

City Clerk File No. Ord. 14.076

Agenda No. 3.A 1st Reading

Agenda No. 4.A 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 14.076

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE MORRIS CANAL REDEVELOPMENT PLAN TO
CREATE AN ADAPTIVE REUSE DISTRICT AND MODIFY DENSITY**

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 March 12, 2014; and

WHEREAS, the existing Plan has several "Adaptive Reuse" zones intended to allow the preservation of important and/or historic structures in the community; and

WHEREAS, creating a new Adaptive Reuse Zone (Zone F) will allow an existing architecturally sound and aesthetically attractive structure to be preserved and rehabilitated for residential and restaurant use, which is a benefit to the community and its history; and

WHEREAS, as the Area continues to develop, it is necessary to review the density requirements, and make adjustments where appropriate; and

WHEREAS, the existing Mixed Use E zone would benefit from consistent density standards and should be modified to provide same; and

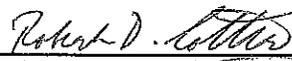
WHEREAS, the Planning Board, at its meeting of June 17, 2014, determined that the Morris Canal Redevelopment Plan should be amended to create a new Adaptive Reuse Zone and modify the Mixed Use E Zone density; and

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- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.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, FATICP
Director, Division of City Planning

APPROVED: 

APPROVED: 
Business Administrator

APPROVED AS TO LEGAL FORM


Joseph Mancian
Corporation Counsel

Certification Required
Not Required

RESOLUTION FACT SHEET – NON-CONTRACTUAL

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

Full Title of Ordinance/Resolution

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE MORRIS CANAL REDEVELOPMENT PLAN TO CREATE AN ADAPTIVE REUSE DISTRICT AND MODIFY DENSITY

Initiator

Department/Division	HEDC	City Planning
Name/Title	Robert Cotter, PP, AICP	Director
Phone/email	201-547-5010	bobbyc@cnj.org

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

Resolution Purpose

The proposed amendments will do two things. First, a new Adaptive Reuse "zone F" will be created to encourage the preservation and redevelopment of an existing warehouse building at the corner of Berry Ln. and Communipaw Ave. Second, the density on Mixed Use E zone will be modified to have consistent density permitted throughout the entire zone.

RD [Signature]

I certify that all the facts presented herein are accurate.

[Signature]
Signature of Department Director

6/5/14
Date

Summary Sheet:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY
CITY ADOPTING AMENDMENTS TO THE MORRIS CANAL
REDEVELOPMENT PLAN TO CREATE AN ADAPTIVE REUSE DISTRICT
AND MODIFY DENSITY**

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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
Amended October 9, 2013 – Ord. 13-103
Amended March 12, 2014 – Ord. 14-024
Proposed May 28, 2014

**DIVISION OF CITY PLANNING
TABLE OF CONTENTS**

INTRODUCTION	1
Background	1
Community Outreach	2
I. BOUNDARY DESCRIPTION	4
II. REDEVELOPMENT PLAN GOALS	4
III. PARKS AND GREENSPACE OBJECTIVES	5
IV. GENERAL TRAFFIC CIRCULATION AND PARKING OBJECTIVES:	5
V. STRATEGIC PLAN	10
VI. COMMUNITY EMPOWERMENT	11
VII. TYPES OF PROPOSED REDEVELOPMENT ACTIONS	12
VIII. GENERAL ADMINISTRATIVE PROVISIONS	14
IX. GENERAL DESIGN AND LAND USE STANDARDS AND REQUIREMENTS	16
X. OFF-STREET PARKING AND LOADING REQUIREMENTS	18
XI. LAND USE ZONES AND SPECIFIC LAND USE PROVISIONS	20
A. TRANSIT ORIENTED DEVELOPMENT ZONES	20
B. COMMUTER PARKING	30
C. INDUSTRIAL	30
D. MIXED USE - A	33
E. MIXED USE - B	34
F. MIXED USE - C	36
G. MIXED USE - D	37
H. MIXED USE - E	38
I. RAIL TRANSPORTATION CORRIDOR	40
J. RESIDENTIAL	41
K. WHITLOCK CORDAGE ADAPTIVE REUSE DISTRICT	43
L. BERRY LANE PARK	45
M. ADAPTIVE REUSE OVERLAY ZONES	47
XII. DESIGN AND SIGN STANDARDS	52
XIII. ACQUISITION	62
XIV. OTHER PROVISIONS TO MEET STATE AND LOCAL REQUIREMENTS	62
XV. PROCEDURE FOR AMENDING THE PLAN	62
XVI. MAPS	63
A. REDEVELOPMENT AREA BOUNDARY MAP	
B. ZONING MAP	
C. ADAPTIVE REUSE ZONING OVERLAY MAP	
D. RECOMMENDED HISTORIC DISTRICT STUDY AREA	
E. ACQUISITION MAP	

XI. Land Use Zones And Specific Land Use Provisions

- A. Transit Oriented Development** – no change
- B. Commuter Parking** -- no change
- C. Industrial** – no change
- D. Mixed Use – A**– no change
- E. Mixed Use - B**– no change
- F. Mixed Use - C**– no change
- G. Mixed Use - D**– 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 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: ± 0.9 space per residential dwelling unit.

- I. Rail Transportation Corridor** – no change
- J. Residential** – no change
- K. Whitlock Cordage Adaptive Reuse District** – no change
- L. BERRY LANE PARK ZONE** – 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. Zone E consists of old house of worship structures.

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 matter 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.

b. Except where otherwise regulated in this section, parking shall be provided to the greatest extent practicable considering the constraints of each site and prioritizing the preservation of the existing structures. The Board shall consider each application and determine if the parking proposed is appropriate.

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

- a. **Adaptive Reuse Overlay – Zone A**
- b. **Adaptive Reuse Overlay – Zone B**
- c. **Adaptive Reuse Overlay – Zone C**
- d. **Adaptive Reuse Overlay – Zone D**
- e. **Adaptive Reuse Overlay – Zone E**

f. Adaptive Reuse Overlay – Zone F

<i>Block</i>	<i>Lot</i>	<i>Address</i>
<i>18901</i>	<i>21</i>	<i>451 Communipaw Ave.</i>

(1) Permitted Principal Use

- A. Ground floor restaurant, category one and two*
- A. Residential above*

(2) Accessory Uses

- A. Retail sales of goods and services*
- B. Off-street parking and loading*
- C. Fences and walls*
- D. Bar, as an accessory use to a ground floor restaurant*

(3) Zoning & Design Standards

- A. Height – there shall be no increase in height beyond that which existed at the time of this adoption.*
- B. Building façade must be improved concurrent with the floors being adapted. This includes, but is not limited to, windows being reopened and glazed.*
- C. The City may impose fees on the applicant for off-site sidewalk improvements for those areas immediately adjacent to the site.*
- D. Signage – restaurant signage only. See signage requirements for N/C Neighborhood Commercial Zone in the Land Development Ordinance. In the event that the applicant is able to produce historical photographs showing original signage, the Board may consider a recreation of this signage instead of N/C zoned signage.*

Morris Canal Redevelopment Plan

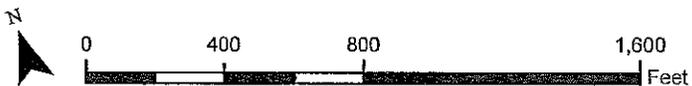
Map C: Adaptive Reuse Zoning Overlay



Legend

-  Adaptive Reuse - A
-  Adaptive Reuse - B
-  Adaptive Reuse - C
-  Adaptive Reuse - D
-  Adaptive Reuse - E
-  Adaptive Reuse - F

May 28, 2014



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



ORDINANCE NO. Ord. 14,076
 TITLE: 3.A JUN 25 2014 4.A JUL 16 2014

Ordinance of the Municipal Council of the City of Jersey
 City adopting amendments to the Morris Canal
 Redevelopment Plan to create an adaptive reuse district
 and modify density.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JUN 25 2014 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	ABSENT			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JUL 16 2014 9-0											
Councilperson <u>OSBORNE</u> moved, seconded by Councilperson <u>RAMCHAL</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

JAYSON BURG
 LAVERN WASHINGTON
 YVONNE BALCER

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				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
JUL 16 2014 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 25 2014

Adopted on second and final reading after hearing on JUL 16 2014

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUL 16 2014

Robert Byrne, City Clerk

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date JUL 16 2014

*Amendment(s):

APPROVED:

Steven M. Fulop, Mayor

Date JUL 17 2014

Date to Mayor: JUL 17 2014