

Bates Street

Redevelopment Plan

as adopted by the

City of Jersey City

City Council

May 24, 2006

Amended November 23, 2010 – Ord. 10-147

Block & Lots Updated May 16, 2012

Amended September 13, 2012 – Ord. 12-112

Amended February 13, 2013 – Ord. 13-009

Amended May 13, 2015 -- Ord. 15-053

DIVISION OF CITY PLANNING

I. INTRODUCTION

The Bates Street Redevelopment Area (hereinafter the Redevelopment Area or the Area) was determined to be “an area in need of redevelopment”, pursuant to the New Jersey Local Housing and Redevelopment Law (N.J.S.A. 40A:12A-1 et seq.) by resolution of the Jersey City Municipal Council following a recommendation by the Jersey City Planning Board.

The Bates Street Redevelopment Area is surrounded by several other redevelopment areas, including the Montgomery Gate Redevelopment Area to the north and east, the Montgomery Street Redevelopment Area to the west and the Grand Jersey Redevelopment Area to the south. These surrounding areas are in various stages of redevelopment. The subject Area on the other hand is characterized by vacant land and vacant buildings, properties in generally poor and blighted conditions and marginal land-use which are not in keeping with those uses permitted in the zone plan for the Area or recommended in the Master Plan.

It would now appear to be appropriate for the City to take a more pro-active approach to redevelopment in this Area, so as to bring the Area into greater compliance with the recommendations of the Master Plan and redevelop the Area in a manner that is more consistent with redevelopment activities in the surrounding community.

II. BOUNDARIES

The Bates Street Redevelopment Area consists of Tax Lots found on twelve Tax Blocks in the Downtown section of Jersey City. The following are the Lot numbers on each of the Blocks which are to be included in the Redevelopment Plan Area.

Block	Lots
13805	1, 2, 3, 4, 5, 6, 7, 8 (entire block)
13804	1 (entire block)
13806	2
13803	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 (entire block)
13802	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 (entire block)
13702	1 (part), 2 (part), 3 (part), 4 (part)
13703	3 (part)
13801	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 (entire block)
15701	1, 2, 3, (entire block)

The boundary of the Redevelopment Plan Area is also depicted on Map 1. In the event of a discrepancy between lots listed in the chart and the Map, the Map takes precedence.

The following Blocks and Lots were included in the Bates Street “Area in Need of Redevelopment” Study Area. However, they are not to be included within the Bates Street Redevelopment Area. Instead, they are to be appended to and included in the Morris Canal

Redevelopment Area and zoned in a manner to match the adjacent Lots to the south of the subject Lots.

15702	7 (part)
15801	1 (part), 2 (part)

III. REDEVELOPMENT OBJECTIVES AND REQUIREMENTS OF ANY DEVELOPMENT AND CONSTRUCTION WITHIN THE PLAN AREA

- A. The planning and development of the Redevelopment Area as a primarily residential mixed-use area with ground floor commercial uses where appropriate.
- B. To provide for new open space and recreation opportunities, and improvements to existing open space and recreation areas both within the redevelopment area and in adjacent areas.
- C. To provide opportunities for existing owners of larger parcels (15,000 square feet and larger) to redevelop their properties in a manner consistent with this Plan and to provide for the assemblage of smaller individual lots and parcels within the Area in order to create suitable sites for more comprehensive development.
- D. To promote the principles of “Smart Growth” and “Transit Village” development. i.e. sustainable economic and social development, including a variety of housing choices, providing pedestrian friendly streets and public rights-of-way, minimize automobile use by maximizing the appeal of mass transit, encourage reduced parking and shared use parking solutions, and creating a livable community with convenient access to commercial facilities.
- E. Minimize on-site parking and maximize the use of mass transit in order to take advantage of local bus routes and the new Hudson-Bergen Light Rail station located just to the east.
- F. To integrate new development within the Area into the surrounding community by encouraging the creation of a viable residential community that will complement the existing and proposed development in adjacent redevelopment areas.
- G. The improvement of the pedestrian environment and traffic circulation for the contemplated new development by limiting vehicular access to the site from Center Street, limiting ingress and egress points to major development on other streets, and the provision of new sidewalks, street trees and other pedestrian amenities within the existing street rights-of-way.
- H. To identify and preserve significant historic features in the Redevelopment Plan area.

IV. PROPOSED REDEVELOPMENT ACTIONS

It is proposed to substantially improve and upgrade the 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 and allowing for new construction. These will include but not be limited to:

- A. Acquisition of vacant land, and/or acquisition and demolition of structures, determined to be impediments to sound and comprehensive redevelopment.
- B. The consolidation and re-subdivision of land within the Redevelopment Area into suitable parcels for development for the new residential and commercial land uses where necessary.
- C. Provision for a full range of public and/or private infrastructure necessary to service and support new development in the Area and adjacent areas.
- D. Construction of new structures and complementary facilities that are compatible with the land use patterns in the surrounding area.

V. GENERAL ADMINISTRATIVE REQUIREMENTS

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

- A. Prior to the commencement of: (a) any new construction, (b) reconstruction, (c) rehabilitation (d) any change to the interior floor plan of any structure, (e) any change in the use of any structure or parcel, or (f) any change in the intensity of use of any structure or parcel; a site plan for such shall be submitted by the developer or property owner to the Planning Board for review and site plan approval. No temporary or permanent Building Permit shall be issued for any work associated with (a) through (f) above, without prior site plan review and approval of such work by the Planning Board. Nothing in this section is intended to require site plan review and approval for minor modifications to the interior floor plan, such as the relocation or modification of partition walls, which are commonly done to accommodate new tenancies or during lease renewals.
- B. The provisions of this Plan specifying the redevelopment of the Area and the requirements and restrictions with respect thereto shall be in effect for a period of twenty (20) years from the original date of approval of this Plan by the Jersey City Municipal Council. Subsequent amendments hereto shall not alter or extend this period of duration, unless specifically extended by such amendments.
- C. Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the Area shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval so that compliance

of such plans with the redevelopment objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases.

As part of any site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53 et seq. Such performance guarantees shall be in favor of the City in a form approved by the Jersey City Corporation Counsel. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of on and off site improvements within one (1) year of final site plan approval.

- D. Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with this Plan's requirements and the Jersey City Land Subdivision Ordinance.
- E. No development or redevelopment of any parcel in the Redevelopment Area that will result in an increase in wastewater from that parcel shall be permitted unless and until the planned project wastewater piping and systems for the removal of effluent and storm water are approved by the City of Jersey City Division of Engineering and the Municipal Utilities Authority; and the municipal wastewater piping and systems for the removal of effluent and storm water are certified by the City of Jersey City Division of Engineering and the Municipal Utilities Authority as being of sufficient capacity and good condition to accommodate uses that will occupy said parcel. Such approval may be contingent upon requisite improvements to the drainage system in the street, as determined by the Division of Engineering.
- F. Interim uses may be permitted, subject to site plan review and approval by the Planning Board. The Planning Board shall only permit uses that it finds will not have an adverse effect upon surrounding existing or contemplated development during the interim use period. Interim uses must be approved by the Planning Board. The Board shall establish an interim use period of up to three (3) years in duration. The Planning Board may grant additional one (1) year renewals of interim uses upon application, review, and approval. Commuter or commercial surface parking lots and commuter or commercial parking garages are specifically prohibited and shall not be permitted as interim uses. The existing commercial parking area may continue to exist only until construction begins on the redevelopment of the Redevelopment Area, and may not be reinstated once the use has been discontinued for said redevelopment.
- G. The Planning Board may grant deviations from the regulations contained within this 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 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

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

- H. The regulations and controls in this section may be implemented where applicable by appropriate covenants, or other provisions, or agreements for land disposition and conveyance executed pursuant thereto.
- I. No covenant, lease, conveyance or other instrument shall be effected or executed by the Jersey City Redevelopment Agency or by a redeveloper or any successors or assignees, whereby land within the Redevelopment Area is restricted by the Jersey City Redevelopment Agency or the redeveloper upon the basis of race, creed, color or national origin in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments.
- J. No building shall be constructed over an easement in the Redevelopment Area without site plan review and approval of the Jersey City Planning Board and prior written approval of the Redevelopment Agency and the Division of Engineering.
- K. Prior to commencement of construction, architectural drawings and site plans with detailed specifications 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 requirements and 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. Final Site Plan approval for any phase shall entitle an applicant to building permits.

As part of any Final 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.

- L. If any word, phrase, clause, section or provision of this Plan shall be found by a court of competent jurisdiction to be invalid, illegal or unconstitutional, such word, phrase, clause, section or provision shall be deemed severable and the remainder of the ordinance shall remain in full force and effect.

VI. GENERAL DESIGN REQUIREMENTS AND RESTRICTIONS

The following standards and requirements shall apply to all applications, including but not limited to: developments, re-developments, rehabilitation, and or re-use applications within the Redevelopment Plan area:

- A. All utility distribution lines; utility service connections from such lines to the Redevelopment Area's individual uses; and utility appliances, regulators and metering devices shall be located underground or within the building. No utility boxes or structure shall be permitted in sidewalk areas or exterior to the building. Remote readers are required for all utilities, in lieu of external location of the actual metering devices. Developers are required to arrange for connections to public and private utilities.
- B. Chain link fencing shall be prohibited within the Redevelopment Area, except during construction. Chain link fencing for construction shall be dismantled and removed prior to the issuance of a Certificate of Occupancy.
- C. No Billboard shall be permitted on any property contained within the Redevelopment Area.
- D. No signage shall be permitted within the Redevelopment Area, which includes flashing, blinking or otherwise animated lights and/or parts, spinners, pennants, reflective materials, which sparkle or twinkle and/or similar materials; except for seasonal holiday decorations.
- E. No advertising shall be permitted on parking meters, light poles, or on benches or other street furniture.
- F. Upon demolition of any existing structures, the site shall be graded, planted, sodded, and/or developed, as applicable, in accordance with this Plan.
- G. All trash dumpsters and/or compactors shall be located within the buildings. All outdoor storage shall be prohibited.
- H. All buildings within the Redevelopment Area must display the street address of the building such that it is clearly visible from the adjoining street right of way.

- I. In order to facilitate the overall redevelopment of the Bates Street Redevelopment Area, the surrounding area, and the City of Jersey City in general, all advertising, signage and other promotion of the resulting project, whether undertaken by the City, the Redevelopment Agency, or private developers, shall contain references to the proposed project's location. They all shall clearly state it to be within the City of Jersey City so as to promote the positive external effects for not only the project, but the Redevelopment Area and the City as well.

VII. URBAN DESIGN REQUIREMENTS

A. Building Design Requirements

1. All structures within the Redevelopment Area shall be situated with proper consideration of their relationship to other buildings, both existing and proposed and the NJ Turnpike exit ramp in terms of light, air and usable open space, access to public rights of way and off-street parking, height and bulk. Buildings shall be designed to be attractive from all vantage points, with each street façade being of equal importance. A building's finish materials and details on facades may be similar or may change in order to create interesting and contemporary facades that clearly indicate that the buildings are a product of their own time and location. Buildings shall not be designed to copy or mimic other buildings within the Redevelopment Area or the surrounding area, within the exception that townhouse style units shall be designed to present a harmonious appearance.
2. Buildings shall be oriented toward the street so as to contribute to the overall liveliness of the pedestrian environment. On street frontages where commercial uses are provided, at least seventy (70) percent of the frontage shall be dedicated to commercial uses and/or pedestrian access areas such as retail sales of good and services, restaurants, banks, offices, building entrances and lobbies; which shall have direct access from the sidewalk area. Main-building entries shall be prominent and easily identifiable, and shall not occur simply as voids within or between buildings. Canopies may be provided at main entrances and shall be constructed of materials similar to or compatible with the overall building design. Along street frontages not containing commercial uses or main building entries or lobbies; contemporary townhouse style units shall be incorporated into the first floor of the building to help enliven the street. These townhouse style units shall have an entry from the street and provide a raised stoop with at least three (3) risers at the entry.
3. The base of all buildings shall meet the pedestrian level in a humane scale and manner. The base shall not have a cold or brutal feeling. Parking levels shall be screened and designed in compliance with the design standards found in Section VII. C. of this Plan. The height of the base must relate to other building architecture and design developed within this

Area and must be proportional with the building's overall height. A landscaped front yard must be provided at grade between the property line and the building line, except where a commercial use or building lobby fronts onto the street or as necessary for pedestrian and vehicular access. Tops of buildings shall be designed to create architectural interest and must be designed consistent with the "Building Design Requirements" of this Plan. Stepbacks are to be provided consistent with the architectural design of each individual structure to provide additional architectural interest. The intent of these requirements is to create buildings that are vibrant and active in their appearance and do not read as uniform or continuous slabs along the streetscape. Historic or Post-modern tops are not appropriate to this district.

4. The redevelopment area is not located within the vicinity of historic neighborhoods or structures. The surrounding area is comprised of the NJ Turnpike exit ramp to the west, a 1980's strip mall to the east, the new Jersey City Medical Center to the southeast and a non-descript commercial structures to the north. As such it is the intention of these building design requirements to facilitate contemporary (High Modern), fresh and bold designs/ideas that do not reference historic Jersey City architecture. References towards historic pre-cast lintels, watertables, cornices, double-hung windows, etc., are and will be discouraged within this redevelopment area. These elements may be used only in a contemporary manner using contemporary materials.
5. The windows and glazing of a building are a major element of style that gives character to the building. Windows and glazing on ground floor commercial uses should be broad and expansive providing views into the store and display areas. At least seventy-five (75%) percent of the storefront façade shall be glass. Corner buildings shall have windows on both street frontages. If security gates are used on any part of the building or window, they shall be installed on the interior side of the window, hidden from view when closed, and be of the open grate style. Similarly, windows and doors into residential lobby areas should be broad and expansive allowing views to and from the adjoining streets.
6. Street facades shall be articulated in a contemporary manner utilizing materials such as masonry, glass curtain walls, composite metal panel systems etc. Walls shall not be left blank. Frontages shall have at least one window appropriately proportioned per structural bay. Building designs shall include simple highly refined modern designs. Buildings may utilize various types of materials and material changes for façade articulation, as long as the differentiating materials and details are well thought-out and integrated. The intent of this required articulation and modern design approach is to create interesting and varied building façades such that the building facades do not read as uniform or continuous slabs along the streetscape.

7. Buildings along the NJ Turnpike exit ramp shall be designed to reflect movement and excitement using contemporary building elements and materials designed in a horizontal manner. Contemporary horizontal planes, materials, window placement, bays and other architectural elements are encouraged. Vertical design elements may be used as long as they do not reference historic architectural elements. Changes in materials, forms and planes, if appropriately detailed and well thought-out, may be done in order to enhance the design and excitement of the building.
8. Windows in residential portions of a building shall be arranged in a contemporary manner. Use of window divisions such as muntins are discouraged unless used in a contemporary manner. Bay windows or other window features may also be incorporated into the façade to provide architectural interest and character, provided that their use is in a contemporary manner or material. Bays may be designed vertically or horizontally and may be angular. Each façade shall present a composition that is well laid out and thought provoking. Corner buildings shall have windows on both street frontages. The window sill of any residential window shall not be less than five (5) feet above the elevation of the adjoining sidewalk, unless the façade containing the window is setback a minimum of five (5) feet from the sidewalk and adequate visual landscape screening is provided.
9. Balconies and terraces may extend from the building when facing into interior courts. However, all balconies facing onto streets shall be shallow and semi-recessed to prevent their use as storage spaces. Contemporary designed railings are to be used at all balconies and terraces. Materials such as wrought iron or aluminum pickets are prohibited. Materials such as glass, perforated and non-perforated metals or other contemporary materials are required in order to screen the view from the street onto the balconies.
10. EIFS (Exterior Insulating Finishing Systems), artificial stone and artificial brick veneer (“Permastone” & “Brickface”) materials may not be used on a street façade material within this Redevelopment Area.
11. All mechanical equipment, generators, HVAC equipment and similar equipment shall be acoustically buffered such that any noise generated by the equipment shall be within the applicable standards as defined by the State of New Jersey.
12. All electronic communication equipment shall be totally screened from view. This shall be achieved through creative disguises within the basic architecture of the building, such that it does not negatively impact the appearance of the building. Said screening shall be constructed in a

manner that is consistent with the architecture of the building, and shall utilize the same materials used in the construction of the building, such that the screening appears to be an integral part of the building design. The screening shall not impair the functioning of the equipment. Said equipment shall be located so as to minimize or eliminate the need for screening.

13. All mechanical equipment shall be screened from view, both from the street and existing or planned neighboring buildings. Said screening shall be constructed in a manner that is consistent with the architecture of the building, and shall utilize the same materials used in the construction of the building, such that the screening appears to be an integral part of the building. The screening shall not impair the functioning of the equipment. Interior locations must be utilized where mechanically possible.
14. Wherever possible, ventilation equipment required for commercial uses shall be vented through the roof of the building. All such equipment ventilated through the roof shall be screened in compliance with paragraph 13 above. The necessary incorporation of ventilation grillwork within the storefront façade system shall be limited to no more than 15% of the possible glazing area. Such grillwork shall be architecturally incorporated within the storefront design so as to compliment and add to the overall aesthetic affect of the commercial façade. Exposed ventilation pipes and risers are prohibited.

B. Streetscape, Open Space and Landscape Requirements

1. A streetscape plan is required for all projects and shall include proposed sidewalk and curbing materials and treatments, street trees, tree pit grates and/or treatments, and any proposed street furniture, lighting or other features to be provided. The streetscape plan shall be submitted to the Jersey City Planning Board for its review and approval as part of the project site plan application and implemented as part of the construction of the project. Only one (1) streetscape, lighting and street furniture design standard shall be used within this Redevelopment Area. All street furniture, including lighting, benches, garbage receptacles, tree grates, etc., shall be contemporary in style and matching in color. The Planning Board and City Planning Staff shall review each streetscape plan to ensure that each plan is consistent and compatible with other streetscape plans in the Area, and may require modifications to same to ensure compatibility and consistency.
2. Sidewalk areas must be provided along the street rights of way and shall be properly sized for the safe and convenient movement of pedestrians through and around the Redevelopment Area.

3. Sidewalk areas shall be attractively landscaped and durably paved in conformance with Municipal standards and shall be provided with adequate lighting. Decorative concrete paving materials shall be incorporated into the design and pedestrian scale lighting is required. At a minimum decorative elements shall be introduced at building entrances at street corners and along the curb line to accent and channel pedestrian flow.
4. All plant material used must be able to withstand the urban environment and shall be planted, balled and burlapped as established by the American Association of Nurserymen. A planting schedule shall be provided by the developer and approved by the Planning Board. All landscaping shall be guaranteed for a period of two (2) years. Any landscaping which is not resistant to the urban environment or that dies shall be replaced by the developer or property owner.
5. Street trees shall be planted along all curb lines of streets within the Redevelopment Area at a maximum of 35 feet on center. Each tree pit shall contain a decorative metal grate and/or decorative paving treatment. Tree species shall be selected which will achieve a mature height of 50 feet or above and a medium spread. Fast growing trees tend to be weak wooded and inappropriate for street planting. Therefore trees shall be selected that have a medium growth rate. The crown shape of the tree should be selected to compliment the architecture and setting of the buildings. Evergreen trees and fruit trees may not be used as street trees.
6. The streetscape / landscaping plan developed for the Bates Street right-of-way shall take into consideration additional street trees and other landscape treatments so as to buffer the large surface parking area on the east side of Bates Street from the new development within the Redevelopment Area.
7. Lighting shall sufficiently illuminate all areas to prevent "dark corners". All lighting sources must be shielded to prevent and eliminate any glare. The area of illumination shall have a uniform pattern of at least one-half (0.5) foot-candles.
8. Outdoor landscaped open space areas shall be provided for all new construction within the Redevelopment Area and shall occupy any required yard areas and/or be constructed on the deck over any parking structure. A green roof, landscaped plaza or recreation area, is required at the top of all parking structures in order to provide outdoor open space for building residents, and aid in the retention of rain water. Additional open space areas may be provided after Planning Board review and approval. All areas not covered by a building or pavement shall be landscaped with trees, shrubs, groundcovers or other appropriate plant material.

C. Off-street Parking Design and Loading Requirements

1. All off-street parking shall be located within the building. Parking structures shall be incorporated into and be a part of the principal building. There shall be no separate parking structures. Access to parking may be provided from Center Street, Colgate Street, York Street, Bright Street, Brook Street and/or Colden Street. No access to parking shall be provided from Bates Street or Grand Street. There shall be no exposed parking permitted, either surface parking or on the top of parking deck levels of a building. A “Green Roof” is required at the top of all parking structures in order to detain &/or retain storm water. The “Green Roof” may also function as a landscaped plaza or recreation area.
2. All parking structures are to be designed to disguise the parking use within. Parking and mechanical related areas shall be wrapped along the exterior by occupied active building uses, such as commercial storefronts and residential units, except along Center Street, where this requirement may be waived, and excepting the location of the vehicular entry and exit and stairways or elevator shafts that serve the parking structure. Utility rooms may occupy no more than fifteen (15%) percent of any single façade, other than the Center Street Façade where this percentage may be increased.
3. Where an occupied active building use is not utilized to mask the parking within the building, the façade of the parking structure shall be designed to disguise the parking use to the greatest degree possible. The exterior wall of the parking structure shall be architecturally designed to mimic and reflect the occupied portions of the building in terms of style and materials. All openings in the parking structure facade shall reflect the building’s design requirements. These openings shall be consistent with the rhythm of the window openings serving the principal uses within the building. They shall be covered by glass or metal in such a way that the exterior design is compatible with the design of the building and the actual windows of the building. The glass tint and/or reflectivity may be different so as to decrease the visibility of the garage use within. In lieu of glass, the openings may be covered by grilles or louvers as described below. Blind windows, where appropriate shall also be permitted. The intent of the above regulations is that no exposed garage exterior wall shall be detectable as a garage at the ground floor level.
4. In order to preserve the maximum number of on-street parking spaces possible, driveway widths and curb cuts shall be limited to the minimum width and number necessary. Driveway / curb cut widths leading to parking areas containing less than twenty (20) cars shall be no more than twelve (12) feet in width. The width of driveways and curb cuts leading to

parking areas for twenty (20) cars or more shall be limited to twelve (12) feet for one-way traffic and twenty (20) feet for two-way traffic.

5. All off-street parking spaces must be a minimum of 8.5 feet wide by 18 feet deep. The placement of a curb up to two (2) feet within the required 18 foot depth of the parking space is permitted, provided that there is adequate area for an automobile occupying the parking space to over-hang said curb a like distance without infringing on required landscaping or pedestrian areas. All aisles shall be a minimum of 22 feet wide. Compact spaces may be provided only with the approval of the Planning Board and shall be a minimum of 8 feet wide by 16 feet deep.
6. Off-street parking and loading areas shall be coordinated with the public street system serving the Redevelopment Area in order to avoid conflicts with vehicular traffic and/or obstruction to pedestrian walkways and thoroughfares. No vehicular access to parking and/or loading areas may be provided from Grand Street or Center Street.
7. Light sources within any parking level shall not be visible from the exterior of the building either from the street or from other surrounding buildings and properties. Identification of the internal fixture and its location must be provided in order for any application to the Planning Board for site plan to be deemed complete.
8. Where buildings incorporate internal above grade parking garages, facade treatments shall be utilized which integrate their appearance with that of the building as a whole.
9. Developers shall demonstrate to the Board's satisfaction that sufficient off-street loading is provided to meet the needs of the proposed uses.
10. Valet parking may be allowed if it can be demonstrated that an efficient, safe means of operation will be provided, but in no case shall the maximum number of permitted parking spaces be exceeded.
11. All parking provided within the Redevelopment Area shall be for the sole use of the residents or tenants of the Redevelopment Area. Parking may be shared between and among buildings within the Redevelopment Area. Parking may not be leased to commuters or other non-residents or non-tenants of the Redevelopment Area.
12. The number of required and/or permitted parking spaces for each use is indicated in Section VIII of this Plan.

D. Signage

1. Permitted Signage:

- a. Each residential building shall display the street address of the building on the front facade or front door of the building such that it is visible from the adjoining street right-of-way.
- b. Each major residential building, i.e. buildings on lots of 15,000 square feet or more, may have one (1) exterior sign flush mounted to the façade at the entrance to the building indicating the building's name, if any, not to exceed twenty (20) square feet.
- c. Commercial Uses - Each such use fronting on a public street may be allowed one (1) exterior wall mounted sign not to exceed five(5%) percent of the area of the storefront (ground floor) to which it is attached. In addition, each commercial tenant may be permitted one blade sign. Each blade sign shall not exceed a maximum of 10 square feet and shall be externally lit. Blade sign are required to be located on the building facade directly on the sidewalk frontage and shall be placed such that the lowest portion of the sign hangs at least 8 feet above the sidewalk. Uses in the Commercial / Automotive District shall conform to the requirements of the Jersey City Land Development Ordinance.
- d. Tenant directories may be located within the lobby of a building.
- e. Accessory Parking – No signage is permitted for parking uses.
- f. Temporary Signs - Real estate signs subject to the following regulations: No such sign shall exceed six (6) square feet, all signs shall be attached to the premises to which they apply, and no person, including the real estate agent or employee, shall exhibit more than one (1) such sign per premise to which it applies. Construction signs subject to the following regulations: Temporary construction signs shall not exceed twenty-four (24) square feet; no person shall exhibit more than one (1) such sign per premise, advertising the name of the building or project, general contractor, subcontractor, financing institution, public agencies and officials, and professional personnel; and such signs shall only be permitted beginning with the issuance of a building permit and terminating with the issuance of a certificate of occupancy for the building or project.

2. Additional Signage Regulations and Requirements:

- a. All signs are subject to minor site plan review when not included as part of a major site plan application.
- b. All signs shall be flush mounted and project no more than fifteen (15) inches, although blade signs may be attached to the first floor façade.
- c. Window signs (other than lettering as specifically permitted) shall be prohibited. Lettering shall be limited to decorative gold-leaf, flat black or etched / frosted glass style lettering and shall be limited to the name of the business occupying the commercial

space / store front and shall cover no more than twenty (20%) of the window area.

- d. All signs may be attached to the first floor level of the building only. Where there is a two-story lobby or mezzanine space incorporated into the design of the building, the sign may be permitted to be placed above the lobby at the equivalent of the second floor or level with Board approval.
 - e. Permitted signage material includes: 1.) Painted wood; 2.) Painted metals including aluminum and steel; 3.) Brushed finished aluminum, stainless steel, brass, or bronze; 4.) Carved wood or wood substitute.
 - f. Permitted lettering material includes: 1.) Lettering forms applied to the surface of the sign; 2.) Single colored lettering forms applied to the surface of the sign; 3.) Metallic solid body letters with or without returns; 4.) Painted acrylic or metal letter; 5.) Neon style lettering.
 - g. Sign Lighting: Signs may be lit from gooseneck fixtures, backlit halo, up-lights. Internally lit signs and sign boxes are prohibited.
 - h. 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 Fifty (50) square feet.
3. Prohibited Signage: The following signs and devices shall not be permitted within the Bates Street Redevelopment Area:

Monument signs and internally or externally illuminated box signs, flashing or animated signs, spinners, pennants, reflective materials that sparkle or twinkle, roof signs, billboards, signboards, window signs, posters, plastic or paper that appear to be attached to the window, pole signs, free-standing signs, fluorescent and/or glowing paint for any signage or building within the redevelopment area, waterfall style awnings, plastic awnings, product advertising signage of any kind.

VIII. SPECIFIC LAND USE REGULATIONS

All commercial retail areas within each structure or within a single tax lot shall limit formula business establishments, as defined by the Land Development Ordinance, to a maximum of 30% of ground floor gross leasable commercial area. For the purposes of this area restriction, the formula business definition shall apply to the following uses, whether functioning as a principal or accessory use:

- 1. Retail sales of goods and services.
- 2. Restaurants, all categories.
- 3. Bars.
- 4. Financial service facilities and banks.

Grocery stores greater than 15,000 square feet may exceed 30% of gross leasable commercial area, but shall be the only formula business within such structure or lot.

The Redevelopment Area is divided into three (3) land-use districts: Commercial / Automotive District, Parks / Open Space District, Residential / Commercial District; regulated as follows:

A. Commercial / Automotive District

1. Principal Permitted Uses
 - a. Service Stations
2. Uses incidental and accessory to the principal use, including:
 - a. Fences and walls
 - b. Signs
 - c. Parking
 - d. Public Utilities, except that natural gas transmission lines shall be prohibited
3. Bulk and Other Standards
 - a. As regulated by the Jersey City Land Development Ordinance.

B. Parks / Open Space District

1. Principal Permitted Uses
 - a. Parks and Playgrounds
2. Uses incidental and accessory to the principal use, including:
 - a. Off-street parking
 - b. Recreation, entertainment and education programs
 - c. Signs
 - d. Dog runs
 - e. Fences and walls
 - f. Necessary and appropriate structures to service the particular use and purpose of a park and/or playground, such as: play equipment, bathroom facilities, minor equipment storage buildings, lighting, etc.
 - g. Public Utilities, except that natural gas transmission lines shall be prohibited
3. Bulk and Other Standards
 - a. As regulated by the Jersey City Land Development Ordinance.

C. Residential District

1. Principal Permitted Uses
 - a. Multi-family Buildings
 - b. Governmental uses
 - c. Public Parks

2. Uses incidental and accessory to the principal use, including:
 - a. Commercial Uses – limited to the ground floor of multi-family buildings and further limited to those areas on Map 2 delineated as required or optional commercial street frontages.
 - i. Retail sales of goods and services
 - ii. Restaurants, category one and two, which may also include an accessory sidewalk café
 - iii. Bars
 - iv. Offices
 - v. Financial institutions
 - vi. Art Galleries
 - b. Off-street parking, only within structures as part of the principal building
 - c. Recreation facilities and areas, (indoor &/or outdoor) including pools, landscaped yards and decks, active recreation uses, gymnasiums, exercise rooms, etc.
 - d. Community rooms
 - e. Fences and walls
 - f. Home occupations
 - g. Signs
 - h. Public Utilities, except that natural gas transmission lines shall be prohibited

3. Permitted Maximum Density – Maximum permitted density shall be sixty (60) dwelling units per acre. A particular development or project may exceed this maximum density pursuant to the requirements of the Bonus Provisions found in Section IX of this Redevelopment Plan. Ground floor commercial uses provided along street frontages where they are either permitted or required, shall not be counted against the permitted maximum density of residential dwelling units.

4. Permitted Maximum Height - Maximum permitted height shall be four (4) stories and forty-five (45) feet. A particular building or development project may exceed this maximum height pursuant to the requirements of the Bonus Provisions found in Section IX of this Redevelopment Plan.

5. Additional Height Regulations:

- a. All residential floors above the first floor shall have a minimum floor to ceiling height of nine (9) feet. Residential units on the first floor shall have a minimum floor to ceiling height of ten (10) feet. Residential units on the first floor of any building shall be raised at least two (2) feet above the grade of the adjoining sidewalk.
 - b. Ground floor commercial areas shall have a minimum floor to ceiling height of Twelve (12) feet.
 - c. Ground floor commercial areas may be taller than twelve (12) feet and may contain mezzanine levels within the use area.
 - d. Parking structures may not exceed four (4) levels in height.
 - e. Parapets and other roof-top appurtenances may exceed the permitted height within the limitations imposed by the Jersey City Land Development Ordinance.
6. Dwelling Unit Size (interior measurement) - The average unit size of all dwelling units in any given building shall not be less than 1,000 square feet. In addition, no unit shall be smaller than 750 square feet.
 7. Minimum Lot Size – 20,000 sq. ft. Additional lots and/or parcels may be added to development parcels or lots to create larger development lots. The combined area of Blocks 404.5 and 2131 must be developed as one development parcel since the total area of these two blocks combined is less than 31,000 sq. ft.
 8. Permitted Maximum Building Coverage - Including Parking Structure – 95%
Above Parking Structure – 75%
Total – 95%
 9. Required Setbacks
 - a. Front: Minimum – 5 feet. Maximum - 10 feet.
Except that facades containing ground floor commercial uses may be constructed up to the front property line / sidewalk edge, and residential lobbies / main entrances may be constructed up to the front property line / sidewalk edge, provided that they are no more than 25 feet in height.
 - b. Side – None required.
 - c. Rear – Zero for the parking structure portion of the building.
Minimum of 30 feet for residential uses above.
 - d. The minimum distance between the facades of any two buildings containing windows shall be fifty (50) feet.
 10. Parking Requirements:

	Minimum	Maximum
Multi-family Building	1.0 per unit	1.5 per unit
Commercial Uses	Zero	2.0 / 1,000 sq. ft.

IX. ACQUISITION PLAN

All property within this Redevelopment Plan is listed as “To Be Acquired”, except that any contiguous properties, parcels or lots totaling at least 15,000 square feet in area, and owned by the same or related entities shall be considered as “Not To Be Acquired”.

X. RELOCATION PLAN

It is anticipated that most acquisition within the Redevelopment Area will be conducted by private means, thereby reducing the amount of necessary relocation. However, should relocation of persons or businesses become necessary, the process of relocating the affected persons and businesses will receive the careful attention of local officials and the Jersey City Redevelopment Agency, and be conducted in accordance with the requirements of all applicable Federal, State and Local laws.

XI. CIRCULATION PLAN

1. It is the intent of this Circulation Plan to provide a street layout for the Redevelopment Area which is adequate to meet the circulation needs of the Redevelopment Area in terms of vehicular traffic and pedestrian volume, while at the same time recognizing that it is a primary purpose of this Redevelopment Plan to promote the principles of a “Transit Village”. That is; to provide pedestrian friendly streets and public rights-of-way, to minimize automobile use by maximizing the appeal of mass transit and to encourage reduced parking and shared use parking solutions. The Redevelopment Area is serviced by multiple bus lines along Grand Street and Montgomery Street and is within four (4) blocks of the Light Rail station at Jersey Avenue.
2. All streets and rights of way within the Redevelopment Area shall remain open to the public. The configuration of all streets within the Redevelopment Area are expected to remain as they are. However, consideration will be given to re-directing traffic on Bright Street, Brook Street and Colden Street, and/or providing traffic calming features, so as to reduce the impact of thru- traffic and traffic bound for or exiting the New Jersey Turnpike on the proposed new neighborhood.
3. Sidewalk areas must be provided on both sides of the street within the Redevelopment Area, and shall be properly sized for the safe and convenient movement of pedestrians through and around the Area, taking into consideration the character of the adjoining area. In general, sidewalks on busier streets such as Grand Street, should be wider than sidewalks on side streets within the Redevelopment Area.
4. The right-of-way of Bates Street shall be modified and widened where necessary in order to have a uniform right-of-way width of sixty (60) feet. The curb to curb carriage-way within the Bates Street right-of-way shall be 36 feet wide and consist

of two travel lanes, one in each direction, and two parking lanes. A twelve (12) foot sidewalk shall be provided on both sides of the street. Where it is necessary to widen the right-of-way, half of the width will be taken from the east side of the street and half shall be taken from the west side of the street. Any areas which are required to be dedicated for right-of-way expansion may continue to be utilized for the calculation of permitted density.

5. The intersection of Pacific Avenue, Bates Street and Grand Street should be studied to determine if modifications to the traffic signal and or the geometrics of the intersection are warranted to accommodate traffic flowing into or out of Pacific Avenue, Bates Street and Grand Street. A fifteen (15) foot wide sidewalk should be provided on Grand Street.
6. Consideration shall be given to extending Center Street from Pacific Avenue to Grand Street as a one-way street north bound, and making Merseles Street a one-way street south bound between Grand Street and Pacific Avenue.

XII. BONUS PROVISIONS

A. Density Bonus

One of the primary objectives of this Redevelopment Plan is to provide for new open space and recreation opportunities, and improvements to existing open space and recreation areas both within the redevelopment area and in adjacent areas. It is also recognized that this Redevelopment Area has the potential to accommodate greater densities because it is serviced by multiple bus lines along Grand Street and Montgomery Street and is within four (4) blocks of the Light Rail station at Jersey Avenue. Therefore, all residential developments are eligible to receive a bonus density of up to an additional 90 dwelling units per acre; based upon a monetary contribution of five thousand, five hundred (\$5,500.00) dollars to an "Open Space Trust Fund" for each additional unit to be constructed. The Open Space Trust Fund shall be utilized by the City of Jersey City to improve or acquire public open space within the Redevelopment Area or immediately adjacent to the Area. Uses of the Open Space Trust Fund monies shall include: Improvements and/or expansion of Meluso Park along Bates Street; acquisition and improvement of new public open space in the area south of York Street and east of Colgate Street; Aesthetic and functional improvements to the areas under the New Jersey Turnpike Extension; aesthetic and functional improvements to the proposed open space area along Merseles Street between Grand Street and Pacific Avenue. Open space improvements may include; trees and other landscaping, active and passive recreation facilities, playgrounds, dog runs and other similar facilities and activities.

Not all residential developments within the Redevelopment Area may be able to achieve the maximum permitted density, with bonuses, of 150 dwelling units per acre. Required unit sizes, height and other bulk criteria may further limit the

maximum number of dwelling units permitted on any particular development parcel. Therefore, the maximum number of dwelling units permitted on any particular development parcel shall be determined by the applicable unit size, permitted height and other bulk standards; or based upon the maximum permitted bonus density of 150 dwelling units per acre; whichever is less.

B. Height Bonus

Maximum permitted height, only when utilizing the Density Bonus provision described above, shall be as indicated on Map 3 – Height Bonus Map, and as further limited below.

1. Bonus Height Area “A” – Maximum of five (5) stories and fifty-five (55) feet. A sixth (6th) story shall be permitted within area “A”; provided that it is setback at least five (5) feet from all facades, and the additional floor does not add more than ten (10) feet to the total permitted height. Where a permitted or required ground floor commercial use is provided within the building, the total height may be increased up to an additional ten (10) feet to accommodate a mezzanine level within the commercial space.
2. Bonus Height Area “B” – Maximum of eight (8) stories and eighty-five (85) feet. Two (2) additional stories shall be permitted within area “B”; provided that they are setback at least five (5) feet from all facades, and the additional floors do not add more than twenty (20) feet to the total permitted height. Where a permitted or required ground floor commercial use is provided within the building, the total height may be increased up to an additional ten (10) feet to accommodate a mezzanine level within the commercial space.
3. Bonus Height Area “C” – Maximum of Ten (10) stories and one hundred and five (105) feet. Two (2) additional stories shall be permitted within area “C”; provided that they are setback at least five (5) feet from all facades, and the additional floors do not add more than twenty (20) feet to the total permitted height. Where a permitted or required ground floor commercial use is provided within the building, the total height may be increased up to an additional ten (10) feet to accommodate a mezzanine level within the commercial space.
4. Where property has been taken along Bates Street in order to accommodate a widening or realignment of this street, said property may continue to be used to calculate the permitted dwelling unit count on the affected development parcel. In such instances, additional height may be permitted, limited to not more than two (2) additional stories and twenty (20) feet, on any building fronting onto Bates Street.

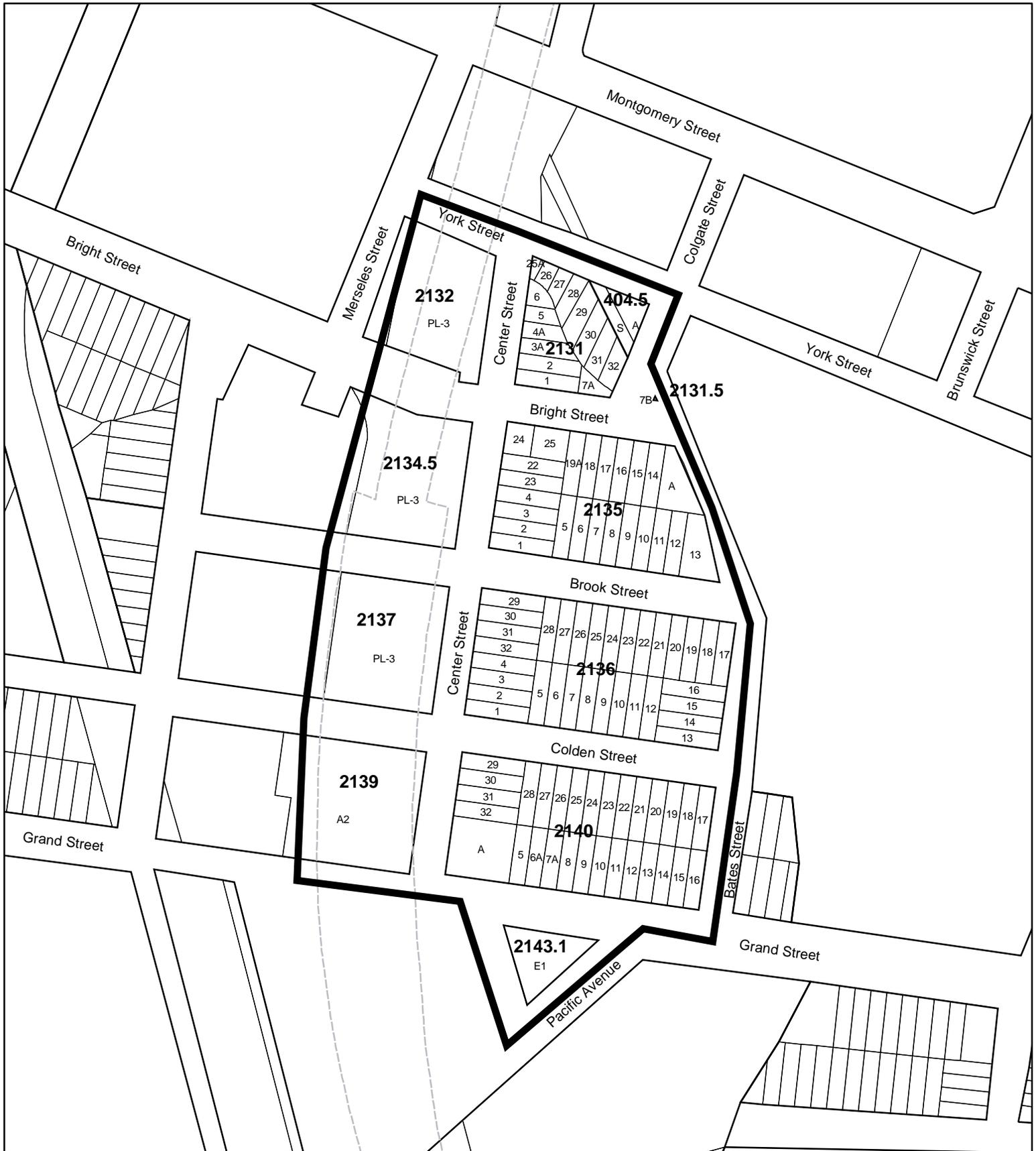
XIII. OTHER PROVISIONS TO MEET STATE AND LOCAL REQUIREMENTS

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

- A. The Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements.
- B. The Plan has laid out various strategies needed to be implemented in order to carry out the objectives of this Plan.
- C. The Plan has given proposed land uses and building requirements for the Redevelopment Area.
- D. The Acquisition Map and Acquisition Plan (Section IX), which are a part of this Plan, indicate all property to be acquired as a result of this Plan.
- E. The Plan is in general compliance with the Master Plan of the County of Hudson. It is not contrary to the goals and objectives of the Jersey City Master Plan or the Zone Plan. The Zone Plan permits residential land uses over ground floor commercial uses as this Redevelopment Plan does. However, this Redevelopment Plan emphasizes residential land-uses to a greater extent and reduces the emphasis on commercial uses. This has been done in recognition of the large community commercial center located immediately east of the Redevelopment Area, just across Bates Street. The Plan complies with the goals and objectives of the New Jersey Development and Redevelopment Plan in that this Plan and the State's plan both recognize the need to redevelop urban land.
- F. This Redevelopment Plan shall supersede all provisions of the Jersey City Zoning Ordinance that are specifically addressed herein. Any zoning related question that is not addressed herein shall refer to the Jersey City Zoning Ordinance for clarification. No variance from the requirements herein shall be cognizable by the Zoning Board of Adjustment. The Planning Board alone shall have the authority to grant deviations from the requirements of this plan, as provided herein. Upon final adoption of this Plan by the Municipal Council of Jersey City, the Jersey City Zoning Map shall be amended to rezone the Redevelopment Area covered by this Plan as a Redevelopment Area, and all underlying zoning will be voided.

XIV. PROCEDURE FOR AMENDING THE PLAN

- A. This Plan may be amended from time to time upon compliance with the requirements of law. A fee of five thousand dollars (\$5,000), plus all costs for copying and transcripts shall be payable to the City of Jersey City for any request 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.



Bates Street Redevelopment Plan Area

Map 1: Boundary Map

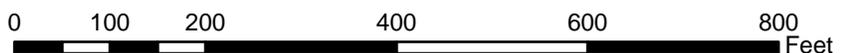
March 14, 2006



Legend

 Boundary

1 inch equals 200 feet





Bates Street Redevelopment Plan Area

Map 2: Land Use District Map

March 14, 2006

1 inch equals 200 feet



Legend

-  Commercial
-  Open Space
-  Residential

Commercial Street Frontage Requirements

-  Optional
-  Required



Bates Street Redevelopment Plan Area

Map 3: Bonus Height Map

March 14, 2006



Legend

-  Bonus Height Area "A"
-  Bonus Height Area "B"
-  Bonus Height Area "C"

1 inch equals 200 feet

