

City Clerk File No. _____ Ord. 13.103

Agenda No. _____ 3.D _____ 1st Reading

Agenda No. _____ 4.D _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 13.103

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE MORRIS CANAL REDEVELOPMENT PLAN TO
PROHIBIT LIQUOR STORES**

WHEREAS, the Municipal Council of the City of Jersey City adopted the Morris Canal Redevelopment Plan in March of 1999, and amended the Plan numerous times subsequently, most recently on June 27, 2012; and

WHEREAS, with the last amendment to this Plan, definitions were removed from in order that our city-wide glossary could used; and

WHEREAS, in the course of the previous amendment, a prohibition of liquor stores was inadvertently stricken; and

WHEREAS, it is now appropriate to add the prohibition of liquor stores back into the language of the Plan; and


WHEREAS, the Planning Board, at its meeting of September 10, 2013, determined that the Morris Canal Redevelopment Plan should be amended to prohibit liquor stores and the previous deletion of this language was in error; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Morris Canal Redevelopment Plan is attached hereto, and made a part hereof, and is available for public inspection at the office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

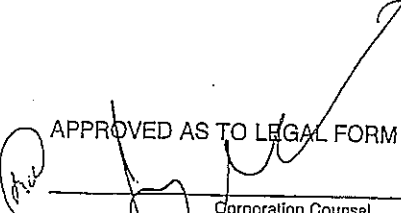
NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the aforementioned amendments to the Morris Canal Redevelopment Plan be, and hereby are, adopted.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.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


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

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: _____

APPROVED: _____

Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY
CITY ADOPTING AMENDMENTS TO THE MORRIS CANAL
REDEVELOPMENT PLAN TO PROHIBIT LIQUOR STORES
2. Name and Title of Person Initiating the Ordinance, etc.:

Anthony Cruz, Director of Housing, Economic Development, and Commerce
3. Concise Description of the Program, Project or Plan Proposed in the Ordinance:

This ordinance amends the Morris Canal Redevelopment Plan to prohibit liquor stores.
4. Reasons (Need) for the Proposed Program, Project, etc.:

Previously the definitions included this prohibition, but subsequent to the recent reorganization of a city-wide glossary, the prohibition must be incorporated into the Plan text.
5. Anticipated Benefits to the Community:


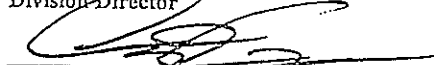
The community wishes to prohibit liquor stores, this will uphold their vision.
6. Cost of Proposed Plan, etc.:

\$0.00. Plan was prepared by Division of City Planning staff.
7. Date Proposed Plan will commence:

Upon Adoption.
8. Anticipated Completion Date: N/A
9. Person Responsible for Coordinating Proposed Program, Project, etc.:

Robert D. Cotter, Director, City Planning 547-5050
Kristin J. Russell, Senior Planner 547-5010
10. Additional Comments:

I Certify that all the Facts Presented Herein are Accurate.


Division Director

Department Director Signature

Sept 5, 2013
Date
9/5/13
Date

Summary Sheet:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY
CITY ADOPTING AMENDMENTS TO THE MORRIS CANAL
REDEVELOPMENT PLAN TO PROHIBIT LIQUOR STORES**

This ordinance amends the Morris Canal Redevelopment Plan to prohibit liquor stores. Previously the definitions included this prohibition, but subsequent to the recent reorganization of a city-wide glossary, the prohibition must be incorporated into the Plan text.

Morris Canal

Redevelopment Plan

(formerly known as the Garfield - Lafayette Redevelopment Plan)

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

March 1999
Amended February 27, 2002
Amended March 27, 2002
Amended July 26, 2002
Amended November 13, 2002
Amended August 11, 2004
Amended January 11, 2006
Amended October 16, 2006
Amended March 14, 2007
Amended May 28, 2008 – Ord. 08-060
Amended June 25, 2008 – Ord 08-084
Amended December 17, 2008 – Ord 08-169
Amended January 28, 2009 – Ord 09-006
Amended June 17, 2009 – Ord 09-071
Amended May 12, 2010 – Ord 10-064
Amended August 25, 2010 – Ord 10-104
Amended September 29, 2010 – Ord 10-115
Amended November 23, 2010 – Ord 10-156
Amended February 23, 2011 – Ord 11-024
Amended June 29, 2011 – Ord. 11-071
Amended June 27, 2012 – Ord. 12-083
Proposed 9/24/13

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INTRODUCTION

NO CHANGE

I. Boundary Description

No change

II. Redevelopment Plan Goals

No change

III. Parks and Greenspace Objectives

No change

IV. General Traffic Circulation and Parking Objectives

No change

V. Strategic Plan

No change

VI. Community Empowerment

No change

VII. Types of Proposed Redevelopment Actions

No Change

VIII. General Administrative Provisions

No change

IX. General Design and Land Use Standards and Requirements

No change

X. Off-Street Parking And Loading Requirements

No change

XI. Land Use Zones And Specific Land Use Provisions

A. No Change

B. No Change

C. No Change

D. Mixed Use – A

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

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

Purpose: A locus of the historic Lafayette community, this area provides shops, services, homes, and a vibrant pedestrian streetscape. This existing pattern of mixed uses and other positive elements shall be protected and encouraged by this Plan. A future historic district may serve to provide even greater conservation of this area, and further study of the area from an historic preservation perspective is duly warranted.

1. Permitted Principal Use

- a. Artist studio workspace
- b. Community Facility
- c. Day Care Center
- d. Funeral Parlor

- e. Health Care Facility. Prohibited: Health Care Facility that provides any type of residential accommodation.
 - f. House of Worship
 - g. ~~Neighborhood~~ Retail sales of goods and services, except for drive-through pick-up windows and liquor stores
 - h. Office
 - i. Commercial Parking
 - j. Residential (above the first floor)
 - k. Residential on the first floor, on a parcel that was occupied by a structure with a first floor residential use at the time of adoption of this Plan or on the ground floor in the rear of the building, provided the building depth is 80 feet or greater, and that retail is maintained along all street frontages averaging 30 feet deep into the building.
 - m. Restaurants, category 1 and 2
 - n. Combination of any of the above
 - o. Park
 - q. Public Utilities, except that natural gas transmission lines shall be prohibited
- 2. Accessory use
 - a. Parking.
- 3. Design Standards and Requirements – refer to Section VII
 - 4. Area, yard and bulk requirements
 - a. All existing lots of record at the time of the adoption of this Plan are considered conforming. After the adoption of this plan, the minimum lot size in this district shall be 2,500 square feet, with a minimum lot width of twenty five 25 feet, for any lots that are to be subdivided.
 - b. Minimum yards
 - (1) Front Yard – shall be determined by prevailing setbacks, but no front yard shall exceed 10 feet. (Block 2000, Lot 16 must maintain a setback of five feet to match the residential setback)
 - (2) Side Yards – 0 feet
 - (3) Rear Yards – 15 feet, 0 feet for corner lots
 - c. Maximum height shall not exceed 45 feet, except for steeples on houses of worship, and provided that no deviation from this height limit will be cognizable by the Planning Board.

E. Mixed Use - B

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

The zone shall encompass all lands contained within the following boundary description: Beginning at the point of intersection of the centerlines of Fairmount Avenue and Grand Street; thence northwesterly along the centerline of Fairmount Avenue until it intersects the extended northwestern lot line of Lot 16 Block 15401; thence proceeding westerly along said NW lot line of Lot 16 Block 15401 until it intersects the northerly lot line of Lot 18, Block 15401; thence following a line extending the said lot line of Lot 18, Block 15401 westerly across the southern portions of Lots 19, 20, 21, and 22 of Block 15401

across Johnston Avenue and a southeastern portion of Block 15402 to a point of intersection with the NE corner of Lot 13, Block 15403; thence westerly along the northern lot line of lot 12 to its intersection with Lot 11; thence in a southwesterly direction along the easterly line of Lot 11 to its intersection with lot 15; thence at an angle extending the said northern lot line of lot 12 westerly across the southern portions of lots 16, 17, and 18, Block 15403 and State Street until its point of intersection with NE corner of lot 3, Block 17205; thence southwesterly along the northwesterly lot lines of lots 3 and 4, Block 17205 until it intersects the south westerly lot line of lot 4; thence southeasterly along said SW lot line of lot 4 and extended until its intersection with the centerline of Grand Street; thence easterly along the centerline of Grand Street until it intersects the centerline of Fairmount Avenue, the POINT AND PLACE OF BEGINNING.

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

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

1. Permitted Principal Use

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

2. Accessory use

- a. Parking.

3. Design Standards

- a. Buildings should front on Grand Street. All parking shall be located to the side or rear of all buildings. Any parking that fronts on Grand Street must be screened with a low, brick-faced wall, black metal fence and evergreen hedge row, except for existing parking lots, which may continue as they exist.
- b. Free standing signs are not permitted. See signage standards, Section VII.

- c. All mixed use buildings should be multi-story, with the retail, community facility and/or day care use on the ground floor and the residential and/or office use above.
- d. Only masonry materials may be used for exterior cladding, except in the event of an overhang. Brick shall be the predominant material used for any façade visible from Grand Street, except for the existing gas station which, should it be rehabilitated, may utilize other materials, subject to Planning Board acceptance that such materials are commonly used and associated with the particular brand in service.
- e. All lots shall contain at least 15 % landscaped area, of which at least one-third shall be in the front (Grand St) half of the lot.

4. Area, yard and bulk requirements

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

F. Mixed Use - C

*Residential and Neighborhood Retail
(The Junction)*

The zone shall encompass all lands contained within Block 17202.

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

The slope of the land may be used to provide rear access, below grade, carport style parking for a building that may be constructed on Block 17202 Lot 1, and adjacent parcels. Any such parking area should share street access with a parking area that serves the other parcels on the block, so that there is a single curb cut along Communipaw Avenue, and a single curb cut along Summit Avenue, for shared ingress and egress to all accessory and public parking within the block.

1. Permitted Principal Use

- a. Artist Studio Workspace
- b. Community Facility
- c. *Neighborhood Retail sales of goods and services, except for drive-through pick-up windows and liquor stores*
- d. Office
- e. Commercial Parking

- f. Residential
 - g. Restaurant
 - h. Combination of the above, subject to approval by the Planning Board
 - i. Park
 - j. Public Utilities, except that natural gas transmission lines shall be prohibited
- 2. Accessory use
 - b. Parking.
- 3. Design Standards
 - a. Please refer to Design Standards section VII
- 4. Area, yard and bulk requirements
 - a. Due to the small size of the lots in this districts, there shall be no minimum lot size, provided, however, that no lot may be reduced in size from what exists at the time of the adoption of this Plan.
 - b. Prevailing setbacks shall apply.
 - c. Maximum height shall be three (3) stories.
 - d. Maximum lot coverage shall be 85%.

G. No Change

H. Mixed Use – E Zone:

Neighborhood Retail and Residential
(Grand Street South Side)

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

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

1. Permitted Principal Use

- a. Community Facility
- b. Day Care Center
- c. Residential above the first floor (required west of Bishop Street except when the building is dedicated to medical offices)
- d. Medical Office Buildings
- e. Combination of the above, subject to approval by the Planning Board

- f. Public Utilities, except that natural gas transmission lines shall be prohibited
2. Accessory Use
 - a. Parking.
 3. Required Uses fronting on Grand Street and Garfield Avenue, West of Bishop Street
 - a. Ground floor ~~neighborhood~~ retail sales of goods and services, except for drive-through pick-up windows and liquor stores, or
 - b. Ground floor office Commercial, or
 - c. Ground floor child care center
 - d. Ground floor community facility
 - e. Ground floor combination of one or more of the above
 4. Development & Design Requirements
 - a. The former Morris Canal land shall be developed as a park and/or circulation alley contemporaneous with the adjacent residential development. There shall also be a 30' wide alley constructed parallel to the canal open space park. Its minimum length shall be between Bishop Street and Westervelt Place in order to eliminate dead ends and provide a continual traffic loop.
 - b. No curb cuts shall be permitted along Grand Street. Instead, four (4) new access streets shall be constructed. These shall include: Bishop street on the former R-O-W, extensions of State Street and Westervelt Place, and the new circulation alley as described above. All streets shall provide twenty-four hour (24), unobstructed access and be offered to the City for dedication.
 - c. All building facades shall be treated as a front façade. Entrances shall be provided to all adjacent streets from ground floor units. In addition, placement and exterior design of structures should be done in such a way as to provide an aesthetically pleasing and historically compatible face to passersby within any park that may be developed atop or adjacent to the former Morris Canal.
 - d. All parking shall be located below or partially below grade level and interior to the principal building. Exterior walls shall show no evidence of parking within. The only exception to this shall be for medical building parking which shall be permitted to be exterior surface parking but shall be located in the rear yard of the building and completely screened from view from adjacent lots and decoratively screened from any adjoining streets. Decorative metal fencing and a minimum of 5' planting strip shall be provided around the perimeter.
 - e. All fencing and walls shall be brick-faced with black metal fence and evergreen hedge row.
 - f. Free standing signs are not permitted. Signs shall be as regulated in Signage Standards, Section VII.
 - g. Maximum residential height shall be five stories. Maximum medical office height shall four stories. Minimum Height for all uses shall be three (3) stories.

- h. Only masonry materials may be used for exterior cladding. Brick shall be the predominant material used for any façade.
 - i. Roof lines shall be generally flat. They may contain modified dormers and other architectural accents, upon review and approval of the Planning Board.
 - j. Residential Parking shall be encouraged to utilize the new on-street parking created by newly improved streets.
5. Area, yard and bulk requirements
- a. Maximum Height
 - (1) Except for Medical offices: 55 feet and five stories. 4 of the stories must be of the principal use. One story may be of an accessory use.
 - (2) Medical offices: 55 feet and 4 stories
 - b. Minimum lot area: 20,000 square feet
 - c. Minimum front yard: 0 feet
 - d. Minimum side yard: 0 feet
 - e. Minimum rear yard: 10 feet
 - f. Maximum density: 80 units per acre east of Bishop St., 65 units per acre West of Bishop St.
 - g. Minimum sidewalk width: 15 feet along Grand Street, 10 feet on side streets

6. Parking

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

I. Rail Transportation Corridor

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

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

1. Permitted Principal Use

- a. Light Rail Right of Way
- b. Light Rail Station or Stop
- c. ~~Neighborhood~~ Retail sales of goods and services, except for drive-through pick-up windows and liquor stores
- d. Other Rail Right of Way
- e. Park
- f. Walkway and Bikeway
- g. Public Utilities, except that natural gas transmission lines shall be prohibited

2. Accessory use

- a. Outdoor seating.
- b. Parking.

- 3. Please refer to Design standards, Section VII for design requirements.
- 4. Please refer to Mixed Use – A district for area, yard and bulk requirements. The LRT ROW shall be considered the same as the street for all design, area, yard, bulk and screening requirements.
- 5. Structures on sites that are adjacent to planned LRT stops should provide public pedestrian access from the LRT stop to the building entrance.

J. No Change

K. No Change

L. NO CHANGE

M. ADAPTIVE REUSE OVERLAY ZONES

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

The Adaptive Reuse Overlay Zones shall be in addition to, and not supersede, the underlying zoning categories. Furthermore, the Adaptive Reuse Overlay Zone shall apply only to those structures that existed at the time of adoption of this Plan, as listed within each Overlay Zone category of this Plan, or new construction on vacant land within the

Overlay Zones which permit new construction as outlined elsewhere in this section. Should said structures be demolished, or the exterior be significantly altered, except in compliance with the requirements of this section, the subject parcel shall no longer be considered part of an Adaptive Reuse Overlay Zone, and the underlying Plan zoning requirements shall be in effect.

1. Design Standards

- a. For the adaptation, rehabilitation, and/or reuse of existing buildings (existing lower portions, not including any permitted vertical additions), the design standards contained within the Section VII for this district shall apply. Existing buildings shall implement rehabilitation that restores the building's exterior façade to its original profile to the extent possible within reasonable engineering methods and cost. Restoration of original window and door openings is encouraged to the extent feasible.
- b. For new construction as a vertical addition on top of existing buildings, the following shall apply:
 - (1) Vertical additions are only permitted on flat-roof buildings, and buildings free of decorative elements (such as domes, cupolas, cones, belvederes, towers, turrets, etc.)
 - i. Vertical additions shall not be made to replicate the original building in materials or color. Additions shall be primarily of glass and steel with other modern material details. Glazing on additions must be a minimum of 85%.
 - ii. All buildings shall incorporate flat roofs, except where existing roofs are sloped, gabled, or turreted or otherwise decoratively treated, in which case they shall remain.
 - (a) Roofs may contain HVAC equipment, provided however, that the equipment must be enclosed or screened. Constructed screening shall be executed in a manner that is sympathetic with the architecture of the building, and shall not be visible from an elevation of five feet above the sidewalk on the opposite side of the public right-of-way.
 - (b) Roofs shall include open space for building residents. Terraces, decked areas, seating areas, and landscaping should be included.
 - (2) Rehabilitated buildings shall include the following amenities:
 - i. Laundry facilities. A minimum of one (1) washer and dryer for every ten (10) units with a minimum of one (1) washer and dryer on each residential floor must be provided; OR a washer and dryer in each residential unit.
 - ii. Bicycle storage. An appropriately sized bicycle storage room or locker area must be situated on the first floor or garage of all rehabilitated buildings.

2. Area, yard and bulk standards

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

exceed 20 feet, unless the specific Overlay Zone allows new construction within the zone.

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

a. Adaptive Reuse Overlay – Zone A

| Block | Lot | Address |
|-------|----------|--------------------|
| 15802 | 37 | 68 Monitor Street |
| 19902 | 9 and 10 | 279 Pine Street |
| 17503 | 1 | 125 Monitor Street |

(1) Permitted Principal Use

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

(2) Accessory use

- (a) Off-street parking- One parking space for each dwelling unit for Block 17503. Basement level parking shall be exempt from all

setback requirements. Underground parking shall not count as coverage.

(b) Home occupations

b. Adaptive Reuse Overlay – Zone B

| Block | Lot | Address |
|-------|-----|----------------------|
| 15402 | 4 | 614-630 Grand Street |

(1) Permitted Principal Use

- (a) Artist studio workspace
- (b) Banquet or Catering Facilities
- (c) Business Incubators
- (d) Light Industrial
- (e) ~~Neighborhood~~ Retail *sales of goods and services, except for drive-through pick-up windows and liquor stores*
- (f) Offices
- (g) Restaurants/Cafés: category 1.
- (h) Combination of the above, subject to approval by the Planning Board
- (i) Public Utilities, except that natural gas transmission lines shall be prohibited

(2) Accessory use

- (a) Off-street parking

c. Adaptive Reuse Overlay – Zone C

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

(1) Permitted Principal Use

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

(2) Any combination of (d) Office, (e) Incubator, and (f) Light Industrial.

(2) Accessory use

(a) Off-street parking.

(3) Prohibited Uses

(a) Narcotic and drug abuse treatment center.

(4) Parking Standards

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

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

d. Adaptive Reuse Overlay – Zone D

| Block | Lot | Address |
|-------|-----|-----------------------|
| 15802 | 25 | 300 Communipaw Avenue |
| 15802 | 26 | 40 Monitor Street |

(I) Permitted Principal Use

A. Ground (First) Floor and Floor Immediately Above

- (a) Artist studio workspace
- (b) Catering Facility
- (c) Community Facility
- (d) Health Club, maximum 5,000 square feet total floor area.
- (e) Residential
- (f) Restaurants, category 1 and 2
- (g) Work/live artist studio with up to 3 full time employees
- (h) Work/live craftsperson studio
- (i) home occupation with up to 5 full time employees
- (j) Office
- (k) Studios for Film Production and the Performing Arts
- (l) Public Utilities, except that natural gas transmission lines shall be prohibited

B. Upper Floors

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

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

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

(2) Accessory Uses

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

(3) Parking Standards

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

(4) Additional Design Standards

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

e. Adaptive Reuse Overlay – Zone E

| Block | Lot | Address |
|-------|-----|-------------------|
| 20005 | 3 | 305 Whiton Street |

(1) Permitted Principal Use

- (a) Residential

(2) Accessory Uses

- A. Parking

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

XII. Design and Sign Standards

No Change

XIII. ACQUISITION

No Change

XIV Other Provisions to Meet State and Local Requirements

No Change

XIV. Procedure for Amending the Plan

No Change

Department of Housing, Economic Development & Commerce
Division of City Planning



Inter-Office Memorandum

DATE: September 5, 2013

TO: Rolando R. Lavarro, Jr. Council President
Members of the Municipal Council

CC: John Thieroff, Deputy Mayor
Jeremy Farrell, Law Dept.
Anthony Cruz, Director, HEDC
Bob Cotter, Director, Division of City Planning

FROM: Kristin J. Russell, PP, AICP

SUBJECT: Morris Canal Redevelopment Plan Amendments

In early 2013, the City adopted a city-wide glossary for Planning and Development Definitions. As part of that adoption, any individual redevelopment plan which included its own glossary was amended to have that language stricken.

Morris Canal Redevelopment Plan was one such Plan that had the glossary removed. It has been brought to our attention, however, that in so doing a "permitted/prohibited use" was removed as a result.

Specifically, the Morris Canal Plan prohibited liquor stores through language located in the definitions section of the Plan. At this time, we are seeking to amend the plan to add the language back in to the use categories. It is the wish of the community to retain this prohibition, and it was never intended to be removed.

RECEIVED
2013 SEP - 6 P 1:16
CITY CLERK'S OFFICE
JERSEY CITY, N.J.

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



ORDINANCE NO. Ord. 13.103
TITLE: 3.D SEP 25 2013 4.D OCT 09 2013

Ordinance of the Municipal Council of the City of Jersey
City adopting amendments to the Morris Canal
Redevelopment Plan to prohibit liquor stores.

| RECORD OF COUNCIL VOTE ON INTRODUCTION SEP 25 2013 9-0 | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| RAMCHAL | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING OCT 09 2013 | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson Lavarro moved, seconded by Councilperson Coleman to close P.H. 9-0 | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| RAMCHAL | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

Jayson Burg
Kabili Tayari

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson moved to amend* Ordinance, seconded by Councilperson & adopted | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | | | | YUN | | | | RIVERA | | | |
| RAMCHAL | | | | OSBORNE | | | | WATTERMANN | | | |
| BOGGIANO | | | | COLEMAN | | | | LAVARRO, PRES. | | | |

| RECORD OF FINAL COUNCIL VOTE OCT 09 2013 9-0 | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| RAMCHAL | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on SEP 25 2013

Adopted on second and final reading after hearing on OCT 09 2013

This is to certify that the foregoing Ordinance was adopted by
the Municipal Council at its meeting on OCT 09 2013

Robert Byrne, City Clerk
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

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

Date OCT 09 2013

APPROVED:

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

Date OCT 15 2013
OCT 15 2013