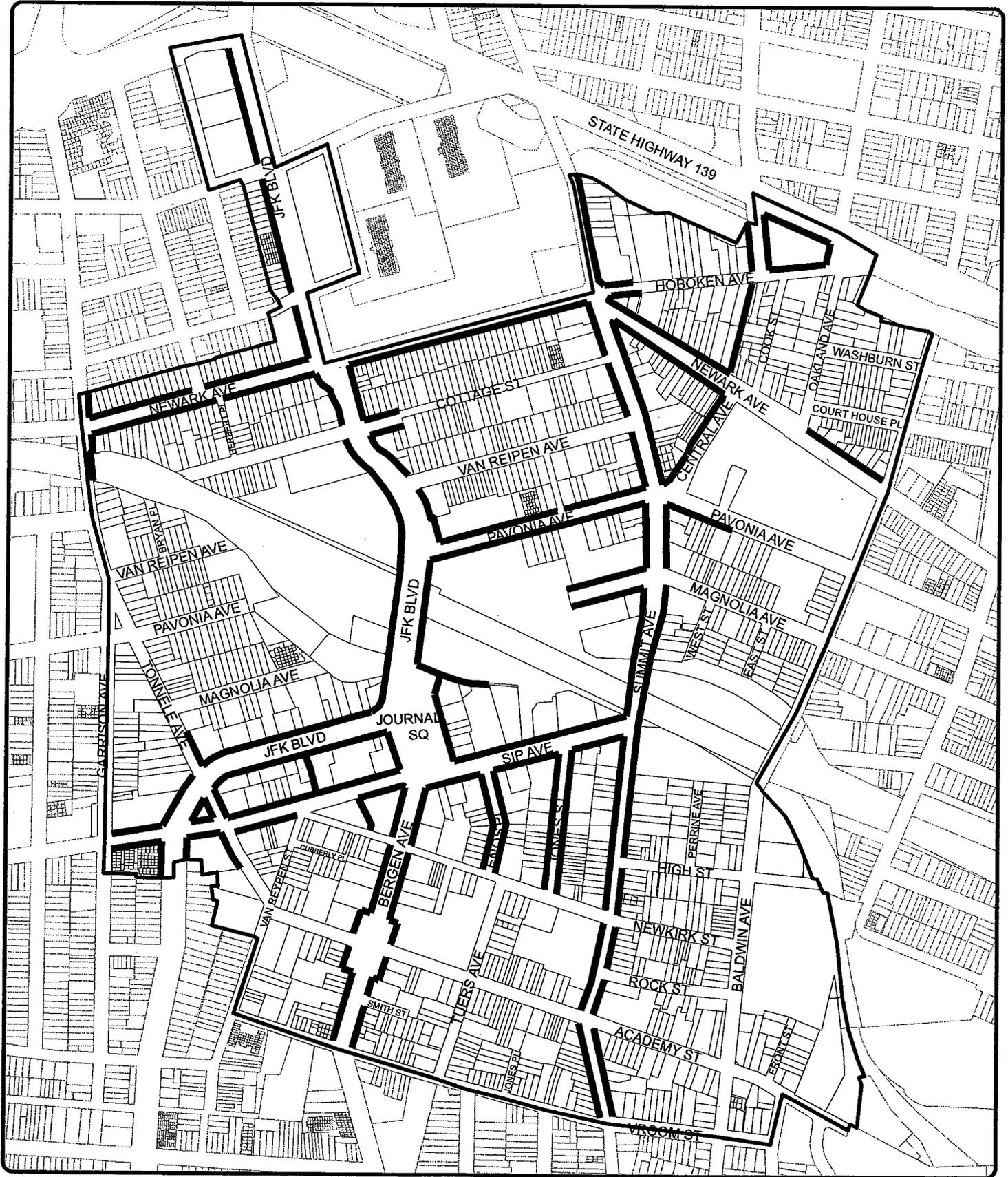
1 inch = 500 feet



Ground Floor Use

— Required Retail

*See section IX) Required Land Use Regulations



JOURNAL SQUARE 2060

MAP 5: REQUIRED SIDEWALK WIDTH MAP

JULY 8, 2010

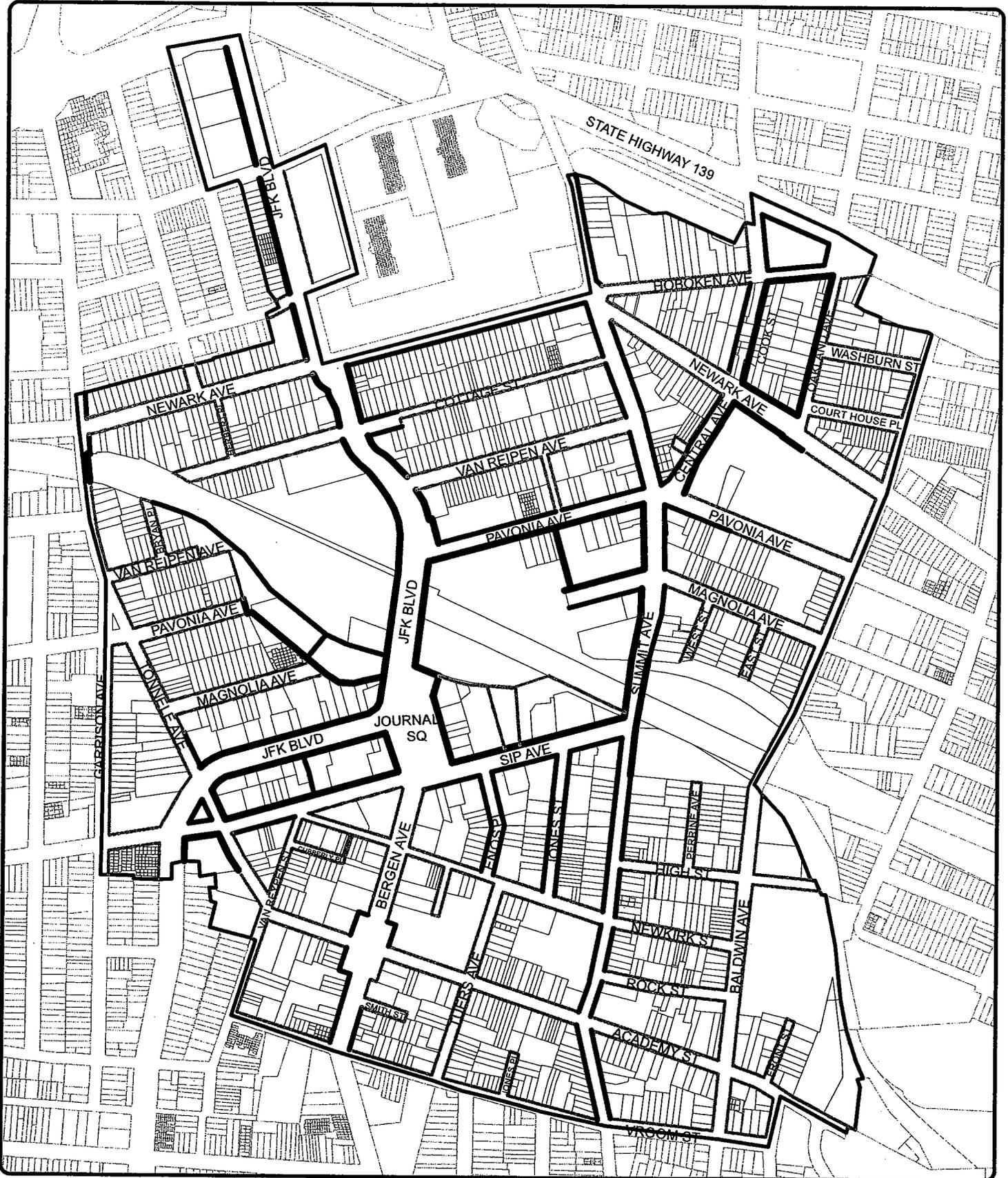
1 inch = 500 feet




Jersey City
City Planning Division
30 Montgomery Street Suite 1400
Jersey City, NJ 07302-3821
Phone: 201.547.5010
Fax: 201.547.4323

Sidewalk Width Requirements

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

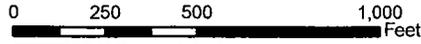


JOURNAL SQUARE 2060

MAP 6: CIRCULATION MAP

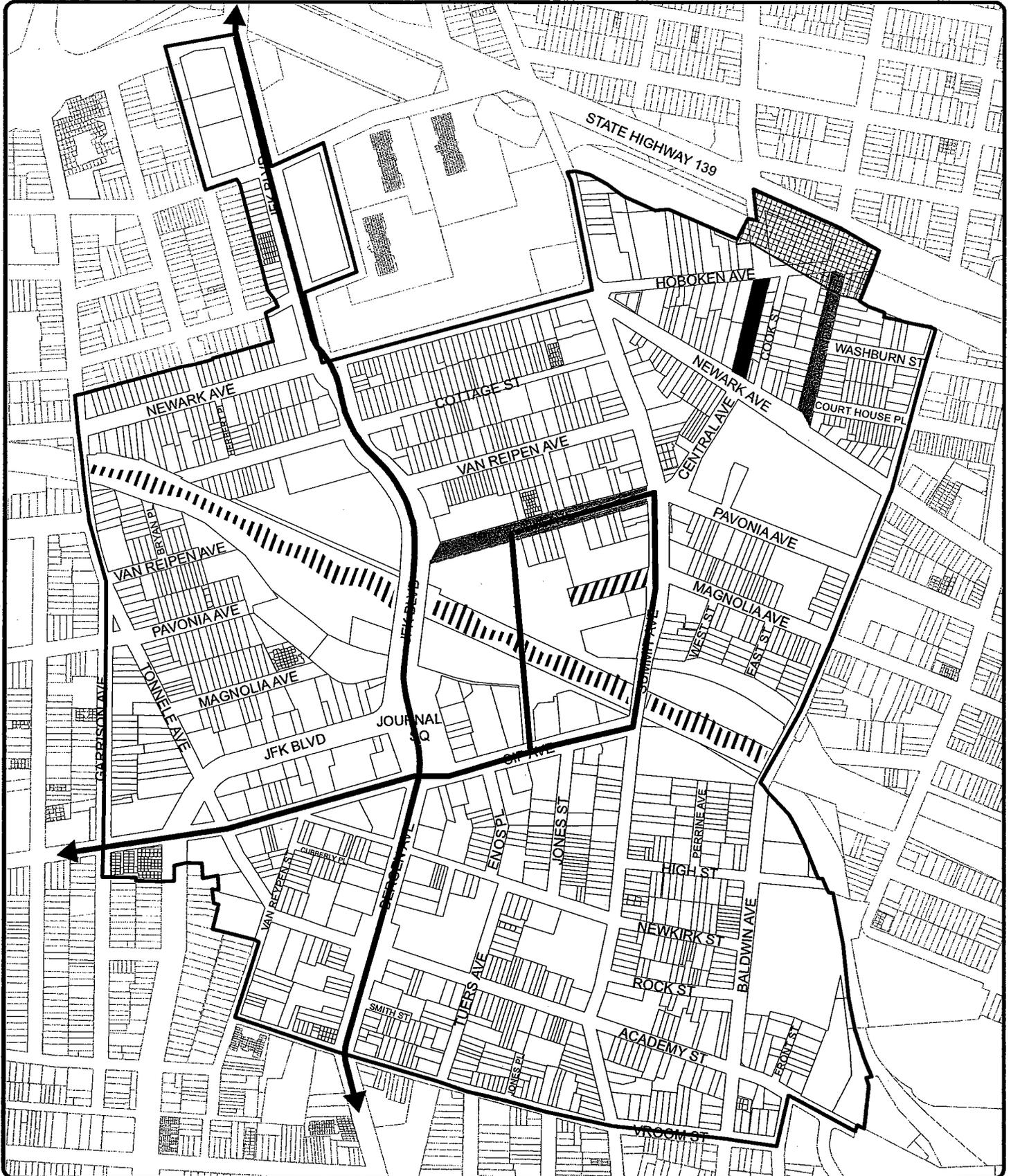
JULY 8, 2010

1 inch = 500 feet



New Circulation Elements

- Proposed Streetcar
- Proposed Bus Rapid Transit
- Street Vacation
- Central Avenue New Street Connector
- Pedestrian Plaza (exact boundaries to be determined)
- Right-of-Way Preservation
- Street Widening



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

ORDINANCE NO. Ord. 10-103
 TITLE: 3.A. AUG 0 4 2010 4.A. AUG 2 5 2010



Ordinance of the Municipal Council of the City of Jersey
 City adopting the Journal Square 2060 Redevelopment
 Plan.

| RECORD OF COUNCIL VOTE ON INTRODUCTION | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|---------------|--------|-----|------|
| AUG 0 4 2010 7-0 | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ABSENT | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

✓ Indicates Vote

N.V.-Not Voting (Abstain)

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING | | | | | | | | | | | |
|--|-----|-----|------|---|-----|-----|------|---------------|--------|-----|------|
| AUG 2 5 2010 8-0 | | | | | | | | | | | |
| Councilperson <u>BRENNAN</u> | | | | moved, seconded by Councilperson <u>SOTTOLANO</u> | | | | to close PH. | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

✓ Indicates Vote

N.V.-Not Voting (Abstain)

GUSTAN VONROEH PATRICK KELLEHER RICHARD BOGGIANO
RIAZ WAHID MIKE STEIBER CATHERINE GRIMM
YVONNE BALZER JEFF KAPLOWICZ JOSEPH La BRUNO

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

| RECORD OF FINAL COUNCIL VOTE | | | | | | | | | | | |
|------------------------------|-----|-----|------|---------------|-----|-----|------|---------------|--------|-----|------|
| AUG 2 5 2010 8-0 | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on AUG 0 4 2010
 Adopted on second and final reading after hearing on AUG 2 5 2010

This is to certify that the foregoing Ordinance was adopted by
 the Municipal Council at its meeting on AUG 2 5 2010

Robert Byrne
 Robert Byrne, City Clerk

APPROVED:

 Peter M. Brennan, Council President

*Amendment(s):

Date: AUG 2 5 2010
 APPROVED:

 Jeremiah T. Healy, Mayor

Date _____

Date to Mayor AUG 2 6 2010

City Clerk File No. Ord. 10-104

Agenda No. 3.B 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-104

TITLE:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE MORRIS CANAL REDEVELOPMENT PLAN TO PERMIT
ASSISTED AND INDEPENDENT LIVING USES**

WHEREAS, the Municipal Council of the City of Jersey City adopted the Morris Canal Redevelopment Plan in March of 1999, and amended the Plan numerous times subsequently, most recently on May 29, 2010; and

WHEREAS, the Planning Board, at its meeting of July 13, 2010, determined that the Morris Canal Redevelopment Plan would benefit from amendments to add Independent Living and Assisted Living, as well as Adult Daycare and Child Care, as permitted uses within the TOD North Subdistrict of the Morris Canal Redevelopment Plan; and

WHEREAS, parking standards and a definition are added for this use as well; and

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

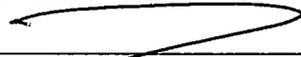
NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the aforementioned amendments to the Morris Canal Redevelopment Plan be, and hereby are, adopted.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City 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. 40:49-2.1.


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

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED:  DEPUTY DIRECTOR HEDC

APPROVED: 

Business Administrator

Certification Required
Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE MORRIS CANAL REDEVELOPMENT
PLAN TO PERMIT ASSISTED AND INDEPENDENT LIVING USES**

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

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

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

This ordinance adds Independent Living and Assisted Living, as well as Adult Daycare and Child Care, to permitted uses within the TOD North Subdistrict of the Morris Canal Redevelopment Plan Area. Parking standards and a definition are added for this use as well.

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

Independent and Assisted Living facilities are a citywide need

5. Anticipated Benefits to the Community:

Housing for those in need of Independent and Assisted Living facilities

6. Cost of Proposed Plan, etc.:

\$0.00. Plan was prepared by Division of City Planning staff.

7. Date Proposed Plan will commence:

Upon Adoption.

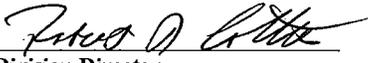
8. Anticipated Completion Date: N/A

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

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

10. Additional Comments:

I Certify that all the Facts Presented Herein are Accurate.


Division Director

July 26, 2010
Date

 DEPUTY
Department Director Signature

July 27, 2010
Date

Summary Sheet:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE MORRIS CANAL REDEVELOPMENT
PLAN TO PERMIT ASSISTED AND INDEPENDENT LIVING USES**

This ordinance adds Independent Living and Assisted Living, as well as Adult Daycare and Child Care, to permitted uses within the TOD North Subdistrict of the Morris Canal Redevelopment Plan Area. Parking standards and a definition are added for this use as well.

Morris Canal Redevelopment Plan
Amendments presented to Planning Board 7/13/10

XI. Land Use Zones And Specific Land Use Provisions

A. Transit Oriented Development

4. TOD North

- c. Block 2096 - Lots D, E, F, G and 11 shall be governed by the following regulations. All other portions of Block 2096 shall be regulated by the Residential District of the Morris Canal Redevelopment Plan.
- i. Permitted Principal Use –
 - Multi-family Residential
 - Retail sales of goods and services and Restaurants (Category one & Two) as part of a multi-story building.
 - ***Independent Living, limited to age restricted and/or special needs restricted housing***
 - ***Assisted Living Facilities, whether licensed or unlicensed by the State of New Jersey***
 - ***Adult Day Care***
 - ***Child Care as part of a multi-story building***
 - ***Mixed Uses of the above***
 - ii. Accessory Uses
 - Off-street parking, only within the principal structure
 - Health club, meeting & recreation rooms, and other similar facilities; which may also be open to the community.
 - iii. Maximum Height - 175 feet, consisting of not more than a three (3) level building base containing off-street parking, lobby area and retail space; not more than thirteen (13) stories of residential dwelling units. Each residential floor shall have a minimum height of nine (9) feet from floor to ceiling. When an automated mechanical parking system is utilized, the number of parking levels within the base may be increased, provided that the height of the base maintains its three (3) story appearance.
 - iv. Maximum Density –290 dwelling units per acre ***for Multi-family residential.***
 - v. Required Setbacks – None for the three (3) level base of the building.
 - vi. Required Building Stepbacks – The residential portion of the building above the base shall be setback at least ten (10) feet from the western side property line. The residential portion of the building above the base shall be setback at least fifteen (15) feet from the rear property line running along the railroad right-of-way, except that vertical circulation (i.e. fire stairs, elevator cores, etc.)

may be built within this stepback area. The front façade may be built to the front property line.

vii. Additional Design Standards – The design of any building in this area may incorporate more contemporary materials and design features. However, materials used in the base of the building and in that portion of the building in closer proximity to the existing townhouses to the west shall consist primarily of masonry. The design of the building shall incorporate visual cues, material changes and/or stepbacks in order to provide an architectural transition from the existing townhouse structures to the higher rise residential structure permitted in this sub-district.

viii. ***Special Parking Requirements for Independent and Assisted Living Facilities – Evidence in the form of testimony and a parking study shall be presented to the Planning Board as part of site plan approval that the parking arrangements proposed will be adequate to service the needs of the intended uses and provide safe and adequate off-street vehicular access for all users of the facility.***

XV. Definitions

Add the following definition

Independent Living, limited to age restricted and/or special needs restricted housing: means a residential facility where individualized support is provided to residents in forms such as a community director, a social director, and 24 hour on-site assistance. Individuals may need help balancing their checkbook, informational sessions, making sure bills are paid, making connections to available transportation, and other support needs.

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

ORDINANCE NO. Ord. 10-104
 TITLE: 3.B. AUG 0 4 2010 4.B. AUG 2 5 2010



Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Morris Canal Redevelopment Plan to permit assisted and independent living uses.

| RECORD OF COUNCIL VOTE ON INTRODUCTION | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|---------------|--------|-----|------|
| AUG 0 4 2010 7-0 | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ABSENT | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

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

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING | | | | | | | | | | | |
|--|-----|-----|------|---|-----|-----|------|---------------|--------|-----|------|
| AUG 2 5 2010 8-0 | | | | | | | | | | | |
| Councilperson <u>RICHARDSON</u> | | | | moved, seconded by Councilperson <u>BRENNAN</u> | | | | to close P.H. | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

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

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

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

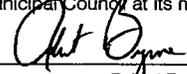
| RECORD OF FINAL COUNCIL VOTE | | | | | | | | | | | |
|------------------------------|-----|-----|------|---------------|-----|-----|------|---------------|--------|-----|------|
| AUG 2 5 2010 8-0 | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

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

Adopted on first reading of the Council of Jersey City, N.J. on AUG 0 4 2010

Adopted on second and final reading after hearing on AUG 2 5 2010

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on AUG 2 5 2010

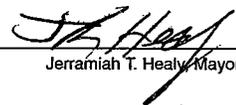

 Robert Byrne, City Clerk

APPROVED:

 Peter M. Brennan, Council President

*Amendment(s):

Date: AUG 2 5 2010

APPROVED:

 Jerramiah T. Healy Mayor

Date: _____

Date to Mayor AUG 2 6 2010

City Clerk File No. Ord. 10-105

Agenda No. 3.C 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-105

TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE MARTIN LUTHER KING DRIVE REDEVELOPMENT PLAN PERMITTING FIVE STORIES NEAR LIGHT RAIL TRANSIT

WHEREAS, the Municipal Council of the City of Jersey City, adopted the Martin Luther King Drive Redevelopment Plan (hereinafter "the MLK Plan") at its meeting of December 8, 1993; and

WHEREAS, the MLK Plan has been amended several times since its original adoption; and

WHEREAS, the Municipal Council seeks to advance and promote the economic viability of the area in the vicinity of the MLK Drive light rail station; and

WHEREAS, the Municipal Council believes the attached amendments would advance and promote the economic viability of the area near the rail transit station, which is a purpose of the MLK Plan; and

WHEREAS, the following amendments to the Martin Luther King Drive Redevelopment Plan have been reviewed by the Jersey City Planning Board at its meeting of July 13, 2010; and

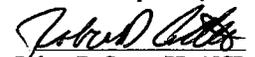
WHEREAS, the Planning Board voted to recommend adoption of these amendments by the Municipal Council;

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

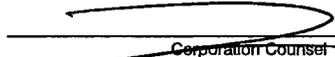
NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the recommended amendments to the Martin Luther King Drive Redevelopment Plan be, and hereby are, adopted.

BE IT FURTHER ORDAINED THAT:

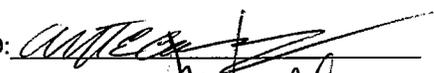
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City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

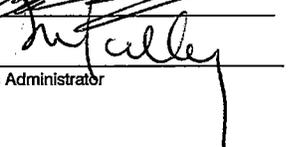

Robert D. Cotter, PP, AICP
Director of Planning

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: 

APPROVED: 

Business Administrator

Certification Required

Not Required

ORDINANCE FACT SHEET

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

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE MARTIN LUTHER KING DRIVE REDEVELOPMENT PLAN PERMITTING FIVE STORIES NEAR LIGHT RAIL TRANSIT

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

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

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

The amendment will permit five story construction in the neighborhood commercial district within 600 feet of the Hudson Bergen Light Rail Station at MLK Drive.

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

To encourage higher density development near transit stations and support nearby retail uses.

5. Anticipated Benefits to the Community:

To allow for more residential development within walking distance of light rail transit.

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

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

7. Date Proposed Program or Project will commence:

Upon approval of the redevelopment plan amendment.

8. Anticipated Completion Date: N/A

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

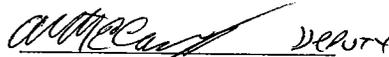
Robert D. Cotter, Director, City Planning 547-5050
Jeff Wenger, City Planning

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.


Division Director

July 27, 2010
Date

 DEPUTY
Department Director Signature

July 27, 2010
Date

SUMMARY STATEMENT

The amendment will permit five story construction in the neighborhood commercial district within 600 feet of the light rail station at MLK Drive. This will allow for slightly higher density development within walking distance to the light rail station.

**PROPOSED AMENDMENTS TO THE MARTIN LUTHER KING DRIVE REDEVELOPMENT
PLAN**

PRESENTED TO THE JERSEY CITY PLANNING BOARD ON MAY 25, 2010

Text that is unchanged is in plain face type like this.

Text that is deleted is in strike-threw ~~like this~~.

Text that is added is in bold **like this**.

C. NEIGHBORHOOD SHOPPING DISTRICT (NS)

Page 74:

8. Site Development Regulation for Affordable Housing or New Housing near Light Rail

Notwithstanding the provisions of section **4 or 6** above, projects that contain 100% affordable housing must be state and/or federally funded, with rents of no greater than 50% of the Average Median Income of the housing region as defined by NJCOAH, with rental restrictions and covenants in place for no less than forty five (45) years.

Notwithstanding the provisions of section 4 or 6 above, any housing project located within 600 feet of the Hudson-Bergen Light Rail station and within the Neighborhood Shopping District may also use the following standards:

a. Area, Yard and Bulk Requirements

Building Coverage: 75%

Floor Area Ratio: 4.0 Maximum

Lot Area: ~~10,000~~ **3000** square feet minimum

Lot Width: 50 feet minimum

Front Yard: 0 feet maximum

Side Yard: 0 feet

Rear Yard: 15 feet

Building Height: 5 stories

Density: 130 Units per acre

Parking: 1 space per unit. If new construction is within 600ft of a Hudson-Bergen Light Rail station, no parking is required.

b. All new construction and/or exterior improvements to affordable housing buildings shall be designed so as to be harmonious with the neighboring buildings in terms of material, height, scale, façade proportions, window patterns, decorative features, and architectural style.

c. For all new infill construction it is mandatory that buildings be constructed up to the front property line to match the existing street walls of adjacent buildings in order to maintain a continuous street wall on the block.

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

ORDINANCE NO. Ord. 10-105
 TITLE: 3.C. AUG 0 4 2010 4.C. AUG 2 5 2010



Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Martin Luther King Drive Redevelopment Plan permitting five stories near light rail transit.

| RECORD OF COUNCIL VOTE ON INTRODUCTION | | | | | | | | | | | |
|--|-----|-----|------|---------------|---------|-----|------|---------------|--------|-----|------|
| AUG 0 4 2010 6-0-1 | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ABSENT | | |
| LOPEZ | ✓ | | | RICHARDSON | ABSTAIN | | | VEGA | ABSENT | | |

✓ Indicates Vote

N.V.-Not Voting (Abstain)

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING | | | | | | | | | | | |
|--|-----|-----|------|---|-----|-----|------|---------------|--------|-----|------|
| AUG 2 5 2010 8-0 | | | | | | | | | | | |
| Councilperson <u>SOTTOLANO</u> | | | | moved, seconded by Councilperson <u>GAUGHAN</u> | | | | to close PH. | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

| RECORD OF FINAL COUNCIL VOTE | | | | | | | | | | | |
|------------------------------|-----|-----|------|---------------|-----|-----|------|---------------|--------|-----|------|
| AUG 2 5 2010 8-0 | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

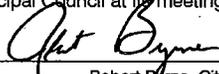
✓ Indicates Vote

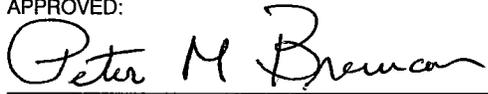
N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on AUG 0 4 2010

Adopted on second and final reading after hearing on AUG 2 5 2010

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on AUG 2 5 2010


 Robert Byrne, City Clerk

APPROVED:

 Peter M. Brennan, Council President

*Amendment(s):

Date: AUG 2 5 2010
 APPROVED:


 Jerramiah J. Healy, Mayor

Date: AUG 2 5 2010

Date to Mayor AUG 2 6 2010

City Clerk File No. Ord. 10-106

Agenda No. 3.D 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-106

TITLE:

ORDINANCE OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE DEALING WITH HISTORIC PRESERVATION PROCEDURES AND APPLICATIONS

WHEREAS, the Land Development Ordinance contains provisions to preserve and protect the Historic Districts and Designated Landmarks of Jersey City; and

WHEREAS, certain procedures and requirements of the Land Development Ordinance with regard to historic preservation warrant revision to make them consistent internally and to improve our ability to preserve the historic resources of the City of Jersey City, our state and our nation;

WHEREAS, the proposed amendments to the Land Development Ordinance have been reviewed and recommended for Municipal Council adoption by both the Historic Preservation Commission and the Planning Board;

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

The Land Development Ordinance shall be amended as follows.

New material intended to be enacted is indicated by bold italics *thusly*.

Material intended to be deleted is indicated by strikethrough ~~thusly~~.

Article I, Section 345-6 Definitions

CAPABLE OF EARNING A REASONABLE RETURN – Having the capacity, under reasonable, efficient and prudent management, of earning a reasonable return. ~~The net annual return yielded by an improvement parcel during the test year shall be presumed to be the earning capacity of such improvement parcel, in the absence of substantial ground for a contrary determination by the Historic Preservation Commission.~~

REASONABLE RETURN - ~~A net annual return of 12% of the current valuation of an improvement parcels~~ *Such return on investment as required by the New Jersey and United States Constitutions.*

Article III. Sections 345-30. Historic Preservation Review Procedures

345-30.D. Certificate of Economic Hardship

2. Criteria

- a. ~~Commercial property. In order for the Commission to issue a Certificate of Economic Hardship, the applicant must establish to the satisfaction of the~~

**ORDINANCE OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE
LAND DEVELOPMENT ORDINANCE DEALING WITH HISTORIC PRESERVATION
PROCEDURES AND APPLICATIONS**

Commission that the improvement parcel with such improvements as exist at the time of the request is not capable of earning a reasonable return as herein defined. If such a finding is made by the Commission, it shall approve the application for a Certificate of Economic Hardship and any pending application for a Certificate of Appropriateness for that improvement parcel. The Preservation Commission shall review all the evidence and information submitted by the applicant for a Certificate of Economic Hardship and shall make determination within forty-five (45) days of receipt of the application.

- b. ~~Non-commercial property.~~ The Preservation Commission may solicit expert testimony or require that the applicant for a Certificate of Economic Hardship make submissions concerning any or all of the following information before it makes a determination on the application.
- (1) Estimate of the cost of the proposed construction, alteration demolition or removal or an estimate of any additional cost that would be incurred to comply with the recommendations of the Preservation Commission for changes necessary for the issuance of a Certificate of Appropriateness.
 - (2) A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the rehabilitation.
 - (3) Estimated market value of the property in its current condition; after completion of the proposed construction, alternation, demolition or removal; after any changes recommended by the Preservation Commission; and in the case of a proposed demolition, after renovation of the existing property for continued use.
 - (4) In the case of proposed demolition, an estimate from an architect, developer, real estate consultant, appraiser or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property.
 - (5) Amount paid for the property, the date of purchase and the party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased any terms of financing between the seller and buyer. Remaining balance on any mortgage or other financing secured by the property and annual debt service, if any for the previous two (2) years.
 - (6) All appraisals obtained within the previous two (2) years by the owner or applicant in connection with the purchase, financing or ownership of the property. Any listing of the property for sale or rent, price asked and offers received, if any, within the previous two (2) years.
 - (7) Assessed value of the property according to the two (2) most recent assessments and real estate taxes for the previous two (2) years.
 - (8) Form of ownership or operation of the property, whether sole proprietorship, for-profit or not-for-profit corporation, limited partnership, joint venture or other.
 - (9) Any other information, including the income tax bracket of the owner, applicant or principal investors in the property considered necessary by the Commission for a determination as to whether a commercial property does yield or may yield a reasonable return to the owners or whether, in the case of new commercial property, an economic hardship exists.
- e. The Preservation Commission shall review all of the evidence and information required of an applicant for a Certificate of Economic Hardship and make a determination within forty-five (45) days of receipt of a completed application whether the denial of a Certificate of Appropriateness has deprived or, or will deprive, the owner of the property of reasonable use *and enjoyment* of the property.

Article III. Application Requirements, Development Procedures and Checklists

Section 345-30. Historic Preservation Review Procedures

E Application for Demolition Permit

ORDINANCE OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE DEALING WITH HISTORIC PRESERVATION PROCEDURES AND APPLICATIONS

- 1. The following shall be considered in regard to an application to demolish an individual landmark building, structure, site or object or any *building, structure, site or object* contained within a historic district:

Article V. Zoning and Design Standards

Section 345-71. Historic Design Standards

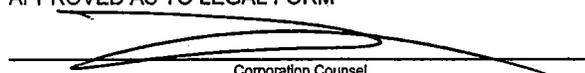
J. Demolition

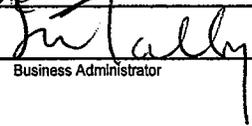
- 1. The following shall be considered in regard to an application to demolish an individual landmark building, structure, site, or object or ~~one~~ *any building, structure, site or object* contained within a historic district:

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. 40:49-2.1.


 Robert D. Cotter, P, AICP
 Planning Director

APPROVED AS TO LEGAL FORM

 Corporation Counsel

APPROVED: 
 APPROVED: 
 Business Administrator

Certification Required
 Not Required

SUMMARY SHEET

ORDINANCE OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE DEALING WITH HISTORIC PRESERVATION PROCEDURES AND APPLICATIONS

This Ordinance resets the percentage return from 12% to whatever is constitutionally required, so that the rate of return floats with the economy of the time of application. It also revises other language concerning demolitions and economic hardship to make the ordinance internally consistent.

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

ORDINANCE NO. Ord. 10-106
 TITLE: 3.D, AUG 04 2010 4.D.



Ordinance of the City of Jersey City adopting amendments
 to the land development ordinance dealing with Historic
 Preservation procedures and applications.

CARRIED TO SEPTEMBER 15, 2010

| RECORD OF COUNCIL VOTE ON INTRODUCTION | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|---------------|--------|-----|------|
| AUG 04 2010 7-0 | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ABSENT | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

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

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

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

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

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

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

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

Adopted on first reading of the Council of Jersey City, N.J. on AUG 04 2010

Adopted on second and final reading after hearing on _____

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

APPROVED:

 Robert Byrne, City Clerk

 Peter M. Brennan, Council President

*Amendment(s):

Date: _____
 APPROVED: _____

 Jerramiah T. Healy, Mayor

Date _____

Date to Mayor _____

City Clerk File No. Ord. 10-107

Agenda No. 3.E 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-107

TITLE:

Ordinance of Municipal Council of the City of Jersey City Regarding Refuse Containers and Dumpsters

WHEREAS, the Municipal Council of the City of Jersey City wishes to reduce the pollution of debris and floatables in stormwater runoff and in turn, improve the water quality of both the Hackensack and Hudson Rivers that receive stormwater flows from the City; and

WHEREAS, in order to comply with the Tier A Municipal Stormwater General Permit issued by the NJDEP to Jersey City in April, 2004 and renewed in March, 2009, the City of Jersey City must adopt these regulations; and

WHEREAS, the above-mentioned Stormwater Permit requires that this ordinance be adopted prior to Sept. 1, 2010.

NOW, THEREFORE, BE IT ORDAINED as follows:

SECTION I. Purpose:

This ordinance will require that all dumpsters and other refuse containers that are outdoors or exposed to stormwater are to be covered at all times. It shall prohibit the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system operated by the Municipal Utilities Authority of the City of Jersey City and/or the waters of the State so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4) — a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Municipal Utilities Authority of the City of Jersey City, and is designed and used for collecting and conveying stormwater. MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.
- b. Person — any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Refuse container — any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.

- d. Stormwater — means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.
- e. Waters of the State — means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION III. Prohibited Conduct:

Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system operated by the Municipal Utilities Authority of the City of Jersey City.

SECTION IV. Exceptions to Prohibition:

- a. Permitted temporary demolition containers
- b. Litter receptacles (other than dumpsters or other bulk containers)
- c. Individual homeowner trash and recycling containers
- d. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit
- e. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup)

SECTION V. Enforcement:

This ordinance shall be enforced by the Jersey City Municipal Utilities Authority and employees of the City of Jersey City, including its police officers.

SECTION VI. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$1,250 per violation per day.

SECTION VII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VIII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

BE IT FURTHER RESOLVED AS FOLLOWS:

- 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.

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

- Certification Required
- Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

Ordinance of Municipal Council of the City of Jersey City Regarding Refuse Containers and Dumpsters

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

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

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

This ordinance requires that certain dumpsters and refuse containers be covered and not allow waste to drip or fall out to protect our stormwater.

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

This is required by NJ Department of Environmental Protections.

5. Anticipated Benefits to the Community:

It will protect the waters surrounding Jersey City.

6. Cost of Proposed Plan, etc.:

\$0.00. Plan was prepared by Division of City Planning staff.

7. Date Proposed Plan will commence:

Upon Adoption.

8. Anticipated Completion Date: N/A

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

Gerard T. Remsen III, PE, Jersey City Municipal Utilities Authority 201-432-2128

10. Additional Comments:

I Certify that all the Facts Presented Herein are Accurate.


Division Director

7/27/10
Date


DEPUTY
Department Director Signature

7/28/10
Date

SUMMARY STATEMENT

Ordinance of Municipal Council of the City of Jersey City Regarding Refuse Containers and Dumpsters

This ordinance will require certain dumpsters and refuse containers to be covered and maintained so that they don't leak, overflow or allow solids to fall out and get into the separate storm sewer system.

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

ORDINANCE NO. Ord. 10-107
 TITLE: 3.E. AUG 0 4 2010 4.E. AUG 2 5 2010



Ordinance of Municipal Council of the City of Jersey City
 regarding refuse containers and dumpsters.

| RECORD OF COUNCIL VOTE ON INTRODUCTION AUG 0 4 2010 7-0 | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|---------------|--------|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ABSENT | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

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

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING AUG 2 5 2010 8-0 | | | | | | | | | | | |
|--|-----|-----|------|---|-----|-----|------|---------------|--------|-----|------|
| Councilperson <u>GAUGHAN</u> | | | | moved, seconded by Councilperson <u>SOTTOLANO</u> | | | | to close PH. | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

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

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

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

| RECORD OF FINAL COUNCIL VOTE AUG 2 5 2010 8-0 | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|---------------|--------|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA, | ABSENT | | |

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

Adopted on first reading of the Council of Jersey City, N.J. on AUG 0 4 2010
 Adopted on second and final reading after hearing on AUG 2 5 2010

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on AUG 2 5 2010

Robert Byrne, City Clerk

APPROVED:
 Peter M. Brennan, Council President

*Amendment(s):

Date: AUG 2 5 2010
 APPROVED:

Jerramiah T. Healy, Mayor

Date _____

Date to Mayor AUG 2 6 2010

City Clerk File No. Ord. 10-108

Agenda No. 3.F 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-108

TITLE:

Ordinance of the Municipal Council of the City of Jersey City Regarding Private Storm Drain Inlets

WHEREAS, the Municipal Council of the City of Jersey City wishes to reduce the pollution of debris and floatables in stormwater runoff and in turn, improve the water quality of both the Hackensack and Hudson Rivers that receive stormwater flows from the City; and

WHEREAS, in order to comply with the Tier A Municipal Stormwater General Permit issued by the NJDEP to Jersey City in April, 2004 and renewed in March, 2009, the City of Jersey City must adopt these regulations; and

WHEREAS, the above-mentioned Stormwater Permit requires that this ordinance be adopted prior to September 1, 2010.

NOW, THEREFORE, BE IT ORDAINED as follows:

SECTION I. Purpose:

This ordinance shall require the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Municipal Utilities Authority of the City of Jersey City so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4)— a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Municipal Utilities Authority of the City of Jersey City or other public body, and is designed and used for collecting and conveying stormwater. MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.
- b. Person — any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Storm drain inlet- an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.

- d. Waters of the State — means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION III. Prohibited Conduct:

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

- 1. Already meets the design standard below to control passage of solid and floatable materials; or
- 2. Is retrofitted or replaced to meet the standard in Section V below prior to the completion of the project.

SECTION V. Design Standard:

Storm drain inlets identified in Section IV above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section V.3 below.

- 1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

- a. The New Jersey Department of Transportation (NJ DOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
- b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

- 2. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

- 3. This standard does not apply:

- a. Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
- b. Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - i. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
 - ii. A bar screen having a bar spacing of 0.5 inches.

c. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars; or

d. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

SECTION V. Enforcement:

This ordinance shall be enforced by the **Jersey City** Municipal Utilities Authority and employees of the City of Jersey City, including its police officers.

SECTION VI. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$1,250 for each storm drain inlet that is not retrofitted to meet the design standard.

SECTION VII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VIII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

BE IT FURTHER ORDAINED AS FOLLOWS:

- 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.

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required

Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

Ordinance of the Municipal-Council of the City of Jersey City Regarding Private Storm Drain Inlets

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

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

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

This ordinance requires that certain drains in privately owned paved areas have grates and openings small enough to prevent trash and debris from entering Jersey City storm sewers and the rivers into which these sewers drain.

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

This is required by NJ Department of Environmental Protections.

5. Anticipated Benefits to the Community:

It will protect the waters surrounding Jersey City.

6. Cost of Proposed Plan, etc.:

\$0.00. Plan was prepared by Division of City Planning staff.

7. Date Proposed Plan will commence:

Upon Adoption.

8. Anticipated Completion Date: N/A

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

Gerard T. Remsen III, PE, Jersey City Municipal Utilities Authority 201-432-2128

10. Additional Comments:

I Certify that all the Facts Presented Herein are Accurate.

Richard Latta
Division Director

7/27/10
Date

[Signature]
Deputy
Department Director Signature

JULY 28, 2010
Date

SUMMARY STATEMENT

Ordinance of the Municipal Council of the City of Jersey City Regarding Private Storm Drain Inlets

This ordinance will require certain privately owned paved areas to have drains openings small enough to prevent trash and debris from getting into the storm sewer system and the rivers into which these sewers drain.

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

ORDINANCE NO. Ord. 10-108
 TITLE: 3.F. AUG 0 4 2010 4.F. AUG 2 5 2010



Ordinance of the Municipal Council of the City of Jersey
 City regarding private storm drains inlets.

| RECORD OF COUNCIL VOTE ON INTRODUCTION AUG 0 4 2010 7-0 | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|---------------|--------|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ABSENT | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

✓ Indicates Vote

N.V.-Not Voting (Abstain)

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING AUG 2 5 2010 8-0 | | | | | | | | | | | |
|--|-----|-----|------|---|-----|-----|------|---------------|--------|-----|------|
| Councilperson <u>GAUGHAN</u> | | | | moved, seconded by Councilperson <u>FLOOD</u> | | | | to close P.H. | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

✓ Indicates Vote

N.V.-Not Voting (Abstain)

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

| RECORD OF FINAL COUNCIL VOTE AUG 2 5 2010 8-0 | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|---------------|--------|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on AUG 0 4 2010

Adopted on second and final reading after hearing on AUG 2 5 2010

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on AUG 2 5 2010

Robert Byrne
 Robert Byrne, City Clerk

APPROVED:

Peter M. Brennan
 Peter M. Brennan, Council President

*Amendment(s):

Date: AUG 2 5 2010

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

Date _____

Date to Mayor AUG 2 6 2010

City Clerk File No. Ord. 10-109

Agenda No. 3.G 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-109

TITLE: ORDINANCE AMENDING A 30 YEAR TAX EXEMPTION WITH FRED W. MARTIN APARTMENTS URBAN RENEWAL, L.P., TO 1) CORRECT PROPERTY DESCRIPTION TO SPECIFICALLY LIMIT THE TAX EXEMPTION TO THE RESIDENTIAL UNIT ONLY AND 2) TERMINATE THE TAX EXEMPTION AS TO THE REMAINING UNITS

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

WHEREAS, Fred W. Martin Apartments Urban Renewal, L.P., an urban renewal entity, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. [Entity]; and

WHEREAS, the Entity owns certain property known as Block 1319, Lots 57A, 58A, 59, 60, A1, A2, A3, A7, A8 and A9, on the City's Official Tax map, more commonly known by the street address of 194 - 212 Martin Luther King Jr. Drive, Jersey City, and more specifically described by metes and bounds, in the application (Property); and

WHEREAS, on June 6, 2007, the Entity applied for a 30 year long term tax exemption to construct a 39 unit four-story residential building consisting of (15) one bedroom, (12) two bedroom and (12) three bedroom units of rental housing to be occupied by and affordable to families of low income within the meaning of the Law, and 39 off street parking spaces; and

WHEREAS, by the adoption of Ordinance 07-137 on August 8, 2007, by the Jersey City Municipal Council, the Entity's application for a long term tax exemption was approved; and

WHEREAS, pursuant to Ordinance 07-137, the City and the Entity entered into a Financial Agreement which was executed on August 22, 2007; and

WHEREAS, the Master Deed was filed on December 3, 2009, and created 4 condominium Units, including Unit R-1, the residential rental portion of the Project; and

WHEREAS, by letter dated June 14, 2010, the Entity has requested an amendment of the tax exemption to correct the property description to specifically limit the exemption to Unit R-1, the residential portion of the Project only, and terminate the tax exemption for the remainder of the Property, the three (3) other Units in the Master Deed; and

WHEREAS, the remainder of the Property, three (3) non-residential Units in the Master Deed, will be subject to conventional taxes; and

WHEREAS, the residential unit (R-1) in the Master Deed, dated December 3, 2009, and recorded on December 7, 2009, being commonly known as Block 1319, Lot 172 QC00R1, on the Tax Map of the City of Jersey City, shall remain tax exempt.

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

ORDINANCE AMENDING A 30 YEAR TAX EXEMPTION WITH FRED W. MARTIN APARTMENTS URBAN RENEWAL, L.P., TO CORRECT THE PROPERTY DESCRIPTION TO SPECIFICALLY LIMIT THE ABATEMENT TO THE RESIDENTIAL UNITS ONLY

A. The application of Fred W. Martin Apartments Urban Renewal, L.P., to amend its tax exemption to 1) correct the property description to specifically limit the tax exemption to the residential unit only, consisting of the 39 residential units of rental housing, being formerly known as a portion of Block 1319, Lots 57A, 58A, 59, 60, A1, A2, A3, A7, A8 and A9, in Fred W. Martin Complex Condominiums, and in accordance with, and subject to, the terms, conditions, provisions, covenants, restrictions, easements, and other matters contained in the Master Deed, dated December 3, 2009, and recorded on December 7, 2009, and now being known as Block 1319, Lot 172 QC00R1 [R-1] or Unit R-1, and 2) terminate the tax exemption for the remainder of the Property or the three (3) remaining Units in the Master Deed, is hereby approved.

C. The application is on file with the office of the City Clerk.

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

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

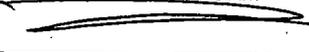
F. This ordinance shall take effect at the time and in the manner provided by law.

G. The City Clerk and Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

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

JM/he
7/09/10

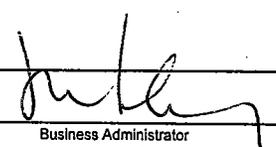
APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED:

APPROVED:



Business Administrator

Certification Required

Not Required

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

ORDINANCE NO. Ord. 10-109
 TITLE: 3.G. AUG 0 4 2010 4.G. AUG 2 5 2010



Ordinance amending a 30 year tax exemption with Fred W. Martin Apartments Urban renewal, L.P., to 1) Correct property description to specifically limit the tax exemption to the residential unit only and 2) Terminate the tax exemption as to the remaining units.

| RECORD OF COUNCIL VOTE ON INTRODUCTION AUG 0 4 2010 7-0 | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|---------------|--------|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ABSENT | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

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

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING AUG 2 5 2010 8-0 | | | | | | | | | | | |
|--|-----|-----|------|---|-----|-----|------|---------------|--------|-----|------|
| Councilperson <u>RICHARDSON</u> | | | | moved, seconded by Councilperson <u>BRENNAN</u> | | | | to close PH. | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

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

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

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

| RECORD OF FINAL COUNCIL VOTE AUG 2 5 2010 8-0 | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|---------------|--------|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

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

Adopted on first reading of the Council of Jersey City, N.J. on AUG 0 4 2010

Adopted on second and final reading after hearing on AUG 2 5 2010

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on AUG 2 5 2010

Robert Byrne
 Robert Byrne, City Clerk

APPROVED:
Peter M. Brennan
 Peter M. Brennan, Council President

*Amendment(s):

Date: AUG 2 5 2010
 APPROVED:

J. Healy
 Jerramiah T. Healy, Mayor

Date _____

Date to Mayor AUG 2 6 2010



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-111

TITLE: **AN ORDINANCE DEDICATING THAT SUMMIT AVENUE
BETWEEN PAVONIA AVENUE AND NEWARK AVENUE
ALSO BE KNOWN AS**

Dante Alighieri Way

WHEREAS, The Dante Alighieri Society was incorporated on October 22, 1909 by Dr. Luigi Pezzee with the help of a dozen professional and businessmen of Italian descent; and

WHEREAS, The Dante Alighieri Society was founded to provide Italian immigrants charitable relief whenever possible and to aid or counsel any member in need of assistance in becoming a citizen of the United States of America; and

WHEREAS, the Society, named after Dante, which in Italian means "giver", has bestowed many medals, prizes, diplomas and scholarships in their one hundred one year history to many deserving individuals and students; and

WHEREAS, for the last 101 years, The Dante Alighieri Society has successfully accomplished its original mission while offering a myriad of charitable services. On Thanksgiving, The Dante Alighieri Society feeds families in need and hosts Christmas celebrations where they distribute toys to children. The Dante Alighieri Women's Auxiliary, established in 1912, raises scholarship money through their annual lunch; and

WHEREAS, The Dante Alighieri Society has been a great symbol of solidarity and charity throughout their long history. Italian-Americans and people of non-Italian heritage have benefitted greatly from this caring organization. Their membership, throughout the years, has been a Who's Who of successful Italian-American leaders of Jersey City and the State of New Jersey; and

WHEREAS, The Dante Alighieri Society purchased the building it currently occupies at 562 Summit Avenue in 1917. The building was later renovated and enlarged. It has been a landmark of the Five Corners area in Jersey City for nearly a century.

NOW THEREFORE BE IT ORDAINED, that the Municipal Council of the City of Jersey City deems it fitting and proper to honor The Dante Alighieri Society by dedicating that Summit Avenue between Pavonia Avenue and Newark Avenue also be known as "Dante Alighieri Way."

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

APPROVED AS TO LEGAL FORM

Corporation Counsel

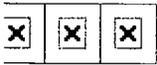
APPROVED: _____

APPROVED: _____

Business Administrator

Certification Required

Not Required

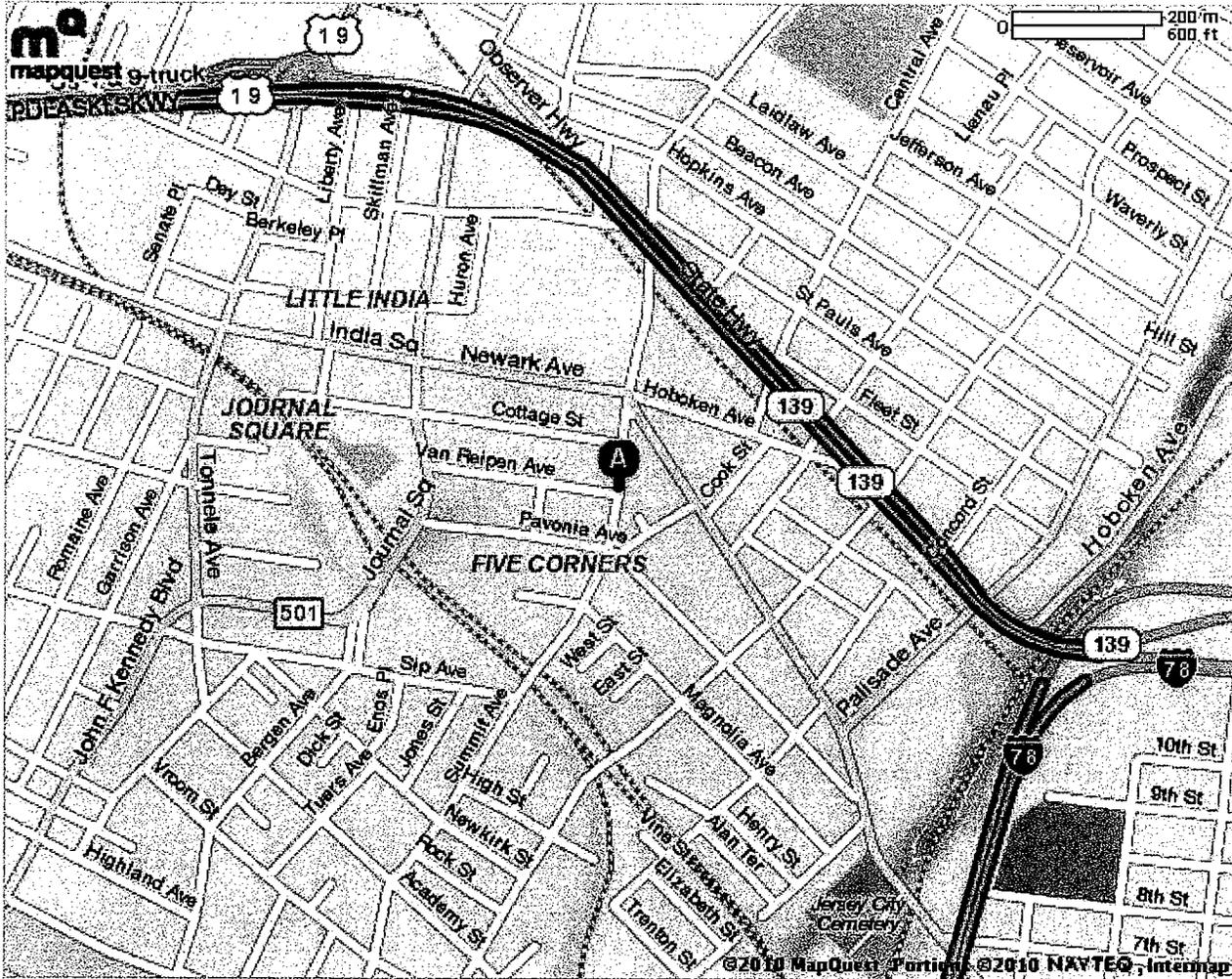


MAPQUEST.

Map of 562 Summit Ave
Jersey City, NJ 07306-2702

Notes

Summit Avenue between
Pavonia Avenue and Newark Avenue



All rights reserved. Use subject to License/Copyright | [Map Legend](#)

Directions and maps are informational only. We make no warranties on the accuracy of their content, road conditions or route usability or expeditiousness. You assume all risk of use. MapQuest and its suppliers shall not be liable to you for any loss or delay resulting from your use of MapQuest. Your use of MapQuest means you agree to our [Terms of Use](#)

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

City Clerk File No. Res. 07-732

Agenda No. 10.K

Approved: SEP 26 2007

TITLE:



Resolution Celebrating the 2007 Italian Festival Hosted by the Dante Alighieri Society

Council as a whole, offered and moved adoption of the following:

WHEREAS, the **Dante Alighieri Society** is one of Jersey City's most successful cultural associations helping to foster and enhance the Italian language and culture. The Society takes its name from Dante Alighieri (1265-1321), the reputed father of the modern Italian language and author of the Divine Comedy. He is also one of the most illustrious poets of our Western culture and civilization; and

WHEREAS, the **Dante Alighieri Society** helps Italian immigrants establish themselves as citizens of the United States. Formed in 1909, the organization improves the condition of the Italian-American community by diffusing the Italian language, literature, culture, and traditions through schools, libraries, courses, lectures, and publications; and

WHEREAS, the **Dante Alighieri Society of Jersey City** will host an Italian Festival on Sunday, September 16, 2007. The Feast, sponsored by Mayor Jerramiah Healy, the Jersey City Municipal Council and the Division of Cultural Affairs will include children activities, ethnic foods, music, art, lectures and a fashion show.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Jersey City does hereby applaud the efforts of the **Dante Alighieri Society of Jersey City**. Their benevolent services enrich our community. We urge all residents to participate in the Annual Jersey City Italian Festival on Sunday, September 16, 2007.

BE IT FURTHER RESOLVED, that the Municipal Council does hereby applaud the following participants of the 2007 Italian Festival.

The Honorable Paolo Tosetti, Vice-Consolato D'Italia
Special Guest Host Joe Bisicchia of Comcast CN8 and "Newsmakers"
Special Guest Host Debbie DuHaime of 77 WABC a.m. Radio & Eyewitness News
Adua Celentano, Fashion Designer
Alessandra Belloni, Dancer
Collette Vacations, Travel Experts
Diane Greco and John Gizzi of "Make Wine With Us"
Michael Morsella of the Cupo & Morsella Deli
Monsignor Paul Bocchicchio, Italian Immigration Lecturer
Nick Folotichio of "Prince of Pizza"
Richard LaRovere, Artist

G:\WPROCS\TOLONDA\RESOS\Dante Alighieri Society.wpd

APPROVED: _____

APPROVED AS TO LEGAL FORM

APPROVED: B. O'Keilly
Business Administrator

Corporation Counsel

Certification Required

Not Required APPROVED 8-0

| RECORD OF COUNCIL VOTE ON FINAL PASSAGE | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|---------------|-----|-----|--------|
| 9/26/07 | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| SPINELLO | ✓ | | | FULOP | ✓ | | | FLOOD | | | ABSENT |
| LIPSKI | ✓ | | | RICHARDSON | ✓ | | | VEGA, PRES. | ✓ | | |

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City, N.J.

Mariano Vega, Jr.
Mariano Vega, Jr., President of Council

Robert Byrne
Robert Byrne, City Clerk

Dante Alighieri Society

of Jersey City



www.dantealighierisociety.org

City of Jersey City
Nidia Lopez
Councilwoman Ward C
280 Grove Street
Jersey City, N.J. 07302

July 4, 2010

Dear Councilwoman Lopez,

I am writing to you on behalf of the current membership and the past members who began **The Dante Alighieri Society** 101 years ago in Jersey City.

In recognition of the Society's many contributions to both the Italian and non Italian citizens of Jersey City and Hudson County, we respectfully request the **City of Jersey City** to dedicate the area from **Pavonia Avenue** along **Summit Avenue** to **Newark Ave.** [5 corners] be named **Dante Alighieri Way**, in honor of the 100 year anniversary of the Italian American community of Jersey City.

Our Society's was founded in part "to provide for charitable relief when ever possible and generally to aid, counsel.....any member who may need and to assist Italian immigrants seeking to establish themselves as citizens of the United States of America"to award prizes, medals, diplomas, and **scholarships**.....

Students are one of the major benefactors of the Society and scholarships are granted each year to deserving students. It is interesting to know that "**Dante**" means "**giver**".

The Society was incorporated on October 22, 1909 by Dr. Luigi Pezzee, with about twelve professional and business men. In 1917 the current building was purchased and later enlarged to its present condition at 562 Summit Ave. Jersey City, NJ

For the past 101 years the **DAS** has successfully accomplished its founding goals as well as other charitable acts. Currently we provide a charitable relief fund for persons in need. On **Thanksgiving** we feed families in need and during **Christmas** one of the holiday events is a Christmas party for

The Dante Alighieri Society exists to aid the Italian-American community by diffusing the Italian language, literature, culture, and traditions through schools, libraries, courses, lectures and publications; to award prizes, medals, diplomas, and scholarships; to provide the community in general with charitable relief whenever possible and to aid and counsel members in need; and to assist Italian immigrants to establish themselves as citizens of the United States.

562 Summit Avenue, Jersey City, New Jersey 07306

OFFICERS 2010-11

Albert J. Cupo
President
Michael Ricciardone
Vice-President
Chester Kaminiski
Treasurer
Ellis DeCrease
Corresponding Secretary
Corrado Vasquez
Recording Secretary
Rev. Leonard Comes
Chaplain
Joseph Austin
Sergeant-At-Arms
Dominick Pandolfo
Membership Chairman

HONORARY MEMBER

Hon. Anthony R. Cucchi

HONORARY TRUSTEES

Peter Annunziata
Joseph Cupo
Hon. Frank J. Guarini
Randolph Rioto Sr.

BOARD OF TRUSTEES

Joseph Shaara - 2015
Chairman of the Board
Pasquale Panza - 2011
Edward DeFazio - 2015
Jerry Norcia - 2011
Michael Morsella - 2011
William Delasi - 2011
James Catarella - 2015
Frank Carabello - 2015
Vincent Signorelli - 2015
Nicholas Folotico - 2015
Patrick Sorrentino - 2011

TELEPHONES

Albert Cupo
President
201-324-1000
Michael Ricciardone
Vice-President
201-653-0545
Rev. Leonard Comes
Chaplain
973-992-0126
Greg Rivera
*Chairman/House
Committee*
Technology Systems
201- 522-6812
djsrennremt@aol.com

children who deserve toys. We are currently active and participate with local Churches and there events in Jersey City.

The **DA Woman's Auxiliary** includes notable persons and also performs charity acts since 1912. The Woman's Auxiliary raises scholarship money through there annual fund raiser lunches. The first DAWA, President was Mrs. Amelia Accordino (1912-1914). They are a great asset to the community.

The following is a partial list of our membership: Mayor Thomas Gangemi, Mayor Anthony Cucci, Honorable Superior Court Judge Frank Verga, Honorable Gustave Peduto, Honorable Dominick Daniels, Congressman Frank Guarini, and Joseph Panapento Esq. From the business community; Sam Di Feo, Sr., Frank Pagano, William Guarini, Frank Rienzo, M.D., Joseph Marmora, Randolph Riotto, The Honorable Edward De Fazio.

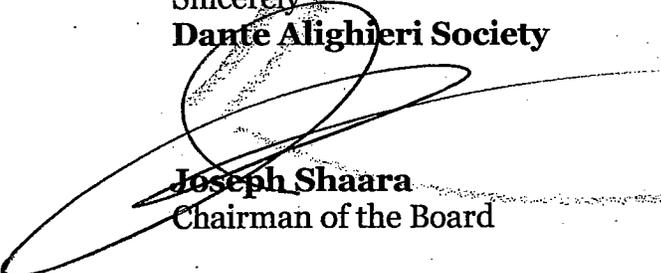
Unfortunately I regret I cannot list all the notable members of distinction, past and present because they are too many to mention. But they are just as important to the Society.

We have had the honor and the pleasure of having the Honorable Mayor Healy, as a guest speaker at various functions over the years.

Each year we honor a person who has contributed to the benefit of the organization and or the community at a dinner in there honor. In 2000, we honored Former Supreme Court Justice Marie Garibaldi, others were Most Rev. Jerome Pechillo, T.O.R., D.D., and Honorable Federal Judge Anthony Augelli.

Looking forward to your presenting this request to the City Father's at the next Jersey City Council meeting on our behalf.

Sincerely
Dante Alighieri Society


Joseph Shaara
Chairman of the Board


Al Cupo
President

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

ORDINANCE NO. Ord. 10-111
 TITLE: 3.I. AUG 0 4 2010 4.H. AUG 2 5 2010



An ordinance dedicating that Summit Avenue between Pavonia Avenue and Newark Avenue also be known as Dante Alighieri Way.

| RECORD OF COUNCIL VOTE ON INTRODUCTION | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|---------------|--------|-----|------|
| | | | | AUG 0 4 2010 | | | | 7-0 | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ABSENT | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

✓ Indicates Vote

N.V.-Not Voting (Abstain)

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING | | | | | | | | | | | |
|--|-----|-----|------|---|-----|-----|------|---------------|-----|-----|------|
| | | | | AUG 2 5 2010 | | | | | | | |
| Councilperson <u>GAUGHAN</u> | | | | moved, seconded by Councilperson <u>FULOP</u> | | | | to close P.H. | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | | | | BRENNAN | | | |
| DONNELLY | ✓ | | | FULOP | | | | FLOOD | | | |
| LOPEZ | ✓ | | | RICHARDSON | | | | VEGA | | | |

✓ Indicates Vote

*CARMELA VENEZIA
MARIANN COSTELLO*

N.V.-Not Voting (Abstain)

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

✓ Indicates Vote

N.V.-Not Voting (Abstain)

| RECORD OF FINAL COUNCIL VOTE | | | | | | | | | | | |
|------------------------------|-----|-----|------|---------------|-----|-----|------|---------------|--------|-----|------|
| | | | | AUG 2 5 2010 | | | | 8-0 | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| SOTTOLANO | ✓ | | | GAUGHAN | ✓ | | | BRENNAN | ✓ | | |
| DONNELLY | ✓ | | | FULOP | ✓ | | | FLOOD | ✓ | | |
| LOPEZ | ✓ | | | RICHARDSON | ✓ | | | VEGA | ABSENT | | |

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on AUG 0 4 2010

Adopted on second and final reading after hearing on AUG 2 5 2010

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on AUG 2 5 2010

Robert Byrne
 Robert Byrne, City Clerk

APPROVED:
Peter M Brennan
 Peter M. Brennan, Council President

Date: AUG 2 5 2010

APPROVED:
Jerry Heatly
 Jerramiah T. Heatly, Mayor

*Amendment(s):

Date _____

Date to Mayor AUG 2 6 2010