

City Clerk File No. Ord. 16.126

Agenda No. 3.1 1st Reading

Agenda No. 4.4 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 16.126

**TITLE:**

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING THE JACKSON HILL REDEVELOPMENT PLAN

WHEREAS, the Municipal Council of the City of Jersey City, originally adopted the Martin Luther King Drive Redevelopment Plan on June, 1995, the Monticello Avenue Redevelopment Plan in November 1987, and the Green Villa Redevelopment Plan in January, 1984; and

WHEREAS, the Municipal Council seeks to re-start the redevelopment of the area by updating the standards and regulations within these redevelopment plans; and

WHEREAS, the attached Jackson Hill Redevelopment Plan shall amend and replace the Martin Luther King Drive, Monticello Avenue, and portions of the Green Villa Redevelopment Plans to provide updated development regulations intended to spur the revitalization Jersey City's longest commercial corridor; and

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

WHEREAS, the Jackson Hill Redevelopment Plan has been reviewed by the Jersey City Planning Board at its meeting of July 19, 2016; and

WHEREAS, the Planning Board voted to recommend adoption of the Jackson Hill Redevelopment Plan by the Municipal Council; and

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the Jackson Hill Redevelopment Plan be, and hereby is, adopted.

**BE IT FURTHER ORDAINED THAT:**

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the 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 hereby 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.

Maryann Bucci-Carter, PP, AICP, Director of Planning

APPROVED AS TO LEGAL FORM

APPROVED:

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

Corporation Counsel

Certification Required ☐

Not Required ☐

**ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL**

This summary sheet is to be attached to the front of any resolution/ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution/ordinance.

**Full Title of Ordinance/Resolution****ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY  
ADOPTING THE JACKSON HILL REDEVELOPMENT PLAN****Initiator**

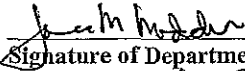
Department/Division	HEDC	City Planning
Name/Title	Maryann Bucci-Carter, PP, AICP	Director
	Jeff Wenger, PP, AICP	Principal Planner / jeff@jcnj.org
	Matt Ward, PP, AICP	Senior Planner / MWard@jcnj.org
Phone/email	201-547-5010	maryannb@jcnj.org /

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

**Purpose**

This ordinance will adopt the Jackson Hill Redevelopment Plan as an amendment to and replacement of the Martin Luther King Drive Redevelopment Plan, the Monticello Avenue Redevelopment Plan, and portions of the Green Villa Redevelopment Plan, which were originally adopted in 1995, 1987, and 1984 respectively. Since that time, insufficient development has taken place within these redevelopment areas. The Jackson Hill Redevelopment Plan shall revise the development regulations of these plans with the aim to better facilitate development and investment in Jersey City longest commercial corridor.

I certify that all the facts presented herein are accurate.

  
Signature of Department Director  
acting

6/7/2016  
Date

## **SUMMARY STATEMENT**

### **ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING THE JACKSON HILL REDEVELOPMENT PLAN**

This ordinance will adopt the Jackson Hill Redevelopment Plan as an amendment to and replacement of the Martin Luther King Drive Redevelopment Plan, the Monticello Avenue Redevelopment Plan, and portions of the Green Villa Redevelopment Plan, which were originally adopted in 1995, 1987, and 1984 respectively. Since that time, insufficient development has taken place within these redevelopment areas. The Jackson Hill Redevelopment Plan shall revise the development regulations of these plans with the aim to better facilitate development and investment in Jersey City longest commercial corridor.

# JACKSON HILL

## Redevelopment Plan

(Formerly MLK Jr. Drive, Monticello Avenue and Green Villa Redevelopment Plans)

As recommended by the Jersey City Planning Board: 7-19-2016



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

## INTRODUCTION

The Jackson Hill Redevelopment Plan Area covers a 2.3 mile long commercial corridor connecting McGinley Square to Greenville. The corridor is centered within the southern half of Jersey City, running along the Palisades' ridge line. It is therefore a strategic corridor for the provision of neighborhood services, amenities, and employment. Near the center point of the MLK-Monticello corridor is "The Hub," an area envisioned to be a mixed use center where the commercial main street intersects with the Hudson-Bergen Light Rail System at the MLK Drive Station. This center point at the light rail station has the potential to serve as an transit-oriented development center where the greatest housing, employment, and services opportunities can be located to benefit the surrounding neighborhoods and energize the nearby commercial streets.

The Jackson Hill Redevelopment Plan seeks to revitalize this commercial corridor by leveraging the light rail station and The Hub development parcels, as well as the corridor's central location in the southern half of the City. The plan preserves the many unique and historic structures along the corridor that establishes the mixed use character and pedestrian orientation of this community. Where opportunities for infill development exist, the plan allows for graduated building height controls that incentivize private consolidation of underutilized parcels and permit additional housing and employment opportunity to help support the primarily walk-in businesses along Jersey City's longest commercial corridor.

The Jackson Hill Redevelopment Plan (hereinafter referred to as the "Area") contains 83 acres, 609 individual parcels and roughly 35 blocks was developed to incorporate the Martin Luther King Drive, Monticello Avenue and parts of the Green Villa Redevelopment Plans into one, comprehensive yet succinct development guideline for the Area. The Area is centered on Martin Luther King Jr. Drive and Monticello Avenue from Fairmount Avenue at the north and McAdoo Avenue at the south incorporating parts of Communipaw Avenue and the area referred to as The Hub (hereinafter referred to as the "Corridor"). The land use of the corridor is mainly 3-story mixed use but also includes: one- and two-family residential, government uses, auto-oriented retail, grocery stores, auto repair, restaurant category 3, schools, houses of worship, and multi-family apartments at a variety of building heights.

Since the original adoption of the Martin Luther King Drive and Monticello Avenue Redevelopment Plans, a modest amount of redevelopment has occurred, yet the objectives of these plans have not been fully realized. Jersey City has experienced renewed population growth and a growing economy; however, the MLK-Monticello corridor has lagged behind in attracting economic development and new construction. Since the original adoption of these redevelopment plans, there have been several key developments. In 2001, New Jersey Transit began light rail service to the Martin Luther King Jr. Drive Station at The Hub. In 2012, the Jackson Hill Main Street Special Improvement District (JHMSSID) was created that encompasses the entire corridor. In 2015, the West Bergen-East Lincoln Park Historic District was adopted adjacent to the Area near Monticello Avenue. The light rail station supports introduction of increased housing opportunity with reduced parking ratios to support retail growth along the corridor. The SID was founded to revitalize the district through implementation of safety improvements, sidewalk cleaning, shopkeeper education, business recruitment and other efforts. Lastly, the newly adopted Historic District adjacent to the Area is a reminder that the Martin Luther King Jr.

Drive and Monticello Avenue corridor was the main commercial street for the surrounding neighborhoods and still has many historically significant buildings and storefronts.

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

*Develop and implement smart growth strategies that locate new residential development within walking distance of bus stops and passenger rail stations, with the highest density zones located within walking distance of passenger rail stations; that mixes residential land use with commercial land use; Create meaningful public spaces that facilitate integration of the built environment with arterials and major transit routes; Parking space requirement maximums that reduce the number of permitted parking spaces in development near fixed rail transit stations in proportion to distance and inversely proportional to the intensity of development.*

## I) BOUNDARIES

The Jackson Hill Redevelopment Plan contains 83 acres and 609 individual parcels stretching from Fairmount Avenue to McAdoo Avenue along Martin Luther King Jr. Drive ("the Drive") and Monticello Avenue. The northern end of the corridor is bound by McGinley Square. At the southern end, Martin Luther King Jr. Drive terminates into Long Street which is residential in character. Specifically, the Plan includes all parcels formerly part of the MLK Drive Redevelopment Plan, the Monticello Avenue Redevelopment Plan, and Block 21102 from the Green Villa Redevelopment Plan. The plan boundaries are formally set by Map 1: Boundary Map.

## II) TRANSPORTATION ACCESS

In 2001, New Jersey Transit began Hudson Bergen Light Rail service to the Martin Luther King Jr. Drive Station at the center of the plan area. In close proximity to the plan area are three additional light rail stations including: Garfield Avenue Station, Richard Street Station, and West Side Avenue Station. There are also numerous NJ Transit bus lines providing bus service to and from the area. East of the redevelopment area, the Turnpike Extension/ I-78 is accessible via the entrance/exit 14B.

## III) REDEVELOPMENT PLAN OBJECTIVES

The Jackson Hill Redevelopment Plan is designed to achieve the following objectives:

1. Re-establish the Jackson Hill corridor as a vibrant neighborhood commercial district providing a wide variety of retail amenities to the surrounding area.
2. Creation of additional employment, housing, educational, recreational, commercial and retail opportunities for the residents of Jersey City, which are best placed along this corridor due to its central location within the City.
3. Provide for increased variety and opportunity of housing types, sizes, and price points that meet the needs of Jersey City's diverse population.

4. Reduce automobile dependency by encouraging high density development in close proximity to mass transit and neighborhood services with low automobile parking ratios and with bicycle parking requirements.
5. Encourage unique local quality retail sales and services that promote community character and distinctiveness.
6. Encourage the adaptive reuse of existing structures.
7. The removal or rehabilitation of vacated, deteriorated and obsolete structures.
8. The construction of new buildings on vacant lots.
9. Make sustainability and smart growth a theme of future development and redevelopment that guides land use and transportation decisions.
10. Make walking and biking an easy, safe, desirable, and convenient mode of transport.
11. Provide for urban amenities such as transit, open space, and entertainment that will attract new employers and a range of new residents to the area while sustaining existing neighborhoods.
12. Encourage buildings to meet or exceed the US Green Building Council's LEED (Leadership in Energy and Environmental Design) Certification or equivalent.
13. The overall improvement of traffic circulation through the development of new and improved vehicular and pedestrian circulation systems which provide for separation of vehicular and pedestrian traffic and the maximum use of public transportation.
14. To promote balanced development in accordance with applicable State laws and City requirements regarding affordable housing.
15. Coordinate redevelopment activities to provide a uniform and consistent attack on blighted, dilapidated, and obsolete structures within the Area.
16. Leverage new transit facilities such as light rail to accommodate housing and employment needs.

#### IV) GENERAL ADMINISTRATIVE PROVISIONS

- A) No building shall be constructed over public rights-of-way in the project area with the exception of freestanding structures ancillary to public plazas and/or pedestrian walkways, which shall be subject to review by the Planning Board.
- B) Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the Area shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval so that compliance of such plans with the redevelopment objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases.
- C) As part of any site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53 et seq. Such performance guarantees shall be in favor of the City in a form approved by the Jersey City Corporation Counsel. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of on and off site improvements within one (1) year of final site plan approval.

- D) No use or reuse shall be permitted, which, when conducted under proper safeguards, will produce corrosive, toxic or noxious fume, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration (60' decibels), or other objectionable features so as to be detrimental to the public health, safety or general welfare.
- E) All residential redevelopment proposals and construction plans shall meet or exceed applicable FHA and building code minimum room size requirements prior to approval by the Planning Board.
- F) Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with the requirements of this plan and the Land Development Ordinance (LDO) of Jersey City. A maximum shape factor may be listed to regulate minimum lot size. Shape factor is defined as the perimeter of the lot squared, dived by the lot area.

$$\frac{\text{Perimeter}^2}{\text{Lot area}} = \text{Shape Factor}$$

- 1) Example of how to calculate a shape factor for a standard 25' by 100' rectangular lot:

$$\frac{(25+25+100+100)^2}{2,500} = 25$$

- 2) Shape factor calculations may not be rounded.
- G) Upon demolition of existing structures, the site shall be graded and planted or sodded, with a durable dust free surface in the interim period prior to construction of new buildings.

#### H) DEVIATION REQUESTS

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

No deviations may be granted which will result in permitting:

- 1) A use or principal structure in a district which does not permit such use or principal structure;
- 2) An expansion of a non-conforming use;
- 3) An increase in height of more than ten feet or 10% of the height in feet, whichever is less;
- 4) An increase in the permitted floor area ratio;



- 5) An increase in the parking ratio of more than 20% above the maximum permitted;
- 6) Non-completion of minimum open space, parks, or other type of phased improvements required to be implemented;
- 7) Deviation from the Impact Fees provisions set forth in this Plan.
- 8) Only shape factor calculations of 0.01 or less may be considered *de minimis* for variance applications.

The Planning Board may grant deviations from the required land use regulations in section VIII to further the goals and objectives of this plan.

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

- I) Redevelopment shall provide adequate water, sewer and other necessary utilities to the site, to the satisfaction of the Municipal Engineer and the Municipal Utility Authority. All costs necessary for infrastructure improvements associated with a development project, off-site as well as on-site, are the responsibility of the developer or redeveloper.
  - J) This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law. A fee of \$1,000.00 shall be payable to the City of Jersey City for any request by a private entity to amend this plan. The City of Jersey City reserves the right to amend this plan.
  - K) Interim uses may be established, subject to agreements between the developers and the Planning Board, that such use will not have an adverse effect upon existing or contemplated development during the interim use period. Interim uses must be approved by the Planning Board, which may establish an interim use period of between one (1) year and three (3) years in duration, subject to the Planning Board's discretion. Additional renewals of an interim use may be granted by the Planning Board, subject to the same interim period limitations specified above.
  - L) The phrase "time of adoption" shall refer to the adoption of the Jackson Hill Redevelopment Plan and not the predecessors to this plan including: MLK Redevelopment Plan, Monticello Avenue Redevelopment Plan and portions of Green Villa Redevelopment Plan.
- V) COMMUNITY NOTICE REQUIREMENTS:
- A) The Jackson Hill Main Street Special Improvement District (JHMSSID) shall serve as a community notification venue for all development applications within the redevelopment plan area. JHMSSID shall receive a copy of all development applications with associated plans and reports upon filing with the Division of City Planning. JHMSSID shall maintain open office hours during which local area residents may review development applications. A computer shall be made available to the public for viewing any application materials digitally submitted via email.
  - B) Within five (5) business days of filing an application for development with the Division of City Planning, all applicants must provide (via hand delivery, US Mail, Email, or commercial delivery service) a copy of the application, along with all associated

documents including architectural drawings, to the Jackson Hill Main Street Special Improvement District. The applicant must submit an affidavit certifying notice to the JHMSSID to the Division of City Planning.

- C) Failure to complete the required notice pursuant to this section shall deem an application incomplete.
- D) Upon receipt of notice of an application submittal, JHMSSID shall have 30 calendar days to review plans and submit any comments to the Planning Board.
- E) JHMSSID shall receive a copy of Planning Board agendas from the Division of City Planning.
- F) These requirements may be waived by the Planning Board for a specific redevelopment project if JHMSSID has submitted to the Planning Board, in writing, its approval of that project.
- G) JHMSSID may hold a public meeting to review development applications, however notice of such meetings must be made to the applicant at least 5 business days in advance so they may have the opportunity to answer questions about the project and provide a presentation to the community or review committee.
- H) JHMSSID shall update the following contact information through the Division of City Planning. The Division of City Planning is directed to update the contact information of the Jackson Hill Review Committee listed below without amendment by the Municipal Council. JHMSSID can be currently contacted at:

Jackson Hill Main Street Special Improvement District

99 Monticello Avenue

Jersey City, NJ 07304

Email: [info@jacksonhillms.com](mailto:info@jacksonhillms.com)

Phone: (201) 984-0560

Fax: (201) 356-9938

Web: [www.jacksonhillms.com](http://www.jacksonhillms.com)

Hours: Monday thru Friday 10am to 6pm

- I) JHMSSID shall adopt bylaws creating a Jackson Hill Review Committee. Policy and procedures for the committee, its members and structure shall be incorporated into JHMSSID's bylaws. A updated copy of the bylaws creating the review committee shall be submitted to the Division of City Planning as necessary, with a copy appearing in the plan below:
- J) Contact information and instructions for carrying out the community notice requirements of this plan shall be updated as necessary in the Jersey City General Development Application without amendment by the Municipal Council.

VI) COMMUNITY EMPLOYMENT COMPONENT:

- A) To help insure that residents of the Jackson Hill neighborhood have the best opportunity to benefit from the economic development and new jobs this redevelopment plan is designed to foster, it is necessary to provide targeted skill development and industry training for the new career opportunities that will come to this commercial corridor.
- B) To facilitate the matching of local talent with employment opportunities in the Jackson Hill corridor, the Jackson Hill Main Street Special Improvement District shall maintain a register of all employment positions within the redevelopment plan area, along with the skill sets and credentials necessary for each position.

- C) New Jersey City University shall partner with the Jackson Hill Main Street Special Improvement District to create a career training and job placement program to further the goals and objectives of this redevelopment plan. The program shall utilize the JHMSSID job register to ensure the skill sets and training provided are accurately matched to the employment opportunities fostered by this plan within the Jackson Hill commercial corridor.

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

- A) The Local Redevelopment and Housing Law, N.J.S.A 40A:12A-1 et seq. requires that a Redevelopment Plan include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:
- 1) This Redevelopment Plan achieves the stated objectives of the Jersey City Master Plan by locating high density development in close proximity to mass transit facilities with low parking ratios to reduce the traffic impact of future high density development. Other uses such as retail and office uses compatible with a mixed use development pattern are permitted. The plan acknowledges the City's historic resources and seeks to preserve the historic character of significant structures and promote adaptive reuse.
  - 2) This Redevelopment Plan provides for a list of permitted principal uses, as well as accessory uses and prohibited uses in the redevelopment area. The plan also provides for density restriction through the use of lots sizes, maximum height limits, as well as setback and stepback requirements and various design controls.
  - 3) The Plan is designed to encourage private property owners to develop and consolidate lots through private purchase agreements. Where development fails to occur or where deleterious conditions persist, condemnation may be utilized. If displacement occurs through condemnation, the City of Jersey City will provide relocation assistance to all displaced residents, and businesses, displaced by the redevelopment activity generated by this Plan, in accordance with all applicable state and federal regulations. Federal and State laws require that adequate measures be taken to assist homeowners and residential tenants in the process of relocation.
  - 4) The Acquisition Map which is a part of this Plan depicts all property proposed to be acquired in accordance with the redevelopment plan as pursuant to N.J.S.A. 40A:12A-7(a)(4).
  - 5) Jersey City is designated as a "Planning Area 1" in the State Plan and is at the center of the Hudson County "urban complex." The development envisioned by this plan is in conformity with the "State Planning Act" P.L. 1985, c. 398 (C.52:18A-196 et al) as well as the master plan of Hudson County and all contiguous municipalities.
  - 6) No affordable units are identified to be removed as part of the implementation of this redevelopment plan.
  - 7) No affordable units are identified to be removed as part of the implementation of this redevelopment plan.

VIII) GENERAL LAND USE REGULATIONS FOR ALL ZONES

- A) In order to maximize foot traffic and activate commercial areas, within Zones 1, 2, and 3, residential living space and automobile parking uses are prohibited on any ground floor area within 20 feet of the following street right-of-ways:

- a) Monticello Avenue
  - b) MLK Drive
  - c) Communipaw Avenue
  - d) Ocean Avenue
- B) Ground floor residential is permitted if necessary to meet the requirements of the Americans with Disabilities Act, there is no elevator access, and provided the following conditions are met:
- 1) Must be situated behind the storefront use.
  - 2) The building must maintain a minimum of 25% of ground floor area for retail space at the front of the building.
  - 3) The building must incorporate a cellar not less than 600 square feet or 50 percent of the building's footprint, whichever is greater, to provide storage space for the retail use and for the location of trash rooms, mechanical rooms, meters or other infrastructure needs of the building so as to maximize available retail space at the ground floor level. Additional space may be allocated to residential tenants. Renovation of existing structures at the time of adoption of this redevelopment plan shall be exempt from this cellar requirement.
- C) Affordable Housing Requirements: Developers will be required to fulfill certain performance standards, including but not limited to the obligation to provide the community benefits of on-site affordable housing as described herein, for the successful implementation of the goals of the redevelopment plan.
- 1) Subject to the terms and conditions of a redevelopment agreement with the Jersey City Redevelopment Agency (JCRA), developers of new construction with more than 5 stories in Zone 1 and Zone 3 shall dedicate 5% of all residential units constructed above the 5th floor, as affordable housing for a period of a minimum of 30 years from the issuance of the certificate of occupancy, in accordance with the Fair Housing Act, N.J.S.A. 52:27D-301, et seq., and pursuant to the terms of the redevelopment agreement which shall set forth the controls on affordable housing to be constructed as part of a redevelopment project.
  - 2) Zone 2 is exempt from the affordable housing requirements of Section VIII.C.
- D) Office Space Bonus:
- 1) In order to encourage the development of office space and long-term job creation along the corridor and provide space for neighborhood amenities, the following office space bonus may be applied to development projects within Zones 1 and 3.
  - 2) On sites 9,000 square feet or greater, up to two additional stories and 28 additional feet of building height may be added to the maximum permitted height and/or base height of the zone district for each lot size category and/or provided pedestrian access width.
  - 3) The bonus floor(s) must be entirely non-residential and utilized for office use, excepting areas for building services such as stair wells, elevators, egress, corridors, etc., but not including structured parking areas. Amenity areas for residential occupants of the building are prohibited. Permitted uses within the office space bonus areas are:
    - a) Offices.
    - b) Medical offices.
    - c) Professional offices.

- d) Retail services.
  - e) Education uses.
  - f) Art galleries.
  - g) Artist studio workspaces.
  - h) Government uses.
  - i) Child and adult day care centers.
  - j) Theaters.
- 4) The structure must include a separate dedicated lobby, stair, and ADA elevator access from the ground level to the bonus floors(s).
  - 5) Office space bonus floors shall be directly above the ground floor or structured parking levels. Yard and building setback requirements shall be applied to the next floor above the office space bonus floor(s).
  - 6) The Planning Board may require bonus floors to setback from a side or rear property lines any distance necessary to provide light and air to adjacent properties or require windows along a facade.

## IX) SPECIFIC LAND USE REGULATIONS

### A) ZONE 1: Neighborhood Mixed Use

- 1) The purpose of this zone is to continue the existing pattern of main street type commercial buildings and ground floor retail uses throughout the corridor, while providing for new construction and increased housing and employment opportunity on larger lot sizes.
- 2) Principal Permitted Uses, subject to the requirements of section VIII:
  - a) Residential above the ground floor (see VIII.B for exception)
  - b) Residential within ground floor areas greater than 35 feet from the following rights-of-way:
    - i) Monticello Avenue
    - ii) MLK Drive
    - iii) Communipaw Avenue
    - iv) Ocean Avenue
  - c) Retail Sales of Goods and Services
  - d) Financial Services.
  - e) Offices.
  - f) Professional Offices.
  - g) Restaurants: category one and two.
  - h) Cafes.
  - i) Medical Offices above the ground floor level, except for Block 22601 where ground floor medical office uses shall be permitted.
  - j) Child and Adult Day Care Centers above the ground floor level.
  - k) Art galleries.
  - l) Theaters.
  - m) Artist studio workspaces.
  - n) Community facilities/centers.
  - o) Business incubators.
  - p) Health clubs/gyms.

- q) Any combination of the above.
- 3) Accessory Uses:
  - a) Enclosed parking and loading.
  - b) Surface parking.
  - c) Landscape features.
  - d) Improved Open Space.
  - e) Signs.
  - f) Sidewalk Cafe: where sidewalk width permits.
- 4) Prohibited Uses:
  - a) Drive-throughs pertaining to restaurants, banks, pharmacies, and other drive-through uses.
  - b) Gas stations, service stations, auto repair, auto body shops, and other automobile related uses (not including car share programs).
  - c) Billboards.
  - d) Funeral homes and Mortuary Services
- 5) Prohibited Uses on the ground floor along MLK Drive, Monticello Avenue, Ocean Avenue, Kearney Avenue, and Communipaw Avenue:
  - a) Social welfare facilities or offices, such as clinics for drug addition, soup kitchens, temporary, transitional, or indigent housing, prisoner re-entry programs.
  - b) Day care facilities.
- 6) Conditional Principal Uses:
  - a) Surface parking lots, provided the following conditions are met:
    - i) Provides parking for 10 or more automobiles.
    - ii) All parking must be metered by the hour or minute only. Monthly parking is prohibited. The maximum time permitted shall be set by the Jackson Hill Special Improvement District.
    - iii) Provides bicycle racks.
    - iv) Is located at least 250 feet from an existing principal surface parking area.
    - v) Provides landscaping and perimeter wall as determined by the Planning Board.
    - vi) To keep commercial streets activated and avoid large gaps between retail services, parking lot frontage along Monticello Avenue, MLK Drive, Ocean Ave, Kearney Ave, and Communipaw Ave shall reserve a minimum of 1 parking space adjacent to the public sidewalk for a commercial business in a vehicle, semi or permanent structure, news stand, tent, or open air (such as food trucks, bookmobile, pop up retail) during daylight hours. Additional spaces shall be reserved for every 60 linear feet of commercial street frontage. The reserved space shall be the one nearest a street corner.
    - vii) Maximum frontage along Martin Luther King Jr. Drive, Monticello Avenue, Ocean Avenue and Communipaw Avenue is 64 feet.
    - viii) All parking lots shall be a head-in and head-out design.
    - ix) Curb cuts are prohibited along MLK Drive, Monticello Avenue, and Communipaw Avenue.
- 7) Lot Size and Dimension Requirements
  - a) All existing lots are conforming lots but may not be reduced in size.
  - b) Subdivisions or lot consolidations must conform to the following minimum standards:

- i) Minimum lot area: 2,500 square feet.
  - ii) Minimum lot width: 25 feet.
  - iii) Minimum lot depth: 100 feet.
  - iv) Shape Factor Maximum: 28.
- 8) Density and Height Requirements:
- a) Density is not regulated by floor area ratio or units per acre in this zone. Instead, a "building envelope" is defined, depending on the size and shape of the site. Minimum room and unit sizes are regulated by building code.
  - b) Minimum floor-to-ceiling height on the ground floor shall be at least ten (10) feet, but no more than fourteen (14) feet, exempting drop ceilings in kitchens, bathrooms, corridors, and other similar spaces. Alternately, the ground floor floor-to-ceiling height may match adjacent historic structures.
  - c) Minimum floor-to-ceiling height for stories above the ground floor shall be at least nine (9) feet, exempting drop ceilings in kitchens, bathrooms, corridors, and other similar spaces and interstitial parking levels.
  - d) Maximum and minimum building height shall be calculated based on the lot size according to the following table:

Lot Area up to (square feet):	Minimum Building Height (stories)/(feet)	Maximum Building Height (stories)/(feet)
0 to 3,999	3 / 35'	4 / 45'
4,000 to 8,999	3 / 35'	5 / 55'
9,000 to 19,999	4 / 45'	6 / 65'
20,000 and up	4 / 45'	8 / 85'

Table 1.1: Graduated Density Table for Zone 1

- e) Transit proximity bonus: maximum and minimum building height shall be calculated based on the lot size according to the following table, provided lots are partly or wholly within 1,000 feet of a Hudson Bergen Light Rail Station:

Lot Area up to (square feet):	Minimum Building Height (stories)/(feet)	Maximum Building Height (stories)/(feet)
0 to 8,999	2 / 25'	6 / 65'
9,000 and up	4 / 45'	8 / 85'

Table 1.2: Transit Proximity Bonus Table for Zone 1

- f) To assist preservation of historic structures in Zone 2, more than one principal structure may be onsite if land assembly includes buildings and/or lots in both Zone 1 and Zone 2. The area of the lot in Zone 2 may be counted toward the total lot area to determine the graduated density per table 1.1 of this Zone. The zone boundaries remain in effect, as depicted in Map 2 of this plan, and any site plan application must apply the development standards of each zone respectively to the portions of the site within each zone.

9) Yard and Coverage Requirements:

- a) Required front yard setback along the following streets shall be sufficient to provide a minimum sidewalk width as measured from the ground floor building facade to the existing curb-line for each building height category according to the following table:

Building Height	Minimum Sidewalk Width
5 Stories or less	Prevailing or minimum of 8 feet
6 Stories or more	10 feet
6 Stories or more along: i) Monticello Ave. ii) MLK Drive iii) Communipaw Ave. iv) Ocean Ave. v) Kearney Ave.	15 feet

Table 1.3: Required Front Yard Setback Table for Zone 1

- b) Minimum side yard setback: no requirement.
- c) Rear yard and building setbacks:
- Ground floor level shall not extend greater than 95 feet from any right-of-way fronting the subject property.
  - All floor levels above the ground floor shall not extend greater than 85 feet from any right-of-way fronting the subject property.
  - All floor levels above the ground floor where parking is provided shall not extend greater than 95 feet from any right-of-way fronting the subject property.
  - For through lots, the ground floor level may cover 100% of the lot with no yards provided.
  - For oversized lots with greater than 100 feet in depth, no floor area shall be required to be more than 15 feet from a property line.
  - Buildings occupying an entire block shall have no rear yard or rear building setback requirements.

10) Automobile Parking Requirements:

- Curb cuts are prohibited on Martin Luther King Jr. Drive, Monticello Avenue, Ocean Avenue and Communipaw Avenue. This shall result in zero parking permitted on lots with no other access to alternative right-of-ways.
- Curb cuts are only permitted to gain access to off-street parking facilities with a minimum of 6 parking spaces. This shall result in zero parking required where the minimum required is less than 6 spaces as per the parking requirements below.
- Minimum Parking for lots greater than 8,999 square feet:
  - Residential uses shall provide a minimum of 0.5 off-street parking spaces per dwelling unit, exempting studio and one bedroom residential units in structures greater than 4 stories.
  - For non-residential uses greater than 8000 square feet: 1 space per 1000 square feet.



- d) Maximum Parking for all lot sizes:
  - i) Residential uses: maximum of 1.5 off-street parking spaces per dwelling unit.
  - ii) Retail and all other uses: maximum of 1.5 off-street parking spaces per 1,000 square feet of commercial gross floor area.
  - iii) Any parking located below grade may be provided in excess of the parking maximums above.
- 11) General Requirements for specified development sites:
  - a) On Block 18601 Lot 19 where a public access easement of at least 15 feet is provided to reestablish pedestrian movement from MLK Drive to Clinton Avenue, the maximum building height may increase by 1 story and 11 feet above the maximum building height as regulated by the graduated density table for this Zone.
  - b) On Block 15002, the maximum building height for any portion of a lot fronting Bergen Avenue shall be 4 stories to match the building on Block 15002 Lot 1. Beyond 50 feet from the Bergen Avenue right of way, the maximum height shall be regulated by Table 1.1 of this zone.
  - c) On Block 15002, Lots 2 and 19 are permitted to exceed the parking maximums of this zone by the amount necessary to fulfill deed restrictions requiring any future development to include public parking on-site. Development on this block must also provide retail along Bergen Avenue, Monticello Avenue and at least 15 feet along Fairmount Avenue from the intersection or as determined by the Planning Board.
  - d) Plaza bonus applicable to Block 15005: for a single development project consolidating all of block 15005, a plaza bonus shall be applicable to add a maximum of two additional stories and 17.5 feet of building height per story. ~~Each~~ The bonus floors shall be permitted by the creation of ~~two~~ a plaza areas on the acute angled corners on this block at Monticello and Fairmount and at Fairmount and Fairview. ~~Total Each~~ plaza area must ~~have be~~ a minimum of ~~2500~~ ~~1200~~ square feet exclusive of the public sidewalk. Plaza areas shall be designed with decorative materials and landscaped planters surrounded by seating walls and appropriate plaza fixture and lighting. This plaza bonus may not be combined or utilized in addition to other building height bonuses in this plan.

#### **B) ZONE 2: Historic Neighborhood Mixed Use**

- 1) Although many early buildings have been razed along the corridor, much remains to exemplify the area's development. These buildings and streetscapes provide valuable character to the neighborhood.

Development, especially in the first half of the twentieth century, was sometimes undertaken without examination and appreciation of past cultural and architectural development. This plan seeks to preserve important resources which help to define the character of the Redevelopment Area. This Zone shall preserve a wide variety of buildings characteristic of the area's varied development.

The properties that have been selected for the Historic Neighborhood Mixed Use Zone have, paraphrasing the National Register Criteria for Evaluation:

- A. Been associated with events that have made significant contribution to the broad patterns of our history; or

- B. Are associated with the lives of persons significant in our past; or
- C. Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. Have yielded, or may be likely to yield, information important in prehistory or history.

To respect the special character that the Jackson Hill plan area has acquired and retained since its founding, the buildings included in this Historic Neighborhood Mixed Use Zone shall be rehabilitated so that future generations can be delighted by the history and architecture of the Jackson Hill neighborhood.

- 2) Principal Permitted Uses subject to the requirements of section VIII:
  - a) Residential above the ground floor (see VIII.B for exception), or where historic evidence of ground floor residential use is provided.
  - b) Retail Sales of Goods and Services.
  - c) Financial Services.
  - d) Offices.
  - e) Restaurants: category one and two.
  - f) Cafes.
  - g) Medical Offices above the ground floor level.
  - h) Child and Adult Day Care Centers above the ground floor level.
  - i) Art galleries.
  - j) Community and black box theaters.
  - k) Artist studio workspaces.
  - l) Community centers.
  - m) Business incubators.
  - n) Health clubs.
  - o) Any combination of the above.
  - p) Houses of Worship and associated uses only on Block 24001
- 3) Accessory Uses:
  - a) Structured parking and loading uses only on Block 17905 and Block 18602.
  - b) Fences and seating walls.
  - c) Landscape features.
  - d) Improved Open Space.
  - e) Signs.
  - f) Sidewalk Cafe: where sidewalk width permits.
- 4) Prohibited Uses:
  - a) Surface parking as a principal use.
  - b) Drive-throughs pertaining to restaurants, banks, pharmacies, and other drive-through uses.
  - c) Gas stations, service stations, auto repair, auto body shops, and other automobile related uses (not including car share programs).
  - d) Night Clubs.
  - e) Billboards.
  - f) Funeral homes and Mortuary Services

- 5) Prohibited Uses on the ground floor along MLK Drive, Monticello Avenue, Ocean Avenue, Kearney Avenue, and Communipaw Avenue:
  - a) Social welfare facilities or offices, such as clinics for drug addiction, soup kitchens, temporary, transitional, or indigent housing, prisoner re-entry programs.
  - b) Daycare facilities.
- 6) Demolition of structures is only permitted when necessary to protect public safety, as certified by the construction code official. As of the time of adoption of this plan, all tax lots within this zone are improved with structures of historic significance.
- 7) Lot Size and Dimension Requirements:
  - a) All existing lots at the time of adoption of this plan are conforming lots but may not be reduced in size.
  - b) All development sites that are split zoned may be reduced in size according to minimum lot sizes outlined in the respective zone.
  - c) Shape Factor Maximum: 28.
- 8) Height and Bulk Requirements:
  - a) The existing building height, floor area, established setbacks and the exterior building envelope at the time of adoption of this Plan shall constitute the development standards of each building. Any change to the above standards shall constitute a deviation from this plan excepting work as permitted in Sections IX:B:8 b) and c) below.
  - b) Vertical Additions are permitted with the following bulk standards:
    - (i) The maximum permitted building height shall be the greater of the adjacent buildings at the time of original adoption, in both number of stories and height in feet.
    - (ii) Vertical additions shall be setback from any facade fronting on Monticello Avenue or MLK Drive by a minimum of 10 feet.
    - (iii) Vertical Additions shall be 70% glazed along any facade fronting a public right-of-way.
  - c) Rear additions are permitted with the following bulk standards:
    - (i) Maximum/Minimum side yard: existing, except where required by fire or building code to accommodate adjacent windows.
    - (ii) Rear yard and building setbacks:
      - a. Ground floor level shall not extend greater than 95 feet from any right-of-way fronting the subject property.
      - b. All floor levels above the ground floor shall not extend greater than 85 feet from any right-of-way fronting the subject property.
      - c. For through lots, the ground floor level may cover 100% of the lot with no yards provided.
      - d. For oversized lots with greater than 100 feet in depth, no floor area shall be required to be more than 15 feet from a property line.
- 9) Building Requirements:
  - a) 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) 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.
  - c) 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.
  - d) 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.
  - e) 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.
  - f) For additions to existing buildings, the following shall apply:
    - i) Constructing a new addition so that there is the least possible loss of historic materials and so that character-defining features are not obscured, damaged, or destroyed.
    - ii) Locating the attached exterior addition at the rear or on an inconspicuous side of a historic building and limiting its size and scale in relationship to the historic building.
    - iii) Designing new additions in a manner that makes clear what is historic and what is new.
- 10) Automobile Parking Requirements:
- a) Off-street parking is prohibited in this zone excepting Block 17905 and Block 18602 provided that access is accommodated from Harrison Avenue.

### **C) ZONE 3: The Hub**

- 1) The Hub Zone is envisioned to become a high density, mixed-use commercial and cultural center for the surrounding neighborhoods to take greatest advantage of the adjacent light rail station.

The redevelopment and revitalization of MLK Drive is tied to the successful establishment of a vibrant community commercial center, or "Hub." The Hub is to serve as the activity center for the Jackson Hill community. However, to become competitive with established shopping districts and malls throughout the City, it is important that The Hub establishes a high density mix of uses with businesses and activities that presents a compelling alternative to the traditional shopping center experience. The goal of the Hub Zone is to develop a pedestrian oriented mixed use center adjacent to light rail, including commercial, civic, cultural, and residential uses.

2) Required Open Space Plazas:

- a) An approximately 15,000 square foot plaza area on Block 21201 at the corner of MLK Drive and Kearney Avenue was constructed as part of the original Hub development and was required as part of the original MLK Drive Redevelopment Plan. Open space of at least 15,000 square feet is required within Zone 3. The existing plaza at the south-west corner of the Hub superblock may be partially or entirely removed provided that alternative plaza areas are approved by the Planning Board that meet or exceed the 15,000 square foot requirement. Any relocation of the exiting plaza shall conform to the following requirements:
  - i) Upon execution of an agreement with the Jersey City Redevelopment Agency and City of Jersey City to repurpose portions of the existing plaza at the South West corner of Block 21201, a public plaza of at least 9,000 square feet shall be constructed within the western end of the Virginia Avenue right-of-way, subject to a developer agreement with the City of Jersey City. Signalization of the Virginia Avenue and MLK Drive intersection shall be reevaluated by the City. The open space shall be constructed by a developer designated by the Jersey City Redevelopment Agency.
  - ii) The remainder of the existing plaza area shall be associated with any development project designated by the Jersey City Redevelopment Agency for the existing plaza site at the South West corner of Block 21201. The plaza area that remains shall be re-designed and re-build as a front entry plaza for this designated project.
  - iii) The specifics of the construction schedule and maintenance responsibilities shall be set forth and subject to a developer agreement with the City. The required open space areas described in this section shall be publicly accessible during the standard hours of operation for parks and recreation areas in the City, as set forth in applicable City ordinances. Ownership of the required open space may be transferred to the developer, the City of Jersey City, the Jersey City Redevelopment Agency, or a third party designated by the City of Jersey City or the Jersey City Redevelopment Agency. The open space areas shall be included in a site plan application or section 31 review by the planning board, for any building constructed in Zone 3 on the existing open space plaza. The construction of the open space shall be completed in a timely manner, as set forth in the agreement between the designated developer, the City, and the JCRA.

3) Principal Permitted Uses subject to the requirements of section VIII:

- a) Residential above the ground floor (see VIII.B for exception).
- b) Retail Sales of Goods and Services.
- c) Financial Services.
- d) Offices.
- e) Cafes.
- f) Restaurants: category one and two.
- g) Medical Offices.
- h) Child and Adult Day Care Centers.
- i) Bars.

- j) Night clubs.
  - k) Art galleries.
  - l) Theaters.
  - m) Artist studio workspaces.
  - n) Museums.
  - o) Government uses.
  - p) Community centers.
  - q) Business incubators.
  - r) Health clubs/gyms.
  - s) Any combination of the above.
- 4) Accessory Uses:
- a) Enclosed parking and loading.
  - b) Surface parking and loading.
  - c) Landscape features.
  - d) Improved Open Space.
  - e) Signs.
  - f) Sidewalk Cafe: where sidewalk width permits.
- 5) Prohibited Uses:
- a) Surface parking as a principal use.
  - b) Gas stations, service stations, auto repair, auto body shops, and other automobile related uses (not including car share programs).
  - c) Billboards.
  - d) Funeral homes and Mortuary Services
- 6) Prohibited Uses on the ground floor along MLK Drive, Monticello Avenue, Ocean Avenue, Kearney Avenue, and Communipaw Avenue:
- a) Social welfare facilities or offices, such as clinics for drug addiction, soup kitchens, temporary, transitional, or indigent housing, prisoner re-entry programs.
  - b) Day care facilities.
- 7) Density and Height Requirements:
- a) Density is not regulated by floor area ratio or units per acre in this zone. Instead, a "building envelope" is defined, depending on the size and shape of the site. Minimum room and unit sizes are regulated by building code.
  - b) Subdivision, Building Height, Yard, and Pedestrian Walkway Access Controls:  
The following building height and setback requirements shall guide the eventual subdivision and redevelopment of The Hub into a mixed use transit oriented development center. The Zone 3 superblock may be subdivided for development lots in any configuration, so long as the required pedestrian access ways are provided along the perimeter of each development lot. Taller buildings are required to provide a wider access way according to the table below. Some pedestrian access way widths may be required to have additional width to accommodate emergency vehicle access to the site as determined by the Planning Board.
    - i) Building height limits shall be indexed to the width of on-site pedestrian access ways provided along and within the perimeter of each development lot according to the following table:

For the provided Pedestrian Access Ways Width of:	The Maximum permitted Building Height is (stories/feet):
6 feet	1 / 10'
9 feet	3 / 35'
10 feet	5 / 55'
12 feet	10 / 105'
16 feet	12 / 130'

Table 3.1 - Pedestrian Access Way and Height Regulating Table

- ii) The maximum permitted diagonal measurement between the furthest corners of any new structure above the 5th floor is 130 feet, excepting buildings that are majority office use, which shall have a maximum permitted diagonal measurement of 160 feet.
  - iii) A 20-foot sidewalk is provided along lot lines fronting MLK Drive, Virginia Avenue, Kearney Avenue, and Ocean Avenue.
  - iv) The required sidewalk areas shall be activated with ground floor retail to the extent practical.
  - v) Pedestrian access ways shall be designed as a mix of pedestrian plaza, public park or walkway with a mix of street furniture, lighting and landscaping. Public park sections may include playgrounds, splash areas, reinforced lawn, et cetera. Changes in grade are encouraged to bring interest and variety to the access ways.
  - vi) Any sidewalk areas or remaining land between building lots beyond the required pedestrian access ways shall be incorporated into the design of adjacent parks or plazas.
- 8) Automobile Parking Requirements:
- a) Curb cuts are prohibited on Martin Luther King Jr. Drive and Ocean Avenue except for existing entrances at the time of adoption. This shall result in zero parking permitted on lots with no other access to alternative right-of-ways.
  - b) Parking is prohibited on any lots that have sole frontage on Martin Luther King Jr. Drive or Ocean Avenue. This shall result in zero parking permitted on lots with no other access to alternative right-of-ways.
  - c) Curb cuts are only permitted to gain access to off-street parking facilities with a minimum of 6 parking spaces. This shall result in zero parking required where the minimum required is less than 6 spaces as per the parking requirements below.
  - d) Parking is required on lots greater than 9,000 square feet, according to the following:
    - i) Residential uses shall provide a minimum of 0.4 off-street parking spaces per dwelling unit, exempting studio and one bedroom residential units in structures greater than 4 stories.
    - ii) Ground floor commercial uses shall provide a minimum of 0.5 off-street parking spaces per 1,000 square feet of gross floor area, excluding the first 10,000 square feet of ground floor area.

D) ZONE 4: Residential

- 1) Permitted Uses:
  - a) Residential.
- 2) Accessory Uses:
  - a) Enclosed parking.
  - b) Surface parking.
  - c) Landscape features.
  - d) Improved Open Space.
- 3) Prohibited Uses:
  - a) Surface parking as a principal use.
  - b) Billboards.
- 5) Lot Size and Dimension Requirements:
  - a) All existing lots at the time of adoption of this plan are conforming lots.
  - b) Shape Factor Maximum: 28.
- 6) Height and Bulk Requirements:
  - a) The existing building height, floor area, established setbacks and the exterior building envelope at the time of adoption of this Plan shall constitute the development standards of each building. Any change to the above standards shall constitute a deviation from this plan excepting additions as permitted by Section IX.D.6.b below.
  - b) Rear additions are permitted, provided that the addition is in conformance and complies with the following bulk standards:
    - i) Maximum height: existing
    - ii) Maximum/minimum front yard: existing
    - iii) Maximum/Minimum side yard: as existing, except where required by fire or building code to accommodate adjacent windows
    - iv) Rear yard and building setbacks:
      - a. Ground floor level shall not extend greater than 80 feet from any right-of-way fronting the subject property.
      - b. All floor levels above the ground floor shall not extend greater than 80 feet from any right-of-way fronting the subject property.
      - c. For through lots, the ground floor level may cover 100% of the lot with no yards provided.
      - d. For oversized lots with greater than 100 feet in depth, no floor area shall be required to be more than 20 feet from a property line.
- 7) Maximum Parking for all lot sizes:
  - a) Residential uses: maximum of 1.5 off-street parking spaces per dwelling unit.

**E) ZONE 5: Parks/Open Space**

- 1) Parks, plazas, and other types of public open space are the only permitted use in this zone.

IX) GENERAL REQUIREMENTS FOR ALL ZONES

A) General 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, bulk, and street alignment.
- 2) Groups of related buildings shall be designed to present a harmonious appearance in terms of architectural style and exterior materials and shall be encouraged to incorporate historic elements found throughout the surrounding area.
  - 3) Buildings shall be designed so as to have an attractive, finished appearance when viewed from all vantage points within and outside of the project area. Front façades, façades which are visible from a public right-of-way, and all façades that are significantly taller than adjacent buildings or are visible as part of the skyline shall be treated with equal importance in material selection and architectural design.
  - 4) Large blank walls without fenestration surrounding large residential or commercial uses such as theatres, parking garages, big box retail, or similar uses must incorporate façade relief, an expressed structural system, sculpted, carved or penetrated wall surfaces, architectural lighting, or other architectural techniques to provide visual interest.
  - 5) Access by the elderly, physically handicapped and/or disabled shall meet barrier free design regulations as specified in the New Jersey and Federal ADA Standard Uniform Construction Code.
  - 6) All utility distribution lines, including multi-media telecommunication lines, and utility service connections from such lines to the project area's individual use shall be located underground.
  - 7) Roof deck enclosures: 20% of ADA accessible roof deck areas may be an enclosed amenity space. Enclosed roof deck amenity space must be a minimum of 10 feet from the edge of the roof or parapet, and be centered on the roof to minimize view of the enclosure to the greatest extent practical. Enclosed roof deck amenity space may extend to the edge of a building with the minimum area necessary to gain access to an elevator or stair entry. All walls of the enclosed amenity space greater than 10 feet from the edge of roof or parapet shall be a minimum of 80% glazing. Maximum floor to top of roof structure shall be 10 feet.
  - 8) Roof treatment, Mechanical Screening and Electrical Equipment
    - a) All mechanical equipment located on any roof of a building shall be screened from view from all vantage points, with a material complementary with the façade of the structure. The screening shall not resemble a utility or rooftop elevator or stair tower.
    - b) A roof plan must be developed and submitted for approval. Roof plans shall include mechanical equipment, trellises to obscure view, colored roof patterns and landscaping. Parking deck roofs shall be designed to maximize recreational amenity space and all remaining rooftop areas shall be developed as a green roof.
    - c) All electrical communication equipment shall be located in such a way that it does not negatively impact the appearance of the building nor create objectionable views as seen from surrounding structures.
    - d) Transformers and primary or and back-up generators shall be located interior to the building or vaulted underground within the pavement area of an adjacent street. Location upon the sidewalk, between the sidewalk and the building, or anywhere outside at grade is not permitted.

- e) The placement of all new or reconstructed signal boxes is required to be below grade.
- 9) Streetscape
  - a) All buildings shall be designed to front on a public street to create a street wall and a pedestrian environment at a human scale.
  - b) Main entrances into buildings shall be located on all public streets. Secondary entrances shall also be provided from parking areas and/or as necessary according to the design of the structure.
  - c) Entrances shall be designed to be attractive and functional. Indicators such as awning, changes in sidewalk paving material or other indicator consistent with the design, proportions, material and character of the surrounding area shall be provided.
  - d) Automobile parking between the building line and a public right-of-way is expressly prohibited, even where surface parking is a permitted use. Parking is not permitted in any front yard.
  - e) Porte-cocheres and drop-off lanes are prohibited.
- 10) All façade vents for air conditioning or heating units must be incorporated into the window design such that vent grills and windows appear as a single unit. This is best achieved by lining up vent grills with the vertical or horizontal edge of the adjacent window and matching the window's length or width or using a spandrel panel to fill any voids.
- 11) Facade Composition Requirement: Windows or "window design units" (a definable shape within the facade composition which includes a window plus surrounds, including vents, grills, mullions, frames, sills, and which may include portions of the exterior wall) shall be sized, aligned, and spaced apart such that the facade area between windows or "window design units" form visual columns and spandrels. The Planning Board may grant a waiver from this method for superior design.
- 12) All new sidewalk concrete shall be tinted charcoal grey or equivalent. The Planning Board may grant a waiver for superior design which relates to adjacent architecture or other public purpose.
- 13) All storefronts shall incorporate a cornice element or horizontal projection above the storefront glazing separating ground floor uses from the building above.
- 14) Ground floor storefront bulkheads below the display windows shall be a maximum of 16 inches in height above sidewalk grade.
- 15) All storefront façades shall incorporate a minimum of 70% transparent glass.
- 16) Storefront windows are prohibited from displaying scrolling, blinking, flashing, or bright lights which are not part of approved signage.
- 17) All ground floor entryways shall be recessed or designed to avoid door swings into any public right-of-way.
- B) PARKING DESIGN STANDARDS
  - 1) Parking structures shall be designed to eliminate headlight glare by the provision of opaque screening for head lights and placement of interior garage lighting to be directed into the structure and/or mounted on the interior side of columns so as to prevent glare from such lighting to be visible from the street or adjacent property. Light fixture details and location shall be included within the garage floor plan at the time of site plan application.

- 2) The façade of all parking levels shall be of a compatible material to that used throughout the development or adjacent structures and shall be designed to provide visual interest.
- 3) All openings must be screened with glass or decorative façade materials. Any openings shall be in a vertical proportion. Open horizontal bands along the façade of any parking structure are prohibited.
- 4) Exterior lighting of the screening materials on a parking structure façade may be required by the Planning Board in order to provide additional visual interest in terms of light and shadow and to further mask the interior lighting of the parking structure and headlight glare.
- 5) Parking stall and aisle size requirements are pursuant to the regulations found in the Jersey City Land Development Ordinance.
- 6) Off-street parking and loading areas shall be coordinated with the public street system serving the project area in order to avoid conflicts with through traffic or obstruction of pedestrian walks and thoroughfares.
- 7) Surface parking lots (where permitted) and all loading areas shall provide a screen planting of dense evergreens along any street line and along all property lines except those instances where a building intervenes or where the proposed planting may interfere with sight triangles, or required commercial uses. Within the parking area, a minimum of three percent (3%) of the parking area shall be landscaped and maintained with shrubs no higher than three (3) feet and trees with branches no lower than six (6) so that the landscaping is dispersed throughout the parking area.
- 8) The number and design of off-street loading spaces shall be demonstrated by an applicant according to an anticipated need. All freight loading activities are encouraged to be restricted to early morning and/or late evening hours. The design and number of off-street loading shall be regulated by the Jersey City Land Development Ordinance.
- 9) For through lots there shall be no more than two vehicular access points, one from each right-of-way. All other lots shall have no more than one vehicular access point.
- 10) All developments which propose valet parking shall submit a parking management plan. Such plan shall include but not be limited to: number of vehicles to be parked, number of rows of cars to be stacked, all parking stall and aisle widths and any other information deemed necessary to effectively evaluate the management plan. All parking management plans shall be subject to review and approval of the Division of Traffic Engineering, the Division of City Planning and the Planning Board. Valet parking schemes shall not be permitted to increase the total number of parked cars above the maximum number of permitted spaces.
- 11) Bicycle Parking Provisions: Bicycle parking shall be provided pursuant to the requirements found in the Jersey City Land Development Ordinance.

#### C) LANDSCAPING AND LIGHTING REQUIREMENTS

- 1) Landscaping shall be required for any part of any parcel not used for buildings or off-street parking. The developer's plan shall include proposals for landscaping indicating the location, size and quantity of the various species to be used.

- 2) All plant material used must be able to withstand an urban environment. All screen planting shall be a minimum of 4 feet high and shall be planted, balled and burlapped as established by the American Association of Nurserymen. A planting schedule shall be provided by the developer and approved by the Planning Board. Ground cover shall be used in place of mulch.
- 3) All new trees shall be of a species and gender so as to minimize fruit and pollen.
- 4) Any landscaping which is not resistant to the environment or dies within 2 years of planting shall be replaced by the developer.
- 5) Street trees shall be planted along curb lines of streets in a regular pattern, spaced at one-half the mature spread of the tree canopy to further enhance the aesthetic quality of the redevelopment area. All trees shall be a minimum of three (3) inches in caliper.
- 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 off-site glare. The area of illumination shall have a uniform pattern of at least one-half (0.5) foot candles.
- 8) All landscaping must be fully enclosed by curb or seating wall constructed of a masonry or metal material with a minimum of 6 inch in height. Landscaping shall be elevated to match the height of the curb or seating wall.

#### D) BUILDING MATERIALS REQUIREMENTS

- 1) Synthetic stucco materials such as EIFS is prohibited on any facade along a public right-of-way. Any stucco material used must be fine grained with a smooth stipple finish to reflect a more stone like appearance and qualities of light reflection.
- 2) Split face concrete block or other concrete masonry units may only be used as an accent material, not to exceed 15% of any facade.
- 3) Front cantilevered balconies may project no more than 12 inches from the facade.
- 4) Use of chain link fencing, razor wire, barbed wire, or other similar security devices is expressly prohibited. Chain linked fencing may be temporality utilized during construction only.
- 5) Security Gates: All front security gates shall be completely composed of the open mesh type, except for two feet at the bottom of the gate which may be solid. Storage boxes for all security gates shall be mounted on the interior of the building. Gate tracks shall be recessed into the glazing reveal and the gate housing shall be flush with the plane of the storefront. No storage box, tracks or mechanical devices related to the gates may project from the plane of the storefront.

#### X) SIGNAGE REGULATIONS

##### A) Signage Approval Process

- 1) All signs are subject to site plan review when included as part of a major site plan application.
- 2) All temporary banner signs for marketing projects on site shall be considered as an interim use.
- 3) All new signage that complies with the redevelopment plan shall not require site plan approval.
- 4) Minor Site Plan application with deviation must be submitted to the Planning Board for all non-conforming sign proposals.

- 5) During construction, one (1) temporary sign indicating: the name of the project or development, general contractor, subcontractor, financing institution and public entity officials (where applicable) shall be permitted. The sign area shall not exceed forty (40) square feet.

B) Number and Size of Signage

- 1) The building address is required to be placed on either the main entry door, transom window, building, or awning flap at a maximum font height of 10 inches.
- 2) Sign requirements for ground floor uses:
  - a) Each use fronting on a public street may be permitted one (1) exterior sign per store front bay on each street frontage.
  - b) Maximum sign height shall be 32 inches or the height of the architectural sign band in the building's facade or transom window.
- 3) Sign requirements for all other uses:
  - a) Each use fronting on a public street may be permitted one (1) exterior sign per entryway per street frontage. Buildings with multiple uses shall have no more than one (1) sign per use.
  - b) The total exterior sign area shall not exceed the equivalent of 5 percent of the first story portion of the wall to which it is attached. In no case shall a sign on any structure exceed 20 square feet.

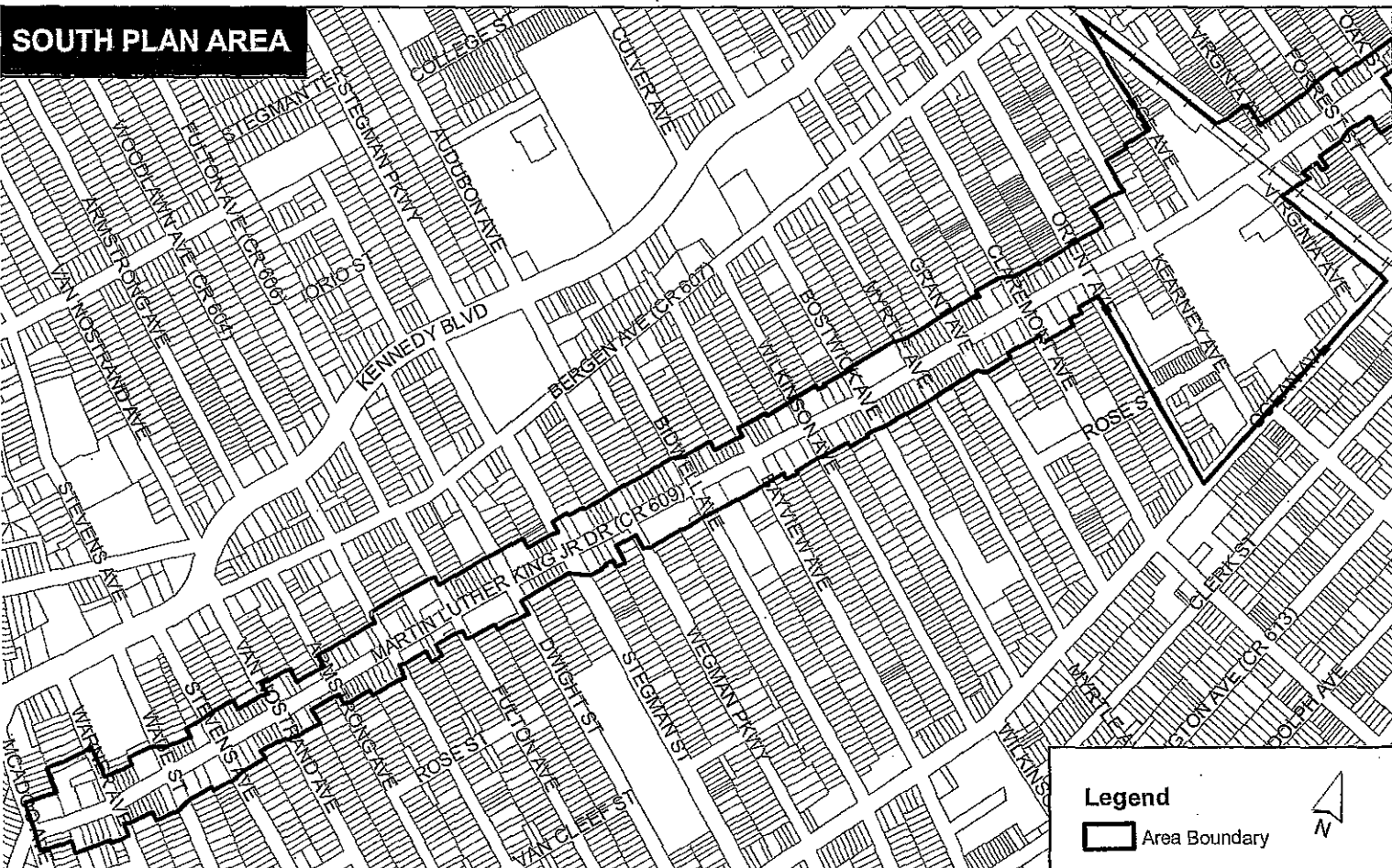
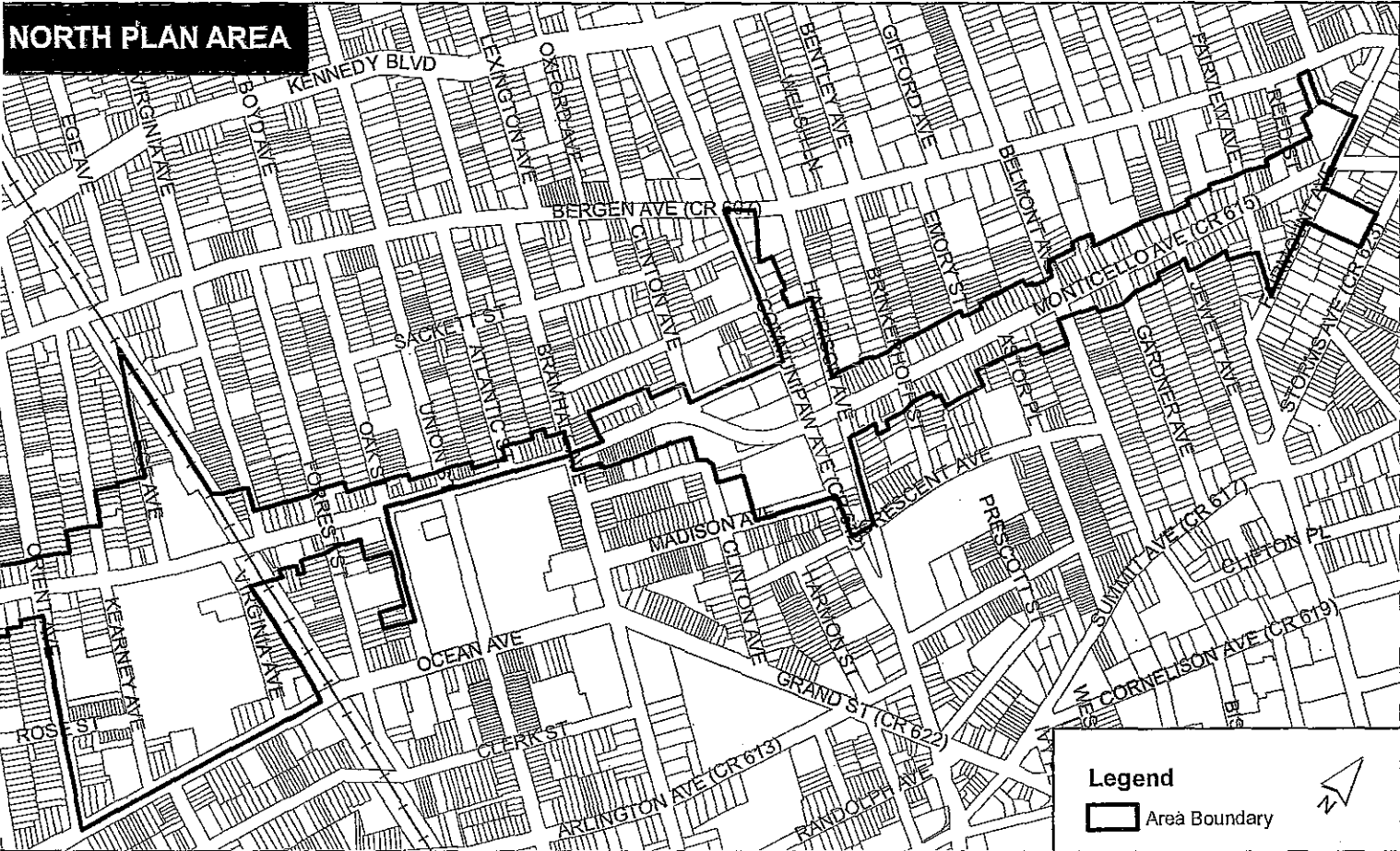
C) Sign Design Requirements

- 1) All signs shall be attached to the first floor level of the building only.
- 2) All wall signs shall be flush mounted.
- 3) All blade signs shall project no more than 30 inches from the façade and the bottom of the sign must be a minimum of 9 feet above the sidewalk.
- 4) Window signs (other than lettering and logos as specifically permitted) shall be prohibited. Lettering or logos shall be limited to decorative metal leaf, flat black or etched / frosted glass style lettering and shall be limited to the name of the business occupying the commercial space / storefront and shall cover no more than twenty (20%) of the window area.
- 5) Permitted signage material includes:
  - a) Painted wood.
  - b) Painted metals including aluminum and steel.
  - c) Brushed finished aluminum, stainless steel, brass, copper, or bronze.
  - d) Carved wood or wood substitute.
  - e) Channel letters.
  - f) Neon letters.
- 6) Permitted lettering material includes:
  - a) Lettering forms applied to the surface of the sign.
  - b) Single colored lettering forms applied to the surface of the sign.
  - c) Metallic solid body letters with or without returns.
  - d) Painted acrylic or metal letter.
  - e) Vinyl lettering attached permanently to a wood, wood substitute or metal signboard.
- 7) Signs may be lit from backlit halo and up-lights.

- 8) Storefront windows shall not be blocked by any interior display case or other form of barrier. Pedestrians on the street shall have the ability to see into the shop and view the activity within.
  - 9) Signs may include the name of the store only. Building address, phone number, operating hours and other additional information may be stenciled on the door.
- D) Parking Garage Signage
- 1) One (1) sign shall be provided per entrance to garages indicating the parking facility by the international parking symbol and direction arrow. The sign area shall not exceed twenty (20) square feet. If applicable, one (1) sign per entrance may be allowed indicating parking rates, not to exceed eight (8) square feet.
  - 2) Portable signs are not permitted for parking garages.
- E) Prohibited Signs
- 1) Billboards.
  - 2) Portable advertising signs not associated with use within 10 feet are strictly prohibited.
  - 3) Internally or externally illuminated box signs
  - 4) Flashing or animated signs, spinners, pennants, reflective materials that sparkle or twinkle.
  - 5) Window signs, posters, plastic or paper that appear to be attached to the window.
  - 6) Pole signs.
  - 7) Waterfall style or plastic awnings.

## XI) MAPS

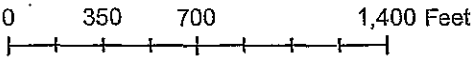
- 1) Boundary Map
- 2) Zone Districts Map
- 3) Acquisition Map



## JACKSON HILL REVELOPMENT PLAN

### MAP 1: BOUNDARY MAP

MARCH 30, 2016

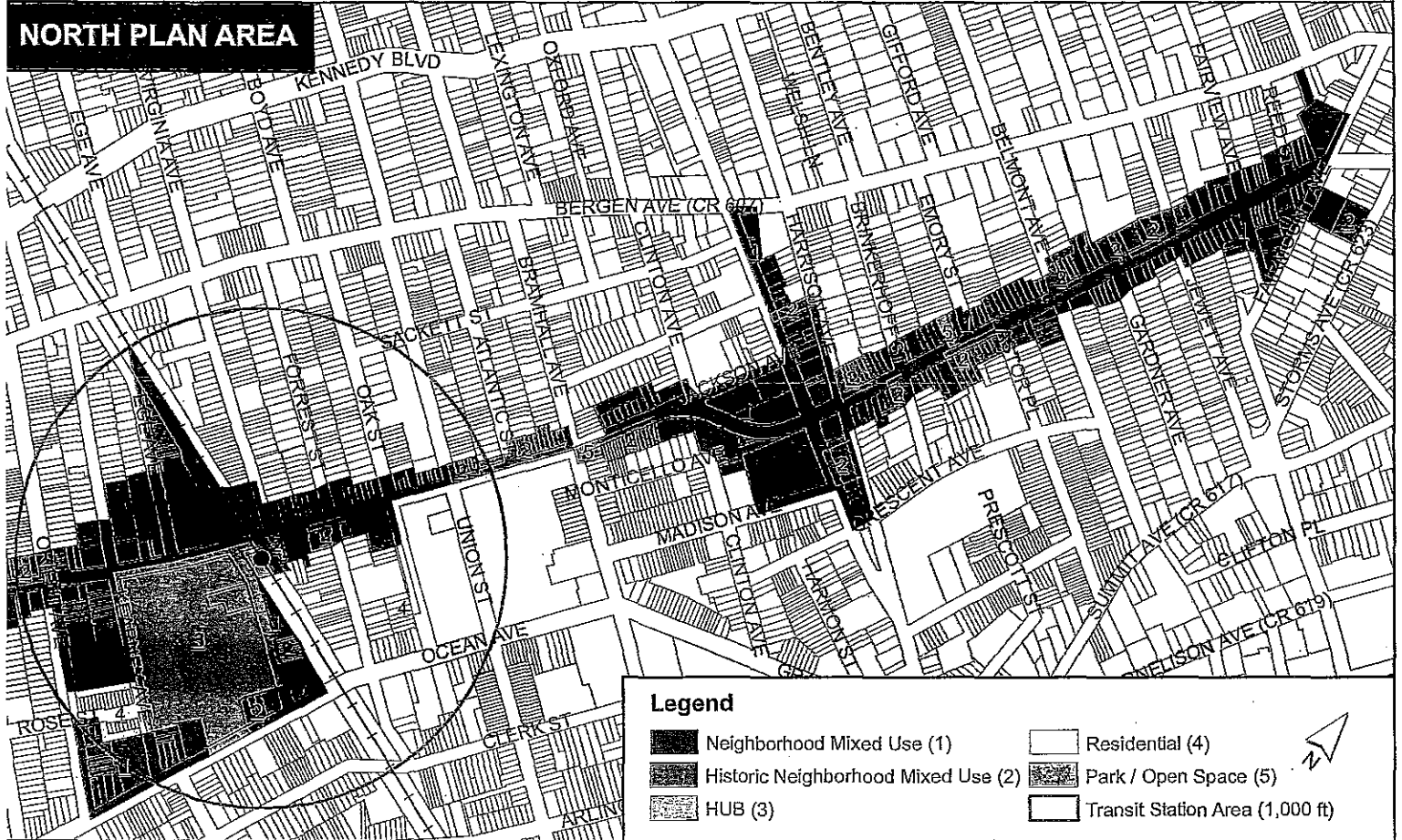


1 inch = 700 feet





## NORTH PLAN AREA



## SOUTH PLAN AREA



# JACKSON HILL REVELOPMENT PLAN MAP 2: LAND USE MAP

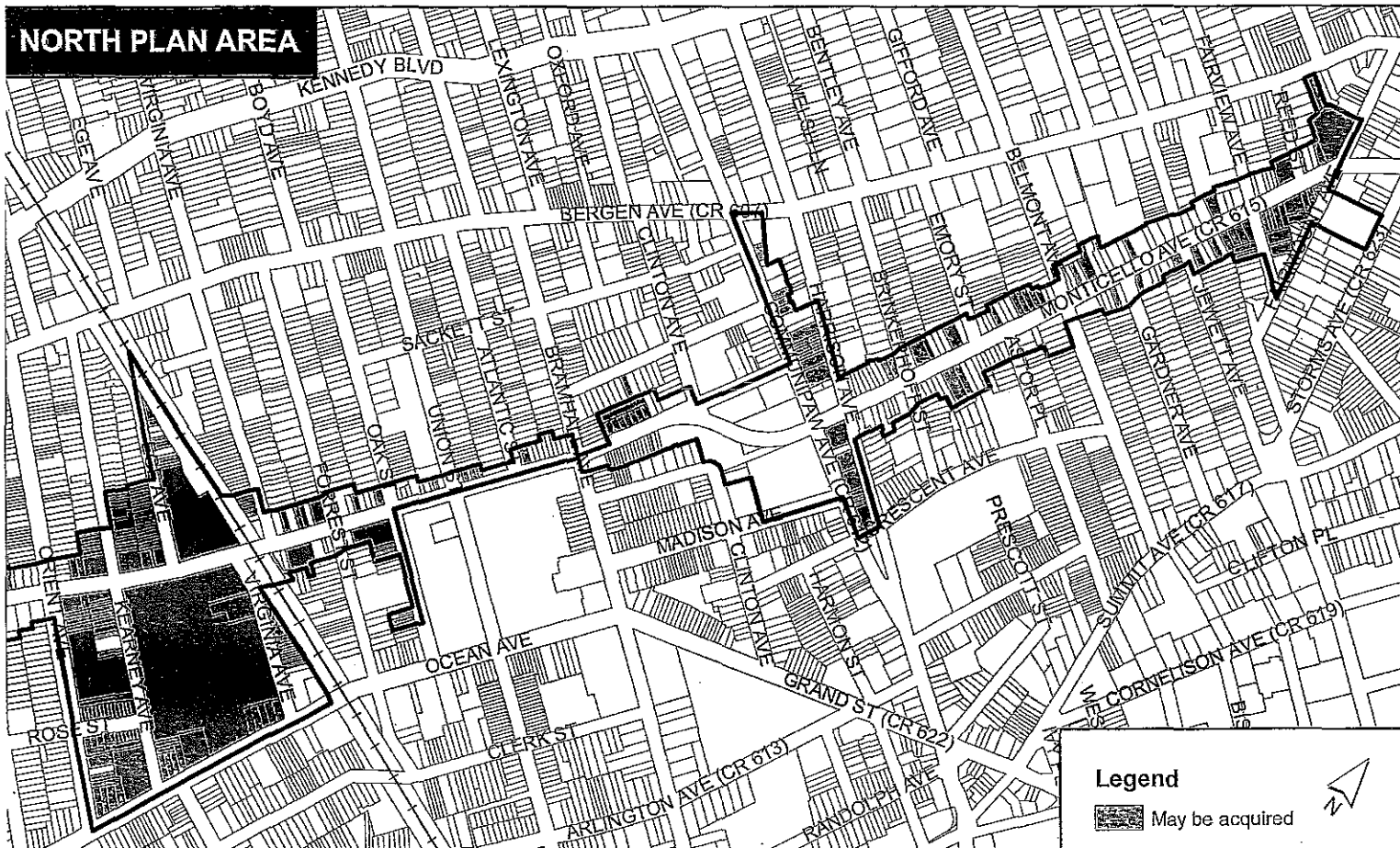
APRIL 7, 2016

0 350 700 1,400 Feet

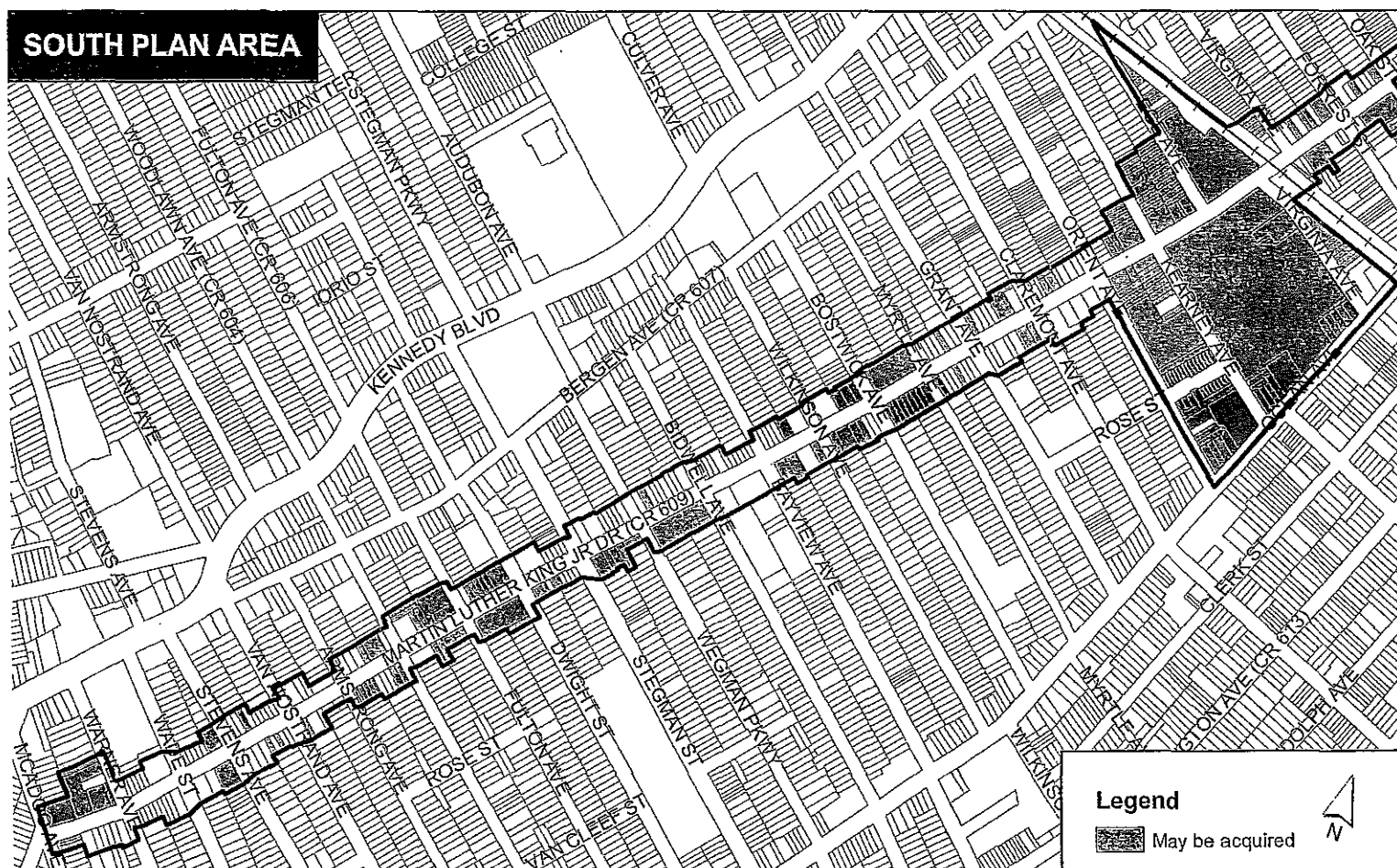
1 inch = 700 feet



## NORTH PLAN AREA

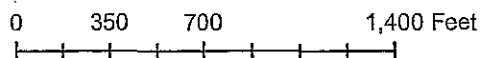


## SOUTH PLAN AREA



# JACKSON HILL REVELOPMENT PLAN MAP 3: ACQUISITION MAP

JUNE 3, 2016



1 inch = 700 feet

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



ORDINANCE NO. Ord. 16.126  
TITLE: 3.I AUG 17 2016 4.H. SEP 14 2016

Ordinance of the Municipal Council of the City of Jersey City  
adopting the Jackson Hill Redevelopment Plan

RECORD OF COUNCIL VOTE ON INTRODUCTION <span style="float: right;">AUG 17 2016 9-0</span>											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
HALLANAN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING <span style="float: right;">SEP 14 2016 9-0</span>											
Councilperson <u>COLEMAN</u> moved, seconded by Councilperson <u>HALLANAN</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
HALLANAN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

## SPEAKERS:

*Michele Massey*

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY <span style="float: right;">SEP 14 2016</span>											
Councilperson <u>COLEMAN</u> moved to amend* Ordinance, seconded by Councilperson <u>HALLANAN</u> & adopted <u>9-0</u>											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
HALLANAN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF FINAL COUNCIL VOTE <span style="float: right;">SEP 14 2016 9-0</span>											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
HALLANAN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on AUG 17 2016  
Adopted on second and final reading after hearing on SEP 14 2016

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on SEP 14 2016

*Robert Byrne*  
Robert Byrne, City Clerk

\*Amendment(s):

- IX SPECIFIC LAND USE REGULATIONS
- A) ZONE 1: NEIGHBORHOOD MIXED USE
- 1) d change in italics

APPROVED:

*Rolando R. Lavarro, Jr.*  
Rolando R. Lavarro, Jr., Council President

Date SEP 14 2016

APPROVED:

*Steven M. Fulop*  
Steven M. Fulop, Mayor

Date SEP 15 2016

Date to Mayor SEP 15 2016