

City Clerk File No. Ord. 10-063

Agenda No. 3.A 1st Reading

Agenda No. \_\_\_\_\_ 2nd Reading & Final Passage



# ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-063

TITLE: **ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER A350  
(COUNCIL RULES OF ORDER) RULE V, SECTION 6 (AGENDA -  
CONSENT AGENDA)**

### THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

A. The following amendments and supplements to Chapter A350 (Council Rules of Order) and of the Jersey City Code are adopted.

#### § A350-6. Agenda -Consent Agenda.

A. Agenda. All reports, communications, ordinances, resolutions or other matters to be submitted to the Council by the administration or by Council Members must by 3:00 P.M. on Wednesday preceding each Council meeting be delivered to the Clerk, whereupon the Clerk shall immediately prepare a calendar of such matters together with such additional matters that he or she may have to present. He or she shall furnish a copy of the calendar to each member of the Council, the Mayor, the Business Administrator and the Corporation Counsel, prior to the Council meeting, and as far in advance of the meeting as time will permit. No item shall be added to an agenda unless it has been timely submitted in accordance with this rule. However, a late item may be added at a meeting and this rule suspended, but only for reasons of emergency, and by an affirmative vote of at least six (6) Council Members.

B. Through F. No Change.

B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

C. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

D. This ordinance shall take effect at the time and in the manner as provided by law.

E. The City Clerk and the Corporation Counsel 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 accidental repealers of existing provisions.

**NOTE:** New matter is underlined; deleted matter in [brackets] For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

JM/he  
3/25/10

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_

APPROVED: \_\_\_\_\_  
Business Administrator  
ABT

Certification Required

Not Required

City Clerk File No. Ord. 10-064

Agenda No. 3.B 1st Reading

Agenda No. \_\_\_\_\_ 2nd Reading & Final Passage



# ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 10-064

TITLE:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY  
ADOPTING AMENDMENTS TO THE MORRIS CANAL REDEVELOPMENT PLAN TO  
CREATE TRANSIT ORIENTED DEVELOPMENT (TOD) SUBDISTRICTS**

**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 17, 2009; and

**WHEREAS**, the Planning Board, at its meeting of April 27, 2010, determined that the Morris Canal Redevelopment Plan would benefit from amendments creating several Transit Oriented Development (TOD) subdistricts; 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 Clerk is hereby directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the 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 further 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, AICP  
Director, Division of City Planning

APPROVED AS TO LEGAL FORM

  
\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

  
\_\_\_\_\_  
Business Administrator  
ASST:

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 CREATE TRANSIT ORIENTED DEVELOPMENT (TOD)  
SUBDISTRICTS**

**2. Name and Title of Person Initiating the Ordinance, etc.:**

Carl Czaplicki, Director of Housing, Economic Development, and Commerce

**3. Concise Description of the Program, Project or Plan Proposed in the Ordinance:**

This ordinance creates new Transit Oriented Development (TOD) subdistricts in the Morris Canal Redevelopment Plan Area.

**4. Reasons (Need) for the Proposed Program, Project, etc.:**

Transit stops such as the Hudson Bergen Light Rail are opportunities for dense development and walkable communities. The proposed TOD subdistricts are adjacent or proximate to a Light Rail station, and ideal sites for new development.

**5. Anticipated Benefits to the Community:**

Increased development and investment in the Morris Canal neighborhood.

**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

**10. Additional Comments:**

I Certify that all the Facts Presented Herein are Accurate.

Robert D. Cotter  
Division Director

APRIL 16, 2010  
Date

Carl Czaplicki  
Department Director Signature

4/16/2010  
Date

## **A. Transit Oriented Development District**

The Transit Oriented Development District (TOD) shall generally encompass the eastern portion of the Morris Canal Redevelopment Area in the vicinity of the Hudson Bergen Light Rail Transit (HBLRT) station and adjacent to the RTC Rail Transportation Corridor District. The TOD shall be further sub-divided into four (4) sub-districts: 1. Transit Village, 2. TOD South, 3. TOD North, and 4. TOD West (See Map B).

The purpose of this district is to provide for higher density mid-rise development and lower parking standards in proximity to the HBLRT station in order to take advantage of the mass transit opportunities afforded by the Hudson Bergen Light Rail and local bus routes.

- A.1. Transit Village:** The Transit Village sub-district constitutes the core of the TOD District and is generally located between Communipaw Avenue on the South, Johnston Avenue on the North, former Garabrant Street on the West, and Gateway Drive on the East. The district is directly across Gateway Drive from the Light Rail Station.

**NOTE:** At this time, specific recommendations have not been fully developed for the Transit Village District. Therefore, for the time being, the requirements of the CP – Commuter Parking district will remain in effect.

- A.2. TOD-South:** The TOD South District is located south of, and has frontage on Communipaw Avenue. This district also has frontage on Suydam Avenue, Pine Street and adjoins the Rail Transportation Corridor district on the south and east.

### **1. Permitted Uses:**

- a. Multi-family Residential
- b. Office
- c. Hotel
- d. Retail Sales & Services
- e. Restaurants (Category One & Two)
- f. Schools
- g. Day Care Centers
- h. Public Parks / Open Space
- i. Mixed use of the above

**NOTE:** Uses other than Residential and Public Parks shall only be permitted on sites having frontage on, and primary access from, Communipaw Avenue.

### **2. Accessory Uses:**

- a. Off-street parking
- b. Home Occupations

- c. Private Open Space and Recreation Facilities: including indoor & outdoor recreation areas, meeting rooms, gyms & spas, and other similar facilities

**3. Minimum Lot Size:** 30,000 sq.ft. (Note: All parcels of less than 30,000 square feet shall be governed by the requirements of the Residential District of the Morris Canal Redevelopment Plan).

**4. Intensity of Development:**

The size and scale of all buildings in this district shall be regulated by the development bulk standards of this district. And further provided that the floor area ratio of any building shall not exceed 6.0.

**5. Height Standards:** Minimum of 4 stories / 45 feet  
Maximum of 8 stories / 90 feet

**6. Setback Requirements:**

- a. Communipaw Avenue Setback: Zero (Commercial uses should meet the sidewalk, however, the building may be setback where necessary to create additional sidewalk width or outdoor seating areas for restaurants).
- b. Suydam Avenue and Pine Street setback: Minimum of five (5) feet from the street property line except for building lobbies, elevator core and fire staircases which are permitted to be at the front property line.
- c. Side yard setback (perpendicular to Suydam Avenue or Pine Street): No Minimum, except where the side lot line is also a district property line, wherein the minimum side setback shall be five (5) feet.
- d. Side yard setback (perpendicular to Communipaw Avenue): No Minimum.
- e. Rear yard setback: No minimum for the lower level of the building containing off-street parking. 15 feet for floors above the first level.

**7. Design Standards:**

- a. Façade materials must primarily consist of standard brick with stone accents, and of a color that is compatible with the surrounding built residential environment. Other materials such as metal panels, cementitious board siding and similar materials may be used on window bays and as accents on the façade to provide architectural interest and variety. Windows and doors shall have stone or brick lintels and sills except where metal panels or other non-masonry

materials are used, or where the window are more minor (i.e. smaller) in scale, such as windows on exit stairways or bathrooms .

- b. The structure must contain vertical elements in the façade to break up the horizontal lines of the building and create architectural interest and variety such that the structure does not read as a continuous slab along the streetscape.
- c. A corner bay above the ground floor shall be permitted to encroach upon the required setback area or into the ROW a maximum of 3 feet at the corner of Suydam and Communipaw Avenues provided that the lowest point of the bay is at least 15 feet above grade and subject to compliance with local ordinances and City Council approval if applicable.
- d. Window bays serving residential uses may be incorporated into the structure, with the bays subject to the following conditions:
  - i. Must align vertically with the façade section
  - ii. Maximum protrusion from primary façade of two (2) feet.
- e. Only “French Balconies” shall be permitted on facades fronting on a public street.
- f. Parking levels must be constructed of the same materials as the overall structure and contain fenestration and other detailing that is consistent with the architectural design of the overall structure. Entrances to the parking area must be limited to a single bay opening, or one set of adjacent double bay openings. The combined width of a vehicular bay opening in the façade may not exceed twenty (20) feet.
- g. Story height for residential use must be a minimum of nine (9) feet from floor to ceiling, but may not exceed twelve (12) feet from floor to ceiling. First floor story height for a non-residential use must be a minimum of twelve (12) feet from floor to ceiling.
- h. Windows in residential portions of a building shall be arranged in a contemporary and organized manner. The tops of windows and doors shall be designed to avoid confusing perspectives. Windows shall not be scattered in a haphazard manner in the façade. Bay windows and other window features may be incorporated into the façade to provide architectural interest and character. The window sill of any residential window shall not be less than five (5) feet above the elevation of the adjoining sidewalk
- i. Ground Floor retail fenestration shall constitute a minimum of seventy-five (75) percent of the ground floor façade area.

- j. Where a parapet is used, a cornice must be provided along all building facades and sides. Cornice must be sympathetic in scale and design to the nearby residential architecture. A cornice shall be permitted to encroach upon the required setback area or into the ROW a maximum of 2 feet, subject to compliance with local ordinances and City Council approval if applicable.
- k. All rooftop mechanicals and equipment shall be encompassed by opaque screening that is consistent in materials and style with the structure below, set back at least ten (10) feet from the building and penthouse facades, and may not be visible from an elevation of five (5) feet on the opposite side of the adjacent public right of way.
- l. Rooftop stairwell and elevator enclosures must be designed to be consistent with the overall architectural design and materials of the building.
- m. Adequate facilities for storage of refuse must be indicated on the site plan. The method of collection must also be indicated on said plan. All such storage areas must be screened from view from street and from adjoining properties using opaque materials.
- n. Common area indoor bicycle storage facilities shall be designed so that bicycles can be easily and properly secured.
- o. Utility meters must not be visible from the public right-of-way.
- p. Exterior utility boxes must be installed below grade.
- q. Security gates may be installed in the shop front. All security gates must be installed in the interior of the storefront and must be of the open link variety.

#### **8. Parking Requirements:**

- a. Residential – Maximum of 1.0 auto parking space per unit, and Minimum of 1.0 bicycle space per bedroom.
- b. Hotel – Maximum of 1.0 auto parking space per room.
- c. Other Commercial – Maximum of 2.5 auto parking spaces per 1,000 sq. ft.
- d. Schools – Maximum of 1.0 per classroom.

#### **9. Street Circulation Improvements**

- a. All existing streets shall remain open to the public.

- b. A new vehicular / pedestrian street or alley shall be created at the southern end of Suydam Avenue and extending in an easterly and then northerly direction to connect with Communipaw Avenue.
- c. Additional streets, alleys, or other rights-of-way may be constructed in order to create an urban grid street pattern consistent with “New Urbanism” planning principals.
- d. The locations of all new streets, alleys and rights-of-way shall be subject to review and approval by the Jersey City Planning Board and the appropriate departments, divisions and agencies of the City of Jersey City.
- e. All new streets, alleys and rights-of-way shall be constructed to applicable Municipal and State standards and the standards of this Plan.

**A.3. TOD-West:** The TOD West district is located just west of the Transit Village district between Communipaw and Johnston Avenues. It is comprised of existing industrial structures as well as parcels that consist of completely vacant land and blocks that are partially vacant and partially underutilized. Therefore, the development regulations of this district have been established on a parcel or block basis.

- 1. Block 2049 & Block 2071, Lot 2** – This parcel contains a former industrial structure that is currently under renovation and redevelopment pursuant to the requirements of the Adaptive Reuse Overlay Zone “D”. Therefore, redevelopment of this property will continue to be governed by the requirements and standards of the Adaptive Reuse Overlay Zone”.
- 2. Block 2071, Lot B.3** - This parcel contains an existing industrial structure and therefore may be developed in conformance with the requirements of the Adaptive Reuse Overlay Zone “A”. Or if the structure is demolished, the property may be developed in conformance with the requirements of paragraph 4, below.
- 3. Block 2071, Lots 3 through 12** – These lots shall be governed by the requirements of the residential district.
- 4. Block 2070, Lots A, B1, B2, 15, 16, 17 & 19**
  - a. Permitted Principal Use –
    - Multi-family Residential
  - b. Accessory Uses
    - Off-street parking, only within the principal structure
    - Resident amenity areas such as gymnasium and exercise rooms, meeting rooms, indoor and outdoor recreation areas, etc.
  - c. Maximum Height
    - The maximum height shall be 5 stories and 55 feet.

- Each residential floor shall have a minimum height of nine (9) feet from floor to ceiling.
- d. Maximum Density – 110 dwelling units per acre.
  - e. Streetfront Setbacks – Buildings must be setback at least five (5) feet from any street line in order to provide a landscaped front yard between the building and the sidewalk area. Bay windows on upper level residential floors may partially extend into this setback area in order to provide architectural interest and character.
  - f. Side Setback – Zero (note where only one interior lot line exists i.e. where a property has frontage on three streets), that lot line shall be considered a rear lot line. On corner lots, the lot line opposite the front lot line shall be the rear lot line and the other interior lot line shall be the side lot line.
  - g. Rear Setback – The setback from any interior lot line shall be 15 feet. Parking may extend into the required yard area provided that the floor of the parking level is located at least three feet below grade and the parking is enclosed within the principal structure or extension thereof. The roof of the parking portion of the structure may be no more than ten (10) feet above grade and shall be designed and/or landscaped for use as an outdoor terrace area.

## 5. Block 2072

- a. Permitted Principal Use –
  - Multi-family Residential
  - Retail sales of goods and services and Restaurants (Category One & Two) only along the Johnston Avenue frontage, and as part of a mixed use building.
  - Child care centers.
  - Mixed use of the above.
- b. Accessory Uses
  - Off-street parking, only within the principal structure.
  - Resident amenity areas such as gymnasium and exercise rooms, meeting rooms, indoor and outdoor recreation areas, etc.
- c. Maximum Height
  - Along Johnston Avenue for a depth of 100 feet, the maximum height shall be 14 stories and 150 feet.
  - Along Maple Street for a depth of 100 feet, the maximum height shall be 8 stories and 90 feet.

