

# **Water Street Redevelopment Plan**

**as Amended and Adopted by the Municipal Council**

**of the**

**City of Jersey City**

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# **WATER STREET REDEVELOPMENT PLAN**

## **I. INTRODUCTION**

The Water Street Redevelopment Plan (the Plan) will regulate development within the Water Street Study Area (the Study Area). The Study Area is primarily comprised of industrial buildings; some of which are dilapidated and others that are in poor to fair condition. The majority of the area is currently zoned I-2, Intensive Industrial District, although the northwestern portion of the Study Area is zoned R-2, Low Density Residential. The surrounding area to the north and east is primarily residential in character with a commercial corridor along West Side Avenue. To the west, the area is zoned HC (Highway Commercial). The existing land uses generally follow this pattern. NJ Transit's adjacent commuter parking lot which was intended to serve the West Side Avenue light rail station, but which proved to be vastly underutilized, was added to the Plan area in March 2004.

The setting for the Water Street Redevelopment Plan is an area of approximately 15 acres located about a quarter mile south of Communipaw Avenue and about a half mile from the municipal border with the town of Kearny, New Jersey. Historically the area under study has been industrial in nature, although the immediate adjoining neighborhood is residential. This is typical of many older urban areas where residential homes were constructed immediately adjacent to industrial land uses. Many times the people living in the homes worked in the adjacent factories and industrial plants. It was not uncommon for people in this era to walk to work. Times have changed, however, and it is now common planning practice to segregate industrial land uses from residential land uses. The noise, smells and traffic associated with industrial land uses is considered to be deleterious to the proper development of residential neighborhoods and the peaceful enjoyment of these neighborhoods by the residents.

This particular area developed as an industrial area because it was at the time on the outskirts of the City and had good transportation access. The Morris Canal adjoined the Study Area along its western edge. Later, the area was served by two railroad lines, one running east to west and the other north and south in the approximate location of the old Morris Canal. Route 440, a State highway also adjoins the Study Area.

As far back as the 1960's, the character of the area began to change. Commercial uses began to be developed along Route 440 to service the residential community. More and more homes were developed on infill lots and larger subdivisions, such as the Country Village neighborhood, were developed on new landfill adjacent to the highway. Later, the railroads discontinued service and industrial development and land use began to decline. Some factories were demolished and residential development constructed, such as on the Inland Steel facility. In other instances, factories were replaced by commercial development such as the Stadium Plaza on the old Kellogg factory site. Today, most of the industrial land uses along the highway have been replaced by automobile dealerships, a Home Depot, shopping plazas or other commercial development. In another instance, New Jersey City University is utilizing a former industrial site to expand its campus.

Commercial development in the area along Route 440 has undergone a particular resurgence lately. The Hudson Mall, which is directly across the highway from the Study Area, evolved from what was at first an open-air strip center. Recently, the Mall has been able to attract a Marshall's and Old Navy to complement the existing Kids R Us, Toys R Us, Staples and numerous other smaller stores.

Clearly, industrial development is no longer appropriate for this area. The area along Route 440 is much more suitable for commercial development and the area immediately adjacent to the Study Area to the east and south is primarily residential in character. The majority of the structures are one and two family homes. For the most part, the homes are well maintained and the streets are narrow and tree lined. The proximity of the industrial uses in the Study Area are in stark contrast to the otherwise tranquil setting of this residential neighborhood. The construction of the new light rail transportation system is further evidence of the suitability of the eastern portion of this area for residential development. This new transportation facility will link the Study Area and surrounding neighborhood to the burgeoning Jersey City waterfront and the PATH system. A brand new station is currently under construction immediately adjacent to the Study Area to the east. The timing is now right to provide for the transition of this area from industrial to residential and commercial land uses.

The purpose of the Plan is to provide a comprehensive development plan that will allow and encourage the redevelopment of this area in a manner that will guide the orderly transition from industrial land uses to residential and commercial land uses as is now appropriate.

## **II. BOUNDARIES**

The Water Street Study Area consists of Tax Lots found on six Tax Blocks in the West Side section of Jersey City. The Block Numbers for these Tax Blocks include 20701, 20702, 20703, 20403, 21701, and 21802. The following are the Lot numbers on each of the Blocks which are to be included in the Study Area. The boundary of the Study Area is also depicted on Map 2.

Block	Lots
20403	entire block
20701	entire block
20702	58 & 59
20703	1 through 12
21701	2 through 11
21802	1 through 8, 29 through 33

## **III. REDEVELOPMENT OBJECTIVES**

- A. The planning and development of the portion of the redevelopment area that is contained within blocks 20701, 20702, 20703, 20403, 21701, and 21802 as primarily residential development compatible with the surrounding neighborhood, and the planning and development of the portion of the redevelopment area that is contained within blocks 21802 as vibrant, mixed use, high intensity pedestrian oriented environment that has a definite functional relationship with the existing West Side Avenue light rail station and pedestrian plaza.

- B. Allow for the development of commercial facilities along Route 440 consistent with the development pattern in the area and recognizing the high volume of traffic along this major traffic corridor.
- C. To provide for the orderly phased conversion of industrial land and buildings within the redevelopment area to residential and/or commercial land uses consistent with the development pattern in the area.
- D. The elimination of substandard and dilapidated structures and the removal of blighting influences.
- E. The improvement of the functional and physical layout of the project area for the contemplated new development to provide for improved traffic and pedestrian circulation, including the possible widening of Route 440.
- F. To provide site improvements for the beautification of the Redevelopment Area and surrounding areas.
- G. The planning and development of an elevated westward extension of the West Side Avenue light rail line through Block 21802, Lot 2 and toward State Highway 440.

#### **IV. PROPOSED REDEVELOPMENT ACTIONS**

It is proposed to substantially improve and upgrade the Water Street Study Area through a combination of redevelopment actions which will provide a uniform and consistent attack on blight within the Study Area by systematically removing blighting influences in an orderly manner, starting with those structures and properties most deleterious to the Area; and permitting the interim re-use of sound structures during the phased redevelopment of the entire area.

- A. Demolition of structures determined to be impediments to sound and comprehensive redevelopment, starting with those most dilapidated.
- B. The consolidation and re-subdivision of land within the Study Area into suitable parcels for development for the new residential, commercial, school and community center land uses, including mixed-use, transit oriented development.
- C. Provision for a full range of public infrastructure necessary to service and support the new development, including reopening or reconfiguring streets in the Study Area.
- D. Construction of new structures and complimentary facilities that are consistent with the land use pattern in the surrounding area.

#### **V. GENERAL ADMINISTRATIVE PROVISIONS**

The following provisions shall apply to all property located within the Water Street Redevelopment Area.

- A. Prior to the commencement of: (a) any new construction, (b) reconstruction, (c) rehabilitation (d) any change to the interior floor plan of any structure, (e) any change in the use of any structure or parcel, or (f) any change in the intensity of 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 and site plan approval. No Building Permit shall be issued for any work associated with a through f above, without prior site plan review and approval of such work by the Planning Board.

- B. 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.

Site plan review shall be conducted by the Jersey City Planning Board pursuant to NJS 40:55D-1 et seq. Site plan review shall consist of a preliminary site plan application and a final site plan application. Site plan review shall be conducted by the Planning Board, pursuant to NJSA 40:55D-1 et seq., pursuant to the requirements of the Jersey City Land Development Ordinance and this Plan. Final site plan approval for any phase may be conditioned upon submission of performance guarantees for unfinished site improvements in accordance with NJSA 40:55D-53. Such performance guarantees shall be in favor of the City of Jersey City and in the form approved by either the Corporation Counsel of the City of Jersey City or the Attorney for the Jersey City Planning Board, as determined by the Planning Board.

The amount of such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of improvements within one (1) year of final site plan approval.

- C. 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.
- D. 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 storm water 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 storm water 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.
- E. 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 one (1) year in duration. The Planning Board may grant up to two (2) additional one (1) year renewals of interim uses.
- F. Non-conforming uses and structures may continue to function within the redevelopment area during the redevelopment of Block 21701 and Lot 1 on Block 20703. Provided, however, that once redeveloped for a permitted use, no property may be returned to any use not expressly permitted in this Redevelopment Plan. And further provided that no non-conforming use or structure may be expanded or made more non-conforming in nature.
- G. 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 a deviation from the regulations contained within this Redevelopment Plan related to a

specific piece of property where the purposes of this Redevelopment Plan would be advanced by such deviation from the strict application of the requirements of this Plan; and the benefits of granting the deviation would outweigh any detriments. The Planning Board may grant exceptions or waivers from design standards, from the requirements for site plan or subdivision approval as may be reasonable and within the general purpose and intent of the provisions for site plan review and/or subdivision approval within this Plan, if the literal enforcement of one or more provisions of the plan is impracticable or would exact undue hardship because of peculiar conditions pertaining to the site. No deviations may be granted under the terms of this section unless such deviations can be granted without resulting in substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan. No deviations may be granted which will result in permitting a use that is not a permitted use within this Redevelopment Plan. An application requesting a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accordance with the public notice requirements set forth in NJSA 40:55D-12.a. & b.

- H. 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.

## **VI. GENERAL DESIGN AND LAND USE STANDARDS AND REQUIREMENTS**

The following standards and requirements shall apply to all zones, except where otherwise noted:

- A. No junked motor vehicles, or parts thereof shall be permitted to be stored on any lot within the Area. Outdoor parking of vehicles that are inoperable or unregistered shall be prohibited.
- 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 connections to public and private utilities.
- C. Chain link fencing shall be prohibited along all street frontages within the Area, both residential and commercial, except during construction. Only tubular steel or mild steel, "wrought iron", decorative type fences will be permitted in such areas and shall not exceed three (3) feet in height. Wooden board-on-board, picket fences or other types of fences may be permitted where the sides of properties adjoin street rights of way and/or where visual screening is appropriate, and may exceed three (3) feet in height, subject to review and approval by the Planning Board. Chain link fencing may be used along interior lot lines or along alleys 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.
- D. No Billboard shall be permitted on any property contained within the Plan Area.
- E. No signage shall be permitted within the Plan Area, which includes flashing, blinking or otherwise animated lights and/or parts, spinners, pennants, reflective materials, which sparkle or twinkle and/or similar materials; except for seasonal holiday decorations.
- 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 shall have windows on both street frontages. When a building side faces a street it shall be decoratively appointed to mimic the front entrance. It shall also incorporate a special detail/feature such as a bay window, French balcony, or other such feature that is found acceptable by the planning Board.
- H. All parts and components of cellular phone antennas, satellite dishes, and television and radio antennas shall be completely screened from view from all directions and elevations on existing or planned structures, 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, 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 and from street level. Said screening shall be constructed in a manner that is pleasing to the eye and consistent with the surrounding architecture and the architecture of the building, and shall utilize the same materials used in the construction of the building, such that the screening appears to be an integral part of the building.
- J. Upon demolition of any existing structures, the site shall be graded; planted, sodded, paved and &/or developed in accordance with this Plan.
- K. All trash receptacles shall be adequately secured and enclosed. All exterior dumpsters shall be encompassed by opaque perimeter screening that is greater in height than the height of the dumpster and shall utilize materials similar to those used in the construction of the building. Said screening shall be constructed in a manner that is pleasing to the eye and consistent with the architecture of the building,
- L. On-street parking of trucks, tractor-trailers, trailers of any type, and buses, mini-buses and jitneys shall be prohibited.
- M. All outdoor storage shall be prohibited. The storage, processing, separation, or transfer of garbage or waste materials shall be prohibited.
- N. Uses, such as; Automotive and truck sales, repair, bodywork and painting; Service stations; Motor freight and shipping; Heavy industrial uses; Junk yards, scrap yards and salvage yards; any other similar use; and any use which might result in 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 are expressly prohibited.
- O. All buildings within the Redevelopment Area must display the street address of the building such that it is clearly visible from the adjoining street right of way.
- P. In order to facilitate the overall redevelopment of the Study Area, surrounding area and the City of Jersey City in general; all advertising, signage and other promotion of the development and redevelopment of the Study Area shall contain references to the proposed project's location in the City of Jersey City so as to promote the positive aspects of the project, Study Area and the City of Jersey City.



- Q. All protrusions and ventilation through the rooftops shall be bundled and screened in false chimneys, except that plumbing stacks may remain separate provided they are painted to match the roofing material.
- R. All property within this Redevelopment Area that abuts or is in close proximity to Route 440 shall be developed in a manner that adheres to the setback requirements adopted 8-31-2011 by Ordinance #11-094 of the City of Jersey City.

## **VII. URBAN DESIGN REQUIREMENTS**

The following requirements shall apply to all zones, except where otherwise noted:

### **A. Building Design Requirements**

1. All structures within the project area shall be situated with proper consideration of their relationship to other buildings, both existing and proposed, in terms of light, air and usable open space, access to public rights of way and off-street parking, height and bulk.
2. To the greatest extent possible, buildings should be oriented toward the street so as to contribute to the overall liveliness of the pedestrian environment. Commercial activities located along Mallory or Claremont Avenue shall be oriented to the pedestrian sidewalk environment. All commercial uses within the Highway Commercial zone shall have at least one pedestrian access on Mallory Avenue.
3. Residential buildings within the project area should be designed such that the front facades do not create the appearance of a blank wall or a continuous row of garage doors along the street right of way. The use of design features such as, but not limited to stoops and porches, architectural fenestration, decorative window treatments, landscaping, &/or other architectural features and traditional front yards is required. The residential development within the Mixed Use Residential zone shall also present a strong pedestrian focal entrance point at Mallory Avenue toward the light rail facility to the east.
4. Non-residential building within the project area shall be designed such that the front facades provide visual interest through the use of architectural elements such as window bays, cornices, pilasters, etc. and do not create the effect of a blank wall along the street frontage. The street level facade of stores in such buildings shall contain windows that are transparent between the height of three (3) feet and eight (8) feet. Back and side facades should contribute to the scale and appeal of the building by incorporating features characteristic to the front facade. All building facades that face on a public street shall comply with the requirements of the primary facade.
5. Mid-rise apartment buildings within the Mixed Use Residential Zone should be designed to evoke an industrial aesthetic appearance to provide a transition from the former industrial uses of the Study Area to the existing residential uses in the surrounding areas.
6. All single family, two-family and three family houses and townhouses shall be developed with a variety of basic design materials including, but not limited to, color vinyl siding, detailed trim and doors, fypon, vinyl and brick detailing, and window and door details. Materials and design shall vary within each building luster, changing window style, door style, roof line and height, roofing material color and other accents. At a minimum, first

floor windows shall be 6 feet in height. In addition a transom shall also be incorporated to further enhance the look / size of the window. Upper floor windows shall incorporate a French balcony or other window accent acceptable to the board.

7. All apartment and townhouse buildings with ground floor parking shall incorporate a stone or masonry like base material such as Arriscraft, not concrete or decorative standard block. It shall be appointed with decorative punched style windows and decorative metal grills, stone colored stoops to break up the façade, topped with decorative railing, with a minimum of three stair sets per stacked row. Stacked townhouses shall include cornices that vary for each stacked bay, varying both window design and lintel design, and incorporating some French balconies as an accent at key locations to add interest. Facades for these high density stacked buildings shall incorporate standard or long brick, and /or stucco and utilize fypon, hardy plank, stone, concrete and brick detailing for accents.
8. Porches shall not be enclosed or gated with metal, mesh wire or other railing material. Exterior window or door grills or bars are prohibited.
9. Signs shall be designed to complement the buildings architecture. Natural materials and external illumination are required. Lettering should be kept simple and clear and complement the style of the building. Plastic signs and internally lit signs are prohibited. Illumination of all signs should be designed so as to avoid glare. Bright multi-color signs should be avoided, not more than three colors is required.
10. Groups of related buildings shall be designed to present a harmonious appearance in terms of architectural style and exterior materials. Buildings shall be designed so as to have an attractive, finished appearance when viewed from all vantage points within and outside the Area. Materials used for screening of rooftop mechanical equipment shall be harmonious with those used in the building's facade, such that the screening appears to be an integral part of the architecture of the building.
11. No window sill of any window to a residential unit within the Mixed Use Residential zone shall be less than five (5) feet above the elevation of the nearest sidewalk or pedestrian pathway, and no window sill of any window to a residential unit within the Transit Oriented Development zone shall be less than six (6) feet above the elevation of the nearest sidewalk or pedestrian pathway. If lower, a decorative wrought iron looking style fence shall be added along the property frontage to create a private front yard. The fence shall have a gate and be no higher than 3 feet.
12. All outdoor storage shall be prohibited. Any storage area that may be required shall be contained within the principal structure.

#### B. Landscaping and Lighting Requirements

1. Landscaping shall be required for any part of any parcel not used for buildings, off-street parking and/or loading spaces. All proposed site plans shall include plans for landscaping indicating the location, size and quantity of the various species to be used. A minimum of ten (10%) percent of any lot, site or parcel used for commercial or medium rise apartment purposes must be landscaped area; and a minimum of twenty (20%) percent of any lot, site or parcel used for other residential purposes must be landscaped area.

2. Surface parking lots for five (5) or more vehicles, and all exterior loading areas, shall provide a decorative screen planting area not less than five (5) feet wide along any street line, along all property lines and adjacent to ground level parking areas.
3. Within the parking area, a minimum of one tree shall be planted for every 5 parking spaces. Street trees planted along the street right of way shall not be counted toward this requirement. Landscaping shall be maintained with shrubs no higher than three (3) feet and trees with branches no lower than ten (10) feet, and designed so that the landscaping is dispersed throughout the parking area.
4. Green space (trees, shrubs, flowers, etc.) shall be used as buffers and to accent entrances, arcades and sidewalks.
5. All screen planting shall consist of evergreen material that is four (4) feet to six (6) feet high at the time of planting and that is planted on a center that is consistent with the mature spread of the species planted in order to achieve a solid screening effect.
6. All plant material used must be able to withstand the urban environment 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. Any landscaping which is not resistant to the urban environment or that dies shall be replaced by the developer or property owner.
7. Trees shall be planted along curb lines of streets at a maximum of thirty (30) to forty (40) feet apart on center or in groupings, in a regular pattern or spaced alternately on either side of streets. Each tree pit shall contain either: a decorative metal grate, decorative fence surround, decorative paving treatment or similar treatment, to further enhance the aesthetic quality of the pedestrian environment in the redevelopment area. Main thoroughfares through the redevelopment plan area shall utilize tree grates while secondary, side streets, may choose from the list above.
8. Lighting within each site shall sufficiently illuminate all areas, including those areas where buildings are setback or offset to prevent "dark corners".
9. All lighting sources must be adequately shielded to avoid any glare. The area of illumination shall have a fairly uniform pattern of at least one-half (0.5) foot-candles and no greater than 2.0 foot-candles.
10. Lighting fixtures shall be in scale with the street and size of the project and shall be a maximum of sixteen (16) feet above grade. Pedestrian lighting shall be provided along the pathways and sidewalks throughout the site.
11. All plazas and/or decks at the top of sub-surface parking structures shall be landscaped with trees, shrubs, ground covers and/or lawn areas.

#### C. Circulation and Off-street Parking Requirements

The creation of new blocks within the existing street grid is required pursuant to the provisions as follows, and as shown on Map V Proposed Circulation Plan. Additional vehicular traffic will be generated by the uses that are development as part of this Plan. However, these increases should

be offset to great extent by the mixing of uses, the small block sizes, provision of adequate sidewalks, and convenient access to mass transportation, all of which serve to make pedestrian and bicycle travel more attractive to residents and shoppers in and around the Plan Area.

1. Sidewalk areas must be provided along the street right of ways and shall be properly sized for the safe and convenient movement of pedestrians through and around the Area, taking into consideration the character of the adjoining land uses (i.e. residential, commercial, etc.) and shall be a minimum of fifteen (15) feet wide on Mallory Avenue, Claremont Avenue, Rt. 440, and for the block of any street to which a school abuts. These 15 feet shall include the tree-planting strip and is measured from face of curb. The same are on side streets shall be ten (10) feet, including the tree-planting strip.
2. Sidewalk areas shall be attractively landscaped and durably paved in conformance with Municipal standards and shall be provided with adequate lighting. Pedestrian scale lighting is required.
3. Dead end streets should be avoided to allow for the smooth flow of local traffic and improved access for emergency vehicles.
4. All required parking spaces for residential land uses must be a minimum of 9 feet wide by 18 feet deep. All required parking spaces for commercial and other land uses must be a minimum of 10 feet wide by 18 feet deep. The placement of a curb up to two (2) feet within the required 18 foot depth of the parking space is permitted, provided that there is adequate area for an automobile occupying the parking space to over-hang the said curb a like distance without infringing on required landscaping or pedestrian areas. All aisles shall be a minimum of 24 feet wide.
5. Off-street parking and loading areas shall be coordinated with the public street system serving the project area in order to avoid conflicts with vehicular traffic and/or obstruction to pedestrian walkways and thoroughfares.
6. The ingress and egress to parking and loading areas serving commercial uses in the western portions of the Study Area shall be from Route 440. Secondary access to shopping center parking may be arranged within the approved grid pattern.
7. The area shall be developed in a regular grid pattern formation. The new blocks shall be approximately (200' x 220') two hundred feet by two hundred-twenty feet when measured curb to curb. All new streets shall connect at regular intervals to existing streets and extend to Mallory Avenue, Yale Avenue and Clark Avenue in order to complete the grid. Blocks measuring approximately 130' x 220' shall be permitted to accommodate the Mid-Rise Apartments provided the grid can remain regular.
8. Front yard parking along the street frontages is prohibited throughout the Redevelopment Area, except for commercial uses located along Route 440.
9. 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 Jersey City Zoning Ordinance and section VII.B. of this Plan.

10. Required residential parking shall be provided in enclosed garage area or on street. Blocks of One, two and three family units incorporating stacked duplex townhouse and private garages shall be permitted to count the outdoor apron area as a parking stall. Commercial parking may be at grade in a dedicated lot. 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. The use of wheel stops is prohibited. All parking and loading areas shall be designed in accordance with the requirements of the Jersey City Zoning Ordinance.
11. Parking and service areas shall be separated from streets. Access to said areas shall be clearly designated and arranged so as to avoid the backing in and out of vehicles onto the street right-of-way and to limit conflicts with pedestrian areas.
12. Parking for mid-rise apartments shall be provided off-street. [Parking structures or lots may be at grade level; however, all parking must be screened by the principal building or not appear readily visible from street level. Any parking which are not surrounded by the principal building shall be screened by the use of decorative walls, that incorporate help from landscaped berms and evergreen. Refer to item 6. of Section VII. URBAN DESIGN REQUIREMENTS, A. Building Design Requirements of this document for other detailed requirements concerning parking level screening.
13. Each parking space within mid- rise residential developments must be included within the residential leasehold for a dwelling unit; except that parking spaces in excess of those required may be utilized as visitor parking. All parking spaces shall be numbered or labeled with appropriate ground markings or signage so that the particular space can be assigned to a particular unit, or indicating that the space is a visitor parking space. No parking space may be leased to non-residents of the mid-rise development.
14. All sub-surface &/or basement level parking structures must be mechanically ventilated.
15. Commercial parking shall be separate and distinct from residential parking.
16. Parking for schools should be below grade and under the school structure.
17. Short term (20 minute) on-street convenience parking should be provided adjacent to the Plaza in order to serve light rail passenger pick-up.
18. Curb bump outs shall be provided at street corners within the Transit Oriented Development zone to provide a physical barrier to curbside parking that is too close to the corner, to aid in traffic calming, and to shorten the length of the crosswalk in the street.
19. Curbs in the Transit Oriented Development Zone shall be granite.
20. For pedestrian safety reasons, handicapped accessible curb cuts at street corners within the Transit Oriented Development zone shall be set back from the corner such that there shall be two distinct curb cuts at the corner – one for each street, with a standard curb between. In addition, a decorative bollard shall be placed at each side of each curb throughout the TOD zone.

21. Crosswalks within the Transit Oriented Development zone shall be of different material, color and texture than the rest of the street surface.
22. Alleys providing access to residential parking areas shall have a right-of-way or access easement of 22 feet in width and a cartway of at least 18 feet, and need not provide sidewalks or other exclusively pedestrian walkways within its right-of-way.

## VIII. SPECIFIC LAND USE REGULATIONS

A. **MIXED USE RESIDENTIAL ZONE** - The purpose of this district is to establish a zones which will permit the orderly phased conversion of industrial land uses to residential land uses compatible with the surrounding area and consistent with the Area's location adjacent to a transportation / light rail-station. The permitted height within this Zone has been established to accommodate a mixture of the planned mid-rise development and planned low rise development as well as the existing low-rise residential areas adjoining the redevelopment area along Yale Avenue and Clark Avenue.

### 1. Permitted Principal Uses:

- a. Mid-Rise Residential
- b. Detached and Attached Single Family, Two Family Homes, Three Family Homes
- c. Single Family and Two Family Townhouses and Stacked Townhouses

### 2. Permitted Accessory Uses:

- a. Off-street parking located within the principal building only.
- b. Fences and walls.
- c. Recreation areas and swimming pools, gymnasiums and health club facilities.
- d. Neighborhood retail as part of the ground floor of medium rise apartments, provided that said neighborhood face and have direct pedestrian access from Mallory Avenue.

### 3. Maximum Permitted Density:

- a. Detached and Attached Single Family, Two Family Homes, Three Family Homes  
45 units per acre
- b. Single Family and Two Family Townhouses and Stacked Townhouses  
50 units per acre
- c. Mid-Rise Residential 55 units per acre.
  - i. Affordable Housing Bonus Provision – The provision of affordable housing units is encouraged within Mid-Rise Residential Buildings. As such, when a developer provides affordable housing units within a mid-rise residential building, the permitted density may be exceeded pursuant to the following formula. A developer may construct affordable housing units in addition to the housing units permitted under the base density above. For every one (1) affordable housing unit provided, the developer may also construct four (4) additional market rate units (i.e. one (1) unit out of every five (5) additional units constructed above the permitted unit count must be an affordable unit). For the purposes of this bonus provision, an affordable housing unit is defined as a housing unit affordable to a family of moderate income as defined by the New Jersey Council on Affordable Housing (COAH). The affordable unit must be deed restricted for the use of a family of moderate income for a period of not less than ten (10) years from the date of the first certificate of

occupancy. The maximum density permitted under these bonus provisions shall not exceed 100 units per acre in total, inclusive of units constructed under the permitted base density, the additional affordable units and the additional market rate units.

3. Bulk Requirements for various residential product types:

a. Mid-Rise apartments building with ground floor parking

Maximum Height: 7 stories

Minimum setback from curb: 15 feet from curb

b. Townhouse clusters including a mix of duplex units with flats above

Maximum Height: 4 stories

Minimum setback from curb: 15 feet from curb

c. One-, two-, and three-family dwellings

i. Maximum Height:

a. Principal Buildings- three (3) stories; forty-five (45) feet

b. Accessory Buildings- one (1) story; fifteen (15) feet

c. Fences and Walls- three (3) feet in the front yard area six (6) feet in the side and rear yard area

ii. Maximum Building Coverage: 60%

a. Open porches, decks and patios shall not be calculated as building coverage, provided that at least the minimum landscape standards pursuant to section VII. B. are met.

iii. Minimum Setbacks

a. Detached Homes: Front yard 5 feet, rear yard 15 feet, side yard 3 feet to one side and five feet total to both

b. Attached Homes: Front yard 5 feet, rear yard 15 feet, side yard 3 feet on unattached side

c. Townhouses: Front yard 5 feet, rear yard 15 feet, side yard 3 feet at end of row provided that no building shall be closer than five (5) feet to any street line; and further provided that private garages and sheds may occupy any rear yard area provided that there is at least fifteen (15) feet between the private garage and the principal structure unless the private garage is attached to the principal structure, in which case the private garage shall adhere to the 15 foot rear yard standard.

d. Detached structures may utilize a zero lot line option, wherein one side yard may be reduced to zero feet or near zero feet, provided that the distance between structures on adjoining lots remains at least 5 feet and the total setback for both side yards is at least 5 feet; and provided further that the zero lot line setback cannot be adjacent to a street line. All yards shall be of sufficient size and arrangement to provide adequate air, light and open space; and meet all applicable building construction and fire codes for the proposed building and use.

d. Minimum Lot Size

- i. Detached homes; lot width 28 feet with rear alleys, 30 feet without rear alleys; lot area 2,660 square feet with rear alleys, 2,850 square feet without rear alleys.
- ii. Attached homes; lot width 28 feet with rear alleys, 30 feet without rear alleys; lot area 2,660 square feet with rear alleys, 2,850 square feet without rear alleys.
- iii. Townhouses; lot width 24 feet, lot area 2,280 square feet
- iv. Mid-rise buildings; 6,000 sq ft

***Note:** Regarding minimum lot width; All lots that adjoin Bennett Avenue on their side property line must have an average width of at least 35 feet to accommodate additional buffer planting area along this property line.*

***Note:** Regarding lot depth and lot area; access to parking shall be provided by a rear alley, the area of the rear alley adjacent to the lot shall be considered part of the lot for purposes of calculating lot depth and lot area; notwithstanding that the alley may be a public right-of-way.*

4. Buffers: All lots which adjoin Bennett Street along their western property line must provide a buffer along said property line consisting of a six (6) foot high decorative screen fence, or approved equivalent fence, located along the property line. Chain link or chain/metal mesh of any kind is prohibited. The buffer strip shall be planted with dense row of evergreen trees and shrubs. In addition, street trees shall be planted along Bennett Street not less than thirty (30) feet on center in order to create a visual barrier and aesthetically appealing appearance

Mid- Rise Apartments shall provide a buffer along any property line adjoining a commercial or industrial use or zone. Said buffer may be located within the required setback area and shall be at least fifteen (15) feet wide; with a six (6) foot high opaque decorative metal fence, or approved equivalent fence. The buffer strip shall be planted with a solid row of dense evergreen trees not less than six (6) feet tall at the time of planting and spaced not more than ten (10) feet on center. Additional flowering deciduous and broad leaf evergreen plant material shall also be planted in front of the evergreen trees in order to create a more complete visual barrier and an aesthetically appealing appearance.

5. Building Design Guidelines:

- a. Facade Treatment: The facades shall be designed to invoke aesthetic appearance. The use of masonry materials is required. Design accents are encouraged, such as, porches and entries into the first level dwelling units to encourage and enliven street level activity. Masonry and/or metal materials are required for these porches. The use of EIFS (ie “drivit” type) materials and/or concrete block is prohibited.
- b. Base Treatment: The base of medium rise apartment buildings-of the ground floor, shall consist of masonry (i.e. brick) materials. The use of EIFS (i.e. “drivit” type) materials and/or concrete block is prohibited.
- c. Other Requirements: All requirements of section VII.A. of this plan shall also apply.



d. The Planning Board shall have the authority to review and approve building plans and elevations to determine compliance with the intent and purpose of the above guidelines, including the types of exterior materials, finishes and design.

6. Minimum Off-Street Parking Requirements:

- a. Neighborhood Retail; 2.0 spaces per thousand square feet after the first 5,000 square feet.
- b. Mid-Rise apartments with ground floor parking –0.9 per unit
- c. Townhouse clusters including a mix of duplex units with flats above – same as 1-3 family dwelling shown below
- d. All single-family residential structures 2 spaces\*
- e. All two-family residential structures 3 spaces\*
- f. All three-family residential structures 4 spaces\*

\* except that when parking is provided at the rear or side of a structure such that the curb at the front of the building is available for on street parking, only one space per unit will be required.

7. Permitted Signage

- a. Mid-Rise Apartments - One sign not to exceed eight (8) square feet, attached flush to the building wall, identifying the name of the building or complex, and street address only.
- b. Neighborhood retail – One sign per permitted use, identifying the use, not to exceed 10% of the first story portion of the wall to which it is attached. No plastic or similar material back-lit signs are permitted. Canvas like awnings a maximum of 19 feet in length are required for windows of all retail uses. Waterfall style awnings are prohibited.

The Planning Board shall have the authority to review all sign plans and elevations to determine compliance with the intent and purpose of the above requirements.

**B. HIGHWAY MIXED-USE ZONE (AKA HIGH RISE)** - The purpose of the highway mixed use zone is to provide a suitable area along Route 440 for the development of commercial land uses that are compatible with the area's highway location and consistent with the types of commercial use already existing in the surrounding area, and to accommodate the future development of mixed-use buildings as Route 440 transitions to the proposed Urban Boulevard configuration. The zone line shall run along the center line of Bennett Street & as extended to the south to accommodate a new right-of-way. (See Map 3 -Proposed Land Use Map)

1. Permitted Principal Uses:

- a. At the ground floor level:
  - i. The following uses may be located on the ground floor of a building: retail sales, retail services, category one, two, and three restaurants, bars, financial institutions and services, and commercial health club/fitness center/gym. Restaurants, theaters, and/or health clubs/fitness centers/gyms may also occupy the second floor in this zone provided that the second floor use is connected internally to the ground floor.
- b. Above the ground floor level:
  - i. residential
  - ii. offices (includes general, professional, medical)

- iii. child day care centers
  - iv. civic uses
  - v. Public and private academic and technical schools
- c. Any combination of the above
- 2. Permitted Accessory Uses and structures:
  - a. Home Occupation in any residential unit in accordance with regulations of the Land Development Ordinance, Chapter 345-60.
  - b. Health/fitness Club reserved for the sole use of building occupants, on any floor of a mid-rise or high-rise apartment building
  - c. Roof-Top recreation Meeting and/or community room on the second floor or above of a mid-rise or high-rise apartment building
  - d. Structured parking
- 3. Bulk Standards
  - a. Minimum lot area : 6,000 sq ft
  - b. Minimum Lot Width : 60 sq ft
  - c. Minimum Lot Depth - 100'
  - d. Required front yard – 0'
  - e. Required rear yard – Ground floor or single floor partially above grade parking garages may be built to the rear lot line; all floors above a single story garage level shall provide a minimum of 30 feet.
  - f. Required side yard – Parking garage level(s) may be built to the side lot line. All floors above shall provide a minimum of 5 feet on each side.
  - g. Maximum FAR – 7.7
  - h. Height
    - i. Mezzanines
      - a. Up to two residential floors of a mid-rise apartment building may include mezzanine levels, provided that mezzanines do not cover more than 33% of the interior space below, and provided that the maximum ceiling height of the mezzanine level shall be 9 feet.
      - b. Mezzanines are allowed in all commercial spaces, provided that mezzanines do not cover more than 33% of the interior space below, and provided that where a commercial use is permitted to occupy a second floor, either a mezzanine level or an internally connected second floor shall be permitted, but not both.

Use	Min height	Max height	Min floor-to-ceiling height	Max floor-to-ceiling height
Low Rise	1 story	3 stories	Res: 9 ft Com: 12 ft	Res: 12 ft Com: 15 ft
Mid Rise	4 stories	7 stories	Res: 9 ft Com: 12 ft	Res: 12 ft Com: 15 ft
High Rise	8 stories	12 stories	Res: 9 ft.	Res: 12 ft.
			Com: 10 ft.	Com: 15 ft.

- 4. Parking Standards
  - a. No parking is permitted between the building and the street line.
  - b. Off-street parking for all new construction shall be subject to the following minimum and maximum requirements:

Use	Min. # spaces	Max. # spaces
Apartment buildings	.5 spaces /d.u.	1 spaces /d.u.
Retail, Restaurant, Office (all), Financial	N/A	1 space /1,000 sq.ft. of G.F.A.

- c. All off-street parking shall be provided within the building envelope of the development site. Where on-site parking is not feasible, it may be located within a structured parking garage located no more than 500 feet of the development parcel that is to be shared by other building sites.
- d. Loading Requirements: the requirements of the Zoning Ordinance of the City of Jersey City shall apply.

5. Buffers

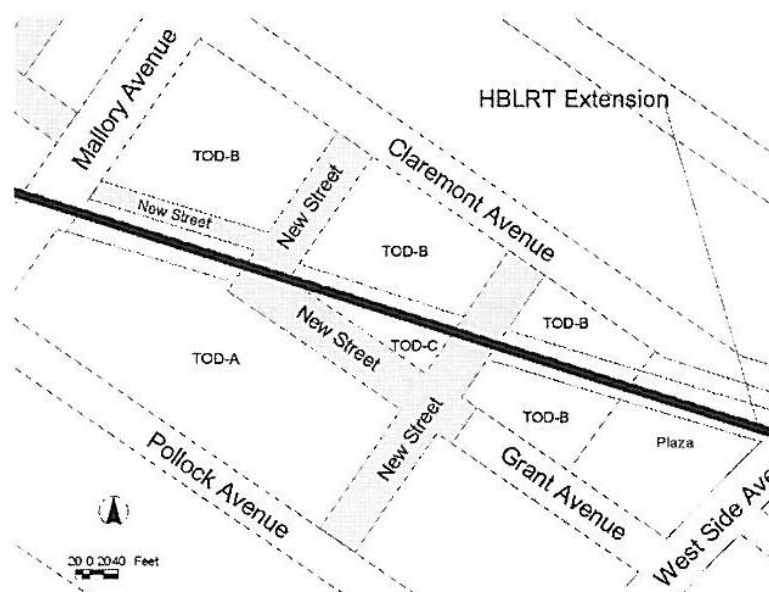
- a. Commercial uses shall provide a buffer along any property line shared with a property containing a residential use or proposed for residential development. Said buffer shall be at least fifteen (15) feet wide; with a six (6) foot high opaque decorative metal fence, or approved equivalent fence. The buffer strip shall be planted with a solid row of dense evergreen trees not less than six (6) feet tall at the time of planting and spaced not more than ten (10) feet on center. Additional flowering deciduous and broad leaf evergreen plant material shall also be planted in front of the evergreen trees in order to create a more complete visual barrier and an aesthetically appealing appearance.

6. Drive Thru Design Standards:

- a. All drive thru facilities shall provide adequate vehicle queuing area so as to prevent the obstruction of on-site circulation lanes, entrance and exit drives to and from the site and traffic flow on adjoining streets and roadways.
- b. All drive thru facilities shall provide a landscaped area between the drive thru vehicular aisle and all adjoining rights-of-way. Landscaping within such landscaped areas shall include evergreen and deciduous trees and/or shrubs; and shall not consist solely of groundcovers, lawn or other low lying vegetation.
- c. Vehicular and pedestrian circulation on-site shall be separated to the greatest extent practical. Where pedestrian crossings are necessary, these shall be clearly marked with signage and pavement markings.

- 7. Total exterior sign area shall not exceed the equivalent of twenty (20%) percent of the first story portion of the wall to which it is attached. Each use shall be permitted one (1) identification sign for each street frontage. Buildings with multiple uses shall have not more than one sign per use, provided that the aggregate area of all signs does not exceed the maximum area permitted for each street frontage. For purposes of calculating permitted sign area, the first story portion of the building shall not be considered to be any taller than fifteen (15) feet in height

## TRANSIT ORIENTED DEVELOPMENT ZONE



The purpose of this district is to create a vibrant mixed use, high intensity, pedestrian oriented environment that has a definite functional relationship with the existing West Side Avenue light rail station and pedestrian plaza. The zone plan includes a school, community center, retail and residential uses, and it is the intention of this plan to build upon the existing pedestrian plaza along the West Side Avenue side of the zone, and to ensure year round vibrancy of the plaza through the placement of retail and residential entrances facing the plaza.

In general, the commercial uses within the TOD zone should be clustered toward the eastern end of the TOD zone in order to be in close proximity to, and an extension of, the adjacent neighborhood commercial zone along West Side Avenue. In addition, the commuter parking structures should also be located in the blocks at the eastern end of the TOD zone in order to be closer to the light rail station; however, blocks should avoid having the single use of parking above the ground floor. Structures are to predominantly range from four to seven stories in height, similar to portions of nearby John F. Kennedy Boulevard.

School and community center may be well served by the light rail station, and also add to the diversity and utilization of the plaza. However, they are considered to be of secondary importance when ensuring plaza vitality, and accordingly they should be located such that they do not monopolize the building frontages abutting and facing the plaza.

The redevelopment of land in this zone must be designed to accommodate an eventual westward extension of the light rail line to Route 440 and beyond, and must be designed to accommodate elevated light rail tracks transverseing the site. The tracks as they transverse the TOD zone may be either stand-alone or incorporated into the structure of new buildings.

The ground floor frontage (gff) ratios that are written into this zone plan are designed to allow flexibility in response to future market and financing conditions, while at the same time perpetuating the vision for a mixed use project. The ratios require a minimum amount of ground floor retail development, except along Mallory Avenue, and set limits for the occupancy of ground floor frontage by non-retail uses.

There is no frontage limitation set by this plan for the upper levels of the structure. For example, residential, community center, office, or additional retail can be placed atop the ground floor retail.

Master Plan Considerations: The Jersey City Master Plan was adopted in May of 2000. Within the Master Plan, the Water Street Redevelopment Plan's TOD Zone is located primarily in a One- and Two-family Residential District that is situated between a Multi-family Mid-rise District and a Neighborhood Commercial/Residential District. The Neighborhood Commercial/Residential district extends along both sides of West Side avenue from near Communipaw Venue to Broadman Parkway, and the West Side Avenue light rail station is located entirely within this district. The above stated TOD Zone purpose is inconsistent with the Master Plan in that the TOD Zone calls for greater intensity and diversity of use than does the Master Plan. However, pursuant to 40A:12A-7(d), the municipal council may adopt a redevelopment plan which is inconsistent with the Master Plan by affirmative vote of a majority of its full authorized membership provided that the reasons for so acting are set forth in the redevelopment plan. The following statement is intended to satisfy this requirement: The reasons for so acting are due to the proximity of the light rail station and the desire to develop the underutilized commuter parking lot in a manner that fully utilizes and is oriented toward this significant mass transit resource, and which will be a positive addition for the residents of this neighborhood. In addition, the potential impact of the proposed increase in intensity and diversity to the adjoining portions of the One- and Two-Family Residential District will largely be mitigated by virtue of the excellent mass transit and highway access provided to the TOD Zone, which bypasses the adjoining One- and Two-Family residential district. In addition, the TOD Zone is entirely consistent with the Bayside Development Plan, which was recently completed as a non-binding study, and which was prepared using a public participation visioning process. The Bayside Plan calls for transit oriented development with a mix of uses and an increase of intensity for the area around the West Side Avenue light rail stop.

# 1. Principal Permitted Uses and Ground Floor Frontage

Principal Permitted Uses are subject to Ground Floor Frontage (gff) requirements and limitations as listed parenthetically for each principal permitted use, and which apply to the use as a percentage of gff for the entire sub-zone.

## a. TOD-A Sub-Zone

- i. School (Zero gff requirement)
- ii. All principal permitted uses in TOD-B (gff requirements as in TOD-B)
- iii. Combination of the above, subject to approval by the Planning Board and to gff requirements

## b. TOD-B Sub-Zone

- i. Art Gallery (Zero gff requirement, but counts towards Retail and Restaurant gff)
- ii. Child Daycare Facility (maximum gff – 25%)
- iii. Community center (maximum gff – 25%)
- iv. Public Parking – commuter or other (above or below ground level only)(maximum gff – 5%)
- v. Office (maximum gff – 25%)
- vi. Mid-rise apartments; single and two-family townhouse (maximum combined gff – 40%)
- vii. Museum (Zero gff requirement, but counts towards Retail and Restaurant gff)
- viii. Outdoor public space (MINIMUM gff – 5%)

- ix. Retail sales; retail services; restaurant, category one or two (MINIMUM combined gff – 50%)
  - x. Theater or Cinema (except abutting Mallory Avenue)(Zero gff requirement)
  - xi. Combination of the above, subject to approval by the Planning Board and to gff requirements
- c. TOD-C Sub-Zone
    - i. Light rail tracks and supporting structures
    - ii. Pocket park
    - iii. All principal permitted uses in TOD-A and TOD-B, provided that the westward extension of the light rail tracks through TOD-C is also accommodated
    - iv. Combination of the above, subject to approval by the Planning Board and to gff requirements
  - d. Plaza Sub-Zone
    - i. Pedestrian Plaza or Town Square
2. Permitted Accessory Uses
- a. TOD-A, TOD-B, and TOD-C Sub-Zones
    - i. Awnings
    - ii. Benches and Street Furniture
    - iii. Concessions (interior)
    - iv. Courtyards
    - v. Fences and Walls
    - vi. Retail Sales (except abutting Mallory Avenue)
    - vii. Landscaping
    - viii. Laundry facility
    - ix. Lobby
    - x. Off-street parking located above or below the ground floor of the principal structure
    - xi. Outdoor public space
    - xii. Playground
    - xiii. Recreation areas and swimming pools, gymnasiums and health club facilities
    - xiv. Signs (for non-residential uses only)
    - xv. Bicycle racks and Bicycle lockers
  - b. Plaza Sub-Zone
    - i. Benches and Street Furniture
    - ii. Fences and Walls
    - iii. Landscaping and Planters
    - iv. Playground equipment
    - v. Sculpture
    - vi. Fountain
    - vii. Bicycle racks and Bicycle lockers
3. Bulk Requirements

Prior to Master Plan or preliminary site plan approval for any land within the TOD-C Sub-Zone, a viable path of a future light rail extension shall be determined based upon professional engineering analysis. No structure in the TOD zone shall interfere with or encroach upon the

path of the future light rail extension. In addition, the requirements as shown in the following table shall apply.

	TOD-A (except school) TOD-B		School	TOD-D
Minimum Building Height	35 feet		20 feet	15 feet
Maximum Building Height	75 feet		75 feet	75 feet
Maximum Setback	Mallory and Claremont Ave.	20 feet*	20 feet	20 feet*
	Other streets	15 feet	20 feet	10 feet
Maximum Building Coverage	60%		50%	60%
Maximum Lot Coverage	75%		80%	75%
Minimum Ground Floor Ceiling Height	15 feet		15 feet (applies only to primary entry)	-
Maximum Residential Density	60 units/acre		-	60 units/acre

\*Conditional maximum front setback for Public Space: A greater setback shall be permitted for up to 30% of the length of the façade of a building in the TOD-A and TOD-B Sub-zones, as may be needed to accommodate an outdoor public space, where such space contains benches, a significant permanent art installation, and a minimum of 25% landscaping coverage, which space shall not be fenced nor gated, and which shall be free and open to the public, and to which vehicular access shall be prohibited.

#### 4. Parking Requirements

All required parking shall be off-street and contained within structures or below grade wherever feasible. Individual curb cuts for individual residences shall be prohibited. Minimum off-street Parking requirements for all Sub-zones shall be pursuant to the following table:

Use	Parking Requirement (all are minimums unless otherwise noted)
Community Center	1.0 spaces per 1,000 square feet of gross floor area
Office	0.7 spaces per 1,000 square feet of gross floor area, which may be offset by ..
Residential	0.0 spaces for efficiency units
	0.5 spaces per 1 bedroom unit

	1.0 spaces per unit with 2 or more bedrooms
	0.2 spaces per bedroom for senior housing
Retail sales, retail service, restaurant, bars, theater, cinema, art gallery, museum	1.0 spaces per 600 square feet of gross floor area, excluding the first 5,000 square feet of gross floor area
Public Parking (commuter or other)	The commuter parking lot that exists at the time of adoption of the TOD zone contains 822 parking spaces, with 100 leased to the Jersey City Board of Education, and about 40 spaces used by HBLRT riders. NJ Transit representatives tell us that their official position is that they will not need more than this number of spaces in the future, and that they very well may be able to reduce this number, while still working to increase utilization of the parking lot by HBLRT riders. Therefore, the maximum permitted number of parking spaces shall be 822 for the entire TOD zone, but it is understood by both NJ Transit and the City of Jersey City that should NJ Transit determine that they do not need the full amount that NJ Transit may reduce the number of spaces that are maintained for commuter parking.
Non-commuter parking spaces that are provided as permitted by this section may not be used for commuter parking; however, commuter parking that is provided pursuant to this section may be used for the non-commuter permitted principal uses of this section provided that evidence of agreement by the owner of the commuter parking facility to the use of the parking facility is provided to the Jersey City Planning Board.	

5. Off-Street Loading Requirements: The requirements of the Jersey City Land Development Ordinance section 345-70, as amended, shall apply.
6. Building Design Requirements. All requirements of section VII.A of this Plan shall apply, as well as the following:
  - a. Façade articulations are encouraged, and the use of projecting windows and balconies should be maximized.
  - b. All structures should incorporate masonry into the façade design, including but not limited to stone, brick, textured concrete, etc. Stainless steel and/or glass may also be used. Materials such as EIFS and concrete block are prohibited.
  - c. All buildings over 40 feet in height shall incorporate a base, middle, and top, with each section boldly distinguished by a combination of at least three of the following elements: color, cornice, scoring pattern, step-back, materials, and/or texture. The area of the base on each side shall be at least twenty (20) percent of the façade area for each side.
  - d. All façades shall incorporate a minimum of three colors.
  - e. All façades shall incorporate a minimum of two textures.
  - f. All HVAC grills shall be colored to match the façade color.
  - g. All parking structures shall provide continuation of the lines, materials, and colors of the adjacent principal structures. Parking structures shall also provide fenestration that is complementary to the fenestration of the adjacent principal structures.
7. Signage



Façade mounted signs, where permitted, shall meet the following requirements:

- a. All lettering shall be with individual raised letters. Signs shall not be backlit.
- b. Lighting of signs shall be by façade mounted gooseneck lamps or by halo.
- c. For each primary entry, one sign may be placed on the ground floor façade. Maximum signage area for each sign shall be twenty (20) square feet or five (5) percent of the façade area of the one story on which the sign is mounted, whichever is smaller.
- d. A pedestrian scale directory of all tenants and their building location shall be permitted within the main entrance lobby.
- e. For school and community center uses, a special festival/event identification plan may be implemented, incorporating banner poles attached to the building and/or on a freestanding pole or poles within the front yard. These banners can be used to announce accomplishments, events or activities that are scheduled for the facility. All banners are considered signs and are subject to site plan approval from the Planning Board. The inclusion of this banner component is designed to prohibit the hanging of ad-hoc banners on the front façade of the building. A formal banner to fit onto the planned poles, either freestanding or attached to the building, is required.
- f. Signs in windows, roof signs, freestanding pole signs, and back-lit signs are prohibited.

#### 8. Awnings

Awnings shall be permitted as follows: Awnings shall be triangular in shape, and the metal frame shall be covered with canvas or canvas-like material. Lettering, logos and designs on the awning shall be limited to the skirt. The sloped portion of the awning shall remain blank.

#### 9. Bicycle Storage

All development containing commercial or community center uses, and all residential projects of more than 3 units, shall provide facilities to secure bicycles in the public sidewalk area. All residential developments shall provide bicycle lockers within the parking areas or common areas of the building at a ratio of one locker for every two units. Access to the street from the locker areas shall be unimpeded by stairs or tight corners.

#### 10. Dog Run Requirement

The development of any residential units in the TOD zone shall trigger a requirement that an open air, soft surface dog run of no less than 2,500 square feet shall be constructed either within the TOD zone, or within 200 feet of the boundary of the TOD zone.

## **IX. ACQUISITION PLAN**

The Water Street Redevelopment Area is comprised of a compact and defined area within the City of Jersey City. The Area is important to the community as an area of residential and commercial development compatible with the surrounding land uses and development pattern. Incompatible land uses, vacant land, dilapidated buildings and other impediments to proper development must be removed in an orderly, planned and phased manner. As such, all properties within the Study Area are proposed to be acquired. At this time, it is anticipated that any property to be acquired within the Study Area will be purchased and assembled by private development interests. However, if acquisition in this manner proves to be unsuccessful, municipal acquisition by eminent domain will be pursued in order to create properly planned and developable parcels of land. The developer shall reimburse the City of Jersey City for the costs associated with the acquisition pursuant to a redeveloper's agreement or contract between the designated developer and the Jersey City Redevelopment Agency.

(See Map 4 – Proposed Acquisition Map).

## **X. RELOCATION PLAN**

There is not expected to be any required relocation of persons or businesses to fully implement the Redevelopment Plan. This is the result of the high proportion of vacant and/or underutilized land within the study area and the fact that acquisitions are currently proposed to be carried out by private means. Nonetheless, should relocation become necessary, the process of relocating the affected persons and businesses will receive the careful attention of local officials and the Jersey City Redevelopment Agency, and be conducted in accordance with the requirements of all applicable Federal, State and Local laws.

## **XI. 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 Map and Acquisition Plan (Section IX), which are a part of this Plan, indicate all property to be acquired as a result of this Plan.
- E. The Plan is in compliance with the Jersey City Master Plan and the Master Plan of the County of Hudson. It 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 Water Street Redevelopment Area, and all underlying zoning will be voided.

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

- A. This Plan may be amended from time to time upon compliance with the requirements of law. A fee of five hundred dollars (\$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. If there is a designated developer, as provided for under NJSA 40A: 12A-1 et. seq., said developer shall pay these costs. If there is no developer the appropriate agency shall be responsible for any and all costs.
- 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.

## **XIV. Interim Use**

There shall be no surface parking in the redevelopment plan area prior to during or as part of any phase of the redevelopment plan project implementation, excepting the NJ Transit West Side Avenue Commuter Parking Lot that exists at the time of plan adoption.

**XV. Split Zoned Development Sites:** Any contiguous development site of at least 5 acres in area which overlaps the Mixed-Use Residential and Highway Mixed-Use zone districts (Split Zoned Site) and receives a single preliminary site plan approval (Final Major Site Plan approval may be applied for in phases) may utilize an overall residential development density of 115 units per acre for the entire site as a substitute for the F.A.R. and unit/acre maximums permitted within each zone. Any Split Zoned Site that meets the requirements of this Section XV shall be subject to the following standards instead of the standards required within each zone and in lieu of any other applicable standards contained in any other sections of this Redevelopment Plan.

Further, and in order to facilitate the expansion of the Route 440 right-of-way to accommodate the proposed Route 440 Boulevard as envisioned in Section 345-60.2 of the Jersey City Land Development Ordinance and the Circulation Element of the Jersey City Master Plan, the floor area permitted on Lots 4 and 5 of Block 20701 (approximately 93,078 square feet) pursuant to the Floor Area Ratio requirements of the Highway Mixed-Use district regulations may be utilized on Lots 1 and 2 of Block 20704 on the opposite side of Water Street; provided that Lots 4 and 5 of Block 20701 are then dedicated in perpetuity to the City of Jersey City at no cost to the City. Said floor area shall be in addition to the development rights and density otherwise permitted on Lots 1 and 2 of Block 20704 and may be utilized for any Permitted Principal or Accessory Use.

A. Permitted Principal Uses

1. Multi-family Residential
2. Commercial Uses
  - a. Retail Sales and Services
  - b. Child Care Centers
  - c. Offices
  - d. Medical Offices
  - e. Restaurants (category one and two only) including outdoor cafes
  - f. Bars
  - g. Theaters
  - h. Financial institutions and services
  - i. Health Clubs / Fitness Centers
  - j. For properties in the Mixed-Use Residential portion of a Split Zoned Site, the above commercial uses may only occupy the ground floor; except that restaurants, theaters, and/or health clubs/fitness centers may also occupy the second floor provided that the second floor use is connected internally to the ground floor.
3. Structured Parking – The parking provided within these structures may only serve buildings located within the Split Zoned Site. Shared use parking is permitted. Commuter parking is prohibited.
4. Mixed Uses in any combination of the above.

B. Permitted Accessory Uses and Structures

1. Off-street structured parking.
2. Fences & Walls.
3. Recreation areas, swimming pools, gymnasiums, meeting rooms, and other similar facilities, including roof-top recreation space.
4. Home Occupations.
5. Such other uses customarily associated with and subordinate and incidental to a permitted use within the district.

C. Bulk Standards

1. Minimum Lot Area: 6,000 square feet
2. Minimum Lot Width: 60 feet
3. Maximum Permitted Height:
  - a. For any property in the Mixed-Use Residential Zone portion of the Split Zoned Site – 7 stories
  - b. For any property in the Highway Mixed-Use Zone portion of the Split Zoned Site – 12 stories
4. Floor to Ceiling Height Standards
  - a. Minimum floor-to-ceiling height
    - i. Residential – 9 feet
    - ii. Commercial – 10 feet
  - c. Maximum floor-to-ceiling height
    - i. Residential – 12 feet
    - ii. Commercial – 24 feet, which may include a mezzanine.
5. Required front yard - 0'  
All street frontages shall be treated as a front yard
6. Required side yard – 5 feet, except that parking levels may be built to the side lot line.  
All property lines that intersect with, and are roughly perpendicular to, a street line shall be considered a side property line.
7. Required rear yard – 20 feet.

D. Parking Standards

1. Residential: Minimum - 0 .5 space/unit; Maximum - 1 space/unit
2. Commercial: Minimum - 0; Maximum - 1 space/1,000 of G.F.A.

3. Shared use parking is encouraged. Parking facilities may be located on any lot or development parcel within the Split Zoned Site and may be used by any property within the Split Zoned Site. Parking spaces are not required to be included within the leasehold for any dwelling unit or commercial use.

E. Loading Requirements

1. The requirements of the Zoning Ordinance of the City of Jersey City shall apply.

F. Circulation – A Split Zoned Site shall be developed in a regular street grid pattern as indicated on Map 5.

G. Landscaping and Buffers

1. Landscaping shall be required for any part of any parcel not used for buildings, hardscape, off-street parking and/or loading. All site plans shall include a landscape plan indicating the location, size and quantity of the various plant species to be used. A minimum of ten (10%) percent of any lot, site or parcel must be landscaped area. Landscaped courtyards, rooftops, setback areas and yards may be included in the calculation of the required ten (10%) percent landscaped area. Street trees shall be planted at the curb line along new and existing streets.
2. All lots that share a rear property line with existing residential properties shall provide a buffer along said property line consisting of a six (6) foot high decorative screen fence, or equivalent fence as approved by the Planning Board, located along the property line. Chain link or chain/metal mesh of any kind is prohibited. The buffer strip shall be planted with evergreen trees and shrubs. Buffers are not required along new or existing street lines.

H. Permitted Signage

1. The street address for all buildings must be clearly displayed.
2. Residential Uses – One sign not to exceed twelve (12) square feet, attached flush to the building wall identifying the name of the building shall be permitted on each street frontage. Signage may also be displayed within the glass door or lobby area at the entrance to the building and on any building entrance canopy.
2. Commercial Uses - Each commercial use shall be permitted one sign for each commercial bay that it occupies. Commercial uses that front on multiple streets may have signage on each street. The permitted signage shall be located in a sign band along the street frontage of the building. The sign band shall not exceed 18 inches in height, except that the sign band along Route 440 shall not exceed 24 inches in height.
3. In the alternative, a uniform design signage package for proposed signage within the Split Zoned Site may be submitted to the Planning Board for review as part of the Site Plan Application. Upon approval of the uniform design signage package, the design standards proposed in the uniform design signage package shall apply

instead of the standards found in paragraphs 1 and 2 above or elsewhere in this plan.

I. Interim Uses

1. Surface parking lots as an interim use may be permitted by the Planning Board in order to implement the phased development of a Split Zoned Site. Since the surface parking lot is temporary in nature, the developer is not required to comply with Section VII.B. of this Redevelopment Plan. A surface parking lot is permitted in the front yard, subject to the provision of reasonable screening, such as evergreen landscaping, as approved by the Planning Board. A surface parking lot may be approved by the Planning Board for an initial period not to exceed three (3) years. Extensions of the initial period may be granted by the Planning Board. Interim commuter parking is prohibited.
2. Leasing, sales and construction trailers, subject to the provisions of this Section XV, may be permitted by the Planning Board as an interim use for an initial period not to exceed three (3) years. Extensions of the initial period may be granted by the Planning Board.

J. Transfer of Maximum Permitted Floor Area from Lots 4 and 5 on Block 20701 and Permitted Height

In order to facilitate the expansion of the Route 440 right-of-way to accommodate the proposed Route 440 Boulevard as envisioned in Section 345-60.2 of the Jersey City Land Development Ordinance and the Circulation Element of the Jersey City Master Plan the following development criteria are available to the owner(s) of Lot 4 and Lot 5 in Block 20701 and the owner(s) of Lot 1 and Lot 2 in Block 20704 (collectively the “WSI Developer”):

Floor Area Transfer: The floor area permitted on Lot 4 and Lot 5 in Block 20701 (approximately 93,078 sq. ft.) pursuant to the Floor Area Ratio requirements of the Highway Mixed Use District regulations shall be permitted to be transferred to Lot 1 and Lot 2 in Block 20704. The floor area permitted to be transferred shall be in addition to the development rights and density otherwise permitted on Lot 1 and Lot 2 in Block 20704 and may be utilized for any Permitted Principal or Accessory use.

Permitted Height: Notwithstanding the provisions of Section XV C.3(b) of this Redevelopment Plan, any development on Lot 2 in Block 20704 utilizing floor area transferred from Lot 4 and Lot 5 in Block 20701 shall be permitted three (3) additional floors for a total of up to fifteen (15) stories in order to accommodate the floor area permitted to be transferred pursuant to this Section XV.J.

In order to qualify for the Floor Area Transfer and Permitted Height in this Section, the owner(s) of Lot 4 and Lot 5 in Block 20701 must agree to the following:

1. The WSI Developer must agree to dedicate both lots Lot 4 and Lot 5 in Block 20701 to the City of Jersey City, or its designee, by deed or easement, in perpetuity, for \$10.00 nominal consideration, so that such lots can be utilized for the expansion of Route 440 Boulevard; and
2. The WSI Developer must agree to make, at its sole cost and expense, the following public improvements on Lot 4 and Lot 5 and in the Water Street right-of-way between the northerly side of Claremont Avenue and the southerly side of Clarke Avenue:

- a. Demolish any existing structures on Lot 4 and Lot 5;
- b. Create public parking spaces on Lot 4 and Lot 5 and on-street parking spaces along the easterly side of Water Street between the northerly side of Claremont Avenue and the southerly side of Clarke Avenue;
- c. Install curbing, sidewalks, and landscaping on Lot 4 and Lot 5 along the westerly side of Water Street between northerly side of Claremont Avenue and the southerly side of Clarke Avenue;
- d. Install new inlets and catch basins in the existing surface storm water collection infrastructure in Water Street between the northerly side of Claremont Avenue and the southerly side of Clarke Avenue to provide storm water drainage for the improvements in items b and c above; and
- e. Repave and restripe Water Street between the northerly side of Claremont Avenue and the southerly side of Clarke Avenue in accordance with Jersey City Engineering standards.

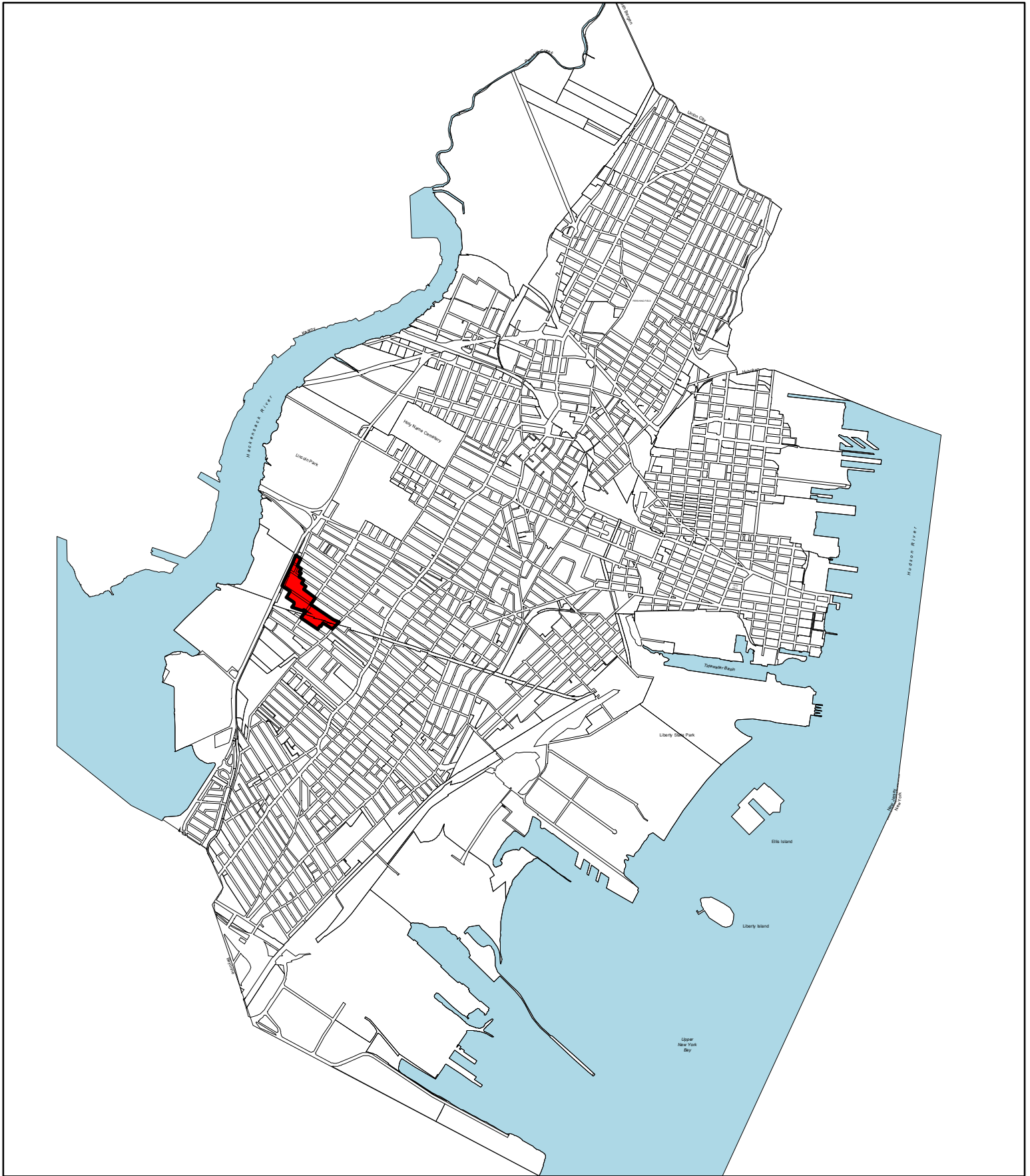
Sub-sections a. through e. above are collectively the "Water Street Improvements".

3. The WSI Developer must agree to become a designated redeveloper and enter into a redevelopment agreement ("RDA") with the Jersey City Redevelopment Agency ("JCRA") prior to filing a site plan application with the Planning Board. The RDA shall memorialize the redeveloper's obligation to construct the Water Street Improvements in accordance with the performance standards set forth in Section 2 (a) through (e) hereof. Nothing herein shall be construed to deprive or dispossess the JCRA of the discretionary exercise of its redevelopment powers enumerated in N.J.S.A. 40A:12A-1 et seq., (the "Act") including the designation of a redeveloper under the Act. These requirements may be waived at the discretion of the JCRA.
4. If the WSI Developer agrees to make the Water Street Improvements, the requirements of Section VII.B, Section VII.C, and Section VIII.B of this Redevelopment Plan (except for the Floor Area Ratio Requirements necessary to enable the Floor Area Transfer) shall not apply. In addition, insofar as Sub-sections a. through e. above are for the purpose of creating public parking spaces on Lot 4 and 5, any provisions of this Redevelopment Plan or the Jersey City Land Development Ordinance prohibiting the use of these lots for parking, requiring landscaped buffers for parking, or otherwise restricting access and location of parking on a lot shall not apply.
5. The WSI Developer must agree to dedicate the Water Street Improvements to the City of Jersey City as public improvements.
6. In the event that the WSI Developer is developing a phased project on Lots 1 and 2 in Block 20704 the it shall complete the construction of the Water Street Improvements prior to the issuance of a final certificate of occupancy for the final phase of such project.

# **XVI**

## **MAPS**





## WATER STREET REDEVELOPMENT PLAN MAP 1: LOCATION MAP

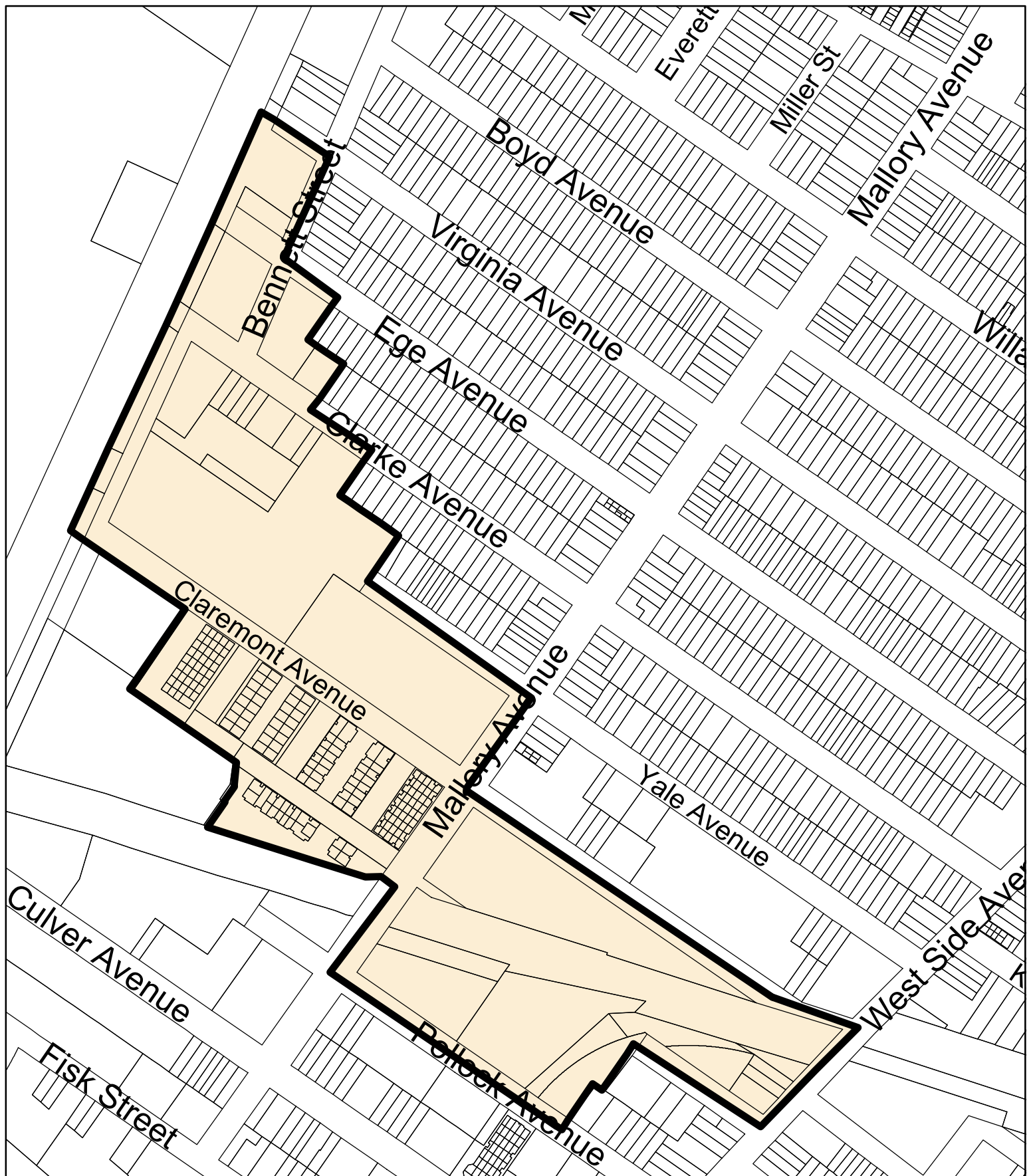
0 2,000 4,000 8,000 12,000 16,000 Feet



APRIL 20, 2012

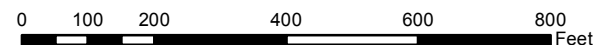


30 Montgomery Street Suite 1400  
Jersey City, NJ 07302-3821  
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Fax: 201.547.4323



WATER STREET REDEVELOPMENT PLAN  
MAP 2: BOUNDARY MAP

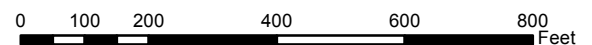
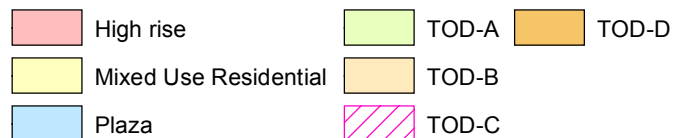
APRIL 20, 2012



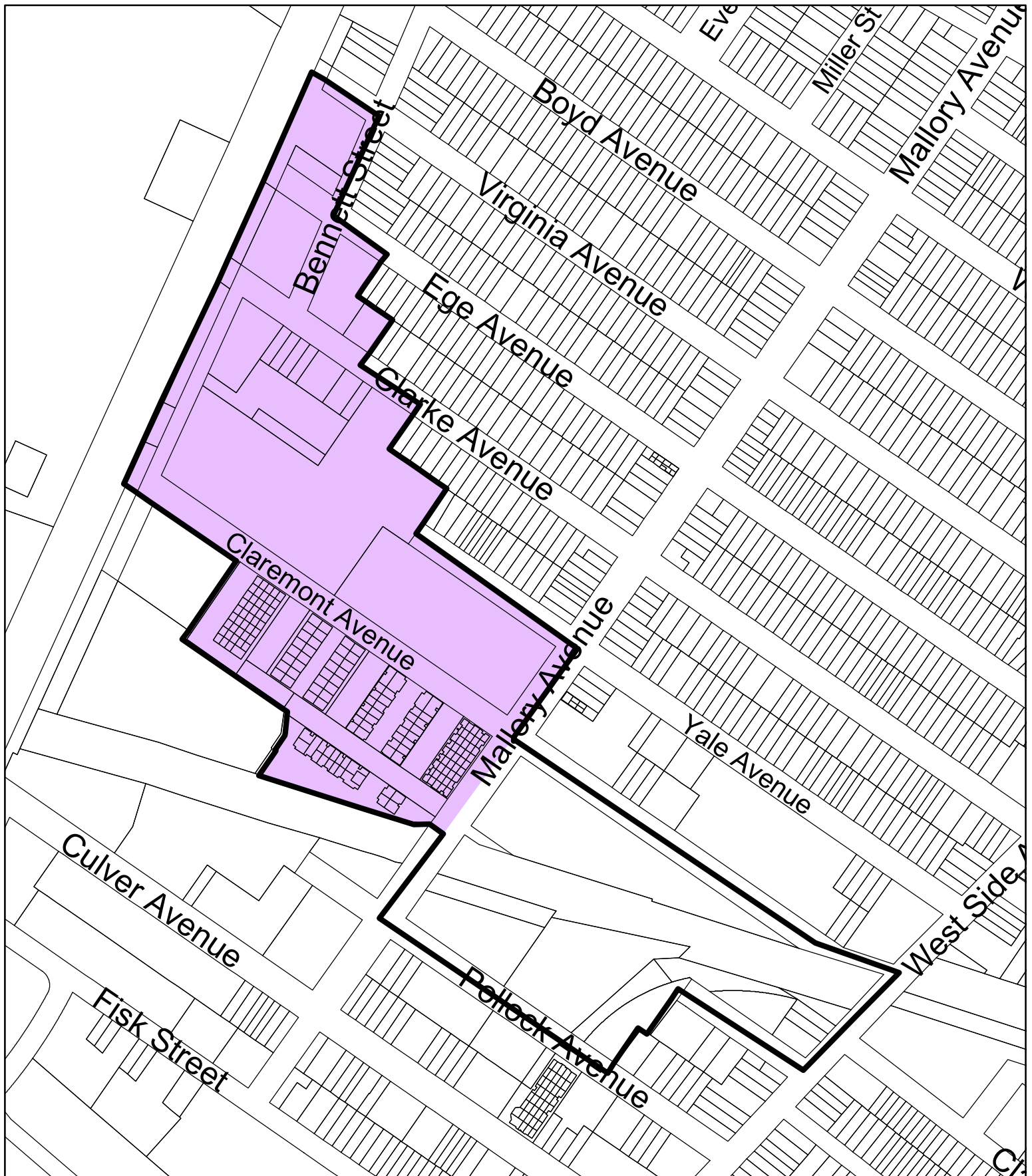


# WATER STREET REDEVELOPMENT PLAN MAP 3: LAND USE MAP

JULY 19, 2013







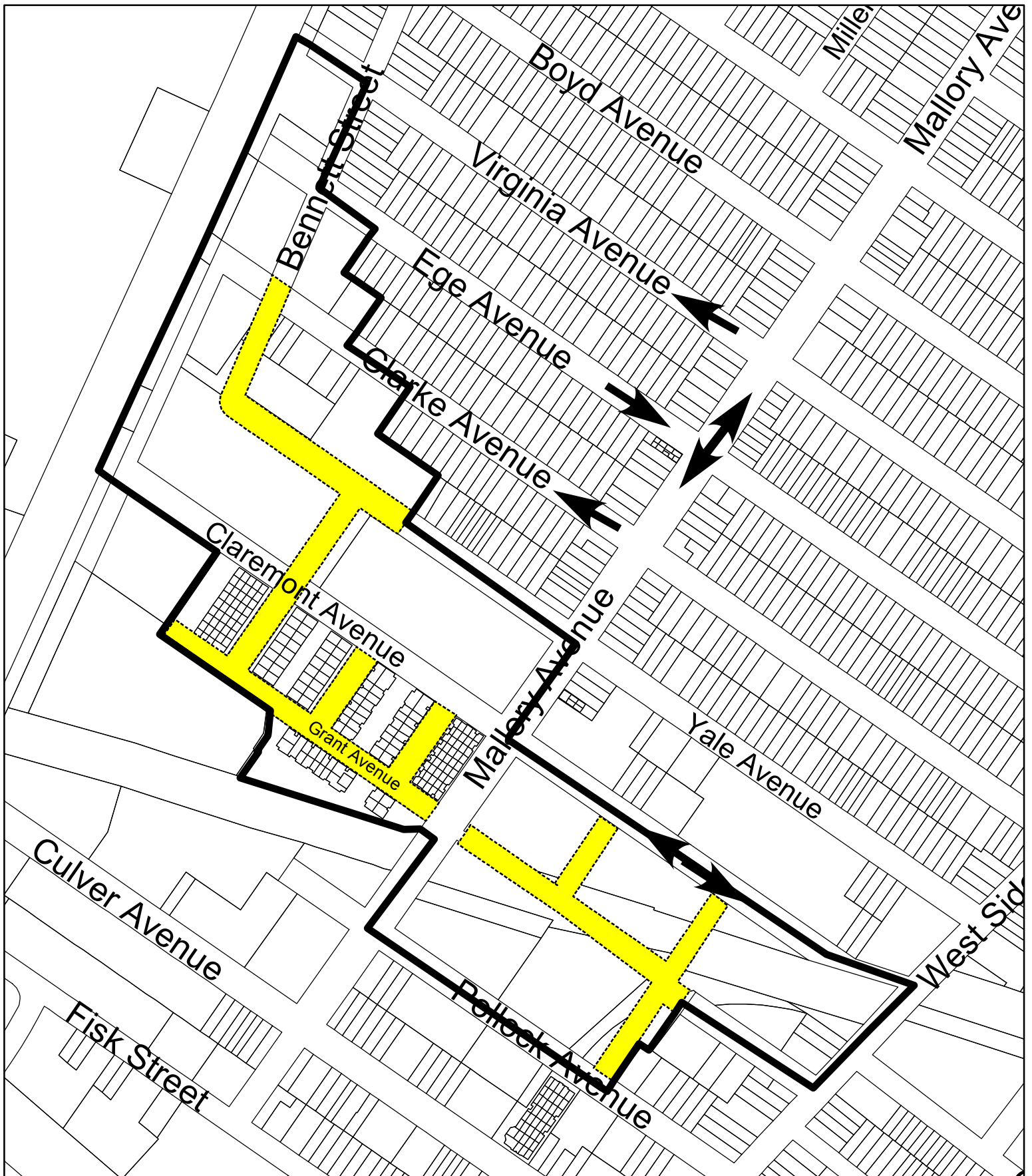
WATER STREET REDEVELOPMENT PLAN  
MAP 4: ACQUISITION MAP

APRIL 20, 2012

 To Be Acquired

0 100 200 400 600 800 Feet





# WATER STREET REDEVELOPMENT PLAN MAP 5: CIRCULATION MAP

APRIL 20, 2012

## Legend

- NEW STREET RIGHT OF WAY
- ParcelsCURRENT

