Proposed 10/31/17

1. **INTRODUCTION**

On, June 14, 2017, the Jersey City Municipal Council adopted a resolution declaring the Brunswick Triangle Study Area 2 as an area in need of rehabilitation. While the study area was known and referred to as the Brunswick Triangle, the redevelopment plan is renamed the Enos Jones Redevelopment Plan.

This redevelopment plan focuses on historically industrial neighborhood adjacent to the New Jersey Turnpike, Enos Jones Park, in the western part of downtown Jersey City. The area includes 64 parcels equaling approximately 13 acres, 6 of which are Enos Jones Park. Development in this western portion of downtown Jersey City has come a slower rate than along the waterfront or within designated historic districts. The land today remains mostly improved with buildings that are over 50 years old and industrial/commercial warehousing in use in need of substantial repair. However, the population increase has created a demand for more residential uses, and the former industrial, commercial warehouse uses are obsolete and deleterious on lots adjacent to residential and public open space.

The redevelopment plan area is on land created by the drying and filling of the Mill Creek, beginning in 1837, finished approximately by 1890, to allow for the construction of the New Jersey Railroad. The Mill Creek was a tidal creek that ran through marshlands separating Harsimus Cove from the rest of Bergen. The creek emptied into Communipaw Bay at the south, and the Hudson River at the Hoboken border at the north. Later the Communipaw Bay was filled in by the Central Railroad of New Jersey. The Mill Creek was composed of the Harsimus Creek and the Bergen Creek. The Mill Creek continued southward, and then both creeks met up around Christopher Columbus Boulevard. All of the land in between these two creek beds was marshland. The plan area accounts for some of the lowest elevations in downtown Jersey City.

The whole of the Redevelopment Area is encompassed in a Special Flood Hazard Area (SFHA) labelled on FEMA’s Flood Insurance Rate Map (FRIM) as the the AE Zone, a High Risk Flood zone. The base flood is the 100-year flood (1% annual flood), which is the flood or rain fall that has a 1% chance of being equaled or exceeded in any given year. The AE zone has a base flood elevation (BFE), or the water surface elevation of the 1% annual flood chance, of 9 ft. Any building in this area must be raised above the base flood elevation in order to keep any form of living space out of the flood zone.

The flooding danger in the redevelopment area is compounded by a few other challenges: 1) the combined sewer system, 2) the porous soil conditions due to the historic filing of a tidal creek, and 3) infrastructure, in this case, the Turnpike Extension.

The Mill Creek combined sewer outfall was a major path for storm surge during Hurricane Sandy in 2012. The water’s eventual path due to topography is into the Study Area, making the area not only susceptible to rainfall flooding, but also to storm surge flooding. Jersey City is one of the 21 municipalities in New Jersey that have combined sewer systems. The Jersey City sewer system is well over 100 years old, and one sewer drainage pipe will handle both stormwater and sanitary demands. As a result, the system regularly overflows during period of heavy rain or snow, releasing untreated sewage and water into the Hudson River. The EPA and DEP have placed a high priority on mitigating combined sewer overflows (CSOs) because of the associated environmental and health impacts, along with the flooding. Jersey City is under a consent decree to mitigate the amount of untreated sewage released into local waterways under the Clean Water Act. It is estimated that the cost of reducing CSOs to comply with the mandates will cost BILLIONS OF DOLLARS. Water system retrofits are forecasted to take decades, placing a tremendous burden on Jersey City.

1. **BOUNDARIES**
2. A map of the boundary, entitled, Map 1: Boundary Map, dated ###### is attached and shall govern the boundaries of this redevelopment plan.
3. The Study Area is encompasses an area that is irregularly bounded by 9th Street to the north, 6th Street to the south, Brunswick Street to the east, and the 78 extension/New Jersey Turnpike to the west.
4. **REDEVELOPMENT PLAN GOALS AND OBJECTIVES**

Renewal activities of the Brunswick Triangle Study Area will be undertaken in conformity with, and will be designed to meet, the following goals and objectives the Redevelopment Plan:

1. To comprehensively redevelop the Brunswick Triangle Study Area by the elimination of negative and blighting influences and by providing new construction, site improvements and infrastructure improvements where appropriate.
2. To encourage and foster both green and grey infrastructure improvements to facilitate the mitigation of the associated environmental and health impacts caused by the inability of the combined sewer system to handle pluvial and coastal flooding.
3. To provide for a variety of residential uses and housing types for both existing residents and prospective occupants in order to meet the housing needs of low, moderate, and upper income households.
4. To provide for the improvement of the functional and physical layout of the project area for contemplated redevelopment and the removal of impediments for land disposition.
5. To encourage and facilitate public improvements of Enos Jones Park and Mary Benson Park.
6. Make sustainability, resiliency, and smart growth a theme of future development and redevelopment that guides land use and transportation decisions.
7. To provide for the maximization of private investment through the attraction of qualified developers capable of securing private financing commitments.
8. Creation of new employment, housing, educational, recreational, commercial and retail opportunities for the residents of Jersey City.
9. To provide necessary site improvements for both proposed and existing uses including, but not limited to, new streets and sidewalks, off street parking, open space, recreational areas and new trees. Furthermore, to foster those site improvements to use creative and best management practices to forward the resiliency goals for this Redevelopment Plan and Jersey City Master Plan.
10. Reduce automobile dependency by encouraging high density development in close proximity to mass transit and neighborhood services with low automobile parking ratios and with bicycle parking requirements.
11. Make walking and biking easy, safe, desirable, and convenient modes of transport.
12. To maximize developer participation and contribution in the Brunswick Triangle Redevelopment Plan.
13. Establish minimum stormwater management requirements and controls for development in order to reduce pollution from municipal sewer systems, direct discharges to surface waters, and combined sewer overflows, and to reduce flooding and erosion, enhance groundwater recharge, and promote rainwater harvesting.
14. Provide for urban amenities such as housing variety, open space, and community facilities that will attract new employers and a range of new residents to the area while sustaining existing neighborhoods and residents.
15. Coordination of redevelopment activities, reinforcing already existing adjacent renewal programs and in accordance with the Master Plan for the City overall.
16. Provide for the conservation and preservation of select structures with historic or architectural significance, and provide opportunity for adaptive reuse for future generations.
17. Provide for redevelopment without public acquisition or relocation of residents and business concerns.
18. Utilize stepbacks, architectural design elements, and building massing regulation to maintaine light and air to the street and adjacent properties.
19. To promote pluvial and coastal flood control, and achieve a minimum of a 10% reduction in total runoff volumes from impervious surfaces.
20. To promote the coordinated development of new structures that will be raised above base flood elevation requirements to ensure the health and safety of future residents and to reduce the occurrence of repetitive flood loss.
21. Reflect the goals and objectives of the New Jersey Municipal Land Use Law (M.L.U.L.).
22. **GENERAL REQUIREMENTS**
23. Submission of Redevelopment Proposals -Prior to commencement of construction, architectural drawings, specifications, and site plans for the construction of improvements to the Redevelopment Area shall be submitted by the developers for review and approval by the Planning Board of the City of Jersey City, and by the Board of Commissioners of the Jersey City Redevelopment Agency.
24. All submissions for redevelopment proposals shall provide adequate water, sewer and other necessary utilities to the site. All costs necessary for infrastructure improvements associated with a development project, off-site as well as on-site, are the responsibility of the developer or redeveloper.
25. All traffic impact studies shall incorporate, as part of the study, all projects approved or proposed in the immediate area. A listing of the projects may be obtained from the Division of City Planning.
26. Adverse Influences - No use or reuse shall be permitted, which when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, obnoxious dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.
27. Restriction of Occupancy or Use -There shall be no restriction of occupancy or use of the project area on the basis of race, creed, color or national origin.
28. IMPACT FEE: Redevelopment shall provide adequate water, sewer and other necessary utilities to the site, to the satisfaction of the Municipal Engineer and the Municipal Utility Authority. All costs necessary for infrastructure improvements associated with a development project, off-site as well as on-site, are the responsibility of the developer or redeveloper.
29. GREEN INFRASTRUCTURE REGULATIONS AND CONTROLS: All new development, regardless of lot size or area of disturbance, shall be subject to the following regulations. A report from a professional engineer and/or landscape architect, licensed by the State of new Jersey, shall provide the following details;
    1. Soil Assessment, which shall include:
       1. The predominate soil on the site and the soil hydrologic soil group classification.
       2. Depth to restrictive feature
       3. Natural drainage class
       4. Runoff class
       5. Capacity of the most limiting layer to transmit water (Ksat)
       6. Depth to water table
       7. Frequency of flooding
       8. Frequency of ponding
       9. Available water storage in profile
    2. A Site Plan Assessment, which shall include:
       1. Stormwater flow pattern
       2. Slope
       3. The proposed amount of impervious cover
       4. Opportunities for disconnection
       5. Locations of stormwater catch basins in and around the site
       6. Areas of flooding or stormwater ponding in and around the site
       7. Proposed and existing trees or landscaping features.
       8. The location of existing utilities
       9. The streetscape conditions (for example, is the street heavily used by pedestrians, vehicles; the width of sidewalks and crosswalks; street width/directions; the conditions of existing street trees, plantings, curbs, furniture, etc, within the sidewalk area.)
    3. Unless the provision of green infrastructure is determined to be infeasible by the reviewing Engineer, three or more of the following methods, including but not limited to, those in the table below, shall be employed both on the site and within the sidewalk/streetscape realm, based on site and soil assessments.

|  |  |  |
| --- | --- | --- |
| Premise | Qualifier | Action |
| Sidewalk width 5 ft or less |  |  |
|  |  | Permeable sidewalk/concrete |
| Sidewalk width greater than 5 ft |  |  |
|  | Near street | Stormwater planter or tree filter box |
|  | Near landscaping | Bioswale or Rain garden |
| Rooftop |  |  |
|  | Lots under 4,999 sq ft | Cistern or Downspout Planter |
|  | Lots over 5,000 sq ft | Extensive Green Roof System |

* 1. The portion of any building below the ABFE, that is visible from any public right-of-way, shall have a required buffer planting using the green infrastructure techniques provided in the following chart.



* 1. Green Infrastructure shall be designed and constructed in accordance with the. “Green Infrastructure Guidance Manual,” by Rutgers Cooperative Extension Water Resources Program (Appendix A), or other acceptable standard of construction as approved by the reviewing Engineer.

1. STORMWATER REGULATIONS AND CONTROLS: All new development of 5 or more units, regardless of lot size or area of disturbance, shall be considered a Major Development for the purposes of Jersey City’s Stormwater Management Requirements (Jersey City Municipal Code §345-74), and shall be subject to all regulations included therein; furthermore, all new development in the Redevelopment Plan Area are subject to the regulations below .
   1. FLOOD CONTROL REQUIREMENTS:
      1. All portions of any building having the ability to be viewed from any public right-of-way shall provide a buffer in the form of stormwater planters, rain gardens, or a living wall.
      2. All construction materials installed below the 500-year flood elevation should be resistant to mold damage.
      3. Backflow-prevention valves (“check valves”) or other construction techniques (such as overhead sewers) to prevent sewer backup overflows are required for all new construction
      4. Mechanical, electrical, and plumbing services for all new construction must be located out of the ABFE, plus two (2) feet to account for future sea level rise. Necessary connections at ground level should be flood proofed. Electrical Service should be via a waterproof underground connection where feasible.
      5. Where alleys exist, catch basins in the rear yard connecting to the municipal sewer system are required.
   2. Any stormwater control facilities must be maintained and kept functional by the property owner and any future owners. This shall be enforced by the City Zoning Officer in coordination with the Jersey City Municipal Engineer and the Municipal Utility Authority.
   3. All commercial/non-residential portions of a mixed use building shall be dry floodproofed.
   4. Where on-site conditions present an unusual hardship for stormwater capture, applicants shall apply to construct offsite improvements (such as bumpouts, right-of-way bioswales, permeable streets, etc.) as approved by the relevant City agency within the Redevelopment Plan area to capture an equivalent volume of stormwater. It shall be the responsibility of the applicant to demonstrate that the volume of stormwater offset by such improvements is equivalent. Such applications shall be evaluated on a case-by-case basis by the Planning Board.
   5. The Design Engineer, who shall be a professional engineer licensed by the State of New Jersey at the time of construction, shall provide a certification that the site complies with Jersey City Stormwater Control Ordinance as regulated by this Redevelopment Plan and the Green Infrastructure Standards as listed in this section, as a condition of Site Plan Approval and within 30 days of completion of the connection to sewer. This certification shall also be required to receive a Certificate of Occupancy.

4) DESIGN REQUIREMENTS

* + 1. All structures within the project area shall be situated with proper consideration of their relationship to other buildings, both existing and proposed, in terms of light, air and usable open space, access to public rights-of-way and off-street parking, height, bulk, and street alignment.
    2. Groups of related buildings shall be designed to present a harmonious appearance in terms of architectural style and exterior materials and shall be encouraged to incorporate historic elements found throughout the surrounding area.
    3. Buildings shall be designed so as to have an attractive, finished appearance when viewed from all vantage points within and outside of the project area. Front façades, façades which are visible from a public right-of-way, and all façades that are significantly taller than adjacent buildings or are visible as part of the skyline shall be treated with equal importance in material selection and architectural design.
    4. Large blank walls without fenestration surrounding large residential or commercial uses such as theatres, parking garages, big box retail, or similar uses must incorporate façade relief, an expressed structural system, sculpted, carved or penetrated wall surfaces, architectural lighting, vegetated “green walls,” or other architectural techniques to provide visual interest.
    5. Access by the elderly, physically handicapped and/or disabled shall meet barrier free design regulations as specified in the New Jersey and Federal ADA Standard Uniform Construction Code.
    6. All utility distribution lines, including multi-media telecommunication lines and utility service connections from such lines to the project area’s individual use shall be located underground.
    7. Roof deck enclosures: 20% of ADA accessible roof deck areas may be an enclosed amenity space. Enclosed roof deck amenity space must be a minimum of 10 feet from the edge of the roof or parapet, and be centered on the roof to minimize view of the enclosure to the greatest extent practical. Enclosed roof deck amenity space may extend to the edge of a building with the minimum area necessary to gain access to an elevator or stair entry. All walls of the enclosed amenity space greater than 10 feet from the edge of roof or parapet shall be a minimum of 80% glazing. Maximum floor to top of roof structure shall be 10 feet.
    8. Roof treatment, Mechanical Screening and Electrical Equipment
       1. All mechanical equipment located on any roof of a building shall be screened from view from all vantage points, with a material complementary with the façade of the structure. The screening shall not resemble a utility or rooftop elevator or stair tower.
       2. A roof plan must be developed and submitted for approval. Roof plans shall include mechanical equipment, trellises to obscure view, colored roof patterns and landscaping. Parking deck roofs shall be designed to maximize recreational amenity space. All remaining rooftop areas not being used for required mechanical equipment or roof deck area shall be developed as a green roof.
       3. All electrical communication equipment shall be located in such a way that it does not negatively impact the appearance of the building nor create objectionable views as seen from surrounding structures.
       4. Transformers and primary or and back-up generators shall be located interior to the building or vaulted underground within the pavement area of an adjacent street. Location upon the sidewalk, between the sidewalk and the building, or anywhere outside at grade is not permitted.
       5. The placement of all new or reconstructed signal boxes is required to be below grade.
    9. Streetscape
       1. All buildings shall be designed to front on a public street to create a street wall and a pedestrian environment at a human scale.
       2. Main entrances into buildings shall be located on all public streets. Secondary entrances shall also be provided from parking areas and/or as necessary according to the design of the structure.
       3. Entrances shall be designed to be attractive and functional. Indicators such as awning, changes in sidewalk paving material or other indicator consistent with the design, proportions, material and character of the surrounding area shall be provided.
       4. Automobile parking between the building line and a public right-of-way is expressly prohibited, even where surface parking is a permitted use. Parking is not permitted in any front yard.
       5. Porte-cocheres and drop-off lanes are prohibited.

* + 1. All façade vents for air conditioning or heating units must be incorporated into the window design such that vent grills and windows appear as a single unit. This is best achieved by lining up vent grills with the vertical or horizontal edge of the adjacent window and matching the window's length or width or using a spandrel panel to fill any voids.
    2. Facade Composition Requirement: Windows or window bays (a definable shape within the facade composition which includes a window, along with portions of the exterior wall) shall be sized, aligned, and spaced apart such that the facade area between windows or window bays form a visual column or spandrel. The Planning Board may grant a waiver from this method for superior design.
    3. All new sidewalk concrete shall be tinted charcoal grey or equivalent. The Planning Board may grant a waiver for superior design which relates to adjacent architecture or other public purpose.
    4. All storefronts shall incorporate a cornice element or horizontal projection above the storefront glazing separating ground floor uses from the building above.
    5. Ground floor storefront bulkheads below the display windows shall be a maximum of 16 inches in height above sidewalk grade.
    6. All storefront façades shall incorporate a minimum of 70% transparent glass.
    7. Storefront windows shall not be blocked by any interior display case or other form of barrier. Pedestrians on the street shall have the ability to see into the shop and view the activity within.
    8. All ground floor entryways shall be recessed or designed to avoid door swings into any public right-of-way.
    9. BUILDING MATERIALS REQUIREMENTS
       1. Any stucco material used must be fine grained with a smooth stipple finish to reflect a more stone like appearance and qualities of light reflection.
       2. Split face concrete block or other concrete masonry units may only be used as an accent material, not to exceed 15% of any facade.
       3. Front cantilevered balconies may project no more than 12 inches from the façade.
       4. Use of chain link fencing, razor wire, barbed wire, or other similar security devises is expressly prohibited. Chain linked fencing may be temporally utilized during construction only.
    10. Security Gates: All front security gates shall be completely composed of the open mesh type, except for two feet at the bottom of the gate which may be solid. Storage boxes for all security gates shall be mounted on the interior of the building. Gate tracks shall be recessed into the glazing reveal and the gate housing shall be flush with the plane of the storefront. No storage box, tracks or mechanical devices related to the gates may project from the plane of the storefront.

5) CIRCULATION AND OPEN SPACE DESIGN

1) Unless paved, all open space areas shall be landscaped and maintained in an attractive condition and include stormwater infiltration areas according to VI.E (5);

2) Open spaces for both residential rehabilitation and new construction shall be provided where feasible and be so located as to provide for maximum usability by tenants, and to create a harmonious relationship of buildings and open space throughout the project area;

3) Sidewalk areas shall be adequately provided for the movements of pedestrians through and around the site;

4) Sidewalk areas shall be attractively landscaped and durably paved, where feasible with permeable materials, and shall be provided with adequate lighting;

5) Trees and shrubs shall be planted along the curbline at not more than twenty five (25) foot centers or in groupings, in a regularly spaced pattern to further increase the aesthetic quality of redevelopment activities. All street trees shall be in accordance with the design standards in Chapter 345-66.B of the Jersey City Municipal Code. In the event a street tree is removed for construction, required repair/replacement, or for any other purpose, restoration of a street tree is required in accordance with the design standards in Chapter 345-66.B of the Municipal Code;

6) Areas designated as improved open space shall be in addition to all parking, loading, yard and setback requirements.

6) OFF STREET PARKING AND LOADING ­

* + 1. Parking or mechanical floor area is not permitted to front along any right-of-way at grade level. All parking uses must be screened creating a façade of compatible material that is used throughout the development or adjacent structures and shall be designed to provide visual interest.
    2. All garage entry doors shall be set back into building façade a minimum of 4 feet to provide a site triangle to pedestrians on the sidewalk. The entry shall be flanked by planter boxes, bollards, or other feature acceptable to the Planning Board no greater than 24 inches in height and no less than 5 feet in length along the sidewalk to protect the site triangle and keep pedestrian traffic flow a safe distance in front of the garage entry.
    3. Parking access and/or curb cuts are prohibited on Brunswick Street.
    4. Parking structures shall be designed to eliminate headlight glare by the provision of opaque screening for head lights and placement of interior garage lighting to be directed into the structure and/or mounted on the interior side of columns so as to prevent glare from such lighting to be visible from the street or adjacent property. Light fixture details and location shall be included within the garage floor plan at the time of site plan application.

* + 1. All openings must be screened with glass or decorative façade materials. Any openings shall be in a vertical proportion. Open horizontal bands along the façade of any parking structure are prohibited.
    2. Exterior lighting of the screening materials on a parking structure façade may be required by the Planning Board in order to provide additional visual interest in terms of light and shadow and to further mask the interior lighting of the parking structure and headlight glare.
    3. Parking stall and aisle size requirements are pursuant to the regulations found in the Jersey City Land Development Ordinance.
    4. Off-street parking and loading areas shall be coordinated with the public street system serving the project area in order to avoid conflicts with through traffic or obstruction of pedestrian walks and thoroughfares.
    5. Surface parking lots (as an interim use) and all loading areas shall provide a screen planting of dense evergreens along any street line and along all property lines except those instances where a building intervenes or where the proposed planting may interfere with sight triangles. Within the parking area, a minimum of three percent (3%) of the parking area shall be landscaped and maintained with shrubs no higher than three (3) feet and trees with branches no lower than six (6) so that the landscaping is dispersed throughout the parking area.
    6. The number and design of off-street loading spaces shall be demonstrated by an applicant according to an anticipated need. All freight loading activities are encouraged to be restricted to early morning and/or late evening hours. The design and number of off-street loading shall be regulated by the Jersey City Land Development Ordinance.
    7. For through lots there shall be shall be no more than two vehicular access points, one from each right-of-way. All other lots shall have no more than one vehicular access point.
    8. All developments which propose valet parking shall submit a parking management plan. Such plan shall include but not be limited to: number of vehicles to be parked, number of rows of cars to be stacked, all parking stall and aisle widths and any other information deemed necessary to effectively evaluate the management plan. All parking management plans shall be subject to review and approval of the Division of Traffic Engineering, the Division of City Planning and the Planning Board.
    9. Bicycle Parking Provisions: Bicycle parking shall be provided pursuant to the requirements found in the Jersey City Land Development Ordinance.
    10. All non-enclosed parking areas, including surface parking, parking spaces, driveways, and any type of patio, shall be constructed using pervious paving materials. The following are acceptable materials:

a. Interlocking concrete blocks

b. Permeable Pavers

c. Open-celled pavers

d. Porous pavement, concrete or asphalt

e. Reinforced lawn

f. Other material deemed appropriate by Planning/Zoning Board.

7) LANDSCAPE DESIGN ­

1) All open space, including yards, shall be landscaped with lawns, trees, shrubbery and other appropriate plant material unless said open space is specifically designated for other activities which require paving or other treatment. Other plant materials shall be heavy, and of specimen quality determined as above. All trees shall be a minimum of three and one half (3.5) inches in caliper. All plants, trees and shrubs shall be installed in accordance with Chapter 321- Trees, and Chapter 345-66 of the Land Development Ordinance.

2) At least 50% of the portion of the lot not covered by building footprint shall be landscaped with one of the following materials:

a. Green ground cover, including plantings. Plants shall be native, non-invasive and proven drought resistant in an urban environment. In no instance shall any pavers, blocks, porous pavement/asphalt, or reinforced lawn meet this requirement.

b. Rain gardens/Bioswales(bioretention systems)

3) Any landscaping which is not resistant to the environment or dies within 2 years of planting shall be replaced by the developer.

4) Street trees shall be planted along curb lines of streets in a regular pattern, spaced at one-half the mature spread of the tree canopy to further enhance the aesthetic quality of the redevelopment area. All trees shall be a minimum of three (3) inches in caliper.

5) All landscaping bordering on a public right-of-way shall be fully enclosed by curb or seating wall constructed of a masonry or metal material with a minimum of 6 inch in height. Landscaping shall be elevated to match the height of the curb or seating wall.

3) Prior to commencement of construction, architectural drawings, specifications, and site plans for the construction of improvements to the project area shall be submitted by the developers to the Board of Commissioners of the Jersey City Redevelopment Agency and to the Planning Board of the City of Jersey City for review and approval so that compliance of such drawings, specifications, and plans to the Redevelopment objectives can be determined.

8) LIGHTING

1) Lighting shall satisfy all requirements in the Land Development Ordinance 345-69

9) SIGNAGE

* + - 1. Signage Approval Process
         1. All signs are subject to site plan review when included as part of a major site plan application.
         2. All temporary banner signs for marketing projects on site shall be approved by the Zoning Officer, and must be removed one (1) year from the date each banner is installed or at such time as the building achieve eighty (80) percent occupancy.
         3. All new signage that complies with the redevelopment plan shall not require site plan approval.
         4. Minor Site Plan application with deviation must be submitted to the Planning Board for all non-conforming sign proposals.
         5. During construction, one (1) temporary sign indicating: the name of the project or development, general contractor, subcontractor, financing institution and public entity officials (where applicable) shall be permitted. The sign area shall not exceed forty (40) square feet.
      2. Number and Size of Signage
         1. The building address is required to be placed on either the main entry door, transom window, building, or awning flap at a maximum font height of 10 inches.
         2. Sign requirements for ground floor uses:

Each use fronting on a public street may be permitted one (1) exterior sign per store front bay on each street frontage.

Maximum sign height shall be 32 inches or the height of the architectural sign band in the building's facade or transom window.

* + - * 1. Sign requirements for all other uses:

Each use fronting on a public street may be permitted one (1) exterior sign per entryway per street frontage. Buildings with multiple uses shall have no more than one (1) sign per use.

The total exterior sign area shall not exceed the equivalent of 5 percent of the first story portion of the wall to which it is attached. In no case shall a sign on any structure exceed 20 square feet.

* + - 1. Sign Design Requirements
         1. Window signs, lettering or logos shall cover no more than twenty (20%) of the window area.
      2. Parking Garage Signage
         1. One (1) sign shall be provided per entrance to garages indicating the parking facility by the international parking symbol and direction arrow. The sign area shall not exceed twenty (20) square feet. If applicable, one (1) sign per entrance may be allowed indicating parking rates, not to exceed eight (8) square feet.
         2. Portable signs are not permitted for parking garages.
      3. Prohibited Signs
         1. Billboards.
         2. Portable advertising signs not associated with use within 10 feet are strictly prohibited.

**10) RESIDENTIAL DENSITY BONUS**

1. All developers are eligible to receive the height or density bonus, if the developer agrees to contribute to the development or enhancement of Enos Jones Park located within the Plan Area, as set forth more below.

|  |  |  |
| --- | --- | --- |
| Zone | Maximum Density or Height in Zone | Maximum Bonus Density or Height |
| Zone A: Townhouse Transition | 80 units an acre | Additional 70 units; Total density of 150 units an acre |
| Zone B: Mid-Rise Transition | 5 stories, 54 feet | Additional story; Total of 6 stories, 64 feet |
| Zone C: Turnpike Transition | 6 stories, 64 feet | Additional 3 stories; Total of 8 stories, 85 feet |

1. Zone A, B, C, and D bonus contributions are for the exclusive use of Enos Jones Park.
2. The bonus requirement may be satisfied by any one or combination of the following methods as approved by the Planning Board as part of a Site Plan:
   * Monetary contribution to the City of Jersey City to be established in a separate account for the exclusive purpose of developing and enhancing Enos Jones Park within the plan area.
   * Developer donation of actual improvements to Enos Jones Park; such improvements shall be determined by the Division of Architecture.
3. The amount of monetary contribution or value of an equivalent in-kind contribution of land shall be calculated as follows:
   * For zones regulated by density, $35,000 for each bonus residential dwelling unit constructed under this provision over the base density. For zones regulated by height alone, $35,000 for every residential dwelling unit constructed under this provision in every bonus story.
4. Any development utilizing this bonus provision must comply with all applicable criteria of the area, yard, and bulk standards, or be granted the appropriate deviations pursuant to the requirements of this plan.
5. Satisfaction of 50% of the contribution requirement is a required pre-condition for the issuance of any first building permit associated with the project. The remaining 50% shall be paid to the City of Jersey City prior to the issuance of any Certificate of Occupancy.

**11) GENERAL PROVISIONS**

* 1. The regulations and controls in this Section will be implemented where applicable by appropriate covenants, or other provisions, or agreements for land disposition and conveyance executed pursuant thereto.
  2. The developer shall begin and complete the development of the land and the construction of improvements agreed upon in the disposition contract within a reasonable amount of time as determined in the said disposition contract between the Jersey City Redevelopment Agency and the designated redeveloper.
  3. Upon demolition of existing structures, the site shall be graded and planted or sodded, with a durable dust free surface in the interim period prior to construction of new buildings.
  4. The redeveloper shall agree to retain the interest acquired in the project land until the completion of the construction and development in the area required by this Plan and the disposition instruments, and the redeveloper shall further agree not to sell, lease, or otherwise transfer the interest acquired or any part thereof without prior written approval of the Jersey City Redevelopment Agency.
  5. No covenant, lease, conveyance or other instrument shall be affected or executed by the Jersey City Redevelopment Agency or by a redeveloper or any of his successors or assignees, whereby land within the project 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.
  6. No building shall be constructed over public rights-of-way in the project area with the exception of freestanding structures ancillary to public plazas and/or pedestrian walkways, which shall be subject to review by the Planning Board.
  7. All residential redevelopment proposals and construction plans shall meet or exceed applicable FHA and building code minimum room size requirements prior to approval by the Planning Board.
  8. 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.
  9. Site Plan Review 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.

* 1. 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.
  2. DEVIATION REQUESTS

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

No deviations may be granted which will result in permitting:

* + - 1. A use or principal structure in a district which does not permit such use or principal structure;
      2. An expansion of a non-conforming use;
      3. An increase in height of more than ten feet or 10% of the height in feet, whichever is less.
      4. An increase in the permitted floor area ratio;
      5. An increase in the parking ratio of more than 10% above the maximum permitted;
      6. Right-of-way width, and pavement width beyond normal adjustments encountered during survey synchronization;
      7. Non-completion of minimum open space, parks, or other type of phased improvements required to be implemented;
      8. Deviation from the Impact Fees provisions set forth in this Plan; or
      9. Non-compliance with the specific goals and objectives enumerated in the Plan.

Planning Board may grant deviations from the Required Land Use Regulations in this plan to further the goals and objectives of this plan.

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

* 1. Severability: 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.
  2. Redevelopment shall provide adequate water, sewer and other necessary utilities to the site, to the satisfaction of the Municipal Engineer and the Municipal Utility Authority. All costs necessary for infrastructure improvements associated with a development project, off-site as well as on-site, are the responsibility of the developer or redeveloper.
  3. Interim Use: Interim uses may be established, subject to agreement by the developers with the Planning Board, that such uses will not have an adverse effect upon existing or contemplated development during the interim use period. Interim uses must be approved by the Planning Board, which may establish an interim use period of between one (1) year and three (3) years in duration, subject to the Planning Board’s discretion. Additional renewals of an interim use may be granted by the Planning Board, subject to the same interim period limitations specified above.

**12. Specific Land Use Provisions**

**Zone A: Townhouse Transition:**

**Purpose: To recognize the low rise townhouse character along and east of Brunswick Street and to provide a transition to buildings with greater height towards the Turnpike.**

1. Permitted principal uses are as follows:
   1. Residential
   2. Live Work
   3. Home Occupations
   4. Retail sales of goods and services, only on the ground floor along Brunswick Street
   5. Offices, only on ground floor along Brunswick Street
   6. Cafes, only on ground floor along Brunswick Street
2. Uses incidental and accessory to the principal use, such as
   1. Off-street parking
   2. Fences and walls
   3. Signs.
   4. Sidewalk cafes associated with café use.
3. Density: 80 units an acre, unless applicant meets the requirements in Section V. Residential Density Bonus
4. Bulk Standards:
   1. All existing lots of record at the time of adoption of this ordinance are considered conforming.
   2. Lot Standards
      1. Minimum Lot Size: 1,800 sq ft
      2. Minimum Lot Width: 18 ft
      3. Minimum Lot Depth: 100 ft
   3. Setback Standards:
      1. Front Yard Setback: Must meet adjacent structure setback closest to the predominant blockfront setback
      2. Minimum Side Yard: None; except where existing adjacent building has windows less than three (3) feet from the side lot line then three feet required starting from one foot in front of the first window to the rear building line.
      3. Minimum Rear Yard: Thirty feet, provided, however, that where lot depth exceeds 100 feet, the minimum rear yard shall be increased by five linear feet for every ten (10) ***full*** linear feet of increase in lot depth.
      4. Minimum Side Yard:

(i) Where the adjacent building is less than four stories, the minimum side yard setback shall be 3 feet to match an adjacent 2 foot yard, 2 feet to match an adjacent 3 foot yard, or the required minimum to meet fire and building code to accommodate windows.

(iii) Where the adjacent building is greater than 4 stories, or where the adjacent building is built on the lot line, side yards are not permitted within 10 feet of a right-of-way except where required by fire or building code to accommodate adjacent windows.

* 1. Coverage Standard:
     1. Maximum Building Coverage: 70%
     2. Maximum Lot Coverage: 80%
     3. At least 20% of every lot shall be landscaped with one of the following materials:
        1. Reinforced lawn
        2. Ground cover
        3. Rain garden
        4. Bioswales
        5. Plants that are native, non-invasive and proven drought resistant in an urban environment
  2. Height:
     1. See Table
     2. Minimum Floor to Ceiling Height: 9 feet

|  |  |
| --- | --- |
| Location | Height |
| Brunswick Street frontage | 4 stories for 25 feet from the front of the building |
| 8th Street frontage | 5 stories with a 15 ft setback for the 4th floor at the front of the building; mezzanine is permitted as long as the total area of any such mezzanine floor does not exceed 33.3% of the total floor area in the story in which the mezzanine floor occurs. |

* 1. Parking:
     1. Parking is not permitted on lots less than 50 ft wide
     2. Maximum parking required: .5 spaces per dwelling unit

**Zone B: Mid-Rise Transition:**

**Purpose: To provide a transition from the building heights and bulk in Zone A to the much larger scale buildings closer to the Turnpike.**

1. Permitted Principal Uses
   1. Residential
   2. Retail sales of goods and services
   3. Professional offices and medical offices
   4. Restaurants, category one and two
   5. Cafes
   6. Art galleries
   7. Schools
   8. Child and Adult Day Care Centers
   9. Government Uses
   10. Houses of worship
   11. Parks and Playgrounds
   12. Home Occupations
   13. Live Work
   14. Any combination of the above
2. Uses incidental and accessory to the principal use, such as:
   1. Off-street parking. Parking is not permitted to front along any right-of-way at grade level. All parking uses must be screened from view.
   2. Rooftop Recreation
   3. Fences and walls
   4. Signs
   5. Sidewalk cafes associated with category one and two restaurants
   6. TV, radio, and/or stereo systems accessory to bars and restaurants
   7. Live entertainment accessory to Category One restaurants only. Subject to issuance of a “Restaurant Entertainment License,” by the Division of Commerce and the restrictions attached to that license.
3. Bulk Standards:
   1. All lots legally existing at the time of adoption of this Redevelopment Plan are now conforming.
   2. Lot Standards:
      1. Minimum Lot Size: 2,500 square feet
      2. Minimum Lot Width: 25 feet
      3. Minimum Lot Depth: 100 feet
   3. Setback Standards:
      1. Where parking is required, the ground floor can occupy 100% lot coverage.
      2. Minimum Front Yard: Must meet adjacent structure setbacak closest to the predominant blockfront setback
      3. Minimum Rear Yard: Fifteen (15) feet, provided, however, that where lot depth exceeds one hundred (100) feet, the minimum rear yard shall be increased by five linear feet for every ten (10) ***full*** linear feet of increase in lot depth. No rear yard setback is required where parking is required on the first floor however; all above stories should adhere to a 15 ft minimum rear yard setback. The exposed roof of any parking garage that extends into the rear yard shall be required to provide an inaccessible true green roof.
      4. Side Yard Setbacks: Zero, except where a window exists on an adjacent structure, which in that case the required minimum is the minimum established in the fire and building code to accommodate windows.
   4. Coverage Standards:
      1. Where parking is required, 100% building coverage is permitted
      2. Maximum Lot Coverage: 80%
   5. Height:

|  |  |  |  |
| --- | --- | --- | --- |
| Approximate Lot Dimension | Lot Area  up to:  (square feet) | Minimum Building Height (stories)/(feet) | Maximum Building Height (stories)/(feet) |
|
|
| 25x100 | 0 to 4999 | 3/ 22’ | 4 / 44' |
| 50x100 | 5000 to 7499 | 3 / 32' | 5 / 54' |

* + 1. Minimum Floor to Ceiling Height: 9 feet
  1. Parking

Parking is required for new construction on lots over seventy-five (75) feet wide subject to the following requirements:

* + 1. In no instance shall parking be permitted between the front building line and street line.
    2. Maximum width of curb cut: 14 ft; and in no instance shall provide less than 3 on street parking spaces along width of the lot.
    3. Minimum parking requirements:
       1. Residential units: .5 space per dwelling unit
       2. Offices (except medical offices): One space per one thousand (1,000) square feet, excluding the first five thousand (5,000) square feet of ground floor area.
       3. Medical offices: One space per five hundred (5,000) square feet, excluding the first two thousand (2,000) square feet of ground floor area
       4. Retail sales of Goods and Services: One space per six hundred (600) square feet, excluding the first five thousand (5,000) square feet of ground floor area.
       5. Financial Institutions: One space per one thousand (1,000) square feet, excluding the first five thousand (5,000) square feet of ground floor area.
       6. Restaurants: One space per four seats, excluding the first five thousand (5,000) square feet of ground floor area.
       7. Theaters and Museums: One space per four seats, excluding the first five thousand (5,000) square feet area.
  1. ***Curb cuts are not permitted along Brunswick Street***

**Zone C: Turnpike Transition:**

1. Permitted Principal Uses
   1. Residential
   2. Retail sales of goods and services
   3. Professional offices and medical offices
   4. Restaurants, category one and two
   5. Cafes
   6. Art galleries
   7. Schools
   8. Child and Adult Day Care Centers
   9. Government Uses
   10. Houses of worship
   11. Parks and Playgrounds
   12. Home Occupations
   13. Live Work
   14. Any combination of the above
2. Uses incidental and accessory to the principal use, such as:
   1. Off-street parking. Parking is not permitted to front along any right-of-way at grade level. All parking uses must be screened from view.
   2. Rooftop Recreation
   3. Fences and walls
   4. Signs
   5. Sidewalk cafes associated with category one and two restaurants
   6. TV, radio, and/or stereo systems accessory to bars and restaurants
   7. Live entertainment accessory to Category One restaurants only. Subject to issuance of a “Restaurant Entertainment License,” by the Division of Commerce and the restrictions attached to that license.
3. Bulk Standards:
   1. All lots legally existing at the time of adoption of this Redevelopment Plan are now conforming.
   2. Lot Standards:
      1. Minimum Lot Size: 2,500 square feet
      2. Minimum Lot Width: 25 feet
      3. Minimum Lot Depth: 100 feet
   3. Setback Standards:
      1. Where parking is required, the ground floor can occupy 100% lot coverage.
      2. Minimum Front Yard: Must meet adjacent structure setbacak closest to the predominant blockfront setback
      3. Minimum Rear Yard: Fifteen (15) feet, provided, however, that where lot depth exceeds one hundred (100) feet, the minimum rear yard shall be increased by five linear feet for every ten (10) ***full*** linear feet of increase in lot depth. No rear yard setback is required where parking is required on the first floor however; all above stories should adhere to a 15 ft minimum rear yard setback. The exposed roof of any parking garage that extends into the rear yard shall be required to provide an inaccessible true green roof.
      4. Side Yard Setbacks: Zero, except where a window exists on an adjacent structure, which in that case the required minimum is the minimum established in the fire and building code to accommodate windows.
   4. Coverage Standards:
      1. Where parking is required, 100% building coverage is permitted
      2. Maximum Lot Coverage: 80%
   5. Height:

|  |  |  |  |
| --- | --- | --- | --- |
| Approximate Lot Dimension | Lot Area  up to:  (square feet) | Minimum Building Height (stories)/(feet) | Maximum Building Height (stories)/(feet) |
|
|
| 25x100 | 0 to 4999 | 3 / 32' | 4 / 44' |
| 50x100 | 5000 to 7499 | 3 / 32' | 5 / 54' |
| 75x100 | 7500 to 9500 | 4 / 42' | 6 / 64' |
| 95x100 | 9501 and up | 5 / 52' | 6 / 64' |

* + 1. Minimum Floor to Ceiling Height: 9 ft
  1. Parking

Parking is required for new construction on lots over seventy-five (75) feet wide subject to the following requirements:

* + 1. In no instance shall parking be permitted between the front building line and street line.
    2. Maximum width of curb cut: 14 ft; and in no instance shall provide less than 3 on street parking spaces along width of the lot.
    3. Minimum parking requirements:
       1. Residential units: .5 space per dwelling unit
       2. Offices (except medical offices): One space per one thousand (1,000) square feet, excluding the first five thousand (5,000) square feet of ground floor area.
       3. Medical offices: One space per five hundred (5,000) square feet, excluding the first two thousand (2,000) square feet of ground floor area
       4. Retail sales of Goods and Services: One space per six hundred (600) square feet, excluding the first five thousand (5,000) square feet of ground floor area.
       5. Financial Institutions: One space per one thousand (1,000) square feet, excluding the first five thousand (5,000) square feet of ground floor area.
       6. Restaurants: One space per four seats, excluding the first five thousand (5,000) square feet of ground floor area.
       7. Theaters and Museums: One space per four seats, excluding the first five thousand (5,000) square feet area.