

**ROUTE 440 - CULVER**

**REDEVELOPMENT PLAN**

Adopted March 13, 2013 by Ordinance #13-029  
of the Jersey City Municipal Council

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## I. INTRODUCTION

The Route 440-Culver Redevelopment Plan (the Plan) will regulate development within the Route 440-Culver Redevelopment Area (the Redevelopment Area or Area). In accordance with the determination by the Jersey City Municipal Council (add Resolution # and date), pursuant to the recommendations in the Study Report, a portion of the Area will be designated an Area in Need of Rehabilitation pursuant to N.J.S.A.40A:12A-14, while the greater portion will be designated an Area in Need of Redevelopment pursuant to N.J.S.A.40A:12A-5.

The Redevelopment Area is located in the southwestern portion of Jersey City, and consists of two distinct sections. The larger section is essentially bounded by the NJCU West Campus Redevelopment Area to the south, the West Side Avenue Redevelopment Area to the east, the Water Street Redevelopment Area to the north, and the Marine Industrial and a portion of the Bayfront I Redevelopment Areas as well as a portion of the Waterfront Planned Development zoning district to the west. The smaller section consists of a substantial portion of a single large block bounded on the east by the West Side Avenue Neighborhood Commercial Zoning District, on the north by the R-1 One and Two Family Zoning District, and on the west and south by the Water Street Redevelopment Plan area, which separates the two sections of the Study Area. (See Map 1 – Location Map)

Due to the development of an extensive rail system in the mid to late 1800's that connected the west side of Jersey City to the eastern docks, the Redevelopment Area as well as much of the land abutting it, developed as an industrial area interspersed with some residential uses housing middle to low income employees. These industrial uses contributed significantly to the economic vitality of the City, providing jobs and tax ratables through the early part of the 20<sup>th</sup> Century. Several of these industrial uses continue to exist today interspersed with a small scattering of remaining residential lots.

Around the middle of the 20<sup>th</sup> Century, the character of the Area began to change. As transportation shifted toward increased automobile reliance, Route 440 began to develop as a highway commercial corridor, and some of the industrial uses within the Area were replaced by commercial uses, such as automobile dealerships, particularly along Route 440. In addition, there remained a scattering of residential uses within the Area that have continued to the present, with a slightly higher concentration in the eastern portion, closer to West Side Avenue.

In April 2000, the City adopted a new Master Plan that recognized the Redevelopment Area, as well as the abutting areas to the north, east and south as “in transition and...characterized by declining manufacturing uses, highway-oriented commercial development and vacant or underutilized former industrial auto-related property.” In keeping with this analysis, the Master Plan recommended eliminating the former “Industrial” zoning designation as obsolete and instead encouraging continued retail/commercial development along with improvements to the “function and appearance of Route 440...and...extensive urban design, buffering and screening, pedestrian circulation...” and the protection of “...adjacent residential neighborhoods.”

Meanwhile, in 2000, the Municipal Council adopted the Water Street Redevelopment Plan that calls for a mix of townhomes and residential mid-rise development; the NJCU West Campus Redevelopment Plan in February 2005 that calls for a mix of academic, residential and

commercial development primarily in mixed-use buildings; the West Side Avenue Redevelopment Plan in March 2005 that calls for predominantly mixed use retail/commercial and residential development; and the Bayfront I Redevelopment Plan in May 2008 – all on the periphery of the Route 440 – Culver Area. Furthermore, in April 2009, a new Circulation Element of the Master Plan was adopted that recommended the redesign of Route 440 from a solely auto and truck oriented highway to a boulevard that would incorporate substantial pedestrian, mass transit and recreational accommodations. A study recommending a final concept design for the Route 440 Boulevard and another study by NJ Transit recommending extension of the Hudson Bergen Light Rail (HBLR) through the Redevelopment Area and across Route 440 were both recently completed. Pursuant to the recommendations of those studies, Ordinance #11-094 establishing setback requirements for all property abutting or in close proximity to Route 440 was adopted on August 31, 2011, and the HBLR extension project is currently moving forward.

Based on the findings of the Study Report, clearly, industrial development is no longer appropriate for the Redevelopment Area. Moreover, in light of substantial residential and mixed use redevelopment that has resulted from adoption of the above-listed redevelopment plans, the new Circulation Element, and the recommendations of the two referenced roadway and rail improvement studies, development of the Area solely as a highway commercial corridor is also no longer appropriate. Instead, new zoning standards need to be adopted that advance the Master Plan recommendations by encouraging continued retail/commercial development along Route 440 while furthering improvements to its function and appearance, providing for “extensive urban design,” increased pedestrian circulation and connectivity with light rail transit stations, and protection of adjacent residential neighborhoods.

The boundaries of the Redevelopment Area were selected to facilitate the elimination of blighting conditions at the fringes of the several surrounding redevelopment plans, two of which also abut Route 440, while continuing to exclude and protect a little over one block of continuous stable residential development between Fisk Street and Culver Avenue that abuts the western side of the West Side Avenue Redevelopment Area.

## II. BOUNDARIES

The Route 440 - Culver Study Area comprises 30.5 acres consisting of various tax lots currently found on seven (7) different tax blocks (formerly eleven (11) tax blocks prior to January 1, 2012) within the City of Jersey City. The Block and Lot numbers are as follows:

<b>New Block as of January 1, 2012/ Former Block</b>	<b>New Lot as of January 1 2012/Former Lot</b>
22103/ 1287.A	12/12, 20/7
22103/ 1293	1/55
22003/ 1287.A	16/2.C
22003/ 1292	10/1.E, 9/45, 8/46, 5/49, 4/50, 11/55, 3/56
22001/ 1291	4/76
22001/ 1292.1	2/4
22002/ 1295	27/1.99, 28/66, 29/67, 1/28.99, 19/68

21701/ 1296	18/18, 19/F9.99, 20/15, 17/19, 23/17
21701/ 1296.5	15/10
22101/ 1297	5/52, 4/44.99, 3/43, 2/42, 1/72, 23/22.99, 24/27, 25/28, 26/29, 27/30, 28/31.99, 29/34, 30/35, 31/36, 32/37, 33/38.A, 34/39.A, 11/M.1
21701/1775.1	1/A.1, 24/11.P, 25/78, 14/83, 13/96
21801/ 1774	12/79, 11/78, 10/77, 9/76, 5/57, 4/54, 3/53, 2/85, 19/35, 18/34, 17/33, 16/29, 8/PL.A, 15/11, 14/10

The boundary of the Redevelopment Area is also depicted on Map #2 – Boundary Map. Because Block and Lot numbers may change from time to time due to subdivisions, lot consolidations or renumbering, the Boundary Map located in this report shall prevail in the case of discrepancies between the Map and the Block and Lot list above.

### III. REDEVELOPMENT OBJECTIVES

- A. To redevelop the Route 440 - Culver Redevelopment Area in a manner that is compatible with permitted development in adjacent redevelopment areas and consistent with the design plan for the Route 440 Boulevard.
- B. To recognize the significant opportunities for residential and commercial redevelopment afforded by the Area’s proximity to the West Side Avenue Light Rail Station and the anticipated Route 440 Boulevard.
- C. To preserve abandoned rail right-of-way within the Area for the anticipated extension of the Hudson Bergen Light Rail allowing it to connect to the west side of Route 440.
- D. To preserve land for the expansion of the Route 440 public right-of-way consistent with the design plan for the Route 440 Boulevard.
- E. To recognize the existing pattern of permitted highway commercial development along Route 440 while enabling its redevelopment in a manner consistent with both the design plan for the Route 440 Boulevard and adjacent redevelopment areas.
- F. To provide enhanced pedestrian and vehicular connections to the anticipated Route 440 Boulevard and to the existing and proposed Hudson Bergen Light Rail stations.
- G. To create new public rights-of-way within the Redevelopment Area that will improve vehicular and pedestrian circulation within the Area; preserve and extend the existing city street grid; and facilitate the development of alternate, locally accessible, vehicular north/south connections between Carbon Place and Claremont Avenue consistent with the vehicular traffic analysis for the Route 440 Boulevard Study.
- H. To enhance the pedestrian environment and general appearance of all existing and proposed roadways within the Area.

- I. To provide enhanced opportunities for bicycle circulation, parking and storage within the Area in accordance with the Circulation Element of the Jersey City Master Plan.
- J. To provide for the orderly phased conversion of vacant land and antiquated industrial land uses and buildings within the Redevelopment Area to a modern, integrated, mixed-use community.
- K. To eliminate substandard, obsolete and/or dilapidated structures and remove blighting influences.
- L. To promote sustainable development and smart growth planning principles by encouraging the development of a variety of housing choices, sustainable building and site design, pedestrian friendly streets, enhanced access to mass transit and neighborhood shopping facilities, shared parking solutions and a reduction in automobile dependency.

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

It is proposed to substantially improve and upgrade the Route 440 - Culver Redevelopment Area through a combination of redevelopment actions that will provide a uniform and consistent attack on blight within the Area by systematically removing blighting influences in an orderly manner, starting with vacant land and those structures and properties most deleterious to the Area.

- A. The acquisition, consolidation and re-subdivision of land within the Redevelopment Area into suitable parcels for development for the new anticipated land uses.
- B. Demolition of structures determined to be impediments to sound and comprehensive redevelopment.
- C. Provision for a full range of public infrastructure necessary to service and support the new development in the Redevelopment Area.
- D. Construction of new structures and complimentary facilities that are consistent with the recommendations of the Master Plan and this Redevelopment Plan, and which provide for a broad range of commercial, residential and service uses.
- E. Reservation of land for construction of new rail, vehicular, and pedestrian rights-of-way.

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

The following provisions shall apply to all property located within the Route 440-Culver Redevelopment Area:

- A. Consistent with 40A:12A-7c., this Redevelopment Plan shall supersede all provisions of the Jersey City Land Development Ordinance, Chapter 345 of the City of Jersey City, except 345-6 Definitions, where applicable; 345-12 thru 31 Application Requirements, Development Procedures and Checklists; 345-32, 33 Fees; 345-60.2 Required setbacks...

(pertaining to Route 440); 345-74 Stormwater control; 345-75 Performance and Maintenance Guarantees; and 345-76, 77 Enforcement, Violations, and Penalties.

- B. All development within the Redevelopment Area shall be consistent with the guidelines, standards, and requirements of this Plan, and Map #5, the Zone Map, contained herein.
- C. The regulations and controls in this section may be implemented, where applicable, by appropriate covenants, or other provisions, or through agreements for land disposition and conveyances executed thereto.
- D. No building or structure shall be constructed within any public right-of-way without Site Plan approval by the Planning Board and a Franchise Ordinance adopted by the Municipal Council authorizing such construction. No building or structure shall be constructed in the bed of a mapped street unless such street has been vacated by an act of the Municipal Council and the Site Plan has been approved by the Planning Board.
- E. No Building Permit shall be issued for any new construction, reconstruction, or rehabilitation work within the Area that meets the threshold under Chapter 345-16.C (Site Plan Review within Redevelopment Plan Areas) without prior review and approval of such work by the Planning Board. An Application for Development and a site plan for any such project that meets the threshold shall comply with all procedural requirements of Chapter 345, Article III, and shall be submitted by the developer or property owner to the Division of City Planning for review, so that compliance of such plans with this Redevelopment Plan can be determined.
- F. The provisions of this plan specifying the redevelopment of the project area and the requirements and restrictions with respect thereto shall be in effect for a period of forty (40) years from the original date of approval of this Plan by the City of Jersey City Municipal Council. Subsequent amendments hereto shall not alter or extend this period of duration, unless specifically extended by such amendments.
- G. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et.seq.
- H. Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with this Plan's requirements and the requirements pertaining to subdivision contained in the Jersey City Land Development Ordinance.
- I. 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 effecting 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.

- J. The Planning Board may grant exceptions or waivers from specific design standards, or 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.
- K. No deviations shall be granted that will result in permitting or expanding a use that is not a permitted use within this Redevelopment Plan, an increase in the maximum height of ten (10%) percent or greater, or an increase in the density over that permitted 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.
- L. No deviations shall 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.
- M. If any word, phrase, clause, section or provision of this Plan shall be found by a court of competent jurisdiction to be invalid, illegal or unconstitutional, such word, phrase, clause, section or provision shall be deemed severable and the remainder of the ordinance shall remain in full force and effect.

## **VI. GENERAL LAND USE REQUIREMENTS AND RESTRICTIONS**

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, unless part of a licensed car sales business, shall be prohibited.
- B. All utility distribution lines and service connections from such lines to the project area's individual uses shall be located underground. Any transformers associated with development within the Area shall be located underground or within the building. Remote readers for all utilities are preferred in lieu of external location of actual metering devices. Developers are required to arrange for connections to public and private utilities and shall notify planning staff of such arrangements prior to installation to ensure compliance with this plan.
- C. Chain link fencing is prohibited along all street frontages within the Area, except during construction. Chain link fencing for construction shall be dismantled and removed prior to the issuance of a Certificate of Occupancy.
- D. The use of razor wire, barbed wire or other similar material is expressly prohibited within the Redevelopment Area.

- E. The commercial storage, processing, separation, and/or transfer of garbage or waste materials shall be prohibited.
- F. No billboard shall be permitted on any property contained within the Redevelopment Area.
- G. No advertising shall be permitted on parking meters, light poles or on benches or other street furniture within the public right-of-way.
- H. Rooftop signs as well as any signs that include flashing, blinking, or otherwise animated lights and/or parts, spinners, pennants, reflective materials that sparkle or twinkle and/or similar materials are expressly prohibited, except for seasonal holiday decorations.
- I. All trash receptacles shall be located within buildings or parking areas, and shall be adequately screened, enclosed and secured, even from above where deemed applicable by the Planning Board.
- J. All mechanical equipment, generators, HVAC equipment and similar equipment shall be visually screened so as not to be visible from adjacent buildings, yards, or public areas, and rooftop equipment shall be adequately screened from all vantage points, even from above where deemed applicable. Said screening shall be constructed in a manner that is consistent with the architecture of the building, and shall utilize the same or complimentary materials used in construction of the building such that the screening appears to be an integral part of the building. Interior locations shall be utilized where mechanically possible. Additionally, such equipment shall be acoustically buffered such that any noise generated by the equipment shall not exceed the residential noise standard as defined by the State of NJ.
- K. Ventilation equipment required for commercial uses shall be vented through the roof of the building and screened in compliance with paragraph J above. Exposed ventilation pipes and risers are prohibited. Should ventilation grillwork be necessary to a storefront façade system, such grillwork shall encompass no more than 10% of the total possible storefront glazing area.
- K. No use or reuse shall be permitted, which produces toxic or noxious fumes, hazardous discharges, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features that are detrimental to the public health, safety or general welfare, or that are damaging to the physical environment.
- L. Any new streets, improvements to existing streets, infrastructure and/or streetscape elements required on a particular block by the Plan shall be constructed concurrently with the development of any project or building at least to the extent of the entire project frontage where it abuts an existing or proposed street. Construction of a new street and/or improvements to an existing street may be required for the entire length of one or more blocks regardless of the extent of the project frontage if such improvements are deemed necessary by the Planning Board for circulation and/or access purposes related to the project. The above provisions contained in this paragraph **shall not apply** to projects pertaining to existing uses owned and operated by existing or future automotive dealerships (includes automotive showrooms and sales or leasing offices, inventory storage lots and/or automotive servicing centers where they are permitted principal and/or accessory uses under VIII.D

and/or E.of this Plan) unless the existing use of the auto dealership property is changed to a different use otherwise authorized under this Redevelopment Plan.

M. Upon demolition of any existing structures, the site shall be graded, planted, sodded, paved and/or developed in accordance with this Plan.

**VII. URBAN DESIGN REQUIREMENTS** (Not applicable to renovation, rehabilitation, or new construction of 1-, 2-, or 3-family detached houses permitted under VIII.C.1.a.)

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

**A. General Building Design Requirements**

1. The location of all structures within the project area shall take into account the proper relationship to other buildings, both existing and proposed, in terms of light, air and usable open space, access to public rights-of-way and off-street parking, height and bulk.
2. All buildings shall front upon a public street, and shall be oriented toward the street so as to contribute to the overall liveliness of the pedestrian environment. The lower level of all buildings shall be designed at a scale appropriate to the pedestrian environment, and each building shall have a clearly identifiable primary entrance facing the street.
3. Front yard parking and/or parking within a side yard facing the street on a corner lot is prohibited within the Redevelopment Area.
4. All outdoor storage is prohibited, and any storage area that may be required and/or proposed shall be contained within the principal structure.
5. At least 75% of any storefront façade shall be glass, and windows and glazing for ground floor commercial uses shall provide views into the store and display areas.
6. Windows in residential portions of a building shall be arranged such that the vertical dimension, or height, is greater than the horizontal dimension, or width. However, bay windows, bow windows, or other multi-panel window features may also be incorporated into the façade to provide architectural interest and character, provided that the overall verticality of the structure is not adversely affected.
7. Balconies and terraces may extend from the building when facing into interior courts and/or rear yards. However, balconies facing onto streets shall not project more than eighteen (18) inches from the building face.
8. All corner buildings shall have windows on both street frontages, and the secondary building façade shall be decoratively appointed to mimic the primary façade, incorporating such special detail/features as bay windows, French balconies, and/or other such features as are found acceptable by the Planning Board.
9. The window sill of any residential window shall either be at least five (5) feet above the elevation of the adjoining sidewalk, or shall be set back at least five (5) feet from the

property line and protected by a fence and/or landscape bed in order to provide adequate visual screening, subject to review and approval of the Planning Board.

10. Facade treatments, materials, colors and architectural treatments shall be of the highest quality and compatible with the building's architectural style. Use of concrete block and vinyl exterior finishes are prohibited, and use of EIFS is prohibited as a water table and/or building base finish. EIFS may be used on upper floors, but only as trim not to exceed 5% of the total surface area of any façade.
11. All building facades fronting on a street shall have some variation in texture and plane. Pursuant to this requirement and at the discretion of the Planning Board, at least a ten percent (10%) variation in materials and colors is encouraged, and at least twenty percent (20%) of each façade should either project or be recessed a minimum of 18 inches from adjacent façade elements through the use of bays, oriels, balconies, reveals, belt coursings, and/or other decorative elements.
12. Buildings, or groups of buildings, may vary in architectural style provided that they shall be designed to present a harmonious appearance in terms of their setting in the built environment and shall have an attractive, finished appearance when viewed from all vantage points.
13. All rooftop mechanical equipment, satellite dishes, and cell phone, television and radio antennas shall be screened from all directions and elevations, on existing and new structures, to the extent feasible, to minimize the negative aesthetic impact as viewed from all properties and structures in neighboring residential zones and from street level. Creative placement of said equipment is strongly encouraged in order to minimize the need for screening. However, where screening is deemed necessary by the Planning Board, screening materials shall be identical or harmonious with those used in the building's façade, and such screening shall be pleasing to the eye and consistent with the surrounding architecture as well as the architecture of the building.

## **B. Sustainable Design Requirements**

1. All buildings or principal structures to be developed within the area shall demonstrate 20% improvement in energy efficiency of the building envelope, with respect to duct work insulation for mechanical systems, over ASHRAE 90.1 2007 or the most recently adopted energy standards by NJ Department of Energy.
2. All new construction shall utilize only Energy Star rated appliances or better.
3. In addition to the above, all buildings, structures and/or sites to be developed within the area shall incorporate at least **five (5)** of the following sustainable design features:
  - a. Sustainable roof top: may be Green roof, Blue roof, Solar panel roof, or a combination of at least 50% either Green, or Solar, with White/Cool roof remainder
  - b. Common/shared roof top gardening area with raised beds for growing vegetables
  - c. On-site common roof-top recreation space
  - d. Reservation of parking spaces for the hourly rental of cars (such as Zip Cars, Hertz on Demand, or comparable service)

- e. Electric car charging station(s)
- e. Gray water recycling
- f. Use of at least 50% recycled and/or locally produced construction materials (within 500 miles)
- g. Energy Star rating of 75 or higher for entire building
- h. Installation of geo-thermal (heating/cooling) systems
- i. Use of rain gardens and/or swales in surface landscaping design

### **C. Parking Structure Design Requirements**

1. All parking levels shall be screened or masked in some way from all public rights-of-way so as not to give the apparent perception of garage space.
2. Along Route 440 frontage, a combination of retail, restaurant and/or permitted commercial use, lobby areas, as well as commercial or residential use above the ground floor shall be utilized between all levels of the parking use and the right-of way to mask the parking. Along all other rights of way, ground floor and/or basement level parking shall be masked by lobby areas along with retail, restaurant or other commercial uses where such uses are permitted and utilized, and upper floor parking levels shall be designed as follows in #3.
3. Parking levels that are not entirely masked by other building uses, as covered above, shall be articulated in a manner providing visual interest and utilizing an architectural treatment and materials consistent with the architecture utilized for the principal use of building. Where only residential uses are permitted, or where permitted commercial uses are neither required nor utilized, ground floor and/or basement level parking shall be masked, to the extent feasible, by lobby areas, and where not masked by other uses, all parking level facades shall be disguised by artificial windows of the punched out style utilizing glass and/or decorative grillwork containing the same detailing, design and window frame color as the windows utilized on non-parking levels of the building. The artificial windows must mimic the style and proportions of the windows on non-parking levels of the building so that parking levels have the appearance of habitable floors. Compatible architectural treatments such as sub-cornices, lintels, and other decorative design features shall also be utilized to provide architectural interest and variety.
4. The design of parking levels within any building shall emphasize a vertical exterior façade pattern instead of the horizontal cladding associated with parking garages and their structural members.
5. Individual garage lighting sources shall not be visible from the exterior. Interior garage lighting shall utilize fixtures that will maintain a soft illumination of the interior garage space and will thereby not readily expose the lighting source and garage interior to view from the public right-of-way outside. An internal lighting plan prepared by a lighting professional shall be included with any garage application for review and approval.
6. Garage doors, designed to reflect the architecture of the building, shall be provided at the ingress and egress to the parking garage of any development. Open metal/mesh grates are

prohibited. Garage doors shall be kept to the minimum height and width possible so as to limit their visual impact on the streetscape and the façade of the building.

7. The above design requirements are intended primarily for new residential and/or mixed-use development, or conversions to same (i.e. adaptive reuse), and shall not apply to a new parking structure associated with an automobile dealership provided that said parking structure does not consist of more than a single story.

**D. Circulation and Creation of New Rights-of-Way**

1. The creation of new blocks and rights-of way within the Area, as shown on the Rail and Street Network Plan (Map 3), is required pursuant to the following provisions in order to facilitate vehicular, bicycle and pedestrian circulation within the Area, improve access to mass transit, extend the existing street grid to create linkages to surrounding areas, reduce the need for off-street parking by the creating new on-street parking opportunities along new blockfronts, and facilitate implementation of the Route 440 Boulevard Design plan. (See Section VIII.B.3 Bonus Provision for Creation of New Rights-of-Way). Exempted from this requirement are principal and accessory uses pertaining to auto dealerships, where permitted, provided that such properties continue in auto dealership use.
2. In addition to the above, any application for development of Block 21701/(fka)1775.1 shall include the reservation of land within existing Lot 14/83 for additional right-of-way for the extension of the Hudson Bergen Light Rail (HBLR). The extent of the land area to be reserved shall be defined by the area measured fifty-six (56) feet north from the southern lot line of Lot 83 as shown on the Rail and Street Network Plan.
3. 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.
4. The dimensions of all proposed blocks and rights-of-way lines defined on the Rail and Street Network Plan shall be considered approximate at the time of adoption of the Redevelopment Plan and shall be refined and finalized by an engineering survey to be performed by the developer prior to actual construction.
5. Sidewalks are required on both sides of all streets and shall be appropriately sized for the safe and convenient movement of pedestrians through and around the Redevelopment Area as follows:

Street	Total sidewalk width	Unobstructed	Planter/tree pit
Mallory & Culver Aves.	15 feet	10 feet	5 x 5
Claremont Avenue	Match existing sidewalk in Water Street Redevelopment Area	Match existing	Match existing

Route 440	In accordance with Route 440 Boulevard Design Plan	See Rte 440 Design Plan	See Route 440 Design Plan
All other streets	9-10 feet	6 feet	3x5 or 4x4 feet

**E. Off-street Parking and Loading Design Requirements**

1. All required parking spaces shall be a minimum of 9 feet wide by 18 feet deep, except that up to 30% of required parking spaces may be compact spaces, a minimum of 8 feet wide by 16 feet deep. Where perimeter landscaping, or a pedestrian walkway, or an additional row of parking abuts a row of parking spaces, the placement of a curb or wheel stop up to two (2) feet within the required 18 foot depth of the parking space may be required by the Planning Board to ensure that parked vehicles will not infringe on required landscaping, pedestrian areas or adjacent parking spaces. All parking aisles shall be a minimum of 22 feet wide.
2. Required off-street parking may be located on the same lot as the use which the parking is intended to serve, or may be provided on another site within the Redevelopment Area provided that the parking use is not the sole use of the lot.
3. Short term bicycle parking shall be provided along the sidewalk in front of all commercial development at a ratio of one bike parking station accommodating at least two bicycles for every 25 linear feet of frontage. In addition, bicycle storage shall be required for development on all lots greater than 2,500 square feet, or residential projects of more than four dwelling units at a ratio of one bicycle space per 5,000 square feet of non-residential use, and one bicycle space for every two residential units.
4. All bicycle storage areas shall be located so as to be convenient and accessible to the front entry of the building with no more than four vertical steps between the bicycle storage area and the sidewalk (ramps may be utilized). Required bicycle storage spaces may be provided with wall-mounted racks along accessory garage walls, an interior bicycle storage room, or any combination of the afore-mentioned.
5. Developers shall demonstrate that sufficient off-street loading will be provided to meet the needs of the proposed use. Loading operations shall be conducted so as to minimize conflicts with traffic circulation.
6. Access to all off-street parking and loading areas shall be clearly designated and arranged so as to avoid the backing in and out of vehicles onto the street right-of-way to the greatest extent practical, and to limit conflicts with pedestrian areas.
7. On-street loading shall be limited to light deliveries that support the day-to-day functioning of the use with which they are associated. No more than one on-street loading zone of 30ft is permitted along any single blockfront.

## **F. Landscape, Streetscape, Lighting**

1. All new projects shall include a Landscape Plan for the subject site, and a Streetscape Plan for the sidewalk areas adjoining the site.
2. Landscaping, 90% of which shall consist of soil planted with vegetative material, is required for any part of a development parcel not specifically designated to be used for buildings, off-street parking and/or loading spaces, walkways, or other similar purposes requiring impervious surface.
3. The Landscape Plan shall include details and specifications indicating types of paving materials, plant materials, lighting, tree grates, screening materials and other decorative on-site features. All proposed site plans shall include a planting schedule, prepared by a Certified Landscape Architect, indicating location, size and quantity of the various species to be used, and shall additionally take into account site-specific water table and other soil conditions.
4. The Streetscape Plan shall include all sidewalk materials, colors and specifications as well as details and specifications for all other amenities such as landscaping, tree guards and/or grates, benches, trash receptacles, lighting and/or other decorative street furniture, including sidewalk café appurtenances. In particular, the streetscape plan for projects fronting along Route 440 shall include all design elements contained in the adopted Route 440 Boulevard Plan and shall conform to the dimensional requirements of the adopted Boulevard Plan for each element.
5. All sidewalk areas shall be durably paved, and access across a sidewalk to a driveway, garage, parking alley, or common parking area shall be via a “dropped” curb and sloped apron in conformance with Municipal engineering standards. Porous paving materials are encouraged along the curb line between street tree beds.
6. All plant material used shall be suitable to the urban environment and a long-term landscape maintenance schedule shall be provided indicating how the plant materials are to be cared for and maintained, including method of irrigation, fertilizing, pruning, etc., and a plan for replacement of any plants that do not survive at least two planting seasons. Sustainable vegetation requiring the least water maintenance feasible shall be encouraged.
7. Street trees shall be required for all new development, redevelopment, or rehabilitation within the Redevelopment Area. Trees shall be planted along curb lines of streets to enhance the aesthetic quality of the pedestrian environment in the Area. Trees appropriate to the urban environment shall be planted at a minimum of twenty-two feet and a maximum of thirty-five feet apart on center depending on the typical mature spread of the selected tree variety.
8. Roof top planting is encouraged (see also VII.B Sustainable Design Requirements).
9. Surface parking lots for 5 or more vehicles shall provide a perimeter screen planting area at least 4 feet in width along any street line and along any property line abutting a yard

area. Parking lot screen planting shall consist primarily of dense evergreen material that may be interspersed with a few decorative, flowering trees. The height of the mature screen planting shall be sufficient to accomplish the intended screening purpose. All perimeter planting areas shall be curbed to prevent erosion, but may allow periodic breaks for rainwater infiltration, if applicable. Perimeter planting areas shall be enclosed with decorative, metal, picket style fencing a minimum of 4 feet and a maximum of 6 feet in height. In lieu of a planting bed, curb and fence enclosure at grade, a brick planter box with a stone cap may be constructed not less than 18 inches nor more than 3 feet in height, and fencing shall be installed at the outer edge of the planter box so that the total height of the bed and fence equals no less than 4 feet nor more than 6 feet in height.

10. Screen planting for purposes other than parking lot screening shall consist of evergreen material that is 4 to 6 feet in height at the time of planting, and is guaranteed to achieve a mature height and spread sufficient to obtain an adequate, solid screening effect.
11. Surface parking lots for 20 or more cars shall provide 1 shade tree for every 10 parking spaces in addition to required perimeter screening. Parking lots configured with 3 or more rows of parking shall be designed with a landscape bed at each end of the central row(s) in addition to required perimeter screening and shall also provide 1 shade tree for every 10 parking spaces, interspersed along the spine of the central row(s). Interior lot landscaping shall be designed and maintained at a maximum height of 30 inches so as not to interfere with the sight line of vehicles circulating within the lot.
12. As part of any development with 50 feet or more of street frontage within the Redevelopment Area, new, decorative, pedestrian-friendly street lighting shall be installed at the outer edge of all sidewalks in accordance with a comprehensive decorative design theme. Existing cobra-head lighting oriented toward the street may remain. However, where replacement of cobra-head lighting is necessary, or along any newly constructed rights-of-way, taller decorative lighting fixtures oriented toward the carriage way shall be utilized as part of the lighting plan in lieu of the standard cobra-heads. In no case shall taller, street-oriented lighting be utilized to the exclusion of pedestrian scale lighting. Any such taller street-oriented lighting must be the same color as, and of compatible style with, the pedestrian scale decorative lighting which shall be either upright or oriented toward the pedestrian right-of-way.
13. Lighting within each site and along all street lines of the property shall be sufficient to illuminate all areas and provide for a safe, evenly illuminated environment. However, all lighting fixtures must be properly oriented and screened to prevent light spillage and glare to adjacent properties.
14. On-site lighting fixtures shall be in scale with the size of the project. Bollard type lighting and/or pedestrian scale lighting is encouraged wherever feasible.
15. Only decorative style fences, such as tubular steel, "wrought iron," or other similar type fences, are permitted along street frontages. The design of the fencing shall be in keeping with and appropriate to the architectural style of the building. Fencing along all street frontages shall not exceed forty two (42) inches in height except in the case of an accessory parking area that fronts on a street where up to 6 feet in height is permitted.

## G. Open Space Bonus Provisions:

1. Any application for development on Block 21701/(fka Blocks 1296 & 1775.5), or Block 22101/1297, may be accompanied by a plan to also develop Block 1296.5, now Block 21701, Lot 15, and/or that portion of Block 21701/1775.1, lot 14/83 remaining after reservation of land for the HBLR extension and also abutting the Water Street Redevelopment Area, as a public park in accordance with the open space requirements of this Plan found below. In such case, any qualifying development project within the Area shall be permitted to exceed the maximum allowable **floor area** for the applicable district (as provided under Section VIII.B.1 of this Plan) by an amount equal to 1.5 times the development rights associated with the portions of Block 21701, lot 15 (fka Block 1296.5), and/or said remainder of Block 21701/1775.1, lot 14/83 to be reserved for park development.
2. Any application for development on Block 22103/1293, lot 1/ 55 may include a plan to develop a public park on the easternmost “remainder” of the lot, after subdivision and creation of a new right-of-way at the eastern boundary of the lot between Fisk Street and Carbon Place (see VIII.B.3. Bonus Provision for Creation of New Rights-of-Way below). In such case, development of any of the other parcels created by a subdivision of this lot shall be permitted to exceed the maximum allowable **floor area** for the applicable district (as provided under Section VIII.B.1 of this Plan) by an amount equal to 1.5 times the development rights associated with said “remainder.” In the alternative, ownership of said remainder, along with the development rights applicable under Section VIII.B.1 below only, may be transferred by sale to the owner of Block 22103/1287.A, Lot 12/12 for inclusion in the development of that parcel provided.
3. Any park created pursuant to the development incentive described in section G.1 above shall be designed with at least 60% vegetative green space, public seating areas and passive recreation space; and may include a children’s playground and/or a dog run.
4. In addition to G.1 above, a maximum of 5% of any development site may be dedicated to public open space in the form of plaza, passive recreation area, or children’s play area. Any development that creates such public open space shall be allowed to apply the development rights applicable to the area reserved for public open space to the remaining developable area.
5. Once the allowable development rights have been calculated using the above standard, any development project within the Area shall be permitted to exceed the maximum allowable **building height** for the applicable district by the exact number of stories and floor area, rounded to the nearest whole number, necessary to achieve the Open Space Bonus and/or the Bonus Provision for Creation of New Rights-of-Way (as provided under Section VIII.B.3. of this Plan).

## VIII. SPECIFIC LAND USE REGULATIONS

### A. Intent and Purpose

The purpose of this regulating plan is to promote redevelopment that will result in a vibrant and stable community through the creation of a livable neighborhood, viable commercial uses, a range of housing types, and open spaces arranged in a logical manner responsive to on-site conditions, the light rail station at West Side Avenue, and the future implementation of the Route 440 Boulevard plan. It is the intent of these regulations to also promote redevelopment that will provide an appropriate scale of development and compatible transition of uses between the adjacent redevelopment areas on three sides and the abutting R-1 One and Two Family Zoning District on the remaining side.

### B. Intensity of Development

1. Floor Area Ratio (FAR) – gross lot size shall be used to calculate maximum allowable floor area (i.e., prior to subdivision for the creation of new rights-of-way or the widening of existing rights-of-way). Required Floor Area Ratios assume 100% coverage at the ground floor, 65% coverage for floors 2 thru 8, and 55% coverage for floors 9 thru 12. Variations in setbacks that reduce ground floor building coverage by up to 20% (in furtherance of urban design standard VII.A.11) and add the ground floor level reduction to the building mass on other floors are permitted as long as the floor area ratio is maintained and the permitted height is not exceeded. Floor Area Ratios assume 100% coverage at the ground floor, 65% coverage for floors 2 thru 8, and 55% coverage for floors 9 thru 12. In the case of development projects utilizing the Open Space Bonus Provisions found in Section G above, and/or the Bonus Provision for Creation of New Rights-of-Way found in Section B.3 below, Floor Area Ratios shall assume 100% coverage at the ground floor, 85% coverage for floors 2 thru 8, and 75% coverage for floors 9 and above, however, waivers from these assumptions that allow for greater coverage may be considered provided, however, that Building Design Requirements found under VII A. and C. including, but not limited to, variations to the building plane, shall still apply.

Mid Rise-A District - One, two, or three family detached houses: Maximum FAR 2;

All other uses: Maximum FAR 4

Mid Rise-B District - Maximum FAR 5.5

High Rise District - Maximum FAR 7.7

2. Height regulations:

- a. Existing one, two or three family houses in the Mid Rise-A District can be rebuilt, on the specific permitted lots, to a maximum of three or four stories in accordance with the number of stories existing at the time of adoption of this plan and the Max. allowable FAR. All other building types are subject to the minimum and maximum heights specified below.
- b. Except as covered in a. above, all uses and building types, except those uses and building types customarily associated with existing and future auto dealerships where permitted, shall comply with the height requirements shown on the table below (see

High Rise and Mid-Rise District bulk standards for existing showrooms and associated uses under VIII.D.3.e & E.3.c.) with the following exceptions:

1.) In the event that the Open Space Bonus Provision found at Section VII.G.1 and /or the Bonus Provision for Creation of New Rights-of-Way found at Section VIII.B.3 shall apply, the development project may, as-of-right, exceed the maximum allowable height for the applicable district shown in the table below by the exact number of stories and floor area, rounded to the nearest whole number, necessary to achieve the Open Space Bonus Provision and /or the Bonus Provision for Creation of New Rights-of-Way.

2.) Waivers from the building coverage assumptions found in B.1 above shall be considered for any project seeking additional floors to utilize the Open Space Bonus Provision and /or the Bonus Provision for Creation of New Rights-of-Way, provided, however, that Building Design Requirements found under VII A. and C., including, but not limited to, variations to the building plane, shall still apply.

ZONE	Minimum Stories	Maximum Stories	Minimum floor to ceiling	Max. floor to ceiling w/o mezzanine
Mid Rise-A	4 stories	6 stories	Res:* 9 ft.	Res: 11 ft.
			GFC: * 9 ft.	GFC: 12 ft.
Mid Rise-B	5 stories	8 stories	Res: 9 ft.	Res: 12 ft.
			GFC: 9 ft.	GFC: 14 ft.
High Rise	8 stories	12 stories	Res: 9 ft.	Res: 12 ft.
			GFC: 10 ft.	GFC: 15 ft.

\*Res = residential; GFC=ground floor commercial

c. Mezzanines –

1.) 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.

2.) 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.

3. Bonus Provision for Creation of New Rights-of-Way (See VII.D.1 for requirement to create new blocks and rights-of-way)

a. Whenever a subdivision or dedication of private property for the creation of a new or expanded right-of-way is required in accordance with the Rail and Street Network Plan - Map 3, including the HBLR extension, a development project within the Area shall be

permitted a maximum allowable **floor area** equal to 120% of the development rights, rounded to the nearest whole number, permitted under Section VIII.B.1, Floor Area Ratio, for the applicable zone in which the property is located, based on the gross land area of their property prior to subdivision or dedication

b. Once the allowable floor area has been calculated using the above standards based on the gross land area prior to subdivision, any development project within the Area shall be permitted to exceed the maximum allowable **building height** for the applicable district by the exact number of stories and floor area, rounded to the nearest whole number, necessary to achieve the maximum allowable floor area build-out at a factor of 120% and/or to achieve the Open Space Bonus.

### C. Mid Rise-A District

This district consists of portions of two non-contiguous blocks: a portion of Block 1774 that serves as a transition zone between the R-1 zone to the north and the Water Street Redevelopment Area TOD-B to the south, and a portion of Block 1297 that serves as a transition zone between the West side Avenue Redevelopment Area to the east, the R-1 zone to the south, and the Mid Rise-B zone to the west.

#### 1. Permitted Principal Uses:

- a. 1, 2, or 3-family detached houses shall be considered conforming uses only on Block 21801/(fka)1774, Lots 14/10, 3/53, & 12/79 and Block 22101/1297, Lots 25/28, 26/29, 27/30 and 21/37, 33/38.A, 34/39.A, in accordance with the use existing at the time of adoption of this plan.
- b. Townhouses: may include flats, duplexes and/or triplexes (units on more than one floor).
- c. Mid-rise apartment buildings in accordance with the Ground Floor Frontage Regulating Plan – may include flats, duplexes, and/or loft style apartments.
- e. Ground floor retail and commercial uses - the following uses may be located on the ground floor of a mid-rise apartment building in accordance with the Frontage Regulating Plan: retail sales, retail services, category one and two restaurants, financial institutions and services, commercial health club/fitness center/gym, offices (includes general, professional, medical), and child day care centers.
- f. Civic uses
- g. Parks and public open space

#### 2. Permitted Accessory Uses and structures:

- a. Home Occupation in any residential unit
- b. Health/fitness club or gym reserved for the sole use of building occupants, on any floor of a mid-rise apartment building
- c. Roof-top deck/recreation area as part of mid-rise apartment building development

- d. Meeting and/or community room on the second floor or above of a mid-rise apartment
  - e. Balconies – subject to design regulations of this plan
  - f. Swimming pools
  - g. Decks and patios
  - h. Structured parking; some rear yard surface parking may be permitted in accordance with the parking standards of this plan.
3. Bulk Standards:
- a. One, two or three family houses, where permitted under VIII.C.1.a. -
    - 1.) Minimum Lot Area/ Width/ Depth: 2,500 sq.ft/ 25 ft./ 100 ft.
    - 2.) Front and rear yards - combined depth shall not total less than 35 feet
    - 3.) Side yards shall be determined by window placement and compatibility with adjacent development.
    - 4.) Building Coverage: shall not exceed 60%
    - 5.) Lot Coverage: shall not exceed 80%; remaining 20% shall be suitably landscaped with vegetative cover and must include all front yard areas not required for walkways and driveways.
  - b. Townhouses –
    - 1.) A minimum of 4 townhouse lots in a row, on separate lots, are required.
    - 2.) Minimum Lot Area/ Width/ Depth: 2,500 sq.ft/ 25 ft./ 100 ft.
    - 3.) Front Yard Setback: Min. 0; Max. 5 ft.; any row of four houses must have the same setback.
    - 4.) Side Yard: Not permitted, must build lot line to lot line along the side.
    - 5.) Rear Yard: Front and rear yards - combined depth shall not total less than 35 feet.
    - 6.) Building and Lot Coverage: see standards above for one, two, three family houses
  - c. Mid-rise apartment buildings and civic uses –
    - 1.) Minimum lot Area/Width Depth: 6.000 sq.ft/ 60 ft/ 100 ft
    - 2.) Required front yard:
 

Residential and/or garage frontages shall match the front yard setback of the primary building façade of an adjacent mid-rise apartment building, or a minimum of 0 feet and a maximum of 10 feet shall apply, if there is no adjacent mid-rise apartment building; see also Urban Design Guidelines VII.A.11 for required variation in façade plane. Ground floor commercial use frontages shall be located along the front lot line.

- 3.) 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.
- 4.) Required side yard: Parking garage level(s) may be built to the side lot line, and residential floors shall provide a minimum five (5) feet on each side.
- 5.) Building Coverage: See VIII.B.1 Floor Area Ratio to calculate allowable building coverage.
- 6.) Lot Coverage: To be determined by yard requirements and may vary depending on ground floor use.

D. Mid Rise-B District

1. Permitted Principal Uses:

- a. Townhouses – See Mid Rise-A
- b. Mid Rise Apartment Buildings- See Mid Rise-A; may also include work/live units.
- c. Ground floor retail and commercial uses – the following uses may be located on the ground floor of a mid-rise apartment building in accordance with the Ground Floor Frontage Regulating Plan: retail sales, retail services, category one and two restaurants, bars, financial institutions and services, commercial health club/fitness center/gym, offices (includes general, professional, medical), theaters and child day care centers. Restaurants, and/or healthclubs/fitness centers/gyms may also occupy the second floor in this zone provided that the second floor use is connected internally to the same use on the ground floor and has windows fronting on the street in conformity with building design standards.
- d. General and/or professional office buildings, including medical offices
- e. Civic uses
- f. Public and private technical schools
- g. Commercial theaters for live or screen performances including movies, plays, and concerts.
- h. Any combination of the above in accordance with the Ground Floor Frontage Regulating Plan
- i. Parks and public open space on Block 21701, lots 1, 13, 14, 15 (fka Blocks 1296.5 and 1775.1)
- j. Inventory storage, automotive servicing centers, and used car sales offices on Block 1292, (new Block 22003, lots 3, 4, 5, 8, 9, 10, 11), and Block 1295, lots 66, 67, 68 (new Block 22002, lots 19, 28, 29) only, ancillary to auto showrooms and sales or leasing offices on Blocks 22001, lot 4/1291, lot 76 and 22002, lot 1/1295, lot 28.99 and 22001, lot 2/1292.1 in the High Rise District. Any expansion of such ancillary

facilities shall require Site Plan approval by the Planning Board and shall include landscaping, screening, and decorative lighting and fencing improvements.

2. Permitted Accessory Uses and Structures:

- a. Home Occupation in any residential unit
- b. Health/fitness club or gym reserved for the sole use of building occupants, on any floor of a mid-rise apartment building
- c. Roof-Top recreation space on the roof of a mid-rise apartment building
- d. Meeting and/or community room on the second floor or above of a mid-rise apartment
- e. Balconies – subject to design regulations of this plan
- f. Structured parking; some rear yard surface parking may be permitted in accordance with the parking standards of this plan

3. Bulk Standards:

- a. Townhouses – See Mid Rise-A
- c. Mid-rise residential & civic uses – See Mid Rise-A
- d. Mixed use buildings, office buildings, technical schools, commercial theaters
  - 1.) Minimum lot Area/Width Depth: 10,000 sq.ft/ 100 ft/ 100 ft
  - 2.) Yard and coverage standards: See Mid Rise A - Mid-rise residential & civic uses\
- e. Inventory storage lots, used car sales operations, and automotive servicing centers, existing at the time of adoption of this Plan, and ancillary to existing dealerships fronting on Route 440, may expand in accordance with yard and coverage standards for mixed use buildings without meeting minimum height standards, provided however that such expansion shall not include the encroachment of any building consisting of more than a single story into any proposed rights-of-way shown on Map 3: Rail and Street Network Plan, and also provided that Site Plan Approval shall be required in accordance with all applicable Urban Design standards for any such expansion. See also applicable Site Plan application requirements outlined under Sections D.1.j. of the Mid Rise-B District and E.1.i.of the High Rise District.

E. High-Rise District

1. Permitted Principal Uses:

- a. High-Rise apartment buildings in accordance with the Ground Floor Frontage Regulating Plan – may include flats, duplexes, work/live and/or loft style apartments – residential units permitted on all floors except the ground floor of Route 440 frontage

- b. Mid-rise apartment buildings in accordance with the minimum height requirement and Ground Floor Frontage Regulating Plan – may include flats, duplexes, and/or loft style apartments, including work/live units. Residential units are permitted on all floors except the ground floor of Route 440 frontage
  - c. Ground floor retail uses – same uses as permitted in the Mid Rise B District may be located on the ground floor of any high-rise or mid-rise apartment building where optional retail/commercial use is permitted, and are required along the Route 440 corridor, in accordance with the Ground Floor Frontage Regulating Plan. Additionally, along the Route 440 corridor, as well as along all optional retail/commercial frontages, theaters, restaurants and/or health club/fitness center uses may also occupy the second and third floors in this zone provided that the upper floor space is connected internally to the same use on the ground floor and has windows fronting on the street in conformity with building design standards.
  - d. General, professional and/or medical offices, except on the ground floor fronting on Route 440 (see Ground Floor Frontage Regulating plan for Route 440)
  - e. Civic uses, except on the ground floor fronting on Route 440 (see Ground Floor Frontage Regulating Plan for Route 440)
  - f. Public and private technical schools, except on the ground floor fronting on Route 440 (see frontage regulating plan for Route 440)
  - g. Commercial theaters for live or screen performances including movies, plays, and concerts
  - h. Automobile showrooms and sales or leasing offices, contained in a building, are permitted on Block 22001, lot 4/1291, lot 76 and Block 22002, lot 1/1295, lot 28.99
  - i. Inventory storage, automotive servicing centers, and used car sales offices existing at the time of adoption of the Plan on Block 22002/1295 and/or Block 22003/1292 ancillary to existing auto showrooms and sales or leasing offices on Block 22001/1291 or Block 22002, Lot 1/1295, Lot 28.99. Any expansion of such facilities shall require Site Plan approval by the Planning Board and shall include landscaping, screening, and decorative lighting and fencing improvements.
  - i. Any combination of the above in accordance with the frontage regulating plan
  - j. Parks and public open space
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 space on the roof of a mid-rise or high-rise apartment building
- d. Meeting and/or community room on the second floor or above of a mid-rise or high-rise apartment building
- e. Inventory storage, automotive servicing centers, and used car sales offices on Blocks 22001/1291 and 22002/1295 only, accessory to existing auto showrooms and sales or leasing offices on Blocks 22001/1291, 22002/1295, and 22003/1292 respectively, and provided that no such storage or servicing center shall front on or be accessed directly from Route 440, nor shall any building consisting of more than a single story be permitted to encroach onto any proposed right-of-way shown on Map 3: Rail and Street Network Plan. Any expansion of such accessory facilities shall require Site Plan approval by the Planning Board and shall include landscaping, screening, and decorative lighting and fencing improvements.
- f. Balconies – subject to design regulations of this plan
- g. Structured parking

3. Bulk Standards:

- a. Mid-rise apartment buildings & civic uses – See Mid Rise-A
- b. Mixed use buildings, office buildings, technical schools, commercial theaters – see Mid Rise-B
- c. Automobile showrooms and sales or leasing offices for new or used vehicles existing at the time of adoption of this Plan may expand in accordance with yard and coverage standards for mixed use buildings without meeting minimum height standards, provided however that such expansion shall not include the encroachment of any building consisting of more than a single story into any proposed rights-of-way shown on Map 3: Rail and Street Network Plan, and also provided that Site Plan Approval shall be required in accordance with all applicable Urban Design standards for any such expansion. See also Site Plan application requirements for expansion of inventory storage lots, used car sales operations, and automotive servicing centers under Permitted Principal and Accessory Uses in the High Rise District.

F. Parking Requirements:

- 1. No parking is permitted between the building and the street line except where the condition already exists for automobile showrooms and sales or leasing offices, for new or used vehicles existing at the time of adoption of this Plan.
- 2. Off-street parking for all new construction shall be subject to the following minimum and maximum requirements:

Use	Min. # spaces	Max. # spaces
1 & 2 family (on those lots where specifically permitted)	N/A	2 stacked spaces per lot
Townhouses	N/A	2 stacked spaces per lot

Mid-Rise Apt. Bldgs in MR-A district	.33 spaces /d.u.	.66 spaces /d.u.
Mid-Rise Apt. Bldgs in MR-B & HR districts	.5 spaces /d.u.	.9 spaces /d.u.
Retail, Restaurant, Office (all), Financial	N/A	1 space /1,000 sq.ft. of G.F.A.

- f. To the extent feasible, all off-street parking shall be provided within the building envelope of the development site. Where it can be demonstrated to the Planning Board that parking within the building envelope is not feasible, required parking may be provided at the rear of the development parcel/building, but not between the building and the street line, or within a structured parking garage located no more than 500 feet of the development parcel that is to be shared by other building sites.
- g. All parking shall be designed to minimize the number of curb cuts, driveway and garage entrance widths, and the visibility of the parking from the street.

**IX. SIGNAGE AND CANOPY/AWNING REQUIREMENTS**

- A. All signage shall be designed to be compatible with the architectural style and color scheme of the building to which it is attached. Permitted signage materials include: painted wood; painted metals including aluminum and steel; brushed finished aluminum, stainless steel, brass, or bronze; carved wood or wood substitute
- B. Residential Signage – No signage is permitted except as provided below.
  - 1. Each residential building shall display the street address of the building on the front façade or front door of the building such that it is visible from the adjoining street sidewalk and carriage way.
  - 2. Each residential building may provide any signage required for proper mail delivery indicating the name(s) of the resident(s) of the building on the mailbox or doorbell.
  - 3. Mid-rise and Loft residential buildings - one sign not to exceed eight (8) square feet, attached flush to the building wall, identifying the name of the building, if any. The sign shall not be illuminated in any manner.
  - 4. High-rise residential buildings may also have one non-illuminated identification sign, attached flush to the building wall, compatible with the architectural style and color scheme of the building, not to exceed twelve (12) square feet.
  - 5. Mid-rise and high-rise residential buildings may have a canopy at the main entrance that shall have no signage other than the street address. Any signage identifying the name of the building shall be mounted to the building façade above the canopy.
- C. Commercial Signage – Internally lit wall, blade, window and/or directory signage, including neon, light box, channel lighting and the like, is not permitted.

1. Wall Signs - Each ground floor commercial use is permitted one sign, which shall be flush mounted to the front building façade and located within a sign band that is integrated into the overall architectural design of the building facade. The sign band shall not exceed 30 inches in height nor extend more than 80% of the width of the store front that it is intended to serve. The top of the sign band shall not be located more than 15 feet above the adjoining sidewalk elevation, and not above the first floor level of the building. The combined height of any lettering, design and/or logo placed within the sign band shall not be greater than 18 inches. Commercial uses on corner lots may have both a primary wall sign meeting the above standards (attached to the façade with the main commercial entrance) and one additional sign, not more than one-half the size of the primary sign, attached in a reasonable location along the first half of the secondary façade.

2. Blade Signs - Each ground floor commercial use may also have one blade sign located on the first floor of the primary building facade. Blade signs shall not exceed a maximum of 2.5 feet in width by 2.0 feet in height. They shall be placed such that the lowest portion of the sign is not less than 8 feet above the sidewalk and the highest portion of the sign is not more than 12 feet above the sidewalk.

3. Window Signs – Not more than 25% of the total glazed area of any store front or individual window may contain window signage. Permitted window signage shall consist only of gold leaf or other decorative style lettering. Pedestrians must have a clear view into the interior of any ground floor commercial space, such that no window shall be blocked by an interior window display, curtains or blinds covering more than the identical 25% portion of glazed area allowed for signage.

4. Directory Signs – Buildings having multiple tenants may have a directory sign flush mounted to the building and located near the entrance to the building serving the tenants. The directory sign may be no larger than 2 feet wide by 3 feet tall.

5. Awnings – Awnings are permitted for all ground floor commercial tenants and also at the second story of restaurants and/or health club/fitness centers where such second story use is specifically permitted.

6. All awnings shall be of a canvas, canvas blend, or equivalent fabric material. Retractable awnings are permitted for sidewalk cafes in lieu of umbrellas, in accordance with the city's Sidewalk Café Ordinance. All other awnings shall be non-retractable and of a sloped design at an angle of 45 degrees or less and without side panels. The bottom edge or skirt portion of the awning shall extend not more than four feet from the building. The highest structural elements of the awning, i.e. those elements adjacent to the building, shall be no higher than 12 feet above the sidewalk level. No portion of any awning may cover any portion of any second story window, including the window sill or other decorative or structural elements of the window. Waterfall awnings and internal "under" lighting are prohibited.

C. Construction Signage: During construction, one (1) sign for each project or development may be displayed indicating the name of the project, developer, design professionals, general contractor, sub- contractor, financing institution and/or public agency officials (as

applicable and appropriate). The sign area shall not exceed three hundred (300) square feet. Said sign shall be removed upon completion of the project or development.

## X. ACQUISITION PLAN

The Route 440-Culver Redevelopment Area is comprised of a mix of uses including vacant land, underutilized properties and incompatible industrial land uses as well as some stable residential and commercial uses. It is important that the Area be redeveloped in a comprehensive manner that accommodates and preserves the conforming and desirable land uses. At the same time it is important that incompatible land uses, vacant land, underutilized property, dilapidated buildings, unsafe conditions and other impediments to proper development be removed in an orderly, planned and phased manner.

As such, those properties within the Redevelopment Area listed below, also delineated on Map #6, the Acquisition Plan, are Proposed To Be Acquired. In the event of any discrepancy between the map and the block and lot numbers listed below, the map shall be controlling.

Property Proposed To Be Acquired:

<b>New Block/ Former Block</b>	<b>Lot(s)</b>	<b>Address</b>	<b>Description</b>
22103/1287.A	12/12	20 Carbon Place	Industrial (Recycling)
22103/1287.A	20/7	40 Carbon Place	Industrial (Movie/music studio)
22003/1287.A	16/2.C	50 Carbon Place	Industrial (Distribution)
22103/1293	1/55	49 Fisk Street	Industrial (disposable gloves manuf.)
22002/1295	27/1.99	70 Fisk Street	Industrial/Comm. (Better Plastics-manuf. & sales)
22002/1295	28/66	76 Fisk Street	Industrial garage
21701/1296	18/18 & 19/F9.99	212-222, & 230 Culver Avenue	Industrial (Acrilex)
21701/1296	17/19	244 Culver Ave.	Industrial (Alpha/Cookson) – Vacant
21701/1296	23/17	260 Culver Ave.	Comm./automotive (carwash)
21701/1296.5	15/10	74 Pollack Ave.	Comm./automotive (carwash)
22101/1297	11/M.1	35 Pollack Ave.	Vacant land (used for parking)
22101/1297	5/52, 3/43 4/44.99	43, 63, 67 Pollack Avenue	Industrial (CBA Industries warehouse + truck parking)
22101/1297	2/42	69 Pollack Ave.	Industrial (1 story masonry garage)
22101/1297	1/72	71 Pollack Ave.	Comm./automotive (Epic auto Care – oil & lube)
22101/1297	29-31/34-36	194-198 Culver Ave.	Vacant land (used for construction vehicle storage)
21801/1774	8/PL.A, 15/11,	17-19 & 53-63	Industrial (Daniel Products aka Elementis)

	16/29, 17-19/33-35, 4/54, 5/57, 9-10/ 76-77	Yale Ave., 382, 400, & 418-430 Claremont Avenue	– manuf. chemical additives for surfactants)
21801/1774	2/85	70 Mallory Avenue	Industrial (Vacant warehouse owned by Acrilex)
21701/1775.1	24/11.P, 13/96, 25/78, 14/83	58 Water Street & 39 Mallory Avenue	Industrial (Alpha/Fry’s Metals/Cookson Electronics – vacant buildings/vacant land/vacated rail r-o-w)
21701/1775.1	1/A.1	80 Water Street	Industrial (vacant building/unimproved vacant land)

At this time, it is anticipated that any property “proposed to be acquired” within the Redevelopment Area will be purchased and assembled by private development interests. Priority shall be given to the redevelopment by existing property owners of their own property, or in the alternative, for existing property owners to contract with private development interests for the acquisition and redevelopment of the property they own. Owners of property “proposed to be acquired” within the Area pursuant to the above list shall have up to five years from the date of adoption of this Plan to develop their property or to seek alternative private development of their property in the foregoing manner. Redevelopment shall be evidenced by submittal of a completed Application for Development timely to the Jersey City Planning Board, approval of same within the afore-mentioned 5 year period, and commencement of construction within one year of the end of the afore-mentioned five year period. During that five year period (and for a sixth year should construction permits be issued), eminent domain by the city or its authorized agencies shall not be utilized. However, should redevelopment of these above-listed properties in the foregoing manner prove to be unsuccessful after five years from the time of adoption of this Plan, evidenced by the failure to obtain Planning Board approval within the five year period and proceed with construction within the allotted timeframe described above, then, and only then, municipal acquisition by eminent domain may be pursued in order to create properly planned and developable parcels of land. In the event that property is acquired by eminent domain and transferred to a redeveloper, the redeveloper shall reimburse the City of Jersey City for the costs associated with the acquisition pursuant to a Developer’s Agreement between the designated developer and the Jersey City Redevelopment Agency.

## **XI. RELOCATION PLAN**

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. All persons and businesses to be relocated will be interviewed to determine their occupancy and/or relocation needs. Assistance will be provided in locating suitable relocation opportunities and will be conducted in accordance with the requirements of all applicable Federal, State and Local laws,

## **XII. PROVISIONS NECESSARY 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 contains proposed land uses and building requirements for the Redevelopment Area.
- D. The Acquisition Map and Acquisition Plan contained herein indicate all property to be acquired as a result of this Plan.
- E. The Plan is in general 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.

The Plan is also consistent with New Jersey's Office of "Smart Growth" planning principles. "Smart Growth" means: planning, designing, and building livable communities in ways that make more efficient use of land and infrastructure improvements and in ways that protect the environment and valuable natural resources. The twin aspects of "Smart Growth" are revitalizing cities and towns to encourage redevelopment and infill development, while also discouraging sprawl in suburban and rural areas through more compact development.

- F. For all properties designated as An Area in Need of Redevelopment (see Map 6 Acquisition Plan) this Redevelopment Plan shall supersede all provisions of the Jersey City Land Development Ordinance except those specifically listed in Section V.A. of this Plan covering Definitions; Procedural Requirements; Fees; Setback requirements for Route 440 development; Stormwater control; Performance and Maintenance Guarantees; and Enforcement. For those properties designated on Map 6 as an Area in Need of Rehabilitation, the provisions of this Plan shall be applied as an overlay to the HC Highway Commercial District of the Land Development Ordinance provided, however, that Truck Sales and Car Washes shall not be considered permitted principal uses, and Outdoor Garden Centers shall not be considered permitted accessory uses, within the overlay district, **and** provided that no building expansion shall encroach, or further encroach, onto any proposed public right-of-way shown on Map 3: Rail and Street Network Plan. For property within the overlay district, an application for development may be made under either the Redevelopment Plan use, height, bulk, and parking standards, or the HC Highway Commercial District standards (subject to the foregoing use and design exceptions), but not both. No variance from the requirements herein shall be cognizable by the Zoning Board of Adjustment except for those applications for development within the overlay district utilizing the Highway Commercial standards of the Land Development Ordinance as outlined above. Except for the foregoing exemption in the overlay district, 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 Study Area covered by this Plan as the Route 440 - Culver Redevelopment Area, and all underlying zoning will be voided except within the designated overlay district.

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

- A. This Plan may be amended from time to time upon compliance with the requirements of law. For any request by a private entity to amend this Plan, a fee of \$2,500, plus all costs for copying and transcripts shall be payable to the City of Jersey City. If there is a designated developer, as provided for under NJSA 40A: 12A-1 et. seq., said developer shall pay these costs. The City of Jersey City reserves the right to amend this plan.
  
- B. No amendment to this Plan shall be approved without the review and recommendation of 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.

# MAPS



Route 440-Culver Redevelopment Plan: Map 1 - Area Map



**Legend**

-  Proposed Light Rail Extension
-  Existing Light Rail
-  Redevelopment Plan Boundary

1 inch = 1,000 feet

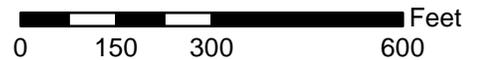


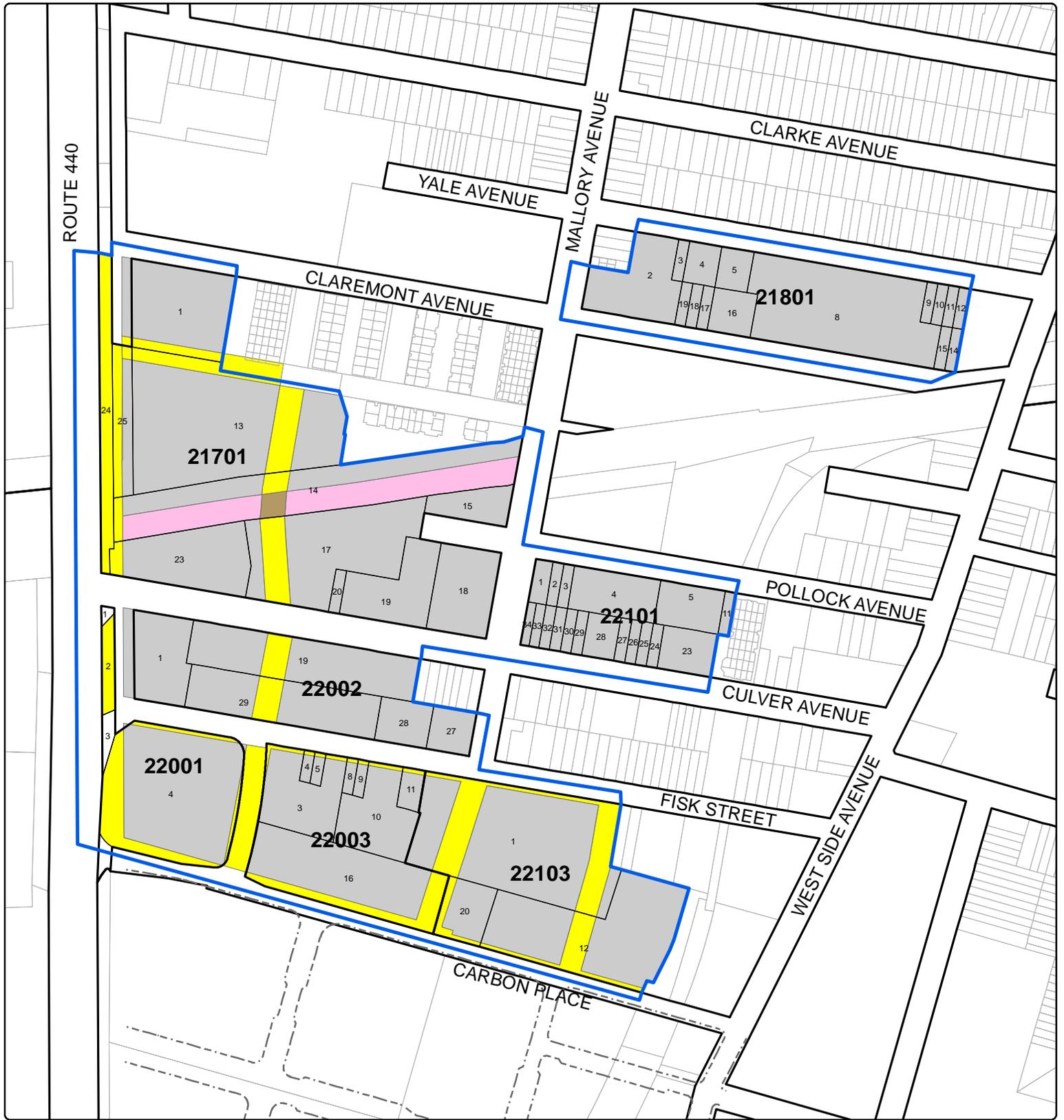


Route 440-Culver Redevelopment Plan: Map 2 - Boundary Map



1 inch = 300 feet

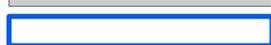




Route 440-Culver Redevelopment Plan: Map 3 - Rail and Street Network Plan

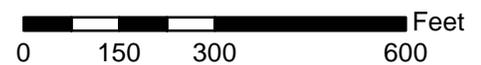


**Legend**

-  NEW OR REALIGNED RIGHTS-OF-WAY
-  PROPOSED LIGHT RAIL RIGHT-OF-WAY EXTENSION
-  LIGHT RAIL OVERPASS
-  DEVELOPMENT BLOCKS
-  REDEVELOPMENT PLAN BOUNDARY



1 inch = 300 feet



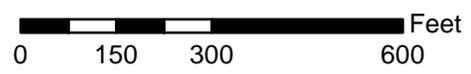


Route 440-Culver Redevelopment Plan: Map 4 - Ground Floor Frontage Regulating Plan

- Legend**
- RETAIL REQUIRED
  - RETAIL/COMMERCIAL OPTIONAL
  - RESIDENTIAL USE ONLY
  - HBLR ROW EXTENSION
  - REDEVELOPMENT PLAN BOUNDARY



1 inch = 300 feet





Route 440-Culver Redevelopment Plan: Map 5 - Zone Map

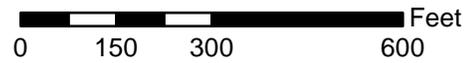


**Legend**

-  Proposed Light Rail Extension
-  New Block Limits
-  Mid-Rise A
-  Mid-Rise B
-  High-Rise



1 inch = 300 feet



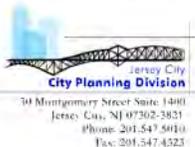


Route 440-Culver Redevelopment Plan: Map 6 - Acquisition Plan



**Legend**

- QUALIFYING FOR REDEVELOPMENT - SUBJECT TO ACQUISITION
- QUALIFYING FOR REDEVELOPMENT - NOT SUBJECT TO ACQUISITION
- QUALIFYING FOR REHABILITATION - NOT SUBJECT TO ACQUISITION



1 inch = 300 feet

