

City Clerk File No. Ord. 12-079

Agenda No. 3.A 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 12-079

TITLE: **ORDINANCE DEDICATING THAT THE NORTHEAST CORNER OF
DWIGHT STREET AND MARTIN LUTHER KING DRIVE TO ALSO BE KNOWN AS**

Harvey George Way

WHEREAS, Harvey George, Founder and President of Friends of the Lifers Youth Corp, Inc., was born and raised in Jersey City, N.J. During the early part of his life he was heavily engaged in delinquent activity which earned him a life sentence at Rahway State Prison. In 1991, after serving 17½ years, his exceptional behavior and rededication to community earned him an early release from prison; and

WHEREAS, Harvey George devoted his life to assisting the reentry population and young adults to receive the guidance and support necessary to break the cycle of poverty, violence and incarceration and reclaim their dignity. Mr. George often helped those in need by providing access to employment; assistance with housing and supporting entrepreneurial endeavors; and

WHEREAS, Harvey George founded Friends of the Lifers Youth Corp., Inc. in 1992. He also chaired the Hudson County State Parole Board Reentry Task Force and was a member of an independent Hudson County Task Force. Mr. George also served as President of the Rahway Lifers Group for five years. He was an effective motivational speaker, lecturer and mentor to many at-risk youths and previously incarcerated individuals. He was widely known for the ground-breaking "Scared Straight" Program. Mr. George touched the lives of many with his message that second chances are possible; and

WHEREAS, Harvey George was the recipient of many awards and accolades from elected leaders and the private sector on city and state levels. Mr. George received a letter of commendation from the late Congressman Donald M. Payne. He merited a Certificate of Appreciation from the Jersey City Police Department and a Certificate of Special Recognition from Congressman Robert Menendez. Mr. George received a Joint Legislative Resolution by Senator Doria and Assemblyman Manzo and Citations from Mayor Jerramiah T. Healy, former Mayor Bret Schundler and Councilwoman Viola Richardson. The Hudson County Board of Chosen Freeholders honored Mr. George with a Proclamation sponsored by Freeholders Jeffery Dublin and William O'Dea. Mr. George was the recipient of the H.C. of Commerce Gateway Council Award, an Unsung Hero Award, the Montgomery Gardens RMC "Achievement Against the Odds" Award and Beth-El SDA Church Appreciation of Recognition Award; and

WHEREAS, Harvey George departed this life on May 18, 2012. He was the loving husband of Arnett George; adored father of Kenneth, James, Anthony, Darrow, Yolanda (James), and Tamara; dear son of Margie L. Bell and the late Paul George, Sr.; adored brother of Pastor Margaret (Bishop Wright), Linda, Julius, Paul Jr., Kenneth, Pauline, and Alfred; and cherished nephew of Mablein, Naomi, Curtis and Clifton. Mr. George was predeceased by a brother Alfonso and a sister Linda. He is also survived by a host of grands, great-grands, nieces, nephews and many other loving relatives and friends. Mr. George will be greatly missed.

NOW, THEREFORE BE IT ORDAINED, that the Municipal Council of the City of Jersey City deems it a fitting and proper to dedicate that the northeast corner of Dwight Street and Martin Luther King Drive to also be known as Harvey George Way.

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

G:\WPDOCSTOLONDAIRESOS\RESNAME\Harvey George.wpd

APPROVED AS TO LEGAL FORM

Joanne Monahan
Corporation Counsel

APPROVED: _____

APPROVED: _____

Business Administrator

Certification Required

Not Required

City Clerk File No. Ord. 12-080

Agenda No. 3.B 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 12-080
ORDINANCE DEDICATING THAT THE PORTION OF ACADEMY STREET BETWEEN
VAN REYPEN STREET AND BERGEN AVENUE TO ALSO BE KNOWN AS

Apple Tree House Lane

WHEREAS, historic preservation is an endeavor that seeks to preserve, conserve and protect buildings, objects, landscapes or other artifacts of historical significance; and

WHEREAS, the Apple Tree House, located at 298 Academy Street in Jersey City is one of New Jersey's oldest and most historically significant buildings, with portions dating to the 18th century. The land, the Van Wagenen Homestead, was the center of the first Dutch settlement of Bergen in what is now Hudson County; and

WHEREAS, the Apple Tree House was also the site of an important occurrence during the Revolutionary War. Purportedly George Washington, who led the war for independence and Marquis de Lafayette, a French aristocrat who served in the Continental Army enjoyed a meal under an apple tree on the property between August 24 and August 26, 1780. The apple tree later fell and wood from the tree was used to make a walking cane that was given to General Lafayette during his 1824 visit to New Jersey; and

WHEREAS, the Apple Tree House was originally owned by the Van Wagenen family. In 1947, the house was sold to Lawrence Quinn, a local undertaker. Until 1985, the house was known as Quinn's Funeral Home, where services were held for local dignitaries including Mayor Frank Hague and J. Owen Grundy; and

WHEREAS, the members of the Lincoln Association of Jersey City, along with various other historical societies, including the Jersey City Landmarks Conservancy and the George Washington Society, have advocated for the preservation of this historic homestead; and

WHEREAS, the Lincoln Association proposed that in recognition of the restoration of the Van Wagenen House, better known by local residents as the Apple Tree House, that the portion of Academy Street between Bergen Avenue and Van Reypen Street should bear the dedicated name, "Apple Tree House Lane"; and

WHEREAS, dedicating this portion of Academy Street as Apple Tree House Lane would serve as a public reminder of the time that Washington and Lafayette discussed military strategy at the Van Wagenen Farm during the Revolutionary War. The 150-year-old story of Washington and Lafayette's meeting is an important part of the house's history and by extension, an important part of Jersey City's history. The Apple Tree House is the best example of Jersey's City's last few remaining actual connections to the Revolutionary War and doing so would further the goal of encouraging tourism in the original Dutch section of Jersey City,

NOW, THEREFORE, BE IT ORDAINED, that the Municipal Council of the City of Jersey City deems it fitting and appropriate to honor this historic property and the legend of "The Apple Tree House" by dedicating that the portion of Academy Street between Van Reypen Street and Bergen Avenue to also be known as "Apple Tree House Lane." This street dedication shall serve to further enhance the recognition of this historic landmark in Jersey City while promoting cultural heritage tourism.

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

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APPROVED AS TO LEGAL FORM
Joanne Monahan

Corporation Counsel

APPROVED: _____
APPROVED: *John Lally*

Business Administrator

Certification Required

Not Required



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 12-081

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE TO REQUIRE BICYCLE PARKING

WHEREAS, the Municipal Council, pursuant to NJSA 40:55D-62, may adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon; and

WHEREAS, the Municipal Council adopted the Land Development Ordinance, Chapter 345 of the Code of the City of Jersey City, on April 11, 2001, (Ordinance No. 01-042), and several amendments since then; and

WHEREAS, the Land Development Ordinance does not currently require bicycle parking; and

WHEREAS, bicycling is a feasible alternative to driving for many trips and replacing car trips with bicycling can reduce pollution and congestion, can increase air quality, and is a healthy alternative; and

WHEREAS, improving bicycle infrastructure, including parking, can help to increase the number of bicycle trips; and

WHEREAS, it is advisable to add bicycle parking requirements to provide safe, convenient and adequate parking.

WHEREAS, the Municipal Council, pursuant to NJSA 40:55D-64, has sought and received the recommendations of the Jersey City Planning Board relative to these issues; and

WHEREAS, the Planning Board at its meeting of June 5, 2012 did vote to recommend that the Municipal Council include language requiring bicycle parking to the Land Development Ordinance; and

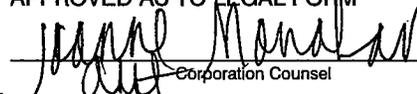
WHEREAS, the amendments to the Land Development Ordinance are attached hereto and made a part hereof, and are available for public inspection at the Office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

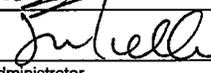
NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the Land Development Ordinance, be and hereby is amended as per the attached document;

BE IT FURTHER ORDAINED THAT:

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


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

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: 
APPROVED: 
Business Administrator

Certification Required
Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE TO REQUIRE BICYCLE PARKING

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

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

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

This Ordinance will amend the Land Development Ordinance (Zoning Ordinance) to require bicycle parking. Design standards as well as the number of spaces required have been established.

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

Bicycle use is increasing in Jersey City, and greater use is being encouraged. It is necessary to provide adequate infrastructure to support bicycle use, and bicycle parking will make this possible.

5. Anticipated Benefits to the Community:

Encourages bicycle use citywide.

6. Cost of Proposed Plan, etc.:

None

7. Date Proposed Plan will commence:

Upon approval

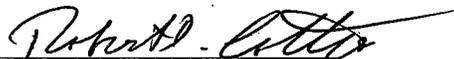
8. Anticipated Completion Date: N/A

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

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

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.


Division Director

June 1, 2012
Date

DeWitt

Department Director Signature

June 1, 2012
Date

SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE TO REQUIRE BICYCLE PARKING

This Ordinance will amend the Land Development Ordinance (Zoning Ordinance) to require bicycle parking. Design standards as well as the number of spaces required have been established.

§345-70. OFF-STREET PARKING AND LOADING AND BICYCLE PARKING

A. Automobile Zoning Standards:

1. Off-street parking shall not be located between the building and the street.
2. Parking lots with 10 or more spaces shall be planted with shade trees at a rate of one tree per 10 parking spaces in addition to required street trees and 5% landscaping.
3. Where parking structures front on a public right-of-way, the structure shall be "faced" with commercial or mixed uses on the ground floor.
4. Stilted buildings are prohibited.
5. All off-street parking lots, except those of one and two-family residences, shall be provided with curbing of poured-in-place concrete, so that vehicles cannot be driven onto required landscaped areas, buffer zones, interior roadways, internal walkways and street rights-of-way so that each parking lot has controlled entrances and exits and proper drainage control. Curbing of poured-in-place concrete shall be located to prevent any part of the vehicle from overhanging the street right-of-way, property line, interior roadways or internal walkways. Vehicular access to street from the parking lot shall be limited to driveways.
6. All parking spaces except those permitted for one and two family housing shall be located with access to each space from an aisle.
7. Required Residential parking shall be on site. Required parking for industrial, office and other employment uses may be on a separate lot as long as the parking spaces are within 500 feet of the use or portion of a complex served regardless of the number of spaces required by this Chapter. Such separate lots when used to meet the parking provision of this Chapter shall have the parking use added to the deed of the property.
8. Off-street loading facilities shall be located so that no vehicle being loaded or unloaded, maneuvering into a loading space or waiting to be parked into a loading space shall interfere with any traffic flow on a street, sidewalk, parking space, aisle, fire lane, driveway, railroad track or turning area nor shall they occupy any part of required lawn or buffer areas.

9. No parking space shall be less than eighteen (18) feet long and eight and one half (8.5) feet wide, with the following exceptions:
- a. Valet parking lots, where approved by the Planning Board or Zoning Board of Adjustment, may have reduced stall and aisle sizes. The project applicant is responsible for demonstrating to the Board that the lot can function and accommodate vehicles as proposed.
 - b. Compact car spaces, where approved by the Planning Board or Zoning Board of Adjustment, shall not be less than sixteen (16) feet long and eight (8) feet wide. Aisles providing access to parking spaces shall have the following minimum distances. Where the angle of parking is different on both sides of the aisle, the larger aisle width shall prevail.

Angle of Parking Space (Degrees)	For parking spaces 8-8.5' Wide 1-way aisle (feet)	For parking spaces 8-8.5' Wide 2-way aisle (feet)	For parking spaces 9-9.5' wide 1-way aisle (feet)	For parking spaces 9-9.5' wide 2-way aisle (feet)
Aisle				
90	24	24	22	22
60	20	22	18	20
45	18	20	15	18
30	15	18	12	18
parallel	12	18	12	18

10. Except as otherwise regulated in this chapter, no more than a single 10 feet wide curb cut, driveway, and/or garage door shall be permitted on any lot in the R-1, R-1A, R-1F, R-2, or R-3 zoning districts.
11. The number and design of off-street parking and loading spaces shall adhere to the following:
- a. Where more than one use is on a lot, the total number of spaces shall be the sum of the component requirements.
12. Minimum standards for Number of Off-Street Loading Spaces

Land Use	At which the first Berth is required (square feet)	At which the second berth is required (square feet) 3 more spaces be calculated at multiples
Manufacturing, processing, assembly, marinas	5,000	40,000
Warehouse, auto/truck sales	5,000	40,000
Storage, Shipping	10,000	25,000

Schools	10,000	100,000
Hospitals	10,000	100,000
Terminals and transportation centers	5,000	40,000
Auditoriums	10,000	40,000
Funeral homes/mortuaries	10,000	100,000
Retail	10,000	20,000
Service establishments	10,000	40,000
Indoor recreation	10,000	100,000
Restaurants/night clubs	10,000	25,000
Office building, financial institution and research	10,000	100,000
Hotel/motel	10,000	100,000

13. Minimum Dimensional Standards for Off-Street Loading

A Overall length of Berth (feet)	B Berth Width (feet)	C Apron Length (feet)	D Deck Approach (A and C) (feet)
40	10	46	86
	12	43	83
	14	39	79
45	10	52	97
	12	49	94
	14	46	91
50	10	60	110
	12	57	107
	14	54	104
55	10	65	120
	12	62	117
	14	58	113
60	10	72	132
	12	63	123

B. *Automobile Parking* Design Standards

1. Curb cuts shall be limited to the minimum number necessary
2. Parking shall not be the dominant visual element of the site
3. Parking which is visible from the street or other areas exposed to public view shall be screened and softened by landscaping, low screen walls or a combination of elements.
4. Broad expanses of paving shall be broken up with landscaping
5. The use of common or shared driveways which provided access to more than on site is encouraged.

6. Parking structure shall be designed to be compatible with the architectural style, building scale, mass, building materials and colors of the principal building and adjacent area. The scale and mass of the parking structure shall be mitigated through wall offsets, arched openings and other distinctive design elements.
7. Cars parked within parking structures and on open top levels shall be screened as much as possible with architectural elements and landscaping.
8. Surface and Curbing. All parking and loading areas and access drives shall be paved as outlined below, or the equivalent, and approved as part of the site plan approval. All parking areas regardless of size and location shall be suitably drained and maintained.
9. The provisions of non-residential parking and loading spaces shall include adequate driveway and necessary turning areas for handling the vehicle for which provision is made. Parking and loading spaces shall be designed to permit each motor vehicle to proceed to and from the parking and loading space provided for it without requiring the moving of any other motor vehicle.

C. *Bicycle Parking Zoning Standards*

1. ***The standards below shall apply to all zones, including all Redevelopment Plans, citywide, and standards shall supersede any standards listed in Redevelopment Plans.***
2. ***Bicycle parking facilities shall be required, in accordance with the Use Schedule below, for any new principal structure, addition or enlargement of an existing principal structure in excess of 10% of the gross floor area (gfa), or for any change in use of an existing structure, provided, however, that one-family and two-family residential structures as well as retail goods, retail services and restaurant uses with under 5,000 sf of gfa are exempt from these requirements.***

3. *Bicycle Parking Spaces are required as follows:*

<u>Use Category</u>	<u>Required</u>	
	<u>Outdoor Spaces</u>	<u>Indoor Spaces</u>
<i>All Residential Uses except one & two family housing</i>		<i>One-half (0.5) space per bedroom or studio unit.</i>
<i>Retail, Service, & Restaurants 5,000 sf to 20,000 sf</i>	<i>4 spaces per 5,000 sf gfa</i>	
<i>Retail, Service, & Restaurants greater than 20,000 sf</i>	<i>4 spaces per 15,000 sf gfa</i>	
	<i>80%</i>	<i>20%</i>
<i>Municipal / Cultural Facilities / Community Facilities</i>	<i>1 space per 2,000 sf gfa</i>	
	<i>80%</i>	<i>20%</i>
<i>House of Worship, theaters, and assembly spaces</i>	<i>1 per 20 seats or equivalent</i>	
<i>Office (all types)</i>	<i>1 per 25,000 sf gfa</i>	<i>1 per 10,000 sf gfa</i>
<i>Daycare and Elementary School</i>	<i>1.5 spaces per classroom</i>	
<i>Middle and High School</i>	<i>4 per classroom</i>	
<i>College and University</i>	<i>1 space per 10 students or employees, combined</i>	
<i>Hospitals / Medical centers</i>	<i>1 per 20,000 sf gfa</i>	<i>1 per 50,000 sf gfa</i>
<i>Manufacturing/Production, Warehouse</i>	<i>1 per 50,000 sf gfa</i>	
<i>Parking Garage or Lot</i>	<i>5% of auto parking</i>	
<i>Parks</i>	<i>1 per 5,000 sf</i>	

4. *Location and design of facilities*

- a. *Non-residential bike parking for certain uses must be provided both indoors and outdoors, as indicated in the Use Schedule above. Indoor parking may include bike lockers or sheds.*
- b. *Requirements for indoor bicycle parking.*

1.) Any required indoor bicycle parking/storage room must be located in a convenient and accessible location to a public sidewalk with no more than four vertical steps (ramps may be utilized) between the bicycle room and the sidewalk.

c. Requirements for outdoor bicycle parking

1.) All required outdoor bicycle parking must be convenient and accessible to a main building entrance and street access without climbing stairs.

2.) A minimum of one outdoor bicycle rack shall be required for all major site plans with at least 100' linear feet of street frontage and ground floor retail. This requirement may be waived where a Special Improvement District has enacted and implemented a bicycle parking plan.

3.) Bicycle parking shall be sited in a highly visible location, such as within view of passers-by, retail activity, office windows, an attendant or other personnel to discourage theft and vandalism.

4.) Bicycle parking shall be located so as not to block the pedestrian path on a sidewalk or within a site. Six feet of unobstructed passage is required on public sidewalks.

5.) Where six feet of unobstructed passage cannot be provided on the sidewalk, then the outdoor bicycle parking requirements shall be provided in a front or side yard setback area.

6.) Bicycle parking facilities within an automobile parking area shall be separated by a physical barrier (i.e., bollards, reflective wands, curbs, wheel stops, poles, etc.) to protect bicycles from damage by cars.

7.) Bike racks must be securely attached to concrete footings and made to withstand severe weather and permanent exposure to the elements. Bike racks must permit the bicycle frame and one wheel to be locked to the rack with a high security, U-shaped lock.

8.) All bike racks shall be located at least 24 inches in all directions from a wall, door, landscaping, or other obstruction that would render use of the racks difficult or impractical.

d. Requirements for all bicycle parking

1.) An aisle or space that is at least five (5) feet wide shall be provided for bicycles and riders to enter and leave the facility.

2.) Site plans shall show the proposed location of bike parking/storage facilities on the site and on the building floor plan design. A construction detail of the bike rack or facilities shall be provided.



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 12-082

TITLE: **ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF
JERSEY CITY ADOPTING THE 1 EXCHANGE PLACE
REDEVELOPMENT PLAN**

WHEREAS, the Municipal Council of the City of Jersey City, by Resolution 12-222, adopted March 28, 2012, authorized the Jersey City Planning Board to conduct a preliminary investigation and hold a Public Hearing to determine if the area known as the 1 Exchange Place Study Area met the criteria necessary to be declared an "Area in Need of Redevelopment"; and

WHEREAS, the Municipal Council, upon the recommendation of the Jersey City Planning Board did declare, by Resolution, the 1 Exchange Place Study Area to be "an area in need of redevelopment"; and

WHEREAS, pursuant to *NJSA 40A:12A-4.a.(3)*, the governing body is empowered to adopt a redevelopment plan to regulate development within an area declared in need of redevelopment; and

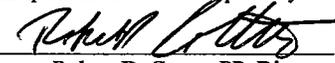
WHEREAS, the Planning Board of Jersey City, at a public hearing on June 5, 2012, reviewed the proposed 1 Exchange Place Redevelopment Plan and voted favorably to recommend that the Municipal Council adopt the proposed 1 Exchange Place Redevelopment Plan; and

WHEREAS, the proposed 1 Exchange Place Redevelopment Plan, attached hereto and made a part hereof is available for public inspection in the Office of the City Clerk, City Hall, Jersey City, NJ;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the above referenced 1 Exchange Place Redevelopment Plan be, and hereby is, adopted as recommended by the Jersey City Planning Board.

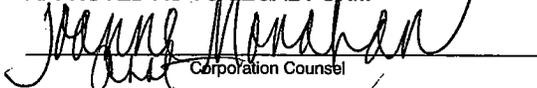
BE IT FURTHER ORDAINED THAT:

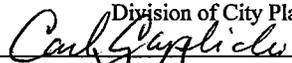
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City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

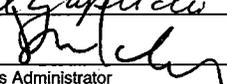

Robert D. Cotter, PP, Director

Division of City Planning

APPROVED AS TO LEGAL FORM


Wayne Monahan
Corporation Counsel

APPROVED: 

APPROVED: 

Business Administrator

Certification Required

Not Required

Summary

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING THE 1 EXCHANGE PLACE REDEVELOPMENT PLAN

This ordinance adopts a redevelopment plan for the 1 Exchange Place Study Area, an existing building on the south side of the Exchange Place Plaza. The Plan allows for a vertical addition to the existing building for a hotel use, requiring preservation of the existing structure and public access to rooftop restaurant and skyline viewing area.

City Clerk File No. Ord. 12-083

Agenda No. 3.E 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 12-083

TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE MORRIS CANAL REDEVELOPMENT PLAN TO CREATE BERRY LANE PARK SUBDISTRICTS, TO INCORPORATE NEW BLOCK AND LOT NUMBERS, AND TO REORGANIZE THE CONTENT OF THE PLAN

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 June 29, 2011; and

WHEREAS, Berry Lane Park is being developed in the Morris Canal Area, and it is important to encourage development in the area as well as to create adequate streets to serve the area; and

WHEREAS, the Planning Board, at its meeting of June 5, 2012, determined that the Morris Canal Redevelopment Plan would benefit from amendments to create Berry Lane Park subdistricts which would increase residential density on certain lots adjacent to the Park while requiring that a new road be built; and

WHEREAS, the City has adopted new block and lot numbers that have been incorporated into the Plan; and

WHEREAS, both the community and the Planning Staff agree that reorganization of the Plan would make it more user-friendly, and modifications to the end have been made; 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 Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

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

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required

Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE MORRIS CANAL REDEVELOPMENT PLAN TO CREATE BERRY LANE PARK SUBDISTRICTS, TO INCORPORATE NEW BLOCK AND LOT NUMBERS, AND TO REORGANIZE THE CONTENT OF THE PLAN

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 establishes two new Berry Lane Park subdistricts that will allow for increased density while requiring the development of a new street. Additionally, newly adopted block and lot numbers have been incorporated into the plan and; for ease of use, various elements of the plan have been reorganized.

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

These amendments will encourage the development in a portion of the Area adjacent to Berry Lane Park while requiring a much needed road.

5. Anticipated Benefits to the Community:

Amendments proposed will encourage development near Berry Lane Park. Reorganization of the Plan should make it more user-friendly.

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.

Robert D. Cotter
Division Director

JUNE 7, 2012
Date

Carl Czaplicki
Department Director Signature

6/4/12
Date

Summary Sheet:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY
CITY ADOPTING AMENDMENTS TO THE MORRIS CANAL
REDEVELOPMENT PLAN TO CREATE BERRY LANE PARK
SUBDISTRICTS, TO INCORPORATE NEW BLOCK AND LOT NUMBERS,
AND TO REORGANIZE THE CONTENT OF THE PLAN**

This ordinance establishes two new Berry Lane Park subdistricts that will allow for increased density while requiring the development of a new street. Additionally, newly adopted block and lot numbers have been incorporated into the plan and; for ease of use, various elements of the plan have been reorganized.

Morris Canal

Redevelopment Plan

(formerly known as the Garfield - Lafayette Redevelopment Plan)

As adopted by the Municipal Council of the City of Jersey City

March 1999
Amended February 27, 2002
Amended March 27, 2002
Amended July 26, 2002
Amended November 13, 2002
Amended August 11, 2004
Amended January 11, 2006
Amended October 16, 2006
Amended March 14, 2007
Amended May 28, 2008 – Ord. 08-060
Amended June 25, 2008 – Ord 08-084
Amended December 17, 2008 – Ord 08-169
Amended January 28, 2009 – Ord 09-006
Amended June 17, 2009 – Ord 09-071
Amended May 12, 2010 – Ord 10-064
Amended August 25, 2010 – Ord 10-104
Amended September 29, 2010 – Ord 10-115
Amended November 23, 2010 – Ord 10-156
Amended February 23, 2011 - Ord 11-024
Amended June 29, 2011 – Ord. 11-071
Draft: April 16, 2012

**DIVISION OF CITY PLANNING
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INTRODUCTION

BACKGROUND

The Morris Canal Redevelopment Plan (hereinafter referred to as the "Plan") joins all of the lands contained within the Garfield – Lafayette Study Area and the Communipaw – Pacific Study Area into a single Morris Canal Redevelopment Area (hereinafter referred to as the "Area"). The unified Area is an approximately 280 acre district in the heart of Jersey City. Its boundary is approximately 5.2 miles in perimeter, and encompasses city streets and over 850 parcels of industrial, commercial, park, and residential land.

The overall characteristic of the Area is that of an industrial village - almost a company town. The Morris Canal, at one time a major regional freight transportation route, ran through the north and west portions of the Area and serviced local industries in days gone by. Effects of the canal on the layout of the land, in the form of odd street corner angles and building placements, are still visible today. The Morris Canal shaped both the industrial and residential landscapes. As industry grew around the canal's tow paths, housing sprang up nearby to shelter the workers needed to run the plants and mills, a pattern that was fairly common in the industrial towns of the nineteenth century. In the days when one walked to work, work and home often shared the same street. Thus, this nineteenth century residential neighborhood found itself "cheek and jowl" with industry, and their fates were inextricably combined.

As these factories began to change following World War II, and the well paying jobs moved on, the residential areas began a transition as well. Although the residential areas remained residential for the most part, the occupants changed. This new generation of residents had fewer local job opportunities available. As area income levels decreased, the condition of the housing stock began to deteriorate. These post-war changes accelerated during the 1950s and 60s, and were virtually complete upon entering the 1990s.

Meanwhile, disinvestment has led to exploitation of the residential neighborhood. Certain industries, perhaps not welcomed elsewhere because of their noxious nature, and perhaps staying because of attachment to local skilled labor, remained behind, and began to cross the historical boundaries that separated industrial and residential areas—one of which was the Newark-New York Railroad which ran along the southern edge of Lafayette.

The industrial history of the Area has left a landscape of temporarily obsolete sites, some of which are abandoned, and some of which contain contaminated soil and require remediation. Integral to the redevelopment process is remediation of soil contaminants within the Area. However, high costs and fears of liability have discouraged cleanup, even as societal environmental quality concerns and public health issues have dictated that Brownfield environmental contamination be mitigated prior to redevelopment. With the high cost and associated risks, any new industrial development that has occurred historically has tended to seek out suburban and rural undeveloped greenfield sites where no contamination cleanup is needed, thereby presenting competitive cost-minimizing challenges to urban economic development efforts. Recent state legislation that limits a developer's liability when the cleanup is certified by the New Jersey Department of Environmental Protection greatly reduces the risk to developers, and the state may also reimburse developers for a portion of the cleanup costs when the redevelopment project generates state tax revenues sufficient to cover the cost of the reimbursement. This legislation should make urban Brownfield's a more attractive location for investment. However, it is imperative that urban Brownfield redevelopment pressures not weaken the public health responsibility that remediation occur at a level that meets the highest standards of risk analysis.

There is cause for optimism. A good source of high wage jobs is found by encouraging the development of industries which use high tech manufacturing processes. Such industries often require a skilled labor force, which is not always available in developing countries. Investment in high tech manufacturing processes and worker education and training can create high skill, high wage jobs, and be the highest and best-use of the land. By providing a skilled workforce, through education, training and support services, a place can make itself a highly attractive location for certain types of companies who seek to invest in new production or assembly facilities. The result can be a vibrant economic engine with a strong economic multiplier effect that boosts local businesses and encourages entrepreneurs to begin new enterprises, as the new industrial base seeks out local suppliers, and the additional disposable income obtained by residents with high wage jobs becomes available for increased consumer spending activities.

Looking at recent employment and wage levels citywide, the public sector can also aim to buttress the strong industry sectors by providing appropriate lands for expanding companies who desire to remain in Jersey City, as well as education and job training services for workers. In 1996, Jersey City's manufacturing sector provided employment for 7,533 workers, with jobs in this sector paying an average of \$37,673 annually. In addition, the wholesale trade industry employed 4,347 in the city, averaging \$38,278 per job. By contrast, the retail trade sector employed 10,027, but only paid \$16,617 in average annual wages. This data indicates that there is a linkage between land use and wage levels in Jersey City; manufacturing and wholesale wage levels were more than double retail wage levels.

The proximity of industry to residences, as well as the age and architectural style and detail of some of the residences, lends large portions of the Area an historic feel. Numerous structures and districts within the Area are eligible for historic designation on the national register, most notably the former Whitlock Cordage Company at Manning Avenue and Lafayette Street (Block 2057, Lots 15C, 15D, 15G, 15H, 15J and 15K). However, because of the pattern of development, inappropriate industrial and commercial uses are sometimes mixed in with residential uses, and neighborhoods are infiltrated by truck and bus traffic and noise nuisances that are created by industry and commerce. Nevertheless, a vibrant neighborhood remains intact, and generations of families continue to own homes and live within the neighborhood.

Finally, the Area is traversed by the Hudson-Bergen Light Rail Transit System (LRT), which is scheduled to open March 1, 2000, and which will provide access to both other areas of the city and regional passenger rail transportation networks. The coming LRT has the potential to have a positive impact on investment and land use within the Area.

COMMUNITY OUTREACH

Outreach to the community was initiated by the Jersey City Environmental Commission and the city's Environmental Specialist. Approximately 15 meetings to exchange ideas with various community groups located within and immediately adjacent to the Area were held in 1998. Attendees included public housing residents and members of neighborhood and block associations.

In addition, a series of three planning charrettes were conducted by the Jersey City Division of City Planning on the evenings of October 29, November 4, and November 9, 1998. During the charrettes, approximately 83 members of the Lafayette area community, including homeowners, tenants, business owners, and other property owners, joined with staff from the city's Division of City Planning, Redevelopment Agency, Environmental Commission and other municipal agencies, to explore options for the future of the proposed Morris Canal Redevelopment Area.

The charrettes were advertised in four ways. First, announcement and schedule of the charrette were sent by mail to representatives of various Garfield - Brownfield area stakeholder groups, with the purpose that these individuals notify their constituencies of the event. Second, on October 20, 1998, between 200

and 300 owners of property within the Garfield – Lafayette Study Area, and other interested parties, attended the public meeting of the City of Jersey City Planning Board. During this meeting, the Director of City Planning announced the time, place and purpose of the charrettes, and a commissioner of the Planning Board strongly encouraged all to attend. At the same time, hundreds of bilingual English and Spanish notices of the charrettes were made available to meeting attendees. Third, a newspaper article in the October 29, 1998 edition of the Jersey Journal (page A2) reported the time, place and purpose of the charrettes. Fourth, the Lafayette Neighborhood Association distributed approximately 1,200 bilingual English and Spanish flyers, which announced and explained the event, to residents in the Garfield – Lafayette Study Area and the Communipaw – Pacific Study Area.

On the first evening of the charrette, participants were led through a visioning process whereby each individual imagined possibilities of what the Garfield – Lafayette Redevelopment Area might look like in the future. Then participants worked in groups to identify existing negative elements of the neighborhood that could impede that vision from occurring, and existing positive elements that could be useful in achieving the vision. Each work group then drew their positive and negative elements on a work group map. At the end of the evening groups shared their results by presenting their list and map of positives and negatives to the larger charrette audience.

Land use and traffic issues were addressed on the second evening of the charrette. Participants first worked in groups to create solutions to overcome the identified land use, transportation and other constraints. With their creative gears thus primed and working, participants then used colored markers to draw on a map where they thought different generalized land uses should be permitted within the Redevelopment Area. Participants used a different color marker to show the location of housing, parks, gardens and walkways, shops and restaurants, industry, filling stations, community facilities, street changes, light rail stations, and historic preservation districts. Some groups used their solutions list from the previous exercise as a reference guide for determining appropriate land uses for the mapping exercise. As in the first evening, groups shared work through presentations to the larger charrette audience at the end of the evening.

On the third evening of the charrette, participants were presented with a set of land use maps that combined the work of the different groups at the second charrette into a set of consolidated maps. These maps displayed areas of general agreement and areas of disagreement.

The maps showed that the participants were at consensus on land uses for most portions of the Area, including: the core residential section of the Lafayette neighborhood should remain residential, the mixed residential and retail use sections of Pacific and Communipaw Avenues should remain mixed use, and the section to the south of the light rail right-of-way should remain industrial. There was additional agreement that parkland and community facilities should be increased, but there were differing ideas on where to place these uses. Only a few perimeter sections of proposed land uses remained indeterminate, some with only minor points of disagreement. Participants discussed ideas for these remaining sections, and came to the additional consensus that the portion between Grand Street and Cornelison Avenue should be largely an industrial area.

The evening ended with the Division of City Planning committing to draft a conceptual plan that combined the various ideas and resolved the few remaining conflicts, and to present this draft to the participants at a later date. This post-charrette meeting was held on January 12, 1999 at City Hall. The Division of City Planning presented a concept plan, and many of the charrette participants were present to listen and discuss the proposals. Additional neighborhood residents and business owners were also present, who were able to raise and discuss their concerns.

I. Boundary Description

The boundary of the Morris Canal Redevelopment Area is presented in Map A. The Redevelopment Area is generally bounded by the New Jersey Turnpike Extension (I-78) to the east and to the north, as well as Maple Street and Fairmount Avenue on the north, the Hudson Bergen Light Rail Line to the south, and Garfield Avenue and Cornelison Avenue to the west. Pursuant to the amendments to the Redevelopment Plan, dated April 25, 2008; that portion of the Morris Canal Redevelopment Area located south of the Hudson Bergen Light Rail Westside Connector Branch shall no longer be a part of the Morris Canal Redevelopment Area. This former portion of the Morris Canal Redevelopment Area, along with a portion of the Claremont Redevelopment Area, shall be subsumed within a new Redevelopment Area to be known as the Canal Crossing Redevelopment Area.

II. Redevelopment Plan Goals

It is possible to plan for the redevelopment of both the Brownfield's *and* the residential neighborhoods in the same document. Given the Area's history with jobs and homes sharing the same streets, it is entirely appropriate to plan a redevelopment scenario that addresses the problems of both, and seeks to shore up the good elements and remove the bad.

The goals of the Plan are to:

- Link opportunities for redevelopment of industrial lands with the desire to remediate contaminated soil.
- Generate opportunities for industrial redevelopment through remediation of contaminated sites and where sensible through the renovation and reuse of existing industrial structures.
- Fulfill the New Jersey State Development and Redevelopment Plan goal of focusing industrial development on brownfield areas rather than on continuing sprawl into greenfield areas.
- Encourage the retention and attraction of non-polluting industries that provide high-wage employment opportunities.
- Preserve the Lafayette neighborhood by halting and removing industrial encroachments.
- Provide opportunities for the growth of neighborhood level retail, services and community facilities for the Lafayette neighborhood.
- Encourage the acquisition of vacant land and derelict buildings in the Residential district for purposes of community gardens, accessory parking, expanded lawn area, construction of new homes, and reconstruction of old buildings, for use and occupation by residents of Lafayette. Priority consideration for purchase of these properties should be given to residents of Lafayette, and especially to residents that are displaced by this Plan.
- Create opportunities for the development of additional park areas.
- Ensure a positive land use impact and maximum benefits from the LRT by encouraging the redevelopment in the areas closer to the light-rail transit station as mixed-use and higher intensity development consistent with the principles of "Smart Growth" and the State's "Transit Village Initiative"; i.e. sustainable economic and social development, including a variety of housing choices, providing pedestrian friendly streets and public rights-of-way, 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.

III. Parks and Greenspace Objectives

Within various districts of the Area, additional park land should be dedicated and developed with active and passive recreational facilities. The objective for most of the sections of the Plan Area that is bounded by the LRT, Woodward Street, Garfield Avenue and Communipaw Avenue, and is shown on the Plan map as park, is the development of a recreation facility that could include, but is not limited to, playing fields, other recreational facilities, structures, passive recreation, and amenities.

In addition, a contiguous Canal Banks Park and Walkway should be created that connects various LRT stops and that recreates the path of a portion of the former Morris Canal. Such a park and walkway will provide additional access to the LRT for pedestrians from the Lafayette neighborhood, as well as accommodation for passive recreation facilities such as paths for walking, jogging or bicycling.

One portion of such a walkway should abut the LRT ROW and begin at the Liberty Park Station of the LRT at Gateway Drive, and then extend first in a south-westerly direction within the Residential zone, (and adjacent to the Rail Transportation Corridor), then in a west-north-westerly direction within the Residential zone, (adjacent to the Rail Transportation Corridor), then continuing within the Industrial -A zone (adjacent to the Rail Transportation Corridor), in a west-north-westerly direction until it intersects with Garfield Avenue. All sections of the park and walkway within the Residential Zone should be a minimum of fifteen (15) feet wide, with sections wider where appropriate.

The other portion of the park and walkway should follow in the path of the former Morris Canal, which is approximately sixty (60) feet wide, as it extends from the north side of the LRT ROW (and the walkway) to Communipaw Avenue, and from Communipaw Avenue as it extends and curves in a north and east direction to the edge of the Plan Area boundary. At this point, the walkway may be able to connect with a rededicated Canal Street or Bishop Street to the north, or to Maple Street and Lafayette Park to the south.

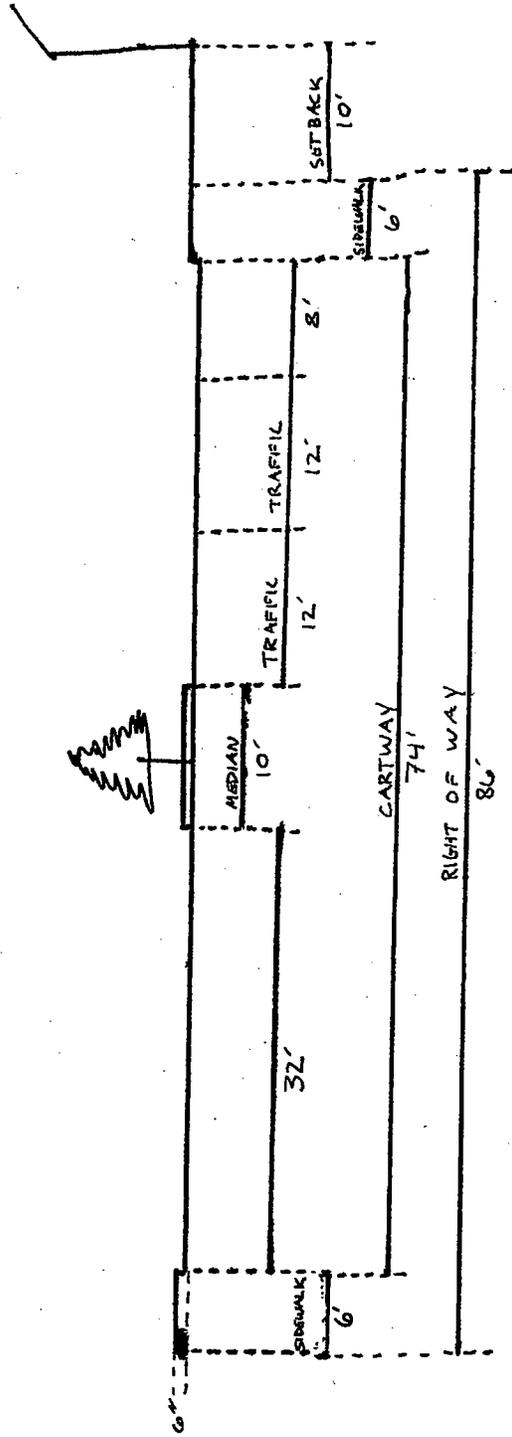
In addition, land should be made available for community gardens along Cornelison Avenue.

The Morris Canal Redevelopment Area Development Coalition (refer to section VI), and neighborhood associations that are registered with the mayor's office, should be consulted for input regarding design and development of all park and greenspace areas.

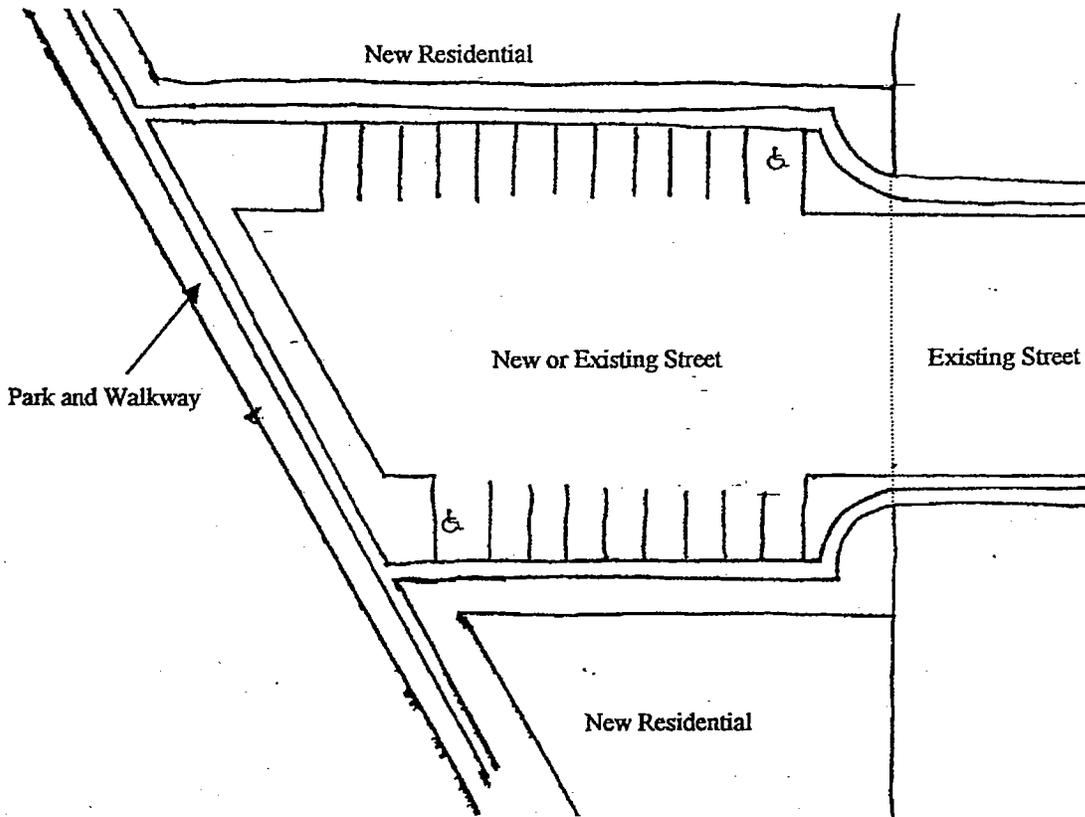
IV. General Traffic Circulation and Parking Objectives

- A. Eliminate truck traffic on Pacific Avenue north of the Light Rail R.O.W., on Communipaw Avenue between Manning Avenue and Gateway Drive, and on Johnston Avenue South of Grand Street. The need for trucks to travel these streets should be eliminated by providing an alternate truck route via Garfield Avenue, and by relocating industry and commercial truck traffic destinations out of the residential portion of the Lafayette neighborhood.

- B. Inhibit the travel on residential streets by trucks, buses and other commercial vehicles by installing traffic calming devices at appropriate intersections. Priority consideration should be given to the intersections of Whiton and Lafayette Streets, Monitor and Lafayette Streets, and Pine and Maple Streets.
- C. Reroute Cornelison Avenue so as to provide properties on the northwest side of Cornelison Avenue with additional and sufficient loading and parking space, in order to eliminate the impedance of vehicular and pedestrian traffic along Cornelison Avenue.
- D. Vacate State Street and Johnston Avenue, between Cornelison Avenue and Grand Street, in order to accommodate greater efficiency in parcel consolidation. Access to thusly consolidated parcels should be from Bishop Street. Consideration may be warranted for a traffic light and other improvements at the intersection of Bishop Street and Grand Street.
- E. Widen Garfield Avenue between Bramhall Avenue and Communipaw Avenue sufficiently to accommodate two lanes of traffic in each direction, with a center median landscaped with trees and other plantings, and a break-down lane in each direction.
- F. Setback requirements for parcels along Garfield Avenue, between the light rail right-of-way and Communipaw Avenue should be sufficient to accommodate a future widening of Garfield Avenue, as shown in the cross section below.



- G. Provide the following options for the treatment of streets at the end of certain dead-end streets:
1. Should multiple parcels become available that create contiguous residential development sites between Blocks 2044, 2045, and 2046 *20201 and 20304*, a new road near the southern end of these blocks that connects Whiton Street, Pine Street and Suydam Avenue may be desirable.
 2. Perpendicular parking may be desirable on certain dead-end streets where new development may occur that would allow a widening of the street right-of-way. A suggested parking configuration that may be appropriate for Pine Street, Suydam Street, or Whiton Street, should they be extended south toward the LRT ROW, is shown in the drawing below.



- H. Re-open and extend Maple Street to the east to the Light Rail Station at Gateway Drive in order to extend the street grid and facilitate pedestrian access from the Lafayette neighborhood to the Light Rail Station.
- I. Re-open Garabrant Street between Communipaw Avenue and Johnston Avenue.

V. Strategic Plan

A. Land Use

Implement land use controls and design standards that encourage responsible development, redevelopment and rehabilitation.

B. Community Empowerment

Maintain an active dialog with the Redevelopment Area community throughout the redevelopment process by establishing a Morris Canal Redevelopment Area Development Coalition (MCRADC) that is described in the Community Empowerment section (section VI) of this Plan.

C. Federal EPA Brownfield Pilot

Identify four (4) to eight (8) sites for investigation and redevelopment, in compliance with Plan goals.

D. Sewerage Improvement

The drainage system in the Plan Area is generally old and in some places deteriorated because of age. Preliminary study by the City of Jersey City Division of Engineering finds that the system can be improved through a combination of cleaning and rehabilitation. An aggressive program to clean and rehabilitate existing sewers should be implemented. Furthermore, as part of redevelopment, a committee consisting of representatives from the Jersey City Redevelopment Agency, the Jersey City Department of Housing, Economic Development and Commerce, the Municipal Utilities Authority, and the Division of Engineering should be formed to develop a sewerage improvement plan that identifies and addresses current and anticipated Plan Area sewerage improvement needs.

E. Traffic Circulation

Traffic circulation shall be determined by future study as part of redevelopment project planning, and which should be oriented toward achieving the Traffic Circulation Objectives as described by this Plan.

F. Greenspace Development

Dedicate additional parkland within various zoning districts, including a Canal Banks Park and Walkway that connects various LRT stops and recreates the path of a portion of the former Morris Canal.

G. Industrial Retention and Attraction

A comprehensive strategy for industrial retention and attraction can assist Jersey City in the strengthening of its industrial base, and the resulting benefits. By targeting industries that can take advantage of Jersey City's location, transportation linkages, and other factors, municipal industrial development efforts can focus resources where it matters the most. In addition, an industrial retention and attraction strategy can link industrial development with local job training activities.

The Project on Regional and Industrial Economics at Rutgers, The State University of New Jersey has been commissioned to undertake a study of Jersey City's industrial base, in order to identify its strength and weaknesses, and to identify opportunities for retaining key industries that can play an important role in the City's future. This study, which is scheduled for June 1999 completion, will provide an important foundation for a strategy of industrial retention and attraction that addresses redevelopment goals of this Plan, as well as citywide goals.

H. Historic Preservation

It is not legally appropriate to create a historic district through a redevelopment plan. Municipal empowerment to create a redevelopment plan derives from the State of New Jersey Local Redevelopment and Housing Law. Historic District designation falls under the jurisdiction of State of New Jersey Municipal Land Use Law (MLUL).

However, the redevelopment plan can, and in this case, should, recommend separate action to conduct a study of historic sites and areas within the Redevelopment Area, for the purposes of recommending whether or not these sites and areas should be declared a Historic District. A recommended historic district study area, including minimum areas for consideration is provided in the MAPS section of this Plan.

VI. Community Empowerment

To establish and maintain community empowerment in the redevelopment process, it is recommended that the Redevelopment Area community establish a single community based development coalition for the purpose of community inclusion and the decision making process of the Redevelopment Plan.

- A. The Redevelopment Area community, including residents, property owners, business owners, and community leaders have taken an active role in the development of this Plan. In order to maintain this community empowerment in the continuing development process, and as contaminated sites within the area are remediated, the Redevelopment Area community has established the Morris Canal Redevelopment Area Development Coalition (MCRADC). The MCRADC may become incorporated in the near future and under the incorporated title assume the responsibilities of the aforementioned coalition.
- B. The MCRADC should have a democratic structure, should conduct regular meetings that are open to the community, and should be comprised of members who are Redevelopment Area residents, property owners, business owners, and community leaders.
- C. The MCRADC may designate a maximum of four agents who shall register name and current contact information that includes mailing address and telephone number with the Division of

City Planning. It shall be the responsibility of the aforementioned designated agent or agents to maintain current contact information with the Division of City Planning.

- D. Prior to implementation of any plan for site investigation and/or remediation, where such activities are conducted by, or under agreements with, the municipality, or an agency of the municipality, the MCRADC shall be notified and informed of such plans at least fourteen (14) days prior to commencement of any on-site activity, through their agent or agents, provided said agent or agents has/have registered and maintained current contact information with the Division of City Planning.
- E. In addition to the site plan review process that is required by this Plan and the municipal zoning ordinance, the applicant shall submit a site plan and site plan application to the designated agent that is/are registered with the Division of City Planning, not less than twenty-one (21) calendar days prior to the Planning Board hearing for which it is scheduled. In addition, an affidavit showing proof of submission of site plan and site plan application to the aforementioned agents shall be submitted to the Division of City Planning not less than ten (10) calendar days prior to said hearing.
- F. The Division of City Planning and the Environmental Commission shall each designate an agent to serve as liaison to the MCRADC. It shall be the responsibility of these agents to ensure that the requirements of paragraphs 4 and 5 above are met, and that the MCRADC is apprised of events as they occur throughout the investigation, remediation and redevelopment process.
- G. No site investigation, remediation, or development should be delayed due to lack of existence of a MCRADC, or due to failure of an agent or agents of the MCRADC to register current contact information with the Division of City Planning.
- H. Since the adoption of the redevelopment plan in 1999, the redevelopment of the area has begun. New community groups have formed and seek a voice within the plan area. They are named the 'Lafayette Neighborhood Action Coalition' and the 'Communipaw Avenue Block Association'. One representative from each organization shall be added to the designated agent list to receive notice.

VII. Types of Proposed Redevelopment Actions

- A. It is proposed to substantially improve and upgrade the Morris Canal Redevelopment Area through a combination of redevelopment actions. These actions will include, but not be limited to:
 - 1. Rehabilitation and renovation of viable and potentially useful structures.
 - 2. Investigation and remediation of contaminated sites for the purpose of redevelopment.
 - 3. Clearance of dilapidated, deteriorated, obsolete or underutilized structures where necessary.
 - 4. Relocation of non-conforming uses where necessary.
 - 5. Acquisition for assembly into development parcels of vacant and underutilized land.
 - 6. Construction of new structures and complementary facilities.
 - 7. Provision for public infrastructure necessary to service and support the new development.
 - 8. Development of new green space areas for recreation, walkway and bikeway, and community gardens.
 - 9. Pursuit of Land Use Strategies:

- a. Special mixed - use areas, where existing commercial in residential buildings can exist, subject to design and use controls, and where infill mixed use development is encouraged.
- b. Residential areas, where commercial and industrial intrusions are prohibited, and where new infill residential construction is encouraged.
- c. Industrial Areas, where industry and commerce can exist and expand, subject to design and use controls.
- d. Retail Areas, where sales of goods and services are encouraged, subject to design and use controls.
- e. Adaptive Reuse Areas, where certain structures of significance can be preserved and reused, subject to use controls.
- f. Streetscape controls which guide construction and rehabilitation.

VIII. General Administrative Provisions

The following provisions apply to all property located within the Morris Canal Redevelopment Area.

- A. ~~All definitions that are contained within the Plan glossary shall prevail.~~
- B. All zone guidelines, standards, and requirements shall be in accordance with the Plan's Zoning and Adaptive Reuse Zoning Overlay Maps. Recommended new parkland areas and LRT stops shall be according the Plan Map.
- C. The regulations and controls in this section may be implemented, where applicable, by appropriate covenants, or other provisions, or through agreements for land disposition and conveyances executed thereto.
- D. No building or structure shall be constructed over public rights-of-way or easements, without the prior, written approval of the Municipal Engineer and site plan approval by the Planning Board. No building or structure shall be constructed in the bed of a mapped street unless such street has been vacated by an act of the Municipal Council and the site plan has been approved by the Planning Board.
- E. Prior to the commencement of (a) any exterior construction, reconstruction, and/or rehabilitation of any existing structure, (b) any change to the interior floor plan of any structure, or (c) any change in the use of any structure or parcel, a site plan for such shall be submitted by the developer or property owner to the Planning Board for review, so that compliance of such plans with this Plan can be determined. No Building Permit shall be issued for any work which would result in a change of use, or in a change in intensity of use, for any premises within the Area, without prior review and approval of such work by the Planning Board. Regular maintenance and minor repair shall not require Planning Board review.
- F. All residential redevelopment proposals and construction plans shall meet or exceed applicable minimum room size requirements.
- G. The provisions of this plan specifying the redevelopment of the project area and the requirements and restrictions with respect thereto shall be in effect for a period of forty (40) years from the original date of approval of this Plan by the Jersey City Municipal council. Subsequent amendments hereto shall not alter or extend this period of duration, unless specifically extended by such amendments.
- H. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Site plan review shall consist of a preliminary site plan application and a final site plan application. Submission of a site plan and site plan application shall conform with the requirements of the Municipal Zoning Ordinance and this Plan, including the Community Empowerment section, section VI, of this Plan. Applications may be submitted for an entire project or in phases. For projects involving three (3) or more acres, a master plan which depicts the overall layout of the site must be submitted and approved by the Board prior to preliminary site plan approval and as part of the application process.

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.

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.

- I. Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with this Plan's requirements and the Jersey City Land Subdivision Ordinance.
- J. No development or redevelopment of any parcel in the Plan Area that will result in an increase in wastewater from that parcel shall be permitted unless and until the planned project wastewater piping and systems for the removal of effluent and stormwater are approved by the City of Jersey City Division of Engineering and the Municipal Utilities Authority; and the municipal wastewater piping and systems for the removal of effluent and stormwater are certified by the City of Jersey City Division of Engineering and the Municipal Utilities Authority as being of sufficient capacity and good condition to accommodate uses that will occupy said parcel. Such approval may be contingent upon requisite improvements to the drainage system in the street, as determined by the Division of Engineering.
- K. Interim uses may be submitted, subject to an agreement between the developers and the Planning Board that such uses will not have an adverse effect upon existing or contemplated development during the interim use period. Interim uses must be approved by the Planning Board, which may establish an interim use period of up to three (3) years in duration. The Planning Board may grant additional renewals of interim uses. No commercial or commuter parking shall be allowed as an interim use.
- L. Deviation Requests: As a function of preliminary site plan approval, the Planning Board may use its powers as granted by NJSA 40:55D-60 and NJSA 40:55D-60.a. to: (1) Where: (a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or (c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any provision of this plan would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property, grant, upon an application relating to such property, a deviation from such strict application of such provision so as to relieve such difficulties or hardship; (2) where in an application relating to a specific piece of property the purposes of this redevelopment plan would be advanced by a deviation from the redevelopment plan requirements and the benefits of the deviation would substantially outweigh any detriment, grant a deviation to allow departure from the provisions of this redevelopment plan; provided, however, the fact that a proposed use is an inherently beneficial use shall not be dispositive of a decision on a deviation under this clause and provided that no deviation from those departures enumerated in NJSA 40:55D-70.d. shall be granted under this clause. An application for a deviation from the provisions of this Plan shall provide public notice of such application in accordance with the public notice requirements set forth in NJSA 40:55D-12.a.& b.
- M. If any word, phrase, clause, section or provision of this Plan shall be found by a court of competent jurisdiction to be invalid, illegal or unconstitutional, such word, phrase, clause, section or provision shall be deemed severable and the remainder of the ordinance shall remain in full force and effect.

IX. General Design and Land Use Standards and Requirements

The following standards and requirements shall apply to all zones.

- A. No junked motor vehicles, or parts thereof shall be permitted to be stored on any lot within the Area.
- B. All utility distribution lines, utility service connections from such lines to the project area's individual uses, and utility appliances, regulators and metering devices shall be located underground or within enclosed structures. Remote readers are required for all utilities, in lieu of external location of the actual metering devices. Developers are required to arrange for connection to public and private utilities.
- C. Chain link fencing shall be prohibited, except during construction, for all street frontage on sites. Only wooden board-on-board, picket fences, or tubular steel or mild steel, "wrought iron" type fences will be permitted on such sites. Other types of fences may be permitted, subject to review and approval by the Planning Board. Chain link fencing for construction shall be dismantled and removed prior to the issuance of a Certificate of Occupancy of any type.
- D. No Billboard shall be permitted on any property contained within the Plan Area. Existing billboards shall be considered non-conforming and shall be removed at the end of their useful life. The useful life of a billboard shall extend no more than five years beyond the date of adoption of this redevelopment plan.
- E. No flashing lights or neon signs shall be permitted within the Plan Area, except for seasonal holiday decorations. In addition, all signs shall conform with Plan district signage requirements.
- F. No advertising shall be permitted on parking meters, light poles, or on benches or other street furniture within the public right-of-way.
- G. All corner buildings, except in zone Industrial —A, shall have windows on both street frontages.
- H. All parts and components of cellular phone antennas, satellite dishes, and television and radio transmission antennas shall be completely screened from view from all directions and elevations on existing or planned structures, parks, roads, highways and bridges, or shall be disguised within the architecture of a structure. Said screening shall be constructed in a manner that is pleasing to the eye and consistent with the surrounding architecture. In all cases, creative placement of said equipment is strongly encouraged in order to minimize the need for screening.
- I. In all cases, due consideration shall be given to the screening of rooftop mechanical equipment. Where feasible, rooftop mechanical equipment shall be screened from view from all directions and elevations to minimize the negative aesthetic impact upon the view from neighboring residential zones, the view from street level, and the view from the New Jersey Turnpike extension. Particular consideration should be given to the view from properties and structures along Summit Avenue, Clifton Place, and Randolph Avenue. Said screening shall be constructed in a manner that is pleasing to the eye and consistent with the surrounding architecture.
- J. On-street parking of trucks, tractor-trailers, trailers of any type, and buses, mini-buses and jitneys shall be prohibited in all zones.
- K. All outdoor storage shall be prohibited, except within the Mixed Use - B Zone, wherein pipes, lumber, plants and other home improvement related products may be stored outdoors.

- No hazardous materials may be stored outdoors. All permitted outdoor storage must be completely screened from view.
- L. Outdoor parking of vehicles that are inoperable or unregistered shall be prohibited.
 - M. Commercial and Commuter Parking shall be prohibited within the Area, except at the Liberty State Park Station Park and Ride at Gateway Drive, as it exists at the time of adoption of this Plan.
 - N. Only those Service Stations that are existing at the time of adoption of this Plan shall be permitted to exist. This Plan's definition of Service Station shall prevail. Existing Service Stations shall be permitted to increase structures and land area by no more than 20% of the amount of coverage that exists at the time of adoption of this Plan, provided that the site plan conforms with the City of Jersey Municipal Zoning Ordinance, and this Plan.
 - O. Only those drug or alcohol rehabilitation centers that exist at the time of adoption of this Plan shall be permitted to exist.
 - P. No prisons or jails shall be permitted.
 - Q. The storage, processing, separation, or transfer of garbage or waste materials shall be prohibited.
 - R. No use or reuse shall be permitted, which produces toxic or noxious fumes, hazardous discharges, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features that are detrimental to the public health, safety or general welfare, or that are damaging to the physical environment.
 - S. Upon demolition of any existing structures, the site shall be graded, planted, sodded and/or paved.
 - T. All exterior dumpsters shall be encompassed by opaque perimeter screening that is greater in height than the height of the dumpster.
 - U. Home Occupation, ~~as defined by this Plan~~, shall be permitted as an accessory use.
 - V. No overnight residential facility shall be permitted within Industrial —A zone, with the exception of accommodations for a single caretaker of a non-residential use.
 - W. Building Design Objectives
 1. Within the industrial zone, building design shall be guided by the general characteristics of a modern industrial park.
 2. 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.
 3. Groups of related buildings shall be designed to present a harmonious appearance in terms of architectural style and exterior materials.
 4. Buildings shall be designed so as to have an attractive, finished appearance when viewed from all vantage points within and outside the Area.
 5. Materials used for screening of rooftop mechanical equipment shall be harmonious with those used in the building's facade.
 6. All trash receptacles shall be adequately secured and enclosed.
 7. All utility distribution lines and utility service connections from such lines to the project area's individual use shall be located underground.
 - X. Landscaping and Lighting Standards and Requirements
 1. Landscaping shall be required for any part of any parcel not used for buildings, off-street parking, loading spaces, or outdoor storage areas. All proposed site plans shall include proposals for landscaping indicating the location, size and quantity of the various species to be used.
 2. Greenspace (trees, shrubs, flowers, etc.) shall be used as buffers and to accent entrances, arcades and sidewalks.
 3. All plant material used must be able to withstand an urban environment. All screen planting shall be a minimum of four (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.

4. Any landscaping which is not resistant to the environment or that dies within two (2) years of planting shall be replaced by the developer.
5. Trees and shrubs shall be planted along curblines of streets at a maximum of 40 foot centers or groupings, in a regular pattern or spaced alternately on either side of streets, to further enhance the aesthetic quality of the redevelopment area.
6. Lighting within the site shall sufficiently illuminate all areas, including those areas where buildings are setback or offset to prevent "dark corners".
7. All lighting sources must be adequately shielded to avoid any glare. The area of illumination shall have a fairly uniform pattern of or least one-half (0.5) foot-candles.
8. Lighting fixtures shall be in scale with the street and size of the project.

X Off-Street Parking And Loading Requirements

~~Provisions A through G apply to automobile parking.~~

- A. Industrial uses shall provide a minimum of one (1) parking space per 750 square feet of gross floor area.
- B. Warehousing, distribution, wholesaling, terminal facilities and other storage facilities shall provide a minimum of one parking space per 5,000 square feet of gross floor area.
- C. Office, retail and other commercial uses shall provide a minimum of one (1) parking space per 1,000 square feet of gross floor area, except when in zones Mixed Use - A and Adaptive Reuse Overlay- Zone D.
- D. Public/semi-public uses shall provide a minimum of one (1) parking space per 1,000 square feet of gross floor area.
- E. Parking requirements for residential uses, if any, may be found in Section XI of this plan related to the specific land use provisions for the various land use zones of this Redevelopment Plan. Where no residential parking requirement is specified within any land use zone or overlay district, one parking space per dwelling unit shall be required. Medical Office buildings shall provide a minimum of 1 space per 1000 sf. of GFA
- F. All required parking spaces must be a minimum of 9 feet wide by 18 feet deep, as measured from the curb stop, except for retail uses. All required parking spaces for retail uses shall be 10 feet wide by 18 feet deep. All aisles shall be a minimum of 24 feet wide. Except that parking spaces located within a parking structure shall be a minimum of 9 feet wide by 18 feet deep and the aisle width may be reduced to 22 feet. Within parking structures, up to 25% of the parking spaces provided may be compact spaces measuring 8 feet wide by 16 feet deep. Additional parking spaces over the minimum required may be provided as tandem or stacked spaces.
- G. The parking requirements found herein Section X. may be supplemented or superseded by additional parking requirements as may be found in Section XI of this plan related to the specific land use provisions for the various land use zones of this Redevelopment Plan.
- H. Off-street parking and loading areas shall be coordinated with the public street system serving the project area in order to avoid conflicts with through traffic or obstruction to pedestrian walks and thoroughfares. Developers shall demonstrate that sufficient off-street parking and loading will be provided to meet the needs of the proposed use.
- I. Parking lots for five (5) or more vehicles, and all loading areas, shall provide a screen planting 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. Said screening shall consist of balled and burlapped dense evergreen material that is a minimum of three (3) feet high at the time of planting, that is planted on a center that is consistent with the mature spread of the species planted. Within the parking area, a minimum of one

tree shall be planted for every 5 parking spaces. Landscaping shall be maintained with shrubs no higher than three (3) feet and trees with branches no lower than six (6) feet, and designed so that the landscaping is dispersed throughout the parking area.

- J. Parking lots of ten (10) or more spaces shall be planted with shade trees at a rate of one tree per ten (10) parking spaces in addition to required street trees and perimeter screen planting.
- K. Lighting used to illuminate off-street parking and loading areas shall be arranged and shielded to prevent the spillage of light off the premises and shall be in accordance with the lighting requirements of the Municipal Zoning Ordinance.
- L. Where no new Streets are created, all required parking and loading areas shall be provided off-street All such parking and loading areas shall be graded and paved with a durable dust free surface, adequately drained, and use poured in place concrete curbs, at a minimum, throughout All parking and loading areas shall be designed in accordance with the requirements of the Jersey City Zoning Ordinance.
- M. Parking and service areas should be separated from streets. These access areas shall be clearly designated so as to avoid the backing in and out of vehicles onto the street right-of-way.

XI. Land Use Zones And Specific Land Use Provisions

A. Transit Oriented Development

The Transit Oriented Development District (TOD) shall generally encompass the eastern portion of the Morris Canal Redevelopment Area in the vicinity of the Hudson Bergen Light Rail Transit (HBLRT) station and adjacent to the RTC Rail Transportation Corridor District. The TOD shall be further sub-divided into four (4) sub-districts: 1. Transit Village, 2. TOD South, 3. TOD North, and 4. TOD West (See Map B).

The purpose of this district is to provide for higher density mid-rise development and lower parking standards in proximity to the HBLRT station in order to take advantage of the mass transit opportunities afforded by the Hudson Bergen Light Rail and local bus routes.

1. Transit Village: The Transit Village sub-district constitutes the core of the TOD District and is generally located between Communipaw Avenue on the South, Johnston Avenue on the North, former Garabrant Street on the West, and Gateway Drive on the East. The district is directly across Gateway Drive from the Light Rail Station.

NOTE: At this time, specific recommendations have not been fully developed for the Transit Village District. Therefore, for the time being, the requirements of the CP – Commuter Parking district will remain in effect.

2. TOD-South: The TOD South District is located south of, and has frontage on Communipaw Avenue. This district also has frontage on Suydam Avenue, Pine Street and adjoins the Rail Transportation Corridor district on the south and east. The following regulations shall apply to all property within the TOD-South district. ~~except for Lots: A, 14, 15, 16.99, 17, 18, 19, 20, 21, 22, 23, 24A, 24B, and 24C located on Block 2047. These lots shall continue to be regulated by the requirements of the Residential District of this Redevelopment Plan.~~

- a. Permitted Uses

- i. Multi-family Residential
- ii. Office
- iii. Hotel
- iv. Retail Sales & Services
- v. Restaurants (Category one and two)
- vi. Schools
- vii. Day Care Centers
- viii. Public Parks/Open Space
- ix. Mixed use of the above
- x. Public Utilities, except that natural gas transmission lines shall be prohibited

NOTE: Uses other than Residential and Public Parks shall only be permitted on sites having frontage on, and primary access from, Communipaw Avenue.

- b. Accessory Uses
 - i. Off-street Parking
 - ii. Home occupations
 - iii. Private Open Space and Recreation Facilities: including indoor & outdoor recreation areas, meeting rooms, gyms & spas, and other similar facilities
- c. Minimum Lot Size: 30,000 sq.ft. (Note: All parcels of less than 30,000 square feet shall be governed by the requirements of the Residential District of the Morris Canal Redevelopment Plan).
- d. Intensity of Development: The size and scale of all buildings in this district shall be regulated by the development bulk standards of this district. And further provided that the floor area ratio of any building shall not exceed 6.0.
- e. Height Standards: Maximum of 4 stories / 45 feet for buildings fronting on Pine Street.
Maximum of 8 stories 90 feet elsewhere in the district
- f. Setback Requirements:
 - i. Communipaw Avenue Setback: Zero (Commercial uses should meet the sidewalk, however, the building may be setback where necessary to create additional sidewalk width or outdoor seating areas for restaurants).
 - ii. Suydam Avenue and Pine Street setback: Minimum of five (5) feet from the street property line except for building lobbies, elevator core and fire staircases which are permitted to be at the front property line.
 - iii. Side yard setback (perpendicular to Suydam Avenue or Pine Street): No Minimum, except where the side lot line is also a Residential district property line, wherein the minimum side setback shall be five (5) feet.
 - iv. Side yard setback (perpendicular to Communipaw Avenue): No Minimum.
 - v. Rear yard setback: No minimum for the lower level of the building containing off-street parking. 15 feet for floors above the first level.
- g. Design Standards
 - i. Façade materials must primarily consist of standard brick with stone accents, and of a color that is compatible with the surrounding built residential environment. Other materials such as metal panels, cementitious board siding and similar materials may be used on window bays and as accents on the façade to provide architectural interest and variety. Windows and doors shall have stone or brick lintels and sills except where metal panels or other non-masonry materials are used, or where the window are more

- minor (i.e. smaller) in scale, such as windows on exit stairways or bathrooms.
- ii. The structure must contain vertical elements in the façade to break up the horizontal lines of the building and create architectural interest and variety such that the structure does not read as a continuous slab along the streetscape.
 - iii. A corner bay above the ground floor shall be permitted to encroach upon the required setback area or into the ROW a maximum of 3 feet at the corner of Suydam and Communipaw Avenues provided that the lowest point of the bay is at least 15 feet above grade and subject to compliance with local ordinances and City Council approval if applicable.
 - iv. Window bays serving residential uses may be incorporated into the structure, with the bays subject to the following conditions:
 1. Must align vertically with the façade section
 2. Maximum protrusion from primary façade of two (2) feet.
 - v. Only French Balconies shall be permitted on facades fronting on a public street.
 - vi. Parking levels must be constructed of the same materials as the overall structure and contain fenestration and other detailing that is consistent with the architectural design of the overall structure. Entrances to the parking area must be limited to a single bay opening, or one set of adjacent double bay openings. The combined width of a vehicular bay opening in the façade may not exceed twenty (20) feet.
 - vii. Story height for residential use must be a minimum of nine (9) feet from floor to ceiling, but may not exceed twelve (12) feet from floor to ceiling. First floor story height for a non-residential use must be a minimum of twelve (12) feet from floor to ceiling. However, ground floor parking levels shall not exceed twelve feet (12) above grade.
 - viii. Windows in residential portions of a building shall be arranged in a contemporary and organized manner. The tops of windows and doors shall be designed to avoid confusing perspectives. Windows shall not be scattered in a haphazard manner in the façade. Bay windows and other window features may be incorporated into the façade to provide architectural interest and character. The window sill of any residential window shall not be less than five (5) feet above the elevation of the adjoining sidewalk
 - ix. Ground Floor retail fenestration shall constitute a minimum of seventy-five (75) percent of the ground floor façade area.
 - x. Where a parapet is used, a cornice must be provided along all building facades and sides. Cornice must be sympathetic in scale and design to the nearby residential architecture. A cornice shall be permitted to encroach upon the required setback area or into the ROW a maximum of 2 feet, subject to compliance with local ordinances and City Council approval if applicable.

- xi. All rooftop mechanicals and equipment shall be encompassed by opaque screening that is consistent in materials and style with the structure below, set back at least ten (10) feet from the building and penthouse facades, and may not be visible from an elevation of five (5) feet on the opposite side of the adjacent public right of way.
- xii. Rooftop stairwell and elevator enclosures must be designed to be consistent with the overall architectural design and materials of the building.
- xiii. Adequate facilities for storage of refuse must be indicated on the site plan. The method of collection must also be indicated on said plan. All such storage areas must be screened from view from street and from adjoining properties using opaque materials.
- xiv. Common area indoor bicycle storage facilities shall be designed so that bicycles can be easily and properly secured.
- xv. Utility meters must not be visible from the public right-of-way.
- xvi. Exterior utility boxes must be installed below grade.
- xvii. Security gates may be installed in the shop front. All security gates must be installed in the interior of the storefront and must be of the open link variety.

h. Parking Requirements

- i. Residential – Max of 1.0 auto parking space per unit, and Minimum of 1.0 bicycle space per bedroom.
- ii. Hotel – Max of 1.0 auto parking space per room.
- iii. Other Commercial – Max of 2.5 auto parking spaces per 1,000 sq. ft.
- iv. Schools – Max of 1.0 per classroom.

i. Street Circulation Improvements:

- i. All existing streets shall remain open to the public.
- ii. A new vehicular / pedestrian street or alley shall be created at the southern end of Suydam Avenue and extending in an easterly and then northerly direction to connect with Communipaw Avenue.
- iii. Additional streets, alleys, or other rights-of-way may be constructed in order to create an urban grid street pattern consistent with “New Urbanism” planning principals.
- iv. The locations of all new streets, alleys and rights-of-way shall be subject to review and approval by the Jersey City Planning Board and the appropriate departments, divisions and agencies of the City of Jersey City.
- v. All new streets, alleys and rights-of-way shall be constructed to applicable Municipal and State standards and the standards of this Plan.

3. TOD-West: The TOD West district is located just west of the Transit Village district between Communipaw and Johnston Avenues. It is comprised of existing industrial-structures as well as parcels that consist of completely vacant land and a

blocks that are partially vacant and partially underutilized. *Several properties within this subzone are eligible for Adaptive Reuse Overlay Zone regulations (See §M).* Therefore the development regulations of this district have been established on a parcel or block basis.

- a. ~~Block 2049 & Block 2071~~ **15802, Lots 24 & 26-2** – This parcel contains a former industrial structure that is currently under renovation and redevelopment pursuant to the requirements of the Adaptive Reuse Overlay Zone “D”. Therefore, redevelopment of this property will continue to be governed by the requirements and standards of the Adaptive Reuse Overlay Zone.
- b. ~~Block 2071, Lot B.3~~ This parcel contains an existing industrial structure and therefore may be developed in conformance with the requirements of the Adaptive Reuse Overlay Zone “A”. Or if the structure is demolished, the property may be developed in conformance with the requirements of paragraph d, below.
- c. ~~Block 2071, Lots 3 through 12~~ These lots shall be governed by the requirements of the residential district.
- d. ~~Block 2070, Lots A, B1, B2, 15, 16, 17 & 19~~ **Block 19004 Lots 36, 37, 1, 2, 3, 4 and 5, & Block 15802 Lot 37**
 - i. Permitted Principal Use –
 - Multi-family Residential
 - Public Utilities, except that natural gas transmission lines shall be prohibited
 - ii. Accessory Uses
 - Off-street parking, only within the principal structure
 - Resident amenity areas such as gymnasium and exercise rooms, meeting rooms, indoor and outdoor recreation areas, etc.
 - iii. Maximum Height
 - The maximum height shall be 5 stories and 55 feet.
 - Each residential floor shall have a minimum height of nine (9) feet from floor to ceiling.
 - iv. Maximum Density – 110 dwelling units per acre.
 - v. Streetfront Setbacks – Buildings must be setback at least five (5) feet from any street line in order to provide a landscaped front yard between the building and the sidewalk area. Bay windows on upper level residential floors may partially extend into this setback area in order to provide architectural interest and character.
 - vi. Side Setback – Zero (note where only one interior lot line exists i.e. where a property has frontage on three streets), that lot line shall be considered a rear lot line. On corner lots, the lot line opposite the front lot line shall be the rear lot line and the other interior lot line shall be the side lot line.
 - vii. Rear Setback – The setback from any interior lot line shall be 15 feet. Parking may extend into the required yard area provided that the floor of the parking level is located at least three feet below grade and the parking is enclosed within the principal structure or extension thereof. The roof of the parking portion of the structure

may be no more than ten (10) feet above grade and shall be designed and/or landscaped for use as an outdoor terrace area.

e. *c. Block 2072 15802 & 19003*

- i. Permitted Principal Use –
 - Multi-family Residential
 - Retail sales of goods and services and Restaurants (Category One & Two) only along the Johnston Avenue frontage, and as part of a mixed use building
 - Child care centers
 - Public Utilities, except that natural gas transmission lines shall be prohibited
 - Mixed use of the above
- ii. Accessory Uses
 - Off-street parking, only within the principal structure.
 - Resident amenity areas such as gymnasium and exercise rooms, meeting rooms, indoor and outdoor recreation areas, etc.
- iii. Maximum Height
 - ***Block 15802*** - Along Johnston Avenue for a depth of 100 feet, the maximum height shall be 14 stories and 150 feet.
 - ***Block 19003 – Along Johnston Avenue for a depth of 100 feet, the maximum height shall be 8 stories and 90 feet.***
 - Along Maple Street for a depth of 100 feet, the maximum height shall be 8 stories and 90 feet.
 - Along Garabrant Street, the maximum height shall be 6 stories and 65 feet. In addition, a 7th floor penthouse may be constructed provided that it is setback at least five (5) feet from the front façade.
 - Along Monitor Street, the maximum height shall be 5 stories and 55 feet. In addition, a 6th floor penthouse may be constructed provided that it is setback at least five (5) feet from the front façade.
 - Each residential floor shall have a minimum height of nine (9) feet from floor to ceiling.
- iv. Maximum Density – 125 dwelling units per acre, inclusive of the vacated portions of Garabrant and Maple Streets.
- v. Required Front Setbacks – All first floor residential portions of the building must be setback at least five (5) feet from the property line in order to provide a landscaped area / front yard between the building and the sidewalk area. Commercial frontages may adjoin the sidewalk line. Upper level residential floors may partially extend into the setback area and over the commercial areas in an articulated fashion in order to provide architectural interest and character.
- vi. Required Rear Setbacks – The rear wall of any residential portion of the building may not be located any further than seventy-five (75) feet from the front property line parallel to and nearest to said

- rear wall. The distance between any two rear walls parallel to, or nearly parallel to each other shall not be less than fifty (50) feet.
- vii. Required Building Stepbacks – Buildings fronting on Maple Street and Johnston Avenue shall provide a stepback of at least five (5) feet from the front property line at a height between twenty (20) and fifty (50) feet. Additional stepbacks near the buildings top are also required in order to provide architectural interest.
 - viii. Additional Design Standards – Buildings constructed in this area may incorporate contemporary materials and design features, such as glass and metal panels in order to provide architectural interest. All parking use areas shall be ringed with active use areas such as residential or commercial and shall be covered by a roof deck. The roof deck over parking areas shall be landscaped and designed for use as an outdoor amenity space.

~~f. Block 2073~~

- ~~i. Permitted Principal Use –~~
 - ~~• Multi family Residential~~
 - ~~• Retail sales of goods and services and Restaurants (Category One & Two) only along the Johnston Avenue frontage and as part of a mixed use building~~
 - ~~• Child care centers~~
 - ~~• Public Utilities, except that natural gas transmission lines shall be prohibited~~
 - ~~• Mixed use of the above.~~
- ~~ii. Accessory Uses~~
 - ~~• Off street parking, only within the principal structure~~
 - ~~• Resident amenity areas such as gymnasium and exercise rooms, meeting rooms, indoor and outdoor recreation areas, etc.~~
- ~~iii. Maximum Height~~
 - ~~• Along Johnston Avenue and along Maple Street for a depth of 100 feet, the maximum height shall be 8 stories and 90 feet.~~
 - ~~• Along Monitor Street and Pine Street, the maximum height shall be 5 stories and 55 feet. In addition, a 6th floor penthouse may be constructed provided that it is setback at least five (5) feet from the front façade.~~
 - ~~• Each residential floor shall have a minimum height of nine (9) feet from floor to ceiling.~~
- ~~iv. Maximum Density – 125 dwelling units per acre.~~
- ~~v. Required Front Setbacks – All first floor residential portions of the building must be setback at least five (5) feet from the property line in order to provide a landscaped area / front yard between the building and the sidewalk area. Commercial frontages may adjoin the sidewalk line. Upper level residential floors may partially extend into the setback area and over the commercial areas in an articulated fashion in order to provide architectural interest and character.~~

- ~~vi. Required Rear Setbacks—The rear wall of any residential portion of the building may not be located any further than seventy five (75) feet from the front property line parallel to and nearest to said rear wall. The distance between any two rear walls parallel to, or nearly parallel to each other shall not be less than fifty (50) feet.~~
 - ~~vii. Required Building Stepbacks—Buildings fronting on Maple Street and Johnston Avenue shall provide a stepback of at least five (5) feet from the front property line at a height between twenty (20) and fifty (50) feet. Additional stepbacks near the buildings top are also required in order to provide architectural interest.~~
 - ~~viii. Additional Design Standards—Buildings constructed in this area may incorporate contemporary materials and design features, such as glass and metal panels in order to provide architectural interest. All parking use areas shall be ringed with active use areas such as residential or commercial and shall be covered by a roof deck. The roof deck over parking areas shall be landscaped and designed for use as an outdoor amenity space.~~
- g. *d.* Parking Requirements:
- i. Residential – Max of 1.0 auto parking space per unit, and Minimum of 1.0 bicycle space per bedroom.
 - ii. Commercial – Max of 2.5 auto parking spaces per 1,000 sq. ft.
- h. *e.* Street Circulation Improvements:
- i. Garabrant Street shall be re-opened in its original location, or reconstructed to the east of and parallel to its original alignment and shall have a R.O.W. width of at least 60 feet.
 - ii. Maple Street shall be re-opened and extended to the Transit Village district and shall have a R.O.W. width of at least 60 feet.
 - iii. All existing streets shall remain open to the public.
 - iv. Additional streets, alleys, or other rights-of-way may be constructed in order to create an urban grid street pattern consistent with “New Urbanism” planning principals.
 - v. The locations of all new streets, alleys and rights-of-way shall be subject to review and approval by the Jersey City Planning Board and the appropriate departments, divisions and agencies of the City of Jersey City.
 - vi. All new streets, alleys and rights-of-way shall be constructed to applicable Municipal and State standards and the standards of this Plan.
4. TOD-North: The TOD North District is located north of, and has frontage on Johnston Avenue. *There are two portions of* this district *with* also has frontage on Garabrant Street, Monitor Street, Pine Street and Whiton Street; and adjoins the Rail Transportation Corridor district on the north and east. It is comprised of existing industrial structures as well as parcels that consist of completely vacant land and blocks that are partially vacant and partially underutilized. ~~In addition, a~~

portion of this district at the intersection of Johnston Avenue and Garabrant Street has been redeveloped with townhouses. Therefore the development regulations of this district have been established on a parcel or block basis.

- a. Blocks ~~2093 and 2095~~ *17505 & 17504*
 - i. Permitted Principal Use –
 - Multi-family Residential
 - Retail sales of goods and services and Restaurants (Category One & Two) only along the Johnston Avenue frontage and as part of a mixed use building
 - Child care centers
 - Public Utilities, except that natural gas transmission lines shall be prohibited
 - Mixed use of the above
 - ii. Accessory Uses
 - Off-street parking, within the principal structure and as surface parking at the rear of the building with appropriate landscaping; including shade trees.
 - Resident amenity areas such as gymnasium and exercise rooms, meeting rooms, indoor and outdoor recreation areas, etc.
 - iii. Minimum Lot Size – 10,000 square feet. (Note: All parcels of less than 10,000 square feet shall be governed by the requirements of the Residential District of the Morris Canal Redevelopment Plan).
 - iv. Maximum Height
 - The maximum height shall be 8 stories and 85 feet.
 - Each residential floor shall have a minimum height of nine (9) feet from floor to ceiling.
 - v. Intensity of Development – The size and scale of all buildings on these blocks shall be regulated by the bulk standards herein and further provided that the floor area ratio of any building shall not exceed 6.0 on block ~~2095~~ *17504* and 5.5 on block ~~2093~~ *17505*.
 - vi. Required Front Setbacks – Minimum five feet (5). Bay windows on upper level residential floors may partially extend into the front setback area a maximum of 2 feet in order to provide architectural interest and character.
 - vii. Side Yard Setback- Minimum zero feet (0).
 - viii. Rear Yard Setback- Twenty-five Feet (25) for Residential Floors; and Zero Feet (0) for the parking level. The roof of the parking level may be no more than ten (10) feet above grade and shall be designed and landscaped for use as an outdoor terrace area.
 - ix. Additional Design Standards – Buildings constructed in this area may incorporate contemporary materials and design features such as glass and metal panels in order to provide architectural interest. The roof deck over parking areas shall be landscaped and designed for use as an outdoor amenity space.
- b. Block ~~2094~~ *17503* – This Block contains a former industrial structure that has received site plan approval to begin redevelopment pursuant to the

requirements of the Adaptive Reuse Overlay Zone "A". Therefore, redevelopment of this property will continue to be governed by the requirements and standards of Adaptive Reuse Overlay Zone "A".

- c. Block 2096 15801 - Lots 49 & 50 D, E, F, G and H 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
 - Public Utilities, except that natural gas transmission lines shall be prohibited
 - 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.

d. Blocks ~~2097~~ 17502

- i. Permitted Principal Use –
- Multi-family Residential
 - Public Utilities, except that natural gas transmission lines shall be prohibited
- ii. Accessory Uses
- Off-street parking, both within the principal structure and as surface parking behind the building and adjacent to the railroad right-of-way, with appropriate landscaping; including shade trees.
 - Resident amenity areas such as gymnasium and exercise rooms, meeting rooms, indoor and outdoor recreation areas, etc.
- iii. Maximum Height
- The maximum height shall be 8 stories and 85 feet.
 - Each residential floor shall have a minimum height of nine (9) feet from floor to ceiling.
- iv. Intensity of Development – The size and scale of buildings on this blocks shall be regulated by the bulk standards herein and further provided that the floor area ratio of any building shall not exceed 5.0.
- v. Minimum Lot Area – Entire Block.
- vi. Required Front Setbacks – Minimum 5 feet. Bay windows on upper level residential floors may partially extend into the yard area a maximum of 2 feet in order to provide architectural interest.
- vii. Side Yard Setback- Minimum zero feet (0).
- viii. Rear Yard Setback- Twenty-five Feet (25) for Residential Floors; and Zero Feet (0) for the parking level. The roof of the parking level may be no more than ten (10) feet above grade and shall be designed and landscaped for use as an outdoor terrace area.
- ix. Additional Design Standards – Buildings constructed in this area may incorporate more contemporary materials and design features such as glass and metal panels in order to provide architectural interest. The roof deck over parking areas shall be landscaped and designed for use as an outdoor amenity space.

- e. Parking Requirements:
 - i. Residential – Max of 1.0 auto parking space per unit, and Minimum of 1.0 bicycle space per bedroom.
 - ii. Commercial – Max of 2.5 auto parking spaces per 1,000 sq. ft.
- f. Street Circulation Improvements:
 - i. All existing streets shall remain open to the public, except that the “stub” ends of Whiton Street and Pine Street located north of Ash Street may be vacated and incorporated into adjacent properties.
 - ii. Additional streets, alleys, or other rights-of-way may be constructed in order to create an urban grid street pattern consistent with “New Urbanism” planning principals.
 - iii. The locations of all new streets, alleys and rights-of-way shall be subject to review and approval by the Jersey City Planning Board and the appropriate departments, divisions and agencies of the City of Jersey City.
 - iv. All new streets, alleys and rights-of-way shall be constructed to applicable Municipal and State standards and the standards of this Plan.

B. Commuter Parking

The zone shall encompass all lands contained within the following boundary description: Beginning at a point of intersection of the centerline of Communipaw Avenue and the NW block limit of Block 2048 15802; thence proceeding in a NE direction along the aforementioned line of the block limit to the point of its intersection with the centerline of Johnston Avenue; thence southeasterly on the centerline of Johnston Avenue to its point of intersection with the centerline of Gateway Drive; thence SW along Gateway Drive to the point of intersection with the centerline of Communipaw Avenue; thence proceeding in a NW direction along the centerline of Communipaw Avenue to a point at its intersection with the northwesterly block limit of Block 2048 15802, the POINT AND PLACE OF BEGINNING.

Purpose: To provide a lot for the parking of personal passenger vehicles, while occupants of the vehicles travel by rail, boat, bus, van or other means to another destination for purposes of work or pleasure. Commuter Parking shall be prohibited within the Redevelopment Area, except where it exists at Liberty Station Parking on Gateway Drive at the time of adoption of this redevelopment plan.

1. **Permitted Principal Use**
 - a. Commuter Parking
 - b. Public Utilities, except that natural gas transmission lines shall be prohibited
2. **Accessory use**
 - a. Booth or machine for the purpose of collecting fees for parking.
3. **Design Standards**

The land within this district is owned and operated by New Jersey Transit Corporation and is used as the Gateway Park and Ride lot. This lot has been designed to accommodate mass transit and to park commuters’ cars.

C. Industrial —A

Light Industry

The zone shall encompass all lands contained within the following boundary description: Beginning at the intersection of the extended northeasterly lot line of **Block 17301 Lot 14** ~~lot 15C, Block 2057~~ with the northwesterly edge of the former Morris Canal; thence proceeding southeasterly along that aforementioned extended NE lot line of **Block 17301 Lot 14** ~~lot 15C, Block 2057~~, to its point of intersection with the centerline of the vacated Manning Avenue on its SW end; thence in a SW direction along the extended centerline of Manning Avenue to its point of intersection with the centerline of Communipaw Avenue; thence in a SE direction on the aforementioned centerline of Communipaw Avenue to its point of intersection with the extended NW lot line of lot ~~± 24, Block 2040~~ **18901**; thence SW to the SW lot line of the same lot; thence SE on that SW lot line of lot ~~± 24, Block 2040~~ **18901** and continuing SE along the SW lot lines of lots ~~2, 3, 4, 5 and 6, 24, 25, 26, 27, and 28.~~ **Block 2040 18901** until the extended SW lot line of lot ~~± 28~~ intersects the centerline of Woodward Street; thence SW along the centerline of Woodward Street until it intersects the edge of the right-of-way of the LRT; thence proceeding NW along the northern edge of the LRT ROW until it intersects the centerline of Garfield Avenue; thence north along the centerline of Garfield Avenue to its point of intersection with the centerline of Communipaw Avenue; thence SE on the centerline of Communipaw Avenue until it intersects a line extended from the NW border of the northwesterly edge of the former Morris Canal; thence NE along that NW edge of the former Morris Canal, dividing ~~Block 17301 2058, Lots 1 and 2,~~ until it intersects the extended NE lot line of ~~lot 15C, Block 2057~~ **Block 17301 Lot 14**, the POINT AND PLACE OF BEGINNING.

In addition, the zone shall encompass all lands that are north of Grand Street that are not contained within Mixed Use – B or R-2 zone.

Purpose: To create aesthetically pleasing, buffered, screened and landscaped areas for light industry and other establishments that are non-polluting, and which provide a high number of jobs and contribute to municipal property tax revenues. Certain roadway improvements may be needed to redevelop these areas, and are listed under the Traffic Circulation Objectives of this Plan.

The Industrial areas to the south of the LRT ROW should be named the Lafayette-Garfield Industrial Park.

1. Permitted Principal Use

- a. Assembly of goods or parts that are manufactured elsewhere
- b. Distribution Facility
- c. Incubator (not permitted in the Berry Lane Area)
- d. Light *Industrially* (not permitted in the Berry Lane Area)
- e. Occupational Training Center. All associated outdoor activities and equipment must be completely screened from view (not permitted in the Berry Lane Area)
- f. Office
- g. Park and recreation
- h. Parking that serves a permitted principal use. Commercial or commuter parking shall not be permitted
- i. Research and Development Laboratories that do NOT engage in a physical or chemical process which would change the nature or character of a product or raw material; nor engage in the research, development, handling, processing,

investigation, storage, or transfer of hazardous materials (not permitted in the Berry Lane Area)

- j. Walkways and Bikeways
- k. Warehousing Facility
- l. Public Utilities, except that natural gas transmission lines shall be prohibited

2. Accessory use

- a. Retail Sales of Goods and Services.
- b. Off-street parking and loading facilities.
- c. Fences and Walls.
- d. Guardhouse and Employee Cafeteria.
- e. On-site service and maintenance operations for equipment and operations.
- f. Office.

3. Design Standards

- a. Buffer - Where industrial uses abut residential uses, or the Residential district, the industrial use shall provide a vegetative buffer at least 15 feet deep, along all residentially adjoined property lines. A berm, at least four feet in height, planted with ground cover over at least 90 percent of its surface area (within the first season after planting) and containing evergreen trees at least eight feet in height, planted at a rate of one tree for every 100 square feet of buffer area, which evergreens are planted in staggered, double rows, shall comprise the vegetative buffer. This requirement can be adjusted, at the sole discretion of the Planning Board, through the provision of a screening wall, at least six feet in height, which must be faced with brick on the residential side, and plantings of deciduous trees at a rate of one tree for every 25 feet of wall length.

b. Signs

- 1. Identification Signs -- All permitted uses may provide one identification sign per street frontage, which sign must be attached flat against the wall, not extend above the roof line, and which may be internally or directly illuminated if such sign does not face a residential district. The dimensions of such sign shall be as follows:
 - a. Height – shall not exceed 15 percent of the average wall height of the first story portion of the wall to which it is attached.
 - b. Width – shall not exceed 10 percent of the length of the wall to which it is attached.
 - c. Projection from the wall – shall not exceed 12 inches.
- 2. Directional Signs – may be provided as needed and approved by Traffic Engineering and the Planning Board.
- 3. Tenant Directory – may be provided for industrial parks with more ten acres of land, and more than three tenants. Said sign shall not exceed 18 feet in height, shall be of materials that are consistent with the principal structures, are not back lit, and are located in a landscaped area at least three times the square area of such sign, which area cannot include any landscaping required for buffers or parking areas.

c. Building Materials

1. The exterior walls of all structures shall be predominantly comprised of masonry materials. Facades fronting on public rights-of-way, including the Light Rail, shall, at a minimum, be predominantly comprised of pre-cast masonry units, brick, or decorative masonry block, or combinations thereof. The Planning Board will retain façade approval as part of site plan review.

d. Area, yard and bulk requirements.

Land Use	Maximum Height	Minimum Lot Size	Minimum Yards		
			Front	Side	Rear
Assembly Light Industrial Occupational center Office Research and Development Labs	5 stories	1 Acre	10	10	30
Distribution Facility Warehousing	1 story with mezzanine	3 Acres	20	10	30
Retail Sales	1 story if stand alone	5000 square feet	0	0	15
Park	NA	10000 square feet	NA	NA	NA

D. Mixed Use – A

*Residential and Neighborhood Retail
(Communiapaw and Pacific Avenues Area)*

The zone shall encompass all lands that are contained within the following: All tax lots on the north side of Communiapaw Avenue that abut Communiapaw Avenue at the time of adoption of this Plan between Manning Avenue and Monitor Street, and all tax lots on south side of Communiapaw Avenue that abut Communiapaw Avenue at the time of adoption of this redevelopment plan between Woodward Street and Pine Street with the exception of Block 2044, Lots b, c, d, e, f, g, and h, 20201 Lots 29, 30, 31, 32, 33, 34, and 35 which shall be in the Residential zone. All tax lots on the south side of Pacific Avenue between Communiapaw Avenue and Maple Street that abut Pacific Avenue at the time of adoption of this Plan. The additional tax lots on Pacific Avenue of: ~~Block 2053, Lots 1, 2, 3, 5, 6, 7.A and 8~~ 20004, Lots 16, 17, 18, 19, and 20. On Johnston Avenue, the additional tax lots of: ~~Block 2073, Lots 12 and Block 19002 Lot 1~~ 2074, Lots 10 and 11. The north side of Communiapaw Avenue between Woodward and Manning Avenue may be developed as Mixed Use A or Residential; however the block can only be developed as one or the other as a whole.

Purpose: A locus of the historic Lafayette community, this area provides shops, services, homes, and a vibrant pedestrian streetscape. This existing pattern of mixed uses and other positive elements shall be protected and encouraged by this Plan. A future historic district

may serve to provide even greater conservation of this area, and further study of the area from an historic preservation perspective is duly warranted.

1. Permitted Principal Use

- a. Artist studio workspace
- b. Community Facility
- c. Day Care Center
- d. Funeral Parlor
- e. Health Care Facility. Prohibited: Health Care Facility that provides any type of residential accommodation
- f. House of Worship
- g. Neighborhood Retail
- h. Office
- i. ~~Public-Commercial~~ Parking
- j. Residential (above the first floor)
- k. Residential on the first floor, on a parcel that was occupied by a structure with a first floor residential use at the time of adoption of this Plan *or on the ground floor in the rear of the building, provided the building depth is 80 feet or greater, and that retail is maintained along all street frontages averaging 30 feet deep into the building.*
- l. ~~Residential (on the first floor, within a structure that exists at the time of adoption of this Plan.)~~
- m. Restaurants/Cafés: ~~sit-down-only. Drive-through pick-up windows shall be prohibited, category 1 and 2~~
- n. Combination of any of the above
- o. Park
- p. ~~Residential on the ground floor in the rear of the building, provided the building depth is 80 feet or greater, and that retail is maintained along all street frontages averaging 30 feet deep into the building.~~
- q. Public Utilities, except that natural gas transmission lines shall be prohibited

(Block: 2058 Lot 8 shall not be permitted neighborhood retail, restaurant /café, community facility, or house of worship)

2. Accessory use

- a. Parking.

3. Design Standards and Requirements – refer to Section VII

~~a. Preservation and rehabilitation are the primary objectives of this district's design controls.~~

- (1) ~~Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building structure or site and its environment or to use a property for its originally intended purpose.~~
- (2) ~~The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.~~

- ~~(3) All buildings, structures and sites shall be recognized as products of their own time. Alterations which have no historical basis and which seek to create an earlier appearance shall be discouraged.~~
- ~~(4) Changes, which may have taken place in the course of time, are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.~~
- ~~(5) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be treated with sensitivity.~~
- ~~(6) Deteriorated architectural features shall be repaired rather than replaced wherever possible. In the event that replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical or pictorial evidence rather than on conjectural design or the availability of different architectural elements from other buildings or structures.~~
- ~~(7) The surface cleaning shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials are strictly forbidden as they destroy the essential water resistant glazing on the exterior of brick and masonry, and scour, scar and obliterate the surface.~~
- ~~(8) Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any acquisition, protection, stabilization, preservation, rehabilitation, restoration or reconstruction project.~~

~~b. Standards for rehabilitation [general standards in Subsection a (1) through (8) are inclusive].~~

- ~~(1) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historic, architectural or cultural material and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.~~
- ~~(2) Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.~~

~~c. Standards for reconstruction [general standards in Subsection a (1) through (8) are inclusive].~~

- ~~(1) Reconstruction of a part or all of a property shall be undertaken only when such work is essential to reproduce a significant missing feature and when a contemporary design solution is not acceptable.~~

- (2) The reproduction of missing elements accomplished with new materials shall duplicate the composition, design, color, texture and other visual qualities of the missing element. Reconstruction of missing architectural features shall be based upon accurate duplication of original features, substantiated by historical, physical or pictorial evidence rather than upon conjectural designs or the availability of different architectural features from other buildings.
- (3) Reconstruction shall include measures to preserve any remaining original fabric, including foundations, subsurface and ancillary elements. The reconstruction of missing elements and features shall be done in such a manner that the essential form and integrity of the original surviving features are unimpaired.

d. ~~Standards for new construction [general standards in Subsection a (1) through (8) are inclusive].~~

- (1) ~~In considering whether to approve or disapprove an application for a permit for new construction, the Planning Board shall be guided by standards of the Secretary of the Interior and the following compatibility standards:~~
- (2) ~~New construction need not replicate older buildings or structures, but may reflect contemporary design standards so long as the design and construction is compatible with surrounding structures. Building height, width, mass and proportion affect the degree of compatibility between the old and the new.~~
 - (a) ~~Site and setting. A developer intending to utilize historic resource as a part of a development must consider the context of the resource's original site by honoring the original historic intention of said resource and integrating it respectfully into the new development.~~
 - (b) ~~Building height. Height should be visually compatible with adjacent buildings. The apparent physical size, scale and height should relate to existing resources.~~
 - (c) ~~Openings on frontal facades. The width and height of windows, doors and entries must harmonize in scale and proportion with the width and height of windows, doors and entries of buildings and structures of historic significance in the surrounding environment.~~
 - (d) ~~Relationship of unbroken planes to voids (i.e., punctured planes) in front facades. The relationship of unbroken planes (i.e., walls) to voids (i.e., windows and doors) on the facade of a building or structure should be aesthetically harmonious with that of buildings and structures of historic significance in the surrounding environment.~~
 - (e) ~~Relationship of vacant land to buildings/structures. The relationship of a building or structure to the vacant land between an adjoining building or structure should not violate the existing paradigmatic spatial relationship of historically significant structures to the vacant land between said structures and adjoining buildings. The building mass in large architectural projects can be varied in form by using setbacks to create open spaces and landscaping when desirable to provide harmonious~~

visual transitions between new construction and the adjacent historic properties.

- ~~(f) Relationship of exterior projections to the street. The relationship of exterior projections to the street in new construction should be aesthetically harmonious with the relationship of exterior projections to the street in the surrounding existing buildings of historic significance.~~
- ~~(g) Relationship of major exterior building materials. The major exterior building materials on the facade, sides and rear of a building or on a structure should reflect the predominant major building materials existent on the facades, sides and rear of historically significant buildings and on structures in the surrounding environment.~~
- ~~(h) Roof forms. The roof form and slope of a building or structure is a major element in the visual image of the building. Therefore, designers must take care to honor paradigmatically in new construction the existing historic roof forms and slopes so as not to violate the aesthetic harmony of the whole.~~
- ~~(i) Continuity in visual imagery of appurtenances. Appurtenances of a building or structure such as walls, fences and landscaping shall honor the relationship of appurtenances to buildings of historic significance in the surrounding environment.~~
- ~~(j) Scale of buildings. The scale of buildings and structures shall be in scale with the buildings and structures of historic significance.~~
- ~~(k) Signage. Signs which are out of keeping with the character of the environment in question shall not be used. Excessive size and inappropriate placement on buildings results in visual clutter. A good sign should be designed to relate harmoniously to exterior building materials and colors. A good sign should express a simple clear message with wording kept to a minimum.~~
- ~~(l) Site planning. The site planning of landscaping, parking facilities, utility and service areas, walkways and appurtenances must reflect the site planning of landscaping, parking facilities, utility and service areas, walkways and landscape features reticulate to buildings or structures of historic significance.~~

~~**e. The Shopfront Rehabilitation of Existing Storefront.**~~

- ~~(1) Scale and Proportion: When renovating an existing storefront every effort shall be made to restore or preserve the original storefront opening, profile and proportion of glass. This type of restoration is often cheaper and helps to maintain the historical, visual and physical integrity of the building. A storefront which extends beyond its boundaries, or has its windows enclosed or made smaller, is out of scale and is expressly prohibited.~~
- ~~(2) Construction Materials: Historically, the storefront display window comprised about seventy percent (70%) of the facade and was framed by~~

wood, brick, stone, cast iron or aluminum. Avoid using materials that were unavailable when the storefront was constructed; this includes vinyl, plastic, aluminum siding, anodized aluminum, mirrored or tinted glass, artificial stone, stucco, and brick veneer. If the original display window was covered up or enclosed with inappropriate materials, remove all contemporary materials. Restore and display all original openings and architectural features of the lower and upper portions of the building. This includes the storefront's transom window, pilasters or columns, lower window panel, and signboard, and upper story windows.

(3) Bulkheads: Wherever possible, the original bulkhead materials should be preserved to maintain the historical character of the street. The types of historical materials to be preserved include wood, cast iron, cast aluminum, pigmented structural glass (Carrara or Vitrolite), terra cotta, porcelain enamel, ceramic tile, decorative brick, marble, and granite.

(a) In restoring the bulkhead of the storefront, replace missing sections with original material, if possible. If it is not available, the following substitutions can be made for those materials no longer manufactured. In all cases, make sure to duplicate the profile of the original store's bulkhead.

- Cast Iron can be replaced by cast aluminum, wood or fiberglass
- Terra Cotta by fiberglass
- Pigmented Structural Glass by Spandrel Glass (plate glass with a colored ceramic backing)

(b) In making repairs to an original storefront or installing a new one, the use of the following materials is prohibited: wood shingles, artificial brick or stone, anodized aluminum. The windows can simply be framed in aluminum and another more appropriate material can be used for the bulkhead. For example, a new wood bulkhead can be constructed and finished with plywood and stock moldings and trim.

f. The Shopfront - New Construction:

(1) Where an architecturally or historically significant storefront no longer exists or is too deteriorated to save, a new storefront shall be designed which is compatible with the size, scale, materials, color, and character of the upper half of the building or the adjacent buildings. The use of wood, brick or stone masonry, or fiberglass is deemed appropriate for the framing of a new storefront. This will provide visual harmony to the entire streetscape.

(2) All retail uses shall have windows installed facing the street and shall be at least seventy (70%) percent open to perpendicular view, and be located so that the window sill is no more than four feet in height above grade. The glass is to be clear, untinted, except for etchings or gold lettering on the interior of window.

g. The Shopfront - Elements Common to Both Rehabilitation and New Construction.

- ~~(1) Colors~~—No more than three colors are recommended for the storefront portion of the building. Complementary historic colors are recommended for highlighting architectural features of the building (upper and lower cornices, moldering, lintels, sign band, etc.).
- ~~(2) Window Displays~~—Use window displays to communicate information. A window display can project the store's image and tell potential customers more about available products than any number of signs. Do not try to place as many items as possible on shelves in the store window. Aim for simplicity; it generally insures successful displays. Good color schemes and good lighting are essential. At night windows should be lit using soft spot lights rather than bright or colored lights. Change the display periodically to reflect new merchandise, seasons, and holidays.
- ~~(3) Security Gates~~—While security gates deter crime, they can also have a negative effect on business and the overall image of the street at night. Gates which are left in place during the day are prohibited, for they obscure the shop window and make it seem that the shop is closed, and that the neighborhood is unsafe. Steel gates with solid slats are prohibited because they create an even stronger negative statement about community safety. The use of transparent exterior gates prevents entry and allows for light to illuminate the street during the evening hours.
- ~~(4) Illumination~~—It shall be required that the merchant install interior display lights in the display window to provide for increased illumination on the street at night. Adjustable incandescent lamps or spots are recommended. Fluorescent, flashing or blinking lights are prohibited on any part of the storefront. In addition, it is recommended that overhanging lamps facing down, be installed over the signband, below the second story windows to provide increased security on the street and for the building.

~~h. Signs.~~

~~Goals:~~—To improve the quality of signs used to advertise on premise businesses. To reduce the overall size and number of signs.

- ~~(1) Design Intent:~~—A good sign can help a business by making it distinctive. A good sign should pinpoint the store's location and make the business easy to find. It should create an attractive image for the store and encourage pedestrians to venture inside. When considering a new sign, it is important to remember that bigger is not better and that the typical, mass produced white plastic panel, which is illuminated from fluorescent tubes inside, does not last longer or appear more distinctive to potential customers.
- ~~(2) Design Requirements:~~—The three most important criteria to consider in selecting a sign are:
- ~~The size and position of the sign,~~
 - ~~Design and materials, and its~~
 - ~~Illumination.~~

~~(3) Approvals: All identification, business, advertising or other signs placed on public or private property, hereafter erected, displayed or repaired (defined as more than fifty percent (50%) of the cost of replacement) shall conform with the provisions of this subsection of this Plan.~~

~~(a) All signs and awnings shall be subject to review and permitting by the Buildings Division.~~

~~(b) Planning Board review and approval will be required where it is unfeasible to apply the sign band regulation to an existing structure.~~

~~(c) The Planning Board, as part of site plan review, may grant waivers from the minimum and maximum size requirements herein. In such a case, all signs shall be placed no lower than the top of the doorway or transom (if applicable) and shall not cover or interfere with the second story windows.~~

~~(d) No sign shall exceed a height of five (5) feet with the exception of Mixed Use D District where no sign shall exceed a height of eighteen (18) inches.~~

~~(e) All signs shall be removed upon cessation of any business occupancy of any premise within the Plan Area. Thereafter, all signs shall comply with the requirements of this Plan.~~

~~(4) Permitted Permanent Signs:~~

~~(a) Identification and/or business signs of the following type:~~

~~(1) Wall signs~~

~~(2) Window signs~~

~~(3) Small projecting signs which display a trade symbol or logo~~

~~(4) Neon signs shall be permitted upon review by the Planning Board.~~

~~(5) Signs indicating time, temperature and date may be exempt from these provisions, subject to Planning Board approval.~~

~~(Block: 2058 Lot 8 shall only be permitted a 2 X 2 square feet non-illuminated wall sign)~~

~~(5) Permitted Temporary Signs:~~

~~(a) Real estate signs, subject to the following regulations:~~

~~(1) No such sign shall exceed six (6) square feet. All signs shall be attached to the premises to which they apply.~~

~~(2) No person, including the real estate agent or employee, shall exhibit more than one (1) such sign per premise to which it applies.~~

~~(b) Construction signs, subject to the following regulations:~~

~~(1) Temporary construction signs shall not exceed twenty four (24) square feet.~~

~~(2) No person shall exhibit more than one (1) such sign per premise, advertising the name of the building, general contractor,~~

subcontractor, financing institution, public agencies and officials, and professional personnel.

~~(3) Such signs shall be permitted beginning with the issuance of a building permit and terminating with the issuance of a certificate of occupancy for the entire building.~~

~~(6) Permitted Number of Signs:~~

- ~~(a) A maximum of one sign per occupant, per street frontage shall be allowed.~~
- ~~(b) No more than three (3) different types of signs per building will be permitted if there is more than one occupant.~~
- ~~(c) Only signs which refer to a permitted use, or grandfathered use, as set forth in the Plan are permitted, provided such signs conform to the provisions of this section.~~

~~(7) Permitted Location and Mounting:~~

- ~~(a) Wall signs identifying commercial establishments shall be flush mounted and project no more than 12 inches from the face of the building. They are to be attached to the long, continuous information band found directly above the storefront display window or transom window, usually not less than 10 feet and not greater than 15 feet above grade level. All signs shall be set back a minimum of 2 feet from each side of the building.
 - ~~(1) In all cases, architectural details, ornamentation or upper story windows are not to be obscured by the sign's placement. Second or third story commercial occupants shall use window signs or flush mount a sign above the top of their windows.~~
 - ~~(2) Signs on adjacent storefronts shall be coordinated in height and proportion and wherever possible, should use the same sign format and be constructed of identical materials and background colors.~~~~
- ~~(b) Window signs shall be permitted on any floor of a structure that a business occupies. Such signs shall be of a non-illuminated nature (except for the first floor shop window where neon is permitted). The letters are to be painted, stenciled or engraved onto the glass display window and shall not exceed twenty percent (20%) of the window surface to which it is affixed.~~
- ~~(c) Neon signs are to be affixed within the display window.~~
- ~~(d) Projecting signs are to be located perpendicular to the building and the lowest portion of the sign shall be at least 10 feet above grade level, but below the windows of the second story.~~

~~(8) Size and proportion: Sign measurements shall be based on the entire area of the sign, with a continuous perimeter enclosing the extreme limits of the actual sign surface. Signs on adjacent storefronts should be coordinated in height and proportion and, wherever possible, use the same sign format. At a minimum, they should both employ identical background colors.~~

- ~~(a) Wall signs should be between 18 inches and 26 inches vertical dimension and shall be set back a minimum of 2 feet from each side of the building.~~

- (b) ~~Window signs~~ shall not exceed 20% of the window surface to which it is affixed.
- (c) ~~Projecting signs~~ shall be limited to a maximum area of 16 square feet. Three dimensional objects can have an area no greater than 9 square feet at their largest cross section.

~~*** Remember, smaller, simple signs are encouraged! ***~~

~~(9) Design & Materials:~~ Pacific and Communipaw Avenues can be noted for their distinct architectural style. The mixed use buildings are largely brick and frame, and with the exception of ornamentation and later alterations, there is uniformity in proportion and style.

- (a) ~~Signage~~ should be uniform in nature from block to block and the materials should be consistent with, or at least complement, the original construction materials and architectural style of the building facade.
- (b) ~~Natural materials~~ such as wood and metal are more appropriate than plastic. Internally lit, plastic signs require high maintenance (their light boxes often break) and are inflexible in terms of alterations. They also appear out of context with the period and style of historic buildings. Therefore their use is prohibited.
- (c) ~~Where a signage band is missing~~ due to alterations, signs painted directly onto a building or window surface often tend to be quite effective.
- (d) ~~Appropriately designed neon window signs~~ (with custom shapes and colors complementary to the building) are another option, and can add character to an establishment.
- (e) ~~An awning with the store's name printed on it,~~ may serve as an attractive alternative when properly designed and installed, and may be substituted for a sign.

~~(10) Message Band:~~ A sign should identify the name, function, and perhaps the address of a business. This information can be conveyed through visual devices: words, pictures, names, symbols and logos. The most important point to remember is to keep the sign simple. Avoid listing every product sold.

~~(11) Lettering:~~ Lettering should be kept simple and clear and complement the style and period of the building on which it appears. To avoid a cluttered appearance, no more than two (2) different typefaces may be used on the same sign, and wording shall be limited to no more than 60% of the total sign area. Letters or symbols shall range from eight (8") to twelve inches (12") in height and shall not project more than six inches (6") from the building surface.

~~(12) Color:~~ No more than three colors per sign. Dark backgrounds with light letters are recommended.

~~(13) Illumination:~~ If illumination is desired, external illumination, such as overhead spot lights directed toward the sign, is recommended. These types of lights can illuminate portions of the building as well as the sign, and make it possible to balance the color and intensity of the light with those located in the display windows. If residential units occupy the second story

of the building, non-illuminated signs are preferred. All stores should place lights within their shop windows to provide light on the street at night.

~~(14) Prohibited Signs:~~

- ~~(a) Billboards, signboards, streamers, pennants, ribbons, spinners or other similar devices, and all roof signs. Exceptions include all flags and banners exhibited to promote the shopping district or commemorate special holidays, events, or sales days.~~
- ~~(b) Flashing, blinking or otherwise animated lights and/or signs. Signs containing moving parts and signs containing reflective elements which sparkle or twinkle in sunlight.~~
- ~~(c) Freestanding signs shall be prohibited with the following exceptions:
 - ~~(1) Houses of worship and funeral parlors, if the buildings are set back from the street line and are located on the same lot as the sign~~
 - ~~(2) Regulatory signs~~
 - ~~(3) Transportation, circulation, and parking signs.~~
 - ~~(4) Construction signs with necessary permits~~~~

~~i. Awnings.~~

- ~~(1) All portions of any permitted awning shall be not less than 8 feet above the finished grade, excluding any valance, which shall not be less than seven feet above the finished grade.~~
- ~~(2) No portion of any awning shall be higher than the window sill level of the second story of the building and shall not block the window or windows on the upper half of the building.~~
- ~~(3) The horizontal projection of any awning shall not exceed three (3) feet, six (6) inches from the face of the building, except in the case of roll-up awnings, which may project further.~~
- ~~(4) The vertical distance from the top to the bottom of any awning shall not exceed 4 feet, including any valance.~~

4. Area, yard and bulk requirements

- a. All existing lots of record at the time of the adoption of this Plan are considered conforming. After the adoption of this plan, the minimum lot size in this district shall be 2,500 square feet, with a minimum lot width of *twenty five* 25 feet, for any lots that are to be subdivided.
- b. Minimum yards
 - (1) Front Yard – shall be determined by prevailing setbacks, but no front yard shall exceed 10 feet. (Block ~~2000,4 Lot 16~~ 2053-Lot 8 must maintain a setback of five feet to match the residential setback)
 - (2) Side Yards – 0 feet
 - (3) Rear Yards – 15 feet, 0 feet for corner lots
- c. Maximum height shall not exceed 45 feet, except for steeples on houses of worship, and provided that no deviation from this height limit will be cognizable by the Planning Board.

E. Mixed Use - B

*Neighborhood Retail and Residential
(Grand Street North Side)*

The zone shall encompass all lands contained within the following boundary description: Beginning at the point of intersection of the centerlines of Fairmount Avenue and Grand Street; thence northwesterly along the centerline of Fairmount Avenue until it intersects the extended northwestern lot line of Lot ~~5~~ **16 Block 15401 Block-2083**; thence proceeding westerly along said NW lot line of Lot ~~5~~ **16 Block 15401 Block-2083** until it intersects the northerly lot line of Lot ~~92~~ **18, Block 2083 15401**; thence following a line extending the said lot line of Lot ~~92~~ **18, Block 2083 15401** westerly across the southern portions of Lots ~~19, 20, 21, and 22 63, 64 and 65~~ of Block ~~2083~~ **15401** across Johnston Avenue and a southeastern portion of Block ~~2082~~ **15402** to a point of intersection with the NE corner of Lot ~~9~~ **13, Block 2081 15403**;
thence westerly along the *northern lot line of lot 12 to its intersection with Lot 11*; *thence in a southwesterly direction along the easterly line of Lot 11 to its intersection with lot 15*; *thence at an angle extending northern lot lines of Lots 9, 8, 7, 6, 5A, 4A and 3 of Block 2081 15403 and extending the said northern lot line of lot 3-12* westerly across the southern portions of lots ~~16, 17, and 18 38, 37 and 36~~, Block ~~2081~~ **15403** and State Street until its point of intersection with NE corner of lot ~~3 E~~, Block ~~2063~~ **17205**; thence southwesterly along the northwesterly lot lines of lots ~~E and D 3 and 4~~, Block ~~2063~~ **17205** until it intersects the south westerly lot line of lot ~~D-4~~; thence southeasterly along said SW lot line of lot ~~D 4~~ and extended until its intersection with the centerline of Grand Street; thence easterly along the centerline of Grand Street until it intersects the centerline of Fairmount Avenue, the POINT AND PLACE OF BEGINNING.

Purpose: To provide shopping and restaurant facilities at a pedestrian scale for nearby residents, and workers from the neighboring Industrial - A zone. In addition, by placing these uses along Grand Street, a buffer of retail uses will be created between Grand Street and the Industrial - A zone. This strip will likely have less of a residential component than other mixed use residential and retail sections of this Plan. Nevertheless, appropriate residential uses are encouraged.

To avoid disrupting the flow of traffic, no curb cuts should be permitted along Grand Street. Instead, consideration should be given to constructing multiple user accessory parking lots that are accessible from the side streets of State Street, Bishop Street, or Johnston Avenue. However, all building facades should front Grand Street, and building sides that face the side streets should be aesthetically pleasing.

1. Permitted Principal Use

- a. Community Facility
- b. Day Care Center
- c. Health Care Facility (that does not provide any type of residential accommodation)
- d. Neighborhood Retail
- e. Office
- f. ~~Public-Commercial~~ Parking
- g. Residential (above the first floor)
- h. Combination of the above, subject to approval by the planning board
- i. Public Utilities, except that natural gas transmission lines shall be prohibited

2. Accessory use

- a. Parking.

3. Design Standards

- a. Buildings should front on Grand Street. All parking shall be located to the side or rear of all buildings. Any parking that fronts on Grand Street must be screened with a low, brick-faced wall, black metal fence and evergreen hedge row, except for existing parking lots, which may continue as they exist.
- b. Free standing signs are not permitted. ~~Signs shall be as regulated in Mixed Use~~ —A See *signage standards, Section VII.*
- c. All mixed use buildings should be multi-story, with the retail, community facility and/or day care use on the ground floor and the residential and/or office use ~~on~~ the second floor *above.*
- d. ~~Maximum height shall be four stories.~~
- e. Only masonry materials may be used for exterior cladding, except in the event of an overhang. Brick shall be the predominant material used for any façade visible from Grand Street, except for the existing gas station which, should it be rehabilitated, may utilize other materials, subject to Planning Board acceptance that such materials are commonly used and associated with the particular brand in service.
- f. All lots shall contain at least 15 % landscaped area, of which at least one-third shall be in the front (Grand St) half of the lot.

4. Area, yard and bulk requirements

- a. Maximum height: 4 stories
- b. Minimum Lot size: 20,000 sf
- c. Minimum Yards
- (1) front yard: 0 feet
 - (2) Side Yard: 10 feet
 - (3) rear yard: 10 feet

F. Mixed Use - C

*Residential and Neighborhood Retail
(The Junction)*

The zone shall encompass all lands contained within Block 2060.

Purpose: As a gateway to the Lafayette community, design considerations are a priority. However, planning for redevelopment of the block is challenged by the limited land area and the high volume of surrounding vehicular traffic. The purpose of the district shall be to preserve the historic character of the block by strengthening the remaining buildings, and constructing infill residential and commercial mixed uses of a scale and style that are appropriate to the remaining structures. A gateway park that contains a sculpture and landscaping may also be appropriate at the intersection of Grand Street and Communipaw Avenue. Should a building be constructed here, façade design should incorporate the idea of a gateway.

The slope of the land may be used to provide rear access, below grade, carport style parking for a building that may be constructed on Block 2060 *17202 Lot 1-Lot A*, and

adjacent parcels. Any such parking area should share street access with a parking area that serves the other parcels on the block, so that there is a single curb cut along Communipaw Avenue, and a single curb cut along Summit Avenue, for shared ingress and egress to all accessory and public parking within the block.

1. Permitted Principal Use

- a. Artist Studio Workspace
- b. Community Facility
- c. Neighborhood Retail
- d. Office
- e. ~~Public~~ **Commercial** Parking
- f. Residential
- g. ~~Residential (above the first floor)~~
- h. Restaurant
- i. Combination of the above, subject to approval by the Planning Board
- j. Park
- k. Public Utilities, except that natural gas transmission lines shall be prohibited

2. Accessory use

- a. ~~Below grade or subterranean parking.~~
- b. Parking.

3. Design Standards

- a. Please refer to *Design Standards section VII* ~~the standards contained in Mixed Use—A for the requirements for this district.~~

4. Area, yard and bulk requirements

- a. Due to the small size of the lots in this districts, there shall be no minimum lot size, provided, however, that no lot may be reduced in size from what exists at the time of the adoption of this Plan.
- b. Prevailing setbacks shall apply.
- c. Maximum height shall be three (3) stories.
- d. Maximum lot coverage shall be 85%.

G. Mixed Use - D

Retail/Residential

The district shall encompass Garfield Avenue Block 1966, Lots 4C, A2, 12A, 5 and 6.

Purpose: This area is in close proximity to the Garfield Avenue LRT Station, a residential zoned district outside the Plan area, and the planned Berry Lane area park. Flexibility should be allowed in permitting property owners to take advantage of the location, provided that the use does not have a negative impact on the nearby residential and park areas.

1. Permitted Principal Use

- a. Artist Studio Workspace
- b. *Work/Live Artist Studio with no more than five full-time employees*
- c. Automotive Services
- d. Banquet or Catering Facility
- e. House of Worship
- f. Intermodal Transportation Facility, excluding commuter parking
- g. Parking that serves a permitted principal use that is contained within the Mixed Use - D section of this Plan
- h. Residential above the first floor
- i. Restaurant, *category 1 and 2*
- j. Retail Sales of Goods and Services
- k. Combination of any of the above, subject to approval by the Planning Board
- l. Public Utilities, except that natural gas transmission lines shall be prohibited

2. Design Standards

- a. Buildings should front on Garfield Avenue. All parking shall be located to the side or rear of all buildings. Any parking that fronts on Garfield Avenue must be screened with a low, brick-faced wall, black metal fence and evergreen hedge row.
- b. Free standing signs are not permitted. The sign requirements shall be as in the *Signage Standards section VII Mixed Use - A District*.
- c. All mixed use buildings should be multi-story, with the retail, community facility and/or day care use on the ground floor and the residential and/or office use above.
- ~~d. Maximum height shall be three (3) stories.~~
- e. Only masonry materials may be used for exterior cladding, except in the event of an overhang. Brick shall be the predominant material used for any façade visible from Garfield Avenue.
- f. All lots shall contain at least 15 % landscaped area, of which at least one-third shall be in the front (Garfield Avenue) half of the lot.
- g. *Work/Live Artist Studios must provide a minimum of 150 square feet of living space per occupant above and beyond studio space, kitchen space, and bathroom space.*

3. Area, yard and bulk requirements

Land Use	Maximum Height	Minimum Lot Size	Minimum Yards		
			Front	Side	Rear
Artist Studio Restaurant Retail Sales Residential	3 stories	5,000	10	one side 5, both sides 15	15
Automotive services	1 story	40,000	20	10	20
Banquet/Catering	2 stories	30,000	10	10	15

House of Worship	2 stories, plus steeple height	10,000	10	10	10
Intermodal Transportation Facility	2 stories	40,000	10	10	20
Parking	NA	10,000	5	5	5

H. Mixed Use – E Zone:

Neighborhood Retail and Residential
(Grand Street South Side)

This district shall encompass all lands contained within the following table of Blocks and Lots; however, NO land that contains or once contained the former Morris Canal shall be considered part of this district.

Block	Lot	Address
2058	E	667-665 Grand St.
2058	F	667-665 Grand St.
2058	G	667-665 Grand St.
2058	H	649-659 Grand St.
2058	J	649-659 Grand St.
2058	K	631-645A Grand St.
2058	S	Canal Street
2058	1 (excluding portion that was formerly the Morris Canal)	1084-114 Garfield Av.
2058	2 (excluding portion that was formerly the Morris Canal)	466 Communipaw Av.
2058	5	695-675 Grand St.
2058	6	695-675 Grand St.
2058	7	695-675 Grand St.
2058	8	669 Grand St.
2058	13	649-659 Grand St.
2058	14	649-659 Grand St.
2058	15	645-647 Grand St.
2058	16	631-645A Grand St.
2058	17	631-645A Grand St.
2059	A1	697 Grand St.
2059	A2	701 Grand St.
2059	B	470 Communipaw Av.
2059	4	470 Communipaw Av.
2059	5	470 Communipaw Av.
2059	6	14-6 Summit Av.
2059	7	14-6 Summit Av.
2059	8	711-709 Grand St.
2059	9C	707 Grand St.
2059	10	707 Grand St.

2059	11	705 Grand St.
2059	12	703 Grand St.
2059	18A	701 Grand St.
2059	19A	701 Grand St.
2059	20A	1097 Garfield Av.
2059	23	14-6 Summit Av.
2059	24	14-6 Summit Av.
2059	25	470 Communipaw Av.
2059	26	470 Communipaw Av.
2084	1A	629 Grand St.
2084	2A	627 Grand St.
2084	3	625 Grand St.
2084	4	619-623 Grand St.
2084	5	619-623 Grand St.
2084	6	619-623 Grand St.
2084	10	6 Bishop St. & Canal
2084	11	8 Bishop St. & Canal
2084	12	10 Bishop St. & Canal
2084	57	12 Bishop St. & Canal
2084	58	14 Bishop St. & Canal
2084	59	16 Bishop St. & Canal
2085.1	S3	Bishop St. (vacated)
2085.1	S4	Bishop St. (vacated)

Purpose: To create a new residential neighborhood with small scale convenience and comparison shopping catering to neighborhood needs; and to provide small neighborhood oriented medical office buildings. Placement and design of all structures in the Mixed Use – E Zone shall have due consideration of the relationship to the historic buildings of the Whitlock Cordage Adaptive Reuse District, and to the former Morris Canal, which is adjacent.

1. Permitted Principal Use

- a. Community Facility
- b. Day Care Center
- c. Residential above the first floor (required west of Bishop Street except when the building is dedicated to neighborhood medical offices)
- d. Medical Office Buildings
- e. Combination of the above, subject to approval by the Planning Board
- f. Public Utilities, except that natural gas transmission lines shall be prohibited

2. Accessory Use

- a. Parking.

3. Required Uses fronting on Grand Street and Garfield Avenue, West of Bishop Street

- a. Ground floor neighborhood retail, or
- b. Ground floor office Commercial, or
- c. Ground floor child care center

- d. Ground floor community facility
- e. Ground floor combination of one or more of the above

4. Development & Design Requirements

- a. The former Morris Canal land shall be developed as a park and/or circulation alley contemporaneous with the adjacent residential development. There shall also be a 30' wide alley constructed parallel to the canal open space park. Its minimum length shall be between Bishop Street and Westervelt Place in order to eliminate dead ends and provide a continual traffic loop.
- b. No curb cuts shall be permitted along Grand Street. Instead, four (4) new access streets shall be constructed. These shall include: Bishop street on the former R-O-W, extensions of State Street and Westervelt Place, and the new circulation alley as described above. All streets shall provide twenty-four hour (24), unobstructed access and be offered to the City for dedication.
- c. All building facades shall be treated as a front façade. Entrances shall be provided to all adjacent streets from ground floor units. In addition, placement and exterior design of structures should be done in such a way as to provide an aesthetically pleasing and historically compatible face to passersby within any park that may be developed atop or adjacent to the former Morris Canal.
- d. All parking shall be located below or partially below grade level and interior to the principal building. Exterior walls shall show no evidence of parking within. The only exception to this shall be for medical building parking which shall be permitted to be exterior surface parking but shall be located in the rear yard of the building and completely screened from view from adjacent lots and decoratively screened from any adjoining streets. Decorative metal fencing and a minimum of 5' planting strip shall be provided around the perimeter.
- e. All fencing and walls shall be brick-faced with black metal fence and evergreen hedge row.
- f. Free standing signs are not permitted. Signs shall be as regulated in *Mixed-Use — A-Signage Standards, Section VII*.
- g. Maximum residential height shall be five stories. Maximum medical office height shall four stories. Minimum Height for all uses shall be three (3) stories.
- h. Only masonry materials may be used for exterior cladding. Brick shall be the predominant material used for any façade.
- i. Roof lines shall be generally flat. They may contain modified dormers and other architectural accents, upon review and approval of the Planning Board.
- j. Residential Parking shall be encouraged to utilize the new on-street parking created by newly improved streets.

5. Area, yard and bulk requirements

- a. Maximum Height

- (1) Except for Medical offices: 55 feet and five stories. 4 of the stories must be of the principal use. One story may be of an accessory use.
- (2) Medical offices: 55 feet and 4 stories
- b. Minimum lot area: 20,000 square feet
- c. Minimum front yard: 0 feet
- d. Minimum side yard: 0 feet
- e. Minimum rear yard: 10 feet
- f. Maximum density: 80 units per acre east of Bishop St., 65 units per acre West of Bishop St.
- g. Minimum sidewalk width: 15 feet along Grand Street, 10 feet on side streets

6. Parking

For residential uses within the Mixed Use – E District, on-street parallel parking on new streets may be counted toward parking compliance. The parking requirement shall be as follows: 1 space per residential dwelling unit.

I. Rail Transportation Corridor

The zone shall encompass all lands as follows: Block ~~2034~~ **19903** Lots ~~A, 9.A and 8~~ **11, 23, and 24**, Block ~~2044.3, Lot A-21503~~ **Lot 1**, Block ~~2044.4-19903~~ **Lot 10**, ~~Lot A~~, Block ~~2044.5-21501~~ **Lot 1**, ~~Lot A~~, Block ~~2048~~ **15802**, Lots ~~5, 8 and 19~~ **C, B1, and M.PL**, Block ~~2095.5~~ **15801**, ~~Lot A and A.PL-1~~. In addition, all tax lots that are contained within an area described by a line that follows the centerlines of Johnston Avenue, Gateway Drive, the New Jersey Turnpike Extension, and the extended centerline of Communipaw Avenue, plus all tax lots that are between Block ~~2095.5~~ **15801**, ~~Lot A 1~~, the centerline of Johnston Avenue, the centerline of the New Jersey Turnpike Extension, and the extended centerline of Whiton Street, plus all tax lots that are between the extended centerline of Communipaw Avenue, the centerline of the New Jersey Turnpike Extension, the extended south-southwesterly block limit of Block ~~2044.3~~ **21503**, and the extended block limit of Block ~~2044.3~~ **21503** in the direction it extends in its first one-hundred (100) feet south of Communipaw Avenue.

Purpose: It is appropriate to plan for additional stops along the LRT line that join with facilities that provide services to the nearby residents and workers who will utilize the stops. A cluster of small scale neighborhood retail with a newsstand, florist and small restaurant or café can be a desirable amenity to a neighborhood LRT stop. In addition, the planned narrow walkway that provides pedestrian access to the LRT stop will provide a convenient and pleasant route for residents to walk or bicycle to the various LRT stations in the area.

1. Permitted Principal Use

- a. Light Rail Right of Way
- b. Light Rail Station or Stop
- c. Neighborhood Retail
- d. Other Rail Right of Way
- e. Park
- f. Walkway and Bikeway

- g. Public Utilities, except that natural gas transmission lines shall be prohibited

2. Accessory use

- a. Outdoor seating.
- b. Parking.

3. Please refer to Design standards, *Section VII Mixed Use – A district* for design requirements.

4. *Please refer to Mixed Use – A district for standard* and area, yard and bulk requirements. The LRT ROW shall be considered the same as the street for all design, area, yard, bulk and screening requirements.

5. Structures on sites that are adjacent to planned LRT stops should provide public pedestrian access from the LRT stop to the building entrance.

J. Residential

This district shall encompass all lands north of the Rail Transportation Corridor district that are not contained within another district of this Plan.

Purpose: To protect and preserve the residential character of the Lafayette neighborhood through due consideration of scale, streetscape, setback, design, and impact.

1. Permitted Principal Use

- a. Artist studio workspace
- b. Community Facility (On parcels that abut Communipaw Avenue or Johnston Avenue.)
- c. House of Worship
- d. Park
- e. Parking that serves a park that is contained within the Residential Zone, and is within 100 feet of the park. Overnight parking shall be by permit only
- f. Residential
- g. Walkways and Bikeways
- h. Public Utilities, except that natural gas transmission lines shall be prohibited

2. Accessory use

- a. Off-street parking

3. Design standards

- a. Please refer to the design standards in *Section VII the Mixed Use – A District* for design standards for this district, which shall be modified by what is listed below.

4. Area, yard and bulk standards

- ab. Residential density for any property shall not exceed the density that legally existed on that property at the time of the adoption of this Plan, provided, however, that in the case of vacant land the density shall be as regulated in the R-1 zoning district of the Municipal Land Development Ordinance. Additionally, existing Multi-family dwellings may be permitted to add a single residential unit in an existing basement, provided that all building, fire, and safety code requirements can be met.
- be. Minimum lot area: 2,500 square feet
- cd. Minimum lot width: twenty-five (25) feet
- de. Minimum lot depth: one hundred (100) feet
- ef. In the case of undersized lots (those less than 25 by 100 feet) the maximum density shall be two dwelling units.

fg. Front Yard Setback:

Front yard setback shall match the setback of the Primary Building Façade of the closest permitted use on either side of the subject parcel, provided that the building setback to be matched shall be closest so the predominant (most frequently occurring) setback on the blockfront. A current signed and sealed survey of the subject property showing adjacent building setbacks on both sides along with photos showing the entire blockfront to the left and right of the subject property must be provided to the Division of City Planning as part of the application for approval.

gh. Side Yards:

Minimum 2 feet (one)/5 feet (both) if adjacent dwelling is detached with side yard; where adjacent dwelling has 0 side yard (i.e., is built to the side lot line) then maximum 0.0 feet is required (i.e., new house must also be built to the side lot line); except where existing adjacent building has windows on the side lot line, then three feet required starting from one foot in front of the first window to the rear building line.

hi. Minimum Rear Yards:

The rear yard setback shall be added to the front yard setback (as determined above) to produce a total of not less than thirty-five (35) feet, provided, however, that in no case shall a rear yard be less than twenty (20) feet. The mathematical formula for this calculation is as follows:

X = required front yard setback

Y = required rear yard setback

X + Y = at least 35 feet

Where lot depth exceeds one hundred (100) feet, the minimum rear yard as determined by the above standard shall be increased by fifty percent (50%) of the portion of the lot depth in excess of one hundred (100) feet.

- ij. Maximum building coverage: sixty percent (60%)
- jk. Maximum lot coverage: eighty-five percent (85%)
- kl. Existing homes are exempt from parking requirements, but all new development shall provide one of the following options:
 - (1) two parking spaces under the dwelling units, which spaces may be "stacked"; or
 - (2) in cases where the dead-end street right-of-way is widened to accommodate perpendicular parking (as described in section IV General Traffic Circulation and Parking Objectives), two perpendicular parking spaces per dwelling unit.
 - (3) Or parking may be permitted as in the R-1 zoning district of the Municipal Land Development Ordinance.

- lm All new development shall provide a landscaped area across at least 20 % of the front yard.
- mn Front yard parking is prohibited throughout the district.
- no All one and two family homes shall be limited to *three* two and a one half stories, ~~and may include~~ including a basement or cellar.
- op. Minimum lot sizes shall be 25 by 100 feet, except that existing lots of record may be redeveloped, but may not be reduced in size.

K. Whitlock Cordage Adaptive Reuse District

This zone shall encompass all land contained within the following boundary as it existed at the time of adoption of this plan: Beginning at a point at the centerline of the vacated Manning Avenue at its southwesterly edge, thence extending northeasterly until its point of intersection with the ~~extended centerline~~ of Lafayette Street, thence extending *easterly for 120.16' feet and northerly for 30' to the centerline of Lafayette Street and westerly to the extended westerly lot line of lot 12.* Continuing southeasterly to the edge of the vacated Manning Avenue, thence extending northeasterly along the southeasterly edge of the vacated Manning Avenue to a point at the intersection with the centerline of Maple Street, thence extending northwesterly along the centerline of Maple Street until its point of intersection with *Block 17302, Lot 12 2057, Lot 15-K,* thence extending northerly along the edge of *Block 17302, Lot 12 2057, Lot 15-K,* until its point of intersection with *Block 2057 17301, Lot 10 16,* thence extending northerly along the edge of *Block 2057 17301, Lot 10 16,* until its point of intersection with *Block 2085.5 15501, Lot 9,* thence extending easterly, northerly, and westerly along a line that follows the perimeter of *Block 2085.5, Lot A.11 15501, Lot 9,* until its point of intersection with *Block 17301, Lot 8 2085.5, Lot A.10,* thence extending westerly and *north* south-westerly along the northerly edges of *Block 17301, Lot 10 2085.5, Lots A.10, A.9, A.8, A.7, A.6, and A.5,* until its point of intersection with *the extended northwestern lot line of Block 2058, Lot 1 17301, Lot 14,* thence in a south-westerly direction along *Lot 14* a line that follows the ~~northwesterly edge of the former Morris Canal and that divides Block 2058, Lot 1,~~ until its point of intersection with the ~~extended northeastern lot line of Block 2057 17301 Lot 14, Lot 15.C,~~ thence southeasterly along said ~~extended lot line of Block 17301 Lot 14 2057, Lot 15.C,~~ as it extends in its southeasterly direction, and divides *Block 17301, Lot 13,* thence southeasterly along said extended lot line of *Block 17301 Lot 14 2057, Lot 15.C,* as it extends in its southeasterly direction, and divides *17301-2057, Lot 15.D, Lot 13* to its point of intersection with the point and place of beginning.

The following parcels shall be included within the boundary:

~~Block 2085.5, Lots A.11, A.10, A.9, A.8, A.7, A.6, and A.5~~

~~Block 2057, Lots 15.K (partial), S.1, S.2, (partial), S.3, 16 (partial), and 15.D (partial), 17~~

~~Block 2058, Lot 1 (partial).~~

Block 17301, Lots 10 (partial), 11, 12, 13 (partial),

A prerequisite of any development, redevelopment or adaptive reuse on block *17301 Lot 12 2057, lot 15K,* (which is formerly known as the Safety Pac Terminal, and formerly known as the Whitlock Cordage Company) is to provide improved street access to the site. Consideration for said improvement should be the rededication of previously vacated portions of Manning Avenue, Maple Street, Canal Street, or Bishop Street rights-of-way as they existed prior to vacation for vehicular and pedestrian circulation as soon as practical after the cessation of construction activities. Any rededication of the Bishop Street right-of-way should include unfettered and direct pedestrian access to Bishop

Street from Lafayette Park. Any other access to Grand Street should include provision for unfettered and direct pedestrian access from Lafayette Park to Grand Street.

No structure should be constructed on land that was formerly the Morris Canal.

1. Permitted Principal Use

- a. Residential
- b. Health Care Facility
- c. Community Facility
- d. Public purpose
- e. Recreational Facility
- f. Combination of the above, subject to approval by the Planning Board.
- g. Park
- h. ~~Artist work/live~~ *artist studio space*, craftsperson work/live *studio space*, ~~office work/live~~ *home occupation with up to 5 employees* space limited to *Block 17301 Lot 11* ~~lot 17~~.
- i. Public Utilities, except that natural gas transmission lines shall be prohibited

2. Accessory use

- a. Parking.
- b. Group Dining Facility for a Health Care Facility.

3. Design Standards

- a. Please refer to the design standards contained within *Section VII Mixed Use—A District* for this district as well.

4. Area, yard and bulk standards

- a. Maximum density for new residential development shall not exceed 50 units per acre, net, for any subdivided parcel.
- b. Health care facilities shall not exceed a floor area ratio of 2.5 to 1
- c. Minimum lot size shall be one acre for residential and health care facilities, 10,000 square feet for community facilities and public or semi-public uses. Combinations shall be governed by the greater requirement.
- d. All work/live *and home occupation* units (as permitted in paragraph 1.h. above) must average 1000 square feet gross floor area limited to *Block 17301 Lot 11* ~~lot 17~~.
- e. Parking requirement is minimum one space per residential unit or work/live space, excluding housing developed for senior citizens.

L. BERRY LANE PARK ZONE

This district shall encompass lands at and near the foot of Woodward Street, as depicted in the Zoning Map (Map B).

Purpose: To encourage a more dense pattern of development where housing is within proximity to public park space and a Hudson Bergen Light Rail station.

Properties within the Berry Lane Park Overlay Zone are eligible for a density bonus if the developer has been formally designated by the JCRA and if a publically dedicated street is constructed in accordance with City standards, inspected and accepted by the Municipal Engineers, and in the location outlined below.

At a point 98 feet south of the northwest corner of Block 19901 Lot 7 along Woodward Street, a new public right of way shall be created. The right-of-way shall be 50 feet in width, with a 34 foot wide cartway, 8' wide sidewalks, and a maximum inside curb radius of R10 at the corner. This new street shall connect existing Woodward Street and existing Van Horne Street. All improvements as required by the Division of Engineering shall be made by the developer in order to be eligible for the density bonus.

Moreover, no certificates of occupancy shall be granted for any buildings developed until the new street has been built, inspected, dedicated to the City, and approved by the Municipal Engineers.

1. Berry Lane Park Overlay – North

This overlay zone encompasses property north of the new through-street connecting Woodward and Van Horne Streets. The following standards are applicable only if the street, as described above, is provided and all zoning standards are met. If the street is not provided as required and/or zoning standards are not met, the property is subject to Residential (R) zoning.

a. Permitted Principal Use

- i. One- and two-family homes**
- ii. Three-family homes**

b. Accessory use

- i. Off-street parking**

c. Zoning standards

- i. Minimum lot area: 2,450 square feet**
- ii. Minimum lot width: twenty-four and one-half (24.5) feet**
- iii. Minimum lot depth: one hundred (100) feet**
- iv. Minimum Front Yard Setback: 5 (five) feet**
- v. Minimum Side Yards: 0 feet**
- vi. Minimum Rear Yards: 30 (thirty) feet**
- vii. Maximum building coverage: sixty five percent (65%)**
- viii. Maximum lot coverage: eighty-five percent (85%)**
- ix. Maximum building height: 3 stories**
- x. All new development shall provide a landscaped area across at least 20 % of the front yard.**
- xi. Front yard parking is prohibited throughout the district.**
- xii. A twelve foot (12') wide easement shall be provided along the rear property line between homes facing Van Horne and Woodward Streets, utilizing six feet of depth from the rear of each property. This easement shall be accessed from the new through-street and shall provide parking access to each unit. Front-facing garages are prohibited.**
- xiii. Parking: Two garaged and one rear-yard parking space are required.**

- d. *Design standards*
 - i. *Please refer to the design standards in the Section VII for design standards for this district.*

2. *Berry Lane Park – South*

This overlay zone encompasses property south of the new through-street connecting Woodward and Van Horne Streets and adjacent to the railroad. The following standards are applicable only if the street, as described above, is provided and all zoning and design standards are met. If the street is not provided as required and/or zoning standards are not met, the property is subject to Residential (R) zoning.

On this parcel, a maximum of two separate apartment buildings shall be permitted, which shall be developed by a common owner/developer. This may be accomplished by subdividing the lot into two separate lots with parking and access easements, or by having two buildings on a single lot. Coverage standards shall be calculated for the lot as a whole.

- a. *Permitted Principal Use*
 - i. *Multi-family apartment buildings*
- b. *Accessory use*
 - i. *Off-street parking*
- c. *Zoning standards*
 - i. *Minimum Front Yard Setback: 5 feet at ground floor, 0 feet starting 15 feet above grade.*
 - ii. *Side Yards: 0 (zero) feet*
 - iii. *Minimum Rear Yards: 0 feet (zero) feet on the ground floor, 10 feet above.*
 - iv. *Maximum building coverage: 70 (seventy) percent*
 - v. *Maximum lot coverage: 80 (eighty) percent*
 - vi. *Maximum building height: 4 stories*
 - vii. *Minimum Parking: 0.75 vehicle space per unit; 0.5 bicycle spaces per unit*
 - viii. *Minimum Floor-to-ceiling height: 9 feet*
- d. *Design standards*
 - i. *Please refer to the design standards in the Section VII for design standards for this district, which shall be modified by what is listed below.*
 - ii. *If a ground floor garage is developed, garage shall have two points of entry, one driveway from the new through street with a garage entry on the side, and the other from a driveway extending from the northern portion of vacated Woodward Street, again with entry on the side of the building.*
 - iii. *Main pedestrian and resident access to the building(s) must be provided from a lobby area with frontage along the new street.*
 - iv. *If a ground floor garage is developed, garage levels shall be screened so as not to give the apparent perception of garage space from all street Rights-of-Ways and from all adjacent property lines. Examples of various acceptable screening and façade treatment techniques which can be utilized include the following:*
 - *Artificial windows of the punched out style utilizing glass or decorative grillwork or a combination of same.*

- *Artificial building façade wrapping around the exterior of the garage.*
 - *Extension of the ground floor or second floor window design to upper floors without the glass, but utilizing the same detailing, design, and window frame color.*
 - *The addition of cornices, lintels, quoins, and other decorative detailing in addition to all the other façade designs.*
 - *Emphasis of a vertical exterior façade pattern instead of the horizontal*
- v. *The building corner closet to the intersection of Woodward Street and the new street shall be camphered to provide an attractive terminated vista at the end of Woodward Street. Campher is required on all upper floors, optional on the ground floor.*
 - vi. *Bike rooms must be provided*

LM. ADAPTIVE REUSE OVERLAY ZONES

To provide options for property owners of certain significant and appropriate structures, and/or certain outmoded institutional and industrial structures, that existed at the time of adoption of this redevelopment plan to have greater flexibility in use than would be permitted by the underlying residential, retail or industrial district. Adaptive Reuse Overlay - Zone A and Adaptive Reuse Overlay - Zone D consists of certain properties that are contained within the Plan Residential zone. Adaptive Reuse Overlay - Zone B consists of a property that crosses the boundary between an Industrial ~~A-zone (Light Industrial)~~ and Mixed Use - B zone (Neighborhood Retail and Residential). Adaptive Reuse Overlay - Zone C consists of a property that exists within an Industrial ~~A-zone (Light Industrial)~~, but is on the cusp of an adjacent R-2 zone that is outside the Plan Area, and is across the street from parcels that are planned for parkland by this Plan.

The Adaptive Reuse Overlay Zones shall be in addition to, and not supersede, the underlying zoning categories. Furthermore, the Adaptive Reuse Overlay Zone shall apply only to those structures that existed at the time of adoption of this Plan, as listed within each Overlay Zone category of this Plan, or new construction on vacant land within the Overlay Zones which permit new construction as outlined elsewhere in this section. Should said structures be demolished, or the exterior be significantly altered, except in compliance with the requirements of this section, the subject parcel shall no longer be considered part of an Adaptive Reuse Overlay Zone, and the underlying Plan zoning requirements shall be in effect.

1. Design Standards

- a. For the adaptation, rehabilitation, and/or reuse of existing buildings (existing lower portions, not including any permitted vertical additions), the design standards contained within the *Section VII Mixed Use—A District* for this district shall apply. Existing buildings shall implement rehabilitation that restores the building's exterior façade to its original profile to the extent possible within reasonable engineering methods and cost. Restoration of original window and door openings is encouraged to the extent feasible.
- b. For new construction as a vertical addition on top of existing buildings, the following shall apply:

- (1) Vertical additions are only permitted on flat-roof buildings, and buildings free of decorative elements (such as domes, cupolas, cones, belvederes, towers, turrets, etc.)
 - i. Vertical additions shall not be made to replicate the original building in materials or color. Additions shall be primarily of glass and steel with other modern material details. Glazing on additions must be a minimum of 85%.
 - ii. All buildings shall incorporate flat roofs, except where existing roofs are sloped, gabled, or turreted or otherwise decoratively treated, in which case they shall remain.
 - (a) Roofs may contain HVAC equipment, provided however, that the equipment must be enclosed or screened. Constructed screening shall be executed in a manner that is sympathetic with the architecture of the building, and shall not be visible from an elevation of five feet above the sidewalk on the opposite side of the public right-of-way.
 - (b) Roofs shall include open space for building residents. Terraces, decked areas, seating areas, and landscaping should be included.
- (2) Rehabilitated buildings shall include the following amenities:
 - i. Laundry facilities. A minimum of one (1) washer and dryer for every ten (10) units with a minimum of one (1) washer and dryer on each residential floor must be provided; OR a washer and dryer in each residential unit.
 - ii. Bicycle storage. An appropriately sized bicycle storage room or locker area must be situated on the first floor or garage of all rehabilitated buildings.

2. Area, yard and bulk standards

- a. The adaptive re-use of these properties shall exempt the property from all area, yard and bulk requirements, provided that the lot size is not reduced from that which existed at the time of the adoption of this Plan; that the coverage is not increased by more than 5%; and that the height is not increased by more than two stories or penthouse floors or a single floor with a mezzanine, either not to exceed 20 feet, unless the specific Overlay Zone allows new construction within the zone.

3. List of Adaptive Reuse Overlay Zones and Permitted Uses:

a. Adaptive Reuse Overlay – Zone A

Block	Lot	Address
2071 15802	B3 37	68 Monitor Street
2074 19902	24 and 23 9 and 10	279 Pine Street
2094 17503	A 1	125 Monitor Street

(1) Permitted Principal Use

- (a) Artist studio workspace
- (b) Banquet or Catering Facility
- (c) Community Facility
- (d) Indoor Recreational Facility
- (e) Residential
- (f) Restaurants/Cafés: sit-down only
- (g) Senior Residential Facility
- (h) Combination of the above, subject to approval by the Planning Board
- (i) Work/live craftsperson studio is permitted for 68 Monitor Street only
- (j) Public Utilities, except that natural gas transmission lines shall be prohibited
- (k) New Construction of residential buildings in a townhouse style shall be permitted on the southern portion of Block 2094 17503 provided that the total unit count on Block 2094 17503 does not exceed 180 dwelling units and subject to the following criteria:
 1. A total of fourteen (14) townhouses shall be permitted, with one (1) unit fronting on Monitor Street, eight (8) units on fronting on Johnston Avenue, and five (5) units fronting on Pine Street.
 2. The depth of each townhouse shall be at least 30 feet, but not more than 40 feet.
 3. The width of each townhouse shall be at least 20 feet, but not more than 32 feet.
 4. The foot print area of each townhouse style unit shall be at least 750 square feet and the minimum unit size for each dwelling unit shall be at least 2,250 square feet.
 5. Maximum Height – 3 & ½ stories and 45 feet.
 6. Density – Not more than 14 townhouse type dwelling units shall be constructed along the combined frontages of Monitor Street, Johnston Avenue and Pine Street, and the total unit count on Block 2094 17503 shall not exceed 180 units.

(2) Accessory use

- (a) Off-street parking- One parking space for each dwelling unit for Block 2094, Lot 8 17503. Basement level parking shall be exempt from all setback requirements. Underground parking shall not count as coverage.
- (b) Home occupations

b. Adaptive Reuse Overlay – Zone B

Block	Lot	Address
2082 15402	A1 4	614-630 Grand Street

(1) Permitted Principal Use

- (a) Artist studio workspace
- (b) Banquet or Catering Facilities

- (c) Business Incubators
- (d) Light Industrial
- (e) Neighborhood Retail
- (f) Offices
- (g) Restaurants/Cafés: sit-down only.
- (h) Combination of the above, subject to approval by the Planning Board
- (i) Public Utilities, except that natural gas transmission lines shall be prohibited

(2) Accessory use

- (a) Off-street parking

c. Adaptive Reuse Overlay – Zone C

Block	Lot	Address
2063 17205	P 1 partial	26 Cornelison Avenue and State Street <i>(for a depth of 195' east along State from Cornelison and 173' at the western lot line from Cornelison parallel to State.)</i>

(1) Permitted Principal Use

- (a) Residential
- (b) Community Facility
- (c) Senior Residential Facility
- (d) Office
- (e) Incubator
- (f) Light Industrial
- (g) Public Utilities, except that natural gas transmission lines shall be prohibited
- (h) Combination as follows:
 - (1) Any combination of (a) Residential, (b) Community Facility, and (c) Senior Residential Facility; **OR**
 - (2) Any combination of (d) Office, (e) Incubator, and (f) Light Industrial.

(2) Accessory use

- (a) Off-street parking.

(3) Prohibited Uses

- (a) Narcotic and drug abuse treatment center.

(4) Parking Standards

- (a) Residential – minimum 1 parking space per unit.

- (b) Office – a minimum of one (1) parking space per 1,000 square feet of gross floor area; except that the first 5,000 square feet of any individual office shall be exempt from this standard.

d. **Adaptive Reuse Overlay – Zone D**

Block	Lot	Address
2049 15802	A-1-25	300 Communipaw Avenue
2071 15802	2-26	40 Monitor Street

(1) Permitted Principal Use

~~(Ground floor shall mean the bottom floor of the facility, and which floor abuts Monitor Street to the West and abuts the vacated Garabrant Street to the East. First Floor shall mean the floor that is in part directly atop the ground floor, and in part extends beyond the footprint of the ground floor to also sit directly on the ground. In no event shall any part of the first floor be construed to be considered the ground floor. The Second Floor shall mean the floor that is directly atop the First Floor. The Third Floor shall mean the floor that is directly atop the Second Floor. The Fourth Floor shall mean the floor that is directly atop the Third Floor.)~~

A. Ground (*First*) Floor and First Floor Immediately Above

- (a) Artist studio workspace
- (b) Catering Facility
- (c) Community Facility
- (d) Health Club, maximum 5,000 square feet total floor area.
- (e) Residential
- (f) Restaurants / Cafes: sit-down only, including sidewalk cafes
- (g) Work/live artist studio *with up to 3 full time employees*
- (h) Work/live craftsperson studio
- (i) ~~Work/live office~~ *home occupation with up to 5 full time employees*
- (j) Office
- (k) Studios for Film Production and the Performing Arts
- (l) Public Utilities, except that natural gas transmission lines shall be prohibited

B. ~~Third and Fourth~~ Upper Floors

- (a) Residential
- (b) Work/live artist studio

C. A combination of the above uses are permitted, subject to approval by the Planning Board.

D. Lot 26 ~~2~~ in Block 15802 ~~2071~~ may only be used as open space and/or to provide a pedestrian entrance mews to the development on site.

(2) Accessory Uses

- A. Home Occupation
- B. Off-street parking
- C. Retail sales of goods and services, limited to the ground floor of the existing building fronting on Monitor Street, and only when operated as part of a Work/live artist or craftsman studio and limited to art, craft or goods produced on site.
- D. Ancillary Storage Areas for residential units shall be required to be provided on the ground floor of the building for the storage of personal and household items, bicycles, etc.

(3) Parking Standards

- A. Office, retail and other commercial uses shall provide a minimum of one (1) parking space per 1,000 square feet of gross floor area; except that the first 5,000 square feet of any individual retail establishment shall be exempt from this standard.
- B. Residential – 0.5 parking spaces per unit.
- C. Recognizing the preexisting nature of the building within this district and the intent of this Plan to preserve this building in place and accommodate its redevelopment; the shared use of parking spaces between residential and commercial uses shall be permitted upon submittal of a parking management plan describing how the parking spaces will be assigned and upon Site Plan review and approval of the Planning Board.

(4) Additional Design Standards

- A. In addition to the Design Standards contained within ~~the Section -VII Mixed Use—A District~~, which apply to all Adaptive Reuse Overlay Zones, the building located at 300 Communipaw Avenue shall maintain the existing entrance located along Communipaw Avenue as a functional means of ingress and egress to at least the first floor (i.e. the floor above the ground floor) of the building. The appearance of this entrance as a “Main Entrance” to the building and focal point in the Communipaw Avenue façade shall be maintained. The design of this entrance shall be in keeping with the architectural style and character of the building.

e. Adaptive Reuse Overlay – Zone E

Block	Lot	Address
2052 20005	A dup-99 3	305 Whiton Street

(1) Permitted Principal Use

- (a) Residential

(2) Accessory Uses

- A. Parking
- B. Patio & Landscaping
- C. Fences and Walls

XII. Design and Sign Standards

1. *These design standards shall apply to all subdistricts except where superseded by specific standards within that district.*
 - a. *Preservation and rehabilitation are the primary objectives of this district's design controls.*
 - (1) *Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building structure or site and its environment or to use a property for its originally intended purpose.*
 - (2) *The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.*
 - (3) *All buildings, structures and sites shall be recognized as products of their own time. Alterations which have no historical basis and which seek to create an earlier appearance shall be discouraged.*
 - (4) *Changes, which may have taken place in the course of time, are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.*
 - (5) *Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be treated with sensitivity.*
 - (6) *Deteriorated architectural features shall be repaired rather than replaced wherever possible. In the event that replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical or pictorial evidence rather than on conjectural design or the availability of different architectural elements from other buildings or structures.*
 - (7) *The surface cleaning shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials are strictly forbidden as they destroy the essential water resistant glazing on the exterior of brick and masonry, and scour, scar and obliterate the surface.*
 - (8) *Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any acquisition, protection, stabilization, preservation, rehabilitation, restoration or reconstruction project.*
 - b. *Standards for rehabilitation [general standards in Subsection a (1) through (8) are inclusive].*

- (1) *Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historic, architectural or cultural material and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.*
 - (2) *Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.*
- c. *Standards for reconstruction [general standards in Subsection a (1) through (8) are inclusive].*
- (1) *Reconstruction of a part or all of a property shall be undertaken only when such work is essential to reproduce a significant missing feature and when a contemporary design solution is not acceptable.*
 - (2) *The reproduction of missing elements accomplished with new materials shall duplicate the composition, design, color, texture and other visual qualities of the missing element. Reconstruction of missing architectural features shall be based upon accurate duplication of original features, substantiated by historical, physical or pictorial evidence rather than upon conjectural designs or the availability of different architectural features from other buildings.*
 - (3) *Reconstruction shall include measures to preserve any remaining original fabric, including foundations, subsurface and ancillary elements. The reconstruction of missing elements and features shall be done in such a manner that the essential form and integrity of the original surviving features are unimpaired.*
- d. *Standards for new construction [general standards in Subsection a (1) through (8) are inclusive].*
- (1) *In considering whether to approve or disapprove an application for a permit for new construction, the Planning Board shall be guided by standards of the Secretary of the Interior and the following compatibility standards.*
 - (2) *New construction need not replicate older buildings or structures, but may reflect contemporary design standards so long as the design and construction is compatible with surrounding structures. Building height, width, mass and proportion affect the degree of compatibility between the old and the new.*
 - (a) *Site and setting. A developer intending to utilize historic resource as a part of a development must consider the context of the resource's original site by honoring the original historic intention of said resource and integrating it respectfully into the new development.*

- (b) Building height. Height should be visually compatible with adjacent buildings. The apparent physical size, scale and height should relate to existing resources.*
- (c) Openings on frontal facades. The width and height of windows, doors and entries must harmonize in scale and proportion with the width and height of windows, doors and entries of buildings and structures of historic significance in the surrounding environment.*
- (d) Relationship of unbroken planes to voids (i.e., punctured planes) in front facades. The relationship of unbroken planes (i.e., walls) to voids (i.e., windows and doors) on the facade of a building or structure should be aesthetically harmonious with that of buildings and structures of historic significance in the surrounding environment.*
- (e) Relationship of vacant land to buildings/structures. The relationship of a building or structure to the vacant land between an adjoining building or structure should not violate the existing paradigmatic spatial relationship of historically significant structures to the vacant land between said structures and adjoining buildings. The building mass in large architectural projects can be varied in form by using setbacks to create open spaces and landscaping when desirable to provide harmonious visual transitions between new construction and the adjacent historic properties.*
- (f) Relationship of exterior projections to the street. The relationship of exterior projections to the street in new construction should be aesthetically harmonious with the relationship of exterior projections to the street in the surrounding existing buildings of historic significance.*
- (g) Relationship of major exterior building materials. The major exterior building materials on the facade, sides and rear of a building or on a structure should reflect the predominant major building materials existent on the facades, sides and rear of historically significant buildings and on structures in the surrounding environment.*
- (h) Roof forms. The roof form and slope of a building or structure is a major element in the visual image of the building. Therefore, designers must take care to honor paradigmatically in new construction the existing historic roof forms and slopes so as not to violate the aesthetic harmony of the whole.*
- (i) Continuity in visual imagery of appurtenances. Appurtenances of a building or structure such as walls, fences and landscaping shall honor the relationship of appurtenances to buildings of historic significance in the surrounding environment.*
- (j) Scale of buildings. The scale of buildings and structures shall be in scale with the buildings and structures of historic significance.*
- (k) Signage. Signs which are out of keeping with the character of the environment in question shall not be used. Excessive size and*

inappropriate placement on buildings results in visual clutter. A good sign should be designed to relate harmoniously to exterior building materials and colors. A good sign should express a simple clear message with wording kept to a minimum.

- (l) Site planning. The site planning of landscaping, parking facilities, utility and service areas, walkways and appurtenances must reflect the site planning of landscaping, parking facilities, utility and service areas, walkways and landscape features reticulate to buildings or structures of historic significance.*

e. The Shopfront - Rehabilitation of Existing Storefront.

- (1) Scale and Proportion: When renovating an existing storefront every effort shall be made to restore or preserve the original storefront opening, profile and proportion of glass. This type of restoration is often cheaper and helps to maintain the historical, visual and physical integrity of the building. A storefront which extends beyond its boundaries, or has its windows enclosed or made smaller, is out of scale and is expressly prohibited.*

- (2) Construction Materials: Historically, the storefront display window comprised about seventy percent (70%) of the facade and was framed by wood, brick, stone, cast iron or aluminum. Avoid using materials that were unavailable when the storefront was constructed; this includes vinyl, plastic, aluminum siding, anodized aluminum, mirrored or tinted glass, artificial stone, stucco, and brick veneer. If the original display window was covered up or enclosed with inappropriate materials, remove all contemporary materials. Restore and display all original openings and architectural features of the lower and upper portions of the building. This includes the storefront's transom window, pilasters or columns, lower window panel, and signboard, and upper story windows.*

- (3) Bulkheads: Wherever possible, the original bulkhead materials should be preserved to maintain the historical character of the street. The types of historical materials to be preserved include wood, cast iron, cast aluminum, pigmented structural glass (Carrara or Vitrolite), terra cotta, porcelain enamel, ceramic tile, decorative brick, marble, and granite.*

- (a) In restoring the bulkhead of the storefront, replace missing sections with original material, if possible. If it is not available, the following substitutions can be made for those materials no longer manufactured. In all cases, make sure to duplicate the profile of the original store's bulkhead.*

- Cast Iron can be replaced by cast aluminum, wood or fiberglass*
- Terra Cotta by fiberglass*
- Pigmented Structural Glass by Spandrel Glass (plate glass with a colored ceramic backing)*

- (b) In making repairs to an original storefront or installing a new one, the use of the following materials is prohibited: wood shingles, artificial brick or stone, anodized aluminum. The windows can simply be*

framed in aluminum and another more appropriate material can be used for the bulkhead. For example, a new wood bulkhead can be constructed and finished with plywood and stock moldings and trim.

f. The Shopfront - New Construction:

- (1) Where an architecturally or historically significant storefront no longer exists or is too deteriorated to save, a new storefront shall be designed which is compatible with the size, scale, materials, color, and character of the upper half of the building or the adjacent buildings. The use of wood, brick or stone masonry, or fiberglass is deemed appropriate for the framing of a new storefront. This will provide visual harmony to the entire streetscape.*
- (2) All retail uses shall have windows installed facing the street and shall be at least seventy (70%) percent open to perpendicular view, and be located so that the window sill is no more than four feet in height above grade. The glass is to be clear, untinted, except for etchings or gold lettering on the interior of window.*

g. The Shopfront - Elements Common to Both Rehabilitation and New Construction.

- (1) Colors - No more than three colors are recommended for the storefront portion of the building. Complementary historic colors are recommended for highlighting architectural features of the building (upper and lower cornices, moldering, lintels, sign band, etc.).*
- (2) Window Displays - Use window displays to communicate information. A window display can project the store's image and tell potential customers more about available products than any number of signs. Do not try to place as many items as possible on shelves in the store window. Aim for simplicity; it generally insures successful displays. Good color schemes and good lighting are essential. At night windows should be lit using soft spot lights rather than bright or colored lights. Change the display periodically to reflect new merchandise, seasons, and holidays.*
- (3) Security Gates - While security gates deter crime, they can also have a negative effect on business and the overall image of the street at night. Gates which are left in place during the day are prohibited, for they obscure the shop window and make it seem that the shop is closed, and that the neighborhood is unsafe. Steel gates with solid slats are prohibited because they create an even stronger negative statement about community safety. The use of transparent exterior gates prevents entry and allows for light to illuminate the street during the evening hours.*
- (4) Illumination - It shall be required that the merchant install interior display lights in the display window to provide for increased illumination on the street at night. Adjustable incandescent lamps or spots are recommended. Fluorescent, flashing or blinking lights are prohibited on any part of the storefront. In addition, it is recommended that overhanging lamps facing down, be installed over the signband, below the second story windows to provide increased security on the street and for the building.*

h. Signs.

Goals: To improve the quality of signs used to advertise on-premise businesses. To reduce the overall size and number of signs.

(1) Design Requirements: The three most important criteria to consider in selecting a sign are:

- The size and position of the sign***
- Design and materials***
- Illumination***

(2) Approvals: All identification, business, advertising or other signs placed on public or private property, hereafter erected, displayed or repaired (defined as more than fifty percent (50%) of the cost of replacement) shall conform with the provisions of this subsection of this Plan.

- (a) All signs and awnings shall be subject to review and permitting by the Buildings Department.***
- (b) Planning Board review and approval will be required where it is unfeasible to apply the sign band regulation to an existing structure.***
- (c) The Planning Board, as part of site plan review, may grant waivers from the minimum and maximum size requirements herein.***
- (d) All signs shall be removed upon cessation of any business occupancy of any premise within the Plan Area. Thereafter, all signs shall comply with the requirements of this Plan.***

(3) Permitted Permanent Signs:

- (a) Identification and/or business signs of the following type:***
 - (1) Wall signs***
 - (2) Window signs***
 - (3) Small projecting signs which display a trade symbol or logo***
 - (4) Neon signs shall be permitted upon review by the Planning Board.***
 - (5) Signs indicating time, temperature and date may be exempt from these provisions, subject to Planning Board approval.***
- (b) Zone Standards are as followed and may be modified and superseded by design standards 6 through 14 below.***
 - (1) TOD-South - see NC signage standards in the Land Development Ordinance***
 - (2) TOD-West***
 - i. Block 19004 – see R-3 signage standards in the Land Development Ordinance***
 - ii. Block 15802 Lots 1, 38, 39, 40, 41, 42, and 43, and Block 19003 - see NC signage standards in the Land Development Ordinance***
 - (3) TOD-North***

- i. 15801 lots 49 through 64, 17504, and 17505 - see NC signage standards in the Land Development Ordinance
- ii. Block 17502 - see R-3 signage standards in the Land Development Ordinance
- (4) TV/CP – under Commuter Parking standards, 1 freestanding monument sign per vehicular ingress not to exceed 20 sf with a maximum height of 4' from grade.
- (5) I – 10% of the area of the 1st story of the wall to which it is attached, or 200 square feet, whichever is less. In the case of multiple street frontages, one per side.
- (6) MU-A, MU-B, MU-C, MU-D and MU-E: see NC signage standards in the Land Development Ordinance
- (7) RTC – see NC signage standards in the Land Development Ordinance. For parks, see P/OS standards in the Land Development Ordinance.
- (8) R – Residential: see R-1 signage standards in the Land Development Ordinance
- (9) W - see R-3 signage standards in the Land Development Ordinance
- (10) BL-N- see R-1 signage standards in the Land Development Ordinance
- (11) BL-S - see R-3 signage standards in the Land Development Ordinance
- (12) Artist Studio Workspaces are subject to residential signage guidelines except in Adaptive Reuse Overlay – D zone. In Adaptive Reuse Overlay – D zone when the artist studio workspace occupies a permitted ground floor retail storefront, retail signage shall be permitted per NC signage standards in the Land Development Ordinance.

(5) Permitted Temporary Signs:

(a) Real estate signs, subject to the following regulations:

- (1) No such sign shall exceed six (6) square feet. All signs shall be attached to the premises to which they apply.
- (2) No person, including the real estate agent or employee, shall exhibit more than one (1) such sign per premise to which it applies.

(b) Construction signs, subject to the following regulations:

- (1) Temporary construction signs shall not exceed twenty-four (24) square feet.
- (2) No person shall exhibit more than one (1) such sign per premise, advertising the name of the building, general contractor, subcontractor, financing institution, public agencies and officials, and professional personnel.
- (3) Such signs shall be permitted beginning with the issuance of a building permit and terminating with the issuance of a certificate of occupancy for the entire building.

(6) Permitted Number of Signs:

- (a) A maximum of one sign per occupant, per street frontage shall be allowed.*
- (b) No more than three (3) different signs per building will be permitted if there is more than one occupant.*
- (c) Only signs which refer to a permitted use, or grandfathered use, as set forth in the Plan are permitted, provided such signs conform to the provisions of this section.*

(7) Permitted Location and Mounting:

- (a) Wall signs identifying commercial establishments shall be flush mounted and project no more than 12 inches from the face of the building. They are to be attached to the long, continuous information band found directly above the storefront display window or transom window, usually not less than 10 feet and not greater than 15 feet above grade level. All signs shall be set back a minimum of 2 feet from each side of the building.
 - (1) In all cases, architectural details, ornamentation or upper story windows are not to be obscured by the sign's placement. Second or third story commercial occupants shall use window signs or flush mount a sign above the top of their windows.*
 - (2) Signs on adjacent storefronts shall be coordinated in height and proportion and wherever possible, should use the same sign format and be constructed of identical materials and background colors.**
 - (b) Window signs shall be permitted on any floor of a structure that a business occupies. Such signs shall be of a non-illuminated nature (except for the first floor shop window where neon is permitted). The letters are to be painted, stenciled or engraved onto the glass display window and shall not exceed twenty percent (20%) of the window surface to which it is affixed.*
 - (c) Neon signs are to be affixed within the display window.*
 - (d) Projecting signs are to be located perpendicular to the building and the lowest portion of the sign shall be at least 10 feet above grade level, but below the windows of the second story.*
 - (e) All signs shall be placed no lower than the top of the doorway or transom (if applicable) and shall be below and not cover or interfere with the second story windows.*
- (8) Size and proportion: Sign measurements shall be based on the entire area of the sign, with a continuous perimeter enclosing the extreme limits of the actual sign surface. Signs on adjacent storefronts should be coordinated in height and proportion and, wherever possible, use the same sign format. At a minimum, they should both employ identical background colors.**
- (a) Wall signs should be between 18 inches and 26 inches vertical dimension and shall be set back a minimum of 2 feet from each side of the building.*
 - (b) Window signs shall not exceed 20% of the window surface to which it is affixed.*

- (c) *Projecting signs shall be limited to a maximum area of 16 square feet. Three dimensional objects can have an area no greater than 9 square feet at their largest cross section.*
- (d) *No sign shall exceed a height of five (5) feet with the exception of Mixed Use –D District where no sign shall exceed a height of eighteen (18) inches.*

***** Remember, smaller, simple signs are encouraged! *****

(9) Design & Materials: *Pacific and Communipaw Avenues can be noted for their distinct architectural style. The mixed use buildings are largely brick and frame, and with the exception of ornamentation and later alterations, there is uniformity in proportion and style.*

- (a) *Signage should be uniform in nature from block to block and the materials should be consistent with, or at least complement, the original construction materials and architectural style of the building facade.*
- (b) *Natural materials such as wood and metal are more appropriate than plastic. Internally lit, plastic signs require high maintenance (their light boxes often break) and are inflexible in terms of alterations. They also appear out of context with the period and style of historic buildings. Therefore their use is prohibited.*
- (c) *Where a signage band is missing due to alterations, signs painted directly onto a building or window surface often tend to be quite effective.*
- (d) *Appropriately designed neon window signs (with custom shapes and colors complementary to the building) are another option, and can add character to an establishment.*
- (e) *An awning with the store's name printed on it, may serve as an attractive alternative when properly designed and installed, and may be substituted for a sign.*

(10) Message Band: *A sign should be limited to the name, function, and the address of a business. This information can be conveyed through visual devices: words, pictures, names symbols and logos. The most important point to remember is to keep the sign simple. Avoid listing every product sold.*

(11) Lettering: *Lettering should be kept simple and clear and complement the style and period of the building on which it appears. To avoid a cluttered appearance, no more than two (2) different typefaces may be used on the same sign, and wording shall be limited to no more than 60% of the total sign area. Letters or symbols shall range from eight (8") to twelve inches (12") in height and shall not project more than six inches (6") from the building surface.*

(12) Color: *No more than three colors per sign. Dark backgrounds with light letters are recommended.*

(13) Illumination: *If illumination is desired, external illumination, such as overhead spot lights directed toward the sign, is recommended. These types of lights can illuminate portions of the building as well as the sign, and make it possible to balance the color and intensity of the light*

with those located in the display windows. If residential units occupy the second story of the building, non-illuminated signs are preferred. All stores should place lights within their shop windows to provide light on the street at night.

(14) Prohibited Signs:

- (a) Billboards, signboards, streamers, pennants, ribbons, spinners or other similar devices, and all roof signs. Exceptions include all flags and banners exhibited to promote the shopping district or commemorate special holidays, events, or sales days.
- (b) Flashing, blinking or otherwise animated lights and/or signs. Signs containing moving parts and signs containing reflective elements which sparkle or twinkle in sunlight.
- (c) Freestanding signs shall be prohibited with the following exceptions:
 - (1) Houses of worship and funeral parlors, if the buildings are set back from the street line and are located on the same lot as the sign
 - (2) Commuter Parking zone signs
 - (3) Regulatory signs
 - (4) Transportation, circulation, and parking signs
 - (5) Construction signs with necessary permits

i. Awnings.

- (1) All portions of any permitted awning shall be not less than 8 feet above the finished grade, excluding any valance, which shall not be less than seven feet above the finished grade.
- (2) No portion of any awning shall be higher than the window sill level of the second story of the building and shall not block the window or windows on the upper half of the building.
- (3) The horizontal projection of any awning shall not exceed three (3) feet, six (6) inches from the face of the building, except in the case of roll-up awnings, which may project further.
- (4) The vertical distance from the top to the bottom of any awning shall not exceed 4 feet, including any valance.

XIII. ACQUISITION

A. Refer to Map F.

Address	Block	Lot
1 Summit Avenue	2060	23C
10 Bishop St. & Canal	2084	12
100 Monitor Street	2072	G
1000 Garfield Av.	1948	21D
101 Maple St.	2068	17
1028-1038 Garfield Av.	1948	43

103-111 Fairmount Av	2083	87
103-111 Fairmount Av	2083	88
103-111 Fairmount Av	2083	89
103-111 Fairmount Av	2083	90
103-111 Fairmount Av	2083	91
103-111 Fairmount Av	2083	F
103-111 Fairmount Av	2083	86

104-104A Woodward St.	2036	46
1040 Garfield Av.	1948	13
1042-1046 Garfield Av.	1948	11
1042-1046 Garfield Av.	1948	12
1042-1046 Garfield Av.	1948	9B
1042-1046 Garfield Av.	1948	10
1052 Garfield Av.	1948	9A
1054 Garfield Av.	1948	8A
1054-1060 Garfield Av.	1948	6A
1056 Garfield Av.	1948	7A
1058 Garfield Av.	1948	7B
106 Woodward St.	2036	K
1064 Garfield Av.	1948	5A
1068 Garfield Av.	1948	4
108 Woodward St.	2036	J
1084-114 Garfield Av.	2058	1
1097 Garfield Av.	2059	20A
11 Summit Avenue	2060	18
111 Woodward St.	2040	C16
112 Van Horne St.	2035	G
113 Garabrant St.	2095	24
114 Van Horne St.	2035	F
115 Garabrant St.	2095	23
117 Garabrant St.	2095	22A
118 Monitor Street	2095	B
119 Garabrant St.	2095	21A
12 Bishop St. & Canal	2084	57
12-16 Ash Street	2097	8
12-16 Ash Street	2097	9
12-16 Ash Street	2097	7
120 Monitor Street	2095	A
120 Van Horne St.	2035	35
121 Garabrant St.	2095	20A
122 Monitor Street	2095	8
122 Van Horne St.	2035	36
123 Garabrant St.	2095	19
124 Monitor Street	2095	9
125 Garabrant St.	2095	18
125 Monitor Street	2094	A
125 Woodward St.	2040	C18
126 Monitor Street	2095	10

127 Garabrant St.	2095	17
128 Pine Street	2095	12
130 Pine Street	2095	11
13 Summit Avenue	2060	17
13-21 Fairmont Av.	2083	6
13-21 Fairmont Av.	2083	7
13-21 Fairmont Av.	2083	8
13-21 Fairmont Av.	2083	9
13-21 Fairmont Av.	2083	10
130 Woodward St.	2041	58
131-133 Lafayette St.	2055	19e
132 Monitor Street	2095	13
134 Monitor Street	2095	14
136 Monitor Street	2095	15
136 Pine Street	2046	1
138-148 Pine Street	2046	2B
138-148 Pine Street	2046	3
138-148 Pine Street	2046	4A
138-148 Pine Street	2046	5A
138-148 Pine Street	2046	6A
138-148 Pine Street	2046	2A
139 Lafayette Street	2056	15A
139 Woodward St.	2040	C17
14 Bishop St. & Canal	2084	58
14-6 Summit Av.	2059	24
14-6 Summit Av.	2059	6
14-6 Summit Av.	2059	7
14-6 Summit Av.	2059	23
143 Van Horne St.	2041	32
144 Van Horne St.	2042	D1
150 Pine Street	2046	7A
152 Pine Street	2046	8
156 Pine Street	2046	10
157 Van Horne St.	2041	G1
158 Halladay St.	2042	K1
16 Bishop St. & Canal	2084	59
164 Pine Street	2046	12
166 Van Horne St.	2042	O1
175 Van Horne St.	2041	M
176 Halladay Street	2034	A1
189 Halladay St.	2035	7

193 Halladay St.	2035	5
193 Van Horne St.	2041	W
195 Van Horne St.	2041	X
197 Van Horne St.	2041	Y
199 Van Horne St.	2041	Z
201 Halladay St.	2035	1
201 Van Horne St.	2041	L1
201-3 Woodward Street	2056	5A
201-3 Woodward Street	2056	4B
203 Halladay Street	2042	36
205 Halladay Street	2042	35
205 Woodward Street	2056	6C
207 Woodward Street	2056	8C
209 Halladay Street	2042	I
209 Woodward Street	2056	A4
210-240 Pacific Av.	2045	25A
210-240 Pacific Av.	2044	25A
211 Halladay St.	2042	J
213 Halladay Street	2042	K
214 Halladay St.	2043	A1Dup
214 Pine St.	2050	4A
215 Halladay St.	2042	L
217 Halladay Street	2042	31
218 Pine St.	2050	6A
218 Suydam Av.	2047	B
220 Pine St.	2050	7
222 Van Horne St.	2054	27
222-224 Pine St.	2050	8
224 Van Horne St.	2054	26
225 Halladay Street	2042	27
226-228 Pine St.	2050	F
228 Van Horne St.	2054	24a
23 Cormnelison Avenue	1916	2L
23 Fairont Av.	2083	11
233 Suydam Av.	2046	55
233 Suydam Av.	2046	50A
234 Suydam Av.	2047	7
236 Pine St.	2070	32
236 Suydam Av.	2047	8
236 Van Horne St.	2054	19e
237-Suydam Av.	2046	43

237 Suydam Av.	2046	44
237 Suydam Av.	2046	45
237 Suydam Av.	2046	46
237 Suydam Av.	2046	47
237 Suydam Av.	2046	48
237 Suydam Av.	2046	42
238 Halladay St.	2043	52
238 Suydam Av.	2047	9
239 Suydam Av.	2046	41
240 Pine St.	2070	2
240 Suydam Av.	2047	10
241 Suydam Av.	2046	40
242 Whiton Street	2045	45
243 Suydam Av.	2046	39
243-245 Whiton Street	2044	KCor
243-245 Whiton Street	2044	10B
245 Suydam Av.	2046	38
247 Pacific Av.	2043	FDup
248 Pine St.	2070	6
249 Halladay St.	2042	W
25 Fairmont Av.	2083	12
250 Pine St.	2070	7
252 Suydam Avenue(rear portion only)	2047	16
252 Suydam Avenue (rear portion only)	2047	24E
252 Van Horne St.	2066	27
254 Halladay St.	2043	60
256 Pacific Av.	2044	L2
256-258 Johnston Av.	2096	G
258 Pine St.	2070	11
26 Cornelison & State Sts.	2063	P
260 Pine Street	2070	A
262-272 Johnston Av.	2096	D
262-272 Johnston Av.	2096	E
262-272 Johnston Av.	2096	F
262-272 Johnston Av.	2096	11
264 Pine Street	2070	B2
266 Pine Street	2070	B1
268 Pine Street	2073	A
269 Communipaw Ave.	2047	25d
27-31 Fairmont Av.	2083	14

27-31 Fairmont Av.	2083	15A
27-31 Fairmont Av.	2083	13
270 Pacific Ave.	2044	G1
271-5 Communipaw Av.	2047	24D
271-5 Communipaw Ave.	2047	25
272 Pacific Ave.	2044	F1
277 Communipaw Av.	2047	24C
278-288 Johnston Av.	2096	9pl
278-288 Johnston Av.	2096	10
280 Halladay St.	2053	28b
282 Pine Street	2073	22
282 Pine Street	2073	23
282 Pine Street	2073	24
282 Pine Street	2073	E
282 Pine Street	2073	21
287 Whiton St.	2052	27A
288 Halladay St.	2053	25
290 Halladay St.	2053	24b
290 Whiton St.	2051	G
290-292 Johnston Av.	2095	26
290-292 Johnston Av.	2095	25
291 Halladay St.	2054	9
292 Halladay St.	2053	24a
292 Whiton St.	2051	H
293 Halladay St.	2054	10
294 Halladay St.	2053	23b
294 Johnston Av.	2095	M1
294 Whiton St.	2051	9
295 Halladay ST	2054	11a
295-303 Communipaw Av.	2046	PLA
295.5 Halladay St.	2054	11b
296 Halladay St.	2053	23a
296 Johnston Av.	2095	L1
297 Halladay St.	2054	12
298 Halladay St.	2053	22b
298 Johnston Av.	2095	K1
29A Monitor St.	2050	13.B
300 Communipaw Av.	2049	A1
300 Halladay St.	2053	22a
300 Johnston Ave.	2095	J1
302 Johnston Avenue	2095	G1

304 Johnston Avenue	2095	H1
304 Halladay St.	2053	21
304-302 Communipaw Ave.	2050	26a
305 Communipaw Av.	2046	25B
306 Communipaw Ave.	2050	p
306 Johnston Ave.	2095	F1
307 Pine Street	2093	46A
309 Johnston Avenue	2073	19
309-11 Pine Street	2093	44A
31 Cornelison Avenue	1916	3B
31 Monitor St.	2050	13A
311 Johnston Avenue	2073	18
313 Communipaw Av.	2046	H
313 Halladay St.	2066	3
313-15 Pine Street	2093	41A
315 Halladay St.	2066	4
313 Johnston Avenue	2073	17
315 Johnston Avenue	2073	16
317 Johnston Avenue	2073	15A
317 Pacific Ave.	2053	7A
317-19 Pine Street	2093	40
317-19 Pine Street	2093	39
319 Halladay St.	2066	6
319 Johnston Avenue	2073	14A
319 Pacific Ave.	2053	8
32-34 State St.	2081	2dup
32-34 State St.	2081	1dup
321 Johnston Avenue	2073	13
321 Pine Street	2093	36
323 Halladay St.	2066	0
323 Pine Street	2093	37
325 Halladay St.	2066	N
325 Pine Street	2093	38
326-8 Johnston Ave.	2093	45A
327 Pine Street	2093	35
329 Pine Street	2093	34
33 Fairmont Av.	2083	16A
331 Pine Street	2093	33
341 Communipaw Ave.	2044	J
348 Communipaw Ave.	2052	33
35 Fairmont Av.	2083	17A

357 Bramhall Av.	2035	A
358 Bramhall Av.	2042	H
358A Bramhall Av.	2042	GDup
359 Bramhall Av.	2035	B
363 Bramhall Av.	2035	E
366-64A Bramhall Av.	2042	Bdup
366-64A Bramhall Av.	2042	Adup
37 Bishop St.	2081	15
37-49 Fairmont Av.	2083	19
37-49 Fairmont Av.	2083	20
37-49 Fairmont Av.	2083	21
37-49 Fairmont Av.	2083	22
37-49 Fairmont Av.	2083	23
37-49 Fairmont Av.	2083	24
37-49 Fairmont Av.	2083	18
371-3 Communipaw Av.	2042	8
375 Communipaw Av.	2042	7
377 Communipaw Av.	2042	6
379 Bramhall Av.	2036	B
379 Communipaw Av.	2042	5
379A Bramhall Av.	2036	A
381 Communipaw Av.	2042	4
385 Communipaw Av.	2042	2
387 Communipaw Av.	2042	1
388 Communipaw Ave.	2055	4a
39 Bishop St.	2081	16
39-43 Cornelison Ave.	1916	4K
4-10 Ash Street	2097	6B
40 Monitor Street	2071	2
406 Communipaw Ave.	2056	4C
408-10 Whiton Street	2093	5A
408-10 Communipaw Ave.	2056	4e
408-10 Communipaw Ave.	2056	4D
41 Bishop St.	2081	17
412 Communipaw Ave.	2056	32B
412-14 Whiton Street	2093	7A
416-18 Whiton Street	2093	B1
416B Communipaw Ave.	2056	30B
417 Communipaw Ave.	2040	8
417 Communipaw Ave.	2040	C4
417 Communipaw Ave.	2040	7

417 Communipaw Av.	2040	12A
417 Communipaw Av.	2040	13
417 Communipaw Av.	2040	11A
418B Communipaw Ave.	2056	29A
420 Communipaw Ave.	2056	28A
420 Whiton Street	2093	11
422-24 Whiton Street	2093	13
422-24 Whiton Street	2093	12
426 Whiton Street	2093	14
428 Whiton Street	2093	15
43 Bishop St.	2081	19
43 Bishop St.	2081	20
43 Bishop St.	2081	18
430 Communipaw Av.	2057	15D
430 Whiton Street	2093	16
437 Communipaw Av.	2040	C9
442 Whiton Street	2097	10
444 Whiton Street	2097	12
444 Whiton Street	2097	13
444 Whiton Street	2097	11
453 Communipaw Av.	2040	C12
457 Communipaw Av.	1948.5	B
458 Johnston Av.	2083	65
46 State Street	2081	8A
460 Johnston Av.	2083	64
461-65 Communipaw Av.	1948	2A
461-65 Communipaw Av.	1948	1
462 Johnston Av.	2083	63DUP
464 Johnston Av.	2083	63
466 Communipaw Av.	2058	2
466 Johnston Av.	2083	62
467 Communipaw Av.	1948	3A
468-474 Johnston Ave.	2083	58A
470 Communipaw Av.	2059	26
470 Communipaw Av.	2059	4
470 Communipaw Av.	2059	5
470 Communipaw Av.	2059	B
470 Communipaw Av.	2059	25
478 Johnston	2083	57A
478 Johnston	2083	56
478A Communipaw Ave.	2060	23D

48 Monitor Street	2071	6
48 50 Maple Street	2072	C
480 Communipaw Ave.	2060	13
482 Communipaw Ave.	2060	11
482 Johnston Av.	2083	55
482 Johnston Av.	2083	54
484 6 Johnston Av.	2083	53
484 6 Johnston Av.	2083	52
49 51 Bishop St.	2081	22
49 51 Bishop St.	2081	21
5 3 Summit Avenue	2060	21A
51 69 Fairmont Av.	2083	44C
514 516 Johnston Av.	2083	38
514 516 Johnston Av.	2083	37
52 54 Maple Street	2072	B
532 Johnston Av.	2083	80B
537 543 Johnston Av.	2082	A13
545 9 Johnston Av.	2082	A12
55 Bishop St.	2081	23
550 Johnston Av.	2083	85A
56 58 Maple Street	2072	A
56 58 Maple Street	2072	3A
57 Bishop St.	2081	24
59 Bishop St.	2081	26
59 Bishop St.	2081	25
590 596 Grand Street	2083	C1
590 596 Grand Street	2083	d1
590 596 Grand Street	2083	E1
590 596 Grand Street	2083	E2
590 596 Grand Street	2083	5
598 Grand St.	2083	e2
6 Bishop St. & Canal	2084	10
600 10 Grand Street	2083	92
61 67 Bishop Street	2081	30dup
61 67 Bishop Street	2081	31dup
61 67 Bishop Street	2081	32dup
61 67 Bishop Street	2081	29
614 630 Grand Street	2082	A1
619 623 Grand St.	2084	5
619 623 Grand St.	2084	6
619 623 Grand St.	2084	4

625 Grand St.	2084	3
627 Grand St.	2084	2A
629 Grand St.	2084	1A
631 645A Grand St.	2058	17
631 645A Grand St.	2058	K
631 645A Grand St.	2058	16
632 36 Grand St.	2081	11
632 36 Grand St.	2081	9
632 36 Grand St.	2081	10
638 650 Grand St.	2081	13
638 650 Grand St.	2081	14
638 650 Grand St.	2081	3
638 650 Grand St.	2081	4A
638 650 Grand St.	2081	5A
638 650 Grand St.	2081	6
638 650 Grand St.	2081	7
638 650 Grand St.	2081	8
638 650 Grand St.	2081	12
645 647 Grand St.	2058	15
649 659 Grand St.	2058	14
649 659 Grand St.	2058	H
649 659 Grand St.	2058	J
649 659 Grand St.	2058	13
65 Monitor Street	2070	18
65 Woodward St.	2040	D3
652 Grand St.	2081	2
654 Grand St.	2081	1-
656 Grand Street	2063	E
658 Grand Street	2063	D
667 665 Grand St.	2058	F
667 665 Grand St.	2058	G
667 665 Grand St.	2058	E
669 Grand St.	2058	8
67 Monitor Street	2070	17
69 Monitor Street	2070	16
69 71 Bishop St.	2081	A2
695 675 Grand St.	2058	6
695 675 Grand St.	2058	7
695 675 Grand St.	2058	5
697 Grand St.	2059	A1
7 Summit Avenue	2060	20

701 Grand St.	2059	19A
701 Grand St.	2059	A2
701 Grand St.	2059	18A
703 Grand St.	2059	12
705 Grand St.	2059	11
707 Grand St.	2059	9C
707 Grand St.	2059	10
71 Fairmont Av.	2083	35
71 Monitor Street	2070	15
711 709 Grand St.	2059	8
713 Grand Street	2060	16
715 Grand Street	2060	15
717 Grand Street	2060	E
719 Grand Street	2060	D
72 Maple Street	2073	32
72-76 Bishop Street	2082	A11
72-76 Bishop Street	2082	A14
72-76 Bishop Street	2082	A10
721 Grand Street	2060	C
721.5 Grand Street	2060	B
723 Grand Street	2060	A
73 Fairmont Av.	2083	36
73-85 Bishop St.	2081	14a
73-85 Bishop St.	2081	15a
73-85 Bishop St.	2081	16a
73-85 Bishop St.	2081	17a
73-85 Bishop St.	2081	18a
73-85 Bishop St.	2081	19a
73-85 Bishop St.	2081	20A
73-85 Bishop St.	2081	A1
73-85 Bishop St.	2081	13a
74 Woodward St.	2036	33
74-74A Maple Street	2073	1
75 Fairmont Av.	2083	74
75 Woodward St.	2040	D2
76 Woodward St.	2036	34
78 Bishop Street	2082	A9
78 Bishop Street	2082	A16
78 Woodward St.	2036	35
8 Bishop St. & Canal	2084	11
81 Monitor Street	2073	28

81 Monitor Street	2073	29
81 Monitor Street	2073	30
81 Monitor Street	2073	31
81 Monitor Street	2073	27
846 Garfield	2007	23
846 Garfield	2007	24
846 Garfield	2007	25
846 Garfield	2007	26
846 Garfield	2007	30
846 Garfield	2007	31
846 Garfield	2007	32
846 Garfield	2007	33
846 Garfield	2007	34
846 Garfield	2007	35
846 Garfield	2007	36
846 Garfield	2007	37
846 Garfield	2007	5
846 Garfield	2007	22
846 Garfield Av.	2007	21
85-91 Van Horne St.	2036	20
85-91 Van Horne St.	2036	21
85-91 Van Horne St.	2036	19
88-94 Bishop Street	2082	A15
9 Summit Avenue	2060	19
90 Van Horne St.	2035	21
91 Maple St.	2069	14
92 Van Horne St.	2035	22
923 Garfield Av.	2002	64BC
93 Maple St.	2069	13
94 Van Horne St.	2035	23
94 Woodward Street	2036	43
942 Garfield Av.	1948	4B
944 Garfield Av.	1948	42A
946 Garfield Av.	1948	41A
948 Garfield Av.	1948	40
95 Van Horne St.	2036	17
95 7 Maple St.	2068	26
960-958 Garfield Av.	1948	36A
964 Garfield Ave.	1948	35
966 Garfield Ave.	1948	34
968 Garfield Ave.	1948	33

97 Monitor Street	2073	20
97 Van Horne St.	2036	16
970 Garfield Ave.	1948	32
972 Garfield Ave.	1948	31
974 976 Garfield Ave.	1948	29
974 976 Garfield Ave.	1948	30
978 Garfield Ave.	1948	28
98 Van Horne St.	2035	25
980 Garfield Ave.	1948	26
980 Garfield Ave.	1948	27
984 Garfield Ave.	1948	25B
984 990 Garfield Av.	1948	24A
99 Maple St.	2068	25
99 Van Horne St.	2036	15
Ash & Pine Streets	2097	6C
Bishop St. (vacated)	2085.1	S4
Bishop St. (vacated)	2085.1	S3
Canal Street	2058	S
Communipaw Av.	2057	16
End of Pine Street	2046	Adup
Garabrant St.(vacated)	2071	V1
Garabrant St.(vacated)	2048	V2
Inside Garfield Av.	1948	25C
Inside Garfield Ave.	1948	44
Lafayette St. (vacated)	2057	S1
Manning Av.	2040	J1
Manning Av.	2040	K
Manning Av.	2057	15K
Manning Av.	2040	H
Manning Av. (vacated)	2057	S2
Maple St.(vacated)	2071	62
Maple St.(vacated)	2071	s1
Maple Street	2072	S
Maple Street	2072	30C
Maple Street (vacated)	2057	S3
Morris Canal	2085.5	A10
Morris Canal	2085.5	A11
Morris Canal	2085.5	A5
Morris Canal	2085.5	A6
Morris Canal	2085.5	A7
Morris Canal	2085.5	A8

Morris Canal	2085.5	A9
Morris Canal	2040	b1
Pacific Ave. (vacated)	1491	1D1Pa e
State St. & Cornelison	2063	2
State St. & Cornelison	2063	3
State St. & Cornelison	2063	4
State St. & Cornelison	2063	5
State St. & Cornelison	2063	6
State St. & Cornelison	2063	7
State St. & Cornelison	2063	1
State Street	2063	12
State Street	2063	13
State Street	2063	14
State Street	2063	15
State Street	2063	16
State Street	2063	17
State Street	2063	18
State Street	2063	19
State Street	2081	27
State Street	2081	28
State Street	2081	29Dup
State Street	2081	30
State Street	2081	31
State Street	2081	32
State Street	2081	33
State Street	2081	34
State Street	2081	35
State Street	2081	36
State Street	2081	37
State Street	2081	38
State Street	2063	11
Suydam Av.	2046	37A
Suydam Av.	2046	36A
Van Horne Street	2035	24
Whiton Street (vacated)	2045	S
Whiton Street (vacated)	2044	S
Woodward St.	2040	E1
Woodward St.	2040	Edup
Woodward St.	2040	G1
Woodward St.	2040	S
Woodward St.	2036	S

83 Monitor Street	2073	B
85 Monitor Street	2073	C
87 Monitor Street	2073	D
280 Pine Street	2073	4
278 Pine Street	2073	5
276 Pine Street	2073	6
323 Johnston Avenue	2073	12

XIV Other Provisions to Meet State and Local Requirements

In accordance with NJSA 40A:12A-1 et seq., Chapter 79, Laws of New Jersey 1992, known as "The Local Redevelopment and Housing Law", the following statements are made.

- A. The Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements.
- B. The Plan has laid out various strategies needed to be implemented in order to carry out the objectives of this Plan.
- C. The Plan has given proposed land uses and building requirements for the redevelopment area.
- D. The Acquisition Maps which are a part of this Plan lists all property to be acquired as a result of this Plan.
- E. The Plan is in compliance with the Jersey City Master Plan. The Master Plan of the County of Hudson is not contrary to the goals and objectives of the Jersey City Master Plan. The Plan complies with the goals and objectives of the New Jersey Development and Redevelopment Plan in that this Plan and the State's plan both recognize the need to redevelop urban land.
- F. This Redevelopment Plan shall supersede all provisions of the Jersey City Zoning Ordinance that are specifically addressed herein. Any zoning related question that is not addressed herein shall refer to the Jersey City Zoning Ordinance for clarification. No variance from the requirements herein shall be cognizable by the Zoning Board of Adjustment. The Planning Board alone shall have the authority to grant deviations from the requirements of this plan, as provided herein. Upon final adoption of this Plan by the Municipal Council of Jersey City, the Jersey City Zoning Map shall be amended to rezone the area covered by this Plan as the Morris Canal Redevelopment Area, and all underlying zoning will be voided.

XIV. Procedure for Amending the Plan

- A. The Plan may be amended from time to time upon compliance with the requirements of law. A fee of One Thousand dollars \$1,000, plus all costs for copying and transcripts shall be payable by the applicant to the City of Jersey City for any request to amend this Plan. Fees shall not be charged for amendments proposed by any of the community groups listed in Section VI of this Plan.
- B. No amendment to this Plan shall be approved without a public hearing by the Planning Board, and a public hearing and adoption by Municipal Council. A copy of any proposed change to the Plan shall be filed with the Office of the City Clerk.
 1. In addition, notice of a hearing to amend the Plan shall be sent to the designated agent that are registered with the Division of City Planning (refer to section IV) at least twenty-one (21) calendar days prior to the date set for the hearing. In addition, an affidavit showing proof of submission of the proposed amendment to the aforementioned agents shall be submitted to the Division of City Planning not less than ten (10) calendar days prior to said hearing.

XV. — Definitions

Definitions shown below shall prevail. Definitions contained within the City of Jersey City Municipal Zoning Ordinance shall prevail for definitions that are not included in this Redevelopment Plan.

ADAPTIVE RE-USE: to change the use of a building to one which is more economically viable, or which is more compatible with permitted neighboring land uses. This action may involve changes to the façade, and the interior floor plan may be changed to accommodate the new building use.

ALLEY: a public or private thoroughfare which affords only a secondary means of access to abutting property.

APARTMENT: means any building containing more than one separate residence, or a building with only one residence and space allocated for other uses not associated with a residence.

ARCADE: a covered passage or alleyway located in front of, or through a building, and which is used exclusively for pedestrian use.

ARTIST STUDIO WORKSPACE: A place where an artist or artists work on their craft, therein creating original works, designs or objects. Teaching or instruction of art shall be permitted. Sale of art that was created on site shall be permitted. In Adaptive Reuse Overlay Zone D, the artist studio workspace may also be occupied for residential purposes provided that a minimum of an additional 150 square feet of living space per person occupying such space, over that used for the studio workspace, shall be required in addition to a kitchen and bath facilities. All applicable health and safety codes must be met and maintained. In cases where an artist studio workspace lies within a residential zone:

a. Performing art shall not be permitted, except in Adaptive Reuse Overlay Zone D.

b. No individual or individuals shall be permitted to be employed for the purpose of reproducing multiple copies of works, designs or objects, except that in Adaptive Reuse Overlay Zone D, up to five (5) full time or full time equivalent persons may be employed.

c. There shall be no exterior display or exterior sign, except as permitted in the residential chapter of this Plan, except that in Adaptive Reuse Overlay Zone D when the artist studio workspace occupies a permitted retail location on the ground floor, signage shall be permitted in conformance with the Mixed Use A Zone of this plan. No exterior storage of materials or equipment, and no external placement of antennas, satellite dishes or other equipment shall be permitted.

d. No equipment or process shall be used which produces toxic or noxious fumes, hazardous discharges, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable nuisance factors that are detrimental to the public health, safety or general welfare and are detectable to the human senses outside the dwelling unit or lot on which the artist studio workspace is conducted.

e. **CRAFTSPERSON:** A person who practices a trade or handcraft as an artisan, and who engages in the production of their work, design or objects as a career and not as a hobby. A craftsman performs with skill and dexterity in the production of their work often creating objects with unique characteristics or extraordinary design. Examples of the types of products that may be made or created by a craftsman include; jewelry, stained glass, leather goods and lamps. A craftsman could also be a weaver, clothing designer or basket maker. However, no equipment or process shall be used which produces toxic or noxious fumes, hazardous discharges, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable nuisance factors that are detrimental to the public health, safety or general welfare and are detectable to the human senses outside the dwelling unit or lot on which the craftsman workspace is conducted.

ARTIST: A person regularly engaged in the fine arts as a career and not as a hobby. This does not mean that the art the artist creates generates the artist's main source of income, nor does it require that the creation of art occupies the greatest portion of the artist's day. An artist is committed to his or her work, has a body of work that demonstrates the development of that art and intends to pursue that work for the foreseeable future. As used herein, the fine arts shall include, but not be limited to: painting, sculpture, choreography and the composition of music.

AUTOMOTIVE SERVICES: a place where services are rendered for engine and mechanical repairs of personal passenger vehicles, and lubricants and miscellaneous accessories for motor vehicles are sold and dispensed, but where no motor fuels are sold, and no automobile painting and bodywork are done and where no junked or unregistered vehicles are kept or stored, and where no services are rendered for commercial vehicles, trucks, buses, recreational vehicles, boats, mini-buses, or jitneys. Any site with three (3) or more unregistered vehicles shall constitute a junkyard.

BANQUET FACILITY: any room, building or place that is available for rent or lease in conjunction with on-site catering or restaurant services that are provided by a single payer to all individuals attending an event, where table seating is provided for all event attendees, and where musical entertainment, singing, dancing or other similar amusement may be provided.

BERRY LANE AREA: The area contained within a boundary that is defined by Woodward Street, Communipaw Avenue, Garfield Avenue, and the LRT right of way, excluding land that is in the Residential District of this Plan.

BILLBOARD: a large panel designed to carry outdoor advertising. It is a sign on which lettered or pictorial matter is displayed for advertising or public information purposes, other than a sign identifying the occupation, user, nature of the business conducted therein, or products primarily sold or manufactured therein. It may be affixed to a building wall, its roof, mounted on a structure or frame, or merely painted on a wall, building, structure, or bridge.

BUFFER: a strip of land that exists between two parcels of land, or between two land uses, and that serves to mitigate the negative or undesirable impact or impacts of one occupant or land use upon the other. The strip may be required to contain a minimum width, minimum height of earth, minimum amount or type of fencing or screening, or minimum amount or type of landscaping.

BUILD-TO LINES: an imaginary line where the lower floors of the building are required to be built to.

BUS SERVICES: See Truck/Bus Services.

CATERING SERVICES: a place where the preparation and delivery of food and beverages occurs for off-site consumption, without the provision for on-site pick-up or consumption.

COMMUNITY FACILITY: Municipal, county, state, or not for profit enterprises that serve the public interest. Community Facility shall include, but not be limited to the following services: adult day care, art education, child care, fire, health care, job training, library, police, recreation, school, or teen center. Community Facility shall not include prisons, or drug and narcotic rehabilitation centers. Community facilities are required to meet all Plan design standards and requirements and site development regulations.

COMMUTER PARKING: a lot for the parking of personal passenger vehicles or buses, while occupants of the vehicles travel by trolley, train, boat, bus, van, foot, or other means to another destination for purposes of work or pleasure.

COMPARISON GOODS: a major retail item (i.e., major appliance, automobile, furniture) that consumers might be expected to price at more than one location to establish the best possible purchase value.

CONSTRUCTION: The act of: A) adding a structure or structures to an existing building or structure; B) erecting a new principal or accessory building or structure on a lot or property; or C) altering an existing building or structure.

CONTRACTOR'S WORKSHOP: A place where a licensed contractor may store and utilize tools, equipment and materials that are used in the trade for which the contractor is licensed. Storage of hazardous materials, junk, inoperable vehicles, or equipment or materials that are not used in the trade shall not be permitted. Outdoor storage shall not be permitted, and outdoor use of tools or equipment shall not be permitted. Automotive Services, Service Station, and Truck/Bus Services shall not be permitted.

COURTYARD: an open public space located in the rear of the two or more buildings which is designed and used for passive recreational purposes.

DEALERSHIP: An enterprise engaged in the sales and service of new or used vehicles including automobiles, sport utility vehicles, trucks, or buses. Type of dealership can be specified. For example: auto dealership.

DENSITY: the permitted number of dwelling units per gross area of land to be developed.

DEPTH OF LOT: the mean distance between its front street line and its rear line. The greater frontage of a corner lot is its depth, and its lesser frontage, its width.

DISTRICT: Zone

FLOOR AREA RATIO: The ratio of gross floor area to the total area of the site or lot, but not including mechanical rooms, or parking areas.

FLOOR AREA: the sum of the gross areas of all floors of a building or buildings, measured from the exterior faces of exterior walls or from the center lines of walls separating 2 buildings.

FRONT YARD: a yard extending from the front building plane to the sidewalk.

HISTORIC DISTRICT: An area defined as a historic district by City Council, State or Federal authority and which may contain within definable geographic boundaries one or more landmarks or clusters, including their accessory buildings, fences and other appurtenances, and natural resources having historical, cultural, and archaeological significance, and which district may have within its boundaries other buildings or structures, that while not of such historical, cultural, architectural or archaeological significance as to be designated landmarks, nevertheless contribute to the overall visual characteristics of the landmark or landmarks located within the district.

HOME OCCUPATION: An occupation or activity carried out for gain by a resident and conducted as a customary, incidental and accessory use in the resident's dwelling unit or accessory structure located on the lot. All Home Occupations shall conform to the following standards.

- a. The practitioner must be the owner or lessee of the residence in which the home occupation is contained.
- b. The practitioner must reside in the dwelling unit as his or her principal residence.
- c. There shall be no external evidence of the home occupation.
- d. The practitioner shall not utilize the services of more than one non-resident full time employee.
- e. There shall be no retail sales, manufacturing or industrial operations conducted on the site.
- f. No more than one business visitor shall be permitted at any one time.
- g. There shall be no sign identifying the home occupation and there shall be no identification of such home occupation upon any mailbox.
- h. The residential character of the neighborhood and the premises shall not be subordinated to the home occupation use.
- i. The home occupation shall be clearly incidental and subordinated to the principal use of the dwelling for residential purposes. The maximum area devoted to the home occupation shall be forty (40%) percent of the total area of the floor where the home occupation is located, excluding space used for a private garage, or nine hundred (900) square feet, whichever is smaller.
- j. No equipment or process shall be used in such home occupation that creates glare, fumes, odors, electrical interference, medical waste, or other nuisance factors detectable to the human senses outside the dwelling unit or lot on which the home occupation is conducted.

INCUBATOR: A place, often in an office type environment, where services and assistance are provided to new businesses and light industries. Incubators are often affiliated with a school or university, which provide access to instruction, advice, research facilities, or funding. Shared services often provided include: photocopying, bookkeeping, utilities, and building maintenance and management. Sharing of services provides greater economies of scale for the incubator.

INFILL HOUSING: The construction of a housing unit that resembles in proportion, scale, height, style and bulk the adjacent dwelling units.

INDEPENDENT LIVING, LIMITED TO AGE RESTRICTED AND/OR SPECIAL NEEDS RESTRICTED HOUSING: 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.

JUNKYARD: Any area, lot, land, parcel, building, or structure, or part thereof, used for the storage, collection, processing, purchase, sale, salvage, or disposal of junk. Any site with three (3) or more unregistered vehicles shall constitute a junkyard.

LIGHT INDUSTRY: An industry where the only activities involved are ones of fabricating or the assembling of standardized parts, as contrasted with a processing activity, which would involve a physical or chemical process which would change the nature or character of the product or raw material.

MIXED USE: A lot or structure containing more than one (1) zoning use, such as residential mixed with neighborhood retail, or commercial mixed with light industrial.

NEIGHBORHOOD RETAIL: Delicatessen, pharmacy, grocer, restaurant, barber shop, beauty salon, hardware store, clothing store, dry cleaner, newsstand, florist, financial institution, and other uses that provide services and convenience or comparison shopping on a small scale that is primarily oriented toward walk-in or pedestrian business. Drive-through pick-up windows and liquor stores shall be prohibited.

NON CONFORMING BUILDING: A building, which in its location upon a lot or in its size, does not conform to the regulations of this Redevelopment Plan for the district in which it is located.

~~**NON CONFORMING LOT:** A lot of record which does not have the minimum dimension or location of which was lawful prior to the adoption of this ordinance, but which fails to conform to the requirements of the district in which it is located by reason of such adoption.~~

~~**NON CONFORMING STRUCTURE:** A structure the size, dimension or location of which was lawful prior to the adoption of this ordinance, but which fails to conform to the requirements of the district in which it is located by reason of such adoption.~~

~~**NON CONFORMING USE:** A use or activity which was lawful prior to the adoption of this ordinance but which fails to conform to the requirements of the district in which it is located by reason of such adoption.~~

~~**OPEN SPACE:** sidewalk, parks, public plaza, courtyards, which is open and unobstructed from its lowest level to the sky and conforms with lot coverage.~~

~~**PARKING SPACE (COMPACT):** An area measuring a minimum of eight (8) feet in width by sixteen (16) feet in depth, either within a structure or in the open, for the parking of motor vehicles, exclusive of driveways, access drives, fire lanes and public rights of way.~~

~~**PARKING SPACE:** An area measuring nine (9) feet in width by eighteen (18) feet in depth, either within a parking structure or a surface lot, for the parking of motor vehicles, exclusive of driveways, access drives, fire lanes and public rights of way.~~

~~**PUBLIC PARKING:** A lot for the parking of personal passenger vehicles that is open to the public and serves multiple destination principle uses within the Area. It shall not be used for the parking of commercial vehicles or the storage of non-working vehicles or trailers of any type. No overnight parking shall be permitted without a permit.~~

~~**REHABILITATION:** the act or process of returning a building to a usable state using selective corrective measures as mentioned in the architectural guideline section.~~

~~**RESTAURANT:** a place where the primary activity is the serving of meals to the public. No drive through pick up windows shall be permitted.~~

~~**RETAIL SALES:** an establishment where goods are sold directly to the consumer for personal or household use, with or without processing on the premises for such retail sale, but excluding the processing, repair or renovating of furniture, bedding or fixtures. In no instance shall bars, service stations, liquor stores or drug rehabilitation centers be considered retail sales.~~

~~**SALVAGE YARD: (See Junkyard)**~~

~~**SERVICE STATION**— A place where motor fuels, lubricants, and miscellaneous accessories for motor vehicles are sold and dispensed and where services are rendered for engine and mechanical repairs, but where no automobile painting and bodywork are done and where no junked or unregistered motor vehicles are kept or stored. Service stations may also include retail sales of food and sundry items of convenience to the general public.~~

~~**SIGN, FREESTANDING:** A sign which is attached to or a part of a completely self-supporting structure. The supporting structure shall be set firmly in or below the ground surface and shall not be attached to any building or any other structure, whether portable or stationary.~~

~~**SIGN, INTERNALLY ILLUMINATED:** Any sign which has characters, letters, figures, designs or outline illuminated such that the light is directed into the eyes of the viewer from the light source.~~

~~**SIGN:** Any announcement, declaration, demonstration, display, illustration or insignia used to advertise or promote the interest of any person or product when the same is placed to be seen by the general public.~~

SITE PLAN REVIEW: The examination of the specific development plans for a lot. Whenever the term "site plan approval" is used in this Redevelopment Plan it shall be understood to mean a requirement that the site plan be approved by the Planning Board.

STUDIOS FOR FILM PRODUCTION AND THE PERFORMING ARTS: An area utilized for the production and editing of films and/or rehearsal space for actors, musicians, dancers and other similar performers, including the production of stage sets. Where this use is permitted within a Residential district, no equipment or process shall be used that creates noise, glare, fumes, odors, electrical interference or other nuisance factors detectable to the human senses outside the structure in which the studio is located. In addition, where this use is permitted within a Residential district, all studio activities shall be permitted to occur only within an enclosed structure.

TOWN HOUSE: a one family or two family residential structure in a group of not less than 3 and not more than 12 erected in a row of attached buildings, on adjoining lots, each being separated from adjoining unit or dwelling by a party wall extending from the basement or cellar to or through the roof, with separate entrances from each unit or dwelling.

TRUCK SERVICES: See Truck/Bus Services.

TRUCK/BUS SERVICES: A place where services are rendered for engine and mechanical repairs of trucks or buses, and lubricants and miscellaneous accessories for motor vehicles are sold and dispensed, but where no motor fuels are sold, and no automobile, bus or truck painting and bodywork are done and where no junked or unregistered vehicles are kept or stored.

WORK/LIVE ARTIST STUDIO: A single, enclosed private space of at least nine hundred (900) square feet, where at least six hundred (600) square feet of the total space is devoted to work space for the creation, display and sale of art, and the remainder is used for living purposes by the artist. A minimum of 150 square feet of living space per person occupying such work live space shall be required in addition to a kitchen and bath facilities. All applicable health and safety codes must be met and maintained.

In cases where an artist studio lies within a residential zone:

- a. Performing art shall not be permitted.
- b. No individual or individuals shall be permitted to be employed for the purpose of reproducing multiple copies of works, designs or objects.
- c. There shall be no exterior display or exterior sign, except as permitted in the residential chapter of this Plan. No exterior storage of materials or equipment, and no external placement of antennas, satellite dishes or other equipments shall be permitted.
- d. No equipment or process shall be used in such artist studio that creates glare, fumes, odors, electrical interference, or other nuisance factors detectable to the human senses outside the dwelling unit or lot on which the artist studio is located.
- e. No equipment or process shall be used which produces toxic or noxious fumes, hazardous discharges, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable nuisance factors that are detrimental to the public health, safety or general welfare and are detectable to the human senses outside the dwelling unit or lot on which the artist live/work studio is conducted.

~~**WORK/LIVE CRAFTSPERSON STUDIO:** A place where a craftsperson works on their craft, therein creating original works, designs or objects. Teaching or instruction of the craft shall be permitted. Sale of the original works, designs or objects that were created on site shall be permitted. The work/live craftsperson studio may also be occupied for residential purposes provided that a minimum of an additional 150 square feet of living space per person occupying such space, over that used for the studio workspace, shall be required in addition to a kitchen and bath facilities. All applicable health and safety codes must be met and maintained.~~

~~In cases where a work/live craftsperson studio lies within a residential zone:~~

~~a. No individual or individuals shall be permitted to be employed for the purpose of reproducing multiple copies of works, designs or objects, except that in Adaptive Reuse Overlay Zone D, up to five (5) full time or full time equivalent persons may be employed.~~

~~b. There shall be no exterior display or exterior sign, except as permitted in the residential chapter of this Plan, except that in Adaptive Reuse Overlay Zone D when the craftsperson studio workspace occupies a permitted retail location on the ground floor, signage shall be permitted in conformance with the Mixed Use A Zone of this plan. No exterior storage of materials or equipment, and no external placement of antennas, satellite dishes or other equipment shall be permitted.~~

~~c. No equipment or process shall be used which produces toxic or noxious fumes, hazardous discharges, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable nuisance factors that are detrimental to the public health, safety or general welfare and are detectable to the human senses outside the dwelling unit or lot on which the live/work craftsperson studio is conducted.~~

~~**WORK/LIVE OFFICE:** A place where a professional or person of other occupation works in a business office setting at their profession or other occupation. These professions or other occupations shall include:~~

~~* Computer or information technology,~~

~~* The office of an architect, planner, lawyer, accountant,~~

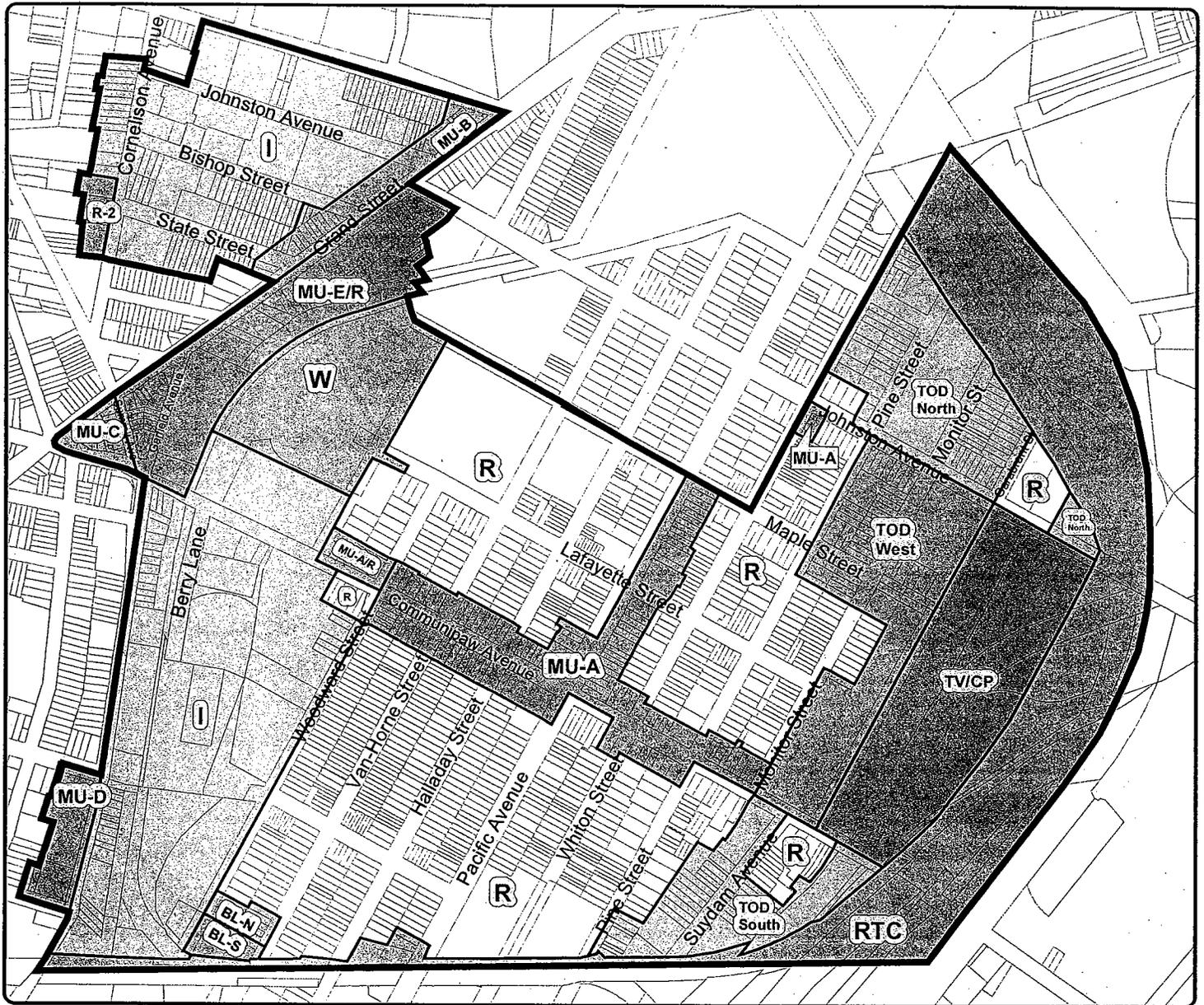
~~* Similar business occupations.~~

~~The work/live office may also be occupied for residential purposes provided that a minimum of an additional 150 square feet of living space per person occupying such space, over that used for the office workspace, shall be required in addition to a kitchen and bath facilities. All applicable health and safety codes must be met and maintained. Up to five (5) full time or full time equivalent persons may be employed. In cases where a work/live office lies within a residential zone, there shall be no exterior display or exterior sign, except as permitted in the residential chapter of this Plan, except that in Adaptive Reuse Overlay Zone D when the work/live office occupies a permitted retail location on the ground floor, signage shall be permitted in conformance with the Mixed Use A Zone of this plan. No exterior storage of materials or equipment, and no external placement of antennas, satellite dishes or other equipments shall be permitted. In addition, no equipment or process shall be used which produces toxic or noxious fumes, hazardous discharges, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable nuisance factors that are detrimental to the public health, safety or general welfare and are detectable to the human senses outside the dwelling unit or lot on which the work/live office is located.~~

~~**ZONE:** District~~

Morris Canal Redevelopment Plan

Map B: Zoning



ZONE ABBREVIATIONS

R	Residential	MU-D	Mixed Use - D	BL-N	Berry Lane Park North
R-2	Residential 2	MU-E/R	Mixed Use - E/Residential	BL-S	Berry Lane Park South
MU-AR	Mixed Use - A or Residential	I	Industrial		
MU-A	Mixed Use - A	RTC	Rail Transportation Corridor		
MU-B	Mixed Use - B	W	Whitlock Cordage ARD		
MU-C	Mixed Use - C		TOD North		
			TOD South		
			TOD West		
			TV/CP		
			RTC		

April 16, 2012



Morris Canal Redevelopment Plan

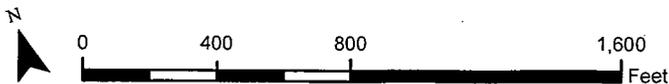
Map C: Adaptive Reuse Zoning Overlay



Legend

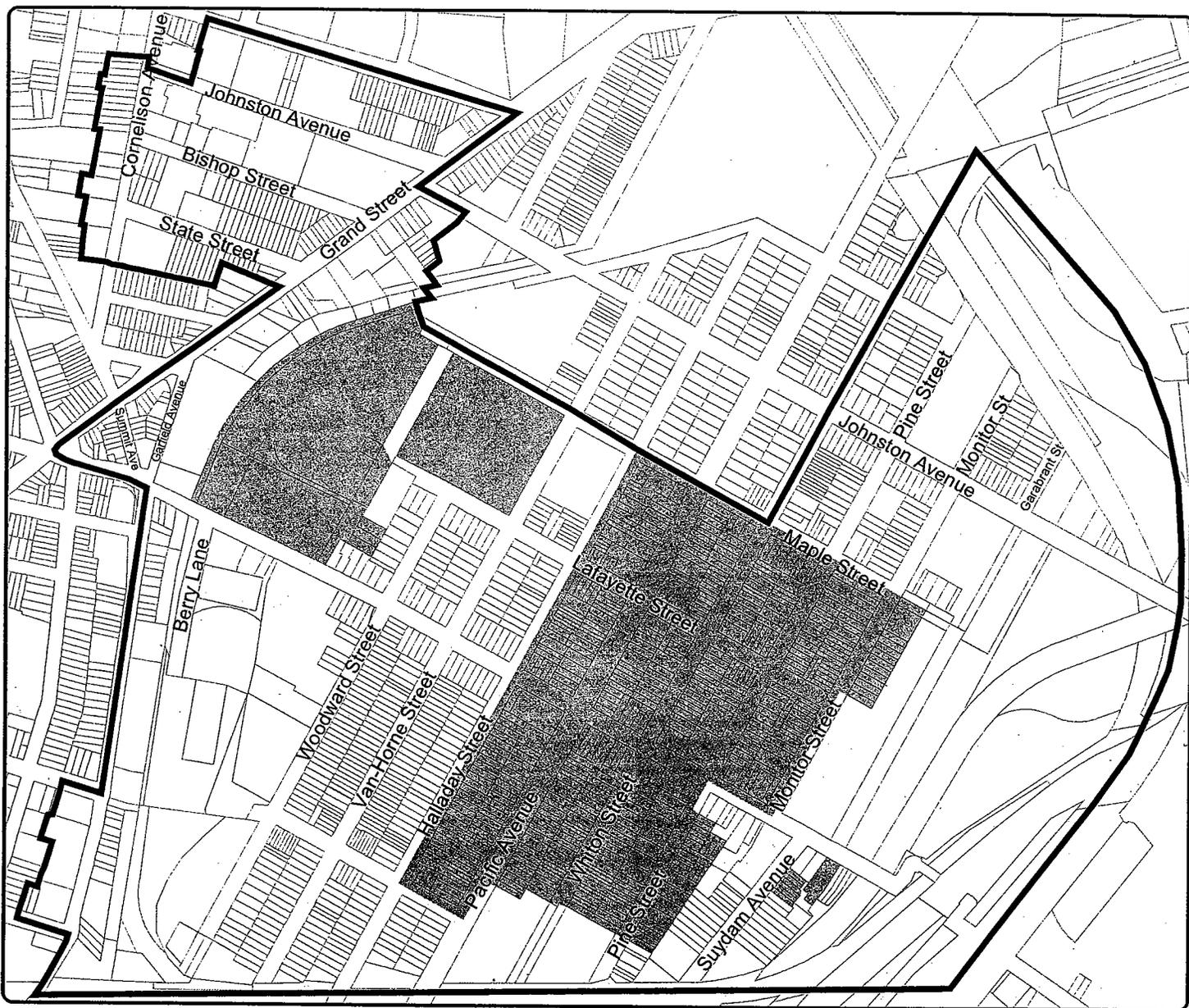
-  Adaptive Reuse - A
-  Adaptive Reuse - B
-  Adaptive Reuse - C
-  Adaptive Reuse - D
-  Adaptive Reuse - E

May 25, 2011



Morris Canal Redevelopment Plan

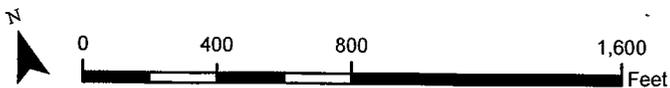
Map D: Historic District Study Area



Legend

 Recommended Minimum Areas for Consideration

October 16, 2006



Morris Canal Redevelopment Plan

Map E: Acquisition Map



Legend

 To Be Acquired

April 25, 2008



City Clerk File No. Ord. 12-084

Agenda No. 3.F 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 12-084

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE NEWPORT REDEVELOPMENT PLAN TO AMEND MAPS AND DEFINITIONS

WHEREAS, the Municipal Council of the City of Jersey City adopted the Newport Redevelopment Plan in February of 1985, and amended the Plan subsequently on November 10, 2010; and

WHEREAS, the Planning Board, at its meeting of May 15, 2012, determined that the Newport Redevelopment Plan would benefit from amendments to make maps more legible and definitions reorganized; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Newport 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 Newport Redevelopment Plan be, and hereby are, adopted.

BE IT FURTHER ORDAINED THAT:

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

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

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required

Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE NEWPORT REDEVELOPMENT PLAN TO
AMEND MAPS AND DEFINITIONS**

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 amends the Plan by updating maps for legibility and existing conditions, as well as reorganizing definitions.

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

Existing maps are outdated and illegible.

5. Anticipated Benefits to the Community:

More legible plan.

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.

Robert D. Cotter
Division Director

June 4, 2012
Date

Carl Czaplicki
Department Director Signature

6/4/12
Date

Summary Sheet:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE NEWPORT REDEVELOPMENT PLAN TO
AMEND MAPS AND DEFINITIONS**

This ordinance amends the Plan by updating maps for legibility and existing conditions, as well as reorganizing definitions.

NEWPORT REDEVELOPMENT PLAN

ADOPTED: FEBRUARY 1985

AMENDED: September 22, 1988

AMENDED: November 10, 2010 Ord 10-131

Proposed Amendments 4/19/12

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I. INTRODUCTION

In October 1980, the then existing Northern Waterfront Redevelopment Plan was amended to permit development of the blighted area as a high density, mixed-use Urban Center to be known as Harborside. The amendment substituted the Harborside Redevelopment Plan for the Northern Waterfront Redevelopment Plan. In 1985 the Harborside Redevelopment Plan was amended for the following reasons:

- A. To formalize the projects name change from Harborside to Newport City (name amended to Newport in 1988).
- B. To change the character of the development in order to meet the current commercial and residential market conditions.
- C. To take advantage of new planning information and techniques which have become available since the original plan was adopted.
- D. To change the descriptions of the project phasing and land use in keeping with sound land use planning standards.
- E. To introduce the flexibility required for a long-term redevelopment project.

II. BOUNDARY DESCRIPTION

The Newport Redevelopment Area (hereinafter referred to as "the Area") is located in the extreme northeastern corner of Jersey City. The site is situated along the Hudson River and it straddles the Holland Tunnel and the Port Authority Trans Hudson (PATH) tubes. The Area is described as follows:

BEGINNING at a point at the intersection of the centerline of 6th Street and Luis Munoz Marin Boulevard; thence in an easterly direction along the centerline of 6th Street to a point at its intersection with the U.S. Pier head Line; thence in a northerly direction along the U.S. Pier head Line to a point at its intersection with the Jersey City/Hoboken City line; thence in a westerly direction along the Jersey City/Hoboken City line to a point at its intersection with the centerline of Luis Munoz Marin Boulevard; thence in a southerly direction along the centerline of Luis Munoz Marin Boulevard to a point at its intersection with the centerline of 6th Street, being the point and place of **BEGINNING**.

III. TRAFFIC, TRANSIT AND STREETS

- a) The major traffic influence upon the Area is the Holland Tunnels exit and entrance toll plaza, which is located in the central part of the site. The New Jersey Turnpike Extension and Routes 1 & 9 are the primary approach routes to the Tunnel and the site.
- b) The secondary streets surrounding the site are arranged on a relatively constant grid pattern and are used for local circulation to gain access to the Tunnel.
- c) Marin Boulevard, which forms the western boundary of the site, is a major north/south route for local traffic. Christopher Columbus Drive, further to the south of the site, is a major arterial route for this portion of Jersey City. New arterial streets have been built to provide access to and from the Newport Redevelopment Area.
- d) The Area has access to a series of existing and well developed mass transit systems including New Jersey Transit (both bus and rail service), Port Authority Trans Hudson (PATH) subways and local bus service. The system of local highways and the Holland Tunnel link the Area to the regional road network.
- e) Traversing the project area is a branch of the PATH subway with the Pavonia/Newport Station located at the approximate center of the Area. This station provides direct access to both the Midtown and Lower Manhattan lines of the PATH System as well as to Newark's Penn Station via Journal Square. All areas of the site are within easy walking distance of the PATH rapid transit facilities.
- f) At the northern edge of the Area is the Hoboken Terminal, a major commuter transfer station. This terminal combines bus, rail and PATH subway service. Express bus lines provide shuttle service between Hoboken Terminal and the 42nd Street Port Authority Bus Terminal in New York City via the Lincoln Tunnel. Also originating from this terminal are New Jersey Transit trains to points throughout northern New Jersey.
- g) Local bus service also currently operates in the vicinity of the project area.

IV. REDEVELOPMENT GOALS

- A. Successful redevelopment of this large blighted area requires the creation of a large scale, essentially new, physical environment. Such a large-scale redevelopment project must derive initially from an existing strong market area.
- B. Carefully planned and implemented redevelopment can reverse a trend of deterioration and can serve as a catalyst for major renovation and improvements beyond the projects boundaries and have a positive impact upon the entire region.
- C. The redevelopment of the Area will provide for the functional and physical improvement of the Area as well as provide a uniform and coordinated attack on blighted conditions.
- D. The successful redevelopment plan for this particular site must make good use of the following features:
 - 1. The unique and dramatic location along the Hudson River waterfront across from Lower Manhattan, New York City.
 - 2. The existing regional transportation facilities of:
 - a) The PATH System including the Pavonia Avenue Station within the central portion of the site, the Hoboken Station at the northern boundary and the Exchange Place and Grove Street stations just south of the site.
 - b) The New Jersey Transit System at the northern boundary.
 - c) The major approach roads for the Holland tunnel from the New Jersey Turnpike and Routes 1 & 9.
 - 3. The strong market, which exists for a new regional commercial shopping facility to serve Hudson County and nearby New York City. This market is well identified but until now the absence of a large site with suitable access has prevented that market from being fully utilized.
 - 4. An existing market for modern hotel/convention facilities in close and convenient proximity of New York City.
 - 5. An existing market for apartments, townhouses and condominium units within the metropolitan area and within walking distance of mass transit into New York City.

6. An expanding market for new high quality energy efficient major office space with direct access to mass transit.
 7. Additional open green space and active parks
- E. The redevelopment of the Area will allow for a carefully orchestrated balance of land uses where commercial, residential and recreational areas are systematically designed to provide a cohesive community structure.
- F. The redevelopment project affords an excellent opportunity for the application of this type of comprehensive planning concept. Its location has definite advantages, which make it particularly well suited to varied land uses. One of the most important assets is the potential for a variety of new waterfront uses and amenities, all with a spectacular view of the Manhattan skyline, Statue of Liberty, and the Upper Bay.

V. OVERALL REDEVELOPMENT OBJECTIVES

- A. The overall objectives of this Redevelopment Plan will be to provide for:
1. The construction of a regional shopping mall to serve Hudson County municipalities and adjoining communities.
 2. The development of apartments, townhouses and condominiums.
 3. The creation of thousands of construction jobs and a comparable number of permanent within the retail and office space after construction is completed.
 4. The establishment of a commercial, office and residential development, which will stabilize and revitalize Jersey City's tax base.
 5. The reconstruction and revitalization of a portion of Jersey City's Waterfront long dormant due to its former ownership by bankrupt railroads.
- B. With residential development making good use of the panoramic view, commercial enterprises shall be blended to make the community a prosperous and viable urban unit. Provisions for open space and public facilities will complete this civic entity.

- C. Successful redevelopment will necessitate:
1. Major improvements to the site's PATH Station.
 2. Improved vehicular access to the site.
 3. Continued, gradual improvements to the regional mass transit and road networks.
 4. Completion of the Hudson-Bergen Light Rail tracks and station.
 5. Completion of the Hudson River Waterfront Walkway.
- D. The implementation of the redevelopment plan will help to restore the economic and social viability of the most densely populated area in New Jersey and will integrate the area into the physical and social fabric of Jersey City.

VI. SPECIFIC REDEVELOPMENT PLAN OBJECTIVES

A. Land Use

The land use plan has been developed through blending of the redevelopment objectives, the physical features of the site and an analysis of market conditions. The ability of the development to maintain a responsive approach to market conditions through flexibility in land uses and intensities of development is a key element of the plan.

In planning for the redevelopment of the Area, a special emphasis has been placed on the distinctive character of the neighborhoods (existing and newly developed), the needs of the surrounding community and the unique character of the Hudson River waterfront. This emphasis will be apparent through the careful design and implementation of improved open spaces, waterfront recreation areas and marinas. The ease of access to the other areas of Jersey City and to New York City will compliment the neighborhood character.

The unifying theme in the arrangement of land uses is the intensity of development in relation to the mass transit facilities. Maximum diversity and intensity will occur in the areas closest to the major mass transit locations, reduced density will occur farther away.

Waterfront development to the extent possible will maximize use of the existing pier and bulkhead areas.

Where feasible, roadways and major utility corridors will be aligned to match the subsurface easements of the Holland Tunnel and PATH tubes. This alignment maximizes land usage while developing a road and utility services network that will be unsurpassed in the metropolitan area. A major north/south thoroughfare will provide an access corridor through the entire length of the Area from 6th Street on the south to 18th Street on the north. Connections with the New Jersey Turnpike, the Holland Tunnel, and Routes 1 & 9 will be made via the 14th Street Extension, the 11th Street Viaduct and 18th Street. North-south streets which are a continuation of existing streets shall bear the same name as the existing street. However, such streets may change the roadway designation word (i.e. street may become boulevard).

With the resurgence of waterborne transit as a viable means of moving between New Jersey and New York, high speed ferry stops may operate along the riverfront to serve residential and commercial use of the Area. Similarly, helistops providing helicopter connections with the Manhattan financial and business districts as well as major and minor outlying airports are also planned for the Newport waterfront region.

Buffer areas created through land use, landscaping or use of other natural features will be provided around the portals of the Holland tunnel, along the northern boundary with the Hoboken rail yards and where appropriate along Marin Boulevard. Other buffer areas will be created within the site to separate residential development from office and retail land uses. These areas will present an attractive and environmentally sound transition between differing land uses.

A complete system of access roadways will be provided to minimize the impact of project traffic upon existing neighborhoods and provide efficient and safe vehicle access to and from the Area.

New domestic water, sanitary and storm sewer and electric utilities will replace the existing aged and failing infrastructure. These improved support utilities will be capable of serving the new development as well as in many cases improving service in the local existing neighborhoods.

B. Commercial and Retail Development

A major component of the overall redevelopment will be the creation of an enclosed regional shopping mall. The shopping mall at Newport will be the only mall in New Jersey with direct access to an extensive system of rapid transit facilities. This excellent transportation network makes this shopping center

attractive to a market area ranging beyond Hudson County to include the greater Newark metropolitan area and sections of lower and Midtown Manhattan, while generating reduced automobile traffic normally attributed to a center of this size.

The shopping center will be comprised of three or four major department stores and a number of smaller retail stores on two levels. Grade lots and multi-level structured parking facilities will provide mall patrons with convenient vehicle access. A retail bridge and aerial walkways will connect the center with parking structures, the PATH Station and the hotel and office complexes planned to the east of the center.

The development of the shopping mall will occur in stages with initial development consisting of two or three major department stores and approximately 250,000 square feet of smaller stores. Parking for the mall in the early stages may consist of grade lots and structured parking. In its final configuration, the shopping mall will feature up to four major department stores and 350,000 square feet of smaller stores. Additional structures will be built to accommodate the increased parking demands.

C. Community Commercial Development

A community commercial center planned in the vicinity of Marin boulevard and the Long Slip Canal will comprise from 100,000 to 200,000 square feet of commercial retail space. It will contain a supermarket and drug store as major tenants as well as smaller shops catering to the service needs of the adjoining neighborhoods. The smaller shops in such centers frequently include a cleaner, beauty parlor, bakery, shoe repair, laundry, delicatessen, variety shop and barber shop. The supermarket is expected to have a market area exceeding 1 2 miles.

D. Hotel Development

The redevelopment area will provide an opportunity for development of hotel facilities without equal in the New York metropolitan area. Accordingly, a major hotel is planned in the vicinity of the PATH Station to complement the core of office and retail facilities concentrated in that area.

The hotel will be only minutes from the Wall Street and Midtown areas of Manhattan by PATH, yet will also have excellent highway access to both Manhattan and New Jersey. It is anticipated that the hotel facility will generate much of its business through the direct rapid transit link to Manhattan.

Initial development will be in the range of 600 rooms with expansion to 1200 rooms as the project develops. Additional facilities are permitted to be developed if demand for such amenities is sufficient.

Hotels have been a central theme in most successful multi-use redevelopment projects. This hotel along with the related development of waterfront commercial and marina facilities will lend a vitality and impetus to the project, a key to sustaining the redevelopment process.

E. Office Development

Mass transit utilization will be a central theme in office development at Newport. Therefore, the highest intensity of development in the initial phases and the highest density of development overall will be concentrated in the vicinity of the PATH Station. Lower density office development will serve as buffer areas to provide a transition between the industrial development to the west of Marin Boulevard and north of Boyle Plaza and the new residential neighborhoods to be built within the Area.

The size and character of the office buildings will be a product of the market needs existing at the time of construction. Parking may be provided either within the lower levels of the office buildings, in structures immediately adjacent to the office buildings or in remote mixed-use parking decks. Office parking within the development will be generally restrictive to encourage mass transit usage.

F. Waterfront Cultural/Commercial Development

Central to the objective of waterfront revitalization will be the development of retail, commercial and restaurant activities along the Hudson shoreline. This form of land use, with the New York skyline and marina areas as dramatic background, will become the nucleus for a lively entertainment and shopping environment to be created in conjunction with the building of hotel facilities. Utilization of existing pier areas will allow the development to be carried out over the water, intensifying the experience.

It is envisioned that 200,000 square feet of waterfront commercial and cultural space may ultimately be constructed upon and adjacent to the piers. Low profile buildings will house pedestrian oriented shops, restaurants and boutiques. Cultural facilities that may include theaters, libraries, museums and art galleries will complete the high quality mix, providing a special character to this area of the Newport project.

G. Residential Development

The goal of the residential development within the area is the creation of a series of neighborhoods providing a broad range of apartments, townhouses and condominiums, all with easy access to transportation, employment, shopping, entertainment and recreation. Regardless of the type or size, all will relate closely to the spectacular view of the Hudson River and Manhattan Island beyond.

The Area is strengthened by its urban location and unique character. The site's particular strengths will be used to develop a well-conceived and cohesive series of residential centers along a network of pedestrian routes. The residential development will help to reverse past trends of outward migration from the Jersey City area and attract new families to the Project Area.

Residences will connect to landscaped areas, improved open spaces and courts, which may contain the major and minor pedestrian routes. These pedestrian routes will be separated from vehicular traffic. The improved open space areas may be expanded and developed for neighborhood recreational uses and community services. The pedestrian routes will all connect outward to the waterfront developing views and keeping close visual contact with the water.

The grouping of residential units will be greatest along the major north-south road with a decrease in scale and density as development moves toward the waterfront and pier areas. Variations in height and setback will be used to develop views between the residential blocks. In the initial stages of the project higher density housing will be developed. In subsequent phases lower density housing will be added to the residential mix.

H. Marine Recreation

Within the project site marina areas will be developed. These will provide moorings, slips, docks and other water related marina uses between the river's edge and the pier head line. Within these areas developments will be encouraged that are special to waterfronts and recreational activities. Housing and commercial recreation may be developed to enhance this marine character.

I. Community Facilities/Public and Semi-public Uses

Accessibility to community facilities is important to the concept of diversified residential neighborhoods. Community facilities and public services including postal and police facilities will be an integral part of the new neighborhoods and the entire redevelopment project.

A Jersey City Fire Department station is presently located adjacent to the project site on Marin Boulevard and it serves the Redevelopment Area as well as the surrounding neighborhoods.

As the residential neighborhoods within Newport develop the project will monitor the demand for school facilities.

J. Recreation and Open Space

Improved open space within the Area will be designed to introduce a range of functional and recreational elements into the project. Improved open space in conjunction with the orientation and massing of buildings will serve to provide neighborhood identities to areas of residential development. Pedestrian walkways and parks will link the residential, waterfront, transit, office and retail elements of the project. Linear parks will carry the unique character of the Hudson shoreline and the Manhattan skyline throughout the development. Buffer areas will serve to provide a transition between differing land uses.

To encourage the development of neighborhood identities residential forms will be sited around improved open spaces, each a unique statement of its physical surroundings. The neighborhoods will be linked via pedestrian walkways and linear parks to the waterfront and other elements of the development.

In tandem with commercial/office land use landscaped open areas may be used in the areas surrounding the Holland Tunnel entrance and exit portals. A landscaped area along Marin Boulevard will act as a buffer between the existing residential neighborhood and the proposed new regional shopping mall. The Long Slip Canal along with landscaping will act as a visual and physical partition between proposed residential structures and the Hoboken Rail Terminal facilities. Buffer areas will be designed to provide a transition between commercial/office and residential land uses within the site.

Active recreational uses will be allowed on several of the smaller piers. These uses may include tennis courts, racquet clubs and similar activities. Bicycle routes and playgrounds will be designed throughout the Area. Neighborhood parks and pedestrian paths will connect a waterfront pedestrian way with the residential, commercial, recreational and cultural facilities on site.

Improved Open Space means areas containing such amenities as: designed landscaping, architectural paving materials, passive or active recreational facilities, lawns, parks, and/or pedestrian walkways (a.k.a. sidewalks). For the

purposes of calculating open space provisions, rooftop areas of parking structures which contain recreational facilities may have 50% of their actual area counted toward a project's improved open space requirement, subject to Planning Board Approval. In the event residential development occurs in the Community Commercial and Office Commercial districts, improved open space requirements shall be increased. Such increase shall be based on a weighted average calculation using an improved open space requirement of 10% of the land area dedicated to residential use.

K. Public Access to the Waterfront

In order for this waterfront multi-use project to realize its full potential it is necessary that the redevelopment plans incorporate public access to the waterfront while also preserving the privacy and security needs of the residents.

The waterfront access plan developed for the Area strikes this crucial balance by providing a waterfront pedestrian route from the Long Slip Canal south to 6th Street. This walkway will connect with segments of the New Jersey Department of Environmental Protection Waterfront Walkway planned north and south of the Area. Incorporated into the walkway will be certain design elements as required by the New Jersey Department of Environmental Protection, Division of Coastal Resources. Additional linear walkways will provide east-west access through the development to the waterfront along major thoroughfares and streets. A public fishing pier will be incorporated into the plan.

Access to those piers with residential development will be controlled to assure that activities in these portions of the Area are compatible with the residential uses.

L. Public Access to Pavonia PATH Station

New pedestrian ways will be provided at 6th and 11th Streets to provide public access into the Area. Additionally covered and lighted pedestrian access through the mall parking facility and common areas of the mall will be provided to enable pedestrian uses of the Pavonia PATH Station.

VII. LAND USE PROVISIONS

Long-term redevelopment implementation is the basic given in a redevelopment project the scale of Newport. Necessarily land use controls for such a project must be structured so as to provide sufficient flexibility to cope with the uncertainties of time, (i.e. the marketplace) and still provide prudent, reasonable

and quantifiable development regulations to protect the public interest. It is further understood that the redevelopment of the area is also regulated and controlled by redevelopment agreement between designated redevelopers and the Jersey City Redevelopment Agency executed pursuant to NJSA 40:55C-1 et seq.

The development regulations for the Area consist of two interrelated parts, land use district regulations and the Land Use District Map.

A. Land Use District Regulations - The Area has been divided into six Development Districts:

DISTRICT DESIGNATION	DESIGNATION CODE
RESIDENTIAL	RES
OFFICE COMMERCIAL	OC
REGIONAL COMMERCIAL	RC
COMMUNITY COMMERCIAL	CC
WATERFRONT COMMERCIAL	WC
RAILROAD	RR

1. Residential District

a. Permitted Principal Uses

- Residential
- Hotel
- Retail sales of goods and services
- Restaurants, bars and nightclubs
- Public and semi-public uses, except that natural gas transmission lines shall be prohibited
- Open space and recreation both public and private
- Offices
- Transit facilities
- Cultural Center
- Helistops
- Satellite earth stations
- Public Utilities, except that natural gas transmission lines shall be prohibited
- Mixes of the above

b. Accessory Uses

- Parking facilities
- Bulkheads and piers

c. Development Requirements and Regulations

- (1) The maximum residential density within this district shall not exceed 200 units per acre of developable area. Individual development projects may exceed this limit provided that the overall density limit for the entire district is not exceeded.
- (2) Retail sales of goods and services shall be limited to a total maximum of 10% of the residentially developed floor area. Such limitation shall be based upon already developed residential floor areas or proposed residential floor areas which are a part of a site plan application for this paragraph's referenced uses.
- (3) Commercial offices and commercial offices mixed with residential in the same structure shall be permitted to be developed up to a maximum of 20% of the residentially developed floor area. Such limitation shall be based upon already developed residential floor areas or proposed floor areas, which are a part of a site plan application for this paragraph's referenced uses.
- (4) Restaurants, bars and nightclubs may be developed in conjunction with any of the other uses referenced above for this district. Such uses may also be established in freestanding structures. The floor areas of such uses shall be included in the maximum areas allowed under paragraph 2 of this subsection.
- (5) The overall maximum floor area ratio (FAR) for the Residential District shall be 10:1.
- (6) The percentage of improved open space within the Residential District shall be a minimum of 10% of the total district acreage. This percentage must be developed as improved open space.

2. Regional Commercial District

a. Permitted Principal Uses

- Retail sales of goods and services
- Commercial recreational facilities
- Public and semi-public uses, except that natural gas transmission lines shall be prohibited
- Hotels and motels
- Offices
- Restaurants, bars and nightclubs
- Theaters
- Health facilities
- Transit facilities
- Public Utilities, except that natural gas transmission lines shall be prohibited
- Satellite Earth Stations

b. Accessory Uses

- Parking facilities
- Open space and recreational facilities
- Automotive service and parts dealers

c. Development Requirements and Regulations

- (1) The overall maximum floor area ratio (FAR) for the Regional Commercial district shall be 7:1.
- (2) The percentage of improved open space within the Regional Commercial District shall be a minimum of 1%. This percentage may be developed as landscaped buffers and shall include such a buffer along any parking facility and Marin Boulevard.

(3) Commercial Office District

a. Permitted Principal Uses

- Offices
- Retail sales of goods and services
- Public and semi-public uses
- Restaurants, bars and nightclubs

- Residential
- Hotels and motels
- Theaters and meeting rooms
- Transit facilities
- Public Utilities, except that natural gas transmission lines shall be prohibited
- Satellite Earth Stations
- Marinas
- Helistops
- Mixes of the above

b. Accessory Uses

- Parking facilities
- Open space and recreational facilities
- Piers and bulkheads

c. Development Requirements and Regulations

- (1) Residential densities shall be as delineated for the Residential District. Residential development may be included with or may follow commercial development but may not exceed the gross floor area of commercial space so developed.
- (2) An overall maximum floor area ratio (FAR) of 12:1 shall be allowed for the commercial Office District.
- (3) A minimum of 5% of this District must be developed as improved open space.

4. Community Commercial District

a. Permitted Principal Uses

- Retail sales of goods and services
- Supermarkets
- Drugstores
- Package liquor stores
- Restaurants, bars and nightclubs
- Public and semi-public uses, except that natural gas transmission lines shall be prohibited
- Offices
- Hotel
- Theaters

- Residential
- Transit facilities
- Open space
- Public Utilities, except that natural gas transmission lines shall be prohibited
- Satellite Earth Stations
- Automobile service, parts and repair facilities, and dealers

b. Accessory Uses

- Parking facilities
- Automotive service and parts dealers

c. Development Requirements and Regulations

- (1) Residential densities shall be as delineated for the Residential District. Residential development may be included with or may follow commercial development but may not be built to the exclusion of all other permitted uses.
- (2) An overall maximum FAR of 7:1 shall be allowed for the Community Commercial District.
- (3) A minimum of 5% of the Community Commercial District shall be developed as improved open space.

5. Waterfront Commercial District

a. Permitted Principal Uses

- Retail sale of goods and services
- Restaurants, bars and nightclubs
- Residential
- Theaters
- Commercial recreational facilities
- Offices
- Hotel
- Museums, galleries and other cultural facilities
- Transit facilities
- Public and semi-public uses, except that natural gas transmission lines shall be prohibited
- Helistops

- Satellite earth stations
- Marinas and related sales and services
- Public utilities, except that natural gas transmission lines shall be prohibited

b. Accessory Uses

- Parking facilities
- Bulkheads, piers and docks
- Open space and recreational facilities

c. Development Requirements and Regulations

- (1) Residential densities shall be as delineated for the Residential District. Residential development may be included with or may follow commercial development but may not exceed one-half of the gross floor area so developed.
- (2) The overall maximum floor area ratio (FAR) for the Waterfront Commercial District shall not exceed 4:1. For the purposes of computing FAR underwater acreage may not be used. Pier area, however, may be included in the calculations.
- (3) The district's proximity to the Hudson River shall satisfy all improved open space requirements within this district. A public fishing pier must be provided within this district.

6. Railroad District

Land uses within this district shall be dedicated solely to rail uses. Such uses must be necessary or ancillary to the Hoboken Terminal rail function.

B. Parking Requirements for all Districts

Off-street parking will be provided throughout the Area as required below. All parking will be provided through the use of at-grade lots and/or structured deck parking. The floor areas of multi-level parking structures shall not be included as square footage areas in any FAR computation. Remote and mix-use parking facilities will be an acceptable method of providing minimum off-street parking in all land use districts provided that adequate accessibility standards are maintained.

When more than one type of land use is planned or exists within any development project, 'major' and 'minor' land uses will be identified. This identification shall be based on the actual or anticipate generation of vehicular traffic from off-site due to each particular use. Those uses identified as 'minor' shall be relieved of the requirement to provide the number of parking spaces that the same use must provide when it is a 'major' permitted use (an example of such a 'minor' permitted use would be a convenience-type store located in a residential building. The primary market for the store is for the residents of the building, not from off-site). The final determination of 'major' and 'minor' use designations will be subject to Planning Board approval.

The following standards shall be used to determine the potential peak off-street parking demand, which may be expected for each 'major' permitted use.

Parking Standards

Enclosed Shopping Mall:	4.25 spaces per 1000 square feet of Gross Leasable area.
Offices:	One (1) stall per 1000 square feet of gross floor area for the first 50,000 gross square feet. One (1) stall per each additional 2000 square feet up to 300,000 gross square feet. One (1) stall per 4000 square feet of gross floor area thereafter.
Hotels And Motels:	2 space per room.
Residential:	2 space per residential unit.
Community Commercial:	One (1) stall per 333 square feet of Net Leaseable Area.
Waterfront Commercial Uses:	One (1) stall per 1000 square feet of Gross Leasable Area.

The peak parking demand shall be calculated to make best use of the differing

times and days of operation for the 'major' permitted land uses sharing the parking facilities. Changes in land use will require verification that required parking is still adequately provided. For development projects which do not produce the trip generation traditionally associated with the categories of land use listed above a parking needs analysis study may be submitted to the Planning Board in lieu of strict adherence to the above requirements. Upon presentation of such an analysis prepared by a Professional Engineer or Professional Planner the Planning Board may reduce the requirement for that specific project.

C. Signage

All signs within the Area will be subject to site Plan approval. Such signs shall be necessary, customary and incidental to the various land uses within the Area. Billboards are expressly prohibited. All such billboards are hereby considered nonconforming and shall be removed at the time of project development in those areas containing such uses.

A Uniform Signage Standard has been developed and approved by the Planning Board, and any future amendments thereto shall be subject to the approval of the Planning Board.

D. Site Plan Review

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.

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.

E. Subdivisions

Any subdivision of lots or parcels of land within the Redevelopment Area shall be

in accordance with the requirements of this Plan and the Land Development Ordinance of the City of Jersey City.

F. Duration of Plan

The provisions and requirements of this Plan shall be in effect for a period of forty (40) years from the date of approval of this Plan by the City council of the City of Jersey City.

G. Refuse

All trash storage areas shall be enclosed and adequately screened and indicated on the site plan drawings. The method of trash removal shall also be indicated on said drawings.

H. Interim Uses

Interim uses may be allowed subject to Planning Board approval. The duration of such interim uses shall also be determined and approved by the Planning Board at the time of approval.

I. Multiple Uses

When more than one type of land use is planned or exists within any development project a 'major' and 'minor' land use will be identified pursuant to the parking requirements as specified in Section B, of this Article. More than one permitted principal use; accessory use or conditional use; or any combination, thereof, may exist on any given lot or in any given structure.

VIII. PROCEDURE FOR AMENDING THE APPROVED PLAN

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law.

A fee of five hundred dollars (\$500) plus all costs of copying and of transcripts shall be payable to the City of Jersey City for any request to amend this plan. If there is a designated developer as provided for under NJSA 40:55C-1 et seq. said developer shall pay these costs. If there is no developer the appropriate agency shall be responsible for any and all such costs.

IX. OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS

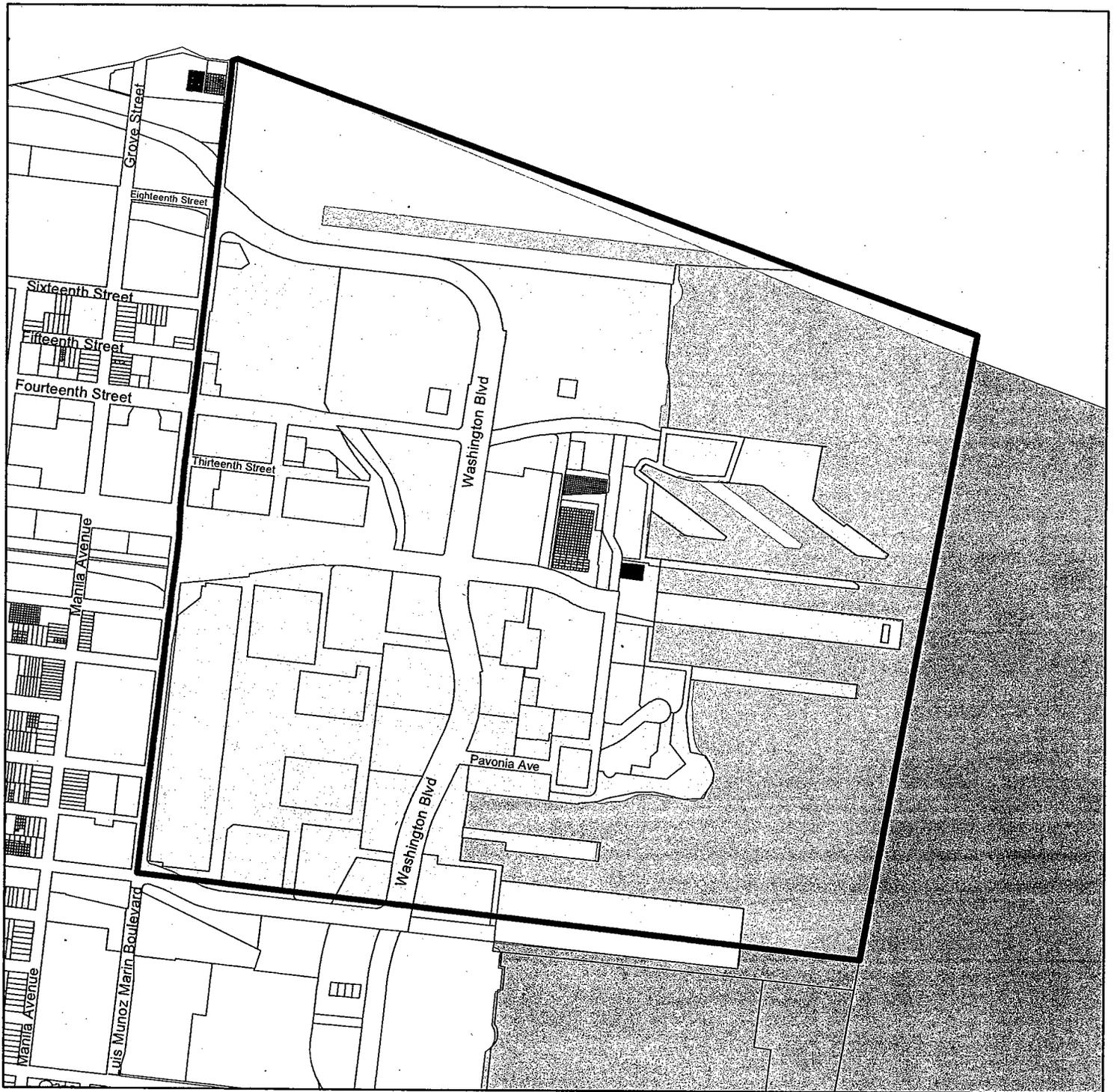
- A. The redevelopment agencies law, NJSA 40:55C-1 et seq. Specifically 40:55C-32, requires that redevelopment plan shall:
1. Conform to the general plan for the municipality as a whole; (and)
 2. Shall be sufficiently complete to indicate such land acquisitions, demolition and removal of structures, redevelopment improvements, conservation or rehabilitation as may be proposed to be carried out in the area of the project, zoning and planning changes if any, land uses, maximum density, building requirements and the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities and other public improvements.
- B. In accordance with State requirements the following statements are made:
1. The proposals of this plan conform with the general plan for the City of Jersey City.
 2. The redevelopment plan provides an outline for the development of the Area and is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements as proposed, planning changes, land uses, maximum densities, building requirements and its relationship to definite local objectives respecting appropriate land uses, improvement of traffic, public transportation, public utilities, community facilities and other public improvements to effectuate the public purposes of the redevelopment plan and appropriate state statutes.
 3. Provisions for the temporary and permanent relocation of persons living in the redevelopment area shall be made through the Jersey City Redevelopment Agency Relocation Office. This Office shall be responsible for providing displaced persons with relocation assistance necessitated by State and Federal law. This office will be staffed by qualified personnel who will actively assist displaced businesses and individuals in finding adequate accommodations. All businesses and individuals being displaced will be interviewed to determine their relocation requirements.

~~X. DEFINITIONS~~

~~Developable Areas means upland areas or pier areas not dedicated to public rights-of-way.~~

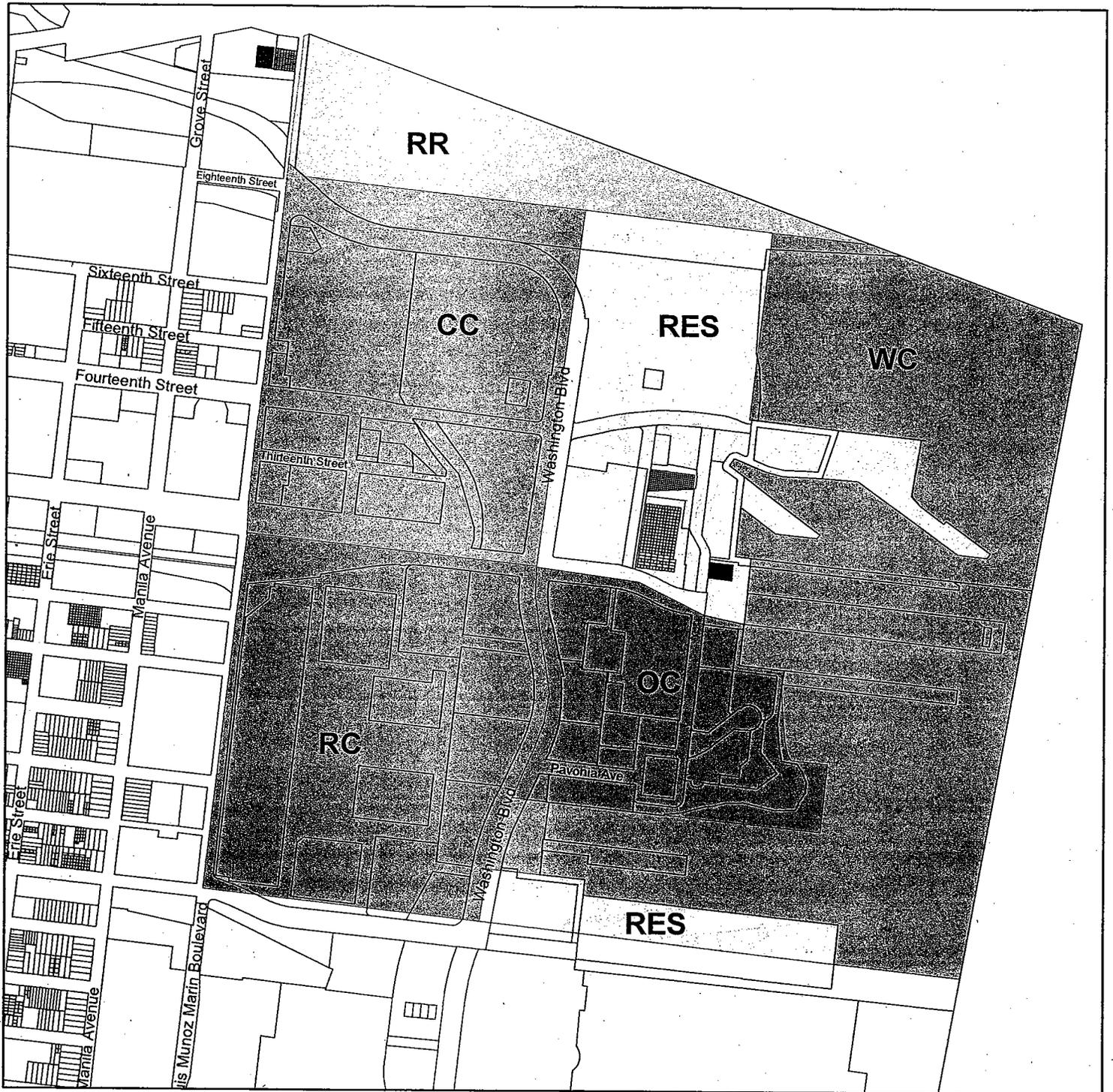
~~Helistops means areas for landings and takeoffs of and takeoffs of helicopters but shall not include any servicing or parking functions for such crafts.~~

~~Improved Open Space means areas containing such amenities as: designed landscaping, architectural paving materials, passive or active recreational facilities, lawns, parks, and/or pedestrian walkways (a.k.a. sidewalks). For the purposes of calculating open space provisions, rooftop areas of parking structures which contain recreational facilities may have 50% of their actual area counted toward a project's improved open space requirement, subject to Planning Board Approval. In the event residential development occurs in the Community Commercial and Office Commercial districts, improved open space requirements shall be increased. Such increase shall be based on a weighted average calculation using an improved open space requirement of 10% of the land area dedicated to residential use.~~



NEWPORT REDEVELOPMENT PLAN BOUNDARY MAP

APRIL 19, 2012

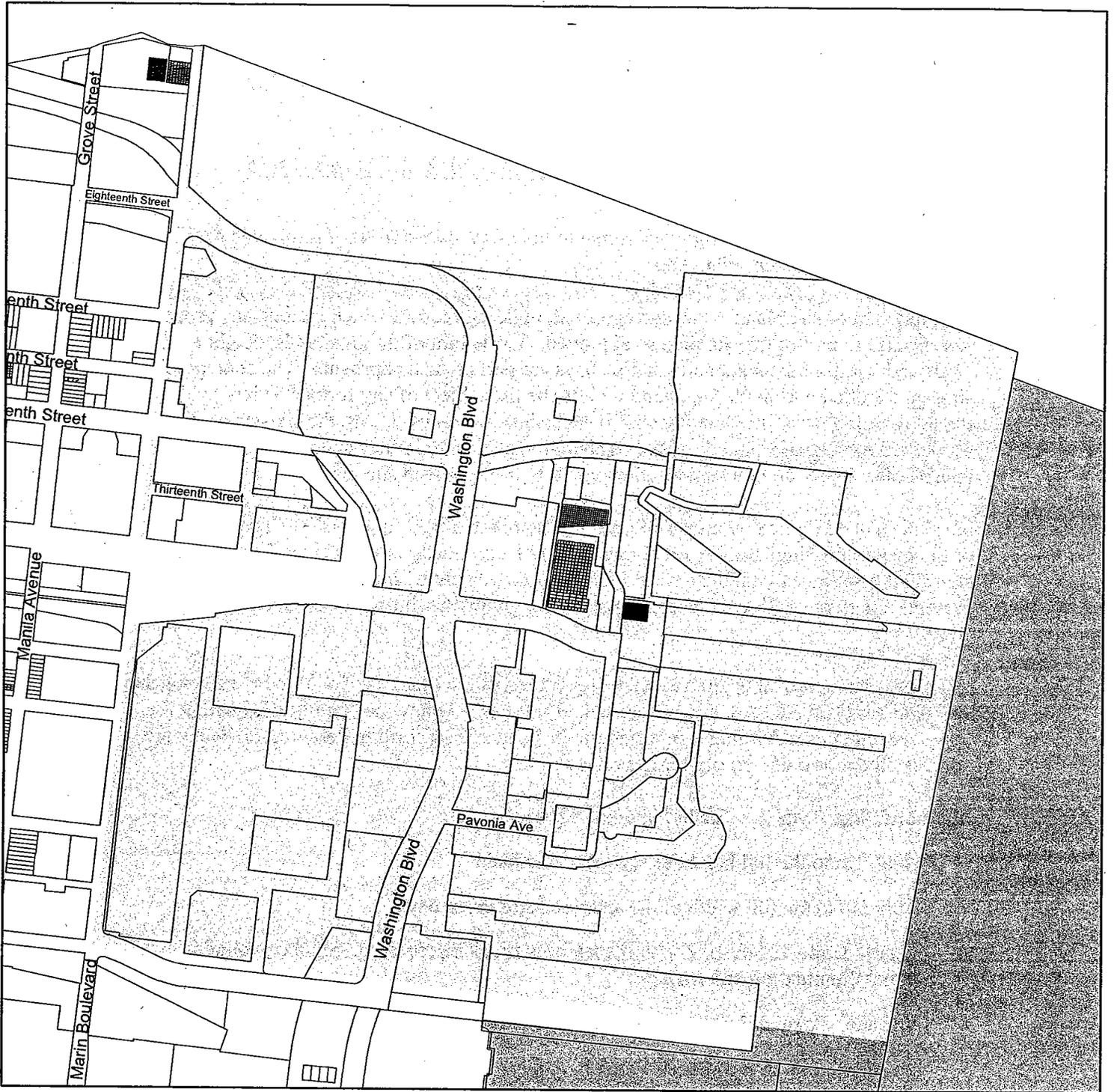


NEWPORT REDEVELOPMENT PLAN LAND USE DISTRICT MAP

Legend

-  CC: COMMUNITY COMMERCIAL
-  OC: OFFICE COMMERCIAL
-  RC: REGIONAL COMMERCIAL
-  RES: RESIDENTIAL
-  RR: RAILROAD
-  WC: WATERFRONT COMMERCIAL





NEWPORT REDEVELOPMENT PLAN ACQUISITION MAP

Legend

 TO BE ACQUIRED



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

APRIL 19, 2012

RETAIL SIGNBAND SIGNS: STANDARD SPECIFICATIONS:

There are six types of retail signs permitted to be installed in storefront signbands within the Newport Redevelopment Plan Area.

As a function of site plan review and approval, building facades which include any proposed storefronts are part of the site plan so approved. The height of the signbands, height above grade and width of the signband window bays are part of such approvals. The content of the signage installed within the sign band will not be the subject of any further review by the Planning Board nor City Planning staff if such signage complies with the six sets of standards set out below. Signage outside of the signbands is subject to review and approval as part of the site plan approval, or a subject amendment to the approved site plan.

No sign shall be lighted by means of a varied illuminated light, nor shall any sign be in whole or in any part moving, mobile, revolving and/or electronically or mechanically activated. No sign shall be allowed with the optical illusion of movement by means of a design which presents a pattern capable of reverse perspective, giving the illusion of motion or changing copy.

Once site plan approval is granted, and a resolution of the Planning Board memorializing such approval has been adopted, any of the signs from A to E below may be installed within the approved sign band. Awnings complying with standards set forth in Paragraph F below are additionally permitted with no further review.

Signband Sign Type A – Push-Through Signbox

- Height: Up to the full height of approved signband
- Width: Up to the full width of the approved storefront bay
- Signbox: Up to 12” deep. Signbox may or may not be recessed. Signbox contains internal illumination and wiring.
- Sign panel: Painted metal with stencil-cut letters. Color varies with tenant.
- Letters/Artwork on sign panel: Letter height and thickness will vary according to sign size and tenant logo; backed with clear, frosted or opaque Plexiglas® or approved equal, may have vinyl backing on front or rear face. Color and font varies with store. Secondary letters/artwork may be vinyl, directly applied to sign panel.

Photograph examples attached for Dorrians and Komegashi too (day and night)

RETAIL SIGNBAND SIGNS: STANDARD SPECIFICATIONS:

Signband Sign Type B – Pin-mounted Letters/Artwork

- Height: Full height of approved signband
- Width: Up to the full width of the approved storefront bay
- Signbox: Up to 8” deep, partially recessed, containing wiring
- Sign panel: Painted metal or metal mesh. Color varies with tenant
- Letters/Artwork: Letter height and thickness will vary according to sign size and tenant logo; water-jet cut metal or metal finish and pin-mounted. Letters are halo-illuminated.

Photograph example attached for Liberty Grill (day - since removed); NOC VI garage (showing halo lit letters at night)

Signband Sign Type C – Channel Letters

- Height: Full height of approved signband
- Width: Up to the full width of the approved storefront bay
- Sign panel: Channel letters are either applied directly to building or on painted metal where color varies by tenant
- Letters/artwork: Letter height and thickness will vary according to sign size and tenant logo; Letters and artwork are closed channels with frosted or opaque Plexiglas® face, color varies with tenant. Plexiglas® could wrap around side of letters/artwork. Channel letters are internally illuminated.

Photograph example attached for Morton Williams (day and night)

Signband Sign Type D – Reverse Channel Letters

- Height: Full height of approved signband
- Width: Up to the full width of the approved storefront bay
- Sign panel: Painted metal where color varies by tenant none – reverse channel letters may also be applied directly to building.
- Letters/artwork: Letter height and thickness will vary according to sign size and tenant logo; Letters and artwork are solid face metal or plastic. Reverse channel letters are internally illuminated around the edges to create a halo type effect.

Photograph example attached for HSBC (day and night) Note that HSBC is reverse channel and the logo is a channel symbol.

RETAIL SIGNBAND SIGNS: STANDARD SPECIFICATIONS:

Signband Sign Type E – Non Illuminated Placard

- Height: Full height of approved signband
- Width: Up to the full width of the approved storefront bay
- Sign panel: Painted metal or plastic, solid color. Color varies with tenant
- Letters/artwork: Painted or vinyl letters and artwork applied directly to panel

Photograph example attached for Bank of America (day and night)

Signband Sign Type F – Awning

- Height: Up to 48" vertically, including any valance
- Depth: Up to 42". Slope could vary between 0 and 90 degrees to horizontal
- Width: Up to the full width of each approved storefront bay
- Clearance: Minimum 7' clearance from the lowest point of the awning to the ground
- Sign panel: Textured fabric (Durasol Sunbrella® or equal) on aluminum frame. Color varies with tenant. Straight sloped profile. Sides may or may not be closed, bottom is open
- Letters/artwork: Vinyl heat fused directly unto fabric. Letters and artwork vary with Tenant.
- Illumination: Awning may be backlit to provide ambient area lighting or lit from above using architectural fixtures.
- Projection of awnings at entry door may be larger to provide maximum weather protection, but projection into the Right of Way may be subject to City franchise approval.

Photograph example attached for Babo (day – awning is not illuminated))

Blade Sign Type G – Non Illuminated Blade Sign

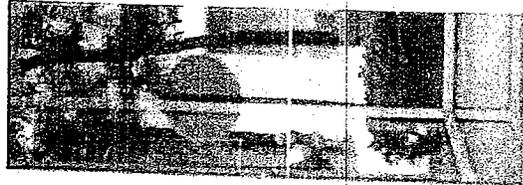
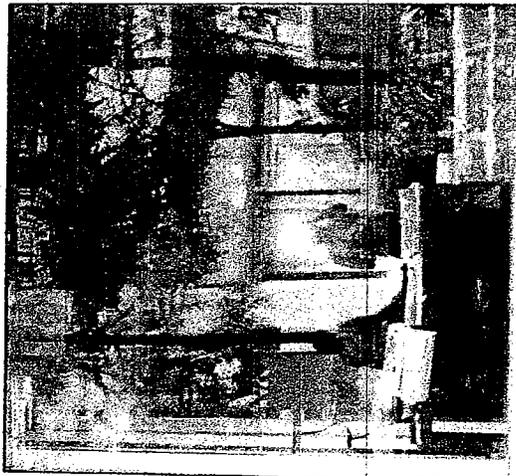
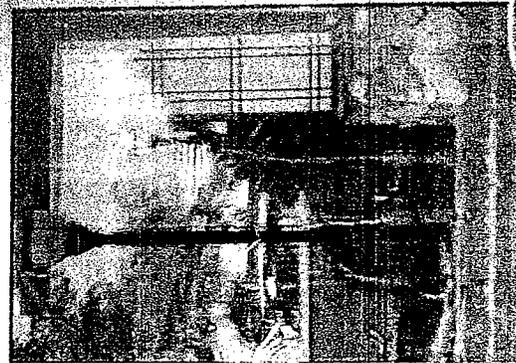
- Height: 9”
- Width: 18”
- Thickness: 2”
- Sign panel: Painted metal or plastic, solid color. Color varies with tenant
- Letters/artwork: Painted or vinyl letters and artwork applied directly to panel
- Blade Sign will be erected perpendicular to the storefront and bolted to storefronts or building facade above or near the retail shop doorways.
- No more than one blade sign per retail store is to be installed

Photograph mock-up example attached for Newport Spirits (with TJ Maxx sign)

Komegashi^{too}

木葉子

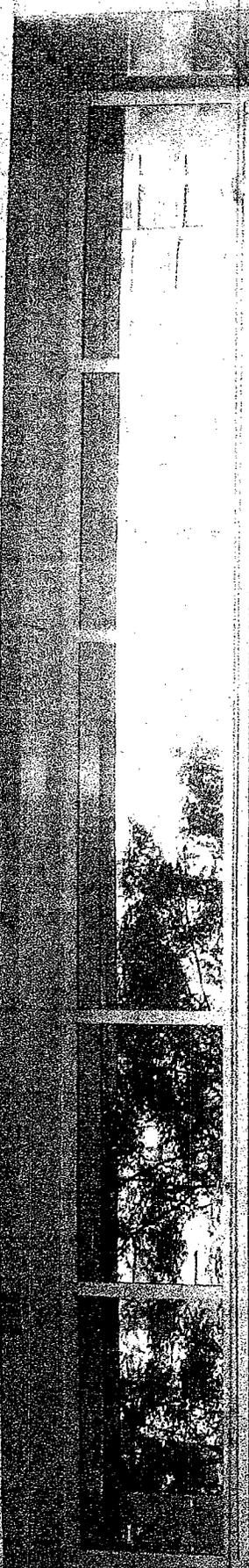
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米菓子

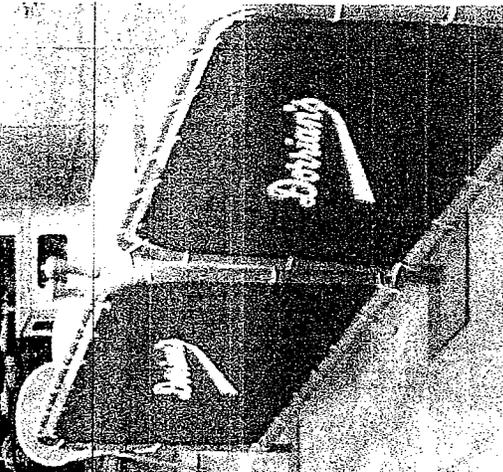
Komegashi¹⁰⁰





 *Dorrian's*

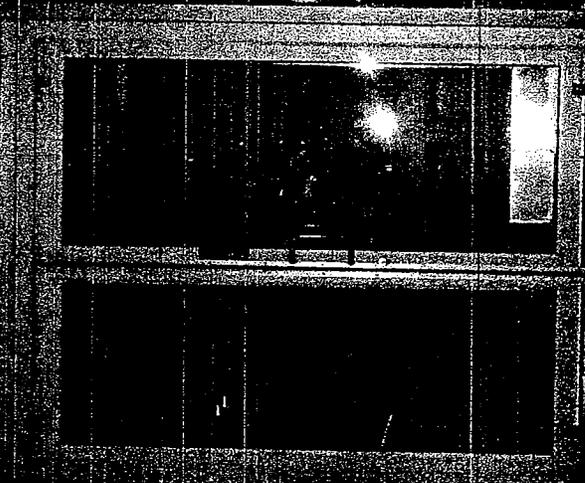
RESTAURANT



 DORRIAN'S RED HOTS

Dorvian's RESTAURANT

Dorvian's

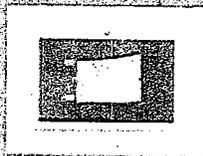
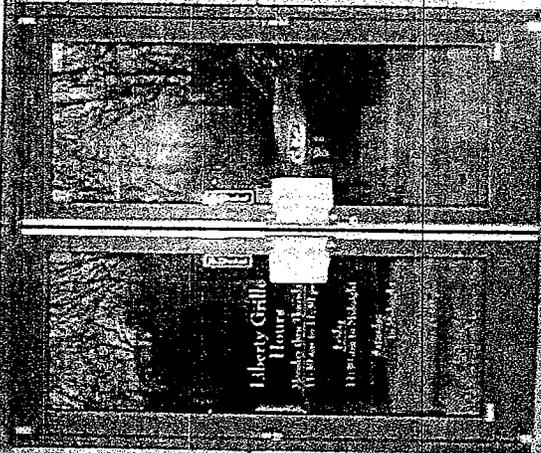


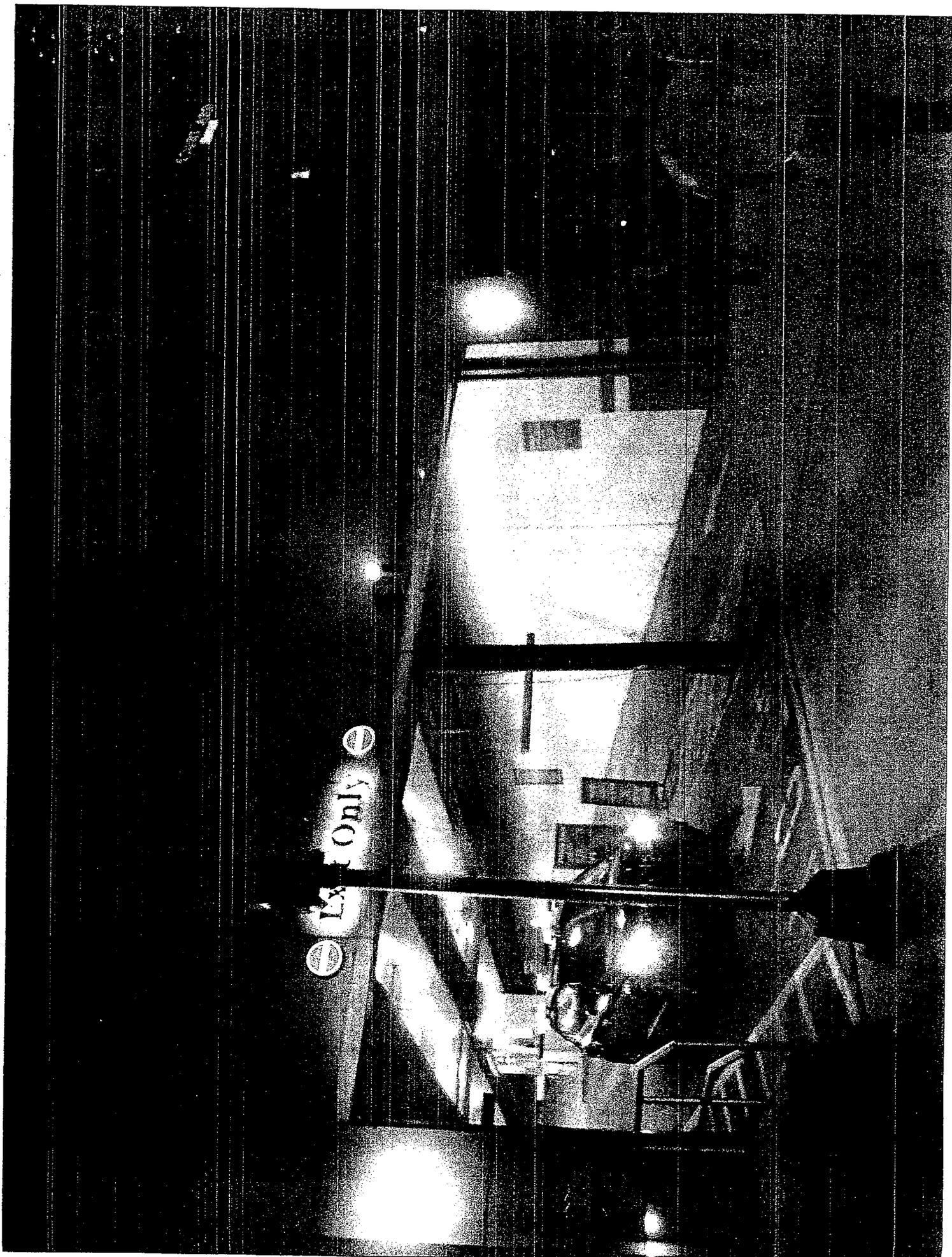
Dorvian's

PLEASE USE
SEATING FOR
OUTDOOR
SEATING

Dorvian's

Liberty Grill

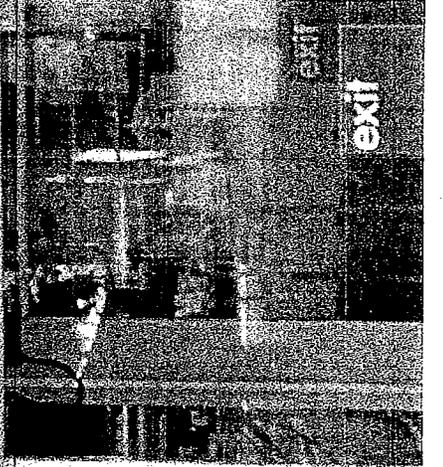
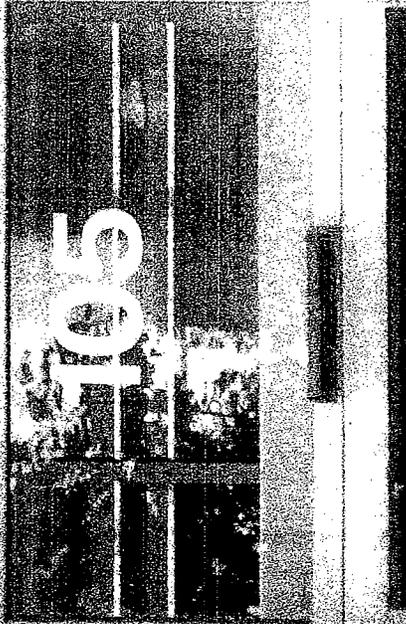




Only



WILLIAMS



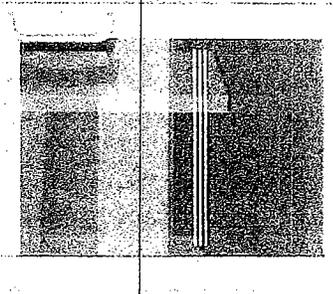
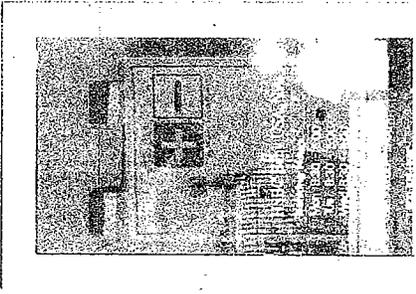
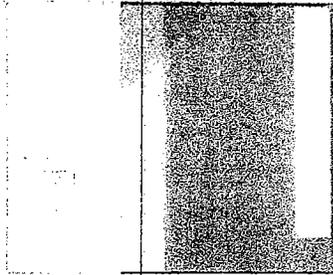
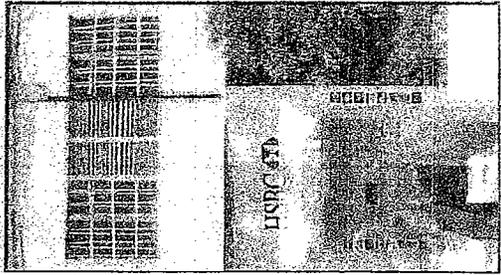


WILLIAMS

MARKET STREET



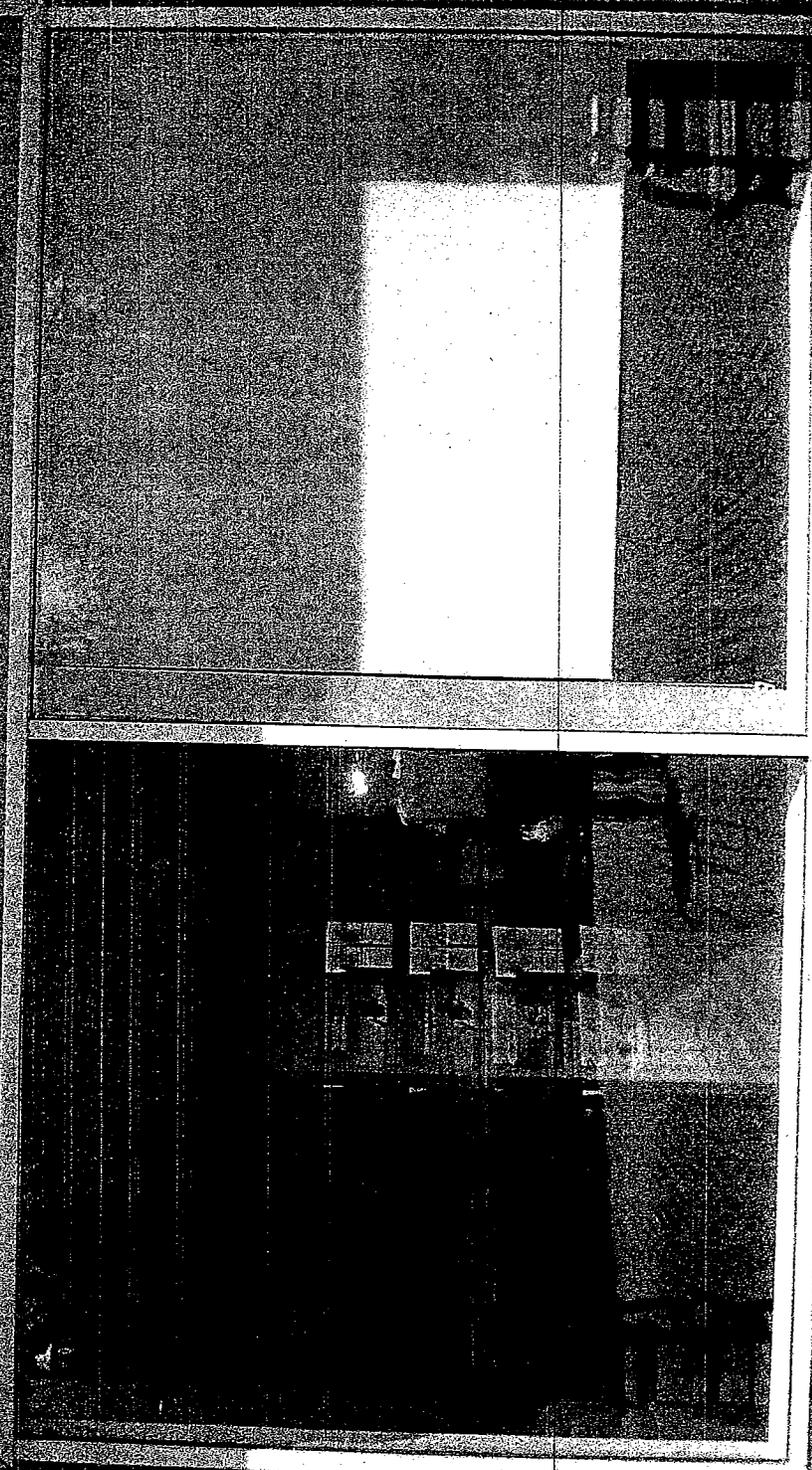
HSBC



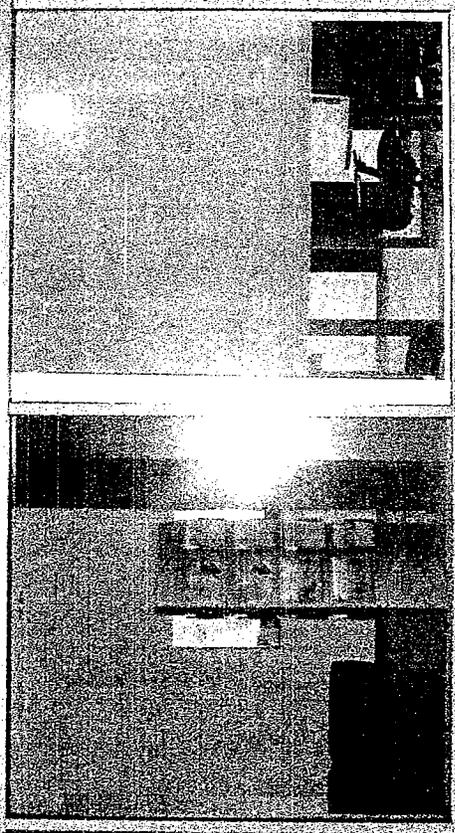
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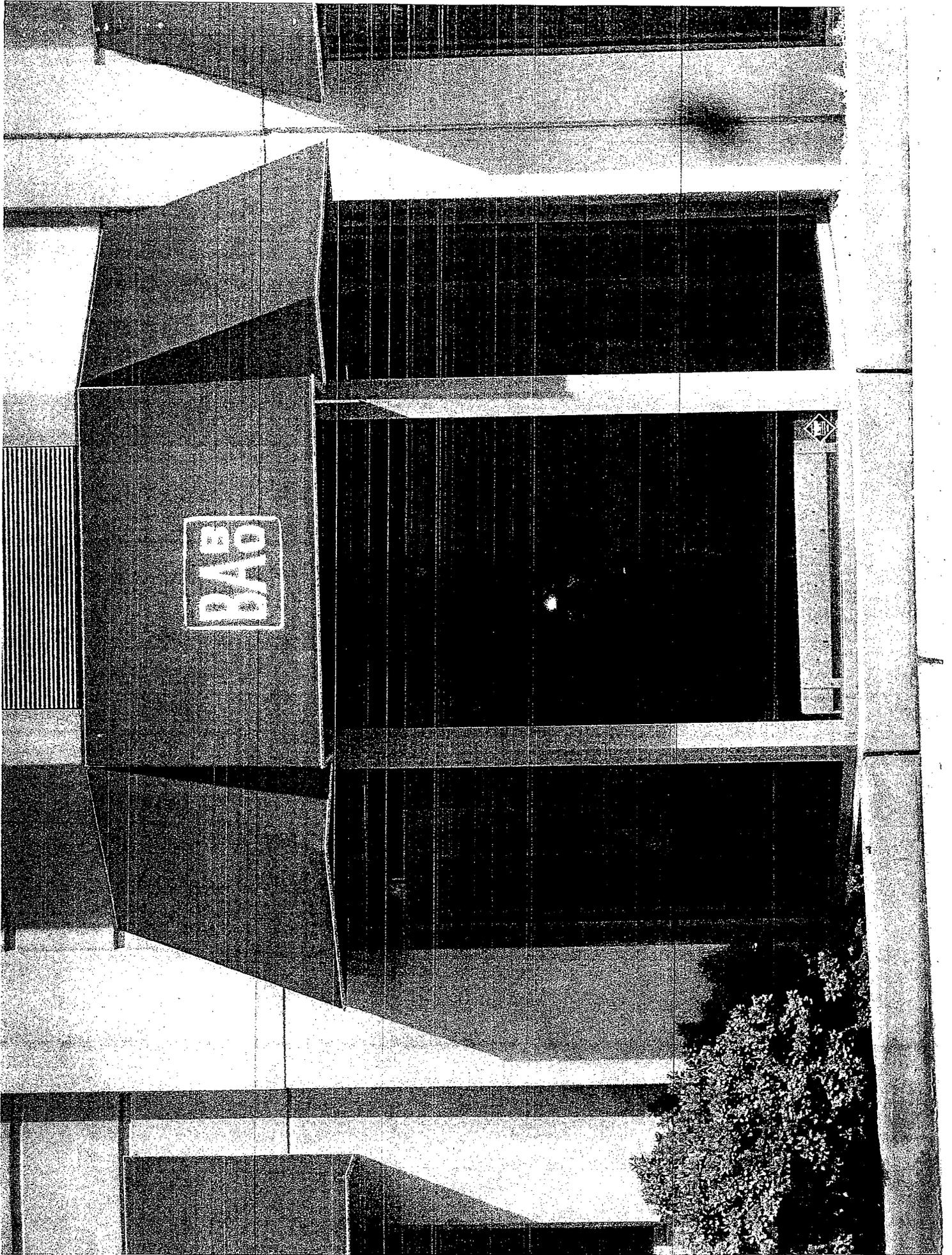


Bank of America



Bank of America





DABO





City Clerk File No. Ord. 12-085

Agenda No. 3.6 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 12-085

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE TURNKEY 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, adopted the Turnkey Redevelopment Plan (the "Plan") in May of 1980 and last amended December 15, 2010; and

WHEREAS, the text and maps contained within the Plan need to be amended to reflect current block and lot numbers; and

WHEREAS, the definitions and permitted uses within the plan should be updated to reflect the existing neighborhood character; and

WHEREAS, the Jersey City Planning Board, at its meeting of May 15, 2012 held a hearing on the proposed amendments and recommended adoption to the Municipal Council; and

WHEREAS, the Municipal Council has accepted the Planning Board's recommendation; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Turnkey 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 Turnkey Redevelopment Plan be, and hereby are, adopted.

BE IT FURTHER ORDAINED THAT:

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

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

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:
Business Administrator

Certification Required

Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE TURNKEY REDEVELOPMENT PLAN**

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 would amend the Turnkey Redevelopment plan to update maps and block and lot number references. Additionally, definitions and permitted uses have been revised to reflect the existing neighborhood character.

4. Reasons for the Proposed Project:

It is necessary to revise redevelopment plans to reflect the new block and lot designations that the City has adopted. Simultaneously we have updated the uses to better reflect the character of the neighborhood.

5. Anticipated Benefits to the Community:

Up-to-date block and lot designations

6. Cost of Proposed Program, Project, etc.: \$0.00, all work was done in house

7. Date Proposed Program or Project will commence: Upon Adoption

8. Anticipated Completion Date: N/A

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

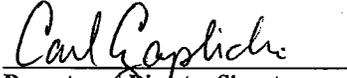
Robert D. Cotter, Director, City Planning 547-5050

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.


Division Director

June 7, 2012
Date


Department Director Signature

6/4/12
Date

Summary

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE TURNKEY REDEVELOPMENT PLAN

This ordinance would amend the Turnkey Redevelopment plan to update maps and block and lot number references. Additionally, permitted uses have been revised to reflect the existing neighborhood character.

TURNKEY Redevelopment Plan

Prepared by the

**DIVISION OF CITY PLANNING
Department of Housing, Economic Development & Commerce**

May 1980

**Amended August 1981
Amended September 1992
Amended March 1998
Amended March 2003
Amended April 2006
Amended February 2007
Amended December 15, 2010 Ord 10-165
Proposed Amendments 4/30/12**

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I. DESCRIPTION OF PROJECT

Turnkey Redevelopment Area Boundary Description

Blocks ~~25001 1318~~ (Partial), ~~1323~~ **25002** (Partial), ~~1324, 1325, 1326,~~ **25101** (*partial*) ~~1329, 1330, 1331 and 1332~~ all lots ~~25604~~ (*partial*), **25704**, and **25804**

Beginning at the point of the intersection of the centerline of Fulton Avenue and ~~Rose Avenue~~ **Martin Luther King Jr. Memorial Drive**; thence in an easterly direction along the centerline of Fulton Avenue a distance of approximately ~~1600~~ feet to the point at its intersection with the centerline of Ocean Avenue; thence in a northerly direction along the centerline of Ocean Avenue a distance of approximately 700 feet to the point at its intersection with the extension of the northern lot line of Lot 23 within Block ~~1323~~ **25002** across Van Cleef Street a distance of approximately ~~1400~~ **1500** feet to the point of its intersection with the *eastern lot line of lot 69 in bloc 25001* centerline of ~~Martin Luther King Jr. Memorial Drive~~; thence in a southerly direction along the *western lot line of lot 66 in block 25001 and continuing to the centerline of Stegman Street*. Thence in a westerly direction to the extended western lot line of lot 2, block 25101, thence in a southerly direction along the western lot line of lots 2 and 50 in block 25101 to the centerline of Dwight Street. Thence in an easterly direction along the centerline of Dwight Street to the Extended easterly lot line of lot 2, block 2560r, thence in a southerly direction along the easterly lot line of lot 2 to the southerly lot line of lot 2. Thence in a westerly direction along the southerly lot line of lot 2, to its intersection with the westerly lot line of lot 1. Thence in a southerly direction along the westerly lot line of lot 1 to the centerline of Fulton Avenue, centerline of ~~Martin Luther King Jr. Memorial Drive~~ a distance of approximately ~~700~~ feet thence in an easterly direction along the centerline of Fulton Avenue to the point at its intersection with the centerline of Fulton Avenue the POINT AND PLACE OF BEGINNING.

II. REDEVELOPMENT PLAN GOALS AND OBJECTIVES

Renewal activities for the Turnkey project will be undertaken in conformity with, and will be designed to meet the following goals and objectives of the Redevelopment Plan.

A. Goals

1. To comprehensively redevelop the Turnkey Project Area through selective restoration and rehabilitation of Existing residential uses, by the elimination of negative and blighting influences and by providing new construction and site improvements where appropriate.
2. To provide for a variety of residential uses and housing types for both existing residents and prospective occupants in order to meet the housing needs of low, moderate and upper income families.

3. To provide for the improvement of the functional and physical layout of the project area for contemplated redevelopment and the removal of impediments for land disposition.
4. To provide for the overall improvement of traffic circulation through the elimination of unnecessary streets wherever possible and the development of new vehicular and pedestrian circulation systems which provide for the separation of vehicular and pedestrian traffic, as well as to provide for the maximum use of public transportation.
5. To provide for the maximization of private investment through the attraction of qualified developers capable of securing private financing commitments.
6. To provide for the stabilization and the increase of the tax base of the project area and the entire city by redeveloping non-revenue producing areas and by reestablishing investment confidence of the part of existing and future residents both within the area and in contiguous neighborhoods.
7. To provide for the coordination of redevelopment activities to promote a uniform attack on blight which reinforces already existing renewal and improvement programs in adjacent area in accordance with a plan that integrates the Turnkey Project with the existing physical and social fabric of the City of Jersey City.

B. Objectives

1. To construct new residential rental housing for low- and moderate-income families through the use of public and/or private financing.
2. To assist private owner occupants who wish to improve their structures through a rehabilitation incentive program.
3. To provide construction related (temporary) jobs, and permanent jobs through housing rehabilitation and construction of new housing and public improvements.
4. To assist small neighborhood commercial uses by providing relocation opportunities for the few commercial businesses located in areas designated for new residential development.
5. To provide necessary site improvements for both proposed and existing residential uses as well as commercial businesses, including new streets and sidewalks, street realignment, off-street parking, open space, recreational areas, new trees and selected planting materials where necessary.

III. TYPES OF PROPOSED REDEVELOPMENT ACTIONS

It is proposed to substantially improve and upgrade the Turnkey Project through a combination of redevelopment actions. These will include but not be limited to:

1. clearance of dilapidated structures;
2. retention and construction of sound compatible uses;
3. assembly into developable parcels the vacant and under-utilized land now scattered and varied ownership; and
4. provisions for a full range of public infrastructure necessary to service and support the new community.

IV. BUILDING DESIGN OBJECTIVES

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 right-of-way and off-street parking, height and bulk.
2. Groups of related buildings shall be designed to present a harmonious appearance in terms of architectural style and exterior materials.
3. Buildings shall be designed so as to be attractive from all vantage points.
4. Building setbacks shall be varied to the extent practicable in order to provide an interesting interplay of buildings and open spaces.

V. SPECIFIC OBJECTIVES

The following objectives shall apply to the entire study area. The proposals for each reuse parcel shall also conform, where appropriate, to the General Goals and Objectives discussed previously.

A. Submission of Redevelopment Proposals

Prior to commencement of construction, architectural drawings, specifications and site plans for the construction of improvements to the redevelopment area shall be submitted by the developers for review and approval by the Planning Board of the City of Jersey City and the Board of Commissioners of the Jersey City Redevelopment Agency.

B. Adverse Influences

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

C. Restriction of Occupancy or Use

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

D. Circulation and Open Space Design Objectives

1. Unless paved, all open space areas shall be landscaped and maintained in an attractive condition.
2. Open spaces for both residential rehabilitation and new construction shall be provided where feasible and be so located as to provide for maximum usability by tenants and to create a harmonious relationship of buildings and open space throughout the project area.
3. Sidewalk areas shall be adequately provided for the movement of pedestrians through and around the site.
4. Sidewalk areas shall be attractively landscaped and durably paved and shall be provided with adequate lighting.
5. Trees and shrubs shall be planted along the curb line at not more than 30-foot centers or in groupings in a regularly spaced pattern to further increase the aesthetic quality of redevelopment activities.
6. Areas designated as improved open space shall be in addition to all parking, loading, yard and setback requirements.

E. Off-Street Parking and Loading Objectives

1. Off-street parking and loading areas shall be coordinated with the public street system serving the project area in order to avoid conflicts with through traffic or obstruction to pedestrian walks and thoroughfares.
2. Any surface parking facilities shall be landscaped; large concentration of parking shall be avoided; poured-in-place concrete curbing shall be used in parking areas to prevent vehicles from encroaching upon planted areas.
3. All parking and loading areas abutting streets or residential zones shall be landscaped about their periphery with berms, shrubs, trees and/or ground-cover.
4. All required parking and loading areas shall be provided off-street. All such parking and loading areas shall be graded, paved with a durable, dust-free surface, adequately drained, well landscaped, and all access points shall be defined and limited in accordance with the Zoning Ordinance of the City of Jersey City

F. Landscape Design Objectives

1. All open space, including yards, shall be landscaped with lawns, trees, shrubbery and other appropriate plant material unless said open space is specifically designated for other activities which require paving or other treatment. All screen planting shall be evergreen and only species with proven resistance to the urban environment in this area will be acceptable. Screen planting shall be a minimum of

four (4) feet high. Material shall be planted balled and burlapped, be heavy and of specimen quality as established by the American Association of Nurserymen. At initial planting, the material shall provide an opaque screen from the top of the shrub to within six (6) inches of grade. Other plant materials shall be heavy and of specimen quality as determined as above. All trees shall be minimum of three-and-one-half (3 ½) inches in caliper. All plants, trees and shrubs shall be installed in accordance with the Division of Planning planting schedules.

2. Prior to commencement of construction, architectural drawings, specifications and site plans for the construction of improvements to the project area shall be submitted by the developers to the Board of Commissioners of the Jersey City Redevelopment Agency and to the Planning Board of the City of Jersey City for review and approval so that compliance of such drawings, specifications and plans to the Redevelopment objectives can be determined.

G. Interim Uses

Interim uses may be established, subject to agreement between the developer(s) and the Planning Board that such use will not have an adverse affect upon existing or contemplated development during the interim use period. Interim uses must be approved by the Planning Board which may establish an interim use period of up to three (3) years in duration. Additional renewals of an interim use may be granted by the Planning Board.

H. Underground Utility Placement

All utility distribution lines and utility service lines to the project areas individual uses shall be located underground where feasible.

VI. GENERAL PROVISIONS

- A. The regulations and controls in this section (VI) will be implemented by appropriate covenants or other provisions or agreements for land disposition and conveyance executed pursuant thereto.
- B. The redeveloper shall begin and complete the development of the land and the construction of improvements agreed upon in the disposition contract with a reasonable amount of time as determined in the said disposition contract between the Jersey City Redevelopment Agency and the designated redeveloper.
- C. The redeveloper shall agree to retain the interest acquired in the project land until the completion of the construction and development in the area required by this plan and the disposition instruments and the redeveloper shall further agree not to sell, lease or otherwise transfer the interest acquired or any part thereof without prior written approval of the Jersey City Redevelopment Agency.
- D. No covenant, lease, conveyance or other instrument shall be affected or executed by the Jersey City Redevelopment Agency or by a redeveloper or any of his successors or assignees, whereby land within the project area is restricted by the JCRA or the

redeveloper upon the basis of race, creed, color or national origin in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments.

- E. No building shall be constructed over an easement in the project area without prior written approval of the JCRA.
- F. The JCRA and the Jersey City Planning Board shall specifically reserve the right to review and approve the redeveloper's plans and specifications with respect to their conformance to the Redevelopment Plan. Such a review shall be on the basis of a site plan and/or construction plans submitted to both agencies. No additional construction or alteration to existing or proposed construction shall take place until a site plan reflecting such additional or revised construction shall have been submitted to and approved by both the JCRA and the Planning Board. This pertains to revisions or additions prior to, during and after completion of the improvements.
- G. The provisions of this Plan specifying the redevelopment of the project area and the requirements and restrictions with respect thereto shall be in effect for a period of forty (40) years from the date of approval of this Plan by the City Council of Jersey City.
- H. All residential redevelopment proposals and construction plans shall meet applicable FHA and HFA minimum room size requirements prior to approval by the Redevelopment Agency and the Planning Board.
- I. 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 NJS 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases.

As part of any site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJS 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.

VII. GENERAL LAND USE PLAN

- A. Land Use Map, proposed land uses shall be shown on Map No. 3, Land Use Map.
- B. Land Use Provisions and Building Requirements
 - 1. Residential
 - a) Permitted Principal Uses
 - 1. One- and two- family detached dwellings
 - 2. ~~Garden apartments~~
 - 3. Townhouses
 - 4. ~~Row Houses~~

5. Multi-purpose community center, providing such services as: housing management, meeting rooms, day care, social support and counseling, library, healthcare/first aid, security and indoor and outdoor recreation, and limited to lots fronting on Fulton, Dwight and/or Stegman
 6. Senior Housing
- b) Accessory Uses Permitted
- Off-street parking
 - Fences and walls
 - Designed open space
 - Utilities
 - ***Housing Management Facility***

c) Conditional Uses

- ~~Housing Management Facility~~

d) Regulations and Controls

- Parcels designated residential shall be designed utilizing various materials to form a compatible overall architectural scheme

New construction of multi-family residential shall be designed to include:

1. An ornamental cornice at the roofline.
2. Avoid blank walls, particularly at street level.
3. Window detailing, including lintels and sills.
4. A variety of horizontal and vertical architectural elements which harmonize the surrounding structures.
5. Sidewalk shall be tinted French grey.
6. Driveways shall be differentiated from the sidewalk through the use of different paving color and texture. Driveways are to be flush with the sidewalk, with driveway apron slopes shall extend no more than two and one-half feet.
7. Fencing shall be wrought-iron or other decorative material; no chain-link or aluminum fencing is permitted.
8. All parking shall be screened by the above mentioned fencing at the street frontage, including a 5' strip of hedge landscaping in addition to the fence.
9. Interior property line adjacent to parking shall contain board-on-board fencing to screen it from its neighbors.
10. The roof shall be flat unless incompatible with surrounding buildings.
11. Buildings shall be designed to include a water table or water course and differentiate materials at the first floor. All first floor facades must be primarily masonry. No EIFS or synthetic materials are permitted at the first level. All facades and façade materials are subject to Board review and approval.
12. Main entries shall have transom windows above.

13. Street trees are to be included, spaced 35' apart for the length of each project.
 14. All rooftops, including garages, shall include patio areas accessible to tenants wherever possible.
 15. All front yard setbacks shall maintain the setback of the prevailing building line and not to exceed 20' from the curb.
- Designed open space shall be developed as an integral part in the overall design scheme
 - Where any questions arise in terms of definitions or terminology, the Zoning Ordinance of the City of Jersey City shall govern
 - Utilities shall be defined as: water, sewer, telephone, gas or electric service from a public or private utility company under the regulations of the New Jersey Public Utilities Commission.
 - Conditional Use Standards for Housing Management Facility:
 1. Such use must be similar in style and bulk to the housing it is intended to serve
 2. No overnight storage of vehicles permitted.

The intent is to insure the parking for these buildings is on the side or rear yard and the building is established as a prominent feature on the street.

e) Maximum Height

* Residential uses shall not exceed three (3) stories or thirty-five (35) feet. All senior housing uses four (4) stories and fifty (50) feet.

f) Area, Yard and Bulk

1) One- and two-family detached dwellings

Maximum Building Coverage	-	60%
Minimum Lot Area	-	2,500 sq ft
Minimum & Maximum Front	-	Shall be consistent with the prevailing street setback, except that front yard setback may not be less than 5 feet nor greater than 20 feet
Minimum One Side	-	0 feet
Minimum Total Sides	-	5 feet
Minimum Rear	-	15 feet

The goal of the front yard setback requirement within this section is to have new development setback a distance that is consistent with the existing building line of the street.

All streets, even those which contain large tracts of vacant parcels, contain areas of development which have a definite street line formed by a fence, a hedge or a structure. It is the intent of the

prevailing setback requirement to allow flexibility in design while maintaining the character of the neighborhood.

2) Garden Apartments

Maximum Building Coverage	30%
Minimum Lot Width	150 feet
Minimum Lot Depth	100 feet
Minimum Lot Area	15,000 sq ft
Maximum Density	25 units per acre
Minimum Yards: Front	5 feet
Side	20 feet per grouping
Rear	25 feet

3) Townhouses and Row Houses

Maximum Building Coverage	-	60%
Minimum Lot Width	-	20 feet
Minimum Lot Depth	-	100 feet
Minimum Lot Area	-	2000 sq ft
Minimum Yards: Front	-	Prevailing as above
Side	-	0 feet
Rear	-	15 feet

4) Community Center

Maximum Building Coverage	-	75%
Minimum Lot Width	-	50 feet
Minimum Lot Depth	-	100 feet

5) Senior Housing

- Minimum Lot Area: Ten Thousand (10,000) square feet.
- Minimum Lot Width: Eighty (80) feet.
- Minimum Lot Depth: Eighty (80) feet.
- Maximum Building Coverage: Sixty percent (60%).
- Maximum Density: Eighty (80) dwelling units per acre.
- Minimum and Maximum Yards:
 - Front: 0 Feet
 - Side: 0 Feet
 - Rear: 40 Feet
- Minimum Parking: 0.2 spaces per bedroom

g) Maximum off-street parking:

All residential uses shall provide a maximum of 2 spaces per dwelling unit.

Front-yard parking is prohibited except as necessary to dwellings specifically designed for handicapped residents.

h) Minimum off-street loading

Off-street loading shall conform to Article VII of the Zoning Ordinance of the City of Jersey City.

i) Maximum Sign Area

All residential uses: one (1) sign not to exceed two (2) square feet.

Billboards are expressly prohibited throughout the entire redevelopment area.

2. Mixed Use A

a) Permitted Principal Uses

- Retail sales of goods and services
- Office uses
- Financial institutions
- Restaurants
- Public uses
- Management offices for designated urban renewal developers
- Community facilities for residential tenants of urban renewal development

b) Accessory Uses Permitted

- Residential units above first (1st) floor retail sales
- Off-street parking and loading
- Parking garages and lots

c) Conditional Uses – None permitted

d) Regulations and Controls

- Retail sales of goods and services shall be defined as grocery stores and pharmacies where all sales are under one roof, cleaning establishments such as dry cleaners and Laundromats with attendants, but in no instance shall bars, liquor stores, auto body shops or service stations be considered retail sales.
- Commercial operations for the sale of retail goods and services may have residential units located above first floor provided:
 - 1) the residential units shall be provided with separate ingress and egress other than that which is used for the purposes of the commercial operations; and
 - 2) the parking for residential dwelling units shall be counted separate and apart from any commercial parking.
- Public uses shall be limited to: parks, play-grounds, or governmental uses which shall be limited to: office, meeting, legislative or judicial functions and municipal facilities.

e) Maximum Height

- Retail sales with residential uses located above the first floor: four stories or forty (40) feet in height
- All other uses shall have a maximum height of three (3) stories or thirty-five (35) feet.

f) Area Yard and Bulk

- All commercial buildings, community facilities or management offices shall conform to the following regulations:

Maximum Building Coverage -	60%
Minimum Lot Width -	25 feet
Minimum Lot Depth -	100 feet
Minimum Lot Area -	2,500 sq ft
Maximum Height -	4 stories

g) Minimum Off-Street Parking

- Retail sales of goods and services: one (1) space per 600 square feet of gross floor area.
- Restaurants one (1) space per each four seats.
- Existing commercial or public uses not acquired through this urban renewal program shall have no parking requirements.
- Office and financial institutions: one (1) space for each 1,000 square feet of gross floor area.
- Mixed-use commercial/residential one (1) space per 600 square feet of gross floor area for commercial use plus 0.75 space per each dwelling unit.
- Public uses shall be provided with a minimum of one (1) space per each six-hundred (600) square feet of gross floor area, excluding the first five-thousand (5,000) square feet of gross floor area for that use plus one (1) space for each official car assigned to that use.

h) Minimum Off-Street Loading

- Off-street loading shall conform to Article VII of the Zoning Ordinance of the City of Jersey City

i) Maximum Sign Area

- Billboards are expressly prohibited throughout the entire redevelopment area.
- Each business establishment shall be permitted not more than two (2) signs per store frontage illuminated in any way shall not exceed one-foot, six-inches (1'6") in height by the length of façade and may not project more than twelve inches (12").
- If more than one (1) sign is provided on any façade, one (1) sign shall be perpendicular to that façade. It shall not exceed five (5) square feet in area on any one (1) surface and must comply with the following:
 - a. it may not exceed one (1) foot in height;

- b. it must be arranged to allow a minimum of eight-feet, six-inches (8'6") to the sidewalk below;
- c. it may be internally illuminated but may not be flashing or illusory in nature;
- d. only one (1) such sign will be permitted on each street frontage of the establishment;
- e. it may not move or have any moving parts as elements.
- Under no circumstances shall fluorescent or glowing paint be permitted for any signage within the area. No signs or window graphics other than those specifically enumerated herein shall be permitted.
- All signage shall be subject to site plan review and approval by the Planning Board.

3. Mixed Use B

a) Permitted Principal Uses

- 1) Multi-family mid-rise apartments above the ground floor
- 2) Retail sales of goods and services, and/or restaurants, and or financial institutions, required on all Ocean Avenue frontages

b) Accessory Uses Permitted

- 1) Off-street parking
- 2) Fences and walls
- 3) Designed open space
- 4) Utilities
- 5) Community space and management rooms accessory to residential units

c) Regulations and Controls

New construction shall be designed to include:

2. An ornamental cornice at the roofline.
3. Avoid blank walls, particularly at street level.
4. Window detailing, including lintels and sills.
5. A variety of horizontal and vertical architectural elements which harmonize the surrounding structures.
6. Sidewalk shall be tinted French grey.
7. Driveways shall be differentiated from the sidewalk through the use of different paving color and texture. Driveways are to be flush with the sidewalk, with driveway apron slopes shall extend no more than two and one-half feet.
8. Driveways and parking areas shall not be accessed from Ocean Avenue, and shall be located in garages within the building. No surface parking.
9. Parking shall be accessed by a maximum of one entry lane and one exit lane. This may be arranged as a single two-way driveway, or two one-way driveways.

10. Fencing shall be wrought-iron or other decorative material; no chain-link or aluminum fencing is permitted.
11. All surface parking shall be screened by the above mentioned fencing at the street frontage, including a 5' strip of hedge landscaping in addition to the fence.
12. Interior property line adjacent to parking shall contain board-on-board fencing to screen it from its neighbors.
13. The roof shall be flat.
14. Buildings shall be designed to include a water table or water course and differentiate materials at the first floor. All first floor facades must be primarily masonry. No EIFS or synthetic materials are permitted at the first level. All facades and façade materials are subject to Board review and approval.
15. Main entries shall have transom windows above.
16. Street trees are to be included, spaced 35' apart for the length of each project, and with a minimum caliper of 3-3.5".
17. All rooftops, including garages, shall include patio areas accessible to tenants wherever possible.
18. All front yard setbacks shall maintain the setback of the prevailing building line and not to exceed 20' from the curb. The intent is to ensure parking areas are on the side or rear yard and the building is established as a prominent feature on the street.
19. Garages are to be screened with storefronts along Ocean Avenue, and with attractive openings which match the rhythm, pattern, and architectural style of the building along the side streets.
20. All facades with street frontage are to be treated as a front façade, with no blank walls and with appropriate architectural detail, window openings, and quality materials.
21. All setbacks above the first floor shall be designed as green roofs

- Where any questions arise in terms of definitions or terminology, the Zoning Ordinance of the City of Jersey City shall govern
- Utilities shall be defined as: water, sewer, telephone, gas or electric service from a public or private utility company under the regulations of the New Jersey Public Utilities Commission.

d) Maximum Height

- (1) five (5) stories and sixty feet where garaged parking is provided as required
- (2) minimum residential floor-to-ceiling height nine (9) feet;
- (3) minimum ground floor floor-to-ceiling height twelve (12) feet

e) Area, Yard and Bulk

- (1) Minimum Lot Area: Ten Thousand (10,000) square feet.
- (2) Minimum Lot Width: Eighty (80) feet.
- (3) Minimum Lot Depth: Eighty (80) feet.

- (4) Maximum Building Coverage:
 - i. With garaged parking, first floor parking garage may have one hundred percent (100%) coverage
 - ii. Above first floor garage, seventy percent (70%) building coverage
 - (5) Maximum Density: One-hundred fifteen (115) dwelling units per acre.
 - (6) Yard Setbacks:
 - i. Front: Maximum 0 Feet
 - ii. Side: Minimum 0 Feet on first floor, minimum fifteen feet (15') on upper floors
 - iii. Rear: with garaged parking, first floor maximum zero (0) feet, above first floor minimum thirty-five (35) feet.
- f) Minimum off-street parking
- (1) Residential - 0.3 spaces per unit
 - (2) Retail sales of goods and services: one (1) space per 600 square feet of gross floor area, excluding the first 5,000 sf
 - (3) Restaurants one (1) space per each four seats, excluding the first 5,000 sf
 - (4) Financial institutions: one (1) space for each 1,000 square feet of gross floor area, excluding the first 5,000 sf
 - (5) There shall be secure bicycle parking at a minimum rate of 1 bicycle space per dwelling unit and 1 bicycle space per 5000 square feet of non residential use. A bicycle storage room, located in a convenient and accessible location from the sidewalk or the front entry of the building with no more than four vertical steps (ramps may be utilized) between the bicycle room and the sidewalk. Bike racks must permit the ability to secure the frame of the bike to the rack system.

g) Minimum off-street loading

Off-street loading shall conform to Article VII of the Zoning Ordinance of the City of Jersey City.

h) Maximum Sign Area

- (1) Billboards are expressly prohibited throughout the entire redevelopment area.
- (2) Each business establishment shall be permitted not more than one (1) sign per store frontage which may not be internally illuminated in any way shall not exceed one-foot, six-inches (1'6") in height by the length of façade and may not project more than twelve inches (12").
- (3) All signage shall be subject to minor site plan review and approval by the Planning Board.

- (4) One identification sign per lobby entry is permitted for residential uses which may list the building name and/or street address and shall not exceed 5 square feet.

C. Deviation Requests

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

VIII. OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS

- A. The various elements of this Redevelopment Plan set forth above are in compliance with the requirements of State and Local Law and there are no additional requirements with respect to a redevelopment plan which have not been complied with.
- B. The Redevelopment Plan contains all provisions necessary to fulfill statutory requirements of the City of Jersey City.
- C. The Redevelopment Plan proposes to attain identifiable local objectives as to appropriate land use, density of population, improved public utilities, traffic circulation, recreational and community improvements and other public renovations.
- D. The following text referencing provision for the temporary relocation and permanent re-housing of persons residing within the Turnkey Study Area Redevelopment Project is presented to comply with statutory requirements of the State of New Jersey. The City of Jersey City, through the services of the Jersey City Redevelopment Agency staff, will provide displaced families and individuals with the opportunity of being relocated into decent, safe and sanitary housing which is within their financial means. This office will be staffed by qualified personnel who will actively assist the families and individuals being displaced in finding adequate accommodations. All families and individuals being displaced will be interviewed to determine re-housing requirements. In addition, a list of privately owned houses and apartments which have been inspected and certified as being safe, decent and sanitary will be maintained by the relocation staff from

which individuals will be referred to such dwelling units which are within their financial means.

IX. PROCEDURE FOR AMENDING THE APPROVED PLAN

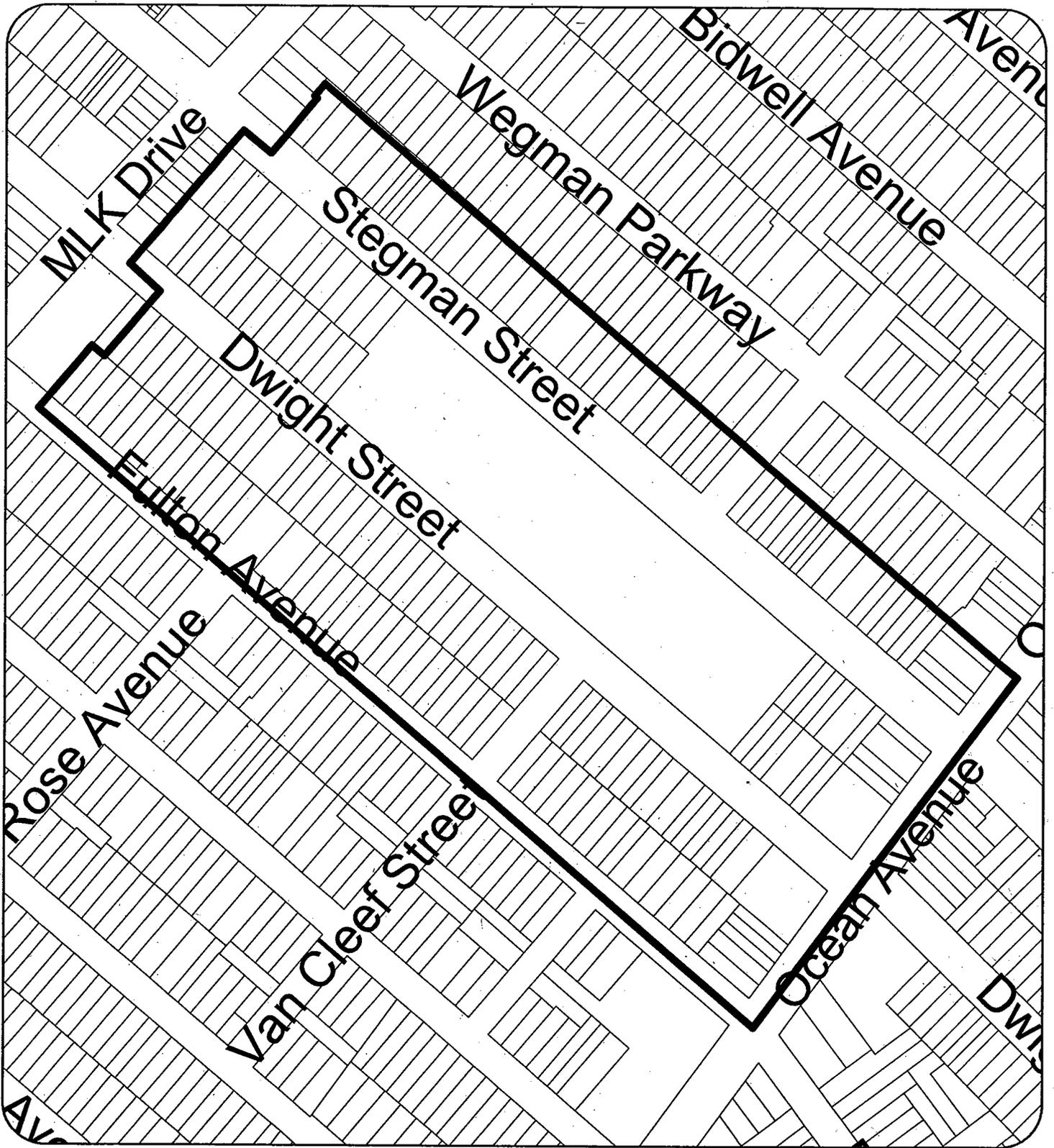
This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law. A fee of \$1,000 plus all costs for copying and transcripts shall be payable to the City of Jersey City for any request to amend this plan.

X. ~~DEFINITIONS~~

- A. ~~Density:~~ A number expressing dwelling units per gross acre.
- B. ~~Home Occupation:~~ An occupation being conducted wholly or in part from a residence or its residential lot as an accessory use. Such occupations shall be conducted solely by resident occupants of the residential building, except that no more than two persons not a resident of the building may be employed and provided also that no more than the 900 square feet, or the equivalent of the first floor area of the building, whichever is smaller, shall be used for such purpose; that the livable floor area for the resident shall remain at least as large as that required of residences; that no display of products shall be visible from the street; that the residential character of the building shall not be changed; that no sign shall be displayed exceeding the maximum area permitted for signs on each of two sides, and said sign shall be placed inside the building or, if located outside, shall be attached flat outside the building; that the occupation shall be conducted entirely within either the dwelling unit or an accessory building, but not both, that no occupational sounds shall be audible outside the building; that no machinery or equipment shall be used which will cause interference with radio and television reception in neighboring residences; and that the use does not reduce the parking or yard requirements of the principal use.
- C. ~~Office:~~ A place for the transaction of business where reports are prepared, records kept and services rendered, but where no retail sales are offered and where no manufacturing, assembly or fabricating takes place.
- D. ~~Banners:~~ A banner shall be any announcement, declaration, demonstration display, illustration or insignia used to advertise or promote the interest of any person or product where the same is placed to be seen by the general public. The banner shall not exceed 24 square feet in area, shall not be lower than eight (8) feet above finished sidewalk elevation, nor higher than 18 feet above finished sidewalk elevation. The banner shall not extend more than eight feet from any building to which it is affixed. The banner may be attached flush to any building wall or extend perpendicular to any wall so long as it conforms to all other sections of this definition. The banner may be fabricated of any natural or synthetic fabric.

~~E. Garden Apartment: A multi-family structure, a maximum three stories or thirty-five (35) feet in height, where apartments may be grouped into separate buildings containing a minimum of four (4) dwelling units and a maximum of twenty (20) dwelling units with two (2) to four (4) units adjacent to a stairway.~~

Maps



**Turnkey Redevelopment Plan
Boundary Map**

Legend

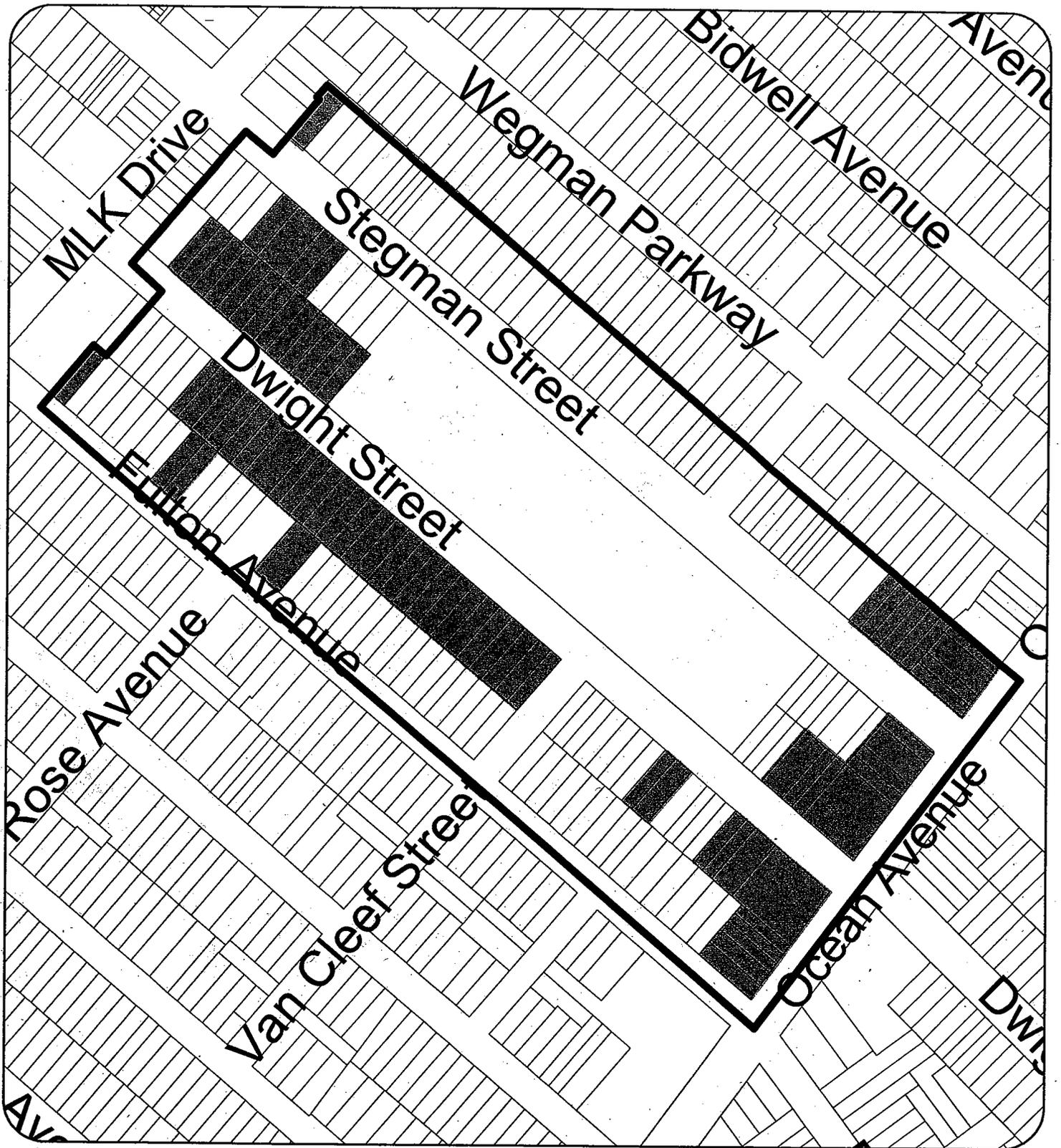
 Boundary



1 inch = 200 feet



April 30, 2012



**Turnkey Redevelopment Plan
Acquisition Map**

Legend

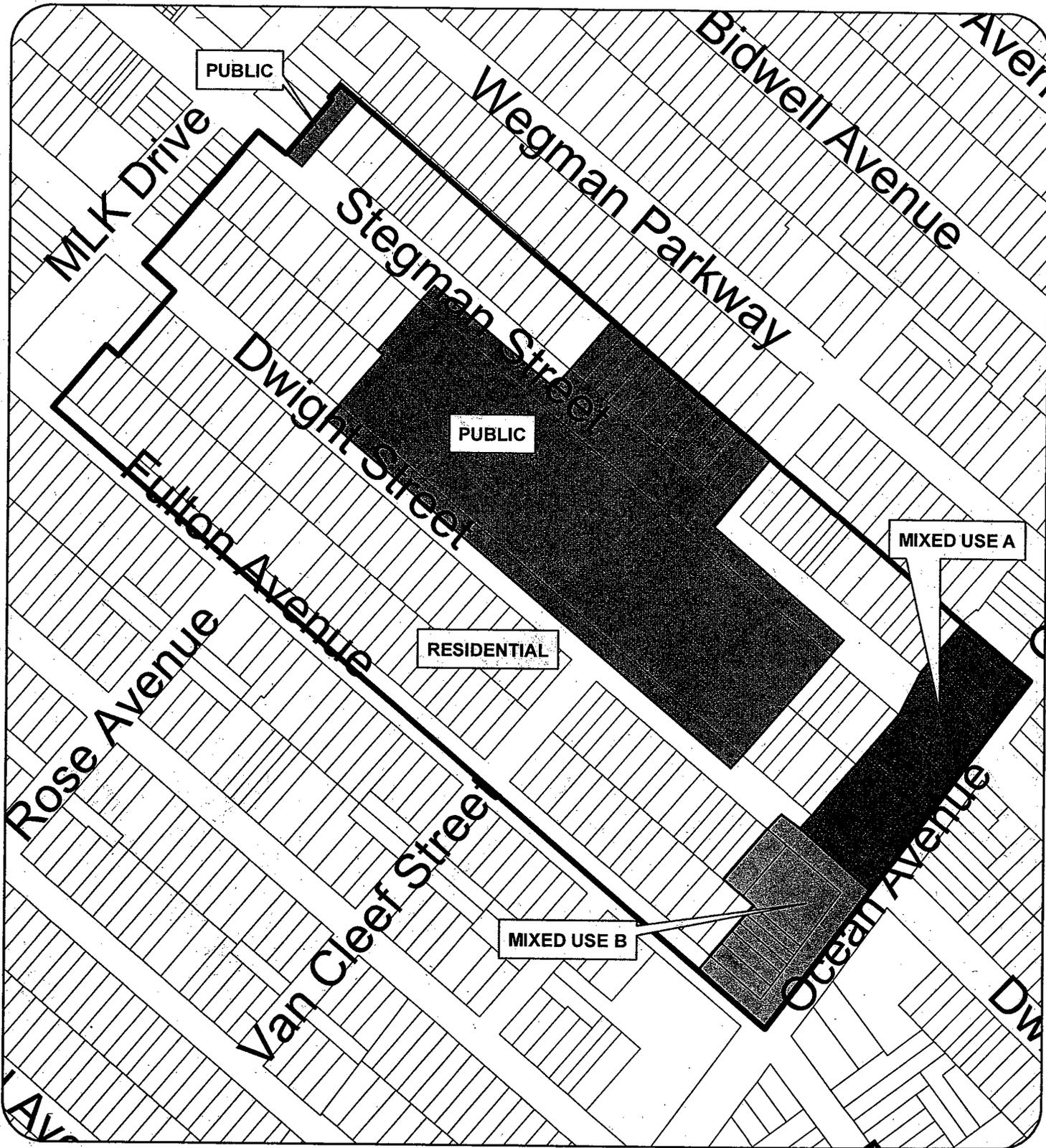
-  Boundary
-  To Be Acquired

1 inch = 200 feet




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

April 30, 2012



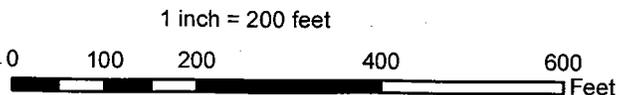
**Turnkey Redevelopment Plan
Land Use Map**



April 30, 2012

Legend

	Mixed Use A		Public
	Mixed Use B		Residential



City Clerk File No. Ord. 12-086

Agenda No. 3.H 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 12-086

TITLE: **ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3
(ADMINISTRATION OF GOVERNMENT) ARTICLE VI (DEPARTMENT OF
ADMINISTRATION) AND ARTICLE X (DEPARTMENT OF HOUSING, ECONOMIC
DEVELOPMENT & COMMERCE) OF THE JERSEY CITY MUNICIPAL CODE**

COUNCIL offered and moved adoption of the following Ordinance:

- A. The following amendments to Chapter 3 (Administration of Government) Article VI (Department of Administration) are hereby adopted:

ADMINISTRATION OF GOVERNMENT
ARTICLE VI
Department of Administration

§3-51. Purchasing; Division of Purchasing and Central Services.

There is hereby created a Division of Purchasing and Central Services, the head of which shall be the Business Administrator, or, if qualified, his designee. The head of the Division of Purchasing and Central Services shall be a Registered Public Purchasing Specialist (RPPS) and shall have a minimum of four years' experience in commercial or governmental purchasing.

A. Through F. No Change.

- G. Bid specifications; minimum hourly pay, ~~{and}~~ benefits and paid leave for ~~{full-time}~~ contractor employees. All purchases, contracts or agreements which require public advertisement for bids under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., shall contain a specification which mandates that certain ~~{full-time}~~ employees of certain entities entering into qualified contracts with the City shall ~~{pay-an}~~ be paid a standard hourly rate of pay and provided ~~{health-and-vacation}~~ paid leave and standard benefits in accordance with the following minimum standards and conditions:

- (1) ~~{Those}~~ All employees employed either full time or part time by an entity that has entered into a qualified contract with the City or a contract to furnish janitorial, unarmed security, clerical or food services for any property or premises owned or leased by the City, shall be provided with standard paid leave. ~~{, who qualify under this subsection, shall accrue at least five days of paid vacation for the first six months of continuous employment and an additional five days for the second six months of continuous employment under that City contract and shall receive no less than \$2,000 each per calendar year contribution from the entity for the purchase of health and major medical insurance coverage under either a group plan to be purchased by the entity or under any other arrangement mutually agreed to by the employees and the entity. The provisions of this subsection shall apply only to those full-time entity employees performing full-time work exclusively for the City under the entity's qualified contract with the City and exclusively on property either owned or controlled by the City.}~~

- (2) Those employees employed either full time or part time by an entity that has entered into a qualified contract with the City, who qualify under this subsection, shall receive an hourly rate of pay of no less than ~~[\$7.50 per hour]~~ the standard hourly rate of pay for the relevant classification for each ~~[fall]~~ full hour of work performed under that contract, and shall receive no less than the standard benefits for the relevant classifications. The contract shall provide for annual adjustments of the standard hourly rate of pay, benefits and paid leave during the term of the contract. The provisions of this subsection shall apply to all part-time and full-time entity employees performing work exclusively for the City under the entity's qualified contract with the City and exclusively on property either owned or controlled by the City.
- (3) Every contract to furnish janitorial or unarmed security services for any property or premises owned or leased by the City shall contain a provision indicating the number of hours of work required, and stating the standard hourly rate of pay and benefits for the relevant classification that are applicable to the workers employed in the performance of the contract and shall contain a stipulation that those workers shall be paid not less than the standard hourly rate for the relevant classifications and shall receive no less than the standard benefits for the relevant classifications. The contract shall provide for annual adjustments of the standard hourly rate of pay, benefits and paid leave during the term of the contract. The entity contracting to furnish janitorial or security services shall provide proof that its employees have been provided with the standard rate of pay, benefits and paid leave mandated hereunder. A contracting entity performing janitorial or security services shall also make a good faith effort to hire persons, as janitors or security guards, who are residents of Jersey City. A "good faith" effort means that the Qualified Contractor will advertise in a local newspaper and seek and consider referrals from the Employee Register of the Jersey City Employment and Training Program list. A contracting entity's failure to follow the requirements of this subparagraph may result in termination of the contract.
- (4) Remedy. Violation of these provisions shall constitute a breach of contract by the contractor or subcontractor, and such provisions shall be considered to be a contract for the benefit of the building service workers upon which such workers shall have the right to maintain action for the difference between the hourly rate of pay, benefits and paid leave and the hourly rate of pay, benefits and paid leave actually received by them.
- ~~{(3)}~~(5) For purposes ~~[of Subsection G(1)]~~ of this section, the word "full time" shall mean those employees who work a minimum of 25 hours per week exclusively under a qualified contract with the City, excluding meal periods; the word "part time" shall mean those employees who work less than 25 hours per week.
- ~~{(4)}~~(6) For purposes ~~[of Subsection G(1)]~~ of this section, the words "employee" and "employment" shall include only those employees of an entity that have entered into a qualified contract with the City and who work exclusively under that contract in the job categories of clerical workers, food service workers, janitorial workers and unarmed security guards.
- ~~{(5)}~~(7) For purposes ~~[of Subsection G(1)]~~ of this section, the words "qualified contract" shall mean only those contracts awarded by the City, requiring advertisement for bids, under the Local Public Contracts Law, N.J.S.A. 40A:1-1 et seq. ~~[, for the exclusive purpose of having the entity provide clerical worker, food service worker, janitorial worker and unarmed security guard services to the City.]~~
- ~~{(6)}~~(8) For purposes ~~[of Subsection G(1)]~~ of this section, the word "entity" shall mean any person, partnership, corporation or other form of legally recognized business organization that submits a bid or enters into a qualified contract with the City under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

- ~~[(7) As to Qualified Contracts for janitorial workers and unarmed security guards, the following terms shall prevail. Employees of a contracting entity employed either full time or part time as unarmed security guards or janitorial workers in City buildings performing services pursuant to a Qualified Contract with the City, shall receive an hourly rate of pay of no less than ten dollars and fifty cents (\$10.50) per hour for each full hour of work performed under the contract. In addition, full-time employees will receive not less than the sum of three dollars and ten cents (\$3.10) per hour from the Entity for the purchase of health and major medical insurance coverage. The coverage will be provided under either a group plan to be purchased by the Entity or under any other arrangement mutually agreed to by the employees and the Entity. The Entity shall provide proof that its employees have been provided with the health and major medical insurance mandated hereunder. A contracting entity performing janitorial or security services shall also make a good faith effort to hire persons, as janitors or security guards, who are residents of Jersey City. A "good faith" effort means that the Qualified Contractor will advertise in a local newspaper and seek and consider referrals from the Employee Register of the Jersey City Employment and Training Program list. A contracting entity's failure to follow the requirements of this subparagraph 7, may result in termination of the contract.]~~
- (9) For the purposes of this section, "standard paid leave" shall mean paid leave as provided by the collective bargaining agreement covering the largest number of hourly non-supervisory employees employed within Hudson County in the relevant classification, provided the collective bargaining agreement covers no less than two hundred (200) employees in the classification. If there is no such collective bargaining agreement, the following provision shall apply. Those employees employed full time by an entity that has entered into a qualified contract with the City or a contract to furnish janitorial or security services for any property or premises owned or leased by the City, who qualify under this subsection, shall accrue at least five (5) days of paid vacation for the first six (6) months of continuous employment and an additional five (5) days for the second six (6) months of continuous employment under the same contract.
- (10) For the purposes of this section, "leased by the City" means any agreement whereby a contracting agency contracts for, or leases or rents, commercial office space or commercial office facilities of 10,000 square feet or more from a non-governmental entity provided the City, whether through a single agreement or multiple agreements, leases or rents no less than fifty-one percent (51%) of the total square footage of the building to which the lease applies.
- (11) For the purposes of this section, the "standard hourly rate of pay" shall be 150% of the federal minimum wage, or the hourly rate of pay for work performed within the City under the collective bargaining agreement covering the largest number of hourly non-supervisory employees employed within Hudson County in the relevant classification, provided the collective bargaining agreement covers no less than two hundred (200) employees in the classification, or the hourly rate paid to workers in the relevant classification under a preceding qualified contract, whichever is higher.
- (12) For the purposes of this section, "standard benefits" shall be an hourly supplement furnished by a contractor to an employee in one of the following ways: 1) in the form of health benefits that cost the employer the entire required hourly supplemental amount to provide; 2) by providing a portion of the supplement in the form of health benefits and the balance in cash; or 3) by providing the entire supplement in cash. The required hourly supplemental rate shall be equal to the monetary value of the benefits provided by the collective bargaining agreement covering the largest number of hourly non-supervisory employees employed within Hudson County in the relevant classification, provided the collective bargaining agreement covers no less than two hundred (200) employees in the classification. If there is no such collective bargaining agreement, "standard benefits" shall be an additional hourly rate of \$3.10 provided as a supplement to cover health benefits.

- (13) For the purposes of this section, "relevant classification" shall mean food service worker for food service workers, clerical workers, janitors and security guards.
- (14) For the purpose of this section, "health benefits" shall not include workers compensation insurance, nor shall it include the value of any benefit for which an employee is eligible but for which no payment is actually made by a contractor to the employee or to any other party on the employee's behalf because the employee either does not actually utilize or does not elect to receive the benefit for any reason.
- (15) For the purposes of this section, the annual adjustments of the hourly rate of pay and benefits shall be made in the following way. The annually adjusted hourly rate of pay shall be the previous hourly rate of pay increased by the annual percentage difference between the current New York Metropolitan Area Consumer Price Index (CPI) for all items for All Urban Consumers and the same CPI for same month of the previous year, or the hourly rate of pay for work performed within the City under the current collective bargaining agreement covering the largest number of hourly non-supervisory employees employed within Hudson County in the relevant classification, provided the collective bargaining agreement covers no less than two hundred (200) employees in the classification, whichever is higher. The benefit rate shall be annually adjusted accordingly.
- (16) The provisions of this section shall apply to all contracts awarded, renewed, modified or extended after the date of enactment of this section. However, to provide an orderly transition for implementation of this section, the City may, after the date of enactment of this section, enter into short-term extensions of extant contracts, so that the extended contract extends no more than ninety (90) days beyond the date of enactment of this section. Such short-term extensions may be exempted from the requirements of this section at the discretion of the City.

H. No Change.

I. No Change.

§3-51.1. No Change.

§3-51.2. No Change.

§3-51.3. Transitional Employment Period.

- A. The City shall give advance notice to a service contractor and any collective bargaining representative of the service contractor's employees that a service contract will be terminated, and the City shall also provide the name, address, and telephone number of the successor contractor or contractors where known. The terminated contractor shall, within five (5) days after receipt of such notice, provide to the successor contractor, the name, address, date of hire, and employment occupation classification of each employee employed at the site or sites covered by the service contract at the time of receiving said notice. If a successor contractor has not been identified by the City by the end of the five (5) day period, the terminated contractor shall provide the information to the City. At the same time that the terminated contractor provides this information to the successor contractor or the City, the terminated contractor shall provide each affected employee with notice of his/her right to obtain employment with the successor contractor.
- B. A successor contractor or subcontractor where applicable shall retain for a 90-day transitional employment period all employees who were employed by the terminated contractor and its subcontractors at the building(s) covered by the terminated contract.

- C. If at any time the successor contractor determines that fewer employees are required to perform the new service contract than had been performing such services under the terminated contract, the successor contractor shall retain the employees by seniority within job classification. Except for such layoffs, during the 90-day transition period, the successor contractor shall not discharge without cause an employee retained pursuant to this section. During the 90-day transition period, the successor contractor shall maintain a preferential hiring list of those employees not retained, from which the successor contractor or its subcontractors shall hire additional employees from.
- D. At the end of the 90-day transition employment period, the successor contractor shall perform a written performance evaluation for each employee retained pursuant to this section. If employee's performance during such 90-day period is satisfactory, the successor contractor or subcontractor shall offer the employee continued employment under the terms and conditions established by the successor contractor or subcontractor or as required by law.

§3-51.2. Compliance.

- A. Compliance with this section shall be required in all City contracts to which it applies, and such contracts shall provide that violation of this section shall entitle the City to terminate the contract. In addition, failure to comply with these requirements may ban the contractor from holding contracts with the City for a period of three (3) years. Upon the City's request, the contractor or subcontractor shall make all relevant records available to the City or its designee in order for the City to determine whether the contractor or subcontractor is in compliance with said requirements.
 - B. An employee displaced or terminated in violation of this section may bring an action in any court of competent jurisdiction against the terminated contractor and/or the successor contractor for violations pursuant to this section.
- B. The following amendments to Chapter 3 (Administration of Government) Article X (Department of Housing, Economic Development & Commerce) are hereby adopted:

ADMINISTRATION OF GOVERNMENT
ARTICLE X
 Department of Housing, Economic Development & Commerce

§3-76. Division of Economic Development.

- A. No Change.
- B. No Change.
- C. Required wage, benefit and leave standards for building service workers on covered development projects.
 - (1) Definitions.
 - (a) For the purposes of this section, "covered developer" means any person receiving economic development financial assistance or a tax abatement pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et. seq., or the Five-Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 et. seq., in relation to a cover development project or a tax abated project, or any assignee or successor in interest of real property that qualifies as a covered development project.
 - (b) For the purpose of this section, "not-for-profit organization" means an entity that is either incorporated as a not-for-profit corporation under the laws of the state of its incorporation or exempt from federal income tax pursuant to subdivision (c) (3) of section five hundred of the United States internal revenue code.

- (c) For the purposes of this section, "City" shall include but not be limited to the Mayor, the Business Administrator, any City agency, not-for-profit organization, public benefit corporation, or other entity that provides or administers economic development benefits on behalf of the City.
- (d) For the purposes of this section, "covered development project" means a project undertaken by the city for the purpose of improvement or development of real property, economic development, job retention or growth, or other similar purposes where the project has received or is expected to receive financial assistance.
- (e) For the purposes of this section, "economic development financial assistance" means assistance with an anticipated total value of at least one million dollars that is provided in whole or in part by the city to a business organization for the improvement or development of real property, economic development, job retention and growth, or other similar purposes. Financial assistance includes, but is not limited to, cash payments or grants, bond financing, tax exemptions tax increment financing, filing fee waivers, energy cost reductions, environmental remediation costs, write-downs in the market value of building, land, or leases, or the cost of capital improvements related to real property that, under ordinary circumstances, the city would not pay for. Where assistance takes the form of leasing city property at below-market lease rates, the value of the assistance shall be determined based on the total difference between the lease rate and a fair market lease rate over the duration of the lease. Where assistance takes the form of loans or bond financing, the value of the assistance shall be determined based on the difference between the financing cost to a borrower and the cost to a similar borrower that does not receive financial assistance from a city economic development entity. For the purposes of this section, "economic development financial assistance" does not include Community Development Block Grants or Community Services Block Grants funded by the federal government, Urban Enterprise funding or Choice / HOME Program funds.
- (f) For the purposes of this section, "Tax Abated Project" means a project that has a total construction cost that is equal to or exceeds twenty-five million dollars (\$25,000,000), exclusive of any land acquisition costs, for which the City has granted a tax abatement pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et. seq., or the Five-Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 et. seq. However, any project that is being undertaken by a not-for-profit organization or which shall contain more than fifty percent (50%) affordable housing, shall also be excluded.
- (g) For the purposes of this section, the "standard hourly rate of pay" shall be 150% of the federal minimum wage, or the hourly rate of pay for work performed within the city under the collective bargaining agreement covering the largest number of hourly non-supervisory employees employed within Hudson County in the relevant classification, provided the collective bargaining agreement covers no less than two hundred (200) employees in the classification, whichever is higher.
- (h) For the purposes of this section, "standard benefits" shall be an hourly supplement furnished by a contractor to an employee in one of the following ways: 1) in the form of health benefits that cost the employer the entire required hourly supplemental amount to provide; 2) by providing a portion of the supplement in the form of health benefits and the balance in cash; or 3) by providing the entire supplement in cash. The required hourly supplemental rate shall be equal to the monetary value of the benefits provided by the collective bargaining agreement covering the

largest number of hourly non-supervisory employees employed within Hudson County in the relevant classification, provided the collective bargaining agreement covers no less than two hundred (200) employees in the classification. If there is no such collective bargaining agreement, "standard benefits" shall be an additional 20% of the employee's hourly rate of pay provided as a supplement to cover health benefits. For the purposes of this section, "health benefits" shall not include workers compensation insurance, nor shall it include the value of any benefit for which an employee is eligible but for which no payment is actually made by a contractor to the employee or to any other party on the employee's behalf because the employee either does not actually utilize or does not elect to receive the benefit for any reason.

- (2) Every covered developer shall be required to ensure that all janitors and unarmed security guards employed at Covered Development Projects and Tax Abated Projects shall be paid not less than the standard hourly rate of pay and benefits for their respective classifications and shall be provided with paid leave in accordance with the provisions of the Jersey City Municipal Code Section 3-51 G(1). Every contract signed by the City for Covered Development Projects and Tax Abated Projects with a business organization shall contain a provision stating the standard hourly rate of pay, the standard benefits and paid leave for janitors and unarmed security guards employed at the premises for which the economic development financial assistance is provided. Such contracts shall contain a stipulation that those workers shall be and/or have been paid not less than the standard hourly rate of pay, shall receive no less than the standard benefits and shall be provided with paid leave in accordance with the provisions of Jersey City Municipal Code Section 3-51 G(1). The obligation of a contractor to pay the standard benefits may be discharged by furnishing the standard benefits 1) in the form of health benefits that cost the employer at least \$3.10 an hour to provide; 2) by providing a portion of the standard benefit in the form of health benefits and the balance in cash; or 3) by providing \$3.10 an hour in cash over and above the standard hourly rate. This provision shall apply regardless of whether the janitors or unarmed security guards are directly employed by the business organization receiving the economic development financial assistance. The contract shall provide for annual adjustments of the standard rate of pay and benefits during the term of the contract.
- (3) For the purposes of this section, the annual adjustments of the hourly rate of pay and benefits shall be made in the following way. The annually adjusted hourly rate of pay shall be the previous hourly rate of pay increased by the annual percentage difference between the current New York Metropolitan Area Consumer Price Index (CPI) for all items for All Urban Consumers and the same CPI for same month of the previous year, or the hourly rate of pay for work performed within the city under the collective bargaining agreement covering the largest number of hourly non-supervisory employees employed within Hudson County in the relevant classification, provided the collective bargaining agreement covers no less than two hundred (200) employees in the classification, whichever is higher. The benefit rate shall be annually adjusted accordingly.
- (4) Reporting. All contracts signed by the City for Covered Development Projects or Tax Abated Projects shall require the submission to the business administrator of an annual certification executed under penalty of perjury that all janitors and unarmed security guards employed at a city development project or a tax abated project by the covered developer or under contract with the covered developer to perform janitorial or security services will be and/or have been paid the standard wage and provided with standard benefits and standard leave for the relevant classifications. Such certification shall include a record of the days and hours worked and the wages and benefits paid to each janitor or unarmed security guards employed at the city development project or under contract with the covered developer. Such certification shall be certified by the chief executive or chief financial officer of the covered developer, or the designee of any such

person. A violation of any provision of the certification, or failure to provide such certification, shall constitute a violation of this section.

- (5) Record keeping. Each covered developer shall maintain original payroll records for each janitor and unarmed security reflecting the days and hours worked, and the wages paid and benefits provided for such hours worked, and shall retain such records for at least six years after the janitorial or security work is performed. The covered developer may satisfy this requirement by obtaining copies of records from the employer or employers of such employees. Failure to maintain such records as required shall create a rebuttable presumption that the janitors or unarmed security guards were not paid the wages and benefits required under this section. Upon written request of the city, the covered developer shall provide a certified original payroll record within ten (10) days of the date of the request.
- (6) Site access. Representatives of the city shall be permitted to have appropriate access to all covered development projects in order to monitor compliance.
- (7) The requirements of this section shall apply for the term of the economic development financial assistance or tax abatement, for ten years from the date that the financially assisted project opens, or for the duration of any written agreement between the city and a covered developer providing for financial assistance, whichever is longer.
- (8) Right of action for janitors and unarmed security guards. Violation of this provisions shall constitute a breach of the standard wage and benefit and paid leave provisions of the contract, by the business organization receiving the economic development subsidy and such provisions shall be considered to be a contract for the benefit of the building service workers upon which such workers shall have the right to maintain action for the difference between the standard hourly rate of pay, benefits and paid leave and the rates of pay, benefits and paid leave actually received by them, and including attorney's fees.
- (9) Penalties. In the event of a failure to comply with the provisions of this section, the covered developer shall be provided with a written notice of failure to comply allowing the covered developer ten (10) days to cure the failure to comply. If the developer fail to timely cure in addition to any other remedies available at law or in equity including termination of the contract, the City shall be permitted to seek the following remedies for the failure to comply with this ordinance:
 - (a) Suspension: Suspend the tax abatement or economic development financial agreement until the date of cure (during which period three hundred percent (300%) of conventional real estate taxes shall be assessed and collected).
 - (b) Liquidated Damages:
 - (i) Late filing of any report required under this section: a payment of one thousand dollars (\$1,000.00) per day for each day that the report is late for up to fourteen (14) days. After fourteen (14) days, the remedy in section (2) hereof, shall apply.
 - (ii) Failure to provide a required report or record or to allow work place access: a) an amount equal to two percent (2%) of the estimated annual payment in lieu of taxes for each month or part thereof the records or work place access is not provided; or b) an amount equal to the greater of two percent (2%) of the annual value of the economic development subsidy or two tenths of a percent (.2%) of the total value of the economic development subsidy; or c) both, in the case of a covered development project that is also a tax abated project.

(iii) A material breach of any other term of this section, a) an amount equal to two percent (2%) of the estimated annual payment in lieu of taxes for each month or part thereof the breach continues; or b) an amount equal to the greater of two percent (2%) of the annual value of the economic development subsidy or two tenths of a percent (.2%) of the total value of the economic development subsidy; or c) both, in the case of a covered development project that is also a tax abated project.

(iv) A material breach of this section that continues for a period of six (6) months or more, shall allow the City to terminate the tax abatement or economic development subsidy.

(10) The Director of Economic Development shall maintain a list of business organizations that have received economic development assistance that shall include, where a written agreement between the city and a business organization providing for financial assistance is targeted to particular real property, the address of each such property. Such list shall be updated and published as often as is necessary to keep it current. The Director of Economic Development's failure to include a business organization on the list shall not excuse the business organization from its obligations under this section.

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

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

6/06/12

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required

Not Required

City Clerk File No. Ord. 12-087

Agenda No. 3.I 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 12-087

TITLE: ORDINANCE AMENDING CHAPTER 304 (TAXATION) ARTICLE VI (LONG TERM TAX EXEMPTIONS AFFORDABLE HOUSING TRUST FUND) OF THE JERSEY CITY MUNICIPAL CODE

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY DOES ORDAIN:

A. The following amendment to Chapter 304 (Taxation) Article VI (Long Term Tax Exemptions Affordable Housing Trust Fund) of the Jersey City Code are hereby adopted:

ARTICLE VI

Long Term Tax Exemptions Affordable Housing Trust Fund

§304-28. Through §304-31. No Change.

§304-32. - Guidelines for the expenditure of funds.

- A. Use of Funds: All contributions made to the Affordable Housing Trust Fund shall be expended solely for the actual costs of materials and labor directly associated with the rehabilitation or construction or preservation of existing low or moderate income affordable housing or the construction of new "low or moderate income affordable housing", as those terms are defined in the Fair Housing Act, N.J.S.A. 52:27-301 et seq., and any regulations promulgated thereunder.
- B. Awards: All funds shall be awarded by the City from the Affordable Housing Trust Fund as loans, on a reimbursement basis only, to supplement other private or public funds needed to complete the project. Recipient must demonstrate that no less than 25% of construction labor workforce shall be bona fide Jersey City residents or businesses.
- C. Requirements: No award will be approved unless the applicant at a minimum satisfies the following conditions:
1. Application. Every applicant must file a complete application form, which shall include an administrative questionnaire, financial disclosure statement and any other forms or supporting documents the City deems appropriate or necessary; and
 2. Entity. An applicant must provide proof that it is a for profit or a non profit entity, organized under State and Federal law for the purpose of constructing affordable housing or a public entity; and
 3. Experience. Every applicant must demonstrate that it has successfully completed the construction of at least one other significant housing project.
 4. Funding. An applicant must provide proof that it is the recipient of funds from another public or private source that, together with the Trust Fund award, will constitute sufficient funds to complete the proposed project. However, for acquisition funds, the applicant must document that the proposed project is eligible for other public or private funds, and that an application for these funds will be filed within sixty (60) days of commitment of affordable housing trust fund funds.

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ORDINANCE AMENDING CHAPTER 304 (TAXATION) ARTICLE VI (LONG TERM TAX EXEMPTIONS AFFORDABLE HOUSING TRUST FUND) OF THE JERSEY CITY MUNICIPAL CODE

5. Commencement of Construction. The applicant must commence construction no later than one year from the date of the award of the Trust Fund money. Failure to commence construction within one year will result in cancellation of the award.

6. The recipient of funds shall be required to submit the following reports to the Business Administrator on the 15th day of each month for the previous month, for each year of construction until Project Completion.

(a) Certified Payroll Report specifying the residence, gender and ethnic/racial origin of each worker, work hours, and the rate of pay and benefits provided.

(b) Representatives of the City shall be permitted to have appropriate access to all work sites in order to confirm the veracity of the Payroll Report.

(c) Such Other Reports or other documents as the City may reasonably request from time to time in order to carry out purposes of the ordinance.

7. Remedies.

In the event of default the recipient shall be provided with a written notice of default allowing ten (10) days to cure the default. Should the recipient fail to cure, then, in addition to any other remedies available at law or in equity, including termination, the City shall be to require the refunding of all payments made by the City to the recipient, including payments made prior to the default or termination.

D. Project Location: Affordable Housing Trust Funds may only be used for an affordable housing project in the same Ward as the Project that generated the contribution.

~~D~~E. Dedication ratios: Trust Funds calculated as of July 1st of each year, shall be dedicated as follows:

Income Breakdown

1. A minimum of thirty (30) percent of the Trust Funds shall be dedicated for very low (fifty (50) percent or below area median income) or special needs housing including housing for senior citizens, the disabled or homeless or other special needs populations, with at least ten (10) percent reserved for housing designed to accommodate large families (three or more bedrooms);

Activity Breakdown

~~1.~~ Up to ten (10) percent of the Trust Funds will be dedicated to reasonable pre-development activities;

~~2~~1. Ten (10) percent of the funds shall be retained by the City for its own administrative fees, and/or capacity building activities for local community development corporations;

~~3.~~ Up to thirty (30) percent of the funds may be used to acquire property for the development/redevelopment of affordable housing;

~~4~~2. Balance of funds will be dedicated to hard construction costs.

~~E.~~ Pre-Development Costs: Only non profit or public entities will be eligible to use funds for Pre-Development Costs. Pre-Development Costs may not exceed the lesser of ten (10) percent of the total project budget or one hundred thousand dollars (\$100,000.00) for any one project. All Pre-Development Costs must be pre-approved and in the City's sole discretion, reasonable, and based upon the total project budget. Pre-Development Costs are limited to the following:

1. Financing fees;

2. Application fees;

ORDINANCE AMENDING CHAPTER 304 (TAXATION) ARTICLE VI (LONG TERM TAX EXEMPTIONS AFFORDABLE HOUSING TRUST FUND) OF THE JERSEY CITY MUNICIPAL CODE

- 3. ~~Legal fees;~~
- 4. ~~Environmental testing;~~
- 5. ~~Engineering fees;~~
- 6. ~~Costs related to securing local site plan approval;~~
- 7. ~~Architectural fees;~~
- 8. ~~Title report;~~
- 9. ~~Survey costs;~~
- 10. ~~Project management fees.}~~

F. No Change.

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

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

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

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

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

6/07/12

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required

Not Required