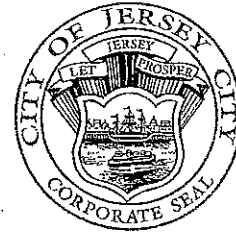


City Clerk File No. Ord. 16.119

Agenda No. 3.B 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.119

TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AND ARTICLE IX (PARKING FOR THE DISABLED) OF THE JERSEY CITY CODE DESIGNATING A RESERVED PARKING SPACE(S) AT 159 ARLINGTON AV; 165-167 ARLINGTON AV; 206 ARMSTRONG AV; 74 ATLANTIC AV; 195 BAY ST; 66 BELMONT AV; 136 CLARKE AV; 101 CLIFTON PL; 236 CONGRESS ST; 22 CULVER AV; 145A DWIGHT ST; 235 FIFTH ST; 57-59 FLEET ST; 257-259 FOURTH ST; 333 FULTON AV; 50 GLENWOOD AV; 428 GROVE ST; 474-1 HALLADAY ST; 103 HIGHLAND AV; 13 JEWETT AV; 19 KENSINGTON AV; 55-57 LIBERTY AV; 243-245 LIBERTY AV; 396 MANILA AV; 347 NINTH ST; 192 NORTH ST; 324 OLD BERGEN RD; 110A ORIENT AV; 279 PACIFIC AV; 454 PALISADE AV; 100 PEARSALL AV; 22 POPLAR ST; 100 ROMAINE AV; 55-57 ROOSEVELT AV; 318 ST. PAUL'S AV; 253 SEAVIEW AV; 272 SECOND ST; 74 STORMS AV; 326 SUMMIT AV; 1045 SUMMIT AV; 131 TERRACE AV; 34 TRENTON ST; 24 TROY ST; 414 UNION ST; 362 VAN NOSTRAND AV; 277 VIRGINIA AV; 11 WEGMAN CT; 129 WINFIELD AV; 63 WRIGHT AV AND 13 YALE AV AND AMEND THE RESERVED PARKING SPACE AT 6-8-10 BERGEN AV AND REPEAL THE RESERVED PARKING SPACE AT 389 BALDWIN AV; 224 CLAREMONT AV AND 71 CLARKE AV

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

1. Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) and Article IX (Parking for the Disabled) of the Jersey City Code is hereby supplemented as follows:

Section 332-29. Disabled Parking Manual

Section 332-69 Restricted parking zones in front of or near residences of disabled drivers.

PARKING FOR THE DISABLED

Restricted parking spaces, (measuring approximately 22 feet in length) in front of residential building for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles and handicapped parking permits issued by the Traffic Division.

| | |
|----------------------------------|--|
| <u>Judy Kinery</u> | <u>159 Arlington Av</u> |
| <u>Walter Johnson</u> | <u>165 - 167 Arlington Av</u> |
| <u>James Sims</u> | <u>206 Armstrong Av</u> |
| <u>Betty Flowers</u> | <u>74 Atlantic St</u> |
| <u>Miguel Gutierrez</u> | <u>195 Bay St</u> |
| <u>Kenneth Prentiss</u> | <u>66 Belmont Av</u> |
| <u>Hattie [Jasper] Hill-Spry</u> | <u>6-8-10 Bergen Av</u> |
| <u>Leonardo Alina</u> | <u>136 Clarke Av</u> |
| <u>Jose Roman</u> | <u>101 Clifton Pl</u> |
| <u>James Fischer</u> | <u>236 Congress St</u> |
| <u>Fannie Knight</u> | <u>22 Culver Av</u> |
| <u>Darlene Soto</u> | <u>145A Dwight St</u> |
| <u>S. Michael Nadel</u> | <u>235 Fifth St</u> |
| <u>Alicia Dicupe</u> | <u>57-59 Fleet St [389 Baldwin Av]</u> |
| <u>Leopoldo Polanco</u> | <u>257-259 Fourth St</u> |
| <u>Merlita Cano</u> | <u>333 Fulton Av</u> |
| <u>Phineas Newborn</u> | <u>50 Glenwood Av</u> |
| <u>Miguel Caban</u> | <u>428 Grove St</u> |

Continued.....

JDS:pcl

08.05.16

| | |
|----------------------------------|--|
| <u>Sandra Bryant</u> | <u>474-1 Halladay St</u> |
| <u>Geraldine Pleasants</u> | <u>103 Highland Av</u> |
| <u>Yolanda Jones</u> | <u>13 Jewett Av</u> [224 Claremont Av] |
| <u>Jose Guifarro</u> | <u>19 Kensington Av</u> |
| <u>Bhikhu Patel</u> | <u>55-57 Liberty Av</u> |
| <u>Sylvester Taflinski</u> | <u>243-245 Liberty Av</u> |
| <u>Tomasa DeLeon</u> | <u>396 Manila Av</u> |
| <u>Muguel Ortiz</u> | <u>396 Manila Av</u> |
| <u>Andrew Critelli</u> | <u>347 Ninth St</u> |
| <u>Dionisio s. Chua</u> | <u>192 North St</u> |
| <u>Raul Bustamante</u> | <u>324 Old Bergen Rd</u> |
| <u>Dawn Berrios</u> | <u>110A Orient Av</u> [71 Clarke Av] |
| <u>Esperanza Torres</u> | <u>279 Pacific Av</u> |
| <u>Helen Baltzis</u> | <u>454 Palisade Av</u> |
| <u>Janet Mauer</u> | <u>100 Pearsall Av</u> |
| <u>Michael Pastrana</u> | <u>22 Poplar St</u> |
| <u>Linda Alcantara</u> | <u>100 Romaine Av</u> |
| <u>Deborah Payton</u> | <u>55-57 Roosevelt Av</u> |
| <u>Karen Thurston</u> | <u>55-57 Roosevelt Av</u> |
| <u>Osama Hasson</u> | <u>318 St. Paul's Av</u> |
| <u>Emad Ibrahim</u> | <u>253 Seaview Av</u> |
| <u>Michael Junor</u> | <u>272 Second St</u> |
| <u>Ruth Johnson</u> | <u>74 Storms Av</u> |
| <u>Wanda Aquino</u> | <u>326 Summit Av</u> |
| <u>Carlos Cordero</u> | <u>1045 Summit Av</u> |
| <u>James Aviles</u> | <u>131 Terrace Av</u> |
| <u>Maria and Santino Capuano</u> | <u>34 Trenton St</u> |
| <u>John Brown</u> | <u>24 Troy St</u> |
| <u>Rosa Heredia</u> | <u>414 Union St</u> |
| <u>Kamon Singh</u> | <u>362 Van Nosrand Av</u> |
| <u>Heidi Shannon</u> | <u>277 [275] Virginia Av</u> |
| <u>Margaret Cody</u> | <u>11 Wegman Ct</u> |
| <u>Howard Olsen</u> | <u>129 Winfield Av</u> |
| <u>Elizabeth O'Donnell</u> | <u>63 Wright Av</u> |
| <u>Francis Villafane</u> | <u>13 Yale Av</u> |

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
4. This ordinance shall take effect at the time and in the manner as prescribed by law.
5. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: The new material to be inserted is underscored; the material to be repealed is in [brackets].

IDS:pcl
(8.5.16)

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required ☐
Not Required ☐

APPROVED: _____
Director of Traffic & Transportation

APPROVED: _____
Municipal Engineer

APPROVED: _____
Business Administrator

ORDINANCE FACT SHEET – NON-CONTRACTUAL

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

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AND ARTICLE IX (PARKING FOR THE DISABLED) OF THE JERSEY CITY CODE DESIGNATING A RESERVED PARKING SPACE(S) AT 159 ARLINGTON AV; 165-167 ARLINGTON AV; 206 ARMSTRONG AV; 74 ATLANTIC AV; 195 BAY ST; 66 BELMONT AV; 136 CLARKE AV; 101 CLIFTON PL; 236 CONGRESS ST; 22 CULVER AV; 145A DWIGHT ST; 235 FIFTH ST; 57-59 FLEET ST; 257-259 FOURTH ST; 333 FULTON AV; 50 GLENWOOD AV; 428 GROVE ST; 474-1 HALLADAY ST; 103 HIGHLAND AV; 13 JEWETT AV; 19 KENSINGTON AV; 55-57 LIBERTY AV; 243-245 LIBERTY AV; 396 MANILA AV; 347 NINTH ST; 192 NORTH ST; 324 OLD BERGEN RD; 110A ORIENT AV; 279 PACIFIC AV; 454 PALISADE AV; 100 PEARSALL AV; 22 POPLAR ST; 100 ROMAINE AV; 55-57 ROOSEVELT AV; 318 ST. PAUL'S AV; 253 SEAVIEW AV; 272 SECOND ST; 74 STORMS AV; 326 SUMMIT AV; 1045 SUMMIT AV; 131 TERRACE AV; 34 TRENTON ST; 24 TROY ST; 414 UNION ST; 362 VAN NOSTRAND AV; 277 VIRGINIA AV; 11 WEGMAN CT; 129 WINFIELD AV; 63 WRIGHT AV AND 13 YALE AV AND AMEND THE RESERVED PARKING SPACE AT 6-8-10 BERGEN AV AND REPEAL THE RESERVED PARKING SPACE AT 389 BALDWIN AV; 224 CLAREMONT AV AND 71 CLARKE AV

Initiator

| | | |
|---------------------|---|---|
| Department/Division | Administration | Engineering, Traffic and Transportation |
| Name/Title | Joao D'Souza at the request of Councilwoman Joyce Watterman, Chairwoman on behalf of the Municipal Council Committee for Disabled Parking | Director of Traffic & Transportation |
| Phone/email | 201.547.4470 | JOAO@jcnj.org |


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

Ordinance Purpose

To designate a reserved parking space, repeal or amend an existing reserved parking space at various locations throughout the City.

All applicants have submitted applications that were reviewed and approved by the Municipal Council Committee for Disabled Parking.

I certify that all the facts presented herein are accurate.



Director of Traffic & Transportation

8/5/16

Date

Signature of Department Director

Date

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



ORDINANCE NO. Ord. 16.119
TITLE: 3.B AUG 17 2016 4.B SEP 14 2016

An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) and Article IX (Parking for the Disabled) of the Jersey City Code designating a reserved parking space(s) at 159 Arlington Av; 165-167 Arlington Av; 206 Armstrong Av; 74 Atlantic Av; 195 Bay St; 66 Belmont Av; 136 Clarke Av; 101 Clifton Pl; 236 Congress St; 22 Culver Av; 145A Dwight St; 235 Fifth St; 57-59 Fleet St; 257-259 Fourth St; 333 Fulton Av; 50 Glenwood Av; 428 Grove St; 474-1 Halladay St; 103 Highland Av; 13 Jewett Av; 19 Kensington Av; 55-57 Liberty Av; 243-245 Liberty Av; 396 Manila Av; 347 Ninth St; 192 North St; 324 Old Bergen Rd; 110A Orient Av; 279 Pacific Av; 454 Palisade Av; 100 Pearsall Av; 22 Poplar St; 100 Romaine Av; 55-57 Roosevelt Av; 318 St. Paul's Av; 253 Seaview Av; 272 Second St; 74 Storms Av; 326 Summit Av; 1045 Summit Av; 131 Terrace Av; 34 Trenton St; 24 Troy St; 414 Union St; 362 Van Nostrand Av; 277 Virginia Av; 11 Wegman Ct; 129 Winfield Av; 63 Wright Av and 13 Yale Av and amend the reserved parking space at 6-8-10 Bergen Av and repeal the reserved parking space at 389 Baldwin Av; 224 Claremont Av and 71 Clarke Ave.

| RECORD OF COUNCIL VOTE ON INTRODUCTION AUG 17 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING SEP 14 2016 8-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|--------|-----|------|----------------|-----|-----|------|
| Councilperson <u>HALLANAN</u> moved, seconded by Councilperson <u>RIVERA</u> to close P.H. | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ABSENT | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

| 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 | | | |
| HALLANAN | | | | OSBORNE | | | | WATTERMANN | | | |
| BOGGIANO | | | | COLEMAN | | | | LAVARRO, PRES. | | | |

| RECORD OF FINAL COUNCIL VOTE SEP 14 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on AUG 17 2016
Adopted on second and final reading after hearing on SEP 14 2016

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on SEP 14 2016

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date SEP 14 2016

APPROVED:

Steven M. Fulop, Mayor

Date SEP 15 2016

Date to Mayor SEP 15 2016

City Clerk File No. Ord. 16.120

Agenda No. 3.C 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 16.120

TITLE:

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE II (TRAFFIC REGULATIONS) OF THE JERSEY CITY TRAFFIC CODE AMENDING SECTION 332-4 (SPEED LIMITS) REPEALING THE 30 MPH SPEED LIMIT ON GARFIELD AVENUE FROM WEST 55TH STREET TO CATOR AVENUE AND FROM EASTERN PARKWAY TO GRAND STREET AND THE 35 MPH SPEED LIMIT FROM CATOR AVENUE TO EASTERN PARKWAY AND DESIGNATING A 25 MPH SPEED LIMIT ON THE ENTIRE LENGTH OF GARFIELD AVENUE

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

- Chapter 332 (Vehicles and Traffic) Article II (Speed Limits) of the Jersey City Code is hereby supplemented as follows:

Section 332-4

Speed Limits

The speed limit for traffic along the streets, or parts thereof, listed below is hereby established at the rate of speed indicated.

| Name of Street | Speed Limit (mph) | Limits |
|----------------|-------------------|---|
| Garfield Av | <u>25</u> | <u>Entire length</u> |
| | [30 | <i>From West 55th St to Cator Av</i> |
| | 35 | <i>From Cator Av to Eastern Pkwy</i> |
| | 30 | <i>From Eastern Pkwy to Grand St]</i> |

- All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
- 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: The material to be inserted is underscored; the material to be repealed is in [brackets].

JDS:pc
(07.20.16)

APPROVED: _____
Director of Traffic & Transportation

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____
Municipal Engineer

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

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

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE II (TRAFFIC REGULATIONS) OF THE JERSEY CITY TRAFFIC CODE AMENDING SECTION 332-4(SPEED LIMITS) REPEALING THE 30 MPH SPEED LIMIT ON GARFIELD AVENUE FROM WEST 55TH STREET TO CATOR AVENUE AND FROM EASTERN PARKWAY TO GRAND STREET AND THE 35 MPH SPEED LIMIT FROM CATOR AVENUE TO EASTERN PARKWAY AND DESIGNATING A 25 MPH SPEED LIMIT ON THE ENTIRE LENGTH OF GARFIELD AVENUE

Initiator

| | | |
|---------------------|--|---|
| Department/Division | Administration | Engineering, Traffic and Transportation |
| Name/Title | Joao D'Souza at the recommendation of Andrew Vischio, P.E., Assistant Traffic Engineer | Director of Traffic & Transportation |
| Phone/email | 201.547.4470 | JOAO@jcnj.org |

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

Ordinance Purpose

REPEALING THE 30 MPH SPEED LIMIT ON GARFIELD AVENUE FROM WEST 55TH STREET TO CATOR AVENUE AND FROM EASTERN PARKWAY TO GRAND STREET AND THE 35 MPH SPEED LIMIT FROM CATOR AVENUE TO EASTERN PARKWAY AND DESIGNATING A 25 MPH SPEED LIMIT ON THE ENTIRE LENGTH OF GARFIELD AVENUE

The entire length of Garfield Avenue should be designated as a 25 mph road, which would be consistent with all other roadways under the City's jurisdiction.

Also:

1. There already exists a 25 mph school zone in the vicinity P.S. 40
2. Traffic calming measures have previously been requested at the non-signalized intersections of Pearsall Avenue and Winfield Avenue with Garfield Avenue
3. Increased pedestrian traffic due to the Danforth Avenue and Richard Street Light Rail Stations
4. Increased pedestrian traffic due to Bayside Park and Berry Lane Park
5. Bike lanes west of Cator Avenue

I certify that all the facts presented herein are accurate.



Director of Traffic & Transportation

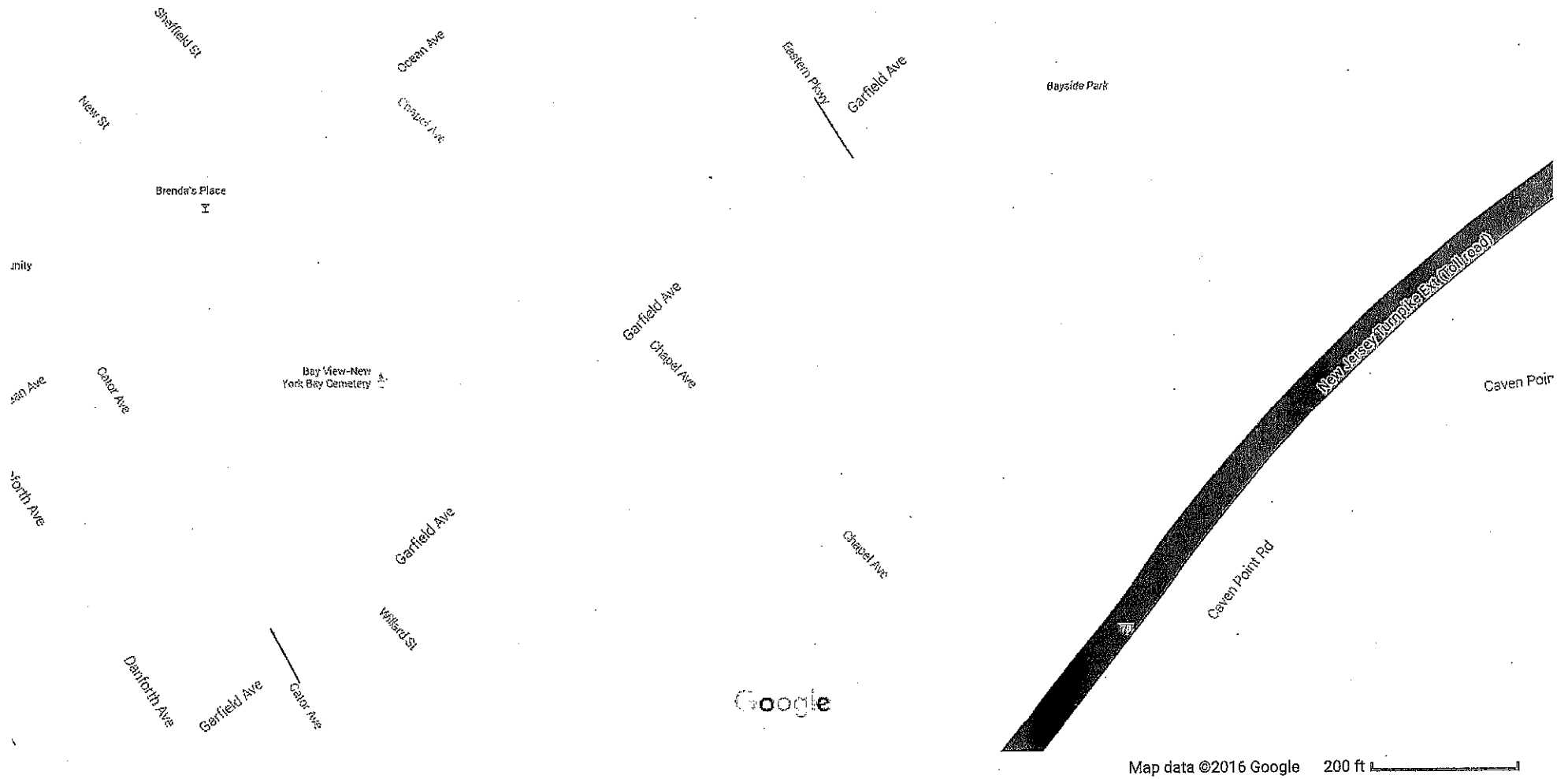
7/21/16

Date

Signature of Department Director

Date

Google Maps



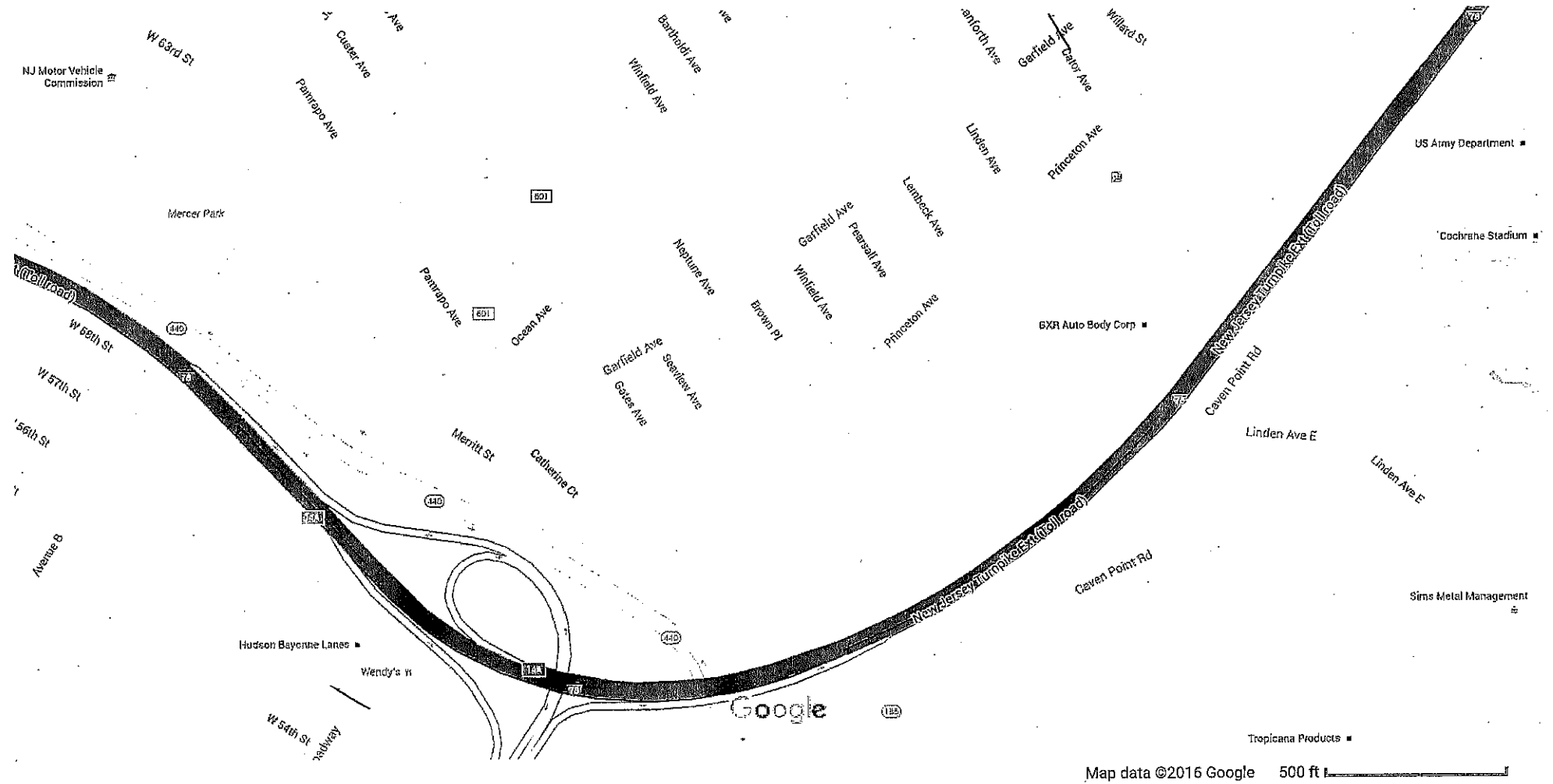
CURRENTLY 35 MPH

Google Maps



7/20/2016

Google Maps



CURRENTLY 30 MPH

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



ORDINANCE NO. Ord. 16.120
TITLE: 3.C AUG 17 2016 4.C **SEP 14 2016**

An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article II (Traffic Regulations) of the Jersey City Traffic Code amending Section 332-4 (Speed Limits) repealing the 30MPH speed limit on Garfield Avenue from West 55th Street to Cator Avenue and from Eastern Parkway to Grand Street and the 35 MHP speed limit from Cator Avenue to Eastern Parkway and designating a 25 MPH speed limit on the entire length of Garfield Avenue.

| RECORD OF COUNCIL VOTE ON INTRODUCTION AUG 17 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMEN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING SEP 14 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson <u>WATTERMEN</u> moved, seconded by Councilperson <u>HALLANAN</u> to close P.H. | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMEN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

| 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 | | | |
| HALLANAN | | | | OSBORNE | | | | WATTERMEN | | | |
| BOGGIANO | | | | COLEMAN | | | | LAVARRO, PRES. | | | |

| RECORD OF FINAL COUNCIL VOTE SEP 14 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMEN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **AUG 17 2016**
Adopted on second and final reading after hearing on **SEP 14 2016**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **SEP 14 2016**

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date **SEP 14 2016**

APPROVED:

Steven M. Fulop, Mayor

Date **SEP 15 2016**

Date to Mayor **SEP 15 2016**

City Clerk File No. Ord. 16.121
Agenda No. 3.D 1st Reading
Agenda No. 4.D. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 16.121
AN ORDINANCE SUPPLEMENTING CHAPTER 332(VEHICLES AND TRAFFIC)
TITLE: ARTICLE III(PARKING, STANDING AND STOPPING) OF THE JERSEY CITY CODE
AMENDING SECTION 332-24(PARKING PROHIBITED CERTAIN HOURS)
DESIGNATING 54 FEET AS NO PARKING BEGINNING 5:00 P.M. MONDAY
THROUGH 9:00 A.M. TUESDAY AND 5:00 P.M. THURSDAY THROUGH 9:00 A.M.
FRIDAY ON THE SOUTH SIDE OF SECOND STREET BETWEEN THE DRIVEWAYS
TO PORTOFINO AND CANDLEWOOD SUITES

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

1. Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) of the Jersey City Code is hereby supplemented as follows:

Section 332-24 PARKING PROHIBITED CERTAIN HOURS
No person shall park a vehicle between the hours specified upon any of the streets or parts thereof listed below.

| Name of Street | Side | Days of Week | Hours | Limits |
|----------------|-------|-----------------|-----------------------------|--|
| Second St | North | Tu to Sun | 11:00 a.m. to 10:00 p.m. | 116 feet west of Coles St 20 feet west |
| | South | <u>Mon</u> | <u>5:00 p.m. to</u> | <u>368 feet east of Greene St 54 feet east</u> |
| | | <u>Tu</u> | <u>9:00 a.m.</u> | |
| | | <u>Thurs</u> | <u>5:00 p.m. to</u> | |
| | | <u>Fri</u> | <u>9:00 a.m.</u> | |

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
4. The City Clerk and the Corporation Counsel be and they are hereby authorized and director to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: The new material to be inserted is underscored.

JDS:pel
07.22.16

APPROVED AS TO LEGAL FORM

Certification Required ☐
Not Required ☐

APPROVED: _____
Director of Traffic & Transportation

APPROVED: _____
Municipal Engineer
APPROVED: _____

Business Administrator

ORDINANCE FACT SHEET – NON-CONTRACTUAL

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

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332(VEHICLES AND TRAFFIC) ARTICLE III(PARKING, STANDING AND STOPPING) OF THE JERSEY CITY CODE AMENDING SECTION 332-24(PARKING PROHIBITED CERTAIN HOURS) DESIGNATING 54 FEET AS NO PARKING BEGINNING 5:00 P.M. MONDAY THROUGH 9:00 A.M. TUESDAY AND 5:00 P.M. THURSDAY THROUGH 9:00 A.M. FRIDAY ON THE SOUTH SIDE OF SECOND STREET BETWEEN THE DRIVEWAYS TO PORTOFINO AND CANDLEWOOD SUITES

Initiator

| | | |
|---------------------|---|---|
| Department/Division | Administration | Engineering, Traffic and Transportation |
| Name/Title | Joao D'Souza at the request of the Portofino Condominium Association, One Second Street, JCNJ | Director of Traffic & Transportation |
| Phone/email | 201.547.4470 | JOAO@jcnj.org |

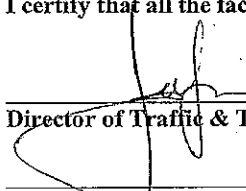
Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

AN ORDINANCE DESIGNATING 54 FEET AS NO PARKING BEGINNING 5:00 P.M. MONDAY THROUGH 9:00 A.M. TUESDAY AND 5:00 P.M. THURSDAY THROUGH 9:00 A.M. FRIDAY ON THE SOUTH SIDE OF SECOND STREET BETWEEN THE DRIVEWAYS TO PORTOFINO AND CANDLEWOOD SUITES

This area will serve as a staging area for garbage dumpsters from 5:00 p.m. Monday to 9:00 a.m. Tuesday and from 5:00 p.m. Thursday to 9:00 a.m. Friday

I certify that all the facts presented herein are accurate.



Director of Traffic & Transportation

7/22/16

Date

Signature of Department Director

Date

2nd St



Image capture: Aug 2013 © 2016 Google

Jersey City, New Jersey

Street View - Aug 2013

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



ORDINANCE NO. Ord. 16.121

TITLE: 3.D AUG 17 2016 4.D

SEP 14 2016

An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) of the Jersey City Code amending Section 332-24 (Parking Prohibited Certain Hours) designating 54 feet as No Parking beginning 5:00 p.m. Monday through 9:00 a.m. Tuesday and 5:00 p.m. Thursday through 9:00 a.m. Friday on the south side of Second Street between the driveways to Portofino and Candlewood Suites.

| RECORD OF COUNCIL VOTE ON INTRODUCTION | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| AUG 17 2016 9-0 | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING | | | | | | | | | | | |
|--|-----|-----|------|---|-----|-----|------|----------------|-----|-----|------|
| SEP 14 2016 9-0 | | | | | | | | | | | |
| Councilperson <u>RIVERA</u> | | | | moved, seconded by Councilperson <u>LAVARRO</u> | | | | to close P.H. | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

| 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 | | | |
| HALLANAN | | | | OSBORNE | | | | WATTERMANN | | | |
| BOGGIANO | | | | COLEMAN | | | | LAVARRO, PRES. | | | |

| RECORD OF FINAL COUNCIL VOTE | | | | | | | | | | | |
|------------------------------|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| SEP 14 2016 9-0 | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on AUG 17 2016

Adopted on second and final reading after hearing on SEP 14 2016

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on SEP 14 2016

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

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

Date

APPROVED:

Steven M. Fiolop
Steven M. Fiolop, Mayor

Date

SEP 15 2016

Date to Mayor

City Clerk File No. Ord. 16.123

Agenda No. 3.F 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.123

TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE XIII(PARKING, STANDING AND STOPPING) SECTION 332-31(PARKING RESTRICTIONS FOR STREET CLEANING PURPOSES) DESIGNATING PARKING RESTRICTIONS FOR STREET CLEANING PURPOSES ON SKYLINE DRIVE; VREELAND TERRACE AND WEGMAN COURT DEAD END STREETS EAST OF GARFIELD AVENUE

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

- Chapter 332 (Vehicles and Traffic) Article XIII(Parking, Standing and Stopping) of the Jersey City Code is hereby supplemented as follows:

Section 332-31 Parking restrictions for street cleaning purposes.
No person shall park a vehicle upon any of the streets or sides of the streets either in whole or in part, during the hours of the days listed below.

| <u>Name of Street</u> | <u>Side</u> | <u>Days of the Week</u> | <u>Hours</u> | <u>Limits</u> |
|-----------------------|--------------|-------------------------|--------------------------------|----------------------|
| <u>Skyline Dr</u> | <u>South</u> | <u>M - Th</u> | <u>8:00 a.m. to 10:00 a.m.</u> | <u>Entire length</u> |
| | <u>North</u> | <u>Tu - F</u> | <u>8:00 a.m. to 10:00 a.m.</u> | <u>Entire length</u> |
| <u>Vreeland Ter</u> | <u>South</u> | <u>M - Th</u> | <u>8:00 a.m. to 10:00 a.m.</u> | <u>Entire length</u> |
| | <u>North</u> | <u>Tu - F</u> | <u>8:00 a.m. to 10:00 a.m.</u> | <u>Entire length</u> |
| <u>Wegman Ct</u> | <u>South</u> | <u>M - Th</u> | <u>8:00 a.m. to 10:00 a.m.</u> | <u>Entire length</u> |
| | <u>North</u> | <u>Tu - Fri</u> | <u>8:00 a.m. to 10:00 a.m.</u> | <u>Entire length</u> |

- All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- 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.
- This Ordinance shall take effect at the time and in the manner as provided by law.
- The City Clerk and 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: All material to be inserted is new and underscored.

JDS:pcj
(07.28.16)

APPROVED: _____
Director of Traffic & Transportation

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____
Municipal Engineer
APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

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

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE XIII(PARKING, STANDING AND STOPPING) SECTION 332-31(PARKING RESTRICTIONS FOR STREET CLEANING PURPOSES) DESIGNATING PARKING RESTRICTIONS FOR STREET CLEANING PURPOSES ON SKYLINE DRIVE; VREELAND TERRACE AND WEGMAN COURT DEAD END STREETS EAST OF GARFIELD AVENUE

Initiator

| | | |
|---------------------|--|---|
| Department/Division | Administration | Engineering, Traffic and Transportation |
| Name/Title | Joao D'Souza at the request of Gerald McCann, Supervisor -- Street Sweeping -- DPW | Director of Traffic & Transportation |
| Phone/email | 201.547.4470 | JOAO@jcnj.org |

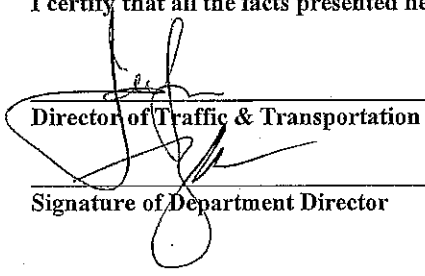
Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

AN ORDINANCE DESIGNATING PARKING RESTRICTIONS FOR STREET CLEANING PURPOSES ON SKYLINE DRIVE; VREELAND TERRACE AND WEGMAN COURT DEAD END STREETS EAST OF GARFIELD AVENUE

This legislation is necessary in order for the Chapter 332 (Traffic Code) of the Municipal Code will reflect the signs that are installed on the street.

I certify that all the facts presented herein are accurate.

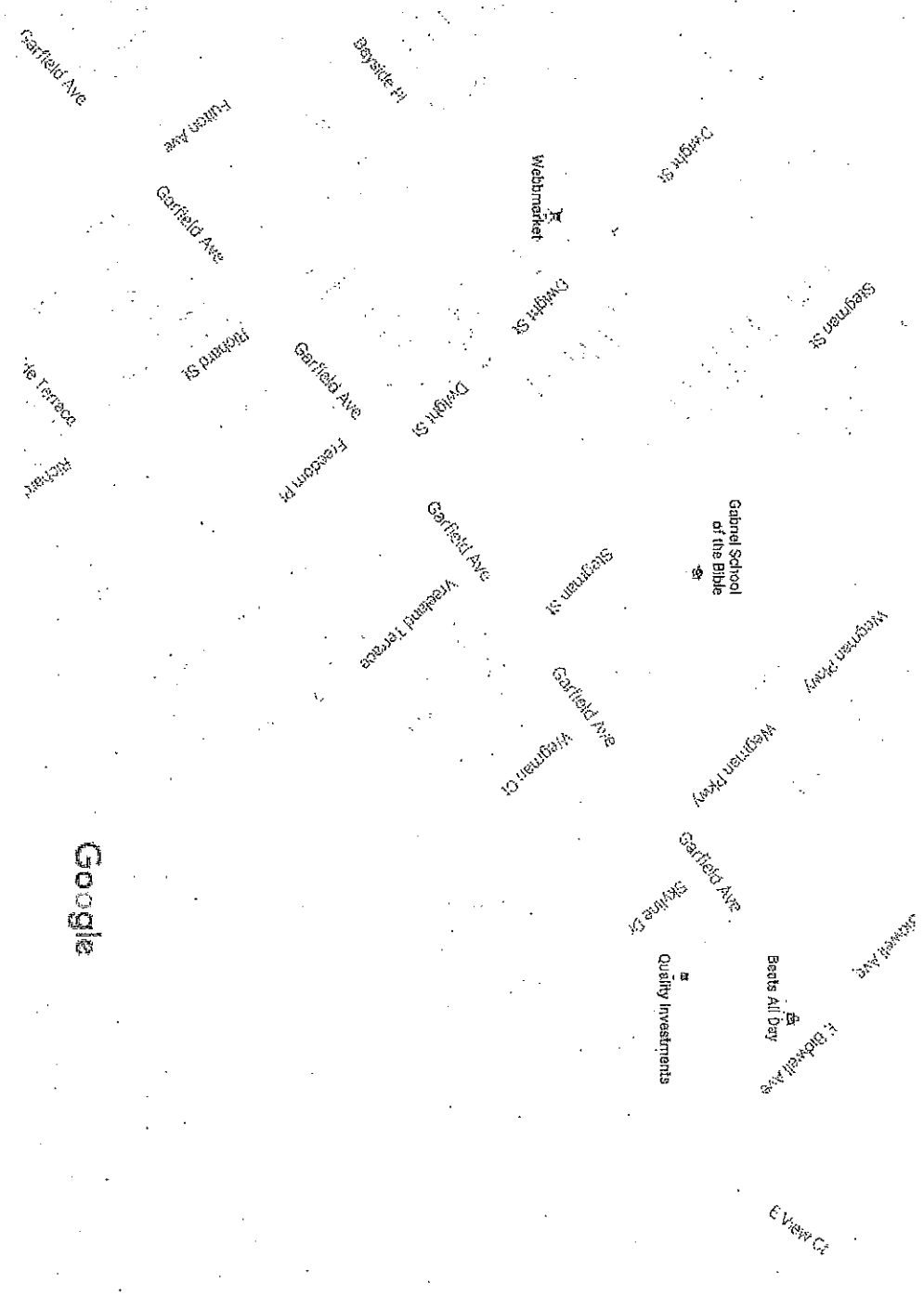

Director of Traffic & Transportation

Signature of Department Director

7/28/16
Date

8/8/16
Date

Google Maps



Google

Map data ©2016 Google 100 ft

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



ORDINANCE NO. Ord. 16,123
TITLE: 3.F AUG 17 2016 4.E. SEP 14 2016

An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article XIII (Parking, Standing and Stopping) Section 332-31(Parking Restrictions for Street Cleaning Purposes) designating parking restrictions for street cleaning purposes on Skyline Drive; Vreeland Terrace and Wegman Court Dead End Streets east of Garfield Avenue.

| RECORD OF COUNCIL VOTE ON INTRODUCTION AUG 17 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING SEP 14 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---|-----|-----|------|----------------|-----|-----|------|
| Councilperson <u>RIVERA</u> | | | | moved, seconded by Councilperson <u>COLEMAN</u> | | | | to close P.H. | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

| 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 | | | |
| HALLANAN | | | | OSBORNE | | | | WATTERMANN | | | |
| BOGGIANO | | | | COLEMAN | | | | LAVARRO, PRES. | | | |

| RECORD OF FINAL COUNCIL VOTE SEP 14 2016 8-1 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | | ✓ | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on AUG 17 2016
Adopted on second and final reading after hearing on SEP 14 2016

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on SEP 14 2016

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr.

Rolando R. Lavarro, Jr., Council President

Date SEP 14 2016

APPROVED:

Steven M. Fulop

Steven M. Fulop, Mayor

Date SEP 15 2016

SEP 15 2016

Date to Mayor

City Clerk File No. Ord. 16.124

Agenda No. 3.6 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 16.124

TITLE: **ORDINANCE SUPPLEMENTING CHAPTER A351 (EXECUTIVE ORDERS AND ORDINANCES) OF THE JERSEY CITY CODE TO CREATE A NEW CLASSIFIED POSITION FOR AUDIO VISUAL SUPERVISOR**

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

A. The following supplements to Chapter A351 (Executive Orders and Ordinances) of the Jersey City Code are adopted:

Labor Grade

Title

*

Audio Visual Supervisor

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 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: All new material is underlined; words in [brackets] are omitted.
For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

*Pursuant to N.J.S.A. 40:69A-43a.

NR/he
7/25/16

APPROVED AS TO LEGAL FORM

APPROVED: _____

APPROVED: _____

Corporation Counsel

Business Administrator

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 SUPPLEMENTING CHAPTER A351 (EXECUTIVE ORDERS AND ORDINANCES)
OF THE JERSEY CITY CODE TO CREATE A NEW CLASSIFIED POSITION FOR Audio Visual
Supervisor**

Initiator

| | | |
|---------------------|-----------------|-----------------------------|
| Department/Division | Human Resources | Workforce Management |
| Name/Title | Nancy Ramos | Director of Human Resources |
| Phone/email | (201) 547-5217 | nancyr@jcnj.org |

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

Resolution Purpose

To establish a New Title for Mahmoud Dahhan in accordance with New Jersey Department of Civil Services Commission Rules and Regulations.

I certify that all the facts presented herein are accurate.


Signature of Department Director

5/11/16
Date

Ordinance/Resolution Fact Sheet

This summary sheet is to be attached to the front of any ordinance, resolution, cooperation agreement, or contract that is submitted for Council consideration. Incomplete or sketch summary sheets will be returned with the resolution or ordinance. The Department, Division, or Agency responsible for the overall implementation of the proposed project or program should provide a concise and accurate state of facts.

Full Title of Ordinance/Resolution/Cooperation Agreement:

Audio Visual Supervisor

Name & Title of Person Initiating Ordinance/Resolution, Etc.:

Nancy Ramos, Human Resources Director

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

Reasons for the Proposed Program, Project, Etc.:

Mahmoud Dahhan

Anticipated Benefits to the Community:

Cost of Program, Project, Etc.:(Indicate the dollar amount of City, State, Federal funds to be used as well as match and in-kind contributions.)

Date Proposed Program or Project will Commence: _____

Anticipated Completion Date: _____

Person Responsible for Coordinating Proposed Program, Project Etc.: _____

Additional Comments:

Union Affiliation - Jersey City Supervisor's Association

I Certify That All Facts Present Herein Are Accurate.

7/14/16
Date

[Signature]
Department Director

Date Submitted to Law Department 7/14/16

NEW TITLE

Title: Audio Visual Supervisor

Department: Administration

Division: Communication

Labor Grade: 12

Min. \$ 11,100

Max. \$44,043

Union: JCSA

Employee: Mahmoud Dahhan

Address: 12 Van Wagener Avenue

Jersey City, New Jersey 07306

SALARY: \$ 43,790

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



ORDINANCE NO. Ord. 16,124
TITLE: 3.G AUG 17 2016 4.F SEP 14 2016

Ordinance Supplementing Chapter A351 (Executive Orders and Ordinances) of the Jersey City Code to Create a New Classified Position for Audio Visual Supervisor.

| RECORD OF COUNCIL VOTE ON INTRODUCTION AUG 17 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMEN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING SEP 14 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---|-----|-----|------|----------------|-----|-----|------|
| Councilperson <u>RIVERA</u> | | | | moved, seconded by Councilperson <u>WATTERMEN</u> | | | | to close P.H. | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMEN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.—Not Voting (Abstain)

SPEAKERS:

YVONNE BALZER

| 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 | | | |
| HALLANAN | | | | OSBORNE | | | | WATTERMEN | | | |
| BOGGIANO | | | | COLEMAN | | | | LAVARRO, PRES. | | | |

| RECORD OF FINAL COUNCIL VOTE SEP 14 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMEN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.—Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on AUG 17 2016
Adopted on second and final reading after hearing on SEP 14 2016

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on SEP 14 2016

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date SEP 14 2016

APPROVED:

Steven M. Fulop, Mayor

Date SEP 15 2016

Date to Mayor SEP 15 2016

City Clerk File No. Ord. 16.125

Agenda No. 3.H 1st Reading

Agenda No. 4.G, 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE **16.125**

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE BATES STREET REDEVELOPMENT PLAN

WHEREAS, the Municipal Council of the City of Jersey City, adopted the Bates Street Redevelopment Plan on May 24, 2006; and

WHEREAS, the Municipal Council seeks to re-start the redevelopment of the area by updating the standards and regulations within the redevelopment plan; and

WHEREAS, a copy of the amended text is attached hereto and made a part hereof, and is available for public inspection at the Offices of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ; and

WHEREAS, the following amendments to the Bates Street Redevelopment Plan have been reviewed by the Jersey City Planning Board at its meeting of November 10, 2015; and

WHEREAS, the Planning Board voted to recommend adoption of these amendments by the Municipal Council; and

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the recommended amendments to the Bates Street 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 hereby 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.

Maryann Bucci-Carter, PP, AICP, Director of Planning

APPROVED AS TO LEGAL FORM

Certification Required ☐
Not Required ☐

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL

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

Full Title of Ordinance/Resolution

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING
AMENDMENTS TO THE BATES STREET REDEVELOPMENT PLAN**

Initiator

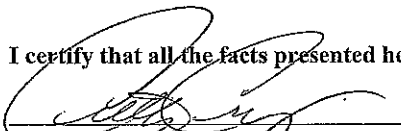
| | | |
|---------------------|--------------------------------|-----------------------------------|
| Department/Division | HEDC | City Planning |
| Name/Title | Maryann Bucci-Carter, PP, AICP | Director |
| | Jeff Wenger, PP, AICP | Principal Planner |
| Phone/email | 201-547-5010 | maryannb@jcnj.org / jeff@jcnj.org |

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

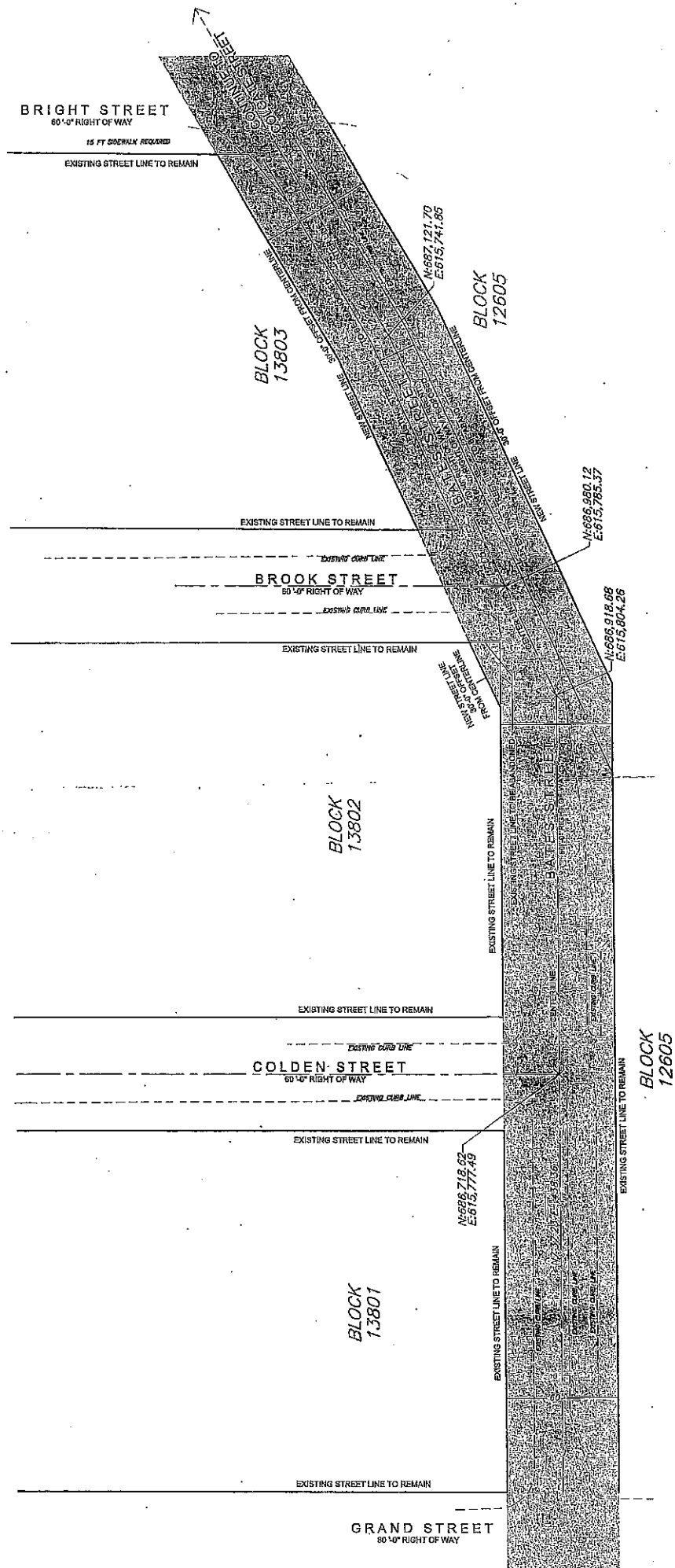
Purpose

This ordinance will amend the general development standards of the Bates Street Redevelopment Plan which was originally adopted in 2006, but has thus far not seen new development take place. The amendments will add permitted uses to ensure a more mixed use district and revise the bonus provisions to reduce building height and bulk, and allow for smaller residential unit sizes. The amendment will also provide surveyed building setbacks to accommodate improvements and widening of Bates Street.

I certify that all the facts presented herein are accurate.


Signature of Department Director

Date



SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE BATES STREET REDEVELOPMENT PLAN

This ordinance will amend the general development standards of the Bates Street Redevelopment Plan which was originally adopted in 2006, but has thus far not seen new development take place. The amendments will add permitted uses to ensure a more mixed use district and revise the bonus provisions to reduce building height and bulk, and allow for smaller residential unit sizes. The amendment will also provide surveyed building setbacks to accommodate improvements and widening of Bates Street.

Proposed Amendments to the BATES STREET REDEVELOPMENT PLAN

As Presented to the Jersey City Planning Board November 10, 2015

New text to be included is shown as Bold Italic, *Thusly*.
Text to be removed is shown as a Strikethrough, ~~Thusly~~.
Modifications are also highlighted in yellow.

Sections I. through Section VII. - NO CHANGE

Section VIII.

Sub-sections A. & B – NO CHANGE

C. *Mixed Use Residential District*

1. Principal Permitted Uses

- a. ~~Residential Multi-family Buildings.~~
- b. Governmental uses.
- c. Public Parks.
- d. *Commercial Uses – (permitted within the district, and as required along the ground floor street frontage of Grand Street as indicated on Map 2).*
 - i. *Retail sales of goods and services.*
 - ii. *Offices*
 - iii. *Medical Offices*
 - iv. *Financial Institutions*
 - v. *Restaurants, category one and two, which may also include an accessory sidewalk café.*
 - vi. *Bars*
 - vii. *Theaters, Museums and Art Galleries.*
 - viii. *Education Facilities, public and private*
 - ix. *Child Care Centers*
- e. *Self-storage facilities – only when located within the upper levels of multi-story parking structures as part of the principal building.*

2. Uses incidental and accessory to the principal use, including:

- a. ~~Commercial Uses – limited to the ground floor of multi-family buildings and further limited to those areas on Map 2 delineated as required or optional commercial street frontages.~~
 - i. ~~Retail sales of goods and services.~~
 - ii. ~~Restaurants, category one and two, which may also include an accessory sidewalk café.~~
 - iii. ~~Bars.~~

iv. — Offices.

v. — Financial institutions.

vi. — Art Galleries.

- ba. Off-street parking, only within structures as part of the principal building.
- be. Recreation facilities and areas, (indoor &/or outdoor) including pools, landscaped yards and decks, active recreation uses, gymnasiums, exercise rooms, etc.
- cd. Community rooms.
- de. Fences and walls.
- ef. Home occupations.
- fg. Signs.
- gh. Public Utilities, except that natural gas transmission lines shall be prohibited.

3. Permitted Maximum Density – Maximum permitted density shall be sixty (60) dwelling units per acre. A particular development or project may exceed this maximum density pursuant to the requirements of the Bonus Provisions found in Section ~~IX~~ **XII** of this Redevelopment Plan. Ground floor commercial uses provided along street frontages where they are either permitted or required, shall not be counted against the permitted maximum density of residential dwelling units.
4. Permitted Maximum Height - Maximum permitted height shall be four (4) stories and forty-five (45) feet. A particular building or development project may exceed this maximum height pursuant to the requirements of the Bonus Provisions found in Section ~~IX~~ **XII** of this Redevelopment Plan.
5. Additional Height Regulations:
 - a. All residential floors above the first floor shall have a minimum floor to ceiling height of nine (9) feet. Residential units on the first floor shall have a minimum floor to ceiling height of ten (10) feet. Residential units on the first floor of any building shall be raised at least two (2) feet above the grade of the adjoining sidewalk.
 - b. Ground floor commercial areas shall have a minimum floor to ceiling height of Twelve (12) feet.
 - c. Ground floor commercial areas may be taller than twelve (12) feet and may contain mezzanine levels within the use area.
 - d. Parking structures may not exceed four (4) levels in height.
 - e. Parapets and other roof-top appurtenances may exceed the permitted height within the limitations imposed by the Jersey City Land Development Ordinance.
6. Dwelling Unit Size (interior measurement) - ~~The average unit size of all dwelling units in any given building shall not be less than 1,000 square feet. In addition, no unit shall be smaller than 750 square feet. The required minimum dwelling unit size for each type of dwelling unit (by bedroom count) is indicated below;~~

| <i>Unit Type by Bedroom Count</i> | <i>Min. Unit Size</i> |
|---------------------------------------|--|
| <i>Studio</i> | <i>550 square feet</i> |
| <i>One Bedroom</i> | <i>625 square feet</i> |
| <i>Two Bedroom</i> | <i>850 square feet</i> |
| <i>Three Bedroom and larger*</i> | <i>1000 square feet plus 150 sq. ft. for each additional bedroom</i> |

** A minimum of 2% of all units provided must be Three Bedroom units or larger.*

7. Minimum Lot Size – 20,000 sq. ft. Additional lots and/or parcels may be added to development parcels or lots to create larger development lots. ~~The combined area of Blocks 404.5 and 2134~~ **Block 13805** must be developed as one development parcel since the total area of ~~these two blocks combined~~ **this block** is less than 31,000 sq. ft.

Projects that do not meet the minimum lot size must utilize the Neighborhood Commercial district standards from the Jersey City Land Development Ordinance, however, minimum sidewalk widths shall be required and ground floor retail shall be optional.

8. Permitted Maximum Building Coverage -
~~Including Parking Structure – 95% As determined by the setback requirements below.~~
 Above Parking Structure – 75%
~~Total – 95%~~
9. Required Setbacks
- ~~Front: Minimum – 5 feet. Maximum – 10 feet. All buildings shall be setback the distance necessary to achieve the sidewalk widths required in Section XI. - Circulation Plan.~~
 Except that facades containing ground floor commercial uses may be constructed up to the front property line / sidewalk edge, and residential lobbies / main entrances may be constructed up to the front property line / sidewalk edge, provided that they are no more than 25 feet in height.
 - Side – None required.
 - Rear – Zero for the parking structure portion of the building.
 Minimum of 3025 feet for residential uses above.
 - The minimum distance between the facades of any two buildings containing windows shall be fifty (50) feet.

| | | |
|---|--------------|-------------------|
| 10. <i>Automobile</i> Parking Requirements: | Minimum | Maximum |
| Multi-family Building | 1.0 per unit | 1.5 per unit |
| Commercial Uses | Zero | 2.0/1,000 sq. ft. |

11. *Bicycle Parking Requirements: In conformance with the Jersey City Land Development Ordinance.*

Sections IX. and X. - NO CHANGE

Section XI. Circulation Plan

Sub-paragraphs 1. and 2. - NO CHANGE

3. Sidewalk areas must be provided on both sides of the street within the Redevelopment Area, and shall be properly sized for the safe and convenient movement of pedestrians through and around the Area, taking into consideration the character of the adjoining area. In general, sidewalks on busier streets such as Grand Street should be wider than sidewalks on side streets within the Redevelopment Area. *All sidewalks shall be 15 feet in width as measured from the face of the curb. This may require that proposed building be setback from the existing or proposed rights-of-way lines a distance necessary to achieve the 15 foot sidewalk width. See also paragraph 7 below related to recommended curb to curb widths for the streets within the Redevelopment Area.*
4. The right-of-way of Bates Street shall be modified and widened where necessary in order to have a uniform right-of-way width of sixty (60) feet. *The designated centerline of Bates Street is indicated on Map 4 of this Plan. The right-of-way line of Bates Street shall be measured 30 feet from either side of this centerline in order to achieve a 60 foot right-of-way along the entire length of Bates Street from Grand Street to Colgate Street. The right-of-way of Bates Street between Colden Street and Grand Street is already 60 feet in width as indicated on Tax Map 138 of the City of Jersey City. The alignment of the centerline of Bates Street in this location begins at the point N:686,718.62 / E:615,777.49 (a.k.a. the intersection of the centerline of Colden Street and the centerline of Bates Street) and follows along the course N7°37'23"E to the intersection of the centerline of Bates Street with the centerline of Grand Street.*

The right-of-way of Bates Street between Colden Street and Colgate Street begins at a width of 60 feet in the vicinity of Colden Street, but narrows to a width of 20 feet by the time Bates Street crosses Brook Street as indicated on Tax Map 138 of the City of Jersey City. The alignment of the centerline of Bates Street between Colden Street and Colgate Street begins at the point N:686,718.62 / E:615,777.49 (a.k.a. the intersection of the centerline of Colden Street and the centerline of Bates Street) and follows along the course N7°37'23"E to point N:686,918.68 / E:615,804.26. From that point, the centerline of Bates Street proceeds along the course S17°05'17"E to and through the point N:686,980.12 / E:615,785.37 (a.k.a. the intersection of the centerline of Brook Street and the centerline of Bates Street) to the point N:686,980.12 / E:615,785.37.

From that point, the centerline of Bates Street proceeds along the course N22°45'39"W through its intersection with the centerline of Bright Street and continuing to its intersection with the centerline of Colgate Street. The curb to curb carriage way within the Bates Street right-of-way shall be 36 feet wide and consist of two travel lanes, one in each direction, and two parking lanes. A twelve (12) foot sidewalk shall be provided on both sides of the street. Where it is necessary to widen the right-of-way, half of the width will be taken from the east side of the street and half shall be taken from the west side of the street. Any areas which are required to be dedicated for right-of-way expansion may continue to be utilized for the calculation of permitted density.

Sub-paragraphs 5 and 6 -- NO CHANGE

7. *Any street designated for one-way traffic shall have a curb to curb width of at least 30 feet, any street designated for two-way traffic shall have a curb to curb width of at least 36 feet. These dimensions may be modified by municipal ordinance and/or as recommended by the Jersey City Division of Traffic Engineering. Center Street, Grand Street and Pacific Avenue are considered major streets carrying larger volumes of traffic. The curb to curb widths of these streets should exceed the minimum requirements specified above, and/or as modified by municipal ordinance or as recommended by the Jersey City Division of Traffic Engineering. It is recommended that all streets within the Redevelopment Area be designated as two-way streets except Center Street which shall be a one-way street northbound, and York Street which shall be a one-way street east bound unless modified by municipal ordinance.*

Section XII. Bonus Provisions

Sub-paragraph A. -- NO CHANGE

B. Height Bonus

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

1. Bonus Height Area "A" -- Maximum of five (5) stories and fifty-five (55) feet. A sixth (6th) story shall be permitted within area "A"; provided that it is setback at least five (5) feet from all facades, and the additional floor does not add more than ten (10) feet to the total permitted height. Where a permitted or required ground floor commercial use is provided within the building, the total height may be increased up to an additional ten (10) feet to accommodate a mezzanine level within the commercial space.
2. Bonus Height Area "B" -- Maximum of eight (8) stories and eighty-five (85) feet. Two (2) additional stories shall be permitted within area "B"; provided that they are setback at least five (5) feet from all facades, and the additional floors do not add more than twenty (20) feet to the total permitted height. Where a permitted or required ground floor commercial use is provided within the building, the total

height may be increased up to an additional ten (10) feet to accommodate a mezzanine level within the commercial space.

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

Sections XIII. and XIV. - NO CHANGE

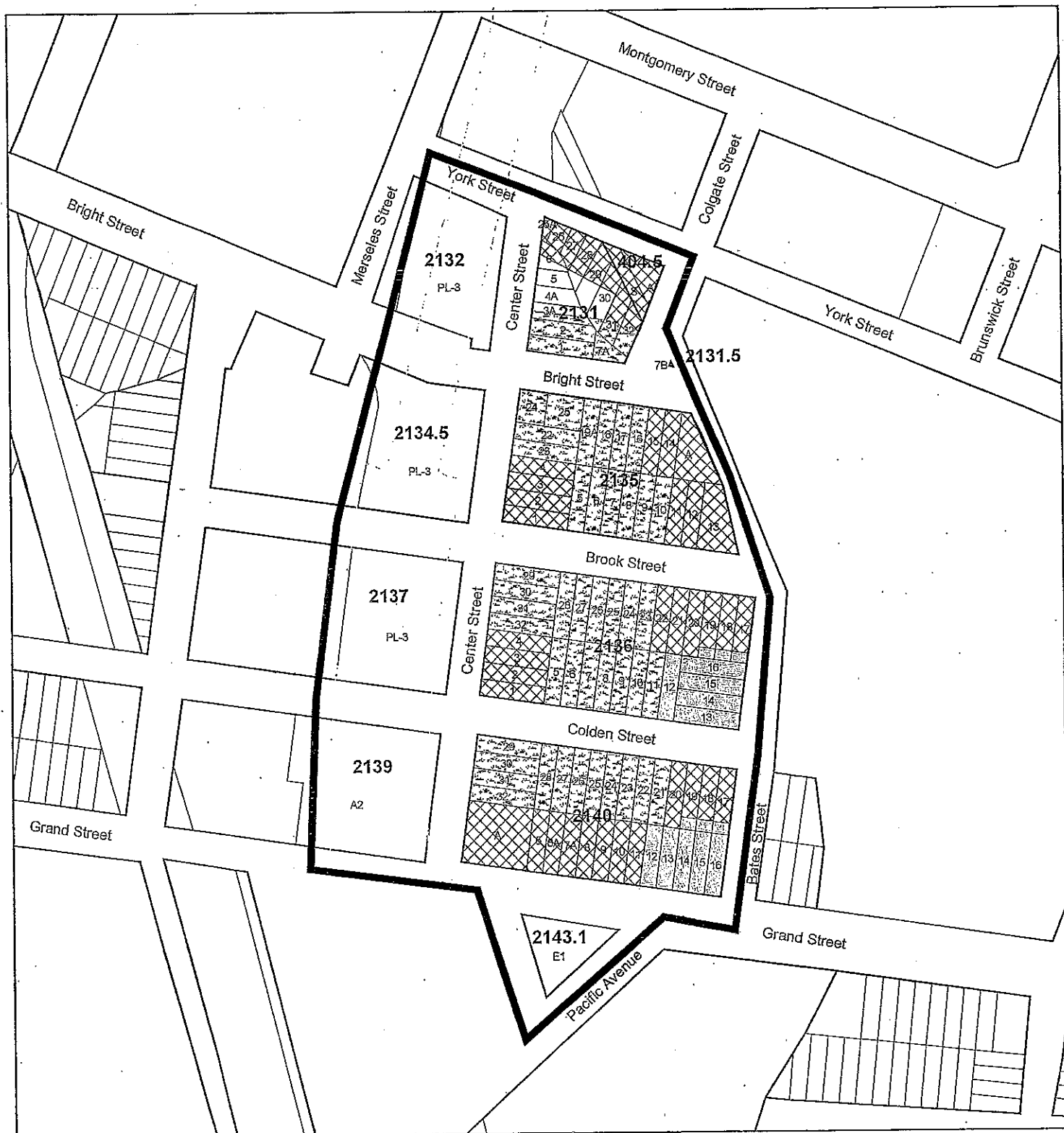
Section XV. – MAPS

Map 1: *Update all block and lot numbers.*

Map 2: *Update All Block and Lot Numbers. Remove optional street frontage requirement from Map 2 (note: the permitted commercial uses are allowed anywhere in the District); but maintain the commercial frontage requirement along Grand Street. Name of Residential District changed to Mixed Use District.*

Map 3: *Update all block and lot numbers. Add the location of the new 8-story Bonus "B" areas, and adjust the depth from Bates Street of the bonus height "C" areas on blocks 2135 and 2136 to accommodate the required widening of Bates Street.*

Map 4: *This is a new map which shall depict and describe the location of the center line of Bates Street.*






Bates Street Redevelopment Plan Area Map 3: Bonus Height Map

November 11, 2015

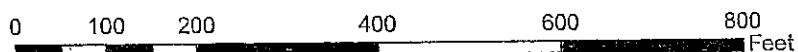


DISTRICT

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



1 inch = 200 feet



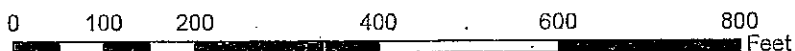


Bates Street Redevelopment Plan Area Map 2: Land Use District Map

November 11, 2015



1 inch = 200 feet



Legend

- Commercial
- Open Space
- Mixed Use District

Commercial Street Frontage Requirements

- Required

Jersey City
City Planning Division
30 Montgomery Street Suite 1400
Jersey City, NJ 07302-5421
Phone: 201 547 5016
Fax: 201 547 4323

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



ORDINANCE NO. Ord. 16.125
TITLE: 3.H AUG 17 2016 4.G. SEP 14 2016

Ordinance of the Municipal Council of the City of Jersey City
adopting amendments to the Bates Street Redevelopment Plan.

| RECORD OF COUNCIL VOTE ON INTRODUCTION AUG 17 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING SEP 14 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>LAVARRO</u> to close P.H. | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

| 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 | | | |
| HALLANAN | | | | OSBORNE | | | | WATTERMANN | | | |
| BOGGIANO | | | | COLEMAN | | | | LAVARRO, PRES. | | | |

| RECORD OF FINAL COUNCIL VOTE SEP 14 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on AUG 17 2016
Adopted on second and final reading after hearing on SEP 14 2016

This is to certify that the foregoing Ordinance was adopted by
the Municipal Council at its meeting on SEP 14 2016

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date

SEP 14 2016

APPROVED:

Steven M. Fulop, Mayor

Date

SEP 15 2016

Date to Mayor

SEP 15 2016

City Clerk File No. Ord. 16.126

Agenda No. 3. I 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 16.126

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING THE JACKSON HILL REDEVELOPMENT PLAN

WHEREAS, the Municipal Council of the City of Jersey City, originally adopted the Martin Luther King Drive Redevelopment Plan on June, 1995, the Monticello Avenue Redevelopment Plan in November 1987, and the Green Villa Redevelopment Plan in January, 1984; and

WHEREAS, the Municipal Council seeks to re-start the redevelopment of the area by updating the standards and regulations within these redevelopment plans; and

WHEREAS, the attached Jackson Hill Redevelopment Plan shall amend and replace the Martin Luther King Drive, Monticello Avenue, and portions of the Green Villa Redevelopment Plans to provide updated development regulations intended to spur the revitalization Jersey City's longest commercial corridor; and

WHEREAS, a copy of the amended text is attached hereto and made a part hereof, and is available for public inspection at the Offices of the City Clerk; City Hall, 280 Grove Street, Jersey City, NJ; and

WHEREAS, the Jackson Hill Redevelopment Plan has been reviewed by the Jersey City Planning Board at its meeting of July 19, 2016; and

WHEREAS, the Planning Board voted to recommend adoption of the Jackson Hill Redevelopment Plan by the Municipal Council; and

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the Jackson Hill Redevelopment Plan be, and hereby is, 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 hereby 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.

Maryann Bucci-Carter, PP, AICP, Director of Planning

APPROVED AS TO LEGAL FORM

APPROVED:

APPROVED: _____
Business Administrator

Corporation Counsel

Certification Required ☐

Not Required ☐

ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL

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

Full Title of Ordinance/Resolution**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING THE JACKSON HILL REDEVELOPMENT PLAN****Initiator**

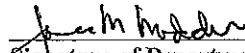
| | | |
|---------------------|--------------------------------|-----------------------------------|
| Department/Division | HEDC | City Planning |
| Name/Title | Maryann Bucci-Carter, PP, AICP | Director |
| | Jeff Wenger, PP, AICP | Principal Planner / jeff@jcnj.org |
| | Matt Ward, PP, AICP | Senior Planner / MWard@jcnj.org |
| Phone/email | 201-547-5010 | maryannb@jcnj.org / |

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

Purpose

This ordinance will adopt the Jackson Hill Redevelopment Plan as an amendment to and replacement of the Martin Luther King Drive Redevelopment Plan, the Monticello Avenue Redevelopment Plan, and portions of the Green Villa Redevelopment Plan, which were originally adopted in 1995, 1987, and 1984 respectively. Since that time, insufficient development has taken place within these redevelopment areas. The Jackson Hill Redevelopment Plan shall revise the development regulations of these plans with the aim to better facilitate development and investment in Jersey City longest commercial corridor.

I certify that all the facts presented herein are accurate.


Signature of Department Director
acting

8/4/2016
Date

SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING THE JACKSON HILL REDEVELOPMENT PLAN

This ordinance will adopt the Jackson Hill Redevelopment Plan as an amendment to and replacement of the Martin Luther King Drive Redevelopment Plan, the Monticello Avenue Redevelopment Plan, and portions of the Green Villa Redevelopment Plan, which were originally adopted in 1995, 1987, and 1984 respectively. Since that time, insufficient development has taken place within these redevelopment areas. The Jackson Hill Redevelopment Plan shall revise the development regulations of these plans with the aim to better facilitate development and investment in Jersey City longest commercial corridor.

JACKSON HILL

Redevelopment Plan

(Formerly MLK Jr. Drive, Monticello Avenue and Green Villa Redevelopment Plans)

As recommended by the Jersey City Planning Board: 7-19-2016



30 Montgomery Street Suite 1400
Jersey City, NJ 07302-3821
Phone: 201.547.5010
Fax: 201.547.4323

INTRODUCTION

The Jackson Hill Redevelopment Plan Area covers a 2.3 mile long commercial corridor connecting McGinley Square to Greenville. The corridor is centered within the southern half of Jersey City, running along the Palisades' ridge line. It is therefore a strategic corridor for the provision of neighborhood services, amenities, and employment. Near the center point of the MLK-Monticello corridor is "The Hub," an area envisioned to be a mixed use center where the commercial main street intersects with the Hudson-Bergen Light Rail System at the MLK Drive Station. This center point at the light rail station has the potential to serve as an transit-oriented development center where the greatest housing, employment, and services opportunities can be located to benefit the surrounding neighborhoods and energize the nearby commercial streets.

The Jackson Hill Redevelopment Plan seeks to revitalize this commercial corridor by leveraging the light rail station and The Hub development parcels, as well as the corridor's central location in the southern half of the City. The plan preserves the many unique and historic structures along the corridor that establishes the mixed use character and pedestrian orientation of this community. Where opportunities for infill development exist, the plan allows for graduated building height controls that incentivize private consolidation of underutilized parcels and permit additional housing and employment opportunity to help support the primarily walk-in businesses along Jersey City's longest commercial corridor.

The Jackson Hill Redevelopment Plan (hereinafter referred to as the "Area") contains 83 acres, 609 individual parcels and roughly 35 blocks was developed to incorporate the Martin Luther King Drive, Monticello Avenue and parts of the Green Villa Redevelopment Plans into one, comprehensive yet succinct development guideline for the Area. The Area is centered on Martin Luther King Jr. Drive and Monticello Avenue from Fairmount Avenue at the north and McAdoo Avenue at the south incorporating parts of Communipaw Avenue and the area referred to as The Hub (hereinafter referred to as the "Corridor"). The land use of the corridor is mainly 3-story mixed use but also includes: one- and two-family residential, government uses, auto-oriented retail, grocery stores, auto repair, restaurant category 3, schools, houses of worship, and multi-family apartments at a variety of building heights.

Since the original adoption of the Martin Luther King Drive and Monticello Avenue Redevelopment Plans, a modest amount of redevelopment has occurred, yet the objectives of these plans have not been fully realized. Jersey City has experienced renewed population growth and a growing economy; however, the MLK-Monticello corridor has lagged behind in attracting economic development and new construction. Since the original adoption of these redevelopment plans, there have been several key developments. In 2001, New Jersey Transit began light rail service to the Martin Luther King Jr. Drive Station at The Hub. In 2012, the Jackson Hill Main Street Special Improvement District (JHMSSID) was created that encompasses the entire corridor. In 2015, the West Bergen-East Lincoln Park Historic District was adopted adjacent to the Area near Monticello Avenue. The light rail station supports introduction of increased housing opportunity with reduced parking ratios to support retail growth along the corridor. The SID was founded to revitalize the district through implementation of safety improvements, sidewalk cleaning, shopkeeper education, business recruitment and other efforts. Lastly, the newly adopted Historic District adjacent to the Area is a reminder that the Martin Luther King Jr.

Drive and Monticello Avenue corridor was the main commercial street for the surrounding neighborhoods and still has many historically significant buildings and storefronts.

The Jackson Hill Redevelopment Plan incorporates specific objectives and recommended actions in The Jersey City Master Plan, which guide the standards and requirements for this plan. More specifically, the award winning Jersey City Master Plan Circulation Element, *Jersey City Mobility 2050*, recommends that the City:

Develop and implement smart growth strategies that locate new residential development within walking distance of bus stops and passenger rail stations, with the highest density zones located within walking distance of passenger rail stations; that mixes residential land use with commercial land use; Create meaningful public spaces that facilitate integration of the built environment with arterials and major transit routes; Parking space requirement maximums that reduce the number of permitted parking spaces in development near fixed rail transit stations in proportion to distance and inversely proportional to the intensity of development.

I) BOUNDARIES

The Jackson Hill Redevelopment Plan contains 83 acres and 609 individual parcels stretching from Fairmount Avenue to McAdoo Avenue along Martin Luther King Jr. Drive ("the Drive") and Monticello Avenue. The northern end of the corridor is bound by McGinley Square. At the southern end, Martin Luther King Jr. Drive terminates into Long Street which is residential in character. Specifically, the Plan includes all parcels formerly part of the MLK Drive Redevelopment Plan, the Monticello Avenue Redevelopment Plan, and Block 21102 from the Green Villa Redevelopment Plan. The plan boundaries are formally set by Map 1: Boundary Map.

II) TRANSPORTATION ACCESS

In 2001, New Jersey Transit began Hudson Bergen Light Rail service to the Martin Luther King Jr. Drive Station at the center of the plan area. In close proximity to the plan area are three additional light rail stations including: Garfield Avenue Station, Richard Street Station, and West Side Avenue Station. There are also numerous NJ Transit bus lines providing bus service to and from the area. East of the redevelopment area, the Turnpike Extension/ I-78 is accessible via the entrance/exit 14B.

III) REDEVELOPMENT PLAN OBJECTIVES

The Jackson Hill Redevelopment Plan is designed to achieve the following objectives:

1. Re-establish the Jackson Hill corridor as a vibrant neighborhood commercial district providing a wide variety of retail amenities to the surrounding area.
2. Creation of additional employment, housing, educational, recreational, commercial and retail opportunities for the residents of Jersey City, which are best placed along this corridor due to its central location within the City.
3. Provide for increased variety and opportunity of housing types, sizes, and price points that meet the needs of Jersey City's diverse population.

4. 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.
5. Encourage unique local quality retail sales and services that promote community character and distinctiveness.
6. Encourage the adaptive reuse of existing structures.
7. The removal or rehabilitation of vacated, deteriorated and obsolete structures.
8. The construction of new buildings on vacant lots.
9. Make sustainability and smart growth a theme of future development and redevelopment that guides land use and transportation decisions.
10. Make walking and biking an easy, safe, desirable, and convenient mode of transport.
11. Provide for urban amenities such as transit, open space, and entertainment that will attract new employers and a range of new residents to the area while sustaining existing neighborhoods.
12. Encourage buildings to meet or exceed the US Green Building Council's LEED (Leadership in Energy and Environmental Design) Certification or equivalent.
13. The overall improvement of traffic circulation through the development of new and improved vehicular and pedestrian circulation systems which provide for separation of vehicular and pedestrian traffic and the maximum use of public transportation.
14. To promote balanced development in accordance with applicable State laws and City requirements regarding affordable housing.
15. Coordinate redevelopment activities to provide a uniform and consistent attack on blighted, dilapidated, and obsolete structures within the Area.
16. Leverage new transit facilities such as light rail to accommodate housing and employment needs.

IV) GENERAL ADMINISTRATIVE PROVISIONS

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

- D) No use or reuse shall be permitted, which, when conducted under proper safeguards, will produce corrosive, toxic or noxious fume, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration (60 decibels), or other objectionable features so as to be detrimental to the public health, safety or general welfare.
- E) 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.
- F) Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with the requirements of this plan and the Land Development Ordinance (LDO) of Jersey City. A maximum shape factor may be listed to regulate minimum lot size. Shape factor is defined as the perimeter of the lot squared, divided by the lot area.

$$\frac{\text{Perimeter}^2}{\text{Lot area}} = \text{Shape Factor}$$

- 1) Example of how to calculate a shape factor for a standard 25' by 100' rectangular lot:

$$\frac{(25+25+100+100)^2}{2,500} = 25$$

- 2) Shape factor calculations may not be rounded.
- G) 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.

H) 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 VIII 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 20% above the maximum permitted;
- 6) Non-completion of minimum open space, parks, or other type of phased improvements required to be implemented;
- 7) Deviation from the Impact Fees provisions set forth in this Plan.
- 8) Only shape factor calculations of 0.01 or less may be considered *de minimis* for variance applications.

The Planning Board may grant deviations from the required land use regulations in section VIII 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).

- I) 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.
 - J) This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law. A fee of \$1,000.00 shall be payable to the City of Jersey City for any request by a private entity to amend this plan. The City of Jersey City reserves the right to amend this plan.
 - K) Interim uses may be established, subject to agreements between the developers and the Planning Board, that such use 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.
 - L) The phrase "time of adoption" shall refer to the adoption of the Jackson Hill Redevelopment Plan and not the predecessors to this plan including: MLK Redevelopment Plan, Monticello Avenue Redevelopment Plan and portions of Green Villa Redevelopment Plan.
- V) COMMUNITY NOTICE REQUIREMENTS:
- A) The Jackson Hill Main Street Special Improvement District (JHMSSID) shall serve as a community notification venue for all development applications within the redevelopment plan area. JHMSSID shall receive a copy of all development applications with associated plans and reports upon filing with the Division of City Planning. JHMSSID shall maintain open office hours during which local area residents may review development applications. A computer shall be made available to the public for viewing any application materials digitally submitted via email.
 - B) Within five (5) business days of filing an application for development with the Division of City Planning, all applicants must provide (via hand delivery, US Mail, Email, or commercial delivery service) a copy of the application, along with all associated

documents including architectural drawings, to the Jackson Hill Main Street Special Improvement District. The applicant must submit an affidavit certifying notice to the JHMSSID to the Division of City Planning.

- C) Failure to complete the required notice pursuant to this section shall deem an application incomplete.
- D) Upon receipt of notice of an application submittal, JHMSSID shall have 30 calendar days to review plans and submit any comments to the Planning Board.
- E) JHMSSID shall receive a copy of Planning Board agendas from the Division of City Planning.
- F) These requirements may be waived by the Planning Board for a specific redevelopment project if JHMSSID has submitted to the Planning Board, in writing, its approval of that project.
- G) JHMSSID may hold a public meeting to review development applications, however notice of such meetings must be made to the applicant at least 5 business days in advance so they may have the opportunity to answer questions about the project and provide a presentation to the community or review committee.
- H) JHMSSID shall update the following contact information through the Division of City Planning. The Division of City Planning is directed to update the contact information of the Jackson Hill Review Committee listed below without amendment by the Municipal Council. JHMSSID can be currently contacted at:

Jackson Hill Main Street Special Improvement District
99 Monticello Avenue
Jersey City, NJ 07304
Email: info@jacksonhillms.com
Phone: (201) 984-0560
Fax: (201) 356-9938
Web: www.jacksonhillms.com
Hours: Monday thru Friday 10am to 6pm

- I) JHMSSID shall adopt bylaws creating a Jackson Hill Review Committee. Policy and procedures for the committee, its members and structure shall be incorporated into JHMSSID's bylaws. A updated copy of the bylaws creating the review committee shall be submitted to the Division of City Planning as necessary, with a copy appearing in the plan below:
- J) Contact information and instructions for carrying out the community notice requirements of this plan shall be updated as necessary in the Jersey City General Development Application without amendment by the Municipal Council.

VI) COMMUNITY EMPLOYMENT COMPONENT:

- A) To help insure that residents of the Jackson Hill neighborhood have the best opportunity to benefit from the economic development and new jobs this redevelopment plan is designed to foster, it is necessary to provide targeted skill development and industry training for the new career opportunities that will come to this commercial corridor.
- B) To facilitate the matching of local talent with employment opportunities in the Jackson Hill corridor, the Jackson Hill Main Street Special Improvement District shall maintain a register of all employment positions within the redevelopment plan area, along with the skill sets and credentials necessary for each position.

- C) New Jersey City University shall partner with the Jackson Hill Main Street Special Improvement District to create a career training and job placement program to further the goals and objectives of this redevelopment plan. The program shall utilize the JHMSSID job register to ensure the skill sets and training provided are accurately matched to the employment opportunities fostered by this plan within the Jackson Hill commercial corridor.

VII) OTHER PROVISIONS NECESSARY TO MEET REQUIREMENTS OF STATE AND LOCAL LAWS

- A) The Local Redevelopment and Housing Law, N.J.S.A 40A:12A-1 et seq. requires that a Redevelopment Plan include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:
- 1) This Redevelopment Plan achieves the stated objectives of the Jersey City Master Plan by locating high density development in close proximity to mass transit facilities with low parking ratios to reduce the traffic impact of future high density development. Other uses such as retail and office uses compatible with a mixed use development pattern are permitted. The plan acknowledges the City's historic resources and seeks to preserve the historic character of significant structures and promote adaptive reuse.
 - 2) This Redevelopment Plan provides for a list of permitted principal uses, as well as accessory uses and prohibited uses in the redevelopment area. The plan also provides for density restriction through the use of lots sizes, maximum height limits, as well as setback and stepback requirements and various design controls.
 - 3) The Plan is designed to encourage private property owners to develop and consolidate lots through private purchase agreements. Where development fails to occur or where deleterious conditions persist, condemnation may be utilized. If displacement occurs through condemnation, the City of Jersey City will provide relocation assistance to all displaced residents, and businesses, displaced by the redevelopment activity generated by this Plan, in accordance with all applicable state and federal regulations. Federal and State laws require that adequate measures be taken to assist homeowners and residential tenants in the process of relocation.
 - 4) The Acquisition Map which is a part of this Plan depicts all property proposed to be acquired in accordance with the redevelopment plan as pursuant to N.J.S.A. 40A:12A-7(a)(4).
 - 5) Jersey City is designated as a "Planning Area 1" in the State Plan and is at the center of the Hudson County "urban complex." The development envisioned by this plan is in conformity with the "State Planning Act" P.L. 1985, c. 398 (C.52:18A-196 et al) as well as the master plan of Hudson County and all contiguous municipalities.
 - 6) No affordable units are identified to be removed as part of the implementation of this redevelopment plan.
 - 7) No affordable units are identified to be removed as part of the implementation of this redevelopment plan.

VIII) GENERAL LAND USE REGULATIONS FOR ALL ZONES

- A) In order to maximize foot traffic and activate commercial areas, within Zones 1, 2, and 3, residential living space and automobile parking uses are prohibited on any ground floor area within 20 feet of the following street right-of-ways:

- a) Monticello Avenue
 - b) MLK Drive
 - c) Communipaw Avenue
 - d) Ocean Avenue
- B) Ground floor residential is permitted if necessary to meet the requirements of the Americans with Disabilities Act, there is no elevator access, and provided the following conditions are met:
- 1) Must be situated behind the storefront use.
 - 2) The building must maintain a minimum of 25% of ground floor area for retail space at the front of the building.
 - 3) The building must incorporate a cellar not less than 600 square feet or 50 percent of the building's footprint, whichever is greater, to provide storage space for the retail use and for the location of trash rooms, mechanical rooms, meters or other infrastructure needs of the building so as to maximize available retail space at the ground floor level. Additional space may be allocated to residential tenants. Renovation of existing structures at the time of adoption of this redevelopment plan shall be exempt from this cellar requirement.
- C) Affordable Housing Requirements: Developers will be required to fulfill certain performance standards, including but not limited to the obligation to provide the community benefits of on-site affordable housing as described herein, for the successful implementation of the goals of the redevelopment plan.
- 1) Subject to the terms and conditions of a redevelopment agreement with the Jersey City Redevelopment Agency (JCRA), developers of new construction with more than 5 stories in Zone 1 and Zone 3 shall dedicate 5% of all residential units constructed above the 5th floor, as affordable housing for a period of a minimum of 30 years from the issuance of the certificate of occupancy, in accordance with the Fair Housing Act, N.J.S.A. 52:27D-301, et seq., and pursuant to the terms of the redevelopment agreement which shall set forth the controls on affordable housing to be constructed as part of a redevelopment project.
 - 2) Zone 2 is exempt from the affordable housing requirements of Section VIII.C.
- D) Office Space Bonus:
- 1) In order to encourage the development of office space and long-term job creation along the corridor and provide space for neighborhood amenities, the following office space bonus may be applied to development projects within Zones 1 and 3.
 - 2) On sites 9,000 square feet or greater, up to two additional stories and 28 additional feet of building height may be added to the maximum permitted height and/or base height of the zone district for each lot size category and/or provided pedestrian access width.
 - 3) The bonus floor(s) must be entirely non-residential and utilized for office use, excepting areas for building services such as stair wells, elevators, egress, corridors, etc., but not including structured parking areas. Amenity areas for residential occupants of the building are prohibited. Permitted uses within the office space bonus areas are:
 - a) Offices.
 - b) Medical offices.
 - c) Professional offices.

- d) Retail services.
 - e) Education uses.
 - f) Art galleries.
 - g) Artist studio workspaces.
 - h) Government uses.
 - i) Child and adult day care centers.
 - j) Theaters.
- 4) The structure must include a separate dedicated lobby, stair, and ADA elevator access from the ground level to the bonus floors(s).
 - 5) Office space bonus floors shall be directly above the ground floor or structured parking levels. Yard and building setback requirements shall be applied to the next floor above the office space bonus floor(s).
 - 6) The Planning Board may require bonus floors to setback from a side or rear property lines any distance necessary to provide light and air to adjacent properties or require windows along a facade.

IX) SPECIFIC LAND USE REGULATIONS

A) ZONE 1 Neighborhood Mixed Use

- 1) The purpose of this zone is to continue the existing pattern of main street type commercial buildings and ground floor retail uses throughout the corridor, while providing for new construction and increased housing and employment opportunity on larger lot sizes.
- 2) Principal Permitted Uses, subject to the requirements of section VIII:
 - a) Residential above the ground floor (see VIII.B for exception)
 - b) Residential within ground floor areas greater than 35 feet from the following rights-of-way:
 - i) Monticello Avenue
 - ii) MLK Drive
 - iii) Communipaw Avenue
 - iv) Ocean Avenue
 - c) Retail Sales of Goods and Services
 - d) Financial Services.
 - e) Offices.
 - f) Professional Offices.
 - g) Restaurants: category one and two.
 - h) Cafes.
 - i) Medical Offices above the ground floor level, except for Block 22601 where ground floor medical office uses shall be permitted.
 - j) Child and Adult Day Care Centers above the ground floor level.
 - k) Art galleries.
 - l) Theaters.
 - m) Artist studio workspaces.
 - n) Community facilities/centers.
 - o) Business incubators.
 - p) Health clubs/gyms.

- q) Any combination of the above.
- 3) Accessory Uses:
 - a) Enclosed parking and loading.
 - b) Surface parking.
 - c) Landscape features.
 - d) Improved Open Space.
 - e) Signs.
 - f) Sidewalk Cafe: where sidewalk width permits.
- 4) Prohibited Uses:
 - a) Drive-throughs pertaining to restaurants, banks, pharmacies, and other drive-through uses.
 - b) Gas stations, service stations, auto repair, auto body shops, and other automobile related uses (not including car share programs).
 - c) Billboards.
 - d) Funeral homes and Mortuary Services
- 5) Prohibited Uses on the ground floor along MLK Drive, Monticello Avenue, Ocean Avenue, Kearney Avenue, and Communipaw Avenue:
 - a) Social welfare facilities or offices, such as clinics for drug addition, soup kitchens, temporary, transitional, or indigent housing, prisoner re-entry programs.
 - b) Day care facilities.
- 6) Conditional Principal Uses:
 - a) Surface parking lots, provided the following conditions are met:
 - i) Provides parking for 10 or more automobiles.
 - ii) All parking must be metered by the hour or minute only. Monthly parking is prohibited. The maximum time permitted shall be set by the Jackson Hill Special Improvement District.
 - iii) Provides bicycle racks.
 - iv) Is located at least 250 feet from an existing principal surface parking area.
 - v) Provides landscaping and perimeter wall as determined by the Planning Board.
 - vi) To keep commercial streets activated and avoid large gaps between retail services, parking lot frontage along Monticello Avenue, MLK Drive, Ocean Ave, Kearney Ave, and Communipaw Ave shall reserve a minimum of 1 parking space adjacent to the public sidewalk for a commercial business in a vehicle, semi or permanent structure, news stand, tent, or open air (such as food trucks, bookmobile, pop up retail) during daylight hours. Additional spaces shall be reserved for every 60 linear feet of commercial street frontage. The reserved space shall be the one nearest a street corner.
 - vii) Maximum frontage along Martin Luther King Jr. Drive, Monticello Avenue, Ocean Avenue and Communipaw Avenue is 64 feet.
 - viii) All parking lots shall be a head-in and head-out design.
 - ix) Curb cuts are prohibited along MLK Drive, Monticello Avenue, and Communipaw Avenue.
- 7) Lot Size and Dimension Requirements
 - a) All existing lots are conforming lots but may not be reduced in size.
 - b) Subdivisions or lot consolidations must conform to the following minimum standards:

- i) Minimum lot area: 2,500 square feet.
 - ii) Minimum lot width: 25 feet.
 - iii) Minimum lot depth: 100 feet.
 - iv) Shape Factor Maximum: 28.
- 8) Density and Height Requirements:
- a) Density is not regulated by floor area ratio or units per acre in this zone. Instead, a "building envelope" is defined, depending on the size and shape of the site. Minimum room and unit sizes are regulated by building code.
 - b) Minimum floor-to-ceiling height on the ground floor shall be at least ten (10) feet, but no more than fourteen (14) feet, exempting drop ceilings in kitchens, bathrooms, corridors, and other similar spaces. Alternately, the ground floor floor-to-ceiling height may match adjacent historic structures.
 - c) Minimum floor-to-ceiling height for stories above the ground floor shall be at least nine (9) feet, exempting drop ceilings in kitchens, bathrooms, corridors, and other similar spaces and interstitial parking levels.
 - d) Maximum and minimum building height shall be calculated based on the lot size according to the following table:

| Lot Area up to (square feet): | Minimum Building Height (stories)/(feet) | Maximum Building Height (stories)/(feet) |
|----------------------------------|---|---|
| 0 to 3,999 | 3 / 35' | 4 / 45' |
| 4,000 to 8,999 | 3 / 35' | 5 / 55' |
| 9,000 to 19,999 | 4 / 45' | 6 / 65' |
| 20,000 and up | 4 / 45' | 8 / 85' |

Table 1.1: Graduated Density Table for Zone 1

- e) Transit proximity bonus: maximum and minimum building height shall be calculated based on the lot size according to the following table, provided lots are partly or wholly within 1,000 feet of a Hudson Bergen Light Rail Station:

| Lot Area up to (square feet): | Minimum Building Height (stories)/(feet) | Maximum Building Height (stories)/(feet) |
|----------------------------------|---|---|
| 0 to 8,999 | 2 / 25' | 6 / 65' |
| 9,000 and up | 4 / 45' | 8 / 85' |

Table 1.2: Transit Proximity Bonus Table for Zone 1

- f) To assist preservation of historic structures in Zone 2, more than one principal structure may be onsite if land assembly includes buildings and/or lots in both Zone 1 and Zone 2. The area of the lot in Zone 2 may be counted toward the total lot area to determine the graduated density per table 1.1 of this Zone. The zone boundaries remain in effect, as depicted in Map 2 of this plan, and any site plan application must apply the development standards of each zone respectively to the portions of the site within each zone.

9) Yard and Coverage Requirements:

- a) Required front yard setback along the following streets shall be sufficient to provide a minimum sidewalk width as measured from the ground floor building facade to the existing curb-line for each building height category according to the following table:

| Building Height | Minimum Sidewalk Width |
|--|---------------------------------|
| 5 Stories or less | Prevailing or minimum of 8 feet |
| 6 Stories or more | 10 feet |
| 6 Stories or more along: i) Monticello Ave. ii) MLK Drive iii) Communipaw Ave. iv) Ocean Ave. v) Kearney Ave. | 15 feet |

Table 1.3: Required Front Yard Setback Table for Zone 1

- b) Minimum side yard setback: no requirement.
- c) Rear yard and building setbacks:
- Ground floor level shall not extend greater than 95 feet from any right-of-way fronting the subject property.
 - All floor levels above the ground floor shall not extend greater than 85 feet from any right-of-way fronting the subject property.
 - All floor levels above the ground floor where parking is provided shall not extend greater than 95 feet from any right-of-way fronting the subject property.
 - For through lots, the ground floor level may cover 100% of the lot with no yards provided.
 - For oversized lots with greater than 100 feet in depth, no floor area shall be required to be more than 15 feet from a property line.
 - Buildings occupying an entire block shall have no rear yard or rear building setback requirements.
- 10) Automobile Parking Requirements:
- Curb cuts are prohibited on Martin Luther King Jr. Drive, Monticello Avenue, Ocean Avenue and Communipaw Avenue. This shall result in zero parking permitted on lots with no other access to alternative right-of-ways.
 - Curb cuts are only permitted to gain access to off-street parking facilities with a minimum of 6 parking spaces. This shall result in zero parking required where the minimum required is less than 6 spaces as per the parking requirements below.
 - Minimum Parking for lots greater than 8,999 square feet:
 - Residential uses shall provide a minimum of 0.5 off-street parking spaces per dwelling unit, exempting studio and one bedroom residential units in structures greater than 4 stories.
 - For non-residential uses greater than 8000 square feet: 1 space per 1000 square feet.

- d) Maximum Parking for all lot sizes:
 - i) Residential uses: maximum of 1.5 off-street parking spaces per dwelling unit.
 - ii) Retail and all other uses: maximum of 1.5 off-street parking spaces per 1,000 square feet of commercial gross floor area.
 - iii) Any parking located below grade may be provided in excess of the parking maximums above.
- 11) General Requirements for specified development sites:
 - a) On Block 18601 Lot 19 where a public access easement of at least 15 feet is provided to reestablish pedestrian movement from MLK Drive to Clinton Avenue, the maximum building height may increase by 1 story and 11 feet above the maximum building height as regulated by the graduated density table for this Zone.
 - b) On Block 15002, the maximum building height for any portion of a lot fronting Bergen Avenue shall be 4 stories to match the building on Block 15002 Lot 1. Beyond 50 feet from the Bergen Avenue right of way, the maximum height shall be regulated by Table 1.1 of this zone.
 - c) On Block 15002, Lots 2 and 19 are permitted to exceed the parking maximums of this zone by the amount necessary to fulfill deed restrictions requiring any future development to include public parking on-site. Development on this block must also provide retail along Bergen Avenue, Monticello Avenue and at least 15 feet along Fairmount Avenue from the intersection or as determined by the Planning Board.
 - d) Plaza bonus applicable to Block 15005: for a single development project consolidating all of block 15005, a plaza bonus shall be applicable to add a maximum of two additional stories and 17.5 feet of building height per story. ~~Each~~ **The** bonus floors shall be permitted by the creation of ~~two~~ **a** plaza areas on the acute angled corners on this block at Monticello and Fairmount and at Fairmount and Fairview. **Total** ~~Each~~ plaza ~~area~~ must ~~have be~~ **be** a minimum of **2500** ~~1200~~ square feet exclusive of the public sidewalk. Plaza areas shall be designed with decorative materials and landscaped planters surrounded by seating walls and appropriate plaza fixture and lighting. This plaza bonus may not be combined or utilized in addition to other building height bonuses in this plan.

B) ZONE 2: Historic Neighborhood Mixed Use

- 1) Although many early buildings have been razed along the corridor, much remains to exemplify the area's development. These buildings and streetscapes provide valuable character to the neighborhood.

Development, especially in the first half of the twentieth century, was sometimes undertaken without examination and appreciation of past cultural and architectural development. This plan seeks to preserve important resources which help to define the character of the Redevelopment Area. This Zone shall preserve a wide variety of buildings characteristic of the area's varied development.

The properties that have been selected for the Historic Neighborhood Mixed Use Zone have, paraphrasing the National Register Criteria for Evaluation:

- A. Been associated with events that have made significant contribution to the broad patterns of our history; or

- B. Are associated with the lives of persons significant in our past; or
- C. Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. Have yielded, or may be likely to yield, information important in prehistory or history.

To respect the special character that the Jackson Hill plan area has acquired and retained since its founding, the buildings included in this Historic Neighborhood Mixed Use Zone shall be rehabilitated so that future generations can be delighted by the history and architecture of the Jackson Hill neighborhood.

- 2) Principal Permitted Uses subject to the requirements of section VIII:
 - a) Residential above the ground floor (see VIII.B for exception), or where historic evidence of ground floor residential use is provided.
 - b) Retail Sales of Goods and Services.
 - c) Financial Services.
 - d) Offices.
 - e) Restaurants: category one and two.
 - f) Cafes.
 - g) Medical Offices above the ground floor level.
 - h) Child and Adult Day Care Centers above the ground floor level.
 - i) Art galleries.
 - j) Community and black box theaters.
 - k) Artist studio workspaces.
 - l) Community centers.
 - m) Business incubators.
 - n) Health clubs.
 - o) Any combination of the above.
 - p) Houses of Worship and associated uses only on Block 24001
- 3) Accessory Uses:
 - a) Structured parking and loading uses only on Block 17905 and Block 18602.
 - b) Fences and seating walls.
 - c) Landscape features.
 - d) Improved Open Space.
 - e) Signs.
 - f) Sidewalk Cafe: where sidewalk width permits.
- 4) Prohibited Uses:
 - a) Surface parking as a principal use.
 - b) Drive-throughs pertaining to restaurants; banks, pharmacies, and other drive-through uses.
 - c) Gas stations, service stations, auto repair, auto body shops, and other automobile related uses (not including car share programs).
 - d) Night Clubs.
 - e) Billboards.
 - f) Funeral homes and Mortuary Services

- 5) Prohibited Uses on the ground floor along MLK Drive, Monticello Avenue, Ocean Avenue, Kearney Avenue, and Communipaw Avenue:
 - a) Social welfare facilities or offices, such as clinics for drug addiction, soup kitchens, temporary, transitional, or indigent housing, prisoner re-entry programs.
 - b) Daycare facilities.
- 6) Demolition of structures is only permitted when necessary to protect public safety, as certified by the construction code official. As of the time of adoption of this plan, all tax lots within this zone are improved with structures of historic significance.
- 7) Lot Size and Dimension Requirements:
 - a) All existing lots at the time of adoption of this plan are conforming lots but may not be reduced in size.
 - b) All development sites that are split zoned may be reduced in size according to minimum lot sizes outlined in the respective zone.
 - c) Shape Factor Maximum: 28.
- 8) Height and Bulk Requirements:
 - a) The existing building height, floor area, established setbacks and the exterior building envelope at the time of adoption of this Plan shall constitute the development standards of each building. Any change to the above standards shall constitute a deviation from this plan excepting work as permitted in Sections IX:B:8 b) and c) below.
 - b) Vertical Additions are permitted with the following bulk standards:
 - (i) The maximum permitted building height shall be the greater of the adjacent buildings at the time of original adoption, in both number of stories and height in feet.
 - (ii) Vertical additions shall be setback from any facade fronting on Monticello Avenue or MLK Drive by a minimum of 10 feet.
 - (iii) Vertical Additions shall be 70% glazed along any facade fronting a public right-of-way.
 - c) Rear additions are permitted with the following bulk standards:
 - (i) Maximum/Minimum side yard: existing, except where required by fire or building code to accommodate adjacent windows.
 - (ii) Rear yard and building setbacks:
 - a. Ground floor level shall not extend greater than 95 feet from any right-of-way fronting the subject property.
 - b. All floor levels above the ground floor shall not extend greater than 85 feet from any right-of-way fronting the subject property.
 - c. For through lots, the ground floor level may cover 100% of the lot with no yards provided.
 - d. For oversized lots with greater than 100 feet in depth, no floor area shall be required to be more than 15 feet from a property line.
- 9) Building Requirements:
 - a) 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) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
 - c) All buildings, structures and sites shall be recognized as products of their own time. Alterations which have no historical basis and which seek to create an earlier appearance shall be discouraged.
 - d) Deteriorated architectural features shall be repaired rather than replaced wherever possible. In the event that replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical or pictorial evidence rather than on conjectural design or the availability of different architectural elements from other buildings or structures.
 - e) The surface cleaning shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials are strictly forbidden as they destroy the essential water resistant glazing on the exterior of brick and masonry, and scour, scar and obliterate the surface.
 - f) For additions to existing buildings, the following shall apply:
 - i) Constructing a new addition so that there is the least possible loss of historic materials and so that character-defining features are not obscured, damaged, or destroyed.
 - ii) Locating the attached exterior addition at the rear or on an inconspicuous side of a historic building and limiting its size and scale in relationship to the historic building.
 - iii) Designing new additions in a manner that makes clear what is historic and what is new.
- 10) Automobile Parking Requirements:
- a) Off-street parking is prohibited in this zone excepting Block 17905 and Block 18602 provided that access is accommodated from Harrison Avenue.

C) ZONE 3: The Hub

- 1) The Hub Zone is envisioned to become a high density, mixed-use commercial and cultural center for the surrounding neighborhoods to take greatest advantage of the adjacent light rail station.

The redevelopment and revitalization of MLK Drive is tied to the successful establishment of a vibrant community commercial center, or "Hub." The Hub is to serve as the activity center for the Jackson Hill community. However, to become competitive with established shopping districts and malls throughout the City, it is important that The Hub establishes a high density mix of uses with businesses and activities that presents a compelling alternative to the traditional shopping center experience. The goal of the Hub Zone is to develop a pedestrian oriented mixed use center adjacent to light rail, including commercial, civic, cultural, and residential uses.

2) Required Open Space Plazas:

- a) An approximately 15,000 square foot plaza area on Block 21201 at the corner of MLK Drive and Kearney Avenue was constructed as part of the original Hub development and was required as part of the original MLK Drive Redevelopment Plan. Open space of at least 15,000 square feet is required within Zone 3. The existing plaza at the south-west corner of the Hub superblock may be partially or entirely removed provided that alternative plaza areas are approved by the Planning Board that meet or exceed the 15,000 square foot requirement. Any relocation of the exiting plaza shall conform to the following requirements:
 - i) Upon execution of an agreement with the Jersey City Redevelopment Agency and City of Jersey City to repurpose portions of the existing plaza at the South West corner of Block 21201, a public plaza of at least 9,000 square feet shall be constructed within the western end of the Virginia Avenue right-of-way, subject to a developer agreement with the City of Jersey City. Signalization of the Virginia Avenue and MLK Drive intersection shall be reevaluated by the City. The open space shall be constructed by a developer designated by the Jersey City Redevelopment Agency.
 - ii) The remainder of the existing plaza area shall be associated with any development project designated by the Jersey City Redevelopment Agency for the existing plaza site at the South West corner of Block 21201. The plaza area that remains shall be re-designed and re-build as a front entry plaza for this designated project.
 - iii) The specifics of the construction schedule and maintenance responsibilities shall be set forth and subject to a developer agreement with the City. The required open space areas described in this section shall be publicly accessible during the standard hours of operation for parks and recreation areas in the City, as set forth in applicable City ordinances. Ownership of the required open space may be transferred to the developer, the City of Jersey City, the Jersey City Redevelopment Agency, or a third party designated by the City of Jersey City or the Jersey City Redevelopment Agency. The open space areas shall be included in a site plan application or section 31 review by the planning board, for any building constructed in Zone 3 on the existing open space plaza. The construction of the open space shall be completed in a timely manner, as set forth in the agreement between the designated developer, the City, and the JCRA.

3) Principal Permitted Uses subject to the requirements of section VIII:

- a) Residential above the ground floor (see VIII.B for exception).
- b) Retail Sales of Goods and Services.
- c) Financial Services.
- d) Offices.
- e) Cafes.
- f) Restaurants: category one and two.
- g) Medical Offices.
- h) Child and Adult Day Care Centers.
- i) Bars.

- j) Night clubs.
 - k) Art galleries.
 - l) Theaters.
 - m) Artist studio workspaces.
 - n) Museums.
 - o) Government uses.
 - p) Community centers.
 - q) Business incubators.
 - r) Health clubs/gyms.
 - s) Any combination of the above.
- 4) Accessory Uses:
- a) Enclosed parking and loading.
 - b) Surface parking and loading.
 - c) Landscape features.
 - d) Improved Open Space.
 - e) Signs.
 - f) Sidewalk Cafe: where sidewalk width permits.
- 5) Prohibited Uses:
- a) Surface parking as a principal use.
 - b) Gas stations, service stations, auto repair, auto body shops, and other automobile related uses (not including car share programs).
 - c) Billboards.
 - d) Funeral homes and Mortuary Services
- 6) Prohibited Uses on the ground floor along MLK Drive, Monticello Avenue, Ocean Avenue, Kearney Avenue, and Communipaw Avenue:
- a) Social welfare facilities or offices, such as clinics for drug addiction, soup kitchens, temporary, transitional, or indigent housing, prisoner re-entry programs.
 - b) Day care facilities.
- 7) Density and Height Requirements:
- a) Density is not regulated by floor area ratio or units per acre in this zone. Instead, a "building envelope" is defined, depending on the size and shape of the site. Minimum room and unit sizes are regulated by building code.
 - b) Subdivision, Building Height, Yard, and Pedestrian Walkway Access Controls: The following building height and setback requirements shall guide the eventual subdivision and redevelopment of The Hub into a mixed use transit oriented development center. The Zone 3 superblock may be subdivided for development lots in any configuration, so long as the required pedestrian access ways are provided along the perimeter of each development lot. Taller buildings are required to provide a wider access way according to the table below. Some pedestrian access way widths may be required to have additional width to accommodate emergency vehicle access to the site as determined by the Planning Board.
 - i) Building height limits shall be indexed to the width of on-site pedestrian access ways provided along and within the perimeter of each development lot according to the following table:

| For the provided Pedestrian Access Ways Width of: | The Maximum permitted Building Height is (stories/feet): |
|--|---|
| 6 feet | 1 / 10' |
| 9 feet | 3 / 35' |
| 10 feet | 5 / 55' |
| 12 feet | 10 / 105' |
| 16 feet | 12 / 130' |

Table 3.1 - Pedestrian Access Way and Height Regulating Table

- ii) The maximum permitted diagonal measurement between the furthest corners of any new structure above the 5th floor is 130 feet, excepting buildings that are majority office use, which shall have a maximum permitted diagonal measurement of 160 feet.
 - iii) A 20-foot sidewalk is provided along lot lines fronting MLK Drive, Virginia Avenue, Kearney Avenue, and Ocean Avenue.
 - iv) The required sidewalk areas shall be activated with ground floor retail to the extent practical.
 - v) Pedestrian access ways shall be designed as a mix of pedestrian plaza, public park or walkway with a mix of street furniture, lighting and landscaping. Public park sections may include playgrounds, splash areas, reinforced lawn, et cetera. Changes in grade are encouraged to bring interest and variety to the access ways.
 - vi) Any sidewalk areas or remaining land between building lots beyond the required pedestrian access ways shall be incorporated into the design of adjacent parks or plazas.
- 8) Automobile Parking Requirements:
- a) Curb cuts are prohibited on Martin Luther King Jr. Drive and Ocean Avenue except for existing entrances at the time of adoption. This shall result in zero parking permitted on lots with no other access to alternative right-of-ways.
 - b) Parking is prohibited on any lots that have sole frontage on Martin Luther King Jr. Drive or Ocean Avenue. This shall result in zero parking permitted on lots with no other access to alternative right-of-ways.
 - c) Curb cuts are only permitted to gain access to off-street parking facilities with a minimum of 6 parking spaces. This shall result in zero parking required where the minimum required is less than 6 spaces as per the parking requirements below.
 - d) Parking is required on lots greater than 9,000 square feet, according to the following:
 - i) Residential uses shall provide a minimum of 0.4 off-street parking spaces per dwelling unit, exempting studio and one bedroom residential units in structures greater than 4 stories.
 - ii) Ground floor commercial uses shall provide a minimum of 0.5 off-street parking spaces per 1,000 square feet of gross floor area, excluding the first 10,000 square feet of ground floor area.

D) ZONE 4: Residential

- 1) Permitted Uses:
 - a) Residential.
- 2) Accessory Uses:
 - a) Enclosed parking.
 - b) Surface parking.
 - c) Landscape features.
 - d) Improved Open Space.
- 3) Prohibited Uses:
 - a) Surface parking as a principal use.
 - b) Billboards.
- 5) Lot Size and Dimension Requirements:
 - a) All existing lots at the time of adoption of this plan are conforming lots.
 - b) Shape Factor Maximum: 28.
- 6) Height and Bulk Requirements:
 - a) The existing building height, floor area, established setbacks and the exterior building envelope at the time of adoption of this Plan shall constitute the development standards of each building. Any change to the above standards shall constitute a deviation from this plan excepting additions as permitted by Section IX.D.6.b below.
 - b) Rear additions are permitted, provided that the addition is in conformance and complies with the following bulk standards:
 - i) Maximum height: existing
 - ii) Maximum/minimum front yard: existing
 - iii) Maximum/Minimum side yard: as existing, except where required by fire or building code to accommodate adjacent windows
 - iv) Rear yard and building setbacks:
 - a. Ground floor level shall not extend greater than 80 feet from any right-of-way fronting the subject property.
 - b. All floor levels above the ground floor shall not extend greater than 80 feet from any right-of-way fronting the subject property.
 - c. For through lots, the ground floor level may cover 100% of the lot with no yards provided.
 - d. For oversized lots with greater than 100 feet in depth, no floor area shall be required to be more than 20 feet from a property line.
- 7) Maximum Parking for all lot sizes:
 - a) Residential uses: maximum of 1.5 off-street parking spaces per dwelling unit.

D) ZONE 5: Parks / Open Space

- 1) Parks, plazas, and other types of public open space are the only permitted use in this zone.

IX) GENERAL REQUIREMENTS FOR ALL ZONES

A) General 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, 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
 - a) 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.
 - b) 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 and all remaining rooftop areas shall be developed as a green roof.
 - c) 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.
 - d) 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.

- e) The placement of all new or reconstructed signal boxes is required to be below grade.
- 9) Streetscape
 - a) All buildings shall be designed to front on a public street to create a street wall and a pedestrian environment at a human scale.
 - b) 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.
 - c) 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.
 - d) 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.
 - e) Porte-cocheres and drop-off lanes are prohibited.
- 10) 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.
- 11) Facade Composition Requirement: Windows or "window design units" (a definable shape within the facade composition which includes a window plus surrounds, including vents, grills, mullions, frames, sills, and which may include portions of the exterior wall) shall be sized, aligned, and spaced apart such that the facade area between windows or "window design units" form visual columns and spandrels. The Planning Board may grant a waiver from this method for superior design.
- 12) 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.
- 13) All storefronts shall incorporate a cornice element or horizontal projection above the storefront glazing separating ground floor uses from the building above.
- 14) Ground floor storefront bulkheads below the display windows shall be a maximum of 16 inches in height above sidewalk grade.
- 15) All storefront façades shall incorporate a minimum of 70% transparent glass.
- 16) Storefront windows are prohibited from displaying scrolling, blinking, flashing, or bright lights which are not part of approved signage.
- 17) All ground floor entryways shall be recessed or designed to avoid door swings into any public right-of-way.
- B) PARKING DESIGN STANDARDS
 - 1) 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.

- 2) The façade of all parking levels shall be of a compatible material to that used throughout the development or adjacent structures and shall be designed to provide visual interest.
- 3) 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.
- 4) 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.
- 5) Parking stall and aisle size requirements are pursuant to the regulations found in the Jersey City Land Development Ordinance.
- 6) 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.
- 7) Surface parking lots (where permitted) 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, or required commercial uses. 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.
- 8) 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.
- 9) For through lots there 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.
- 10) 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. Valet parking schemes shall not be permitted to increase the total number of parked cars above the maximum number of permitted spaces.
- 11) Bicycle Parking Provisions: Bicycle parking shall be provided pursuant to the requirements found in the Jersey City Land Development Ordinance.

C) LANDSCAPING AND LIGHTING REQUIREMENTS

- 1) Landscaping shall be required for any part of any parcel not used for buildings or off-street parking. The developer's plan shall include proposals for landscaping indicating the location, size and quantity of the various species to be used.

- 2) All plant material used must be able to withstand an urban environment. All screen planting shall be a minimum of 4 feet high and shall be planted, balled and burlapped as established by the American Association of Nurserymen. A planting schedule shall be provided by the developer and approved by the Planning Board. Ground cover shall be used in place of mulch.
- 3) All new trees shall be of a species and gender so as to minimize fruit and pollen.
- 4) Any landscaping which is not resistant to the environment or dies within 2 years of planting shall be replaced by the developer.
- 5) 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.
- 6) Lighting within the site shall sufficiently illuminate all areas, including those areas where buildings are setback or offset to prevent dark corners.
- 7) All lighting sources must be adequately shielded to avoid any off-site glare. The area of illumination shall have a uniform pattern of at least one-half (0.5) foot candles.
- 8) All landscaping must 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.

D) BUILDING MATERIALS REQUIREMENTS

- 1) Synthetic stucco materials such as EIFS is prohibited on any facade along a public right-of-way. 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 devices is expressly prohibited. Chain linked fencing may be temporality utilized during construction only.
- 5) 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.

X) SIGNAGE REGULATIONS

A) 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 considered as an interim use.
- 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.

B) 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:
 - a) Each use fronting on a public street may be permitted one (1) exterior sign per store front bay on each street frontage.
 - b) Maximum sign height shall be 32 inches or the height of the architectural sign band in the building's facade or transom window.
- 3) Sign requirements for all other uses:
 - a) 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.
 - b) 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.

C) Sign Design Requirements

- 1) All signs shall be attached to the first floor level of the building only.
- 2) All wall signs shall be flush mounted.
- 3) All blade signs shall project no more than 30 inches from the façade and the bottom of the sign must be a minimum of 9 feet above the sidewalk.
- 4) Window signs (other than lettering and logos as specifically permitted) shall be prohibited. Lettering or logos shall be limited to decorative metal leaf, flat black or etched / frosted glass style lettering and shall be limited to the name of the business occupying the commercial space / storefront and shall cover no more than twenty (20%) of the window area.
- 5) Permitted signage material includes:
 - a) Painted wood.
 - b) Painted metals including aluminum and steel.
 - c) Brushed finished aluminum, stainless steel, brass, copper, or bronze.
 - d) Carved wood or wood substitute.
 - e) Channel letters.
 - f) Neon letters.
- 6) Permitted lettering material includes:
 - a) Lettering forms applied to the surface of the sign.
 - b) Single colored lettering forms applied to the surface of the sign.
 - c) Metallic solid body letters with or without returns.
 - d) Painted acrylic or metal letter.
 - e) Vinyl lettering attached permanently to a wood, wood substitute or metal signboard.
- 7) Signs may be lit from backlit halo and up-lights.

- 8) 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.
- 9) Signs may include the name of the store only. Building address, phone number, operating hours and other additional information may be stenciled on the door.

D) 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.

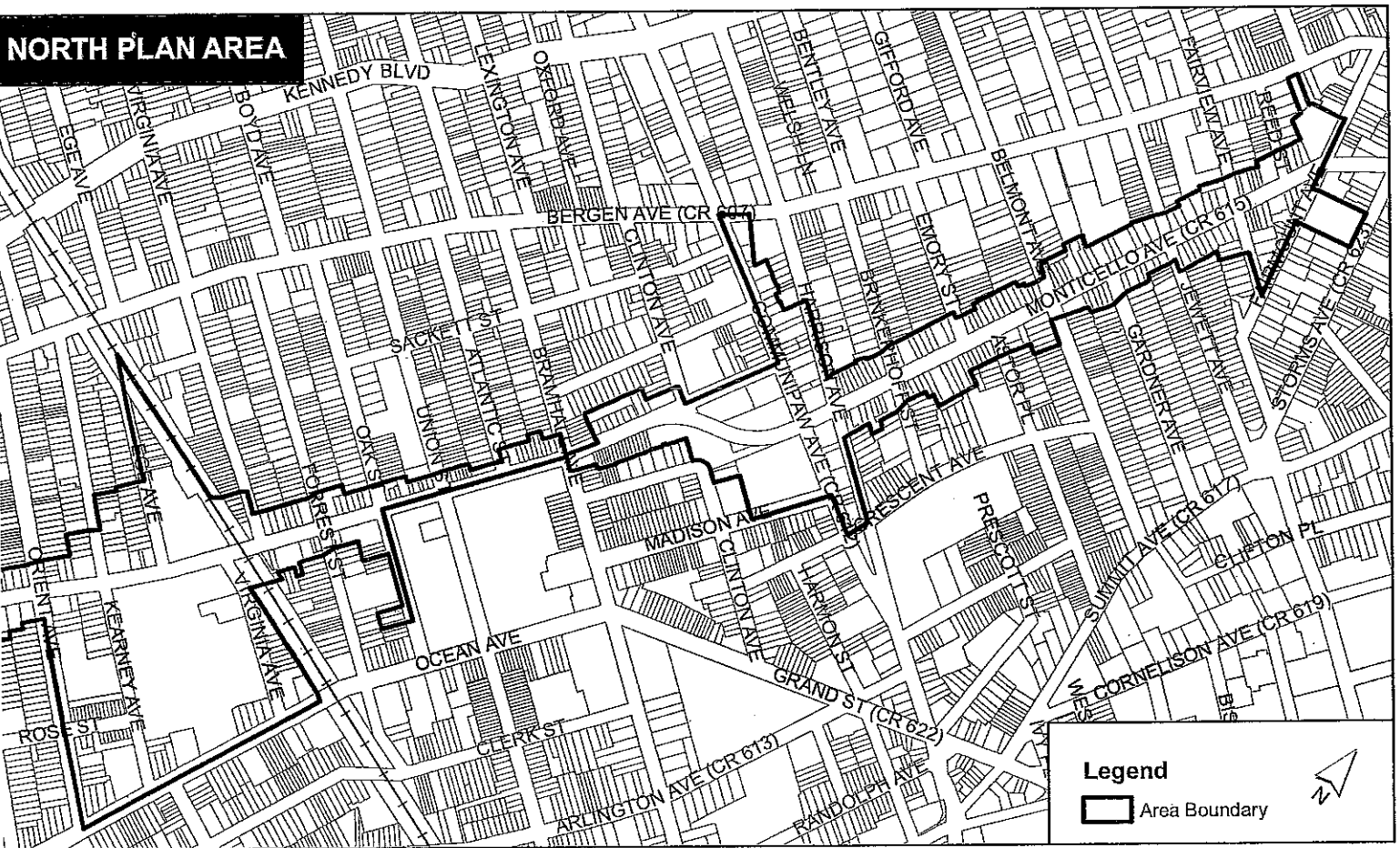
E) Prohibited Signs

- 1) Billboards.
- 2) Portable advertising signs not associated with use within 10 feet are strictly prohibited.
- 3) Internally or externally illuminated box signs
- 4) Flashing or animated signs, spinners, pennants, reflective materials that sparkle or twinkle.
- 5) Window signs, posters, plastic or paper that appear to be attached to the window.
- 6) Pole signs.
- 7) Waterfall style or plastic awnings.

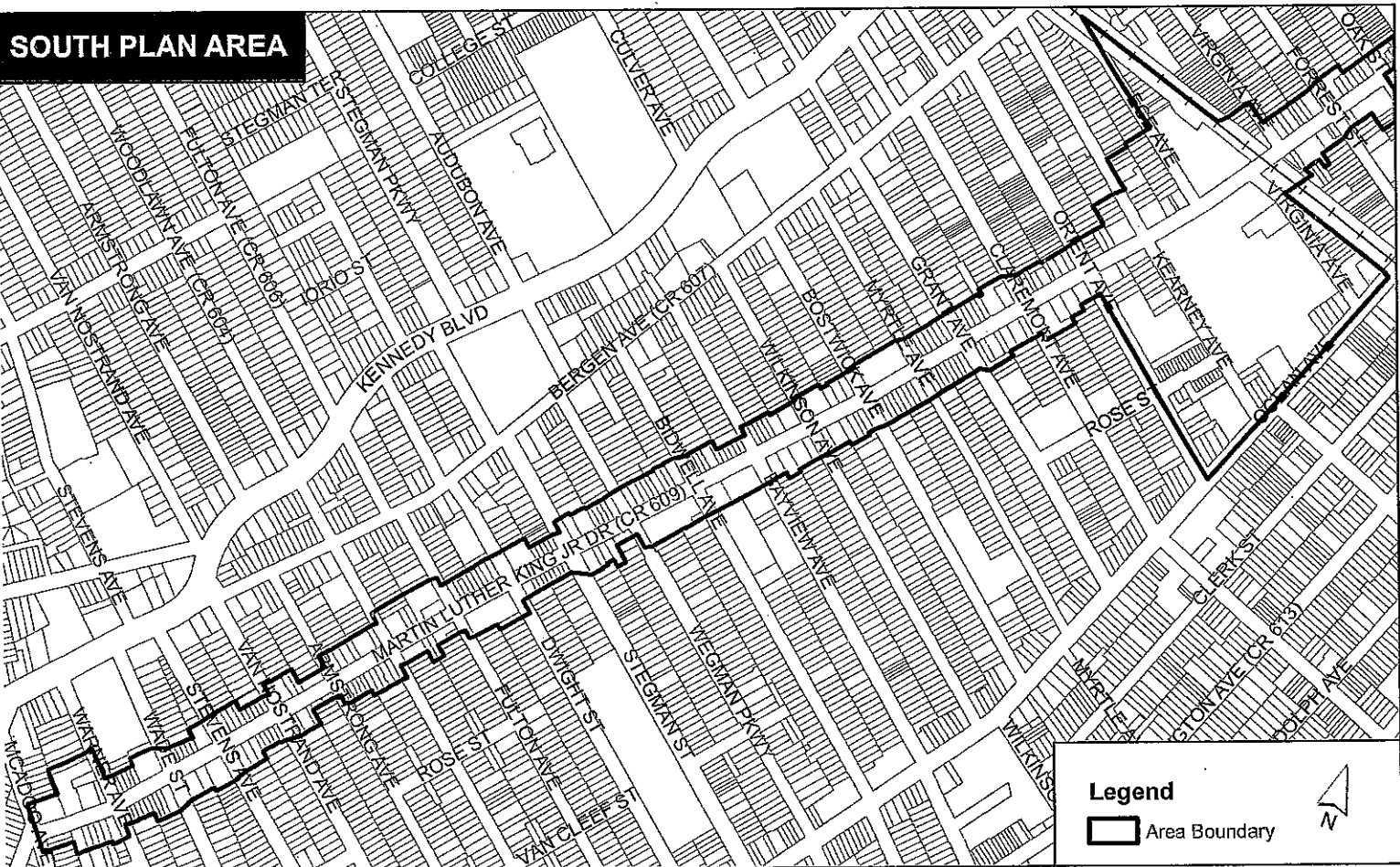
XI) MAPS

- 1) Boundary Map
- 2) Zone Districts Map
- 3) Acquisition Map

NORTH PLAN AREA



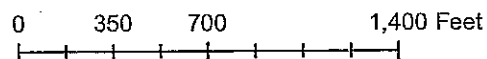
SOUTH PLAN AREA



JACKSON HILL REVELOPMENT PLAN

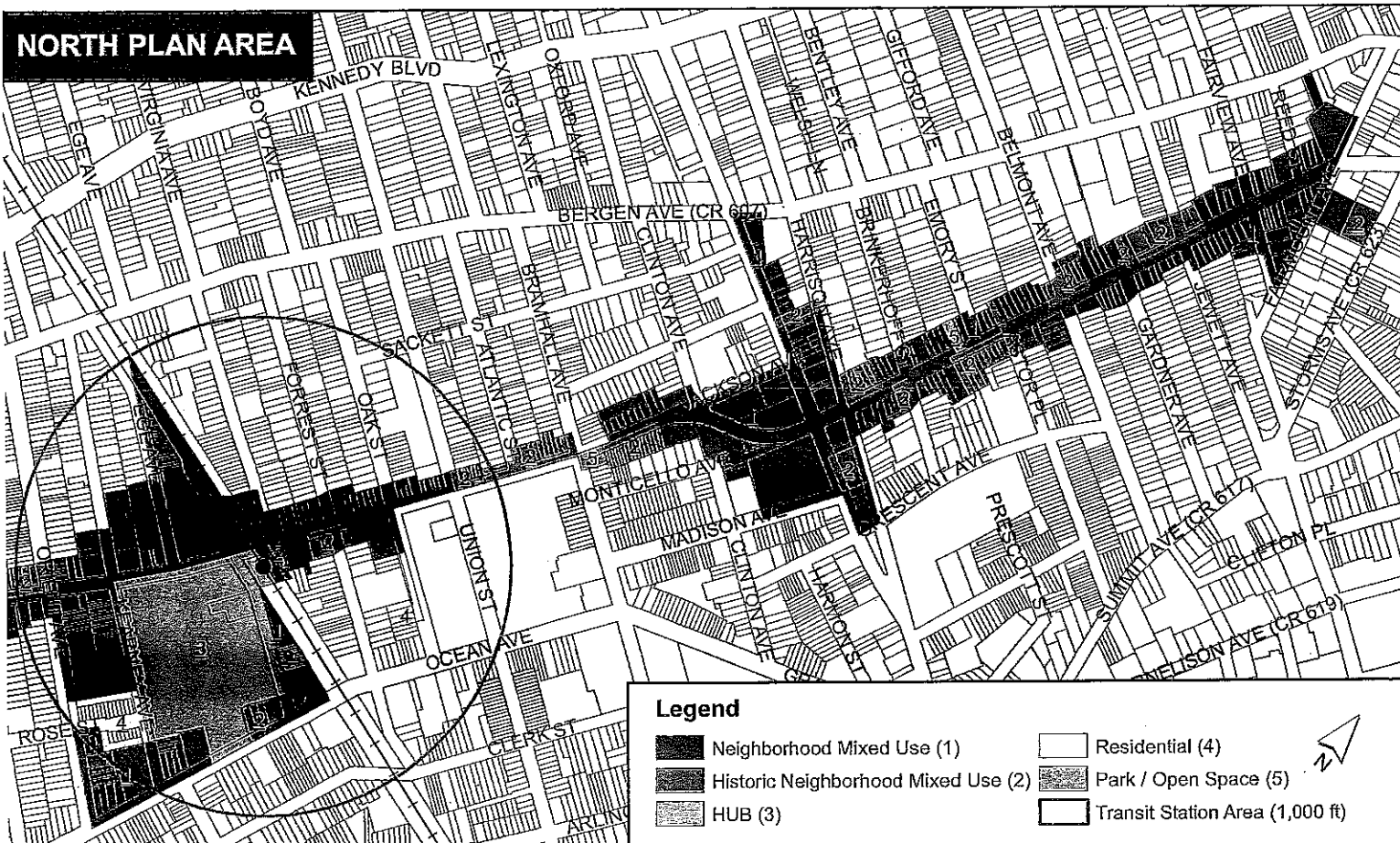
MAP 1: BOUNDARY MAP

MARCH 30, 2016

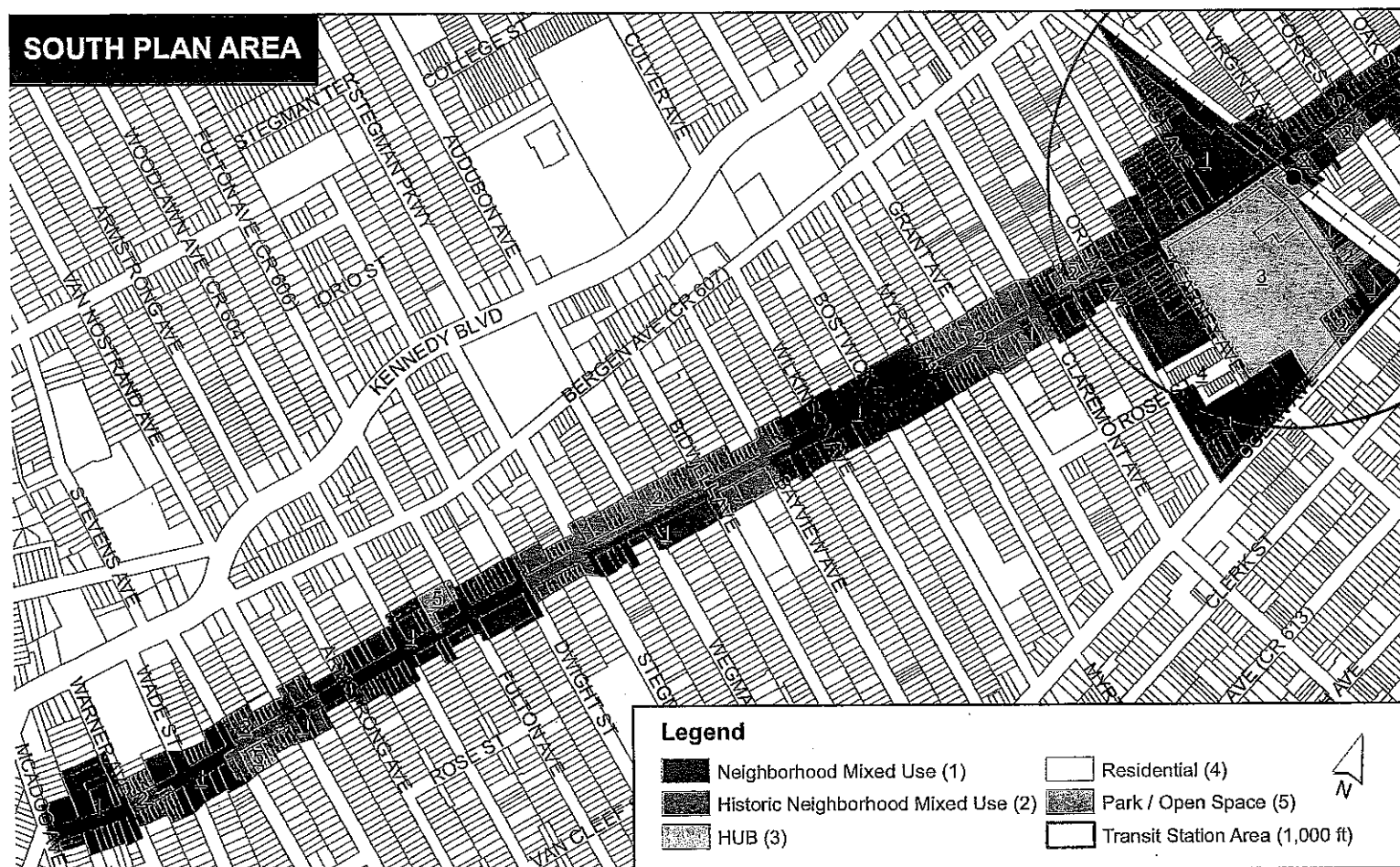


1 inch = 700 feet

NORTH PLAN AREA



SOUTH PLAN AREA



JACKSON HILL REVELOPMENT PLAN MAP 2: LAND USE MAP

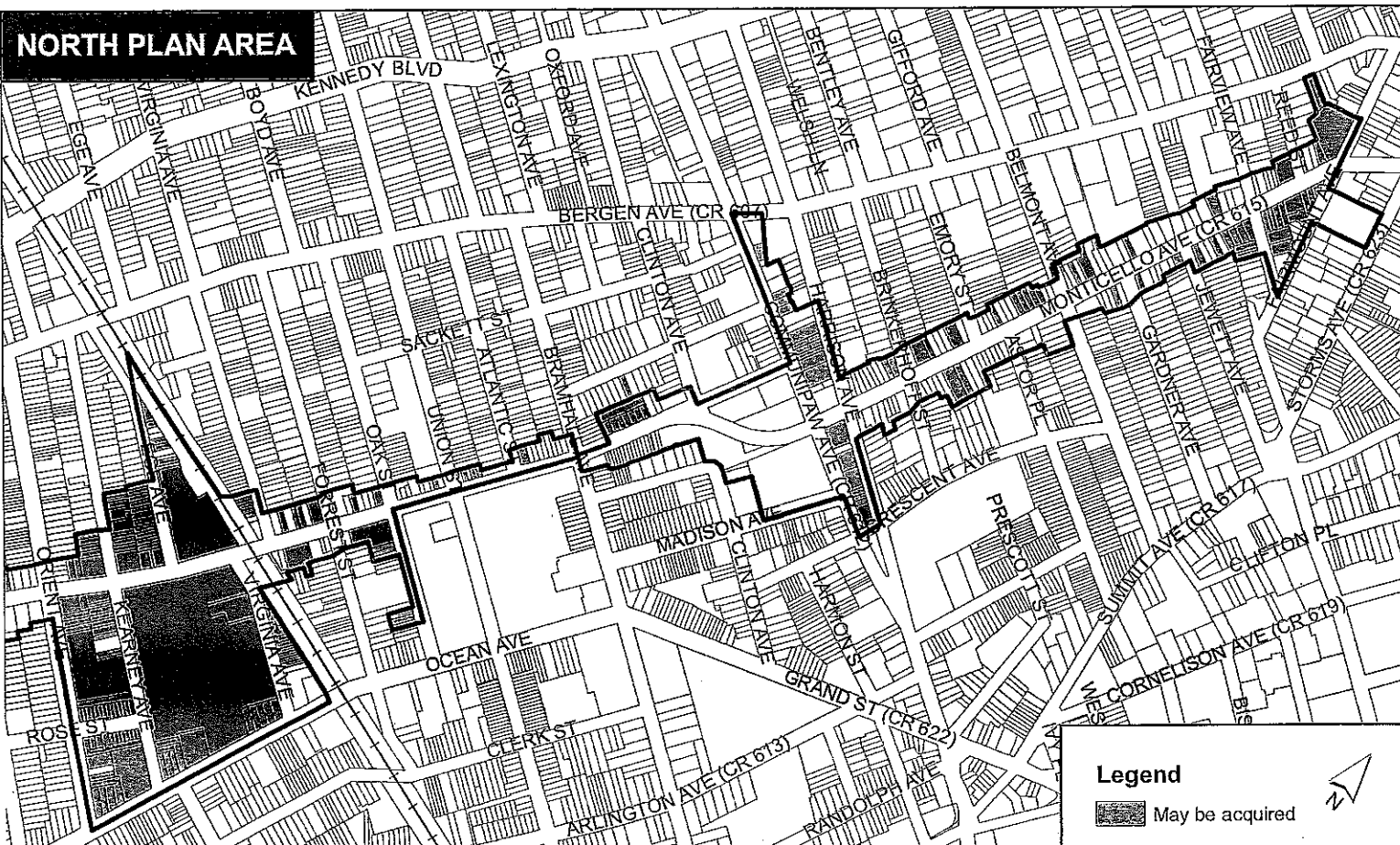
APRIL 7, 2016

0 350 700 1,400 Feet

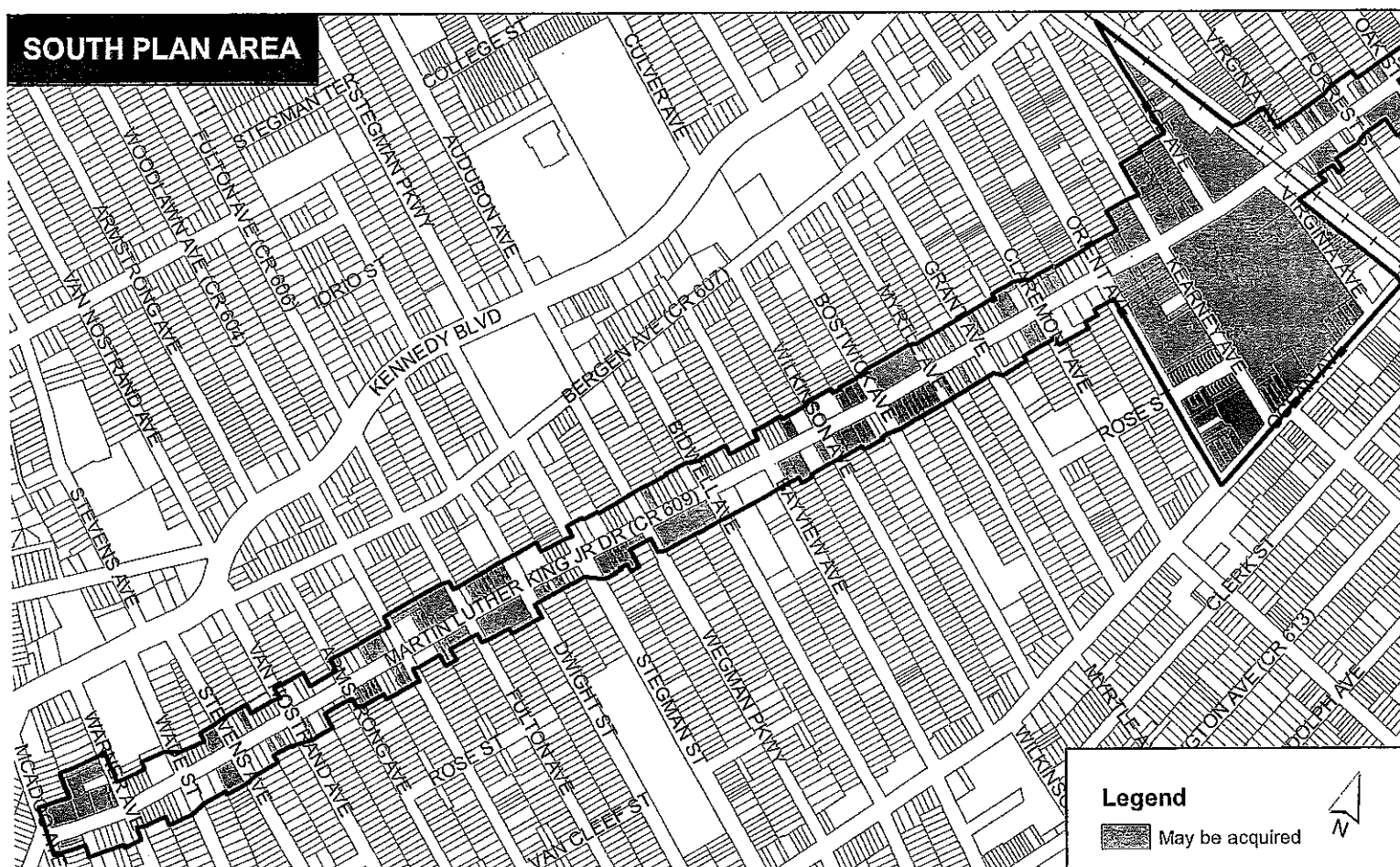
1 inch = 700 feet

Jersey City
City Planning Division
30 Montgomery Street Suite 1400
Jersey City, NJ 07302-2821
Phone: 201.247.5010
Fax: 201.547.4923

NORTH PLAN AREA



SOUTH PLAN AREA



JACKSON HILL REVELOPMENT PLAN MAP 3: ACQUISITION MAP

JUNE 3, 2016

0 350 700 1,400 Feet

1 inch = 700 feet

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



ORDINANCE NO. Ord. 16.126
TITLE: 3.1 AUG 17 2016 4.H. SEP 14 2016

Ordinance of the Municipal Council of the City of Jersey City
adopting the Jackson Hill Redevelopment Plan

| RECORD OF COUNCIL VOTE ON INTRODUCTION AUG 17 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING SEP 14 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson <u>COLEMAN</u> moved, seconded by Councilperson <u>HALLANAN</u> to close P.H. | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

Michele Massey

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY SEP 14 2016 | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson <u>COLEMAN</u> moved to amend* Ordinance, seconded by Councilperson <u>HALLANAN</u> & adopted <u>9-0</u> | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

| RECORD OF FINAL COUNCIL VOTE SEP 14 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on AUG 17 2016
Adopted on second and final reading after hearing on SEP 14 2016

This is to certify that the foregoing Ordinance was adopted by
the Municipal Council at its meeting on SEP 14 2016

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

IX SPECIFIC LAND USE REGULATIONS
A) ZONE 1: NEIGHBORHOOD MIXED USE
IV) d change in italics

APPROVED:

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

Date SEP 14 2016

APPROVED:

Steven M. Fulop
Steven M. Fulop, Mayor

Date SEP 15 2016

Date to Mayor SEP 15 2016

City Clerk File No. Ord. 16.127
Agenda No. 3.J 1st Reading
Agenda No. 4.I. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 16.127

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAFAYETTE PARK REDEVELOPMENT PLAN

WHEREAS, the Municipal Council of the City of Jersey City, originally adopted the Lafayette Park Redevelopment Plan in March 1979; and

WHEREAS, the Municipal Council seeks to re-start the redevelopment of the area by updating the standards and regulations within this redevelopment plan; and

WHEREAS, the attached Lafayette Park Redevelopment Plan shall amend the plan to provide updated development regulations intended to spur the revitalization of a flood prone area; and

WHEREAS, a copy of the amended text is attached hereto and made a part hereof, and is available for public inspection at the Offices of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ; and

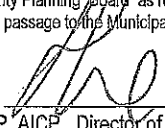
WHEREAS, the Lafayette Park Redevelopment Plan has been reviewed by the Jersey City Planning Board at its meeting of July 19, 2016; and

WHEREAS, the Planning Board voted to recommend amendments of the Lafayette Park Redevelopment Plan by the Municipal Council; and

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that amendments to the Lafayette Park Redevelopment 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 hereby 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.


Maryann Buccì-Carter, PP, AICP, Director of City Planning

APPROVED AS TO LEGAL FORM

APPROVED: 

APPROVED: _____

Corporation Counsel

Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL

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

Full Title of Ordinance/Resolution**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE LAFAYETTE PARK REDEVELOPMENT PLAN****Initiator**

| | | |
|---------------------|--------------------------------|---------------------------------|
| Department/Division | HEDC | City Planning |
| Name/Title | Maryann Bucci-Carter, PP, AICP | Director / maryamb@jcnj.org |
| | Matt Ward, PP, AICP | Senior Planner / MWard@jcnj.org |
| Phone/email | 201-547-5010 | |

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

Purpose

This ordinance will adopt amendments to the Lafayette Park Redevelopment Plan which was originally adopted in 1979. Centered around Johnston Avenue and Pacific Avenue, the neighborhood was substantially redeveloped in the mid 1990's. But as the neighborhood currently exists, flooding is a significant concern. These amendments shall revise development regulations with the aim to enhance the area's livability and resiliency by allowing for infill development to provide modern housing types, ground floor retail and other amenities while addressing flooding issues head on.

I certify that all the facts presented herein are accurate.

Signature of Division Director

Date

8/3/16

Signature of Department Director

Date

8/4/16

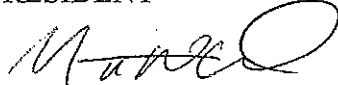
Department of Housing, Economic Development & Commerce
Division of City Planning



Memorandum

DATE: 8/2/2016

TO: ROLANDO LAVARRO, COUNCIL PRESIDENT

FROM: MATT WARD, SENIOR PLANNER 

SUBJECT: AMENDMENTS TO THE LAFAYETTE PARK REDEVELOPMENT PLAN

This ordinance will adopt amendments to the Lafayette Park Redevelopment Plan which was originally adopted in 1979. Centered around Johnston Avenue and Pacific Avenue, the neighborhood was substantially redeveloped in the mid 1990's. But as the neighborhood currently exists, flooding is a significant concern.

Beginning in December 2015, four public meetings were held to discuss amendments to this plan and concerns/needs in the area. As a low-lying area, flooding is a concern and will define the future development of this neighborhood. At the meetings, residents discussed how the need for retail and small business or mixed-use buildings in their neighborhood. They seek to create a more walkability neighborhood in close proximity to their homes and the Liberty State Park Light Rail Station.

These amendments shall revise development regulations with the aim to enhance the area's livability and resiliency by allowing for infill development to provide modern housing types, ground floor retail and other amenities while addressing flooding issues head on.

SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAFAYETTE PARK REDEVELOPMENT PLAN

This ordinance will adopt amendments to the Lafayette Park Redevelopment Plan which was originally adopted in 1979. Centered around Johnston Avenue and Pacific Avenue, the neighborhood was substantially redeveloped in the mid 1990's. But as the neighborhood currently exists, flooding is a significant concern. These amendments shall revise development regulations with the aim to enhance the area's livability and resiliency by allowing for infill development to provide modern housing types, ground floor retail and other amenities while addressing flooding issues head on.

LAFAYETTE PARK REDEVELOPMENT PLAN

AS RECOMMENDED BY THE JERSEY CITY PLANNING BOARD: 7-19-2016

ADOPTED March 1979

AMENDED July 1987

AMENDED September 1990

AMENDED April 1996

AMENDED April 2001

AMENDED Sept 26, 2002 – Ord. 02-108

AMENDED March 9, 2011 – Ord. 11-027

Block & Lot Updates Oct. 2, 2012



30 Montgomery Street Suite 1400
Jersey City, NJ 07302-3821
Phone: 201.547.5010
Fax: 201.547.4323

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- 1) Boundary Map
- 2) Land Use Map
- 3) Alleys Map
- 4) Acquisition Map

1) INTRODUCTION AND BOUNDARIES

The Lafayette Park Redevelopment Plan area is located south of downtown, east of the Palisades foothills, west of Liberty State Park, and historically defined by the Morris Canal. The Canal, which provided the access to the Hudson and Hackensack Rivers, gave rise to industrial uses and supporting residential housing in this low-lying area, much of which was built on historic fill.

The Lafayette Park Redevelopment Plan was first adopted in March 1979, covering roughly 35 acres centered around the intersection of Johnston and Pacific Avenues and comprised of Tax Blocks 17501, 17506, 19001, 17403, 15602, 17402, 15603, 15601 (partial), 17401, 15501 (partial), 15503, and 15502.

At the time of the Plan's original adoption, Lafayette's historic pattern of mixed industrial and residential uses – which dated back to at least the 1930s and persisted through the late 1960s – had largely disappeared from the Redevelopment Area. Large tracts of vacant land interspersed with a few large industrial complexes formed the southern border of the “tower in the park”- style Jersey City Housing Authority housing project between Grand Street and Carbon Street. By 1987, the area's remaining residential and even industrial structures had been almost entirely razed, leaving some tax blocks completely empty.

From 1992-1995, the area's most significant development since the Plan's adoption took place—the multi-phased construction of a major affordable housing project by JP Affordable Housing Holding Company. The development, which remains largely intact as of 2016, consists of two-story, semi-detached two-family houses on lots ranging from 3,000 to 4,000 square feet. The majority of these lots include an alley easement to access rear yard parking, although these alleys were never dedicated to the city and maintenance remains the responsibility of the property owners. While the project was in line with the original Redevelopment Plan goals of promoting home ownership and recovering vacant land for productive use, it also created a suburban, car-oriented development pattern with low walkability and few opportunities for small business.

The Redevelopment Area's other major development—the Lafayette Village Apartments—broke ground in the early 2000s. Located in the triangle bordered by Woodward Street, Grand Street and Johnston Avenue, the project consists of 124 two-story townhouse units, including 77 public housing units, financed through the US Department of Housing and Urban Development HOPE VI Program and New Jersey Low Income Housing Tax Credits.

Jersey City has seen a major urban recovery that has expanded transit and economic opportunities in many areas of the city since the Plan's adoption and the construction of most of Lafayette Park's existing housing stock. In Lafayette, this was reflected in the opening of the Liberty State Park light rail station in 2001 and the return of the demand for ground-floor retail along historic commercial corridors.

However, the City has also become more aware of the geographical risk of its waterfront location, particularly in the aftermath of Superstorm Sandy. As the neighborhood currently exists, flooding is a significant concern. Almost the entire Redevelopment Area, particularly outside of Lafayette Village, is located in an area of high risk for both storm surge and stormwater flooding (FEMA Zone AE, EL 9 feet; SLOSH Category 1 3-6 feet flood zone). This risk will only increase with climate change-driven sea level rise, and must be taken into account by future developments as well as rehabilitations within the area.

The 2016 amendments to the Lafayette Park Redevelopment Plan seek to build on the significant advances in transit and residential development that the area has seen since 1979, enhancing the area's livability and resiliency and allowing for infill development to provide modern housing types and amenities like ground-floor retail along growing commercial corridors. These changes will allow the neighborhood to become more walkable and transit-friendly while expanding opportunity for small business development and local employment, laying the foundations for a resilient and economically vibrant mixed-use area.

II) REDEVELOPMENT PLAN GOALS AND OBJECTIVES

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

- A. To comprehensively redevelop the Lafayette Park I Study Area by the elimination of negative and blighting influences and by providing new construction and site improvements where appropriate.
- B. To provide for a variety of residential uses and housing types for both existing residents prospective occupants in order to meet the housing needs of low, moderate, and upper income households.
- C. 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.
- D. Make sustainability and smart growth a theme of future development and redevelopment that guides land use and transportation decisions.
- E. To construct new housing for home ownership through a combination of private development financing and the selective use of public assistance. Encourage the adaptive reuse of existing structures.
- F. To provide for the maximization of private investment through the attraction of qualified developers capable of securing private financing commitments.
- G. To promote balanced development in accordance with applicable State laws and City requirements regarding affordable housing.

- H. To provide for the stabilization and the increase of the tax base of the project area and the entire city by redeveloping nonrevenue producing areas and by reestablishing investment confidence on the part of existing and future residents both within the area and in contiguous neighborhoods.
- I. Creation of new employment, housing, educational, recreational, commercial and retail opportunities for the residents of Jersey City.
- J. Encourage buildings to meet or exceed the US Green Building Council's LEED (Leadership in Energy and Environmental Design) Certification or equivalent.
- K. To provide for the coordination of redevelopment activities to promote a uniform attack on blight which reinforces already existing renewal and improvement programs in accordance with a plan that integrates the Lafayette Park I Study Area with the existing physical and social fabric of the City of Jersey City.
- L. To provide where necessary site improvements for both proposed and existing residential uses including new streets and sidewalks, street realignment, off street parking, open space, pedestrian malls, recreational areas and new trees where appropriate.
- M. The overall improvement of traffic circulation through the development of new and improved vehicular and pedestrian circulation systems which provide for separation of vehicular and pedestrian traffic and the maximum use of public transportation.
- N. 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.
- O. Make walking and biking easy, safe, desirable, and convenient modes of transport.
- P. To maximize developer participation and contribution in the Lafayette Park I Redevelopment Plan.
- Q. Encourage unique local quality retail sales and services that promote community character and distinctiveness.
- R. To promote balanced development in accordance with the Fair Housing Act, NJSA 52:27D, and the Housing Element and Fair Share Plan of the City of Jersey City Master Plan.
- S. Leverage new transit facilities such as light rail to accommodate housing and employment needs.
- T. 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.

U. To promote pluvial and coastal flood control.

III) TRANSPORTATION

The district has been served by the NJ Transit Hudson-Bergen Light Rail via the Liberty State Park station since 2001. Additionally, four bus lines provide service to and from the area:

- Montgomery & West Side 440 Shopper (Lafayette Avenue- Journal Square)
- Coach USA 4 (Merritt St - Grove St - Newport Centre)
- NJ Transit 6 (via Communipaw Avenue)
- NJ Transit 81 (via Pacific Avenue)

IV) TYPES OF PROPOSED REDEVELOPMENT ACTIONS

It is proposed to substantially improve and upgrade the Lafayette Park I Study Area through a combination of redevelopment actions. These will include but not be limited to

- A) Retention and construction of sound compatible uses.
- B) Assembly into developable parcels the vacant and underutilized land now in scattered and varied ownership.
- C) Provisions for a full range of public infrastructure necessary to service and support the new community.

V) GENERAL REQUIREMENTS

- A) 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.
- B) 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.
- C) 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.

D) 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, 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
 - a) 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.
 - b) 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 and all remaining rooftop areas shall be developed as a green roof.

- c) 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.
- d) 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.
- e) The placement of all new or reconstructed signal boxes is required to be below grade.

9) Streetscape

- a) All buildings shall be designed to front on a public street to create a street wall and a pedestrian environment at a human scale.
 - b) 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.
 - c) 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.
 - d) 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.
 - e) Porte-cocheres and drop-off lanes are prohibited.
- 10) 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.
- 11) 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.
- 12) 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.
- 13) All storefronts shall incorporate a cornice element or horizontal projection above the storefront glazing separating ground floor uses from the building above.

- 14) Ground floor storefront bulkheads below the display windows shall be a maximum of 16 inches in height above sidewalk grade.
- 15) All storefront façades shall incorporate a minimum of 70% transparent glass.
- 16) 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.
- 17) All ground floor entryways shall be recessed or designed to avoid door swings into any public right-of-way.

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

F) OFF STREET PARKING AND LOADING

- 1) 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.
- 2) Below-grade parking levels are not permitted in residential-only buildings.
- 3) The façade of all parking levels shall be of a compatible material to that used throughout the development or adjacent structures and shall be designed to provide visual interest.
- 4) 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.
- 5) 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.

- 6) Parking stall and aisle size requirements are pursuant to the regulations found in the Jersey City Land Development Ordinance.
- 7) 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.
- 8) Surface parking lots (where permitted) 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.
- 9) 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.
- 10) For through lots there 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.
- 11) 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. Valet parking schemes shall not be permitted to increase the total number of parked cars above the maximum number of permitted spaces.
- 12) Bicycle Parking Provisions: Bicycle parking shall be provided pursuant to the requirements found in the Jersey City Land Development Ordinance.
- 13) 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 the Jersey City Planning Board

- 14) Access easements shall be maintained as represented in Map 3, unless upon written approval for elimination of that portion(s) of the easement is submitted to City Planning by all property owners impacted on that block. Maintenance and upkeep of such easements shall be the responsibility of the respective property owner for each lot. The establishment of HOAs or Special Assessment Districts for each block is encouraged to facilitate the long-term maintenance of alley easements.
- 15) New curb cuts are prohibited on Grand Street, Johnston Avenue and Pacific Avenue.
- 16) New curb cuts are prohibited along public right of ways if a development site has access to an existing alley as represented in Map 3. Alley access shall be utilized for providing required off-street parking.
- 17) Off-street parking is not required provided that a development site only has street frontage on Grand Street, Johnston Avenue or Pacific Avenue and does not have access to an existing alley as represented in Map 3. This condition shall result in zero parking permitted on lots with no other access to alternative right-of-ways.
- 18) If a development site has street frontage on multiple streets, curb cuts shall be located on the lowest order street as determined by the Jersey City Planning Board.
- 19) Tandem parking spaces are acceptable for no more than 50% of required off-street parking spaces.

G) LANDSCAPE DESIGN

- 1) All open space, including yards, shall be landscaped with trees, shrubbery and other appropriate plant material unless said open space is specifically designated for other activities which require paving or other treatment. Material shall be planted, balled and burlapped and be heavy and of specimen quality as established by the American Association of Nurserymen. 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 planting schedules approved by the Planning Board during site plan review.
- 2) At least 50% of the portion of the lot not covered by the 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.
 - b. Rain gardens/Bioswales
- 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 (not more than 25 feet) to further enhance the aesthetic quality of the redevelopment area. All trees shall be a minimum of three and one half (3.5) inches in caliper. 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.

- 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 inches in height. Landscaping shall be elevated to match the height of the curb or seating wall.

H) LIGHTING

- 1) Lighting within the site shall sufficiently illuminate all areas, including those areas where buildings are setback or offset to prevent dark corners.
- 2) All lighting sources must be adequately shielded to avoid any off-site glare. The area of illumination shall have a uniform pattern of at least one-half (0.5) foot candles.

I) BUILDING MATERIALS REQUIREMENTS

- 1) Synthetic stucco materials such as EIFS are prohibited on any facade along a public right-of-way. 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 devices is expressly prohibited. Chain linked fencing may be temporally utilized during construction only.
- 5) 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.

J) SIGNAGE

- 1) Signage Approval Process
 - (i) All signs are subject to site plan review when included as part of a major site plan application.
 - (ii) All temporary banner signs for marketing projects on site shall be considered as an interim use.
 - (iii) All new signage that complies with the redevelopment plan shall not require site plan approval.

- (iv) Minor Site Plan application with deviation must be submitted to the Planning Board for all non-conforming sign proposals.
 - (v) 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
- (i) 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.
 - (ii) Sign requirements for ground floor uses:
 - a. Each use fronting on a public street may be permitted one (1) exterior sign per store front bay on each street frontage.
 - b. Maximum sign height shall be 32 inches or the height of the architectural sign band in the building's facade or transom window.
 - (iii) Sign requirements for all other uses:
 - a. 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.
 - b. 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.
- 3) Sign Design Requirements
- (i) Window signs, lettering or logos shall cover no more than twenty (20%) of the window area.
- 4) Parking Garage Signage
- (i) 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.
 - (ii) Portable signs are not permitted for parking garages.
- 5) Prohibited Signs
- (i) Billboards.
 - (ii) Portable advertising signs not associated with use within 10 feet are strictly prohibited.

VI) GENERAL PROVISIONS

- A) 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.
- B) 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.

C) 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.

D) 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.

E) 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.

F) No building shall be constructed over an easement in the project area without prior written approval of the Jersey City Redevelopment Agency.

G) 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.

H) 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.

I) Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with the requirements of this plan and the Land Development Ordinance (LDO) of Jersey City. A maximum shape factor may be listed to regulate minimum lot size. Shape factor is defined as the perimeter of the lot squared, divided by the lot area.

$$\frac{\text{Perimeter}^2}{\text{Lot area}} = \text{Shape Factor}$$

- 1) Example of how to calculate a shape factor for a standard 25' by 100' rectangular lot:

$$\frac{(25+25+100+100)^2}{2,500} = 25$$

J) 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.

K) All residential redevelopment proposals and construction plans shall meet minimum room size requirements as specified in the Jersey City Municipal Code prior to approval by the Redevelopment Agency and the Planning Board.

L) 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.

M) **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 parking ratio of more than 10% above the maximum permitted;
- 5) Right-of-way width, and pavement width beyond normal adjustments encountered during survey synchronization;
- 6) Non-completion of minimum open space, parks, or other type of phased improvements required to be implemented;
- 7) Deviation from the Impact Fees provisions set forth in this Plan; or
- 8) Non-compliance with the specific goals and objectives enumerated in the Plan.

Planning Board may grant deviations from the Required Land Use Regulations in section VII of 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).

N) 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.

O) 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.

P) 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.

VII) GENERAL LAND USE PLAN

A) Land Use Provisions and Building Requirements

1. Required Land Use Regulations for all lots

- a) **GROUND FLOOR RETAIL REQUIREMENT:** In buildings of four or more stories, ground floor retail and/or other permitted active storefront type uses, which activate the adjacent sidewalk, are required within 25 feet of the following street right-of-ways:
 - 1) Grand Street
 - 2) Pacific Avenue
 - 3) Johnston Avenue.
- b) **AFFORDABLE HOUSING BONUS:** The applicable density standard for a development site shall be waived if a developer meets the conditions of this bonus described herein. Developers will be required to fulfill certain performance standards, including but not limited to the obligation to provide

the community benefits of on-site affordable housing as described herein, for the successful implementation of the goals of the redevelopment plan. Subject to the terms and conditions of a redevelopment agreement with the Jersey City Redevelopment Agency (JCRA), fifteen percent (15%) of all bedrooms constructed shall be within units dedicated as affordable housing for a period of a minimum of 30 years from the issuance of the certificate of occupancy, in accordance with the Fair Housing Act, N.J.S.A. 52:27D-301, et seq., and pursuant to the terms of the redevelopment agreement which shall set forth the controls on affordable housing to be constructed as part of a redevelopment project. For the purposes of this bonus, density is not regulated by units per acre. Instead, a "building envelope" is defined, depending on the size and shape of the site as well as the bulk requirements outlined in this plan. Minimum room and unit sizes are regulated by building code. Studio units shall be counted as one bedroom for the purposes of this bonus.

- c) **RESILIENCY BONUS:** The developer may elect to increase the maximum permitted height for a lot by 20 feet, provided that any additional bulk resulting from this bonus shall not cover more than 65% of the building footprint as determined by the Planning Board, and provided that at least one of the following resiliency measures is satisfied:

1. **Option A: *Resiliency Space.*** Applicant shall provide a backup "resiliency gathering space," which shall be made publicly accessible in the case of an emergency. The space shall be supplied with generator power, and include provisions for warming stations, charging stations, emergency communications, potable water, emergency refrigerators for medical supplies, staging of rescue and recovery operations, etc. in the case of an emergency. The City of Jersey City shall reserve the right to publish the location of this space in emergency preparedness materials. The space shall be of at least 400 square feet, located on-site and above the projected 100-year flood level.

The resiliency space shall not replace a formal evacuation center. When evacuation is ordered, residents should leave the property for the nearest designated evacuation center.

2. **Option B: *Emergency Storage Space.*** Applicant shall provide a storage space for publicly-owned emergency response and flood resistance structures and equipment, including but not limited to deployable floodgates, retractable or mobile floodwalls, emergency generators, etc. as deemed necessary by the Jersey City Office of Emergency Management or other City agency. This space shall be made accessible

to City employees and contractors upon request and immediately in case of an emergency. The space shall be of at least 400 square feet, located on-site, but is not required to be located above ABFE.

Designs and provisions for the selected measure shall be included with the application. All relevant elements must be specifically indicated on site plans. These elements shall be maintained as specified above by the Property Owner and any future owners, and provisions for such maintenance included in a permanent deed restriction. This shall be enforced by the City Zoning Officer.

The specifics of the access, construction schedule, maintenance responsibilities, hours of public access, and duration of the resiliency measures shall be as set forth in the deed restriction. The measures described in this section shall be maintained as specified above by the Property Owner and any future owners in perpetuity.

All applicants employing this bonus shall maintain a registration with the Jersey City Floodplain Manager, or any successors, according to the following form. The contact person must reside on-site. Contact information shall be updated to reflect any changes and verified on a yearly basis.

Contact Name:

Address:

Phone Number:

Mobile Number:

Email:

Resiliency Measure Description:

The Planning Board shall determine at its discretion whether the requirements of the selected option have been satisfactorily met before granting this bonus.

- d) **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.

Recommended Stormwater Control Strategies:

| Strategy: | Permitted (x) / Recommended (R): | | | |
|----------------------------------|----------------------------------|--------------------|----------------------|---------------------|
| | Commercial Streets* | Mixed-use projects | Residential projects | Commercial projects |
| Bioswale/ Rain Garden | x | x | R | x |
| Enhanced Tree Pit | R | R | x | R |
| Permeable Sidewalk | | x | R | x |
| Roof rainwater collection system | x | x | x | x |
| Cisterns | x | | | R |

*This includes Johnston Avenue, Pacific Avenue, and Grand Street.

The soil's water infiltration rate and the level of the water table at the site shall be determined by the applicant and provided to the Division of City Planning, with verification from a professional engineer that site conditions will allow the selected Stormwater Strategies to be effective as designed.

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.

Where on-site conditions present an unusual hardship for stormwater capture, applicants may 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.

The Design Engineer, who shall be a professional engineer licensed by the State of New Jersey at the time of construction, shall provide the following certification 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.

I hereby certify that the proposed Site Plan complies with the Jersey City Stormwater Control Ordinance and Jersey City's Stormwater Management Requirements for Major Developments (Jersey City Municipal Code §345-74) and that stormwater control measures were inspected and tested under my supervision. Construction was witnessed as required in the specifications.

The project was constructed in substantial conformance with the approved plans and specifications. Any minor exceptions to the

approved plans and/or specifications are attached hereto with the approval of the permittee.

e) FLOOD CONTROL REQUIREMENTS:

- 1) All construction materials installed below the 500-year flood elevation should be resistant to mold damage.
- 2) Backflow-prevention valves ("check valves") or other construction techniques (such as overhead sewers) to prevent sewer backup overflows are required for all new construction.
- 3) 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.
- 4) Where alleys exist, catch basins in the rear yard connecting to the municipal sewer system are required.

B) Permitted Principal Uses

- (a) Residential
- (b) Retail sales of goods and services
- (c) Financial Services
- (d) Restaurants Category 1 and 2
- (e) Cafes
- (f) Offices
- (g) Medical Offices
- (h) Artist Live/Work
- (i) Galleries
- (j) Artist Studio Workspaces
- (k) Theaters
- (l) Business Incubators
- (m) Health clubs/gyms
- (n) Public and private schools
- (o) Public utilities

- (p) Childcare centers
- (q) Adult day care centers

C) Accessory Uses Permitted:

- (a) Off street parking
- (b) Recreation areas as part of a residential development and/or for public and private schools
- (c) Fences and walls
- (d) Designed open space
- (e) Professional offices as a home occupation

D) Maximum Permitted Height:

- (a) Buildings with one to seven residential units -- 4 stories, 45 feet
- (b) Buildings with eight or more residential units -- 6 stories, 60 feet
- (c) Public and private schools -- 4 stories, 45 feet except that said building may have additional stories up to sixty feet in height over not more than 50% of the foundation area
- (d) Commercial uses without residential units -- 2 stories, 25 feet

E) Area, Yard and Bulk Standards:

- (a) On lots of 0 square feet to 3,499 square feet
 - (i) maximum building coverage: 70 percent
 - (ii) minimum lot depth: 100 feet
 - (iii) maximum density: 35 dwelling units per acre
 - (iv) minimum setbacks
 - front: Predominant
 - side: No requirement. Attached structures are not encouraged.
 - rear: 25 feet
 - (v) maximum shape factor: 28

(b) On lots of 3,500 square feet and greater

(i) maximum building coverage: 75 percent

(ii) minimum lot depth: 100 feet

(iii) minimum lot area: 3,500 square feet

(iv) maximum density: 75 dwelling units per acre

(v) minimum setbacks:

front: Predominant

side: No Requirement. Attached structures are not encouraged.

rear: 25 feet

(vi) maximum shape factor: 28

F) Minimum Parking Requirements for lots greater than 3,999 square or for structures with more than 4 dwelling units:

a) Residential uses shall provide a minimum of 0.5 off-street parking spaces per dwelling unit, exempting studio and one bedroom residential units in structures greater than 3 stories.

b) For non-residential uses greater than 5,000 square feet gross floor area: 1 space per 1,000 square feet.

G) Maximum Parking Requirements for all lot sizes:

a) Residential uses: maximum of 1 off-street parking space per dwelling unit.

b) Retail and all other uses: maximum of 1 off-street parking space per 1,000 square feet of commercial gross floor area.

H) Maximum Off street Loading – off street loading shall conform to Article VII. of the Zoning Ordinance of the City of Jersey City

H) Lafayette Village Zone

All parcels in this zone shall adhere to the development standards of the R-3 Multi-family Mid-Rise District of the Jersey City Land Development Ordinance Article V; 345-42.

VIII) OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS

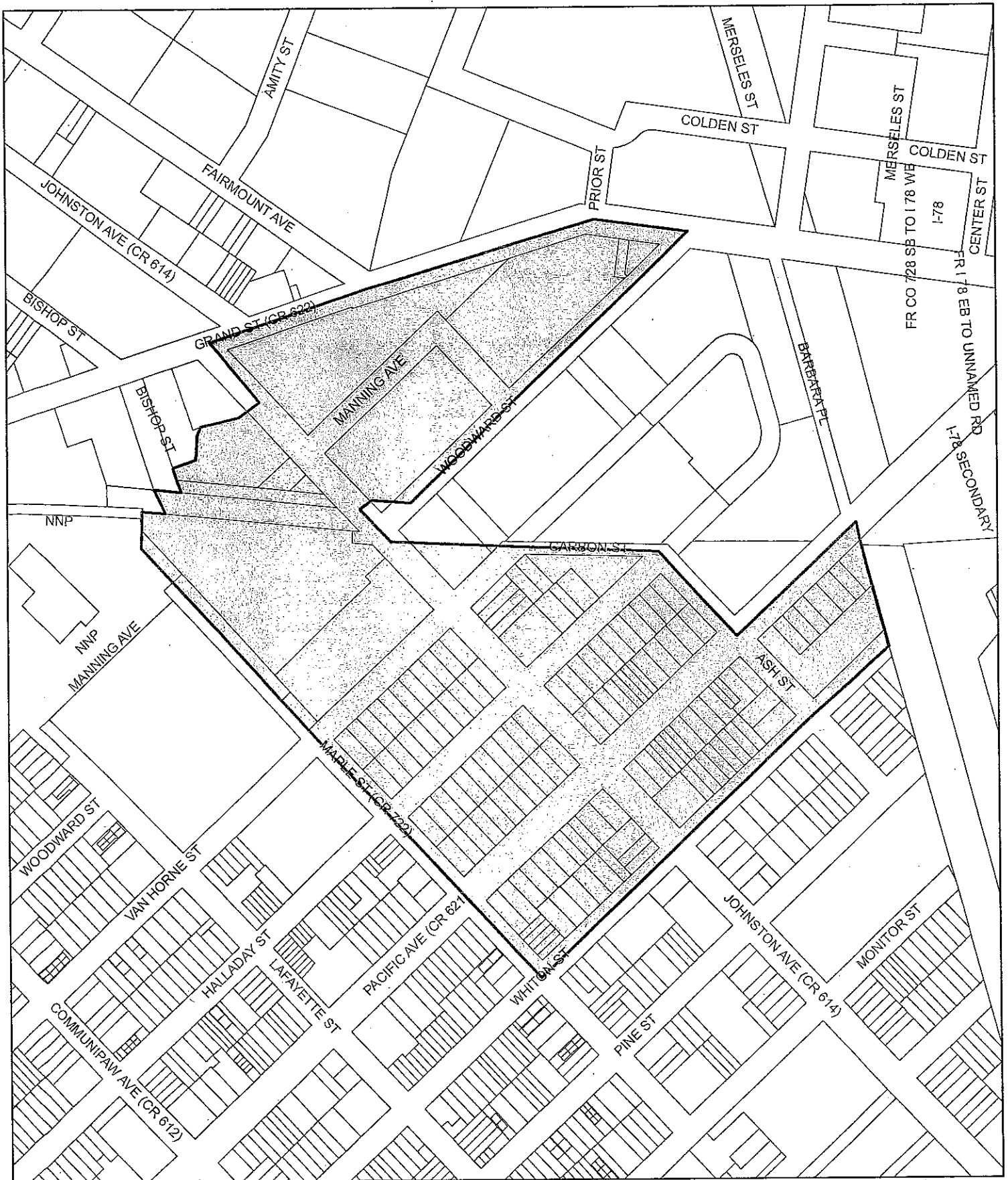
The Local Redevelopment and Housing Law, N.J.S.A 40A:12A-1 et seq. requires that a Redevelopment Plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

- 1) This Redevelopment Plan achieves the stated objectives of the Jersey City Master Plan by locating high density development in close proximity to mass transit facilities with low parking ratios to reduce the traffic impact of future high density development. Other uses such as retail and office uses compatible with a mixed use transit oriented station area are permitted.
- 2) This Redevelopment Plan provides for a list of permitted principal uses, as well as accessory uses and prohibited uses in the redevelopment area. The plan also provides for density restriction through unit per acre standards as well as the use of lot sizes, maximum height limits, setback and stepback requirements, and various design controls.
- 3) The Plan is designed to encourage private property owners to develop and consolidate lots through private purchase agreements. Where development fails to occur or where deleterious conditions persist, condemnation may be utilized. If displacement occurs through condemnation, the City of Jersey City will provide relocation assistance to all displaced residents, and businesses, displaced by the redevelopment activity generated by this Plan, in accordance with all applicable state and federal regulations. Federal and State laws require that adequate measures be taken to assist homeowners and residential tenants in the process of relocation.
- 4) The Acquisition Map which is a part of this Plan depicts all property proposed to be acquired in accordance with the redevelopment plan as pursuant to N.J.S.A. 40A:12A-7(a)(4).
- 5) Jersey City is designated as a "Planning Area 1" in the State Plan and is at the center of the Hudson County "urban complex." The development envisioned by this plan is in conformity with the "State Planning Act" P.L. 1985, c. 398 (C.52:18A-196 et al) as well as the master plan of Hudson County and all contiguous municipalities.
- 6) No affordable units are identified to be removed as part of the implementation of this redevelopment plan.
- 7) No affordable units are identified to be removed as part of the implementation of this redevelopment plan.

IX) PROCEDURE FOR AMENDING THE APPROVED PLAN

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law.

A fee of one thousand dollars (\$1000) plus all costs for copying and transcripts shall be payable to the City of Jersey City for any request to amend this plan. If the amendment request originates with the City's development offices, the fee and costs shall be waived.



LAFAYETTE PARK REDEVELOPMENT PLAN MAP 1: BOUNDARY MAP


APRIL 15, 2016

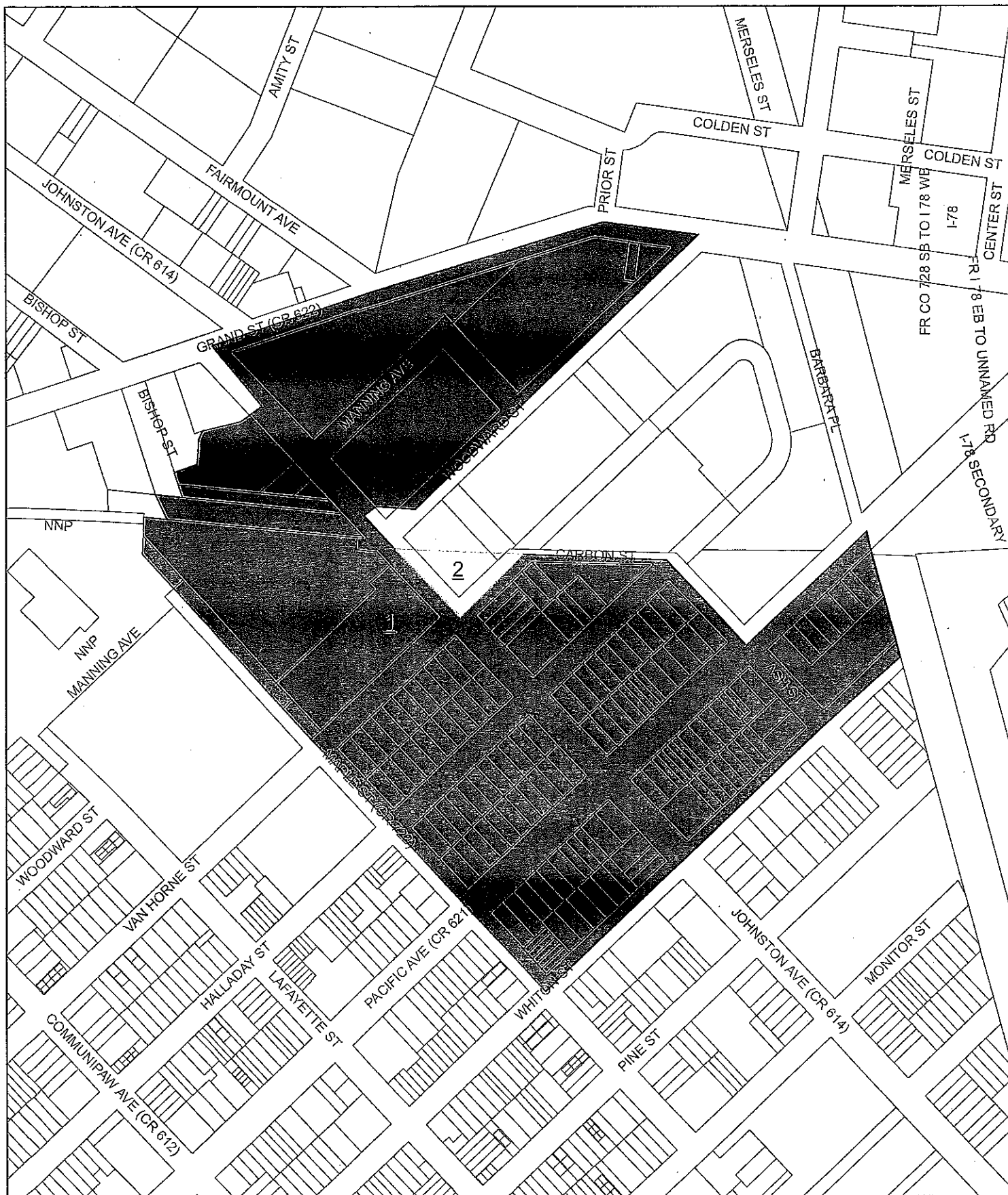
0 150 300 600 Feet 1 inch = 300 feet



LEGEND

 Plan Area Boundary


Jersey City
City Planning Division
30 Montgomery Street Suite 1400
Jersey City, NJ 07302-3821
Phone: 201.547.5010
Fax: 201.547.4323






LAFAYETTE PARK REDEVELOPMENT PLAN MAP 2: LAND USE MAP

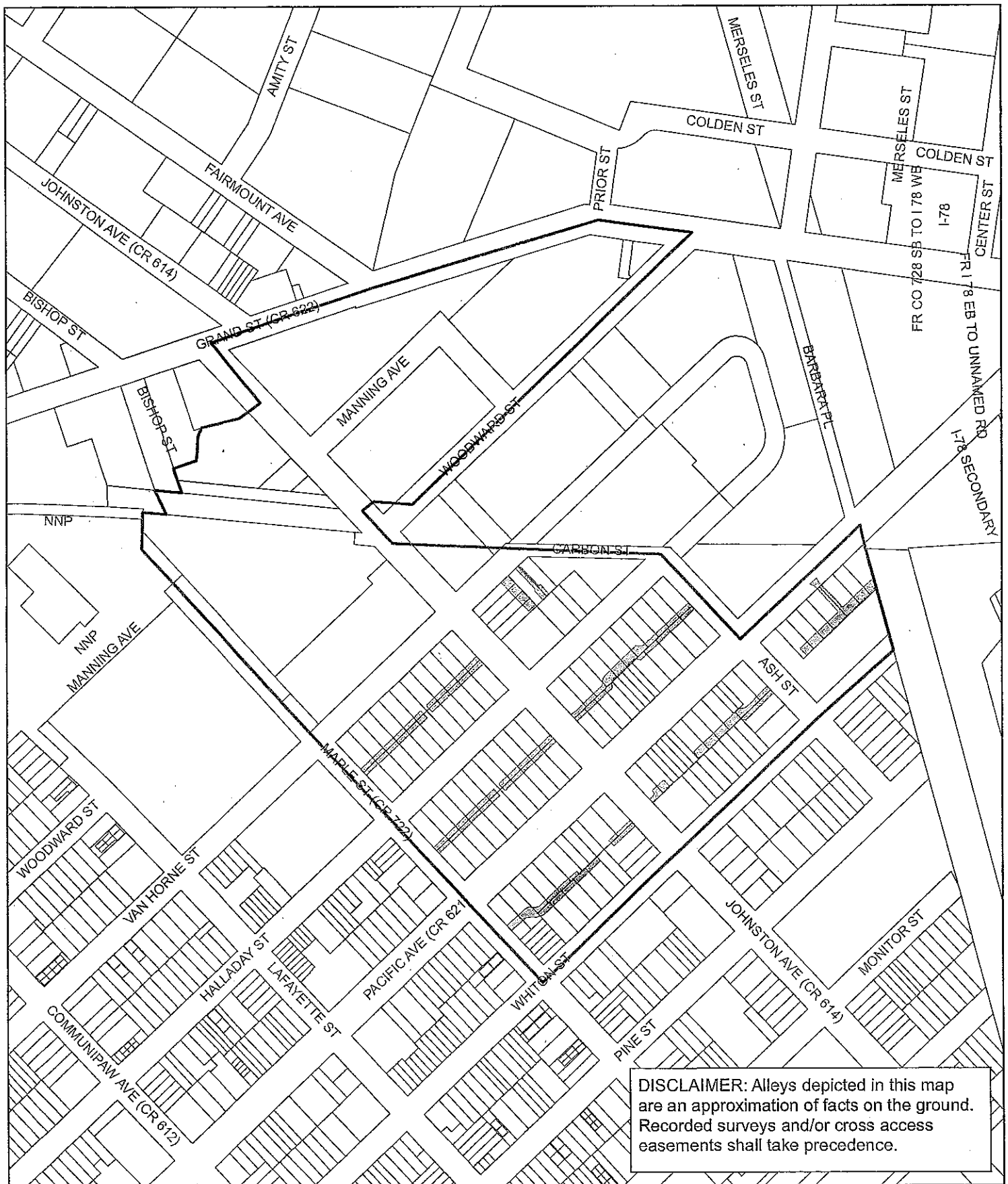
APRIL 15, 2016

0 150 300 600 Feet 1 inch = 300 feet

LAND USE

-  Lafayette Park Redevelopment Plan Zone
-  R-3 (Per Chapter 345-42 of the LDO)


Jersey City
City Planning Division
30 Montgomery Street Suite 1400
Jersey City, NJ 07302-3821
Phone: 201.547.5010
Fax: 201.547.4323



LAFAYETTE PARK REDEVELOPMENT PLAN MAP 3: ALLEY MAP

JULY 8, 2016

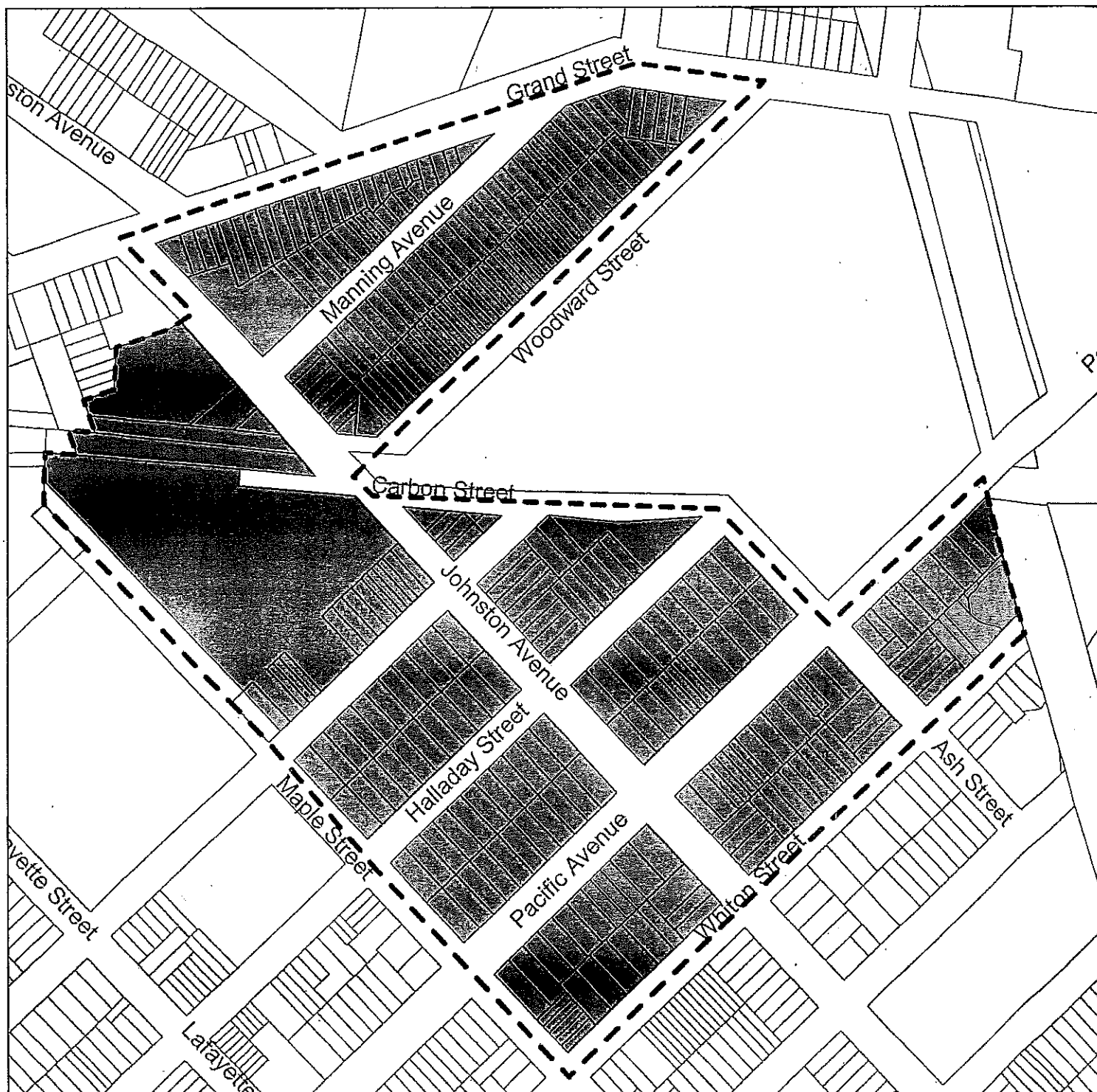
0 150 300 600 Feet 1 inch = 300 feet



LEGEND

- Alleys (Access Easements)
- Plan Area Boundary


Jersey City
City Planning Division
30 Montgomery Street Suite 1400
Jersey City, NJ 07302-3821
Phone: 201.547.5019
Fax: 201.547.4323



LAFAYETTE PARK REDEVELOPMENT PLAN MAP 4: ACQUISITION MAP

JULY 8, 2016

LEGEND

 May be acquired

ADOPTED APRIL, 1979
AMENDED JULY, 1987
AMENDED SEPTEMBER, 1990
AMENDED APRIL, 1996
AMENDED APRIL, 2001
AMENDED 2016

0 150 300 600 Feet 1 inch = 300 feet




Jersey City
City Planning Division
70 Montross Street, Suite 1400
Jersey City, NJ 07302-3821
Phone: 201.547.5410
Fax: 201.547.4323

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



ORDINANCE NO. Ord. 16.127
 TITLE: 3.J AUG 17 29016 4.I. SEP 14 2016

Ordinance of the Municipal Council of the City of Jersey City
 adopting amendments to the Lafayette Park Redevelopment Plan.

| RECORD OF COUNCIL VOTE ON INTRODUCTION AUG 17 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMAN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING SEP 14 2016 8-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|--------|-----|------|
| Councilperson <u>WATTERMAN</u> moved, seconded by Councilperson <u>COLEMAN</u> to close P.H. | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ABSENT | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMAN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

LaVern Washington

| 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 | | | |
| HALLANAN | | | | OSBORNE | | | | WATTERMAN | | | |
| BOGGIANO | | | | COLEMAN | | | | LAVARRO, PRES. | | | |

| RECORD OF FINAL COUNCIL VOTE SEP 14 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | 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 AUG 17 2016
 Adopted on second and final reading after hearing on SEP 14 2016

This is to certify that the foregoing Ordinance was adopted by
 the Municipal Council at its meeting on SEP 14 2016

Robert Byrne
 Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Relando R. Lavarro, Jr.
 Relando R. Lavarro, Jr., Council President

Date SEP 14 2016

APPROVED:

Steven M. Fulop
 Steven M. Fulop, Mayor

Date SEP 15 2016

Date to Mayor SEP 15 2016

City Clerk File No. Ord. 16.128
Agenda No. 3.K 1st Reading
Agenda No. 4.J. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 16.128

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE MONTGOMERY GATEWAY REDEVELOPMENT PLAN

WHEREAS, the Municipal Council of the City of Jersey City, originally adopted the Montgomery Gateway Redevelopment Plan in August 1978; and

WHEREAS, amendments to the Montgomery Gateway Redevelopment Plan were last adopted in May 2015; and

WHEREAS, the Municipal Council seeks to amend the Residential - Rehabilitation District of the Plan to permit Townhouses and coordinate development standards with the Historic Zone District regulations; and

WHEREAS, a copy of the amended text is attached hereto and made a part hereof, and is available for public inspection at the Offices of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ; and

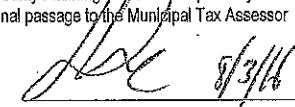
WHEREAS, the amendments to the Montgomery Gateway Redevelopment Plan has been reviewed by the Jersey City Planning Board at its meeting of July 19, 2016; and

WHEREAS, the Planning Board voted to recommend amendments of the Montgomery Gateway Redevelopment Plan by the Municipal Council; and

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that amendments to the Montgomery Gateway Redevelopment 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 hereby 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.


Maryann Buccic-Carter, PP, AICP, Director of City Planning

APPROVED AS TO LEGAL FORM

APPROVED: 

APPROVED: _____

Corporation Counsel

Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL

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

Full Title of Ordinance/Resolution**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE MONTGOMERY GATEWAY REDEVELOPMENT
PLAN****Initiator**

| | | |
|---------------------|--------------------------------|---------------------------------|
| Department/Division | HEDC | City Planning |
| Name/Title | Maryann Bucci-Carter, PP, AICP | Director / maryannb@icnj.org |
| | Matt Ward, PP, AICP | Senior Planner / MWard@icnj.org |
| Phone/email | 201-547-5010 | |

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

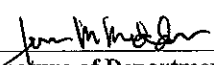
Purpose

This ordinance will adopt amendments to the Montgomery Gateway Redevelopment Plan which was originally adopted in 1978. At the time the objective of this plan was to rehabilitate existing buildings. The plan area has been substantially redeveloped and only a few vacant or underdeveloped lots remain. These amendments shall revise development regulations of the Residential - Rehabilitation District to permit Townhouses and coordinate development standards with the Historic Zone District regulations.

I certify that all the facts presented herein are accurate.


Signature of Division Director

8/3/16
Date


Signature of Department Director

8/4/16
Date

SUMMARY STATEMENT

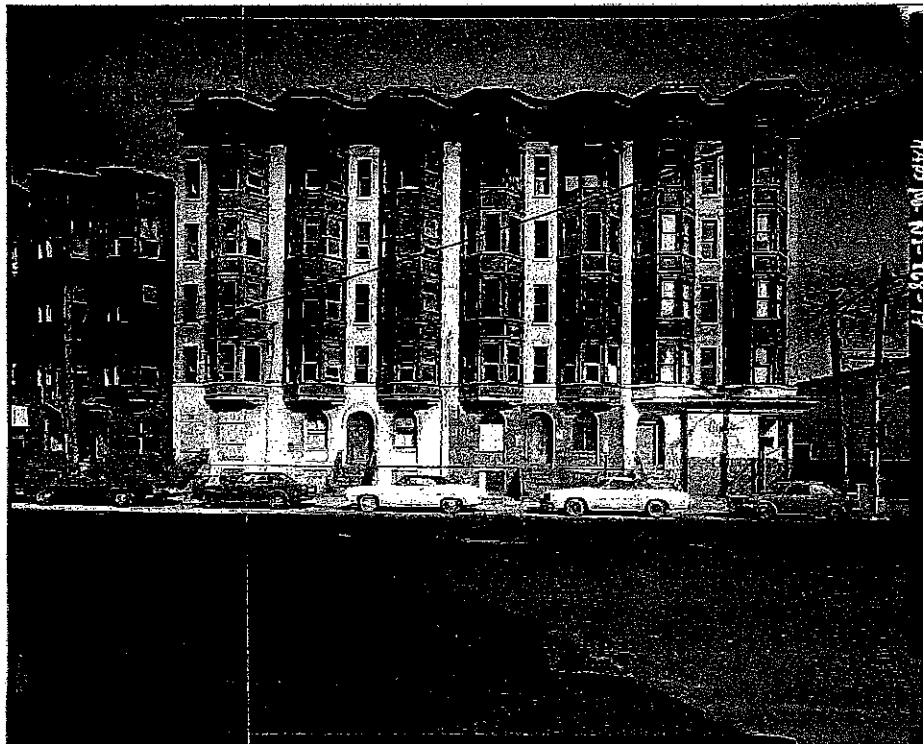
ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE MONTGOMERY GATEWAY REDEVELOPMENT PLAN

This ordinance will adopt amendments to the Montgomery Gateway Redevelopment Plan which was originally adopted in 1978. At the time the objective of this plan was to rehabilitate existing buildings. The plan area has been substantially redeveloped and only a few vacant or underdeveloped lots remain. These amendments shall revise development regulations of the Residential - Rehabilitation District to permit Townhouses and coordinate development standards with the Historic Zone District regulations.

EXHIBIT PHOTOGRAPHS

Residential - Rehabilitation District
Montgomery Gateway Redevelopment Plan

Then (Early 1980's from Library of Congress):



Now (July 2015 from Google Streetview):



Montgomery Gateway Redevelopment Plan

Adopted: August 1978

Amended: July 1979

January 1980

June 1982

December 1982

December 1983

April 1986

March 1987

May 1998

May 11, 2011

September 9, 2011, Ord 11-091

Block & Lot Updates – May 24, 2012

Amended September 12, 2012 – Ord 12-112

Amended February 13, 2013 – Ord. 13-009

Amended May 13, 2015 – Ord. 15-053

As recommended by the Planning Board: July 19, 2016

Text that is added to various plans is in bold, underlined and highlighted like this.

Text to be omitted by a is strikethrough ~~like this~~.



30 Montgomery Street Suite 1400
Jersey City, NJ 07302-3821
Phone: 201.547.5010
Fax: 201.547.4323

I. DESCRIPTION OF PROJECT BOUNDARY DESCRIPTION

NO CHANGE

II. REDEVELOPMENT PLAN GOALS AND OBJECTIVES

NO CHANGE

III. TYPES OF PROPOSED REDEVELOPMENT ACTIONS

NO CHANGE

IV. REHABILITATION OBJECTIVES

NO CHANGE

V. BUILDING DESIGN OBJECTIVES FOR NEW CONSTRUCTION

A. 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 right-of-ways and off-street parking, height and bulk.

B. Groups of related buildings shall be designed to present a harmonious appearance in terms of architectural style and exterior materials.

C. Buildings should be designed so as to be attractive from all vantage points.

D. Access by the elderly, physically handicapped and/or disabled shall be encouraged. Design standards shall meet, at a minimum, federal and state regulations

E. Development within the Historic District shall conform to the requirements of the Van Vorst Park Historic District as found in the Land Development Ordinance of the City of Jersey City.

VI. SPECIFIC OBJECTIVES

The following objectives shall apply to the entire study area. The proposals for each reuse parcel shall also conform, where appropriate, to the General Goals and Objectives discussed previously.

A. 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.

All projects and developments within the Van Vorst Park Historic District shall be subject to the Historic Preservation Review Procedures as stipulated in the Jersey City Land Development Ordinance.

NO CHANGE

VII. GENERAL PROVISIONS

NO CHANGE

VIII. GENERAL LAND USE PLAN

A. Land Use Map: Proposed land uses shall be shown on "Land Use Map".

B. Land Use Provisions and Building Requirements

1. Residential - New Construction District

NO CHANGE

2. Residential - Rehabilitation District

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

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

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

b. Permitted Principal Uses

Multi-family rehabilitation, infill extension

Mixed use commercial/residential

Public Uses

Management offices for designated urban renewal developers

Community facilities for residential tenants of urban renewal development.

Townhouses

c. Accessory Uses Permitted

Off-street parking and loading
Fences and walls
Designed Open Space
Utilities

d. Conditional Uses: None permitted

e. Regulations and Controls

Parcels designated residential shall be designed utilizing various materials to form a compatible overall design scheme.

Designed open space shall be developed as an integral part in the overall design scheme and be subject to approval by the Planning Board.

Utilities shall be defined as water, sewer, telephone, gas or electric service from a public or private utility company under the regulations of the New Jersey Public Utilities Commission.

Offices as a home occupation shall be defined as places for the transaction of business where reports are prepared, records kept, and services rendered, but where no retail sales are offered, and shall be limited to licensed doctors, lawyers, architects, engineers and planners, and limited to multi-family rehabilitation.

Each developer shall provide parking at a ratio of (.5) spaces per dwelling unit, **except in the case of properties located within a Historic District, where the corresponding Historic District regulations shall apply.**

Yard requirements shall not apply to existing rehabilitation structures.

Mixed use residential/commercial, shall limit commercial activities to the ground floor, and provide separate ingress and egress for the residential uses and shall be limited to multifamily rehabilitation.

Multi-family rehabilitation shall refer to those existing apartment structures which are to be renovated into modern sanitary housing.

Retail sales of goods and services shall be defined as grocery stores and pharmacies, where all sales are under roof, cleaning establishments such as dry cleaners and Laundromats with attendants but in no instance shall bars, service stations, or auto body shops be considered retail shops.

Infill extensions refers to new construction added to existing multi-family buildings to be rehabilitated on sites previously occupied by structures of similar type.

f. Maximum Height

Residential uses shall not exceed five (5) stories.

Mixed use Residential/Commercial and Multi-family rehabilitation and infill extension shall not exceed five (5) stories.

In the case of properties located within a Historic District, the corresponding Historic District regulations shall apply.

g. Area, Yard and Bulk

Yard requirements shall not apply to existing residential structures that are to be rehabilitated. However, the developer shall be responsible for providing front, side and rear yards where feasible. All rehabilitation proposals shall be subject to approval by both the Planning Board and the Board of Commissioners of the Jersey City Redevelopment Agency.

Public Uses:

Maximum Building coverage: 30%
Minimum Lot Width: 100 feet
Minimum Lot Depth: 100 feet
Minimum Lot Area: 10,000 sq. ft.
Minimum Yards: Front 25 feet
Side 10 feet
Rear 25 feet

Townhouses:

Front Yard Setback: Must meet adjacent setback on either side.
Minimum Rear Yard Setback: Thirty (30) feet.
Side Yard Setbacks: None
Maximum Building Coverage: Sixty percent (60%).
Maximum Lot Coverage: Eighty percent (80%).

h. Density

There shall be no maximum density except as regulated by the minimum acceptable F.H.A. and H.F.A. room size standards, **except in the case of properties located within a Historic District, where the corresponding**

Historic District regulations shall apply. Also all rehabilitation projects shall be subject to approval by the Planning Board.

i. Minimum Off-Street Parking

All residential uses shall be provided with a minimum of one-half (0.5) spaces per dwelling units, **except in the case of properties located within a Historic District, where the corresponding Historic District regulations shall apply.** Such spaces may be leased offsite.

Retail sales limited to the ground floor of multi-family rehabilitation shall be provided with a minimum of one (1) space per six hundred (600) square feet of gross floor area.

Public uses, excluding museums or related facilities, parks and playgrounds, shall be provided with a minimum of one (1) space per each six hundred (600) square feet of gross floor area, excluding the first 5,000 square feet of gross floor area, plus one space for each official car assigned to that use.

Existing structures to be rehabilitated under this plan are exempt from the parking requirements. However, if the existing number of dwelling units is increased as part of the rehabilitation, a minimum of 0.5 parking spaces per dwelling units shall be provided for those units in excess of the existing number of units such parking maybe leased off-site.

NO OTHER CHANGES

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



ORDINANCE NO. Ord. 16.128
 TITLE: 3.K AUG 17 2016. 4.J. SEP 14 2016

Ordinance of the Municipal Council of the City of Jersey City
 adopting amendments to the Montgomery Gateway
 Redevelopment Plan.

| RECORD OF COUNCIL VOTE ON INTRODUCTION AUG 17 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMAN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING SEP 14 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson <u>COLEMAN</u> moved, seconded by Councilperson <u>WATTERMAN</u> to close P.H. | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMAN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

YVONNE BALZER

| 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 | | | |
| HALLANAN | | | | OSBORNE | | | | WATTERMAN | | | |
| BOGGIANO | | | | COLEMAN | | | | LAVARRO, PRES. | | | |

| RECORD OF FINAL COUNCIL VOTE SEP 14 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | 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 AUG 17 2016
 Adopted on second and final reading after hearing on SEP 14 2016

This is to certify that the foregoing Ordinance was adopted by
 the Municipal Council at its meeting on SEP 14 2016

Robert Byrne
 Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date SEP 14 2016

APPROVED:

Steven M. Fulop, Mayor

Date SEP 15 2016

Date to Mayor SEP 15 2016

City Clerk File No. Ord. 16.129

Agenda No. 3.1 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 16.129

TITLE:

REFUNDING BOND ORDINANCE OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE CITY'S QUALIFIED WATER REFUNDING BONDS, SERIES 2007B, APPROPRIATING AN AMOUNT NOT EXCEEDING \$4,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$4,500,000 WATER REFUNDING BONDS OF THE CITY OF JERSEY CITY FOR FINANCING THE COST THEREOF

WHEREAS, pursuant to the Local Bond Law (N.J.S.A. 40A:2-1 et seq.), the City of Jersey City, in the County of Hudson, New Jersey (the "City") has heretofore issued \$10,930,000 aggregate principal amount of its Qualified Water Refunding Bonds, Series 2007B, dated April 25, 2007 (the "Water Bonds"), providing for the refinancing of certain water improvements of the City; and

WHEREAS, the Municipal Council has determined that it is in the best interests of the City to refund all or a portion of the outstanding Water Bonds.

NOW, THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), DO ORDAIN AS FOLLOWS:

Section 1. The City is hereby authorized (A) to refund all or part of the Water Bonds (the "Bonds to Be Refunded"), and (B) to provide for the payment of the costs of issuing the refunding bonds (including printing, advertising, accounting, financial and legal services, and further including bond insurance premium (if any) and underwriting compensation).

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, one or more series of negotiable water refunding bonds (the "Refunding Bonds") are hereby authorized to be issued from time to time in the principal amount not to exceed \$4,500,000 pursuant to the Local Bond Law.

Section 3. An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 4. The purposes for which the Refunding Bonds are to be issued are (i) refunding the Bonds to Be Refunded and (ii) to provide for the payment of the costs of issuing the refunding bonds (including printing, advertising, accounting, financial and legal services, and further including bond insurance premium (if any) and underwriting compensation).

Section 5. Certain of the Bonds to Be Refunded may be called for redemption prior to maturity, as provided by subsequent resolution of the Municipal Council. If provided by subsequent resolution of the Municipal Council, all or a portion of the proceeds from the sale of the refunding bonds shall be deposited in a sinking fund in trust to provide for the payment and retirement of the Bonds to be Refunded. Any moneys in such sinking fund may be invested as provided in N.J.S.A. 40A:2-60, and any moneys in excess of the amounts required for such purpose may be used for any lawful purpose of the City.

Section 6. Further provisions as to the terms of sale, deposit, securing, regulation, investment, reinvestment, disposition or application of the proceeds of the refunding bonds, and any matters in connection therewith, shall be determined by resolution of the Municipal Council adopted prior to the issuance of the refunding bonds.

Section 7. All other matters relating to the refunding bonds shall be performed or determined by subsequent resolution of the Municipal Council, or the performance or determination thereof shall be delegated by resolution of the Municipal Council to a financial officer of the City.

Section 8. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this refunding bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the chief financial officer of the City as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 10. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that, except for refunding bonds issued in accordance with N.J.S.A. 40A:2-51(c), this refunding bond ordinance shall not be effective as to any refunding bonds unless the consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted.

APPROVED AS TO LEGAL FORM

Certification Required ☐
Not Required ☐

Corporation Counsel

APPROVED: *Ronald Mauer, CFO*

APPROVED: _____

[Signature]
Business Administrator

ORDINANCE 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

REFUNDING BOND ORDINANCE OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE CITY'S QUALIFIED WATER REFUNDING BONDS, SERIES 2007B, APPROPRIATING AN AMOUNT NOT EXCEEDING \$4,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$4,500,000 WATER REFUNDING BONDS OF THE CITY OF JERSEY CITY FOR FINANCING THE COST THEREOF

Initiator

| | | |
|---------------------|----------------|-------------------------|
| Department/Division | Administration | Management & Budget |
| Name/Title | Donna Mauer | Chief Financial Officer |
| Phone/email | 201-547-5042 | DonnaM@cnj.org |

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

Ordinance Purpose

This ordinance authorizes the refunding of certain Water Bonds not to exceed \$4,500,000. This refunding has an estimated PV savings of \$241,131 and will not extend the life of the bond.

I certify that all the facts presented herein are accurate.

Donna Mauer
Signature of Department Director

8/8/16
Date

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



ORDINANCE NO. Ord. 16.129
 TITLE: 3.L AUG 17 2016 4.K SEP 14 2016

Refunding Bond Ordinance of the City of Jersey City, in the County of Hudson, New Jersey, providing for the refunding of all or a portion of the City's Qualified Water Refunding Bonds, Series 2007B, appropriating an amount not exceeding \$4,500,000 therefor and authorizing the issuance of not to exceed \$4,500,000 Water Refunding Bonds of the City of Jersey City for financing the cost thereof.

| RECORD OF COUNCIL VOTE ON INTRODUCTION AUG 17 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING SEP 14 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>COLEMAN</u> to close P.H. | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

| 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 | | | |
| HALLANAN | | | | OSBORNE | | | | WATTERMANN | | | |
| BOGGIANO | | | | COLEMAN | | | | LAVARRO, PRES. | | | |

| RECORD OF FINAL COUNCIL VOTE SEP 14 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on AUG 17 2016
 Adopted on second and final reading after hearing on SEP 14 2016

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on SEP 14 2016

Robert Byrne
 Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date SEP 14 2016

APPROVED:

Steven M. Fulop, Mayor

Date SEP 15 2016

Date to Mayor SEP 15 2016

City Clerk File No. Ord. 16.130

Agenda No. 3.M 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 16.130

TITLE:

**AN ORDINANCE OF THE CITY OF JERSEY CITY, IN
THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING
FOR A SPECIAL EMERGENCY APPROPRIATION OF
\$5,000,000 FOR THE PREPARATION AND EXECUTION
OF A COMPLETE PROGRAM OF REVALUATION OF
REAL PROPERTY FOR THE USE OF THE LOCAL
ASSESSOR OF THE CITY OF JERSEY CITY, IN THE
COUNTY OF HUDSON, NEW JERSEY**

WHEREAS, N.J.S.A. 40A:4-53 provides that a municipality may adopt an ordinance providing for a special emergency appropriation for the preparation and execution of a complete program of revaluation of real property located in the municipality for the use of the local assessor; and

WHEREAS, the Municipal Council of the City of Jersey City, in the County of Hudson, New Jersey (the "City") has determined to authorize a special emergency appropriation to provide for the preparation and execution of a complete program of revaluation of real property for the use of the local assessor; and

WHEREAS, the estimated cost of the payment of the preparation and execution of a complete program of revaluation of real property located in the municipality for the use of local assessor is \$5,000,000; NOW THEREFORE

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:4-53, the sum of \$5,000,000 is hereby appropriated for the preparation and execution of a complete program of revaluation of real property for the use of the local assessor, and the same shall be deemed a special emergency appropriation as defined and provided for in N.J.S.A. 40A:4-55.

Section 2. The portion of the authorization financed shall be provided for in succeeding annual budgets by the inclusion of at least one fifth of the amount authorized by this ordinance and financed and as provided in N.J.S.A. 40A:4-55.

Section 3. A copy of this ordinance shall be filed with the Director of the Division of Local Government Services.

Section 4. This ordinance shall take effect upon final passage and publication as required by law.

APPROVED AS TO LEGAL FORM

Certification Required ☐
Not Required ☐

Corporation Counsel

APPROVED: _____

APPROVED: _____

Business Administrator

ORDINANCE 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

AN ORDINANCE OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION OF \$5,000,000 FOR THE PREPARATION AND EXECUTION OF A COMPLETE PROGRAM OF REVALUATION OF REAL PROPERTY FOR THE USE OF THE LOCAL ASSESSOR OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY

Initiator

| | | |
|---------------------|----------------|-------------------------|
| Department/Division | Administration | Management & Budget |
| Name/Title | Donna Mauer | Chief Financial Officer |
| Phone/email | 201-547-5042 | DonnaM@jcnj.org |

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

Ordinance Purpose

This Ordinance will allow for the issuance of Special Emergency Notes to pay for the revaluation of real property as ordered by the State of New Jersey. This ordinance is necessary to have the funding in place so a contract may be awarded to the selected vendor within the time frame submitted to the State.

I certify that all the facts presented herein are accurate.


Signature of Department Director

8/8/16
Date

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



ORDINANCE NO. Ord. 16.130
TITLE: 3.M AUG 17 2016 4.L SEP 14 2016

An ordinance of the City of Jersey City, in the County of Hudson, New Jersey, providing for a special emergency appropriation of \$5,000,000 for the preparation and execution of a complete program of revaluation of real property for the use of the local Assessor of the City of Jersey City, in the County of Hudson, New Jersey.

| RECORD OF COUNCIL VOTE ON INTRODUCTION AUG 17 2016 7-2 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | | ✓ | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | | ✓ | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING SEP 14 2016 8-0 | | | | | | | | | | | |
|---|--------|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson <u>COLEMAN</u> moved, seconded by Councilperson <u>WATTERMANN</u> to close P.H. | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ABSENT | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

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 | | | |
| HALLANAN | | | | OSBORNE | | | | WATTERMANN | | | |
| BOGGIANO | | | | COLEMAN | | | | LAVARRO, PRES. | | | |

| RECORD OF FINAL COUNCIL VOTE SEP 14 2016 7-2 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | | ✓ | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | | ✓ | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on AUG 17 2016
Adopted on second and final reading after hearing on SEP 14 2016

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on SEP 14 2016

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

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

Date SEP 14 2016

APPROVED:

Steven M. Fulop
Steven M. Fulop, Mayor

Date SEP 15 2016

Date to Mayor SEP 15 2016

City Clerk File No. Ord. 16.131

Agenda No. 3.N 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 16.131

TITLE:

REFUNDING BOND ORDINANCE OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR THE REFUNDING (ON A CROSSOVER BASIS) OF ALL OR A PORTION OF THE CITY'S, GENERAL IMPROVEMENT BONDS (RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS-DIRECT PAYMENT), TAXABLE SERIES 2010C APPROPRIATING AN AMOUNT NOT EXCEEDING \$8,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$8,000,000 GENERAL IMPROVEMENT REFUNDING BONDS OF THE CITY OF JERSEY CITY FOR FINANCING THE COST THEREOF

WHEREAS, pursuant to the Local Bond Law (N.J.S.A. 40A:2-1 et seq.), the City of Jersey City, in the County of Hudson, New Jersey (the "City") has heretofore issued \$6,420,000 aggregate principal amount of its General Improvement Bonds (Recovery Zone Economic Development Bonds-Direct Payment), Taxable Series 2010C the "Series 2010C Bonds", providing for the refinancing of certain public improvements of the City; and

WHEREAS, the Municipal Council has determined that it is in the best interests of the City to refund (on a crossover basis) all or a portion of the outstanding Series 2010C Bonds.

NOW, THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), DO ORDAIN AS FOLLOWS:

Section 1. The City is hereby authorized (A) to refund (on a crossover basis) all or part of the Series 2010C Bonds (the "Bonds to Be Refunded"), (B) to establish an escrow with the proceeds of the Refunding Bonds (the "Escrow") in order to pay debt service on the Refunding Bonds to the date of redemption of the Bonds to Be Refunded (the "Crossover Date") and on such Crossover Date to redeem the Bonds to Be Refunded, and (C) to provide for the payment of the costs of issuing the refunding bonds (including printing, advertising, accounting, financial and legal services, and further including bond insurance premium (if any) and underwriting compensation).

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, one or more series of negotiable general obligation refunding bonds (the "Refunding Bonds") are hereby authorized to be issued from time to time in the principal amount not to exceed \$8,000,000 pursuant to the Local Bond Law.

Section 3. An aggregate amount not exceeding \$150,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 4. The purposes for which the Refunding Bonds are to be issued are (i) refunding (on a crossover basis) the Bonds to Be Refunded, (ii) to fund the Escrow in order to pay debt service on the Refunding Bonds until the Crossover Date and on such Crossover Date to redeem the Bonds to Be Refunded, and (iii) to provide for the payment of the costs of issuing the refunding bonds (including printing, advertising, accounting, financial and legal services, and further including bond insurance premium (if any) and underwriting compensation).

Section 5. Certain of the Bonds to Be Refunded may be called for redemption prior to maturity, as provided by subsequent resolution of the Municipal Council. If provided by subsequent resolution of the Municipal Council, all or a portion of the proceeds from the sale of the refunding bonds shall be deposited in a sinking fund in trust to provide for the payment and retirement of the Bonds to be Refunded. Any moneys in such sinking fund may be invested as provided in N.J.S.A. 40A:2-60, and any moneys in excess of the amounts required for such purpose may be used for any lawful purpose of the City.

Section 6. Further provisions as to the terms of sale, deposit, securing, regulation, investment, reinvestment, disposition or application of the proceeds of the refunding bonds, and any matters in connection therewith, shall be determined by resolution of the Municipal Council adopted prior to the issuance of the refunding bonds.

Section 7. All other matters relating to the refunding bonds shall be performed or determined by subsequent resolution of the Municipal Council, or the performance or determination thereof shall be delegated by resolution of the Municipal Council to a financial officer of the City.

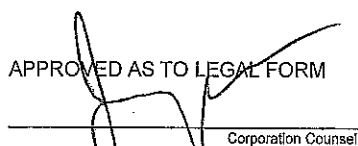
Section 8. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this refunding bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall

be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the chief financial officer of the City as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 10. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that, except for refunding bonds issued in accordance with N.J.S.A. 40A:2-51(c), this refunding bond ordinance shall not be effective as to any refunding bonds unless the consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted.

APPROVED AS TO LEGAL FORM

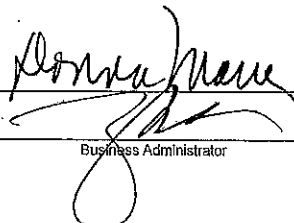


Corporation Counsel

Certification Required ☐
Not Required ☐

APPROVED:

APPROVED:



Business Administrator

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



ORDINANCE NO. Ord. 16.131
TITLE: 3.N AUG 17 2016 4.M. SEP 14 2016

Refunding Bond Ordinance of the City of Jersey City, in the County of Hudson, New Jersey, providing for the refunding (On a Crossover Basis) of all or a portion of the City's, General Improvement Bonds (Recovery Zone Economic Development Bonds-Direct Payment), taxable Series 2010C appropriating an amount not exceeding \$8,000,000 therefor and authorizing the

| RECORD OF COUNCIL VOTE ON INTRODUCTION AUG 17 2016 9-0 | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING SEP 14 2016 8-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|--------|-----|------|
| Councilperson <u>COLEMAN</u> moved, seconded by Councilperson <u>HALLANAN</u> to close P.H. | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ABSENT | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

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 | | | |
| HALLANAN | | | | OSBORNE | | | | WATTERMANN | | | |
| BOGGIANO | | | | COLEMAN | | | | LAVARRO, PRES. | | | |

| RECORD OF FINAL COUNCIL VOTE SEP 14 2016 9-0 | | | | | | | | | | | |
|--|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on AUG 17 2016
Adopted on second and final reading after hearing on SEP 14 2016

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on SEP 14 2016

Robert Byrne
Robert Byrne, City Clerk

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date

SEP 14 2016

APPROVED:

Steven M. Fulop, Mayor

Date

SEP 15 2016

Date to Mayor

SEP 15 2016

*Amendment(s):

City Clerk File No. Ord. 16.132
Agenda No. 3.0 1st Reading
Agenda No. 4.N. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 16.132

TITLE:

REFUNDING BOND ORDINANCE OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE CITY'S QUALIFIED GENERAL IMPROVEMENT REFUNDING BONDS, SERIES 2007A, APPROPRIATING AN AMOUNT NOT EXCEEDING \$19,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$19,500,000 GENERAL IMPROVEMENT REFUNDING BONDS OF THE CITY OF JERSEY CITY FOR FINANCING THE COST THEREOF

WHEREAS, pursuant to the Local Bond Law (N.J.S.A. 40A:2-1 et seq.), the City of Jersey City, in the County of Hudson, New Jersey (the "City") has heretofore issued \$27,680,000 aggregate principal amount of its Qualified General Improvement Refunding Bonds, Series 2007A, dated April 25, 2007 (the "General Improvement Bonds"), providing for the refinancing of certain public improvements of the City; and

WHEREAS, the Municipal Council has determined that it is in the best interests of the City to refund all or a portion of the outstanding General Improvement Bonds.

NOW, THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), DO ORDAIN AS FOLLOWS:

Section 1. The City is hereby authorized (A) to refund all or part of the General Improvement Bonds (the "Bonds to Be Refunded"), and (B) to provide for the payment of the costs of issuing the refunding bonds (including printing, advertising, accounting, financial and legal services, and further including bond insurance premium (if any) and underwriting compensation).

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, one or more series of negotiable general obligation refunding bonds (the "Refunding Bonds") are hereby authorized to be issued from time to time in the principal amount not to exceed \$19,500,000 pursuant to the Local Bond Law.

Section 3. An aggregate amount not exceeding \$300,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 4. The purposes for which the Refunding Bonds are to be issued are (i) refunding the Bonds to Be Refunded and (ii) to provide for the payment of the costs of issuing the refunding bonds (including printing, advertising, accounting, financial and legal services, and further including bond insurance premium (if any) and underwriting compensation).

Section 5. Certain of the Bonds to Be Refunded may be called for redemption prior to maturity, as provided by subsequent resolution of the Municipal Council. If provided by subsequent resolution of the Municipal Council, all or a portion of the proceeds from the sale of the refunding bonds shall be deposited in a sinking fund in trust to provide for the payment and retirement of the Bonds to be Refunded. Any moneys in such sinking fund may be invested as provided in N.J.S.A. 40A:2-60, and any moneys in excess of the amounts required for such purpose may be used for any lawful purpose of the City.

Section 6. Further provisions as to the terms of sale, deposit, securing, regulation, investment, reinvestment, disposition or application of the proceeds of the refunding bonds, and any matters in connection therewith, shall be determined by resolution of the Municipal Council adopted prior to the issuance of the refunding bonds.

Section 7. All other matters relating to the refunding bonds shall be performed or determined by subsequent resolution of the Municipal Council, or the performance or determination thereof shall be delegated by resolution of the Municipal Council to a financial officer of the City.

Section 8. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this refunding bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the chief financial officer of the City as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 10. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that, except for refunding bonds issued in accordance with N.J.S.A. 40A:2-51(c), this refunding bond

ordinance shall not be effective as to any refunding bonds unless the consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted.

APPROVED AS TO LEGAL FORM

Certification Required ☐
Not Required ☐

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

ORDINANCE 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

REFUNDING BOND ORDINANCE OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE CITY'S QUALIFIED GENERAL IMPROVEMENT REFUNDING BONDS, SERIES 2007A, APPROPRIATING AN AMOUNT NOT EXCEEDING \$19,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$19,500,000 GENERAL IMPROVEMENT REFUNDING BONDS OF THE CITY OF JERSEY CITY FOR FINANCING THE COST THEREOF

Initiator

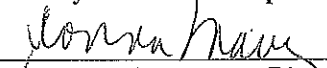
| | | |
|---------------------|----------------|-------------------------|
| Department/Division | Administration | Management & Budget |
| Name/Title | Donna Mauer | Chief Financial Officer |
| Phone/email | 201-547-5042 | DonnaM@cnj.org |

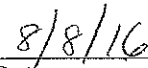
Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

This ordinance authorizes the refunding of certain General Improvement Bonds not to exceed \$19,500,000. This refunding has an estimated PV savings of \$905,910 and will not extend the life of the bond.

I certify that all the facts presented herein are accurate.


Signature of Department Director


Date

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



ORDINANCE NO. Ord. 16.132
TITLE: 3.0 AUG 17 2016 4.N. SEP 14 2016

Refunding Bond Ordinance of the City of Jersey City, in the County of Hudson, New Jersey, providing for the refunding of all or a portion of the City's Qualified General Improvement Refunding Bonds, Series 2007A, appropriating an amount not exceeding \$19,500,000 therefor and authorizing the issuance of not to exceed \$19,500,000 General Improvement Refunding Bonds of the City of Jersey City for financing the cost thereof.

| RECORD OF COUNCIL VOTE ON INTRODUCTION | | | | | | | | AUG 17 2016 9-0 | | | |
|--|-----|-----|------|---------------|-----|-----|------|-----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING | | | | | | | | | | SEP 14 2016 8-0 | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----------------|------|--|
| Councilperson <u>WATTERMANN</u> moved, seconded by Councilperson <u>LAVARRO</u> to close P.H. | | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | | ABSENT | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

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 | | | |
| HALLANAN | | | | OSBORNE | | | | WATTERMANN | | | |
| BOGGIANO | | | | COLEMAN | | | | LAVARRO, PRES. | | | |

| RECORD OF FINAL COUNCIL VOTE | | | | | | | | | | | |
|------------------------------|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| SEP 14 2016 9-0 | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on _____

AUG 17 2016
SEP 14 2016

Adopted on second and final reading after hearing on _____

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on SEP 14 2016

Robert Byrne
Robert Byrne, City Clerk

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date SEP 14 2016

APPROVED:

Steven M. Fulop, Mayor

Date SEP 15 2016

Date to Mayor SEP 15 2016

*Amendment(s):

City Clerk File No. Ord. 16.133
Agenda No. 3.P 1st Reading
Agenda No. 4.0 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 16.133

TITLE: REFUNDING BOND ORDINANCE OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING FOR THE REFUNDING (ON A CROSSOVER BASIS) OF ALL OR A PORTION OF THE CITY'S, GENERAL IMPROVEMENT BONDS (BUILD AMERICA BONDS-DIRECT PAYMENT), TAXABLE SERIES 2010B APPROPRIATING AN AMOUNT NOT EXCEEDING \$82,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$82,000,000 GENERAL IMPROVEMENT REFUNDING BONDS OF THE CITY OF JERSEY CITY FOR FINANCING THE COST THEREOF

WHEREAS, pursuant to the Local Bond Law (N.J.S.A. 40A:2-1 et seq.), the City of Jersey City, in the County of Hudson, New Jersey (the "City") has heretofore issued \$84,495,000 General Improvement Bonds (Build America Bonds-Direct Payment), Taxable Series 2010B (the "Series 2010B Bonds"), providing for the refinancing of certain public improvements of the City; and

WHEREAS, the Municipal Council has determined that it is in the best interests of the City to refund (on a crossover basis) all or a portion of the outstanding Series 2010B Bonds.

NOW, THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), DO ORDAIN AS FOLLOWS:

Section 1. The City is hereby authorized (A) to refund (on a crossover basis) all or part of the Series 2010B Bonds (the "Bonds to Be Refunded"), (B) to establish an escrow with the proceeds of the Refunding Bonds (the "Escrow") in order to pay debt service on the Refunding Bonds to the date of redemption of the Bonds to Be Refunded (the "Crossover Date") and on such Crossover Date to redeem the Bonds to Be Refunded, and (C) to provide for the payment of the costs of issuing the refunding bonds (including printing, advertising, accounting, financial and legal services, and further including bond insurance premium (if any) and underwriting compensation).

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, one or more series of negotiable general obligation refunding bonds (the "Refunding Bonds") are

hereby authorized to be issued from time to time in the principal amount not to exceed \$82,000,000 pursuant to the Local Bond Law.

Section 3. An aggregate amount not exceeding \$700,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 4. The purposes for which the Refunding Bonds are to be issued are (i) refunding (on a crossover basis) the Bonds to Be Refunded, (ii) to fund the Escrow in order to pay debt service on the Refunding Bonds until the Crossover Date and on such Crossover Date to redeem the Bonds to Be Refunded, and (iii) to provide for the payment of the costs of issuing the refunding bonds (including printing, advertising, accounting, financial and legal services, and further including bond insurance premium (if any) and underwriting compensation).

Section 5. Certain of the Bonds to Be Refunded may be called for redemption prior to maturity, as provided by subsequent resolution of the Municipal Council. If provided by subsequent resolution of the Municipal Council, all or a portion of the proceeds from the sale of the refunding bonds shall be deposited in a sinking fund in trust to provide for the payment and retirement of the Bonds to be Refunded. Any moneys in such sinking fund may be invested as provided in N.J.S.A. 40A:2-60, and any moneys in excess of the amounts required for such purpose may be used for any lawful purpose of the City.

Section 6. Further provisions as to the terms of sale, deposit, securing, regulation, investment, reinvestment, disposition or application of the proceeds of the refunding bonds, and any matters in connection therewith, shall be determined by resolution of the Municipal Council adopted prior to the issuance of the refunding bonds.

Section 7. All other matters relating to the refunding bonds shall be performed or determined by subsequent resolution of the Municipal Council, or the performance or determination thereof shall be delegated by resolution of the Municipal Council to a financial officer of the City.

Section 8. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this refunding bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the

Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the chief financial officer of the City as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 10. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that, except for refunding bonds issued in accordance with N.J.S.A. 40A:2-51(c), this refunding bond ordinance shall not be effective as to any refunding bonds unless the consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted.

APPROVED AS TO LEGAL FORM



Corporation Counsel

Certification Required ☐

Not Required ☐

APPROVED: 

APPROVED: _____

Business Administrator

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



ORDINANCE NO. Ord. 16.133
TITLE: 3.P AUG 17 2016 4.0. SEP 14 2016

Refunding Bond Ordinance of the City of Jersey City, in the County of Hudson, New Jersey, providing for the refunding (On a Crossover Basis) of all or a portion of the City's, General Improvement Bonds (Build America Bonds-Direct Payment), Taxable Series 2010B appropriating an amount not exceeding \$82,000,000 therefor and authorizing the issuance of not to exceed \$82,000,000 General Improvement Refunding Bonds of the City of Jersey City for financing the cost thereof.

| RECORD OF COUNCIL VOTE ON INTRODUCTION AUG 17 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING SEP 14 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---|-----|-----|------|----------------|-----|-----|------|
| Councilperson <u>RIVERA</u> | | | | moved, seconded by Councilperson <u>LAVARRO</u> | | | | to close P.H. | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

YVONNE BALZER

| 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 | | | |
| HALLANAN | | | | OSBORNE | | | | WATTERMANN | | | |
| BOGGIANO | | | | COLEMAN | | | | LAVARRO, PRES. | | | |

| RECORD OF FINAL COUNCIL VOTE SEP 14 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on AUG 17 2016

Adopted on second and final reading after hearing on SEP 14 2016

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on SEP 14 2016

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolande R. Lavarro, Jr., Council President

Date SEP 14 2016

APPROVED:

Steven M. Fulop, Mayor

Date SEP 15 2016

Date to Mayor SEP 15 2016

City Clerk File No. Ord. 16.134

Agenda No. 3-Q 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 16.134

TITLE:

**ORDINANCE AUTHORIZING THE CITY OF JERSEY CITY TO
EXECUTE A MONTH-TO-MONTH LEASE EFFECTIVE OCTOBER 1,
2016 WITH 3000 KENNEDY BLVD, LLC FOR THE USE OF 25 PARKING
SPACES AT 3000 KENNEDY BOULEVARD, JERSEY CITY**

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

WHEREAS, the City of Jersey City ("City") requires a parking facility for employees who work at 1 Journal Square Plaza, Jersey City; and

WHEREAS, 3000 Kennedy Blvd, LLC ("Landlord") operates a parking facility at 3000 Kennedy Boulevard, Jersey City ("Facility"); and

WHEREAS, the Landlord agrees to lease to the City twenty-five (25) reserved parking spaces at the Facility to be used by City employees who work at 1 Journal Square Plaza; and

WHEREAS, the rent will be \$140.00 per parking space per month for a total monthly rent of \$3,500.00; and

WHEREAS, the City will have the right to increase or decrease the total number of spaces it leases during the lease term; and

WHEREAS, the lease will be a month-to-month tenancy effective October 1, 2016; and

WHEREAS, the City will have the right to terminate the Lease Agreement without cause by providing thirty (30) days' written notice to the Landlord; and

WHEREAS, funds in the amount of \$10,000.00 will be made available in Account No. 01-201-31-432-304; and

WHEREAS, the balance of the lease funds will be made available in the 2016 calendar and future year budgets.

**ORDINANCE AUTHORIZING THE CITY OF JERSEY CITY TO EXECUTE
A MONTH-TO-MONTH LEASE EFFECTIVE OCTOBER 1, 2016 WITH
3000 KENNEDY BLVD, LLC FOR THE USE OF 25 PARKING SPACES AT
3000 KENNEDY BOULEVARD, JERSEY CITY.**

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

1. The Mayor or Business Administrator is authorized to execute the Lease Agreement attached hereto with 3000 Kennedy Blvd, LLC for twenty-five (25) reserved parking spaces at the parking facility located at 3000 Kennedy Boulevard, Jersey City;
2. The term of the Lease Agreement shall be effective as of October 1, 2016 and shall continue on month-to-month basis;
3. The City shall have the right to terminate the lease by providing thirty (30) days' written notice prior to the effective date of termination;
4. The monthly rents for twenty-five (25) reserved parking spaces shall be \$140.00 per space for a total monthly rent of \$3,500.00;
5. The City shall have the right to increase or decrease the total number of spaces as needed;
6. Funds in the amount of \$ 10,000.00 will be made available in Account No. 01-201-31-432-304 and the balance of the funds will be made available in the 2016 calendar and future year budgets.

I, _____, Donna Mauer, as Chief fiscal Officer, hereby certify that funds in the amount of \$10,000.00 are available for this expenditure in Account No. 01-201-31-432-304.

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required ☐
Not Required ☐

APPROVED: _____

APPROVED: _____

Business Administrator

ORDINANCE/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 AUTHORIZING THE CITY OF JERSEY CITY TO EXECUTE A MONTH TO MONTH LEASE EFFECTIVE OCTOBER 1, 2016 WITH 3000 KENNEDY BLVD., LLC FOR THE USE OF 25 PARKING SPACES AT 3000 KENNEDY BOULEVARD, JERSEY CITY.

Initiator

| Department/Division | Administration | Real Estate |
|---------------------|------------------|-------------|
| Name /Title | Ann Marie Miller | |
| Phone/E-Mail | (201) 547-5234 | |

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


Ordinance/Resolution Purpose

To provide 25 parking spaces for city employees who are located at One Journal Square. The City will have the right to increase or decrease the number of parking spaces as needed and will have the right to terminate the Lease Agreement without cause by providing a thirty (30) day written notice to the Land lord.

I certify that all the facts presented herein are accurate.



Signature of Department Director



Date

LEASE AGREEMENT

This **AGREEMENT** made this ____ day of _____, 2016, between the **CITY OF JERSEY CITY**, a Municipal Corporation of the State of New Jersey, with offices at City Hall, 280 Grove Street, Jersey City, New Jersey 07302 [City or Tenant] and **3000 KENNEDY BLVD, LLC** with offices at 3000 Kennedy Boulevard, Suite 313B, Jersey City, NJ 07306 [Landlord.]

Whereas, the City requires parking facilities for employees whose offices are at One Journal Square Plaza, Jersey City; and

Whereas, the Landlord operates a parking facility at 3000 Kennedy Boulevard, Jersey City, New Jersey 07306 ("Facility"); and

Whereas the Landlord agrees to rent to the City twenty-five (25) reserved parking spaces at the Facility on a twenty-four (24) hour basis, Monday thru Sunday; and

Whereas, the City and Landlord desire to enter into this lease agreement for the rental of parking spaces effective as of October 1, 2016 and continuing on a month-to-month basis; and

Whereas, the City shall have the right to increase or decrease the total number of parking spaces as needed; and

Now, therefore, in consideration of the mutual promises and covenants set forth herein, the parties agree as follows:

ARTICLE I

Premises

Landlord does hereby lease to the City and the City does hereby rent from the Landlord twenty-five (25) reserved parking spaces at the Landlord's parking garage located at 3000 Kennedy Boulevard.

ARTICLE II

Term

This lease agreement shall be effective as of October 1, 2016 and continue on a month-to-month basis. The City shall have the right to terminate the lease without cause by providing thirty (30) days' written notice prior to the effective date of termination.

ARTICLE III

Use

Under the terms of this lease, the City shall have the right to use and occupy twenty-five (25) reserved parking spaces located at the Landlord's Facility. The City shall have the right to increase or decrease the number of parking spaces as needed.

ARTICLE IV

Payment of Rent

The City agrees to pay the Landlord as rent one hundred forty dollars (\$140.00) per parking space per month, payable on the first day of each month. Payments must be mailed to Landlord's office, 3000 John F. Kennedy Boulevard, Suite 313B, Jersey City, New Jersey 07306. In the event that the City exercises its right to decrease or increase the number of parking spaces, the monthly rent shall be reduced or increased accordingly.

ARTICLE V

Property Damage/ Loss

The City shall hold Landlord harmless for any lost, stolen, or damaged property that is not due to the recklessness or negligence of Landlord, its agents, employees, and/or officials. The City also agrees to assume any charges associated with the towing of any of the City's vehicles parked in the Facility.

ARTICLE VI

Termination

The City shall have the right to terminate the lease at any time without cause by giving the Landlord thirty (30) days' written notice prior to the effective date of termination.

ARTICLE VII

Validity of Lease

The terms, conditions, covenants, and provisions of this Lease shall be deemed to be severable. If any clause or provision herein contained shall be adjudged to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, it shall not affect the validity or any other clause or provision herein, but such other clauses or provisions shall remain in full force and effect.

ARTICLE VIII

Notices

All notices required under the terms of this Lease shall be given and shall be complete by mailing such notices by certified mail, return receipt requested, or by hand delivery to the addresses below:

City:

City of Jersey City
Robert Kakoleski, Business Administrator
City Hall
280 Grove Street, Room 108
Jersey City, New Jersey 07302

Licensor:

3000 Kennedy Blvd, LLC
3000 John F. Kennedy Blvd., Suite 313B
Jersey City, New Jersey 07306

ARTICLE IX

Entire Contract

This lease contains the entire agreement between the parties. No representative, agent, or employee of the Landlord has been authorized to make any representations or promise with reference to the within to vary, alter, or modify the terms hereof. No additions, changes or modifications, renewals or extensions hereof, shall be binding unless reduced to writing and signed by the Landlord and the City.

ARTICLE X

Insurance

The City agrees to supply Landlord with a certificate of insurance evidencing liability coverage naming Landlord as an additional insured. The City shall supply Landlord with the certificate of insurance prior to commencement of the lease, and such coverage shall remain in effect throughout the term of the lease.

IN WITNESS WHEREOF, the parties to this agreement have executed this Lease Agreement as of the _____ day of _____ 2016.

ATTEST:

CITY OF JERSEY CITY

ROBERT BYRNE
City Clerk

ROBERT KAKOLESKI
Business Administrator

WITNESS:

3000 KENNEDY BLVD, LLC

By: _____

By: _____

Title: _____

Title: _____

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



ORDINANCE NO. Ord. 16,134
TITLE: 3.Q AUG 17 2016 4.P. SEP 14 2016

Ordinance authorizing the City of Jersey City to execute a month-to-month lease effective October 1, 2016 with 3000 Kennedy Blvd, LLC for the use of 25 parking spaces at 3000 Kennedy Boulevard, Jersey City

| RECORD OF COUNCIL VOTE ON INTRODUCTION AUG 17 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING SEP 14 2016 8-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|--------|-----|------|----------------|-----|-----|------|
| Councilperson: <u>HALLANAN</u> moved, seconded by Councilperson <u>COLEMAN</u> to close P.H. | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ABSENT | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.—Not Voting (Abstain)

SPEAKERS:

| 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 | | | |
| HALLANAN | | | | OSBORNE | | | | WATTERMANN | | | |
| BOGGIANO | | | | COLEMAN | | | | LAVARRO, PRES. | | | |

| RECORD OF FINAL COUNCIL VOTE SEP 14 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.—Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on AUG 17 2016
Adopted on second and final reading after hearing on SEP 14 2016

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on SEP 14 2016

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date SEP 14 2016

APPROVED:

Steven M. Fulop, Mayor

Date SEP 15 2016

Date to Mayor SEP 15 2016

City Clerk File No. Ord. 16.135
Agenda No. 3.R 1st Reading
Agenda No. 4.Q. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 16.135

TITLE: ORDINANCE AUTHORIZING AN AMENDED SETTLEMENT AGREEMENT WITH COMMUNITY BUILDERS, INC., FOR A TERMINATION OF THE LEASE AND RELEASE OF THE CITY'S OPTION TO PURCHASE A PORTION OF PROPERTY LOCATED AT 654 BERGEN AVENUE

COUNCIL offered and moved adoption of the following ordinance:

WHEREAS, New Hope Housing, Inc. (now, New Hope Urban Renewal Limited Partnership, hereinafter, New Hope) was the owner of 654 Bergen Avenue, Block 16703, Lot 5 f/k/a Block 1911, Lot C1 [Property], which contains 131 units of single room low income housing [Project]; and

WHEREAS, New Hope needed additional revenue to support its Project; and

WHEREAS, the City of Jersey City [City] had a need for community and recreation services to serve the public in the area; and

WHEREAS, by adoption of Ordinance 98-164, as amended by Ordinance 03-128, the City agreed to lease a portion of the Property consisting of approximately 35,000 square feet including commercial space and recreational space, including the swimming pool, gymnasium, locker rooms, community rooms and staff offices, as well as racquet ball/handball courts located in the sub-cellar and ground floors [Facilities]; and

WHEREAS, the lease dated August 31, 1999 was for a term of fifteen (15) years, with a one five (5) year option to renew with an option to buy the facilities at the expiration of the lease on December 31, 2015 for \$1.00; and

WHEREAS, the City was obligated to pay rent of \$92,880 per year, and a pro rate portion of the utility costs servicing the facilities; and

WHEREAS, in addition to paying the rent, the City was obligated to make certain capital improvements including repairs to the ceilings, balcony, pool and gym; and

WHEREAS, on August 6, 2010, the then Business Administrator terminated the lease effective June 30, 2010 for "reasons of economy and efficiency", thereby also terminating the City's right to exercise its option to purchase the Facilities at the end of the term; and

WHEREAS, New Hope, in order to mitigate damages, approved or assumed leases with the Police Activity League of Jersey City [PAL] and the Jersey City Child Development Center [JCCDC] for portions of the Facilities the City had surrendered; and

WHEREAS, New Hope notified the City that it was in default and that New Hope's projected loss of income from the default including rent, capital repairs and utilities was approximately \$1,011,663; and

ORDINANCE AUTHORIZING AN AMENDED SETTLEMENT AGREEMENT WITH COMMUNITY BUILDERS, INC., FOR A TERMINATION OF THE LEASE AND RELEASE OF THE CITY'S OPTION TO PURCHASE A PORTION OF PROPERTY LOCATED AT 654 BERGEN AVENUE

WHEREAS, New Hope proposed that the City pay \$475,983 in full settlement of damages arising from the default, including payment in full of future rent through the remainder of the term of the lease, and a reinstatement of the City option to purchase the Facilities for \$1.00, and a conversion of the property into a condominium to enable the parties to own their respective portions of the building; and

WHEREAS, after a more thorough evaluation of the costs, the City would need to remediate the space balanced against the value of the facility for public use, the City decided not to pursue ownership of the facility; and

WHEREAS, in exchange for the release of the City's rights to the facility, New Hope agreed to reduce the amount of the City's monetary obligations by granting a credit to the City for the amount of the utilities paid or \$112,572; and

WHEREAS, the City and New Hope now propose to amend the Settlement Agreement whereby the City will pay New Hope \$265,255 in exchange for a complete release of all of the City's interest in the facilities, including its option to purchase, and any legal obligations; and

WHEREAS, it is in the best interests of the City to fully and finally resolve this matter with New Hope; and

WHEREAS, sufficient funds in the amount of \$265,255 are available in Account No.: 01-201-31-432-304; and

WHEREAS, the City approves this settlement by ordinance because it concerns a real estate lease and an option which require an ordinance under the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Jersey City that:

1. The Business Administrator or the Corporation Counsel, as appropriate, is authorized to:
 - a) execute an Amended Settlement Agreement whereby the City will pay New Hope Urban Renewal Limited Partnership \$265,255 and release its interest in the option to purchase any property for a full release from New Hope; and
 - b) do any act or execute any other documents appropriate or necessary to implement the purposes of the within settlement.
2. The Amended Settlement Agreement shall be in substantially the form attached subject to such minor modification as the Business Administrator or the Corporation Counsel deems appropriate or necessary.

I, _____, (Donna Mauer) as Chief Financial Officer, hereby certify that funds in the amount of \$265,255.24 are available in Account No. 01-201-31-432-304.

JM
7/28/16

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required ☐
Not Required ☐

APPROVED: _____

APPROVED: _____

Business Administrator

FIRST AMENDMENT TO SETTLEMENT AGREEMENT

This **First Amendment to the Settlement Agreement** is made as of the ____ day of June, 2016 (the "**Effective Date**") by and among:

New Hope Urban Renewal Limited Partnership ("New Hope"), a New Jersey limited partnership, successor-in-interest to New Hope Housing, Inc. having an office c/o The Community Builders, Inc., 95 Berkeley Street, Suite 500, Boston MA 02116;

The City of Jersey City, New Jersey ("City"), a public body organized and existing under the laws of the State of New Jersey, having an address of 280 Grove Street, Jersey City, NJ 07302; and

The Community Builders, Inc. ("TCB"), a Massachusetts nonprofit corporation, having an address of 95 Berkeley Street, Suite 500, Boston, MA 02116

RECITALS:

New Hope is the owner of the property located at 654 Bergenview Avenue, Jersey City, New Jersey and identified on the tax map of City as Lot 5 in Block 16703 (formerly Lot C1 in Block 1911 and Lots C1, 10B, 12B, 8, 13, 14, 16, 18, 20 & 127 in Block 1911) ("**Property**");

The Property includes a building known as Bergenview ("**Project**") consisting of 131 units of rental housing and approximately 35,000 square feet of commercial space and recreational space (collectively the "**Commercial Space**");

The Commercial Space is leased to the City pursuant to a certain Lease Agreement dated August 31, 1999, as amended by First Amendment to Lease Agreement dated as of May 31, 2003 and the Settlement Agreement, as such term is defined below (as amended, the "**Lease**");

The City defaulted under the Lease and to mitigate its damages from such default, New Hope entered into new leases for certain portions of the Commercial Space with the Jersey City Police Activity League and the City Child Development Centers, Inc. (collectively, the "**New Leases**");

TCB, the City and New Hope entered into a Settlement Agreement, dated as of December 30, 2013 (the "**Settlement Agreement**") in order to, among other things, resolve the default by City under the Lease and amend the Lease to provide the opportunity for City to acquire title to the Commercial Space as provided in that certain Option and Sale Agreement between The Community Builders, Inc. (with New Hope being substituted for Optionor) and City dated as of May 31, 2003 (the "**Option Agreement**") and assign the New Leases to the City;

The parties now desire to enter into this First Amendment to Settlement Agreement in order to, among other things, terminate the Lease, terminate the Option Agreement, assign the New Leases to New Hope, resolve the default of the City under the Lease and mutually release each other from all claims.

NOW THEREFORE, in consideration of the mutual covenants and promises set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, TCB, the City and New Hope agree as follows:

1. **Incorporation of Recitals.** The foregoing recitals to this Settlement Agreement are incorporated by reference.
2. **Termination of Lease; Possession of Facilities.** City and New Hope agree that the Lease shall be and is hereby terminated as of the Effective Date, the City and New Hope are released of any further obligations to each other under the Lease as of the Effective Date and New Hope shall have the exclusive right to access the Commercial Space, subject to the rights of the tenants under the New Leases.
3. **Assignment of New Leases.** The City assigns its interest in and under the New Leases to New Hope, which will assume all of the City's obligations under such New Leases as of the Effective Date.
4. **Termination of Option Agreement.** City and New Hope agree that the Option Agreement shall be and is hereby terminated as of the Effective Date set forth above and the City and New Hope are released of any further obligations to each other under the Option Agreement as of the Effective Date.
5. **Settlement of Defaulted Obligations.** New Hope agrees to accept from City, and City agrees to pay to New Hope, (i) all rent received by City as landlord under the New Leases prior to the date set forth above, and (ii) the sum of \$265,255.24 in full settlement of all defaulted payment obligations of City under the Lease (the "Settlement Sum"). The Settlement Sum shall be paid by City within [] business days of the date of receipt by the City of an executed copy of this First Amendment to Settlement Agreement and a certified copy of the City's enabling ordinance pursuant to Section 11 of this Agreement. New Hope and the City agree that \$1,088.44 of the Settlement Sum represents the City's share of the legal fees incurred by New Hope for the preparation of condominium documents for the proposed sale of the Commercial Space to the City. The parties agree that the City has paid New Hope its required share of utility costs under the Lease in the amount of \$112,572.16 through December 15, 2015.
6. **Release by the City.** The following release shall be effective upon payment of the Settlement Sum. For other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the City hereby remises, releases and forever discharges TCB and New Hope, and the past and current partners, members, directors, officers, managers, employees, predecessors, affiliates, parent companies, successors and assigns of each, from all claims, demands, actions, causes of action, suits, controversies, agreements, promises, omissions, damages, and any and all other claims of any kind, nature and description whatsoever, both in LAW and EQUITY, known or unknown, which the City may have or ever had against such parties on account of the Lease, the New Leases, the Property, the Commercial Space and the Option Agreement, and/or on any other basis.
7. **Release by TCB.** The following release shall be effective upon the payment of the Settlement Sum. For other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, TCB hereby remises, releases and forever discharges the City and the past and current officers, managers, predecessors, affiliates, parent companies, successors and assigns of the City, from all

claims, demands, actions, causes of action, suits, controversies, agreements, promises, omissions, damages, and any and all other claims of any kind, nature and description whatsoever, both in LAW and EQUITY, known or unknown, which TCB may have or ever had against the City on account of the Lease, the New Leases, the Property, the Commercial Space and the Option Agreement, and/or on any other basis. TCB further agrees to release the City from all damages for remediation or any costs related to any obligation or liability to any persons arising out of the environmental contamination of the property and any clean-up activities conducted thereon.

8. Release by New Hope. The following release shall be effective upon the payment of the Settlement Sum. For other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, New Hope hereby remises, releases and forever discharges the City and the past and current officers, managers, predecessors, affiliates, parent companies, successors and assigns of the City, from all claims, demands, actions, causes of action, suits, controversies, agreements, promises, omissions, damages, and any and all other claims of any kind, nature and description whatsoever, both in LAW and EQUITY, known or unknown, which New Hope may have or ever had against the City on account of the Lease, the New Leases, the Property, the Commercial Space and the Option Agreement, and/or on any other basis. New Hope further agrees to release the City from all damages for remediation or any costs related to any obligation or liability to any persons arising out of the environmental contamination of the property and any clean-up activities conducted thereon.

9. Complete Agreement. This First Amendment to Settlement Agreement is the entire and only agreement among New Hope, City and TCB relating to the Commercial Space, the Property, the Lease, the New Leases, the Option Agreement and the settlement of the claims of New Hope and TCB related thereto.

10. Counterparts and Signatures. This First Amendment to Settlement Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original and all of which shall be deemed to be one and the same instrument. This First Amendment to Settlement Agreement may be signed by the respective parties on separate pages, and may be delivered on separate signature pages intended to be attached to the First Amendment to Agreement, and when the signatures of all parties are attached the Agreement will be deemed fully executed. Signatures may be delivered by facsimile or other electronic transmission. Any party delivering a signature by facsimile or other electronic transmission (i) agrees that any signature so delivered shall be deemed an original signature for all purposes, (ii) acknowledges awareness of the fact that other parties to this First Amendment to Agreement, and third parties who may examine this First Amendment to Settlement Agreement, including, without limitation, a court or arbitrator, will rely on such signature and (iii) hereby waives any defenses to the enforcement of the terms of this First Amendment to Agreement Settlement based the form or delivery of such signature.

11. Approval by City Council. This First Amendment to Settlement Agreement shall not become effective until the Jersey City Council formally approves the Agreement by adopting an ordinance.

IN WITNESS WHEREOF, the parties have caused this First Amendment to Settlement Agreement to be signed by their duly authorized representatives intending thereby to be legally bound as of the Effective Date and year first above written.

NEW HOPE URBAN RENEWAL LIMITED PARTNERSHIP

By TCB NHH Jersey, Inc., its general partner

By: *Susan McClain*
Name: *Susan McClain*
Title: *Authorized Agent*

THE CITY OF JERSEY CITY

By: _____
Name: _____
Title: _____

THE COMMUNITY BUILDERS, INC.

By: *[Signature]*
Name: *Beverly J. Bates*
Title: *Senior Vice President*

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



ORDINANCE NO. Ord. 16.135
TITLE: 3.R AUG 17 2016 4. Q. SEP 14 2016

Ordinance authorizing an amended settlement agreement with Community Builders, Inc., for a termination of the lease and release of the city's option to purchase a portion of property located at 654 Bergen Avenue.

| RECORD OF COUNCIL VOTE ON INTRODUCTION AUG 17 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING SEP 14 2016 8-0 | | | | | | | | | | | |
|---|-----|-----|------|--|--------|-----|------|----------------|-----|-----|------|
| Councilperson <u>RIVERA</u> | | | | moved, seconded by Councilperson <u>HALLANAN</u> | | | | to close P.H. | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ABSENT | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

| 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 | | | |
| HALLANAN | | | | OSBORNE | | | | WATTERMANN | | | |
| BOGGIANO | | | | COLEMAN | | | | LAVARRO, PRES. | | | |

| RECORD OF FINAL COUNCIL VOTE SEP 14 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on AUG 17 2016
Adopted on second and final reading after hearing on SEP 14 2016

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on SEP 14 2016

Robert Byrner City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date

SEP 14 2016

APPROVED:

Steven M. Fulop, Mayor

Date

SEP 15 2016

Date to Mayor

SEP 15 2016

City Clerk File No. Ord. 16.136
Agenda No. 3.S 1st Reading
Agenda No. 4.R. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 16.136

TITLE:

AN ORDINANCE AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT AND THE TRANSFER OF 90 VIRGINIA AVENUE PURSUANT TO N.J.S.A. 40A:12-21(l) TO GARDEN STATE EPISCOPAL COMMUNITY DEVELOPMENT CORPORATION, A NONPROFIT HOUSING CORPORATION

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

WHEREAS, the City of Jersey City (City) is the owner of 90 Virginia Avenue, a/k/a Block 21101, Lot 57 (Property); and

WHEREAS, the Property is land and garages that are not needed for a municipal purpose; and

WHEREAS, the Garden State Episcopal Community Development Corporation (GSECDC) is a duly incorporated nonprofit housing corporation of the State of New Jersey, organized for the purpose of constructing housing for low or moderate income persons or families; and

WHEREAS, GSECDC has submitted a proposal to construct on the Property five (5) two-family homes that will be affordable housing units for first time home buyers (Project); and

WHEREAS, GSECDC agrees to construct the Project in accordance with the Developer's Agreement attached hereto as Exhibit "A"; and

WHEREAS, GSECDC agrees to maintain the Project as affordable housing for a period of twenty (20) years; and

WHEREAS, GSECDC agrees to pay the City the sum of \$200,000.00 for the sale of the Property; and

WHEREAS, pursuant to N.J.S.A. 40A:12-21(l), it is in the best interests of the City to authorize the private sale of this Property to GSECDC on the above terms.

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the City of Jersey City that:

1. Subject to such modifications as deemed necessary or appropriate by Corporation Counsel, the Mayor or Business Administrator is authorized to execute the attached Developer's Agreement with GSECDC for the Project;
2. The sale of the Property to GSECDC for the sum of \$200,000.00 is authorized;
3. The Business Administrator or Mayor is authorized to execute a deed and such other documents as Corporation Counsel deems appropriate and necessary to effectuate the conveyance of the Property to GSECDC; and

4. The deed shall be in a form approved by Corporation Counsel and shall contain covenants requiring GSECDC to:
- (a) construct five (5) two-family affordable housing units for first time homebuyers with each home containing one rental unit for occupancy by and at rents that are affordable to families of low to moderate income as defined by the United States Department of Housing and Urban Development for a period of twenty (20) years;
 - (d) Prohibiting the use of the properties for any commercial, business, trade or manufacturing purposes; and
 - (e) Providing that a violation of these covenants will cause title to automatically revert to the City without and entry or reentry made thereon.

NOTE: All material is new; therefore, underlining has been omitted.
For purposes of advertising only, new matter is indicated by
bold face and repealed matter by *italic*.

RR
8-8-16

APPROVED AS TO LEGAL FORM

Certification Required ☐
Not Required ☐

APPROVED: _____

APPROVED: _____

Corporation Counsel

Business Administrator

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.

AN ORDINANCE AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT AND THE TRANSFER OF 90 VIRGINIA AVENUE PURSUANT TO N.J.S.A. 40A:12-21(I) TO GARDEN STATE EPISCOPAL COMMUNITY DEVELOPMENT CORPORATION, A NONPROFIT HOUSING CORPORATION

| | | |
|---------------------|-----------------|-----------------------|
| Department/Division | HEDC | Community Development |
| Name/Title | Carmen Gandulla | Director |
| Phone/email | 547-5304 | CGandulla@jcnj.org |

The City is the owner of 90 Virginia Avenue (Property). The Property is land and garages that are not needed for a municipal purpose. The Garden State Episcopal Community Development Corporation (GSECDC) is a nonprofit housing corporation organized for the purpose of constructing housing for low or moderate income persons or families. GSECDC has submitted a proposal to construct on the Property five (5) two-family homes that will be affordable housing units for first time home buyers (Project). GSECDC agrees to maintain the Project as affordable housing for a period of twenty (20) years. GSECDC agrees to pay the City the sum of \$200,000.00 for the sale of the Property. The City can sell the Property to GSECDC at a private sale pursuant to N.J.S.A. 40A:12-21(l).

Twenty year affordable housing agreement

If "Other Exception", enter type

| |
|--|
| |
|--|

Date _____

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



ORDINANCE NO. Ord. 16.136
TITLE: 3.S AUG 17 2016 4.R. SEP 14 2016

An ordinance authorizing the execution of a developer's agreement and the transfer of 90 Virginia Avenue pursuant to N.J.S.A. 40A:12-21(l) to Garden State Episcopal Community Development Corporation, a Nonprofit Housing Corporation.

| RECORD OF COUNCIL VOTE ON INTRODUCTION AUG 17 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMAN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING SEP 14 2016 8-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|--------|-----|------|----------------|-----|-----|------|
| Councilperson <u>WATTERMAN</u> moved, seconded by Councilperson <u>COLEMAN</u> to close P.H. | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ABSENT | | | WATTERMAN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

| 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 | | | |
| HALLANAN | | | | OSBORNE | | | | WATTERMAN | | | |
| BOGGIANO | | | | COLEMAN | | | | LAVARRO, PRES. | | | |

| RECORD OF FINAL COUNCIL VOTE SEP 14 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | 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 AUG 17 2016
Adopted on second and final reading after hearing on SEP 14 2016

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on SEP 14 2016

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date SEP 14 2016

APPROVED:

Steven M. Fulop, Mayor

Date SEP 15 2016

Date to Mayor SEP 15 2016

City Clerk File No. Ord. 16.137
Agenda No. 3.T 1st Reading
Agenda No. 4.S 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 16.137

TITLE: ORDINANCE APPROVING A 20 YEAR TAX EXEMPTION FOR A MARKET RATE RESIDENTIAL RENTAL PROJECT TO BE CONSTRUCTED BY ASH URBAN RENEWAL DEVELOPMENT, LLC, AN URBAN RENEWAL ENTITY, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20-1 ET SEQ., FOR THE PROPERTY DESIGNATED AS BLOCK 17502, LOTS 1-12 ON THE CITY'S TAX MAP AND MORE COMMONLY KNOWN BY THE STREET ADDRESSES OF 2-16 ASH STREET AND 442-446 WHITON STREET

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

WHEREAS, Ash Urban Renewal Development, LLC, is an urban renewal entity, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. (Entity); and

WHEREAS, the Entity is the contract purchaser of certain property known as Block 17502, Lot 1.01 (f/k/a Block 17502, Lots 1-12) on the City's Official Tax map, consisting of the entire Block 17502, and more commonly known by the street addresses of 2-16 Ash Street and 442-446 Whiton Street, and more specifically described by metes and bounds, in the application (Property); and

WHEREAS, the Property is located within the Morris Canal Redevelopment Plan Areas, as required by N.J.S.A. 40A:20-4, N.J.S.A. 40A:12A-5(g) and Section 323-1 of the Jersey City Code; and

WHEREAS, presently owned by the JCRA, the property is environmentally contaminated; and

WHEREAS, by an application dated July 12, 2016, *as revised by a letter dated September 14, 2016*, the Entity applied for a 20 year long term tax exemption to construct a market rate residential rental project to consist of a six (6) story building with approximately ninety-three (93) market rate residential rental units and 9,880 square feet of parking space on the ground floor to contain approximately sixty-five (65) parking spaces consisting of approximately 9,880 square feet; and

WHEREAS, the Project received Preliminary and Final Site plan approval from the Planning Board on June 14, 2016; and

WHEREAS, construction costs are estimated to be \$17,560,620; and

WHEREAS, Ash Urban Renewal Development, LLC, has agreed to:

1. pay the greater of (i) the Minimum Annual Service Charge or (ii) 13% of the Annual Gross Revenue, which sum is initially *estimated to be \$269,931*; and which shall be subject to statutory staged increases over the term of the tax exemption; and
2. pay an annual sum equal to 2% of each prior year's Annual Service Charge as an Administrative Fee initially *estimated to be \$5,398*; and
3. pay the non-accrued excess profit, if any, to the City each year;
4. provide employment and other economic opportunities for City residents and businesses;
5. pay to City for remittance to Hudson County, an amount equal to 5% of the Annual Service Charge upon receipt of that charge *estimated to be \$13,496*;

ORDINANCE APPROVING A 20 YEAR TAX EXEMPTION FOR A MARKET RATE RESIDENTIAL RENTAL PROJECT TO BE CONSTRUCTED BY ASH URBAN RENEWAL DEVELOPMENT, LLC, AN URBAN RENEWAL ENTITY, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20-1 ET SEQ., FOR THE PROPERTY DESIGNATED AS BLOCK 17502, LOTS 1-12 ON THE CITY'S TAX MAP AND MORE COMMONLY KNOWN BY THE STREET ADDRESSES OF 2-16 ASH STREET AND 442-446 WHITON STREET

6. provide a contribution to the City's Affordable Housing Trust Fund, pursuant to Ordinance 03-112, in the amount of \$154,320. This payment is nonrefundable and nontransferable and shall be forfeited by the Entity should either party terminate the tax exemption prior to the end of the term; and
7. execute a Project Employment & Contracting Agreement; and

WHEREAS, the City hereby determines that the relative benefits of the project outweigh the cost of the tax exemption, for the following reasons:

1. the current real estate taxes generate revenue of only \$0, whereas, the Annual Service Charge as estimated, will initially generate revenue of approximately \$269,931 to the City and an additional sum of approximately \$13,496 to Hudson County;
2. the Project will create approximately 35-40 jobs during construction and 1-2 new permanent full-time jobs;
3. the Project will stabilize and contribute to the economic growth of businesses in the surrounding area;
4. the Project will not only remediate contaminated site but relieve the owner, JCRA, of that obligation;
5. the Project will further the overall redevelopment objectives of the Morris Canal Redevelopment Plan Area;
6. the City's impact analysis, *as revised September 13, 2016*, on file with the Office of the City Clerk, indicates that the benefits of the Project outweigh the costs to the City; and

WHEREAS, the City hereby determines that the tax exemption is important in obtaining development of the project and influencing the locational decisions of probable occupants for the following reasons:

1. the relative stability and predictability of the Annual Service Charges will make the Project more attractive to investors needed to finance the Project;
2. the relative stability and predictability of the Annual Service Charges will allow the owner to stabilize its operating budget, allowing a high level of maintenance to the building over the life of the Project, which will attract tenants to the Project and insure the likelihood of the success of the Project; and

WHEREAS, Ash Urban Renewal Development, LLC, has initially complied with Executive Order 2002-005 concerning "Disclosure of Lobbyist Representative Status" by filing an appropriate letter in the Office of the City Clerk.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

- A. The application of Ash Urban Renewal Development, LLC, an urban renewal company, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 2003, N.J.S.A. 40A:20-1 et seq. a copy of which is on file in the office of the City Clerk, Block 17502, Lot 1.01 (f/k/a Block 17502, Lots 1-12), more commonly known by the street addresses of 2-16 Ash Street and 442-446 Whiton Street, more specifically described by metes and bounds in the application, is hereby approved.
- B. The Mayor or Business Administrator is hereby authorized to execute a tax exemption Financial Agreement. The Financial Agreement shall include at a minimum the following terms and conditions:
 1. Term: the earlier of 25 years from the adoption of the within Ordinance or 20 years from the date the project is Substantially Complete;
 2. Annual Service Charge: each year the greater of:

ORDINANCE APPROVING A 20 YEAR TAX EXEMPTION FOR A MARKET RATE RESIDENTIAL RENTAL PROJECT TO BE CONSTRUCTED BY ASH URBAN RENEWAL DEVELOPMENT, LLC, AN URBAN RENEWAL ENTITY, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20-1 ET SEQ., FOR THE PROPERTY DESIGNATED AS BLOCK 17502, LOTS 1-12 ON THE CITY'S TAX MAP AND MORE COMMONLY KNOWN BY THE STREET ADDRESSES OF 2-16 ASH STREET AND 442-446 WHITON STREET

- (a) the Minimum Annual Service Charge equal to \$269,931 upon Project Completion, whether or not the Project is occupied; or
 - (b) 13% of the Annual Gross Revenue, which initial sum is estimated to be \$269,931, and which shall be subject to statutory increases during the term of the tax exemption.
- 3. non-accrued annual excess profit, if any;
- 4. Administrative Fee: 2% of the prior year's Annual Service Charge estimated to be \$5,398;
- 5. County Payment: an additional 5% of the Annual Service Charge for remittance by the City to Hudson County estimated to be \$12,997;
- 6. Affordable Housing Trust Fund: \$1,500 per unit or \$139,500; \$1.50 per square foot x 9,880 square feet of parking space or \$14,820, for a total of \$154,320. Such funds are non-refundable and non-transferrable in the event of a termination or expiration of the Financial Agreement;
- 7. Staged Adjustments:
 - (a) Stage One: years 1-6;
 - (b) Stage Two: years 7-9;
 - (c) Stage Three: years 10-12;
 - (d) Stage Four: years 13-16;
 - (e) Final Stage: Beginning on the 1st day of the 17th year through the date the tax exemption expires, an amount equal to the greater of the Annual Service Charge or 80% of the amount of the taxes otherwise due.
- 8. Project Employment & Contracting Agreement: an obligation to execute a Project Employment and Contracting Agreement to insure employment and other economic benefits to City residents and businesses;
- 9. Project Labor Agreement and Living Wage Mandate: Entity certified that its construction costs are less than \$25 million. In the event a construction cost audit or report indicates construction costs of more than \$25 million, then the Entity shall execute a Project Labor Agreement and be required to pay the damages as set forth in Section 304-37(3) of the Municipal Code and pay security guards and janitors the wages and benefits required by Section 3-51 (G)(1).
- 10. The initial installment of the Affordable Housing Trust Fund contribution payment shall be due on execution of the Financial Agreement, but in no event later than 90 days of the adoption of the ordinance. Interest shall accrue on such payments as of the 91st day at the same rate as the City charges for unpaid real estate taxes;
- 11. The actual date of execution of the tax exemption agreement shall not affect, alter or amend the Entity's obligation to make payments according to the intervals set forth in Section 304-28 of the Municipal Code and the tax exemption agreement. Should the Entity fail to make timely payments, interest shall begin to accrue at the rate set forth in the financial agreement.
- 12. The Financial Agreement shall be executed by the Entity no later than 90 days following adoption of the within Ordinance. Failure to comply shall result in a repeal of the herein Ordinance and the tax exemption will be voided unless otherwise extended by the City.
- 13. The Ordinance will be rescinded if the closing of the sale of the property and transfer of title from the seller to the Entity does not take place within ninety (90) days of the date of adoption of the herein Ordinance, unless otherwise extended by the City.
- 14. This Ordinance will sunset and the Tax Exemption will terminate unless construction of the Project is: 1) commenced within two (2) years; and 2) Substantially Complete within five (5)

years of the adoption of the within Ordinance.

ORDINANCE APPROVING A 20 YEAR TAX EXEMPTION FOR A MARKET RATE RESIDENTIAL RENTAL PROJECT TO BE CONSTRUCTED BY ASH URBAN RENEWAL DEVELOPMENT, LLC, AN URBAN RENEWAL ENTITY, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20-1 ET SEQ., FOR THE PROPERTY DESIGNATED AS BLOCK 17502, LOTS 1-12 ON THE CITY'S TAX MAP AND MORE COMMONLY KNOWN BY THE STREET ADDRESSES OF 2-16 ASH STREET AND 442-446 WHITON STREET

C. The City Clerk shall deliver a certified copy of the Ordinance and Financial Agreement to the Chief Financial Officer of the county and to the County Counsel, for information purposes, within ten (10) calendar days following the later of the effective date of an ordinance following its final adoption by the governing body approving the tax exemption or the execution of the financial agreement by the urban renewal entity.

D. The application dated July 12, 2016, *as revised by a letter dated September 14, 2016*, is on file with the office of the City Clerk. The Financial Agreement and Project Employment and Contracting Agreement shall be in substantially the form on file in the Office of the City Clerk, subject to such minor modification as the Business Administrator or Corporation Counsel deems appropriate or necessary.

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

F. This ordinance shall be 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.

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

H. The City Clerk and 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: All material is new; therefore underlining has been omitted.
For purposes of advertising only, new matter is indicated by **bold face**
and repealed matter by *italic*.

8/03/16

9/14/16

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required ☐

Not Required ☐

APPROVED: _____

APPROVED: _____

Business Administrator

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 granting a twenty(20) year tax agreement between the City of Jersey City and Ash Urban Renewal Development, LLC for the property designated as block 17502 lot 1-12 on the city's tax map and more commonly known by the street address of 2-16 Ash Street and 442-446 Whiton Street.

Initiator

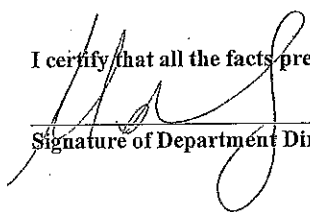
| | | |
|---------------------|------------------|------------------|
| Department/Division | administration | tax collection |
| Name/Title | maureen cosgrove | tax collector |
| Phone/email | 201-547-5120 | maureen@icnj.org |

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

Resolution Purpose

ordinance granting a twenty(20) year tax agreement

I certify that all the facts presented herein are accurate.


Signature of Department Director


Date

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



ORDINANCE NO. Ord. 16.137
TITLE: 3.T AUG 17 2016 H.S. SEP 14 2016

Ordinance approving a 20 year tax exemption for a market rate residential rental project to be constructed by Ash Urban Renewal Development, LLC., an urban renewal entity, pursuant to the Long Term Tax Exemption Law N.J.S.A. 40A:20-1 et seq., for the property designated as Block 17502, Lots 1-12 on the city's tax map and more commonly known by the street addresses of 2-16 Ash Street and 442-446 Whiton Street.

| RECORD OF COUNCIL VOTE ON INTRODUCTION AUG 17 2016 7-2 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | | ✓ | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMAN | ✓ | | |
| BOGGIANO | | ✓ | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING SEP 14 2016 9-0 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>COLEMAN</u> to close P.H. | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMAN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

YVONNE BALCER
LAVERN WASHINGTON
MIKE KULOWSKI

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY SEP 14 2016 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| Councilperson <u>LAVARRO</u> moved to amend* Ordinance, seconded by Councilperson <u>COLEMAN</u> & adopted <u>8-1</u> | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | | ✓ | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMAN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

| RECORD OF FINAL COUNCIL VOTE SEP 14 2016 8-1 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | ✓ | | | YUN | | ✓ | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMAN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ Indicates Vote

N.V.--Not Voting (Abstain)

AUG 17 2016

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

SEP 14 2016

Adopted on second and final reading after hearing on

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on SEP 14 2016

Robert Byrne, City Clerk

*Amendment(s)

The Ordinance and Financial Agreement were revised to reflect the following changes:
1- the Annual Service Charge was revised from 22.5% to 13% of Annual Gross Revenues;
2- the estimated ASC increased to \$269,933 from \$259,550;
3- the Administrative Fee increased to \$5,398 from \$5,191; and
4- payment to the County increased to \$13,496 from \$12,977.

These changes are reflected on ALL four (4) pages of the Ordinance, and on Pages 2, 5, 8 and 9 of the Financial Agreement

Note: A copy of this letter revising the Application for tax

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date

SEP 14 2016

APPROVED:

Steven M. Fulop, Mayor

Date

SEP 15 2016

Date to Mayor

SEP 15 2016

City Clerk File No. Ord. 16.138

Agenda No. 3. U 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 16.138

TITLE: ORDINANCE AMENDING CHAPTER 90 (ANIMALS), ARTICLE IV (EXOTIC, NON-GAME, AND POTENTIALLY DANGEROUS WILDLIFE), PROHIBITING PERFORMANCES OF ANY EXOTIC ANIMAL ON ANY PUBLIC OR PRIVATE PROPERTY WITHIN THE CITY OF JERSEY CITY

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:

- A. The following amendments to Chapter 90 (Animals), Article IV (Exotic, Non-Game, and Potentially Dangerous Wildlife) are hereby adopted.

ARTICLE IV
Exotic, Non-Game, and Potentially Dangerous Wildlife

§90-24. Exotic animal acts, rides, performances, and traveling exhibitions prohibited

- A. The purpose of this ordinance is to protect exotic animals from cruel and inhumane treatment, and to protect the public from dangers inherent in traveling exhibitions and acts featuring exotic animals.
- B. It shall be unlawful for any person to cause or provide a performance of any exotic animal on any public or private property within the City of Jersey City.

§90-25. For purposes of this Article, the following terms shall have the following meanings:

As used herein, the following terms shall have meanings indicated:

EXOTIC ANIMAL - means any nongame species, mammal, bird, reptile, or amphibian not indigenous to New Jersey, and hybrids of such animals, whether wild-borne or captive-bred, including but not limited to the following: nonhuman primates, ursidae, felidae (nondomestic cats), elephantidae (African and Asian), cetacea, crocodilia, marsupialia, perissodactyla (rhinoceroses, tapirs, zebras, but not horses, donkeys, or mules), artiodactyla (hippopotamuses, giraffes, camels, but not cattle, swine, sheep, llama, or goats), hyaenidae, procynidae (coatis), edentate (anteaters, sloths), viverridae (mongooses, civets, genets), and pinnipedia (seals, sea lions, walruses). This term does not include domestic companion animals or agricultural livestock.

DOMESTIC COMPANION ANIMAL- means any animal that is commonly kept as a pet in family households in New Jersey, such as domestic dogs, domestic cats, guinea pigs, rabbits, and hamsters, and includes service animals and working dogs. This term excludes exotic animals and wild animals.

DOMESTIC LIVESTOCK- means cattle, horses, donkeys, swine, sheep, goats, rabbits, poultry, fowl, llama, alpaca, and farm-raised cervidae. This term excludes exotic animals and wild animals.

WILD ANIMAL- means any wild mammal indigenous to New Jersey, and hybrids of such animals, whether wild-borne or captive-bred. This term does not include domestic companion animals or domestic livestock.

PERFORMANCE - means any public showing, presentation, display, exposition, fair, act, circus, ride, trade show, petting zoo, carnival, parade, race, exhibition, or similar undertaking in which *exotic* animals are required to perform tricks, fight, give rides, or participate as accompaniments for the entertainment, amusement, or benefit of an audience.

§90-26. Exemptions.

The following are exempt from the prohibition:

- A. Exhibitions at a non-mobile, permanent institution or facility accredited by the Association of Zoos and Aquariums or the Global Federation of Animal Sanctuaries.
- B. Outreach programs for educational or conservation purposes by a facility accredited by the Association of Zoos and Aquariums or the Global Federation of Animal Sanctuaries, if the *exotic* animal used for such purposes is not kept in a mobile or traveling housing facility for more than 12 hours a day.
- C. University, college, laboratory, or other research facilities registered by the United States Secretary of Agriculture.
- D. *All accredited educational associations.*
- E. Any exemptions approved in writing by the City's Animal Control officer for religious and/or cultural ceremonies.

§90-27. Implementation and Enforcement.

Section §90-24 shall be implemented and enforced by Jersey City Department of Health and Human Services with the support of other City departments as appropriate.

§90-28. Violations and Penalties.

Any person who violates the provisions of this Article shall be punished as provided in Chapter 1, General Provisions, §1-25.

- B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- C. 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 may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing Code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new, therefore, underlining has been omitted. Modifications have been italicized.

9/14/16

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

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



ORDINANCE NO. Ord. 16.138
TITLE: 3.0 AUG 17 2016 4.7, SEP 14 2016

Ordinance amending Chapter 90 (Animals) Article IV (Exotic, Non-Game and Potentially Dangerous Wildlife), prohibiting performances of any exotic animal on any public or private property within the City of Jersey City.

| RECORD OF COUNCIL VOTE ON INTRODUCTION AUG 17 2016 6-2-1 | | | | | | | | | | | |
|---|-----|---------|------|---------------|-----|-----|------|----------------|-----|-----|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | | ABSTAIN | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | | ✓ | |
| BOGGIANO | | ✓ | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING | | | | | | | | | | | |
|---|-----|--------|------|---------------|-----|--------|------|----------------|-----|-----|------|
| Councilperson <u>WATTERMANN</u> moved, seconded by Councilperson <u>BOGGIANO</u> to close P.H. 7-0 | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | | ABSENT | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | | ABSENT | | LAVARRO, PRES. | ✓ | | |

✓ indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

YVONNE BALGER
ROMEO ANDULAN
DARLENE DYNEGA
DINA TESHLOG

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY SEP 14 2016 7-0-1 | | | | | | | | | | | |
|--|-----|--------|------|---------------|-----|-----|------|----------------|-----|---------|------|
| Councilperson <u>OSBORNE</u> moved to amend* Ordinance, seconded by Councilperson <u>COLEMAN</u> & adopted | | | | | | | | | | | |
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | | ABSENT | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | ✓ | | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | | ABSTAIN | |

| RECORD OF FINAL COUNCIL VOTE SEP 14 2016 7-1-1 | | | | | | | | | | | |
|---|-----|-----|------|---------------|-----|-----|------|----------------|-----|---------|------|
| COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. | COUNCILPERSON | AYE | NAY | N.V. |
| GAJEWSKI | | ✓ | | YUN | ✓ | | | RIVERA | ✓ | | |
| HALLANAN | ✓ | | | OSBORNE | ✓ | | | WATTERMANN | | ABSTAIN | |
| BOGGIANO | ✓ | | | COLEMAN | ✓ | | | LAVARRO, PRES. | ✓ | | |

✓ indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on AUG 17 2016
Adopted on second and final reading after hearing on SEP 14 2016

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on SEP 14 2016

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date SEP 14 2016

APPROVED:

Steven M. Fulop, Mayor

Date SEP 15 2016

Date to Mayor SEP 15 2016