435 BROADWAY
REDEVELOPMENT PLAN

Date of Adoption by Municipal Council: __________, 2024
Review by the Planning Board occurred on ____________, 2024
City of Bayonne, Hudson County, New Jersey

Prepared by:
Clarke Caton Hintz | 100 BARRACK STREET | TRENTON, NJ | 08608

And the Department of Planning, Zoning and Development

THE CITY OF BAYONNE
NEW JERSEY
435 BROADWAY
REDEVELOPMENT PLAN
January 5, 2024

City of Bayonne, Hudson County, New Jersey

Adopted pursuant to N.J.S.A. 40A:12A-1, The New Jersey Local Redevelopment and Housing Law, by Ordinance of the Municipal Council of the City of Bayonne on second reading and public hearing on __________, 2024 following adoption by the Planning Board of the City of Bayonne on __________, 2024.

Prepared for the City of Bayonne by the Department of Planning, Zoning and Development by:

\[Signature\]
Suzanne T. Mack, PP, AICP, CTP, FITE, AHP
City Planner
NJ Professional Planner License No. 4421

And Planning Consultants:

\[Signature\]
Brian M. Slaugh, PP, AICP
NJ Professional Planner License No. 3743

\[Signature\]
James Clavelli, PP, AICP
NJ Professional Planner License No. 6514

Clarke Caton Hintz | 100 Barrack Street | Trenton, NJ | 08608
Acknowledgements

Mayor
The Honorable James M. Davis

Municipal Council
Gary La Pelusa Sr., Municipal Council President and
3rd Ward Council Member
Neil Carroll, III, 1st Ward Council Member
Jacqueline Weimmer, 2nd Ward Council Member
Loyad Booker, Council Member-At-Large
Juan M. Perez, Council Member-At-Large

Planning Board
Karen Fiermonte (Chairperson)
Maria I. Valado (Vice-Chairperson)
Ramon Veloz (Mayoral Designee)
George Becker (Secretary)
Loyad Booker, Jr. (Council Member)
Jack Beiro
Ahmed Lack
Mikel Lawandy
Thomas Maiorano

City Officials
Joseph D. Skillender Jr., Esq., Director of the Department of
Planning, Zoning, and Development
Alicia Losonczy, Land Use Administrator
Tracey Tuohy, Zoning Officer
Suzanne T. Mack, PP, AICP, CTP, City Planner

City Professionals
Richard N. Campisano, Esq., Planning Board Attorney
John P. Wyciskala, Esq., Ingelsino, Webster, Wyciskala and Taylor,
Redevelopment Attorney
Robert Russo, PE, PP, CME, City Engineer
Andrew Raichle, PE, PP, Matrix New World Engineering,
Special Project and Redevelopment Engineer
Brian M. Slaugh, PP, AICP, Clarke Caton Hintz, Consulting Planner
Table of Contents

1. INTRODUCTION .................................................................................................................. 1

2. REDEVELOPMENT AREA ...................................................................................................... 3
   Table 1: Parcel and Ownership Information ........................................................................... 4
   Figure 1: Collective Images of the Buildings, Facades and Streetscapes .............................. 5
   Figure 2: Redevelopment Area Map .................................................................................... 7

3. REDEVELOPMENT PLAN ..................................................................................................... 8

4. REDEVELOPMENT PLAN GOALS AND OBJECTIVES ...................................................... 8

5. DEVELOPMENT REGULATIONS .......................................................................................... 9
   5.1 INTENT AND PURPOSE ................................................................................................. 9
   5.2 GENERAL REGULATIONS .............................................................................................. 9
   5.3 DEFINITIONS ................................................................................................................ 10
   5.4 PRINCIPAL PERMITTED USES ..................................................................................... 14
   5.5 ACCESSORY USES, BUILDINGS AND STRUCTURES PERMITTED ............................ 16
   5.6 PROHIBITED USES ........................................................................................................ 18
   5.7 AREA, YARD, HEIGHT AND COVERAGE REQUIREMENTS ......................................... 18
   Figure 3: Required Setbacks ............................................................................................... 19
   Figure 4: Location of Commercial Rooftop Use ................................................................... 22

6. DESIGN STANDARDS ........................................................................................................... 23
   6.1 PARKING STANDARDS ................................................................................................... 23
       Table 2. Parking Aisle Widths ............................................................................................ 25
   6.2 BUILDING AND STREETSCAPE DESIGN STANDARDS ............................................... 26
       Figure 5: United States Post Office on Broadway ............................................................ 27
       Figure 5: Philip G. Vroom School on W. 26th Street ....................................................... 28
       Figure 7: Mixed-use building at 477 Broadway ............................................................... 30
       Figure 8:RWJ Barnabus/Jersey City Medical Center located at 519 Broadway ... 30
   6.3 STREETSCAPE DESIGN ............................................................................................... 33
       ........................................................................................................................................ 35
       Figure 9: A Detail of a Tree Grate with an Adjustable Opening .................................... 35
   6.4 LIGHTING ..................................................................................................................... 36
   6.5 FENCES AND WALLS ................................................................................................... 37
   6.6 LANDSCAPING STANDARDS ......................................................................................... 37
   6.7 SIGNS .......................................................................................................................... 38
   6.8 OPEN SPACE AND RECREATION FACILITIES ............................................................ 38
7. This Plan Cannot Be Used as a Basis for Eminent Domain ........................................ 41
8. Relocation of Persons and Businesses ........................................................................ 41
9. Relationship of Redevelopment Plan Objectives to Other Plans ................................. 41
10. Comparison of Plans of Other Jurisdictions ............................................................... 42
11. Effect of Approval ....................................................................................................... 43
Appendix A: Resolution Authorizing the Redevelopment Plan ......................................... 44
Appendix B: Redevelopment Area Tax Map ..................................................................... 46
435 Broadway Redevelopment Plan
Block 220, Lots 18, 23, 24, 25 & 26

City of Bayonne
Hudson County, New Jersey

1. INTRODUCTION

The site, consisting of several properties including 431-437 Broadway, 1-13 W. 19th Street and 10-12 W. 20th Street, also known as Block 220; Lots 18, 23, 24, 25 and 26 on the official tax map of the City of Bayonne, was designated as a Non-Condemnation Area in Need of Redevelopment by the Municipal Council of the City of Bayonne by the adoption of Resolution No. 23-05-17-061 on May 17, 2023. In addition to designating the area for redevelopment, the resolution also authorized the Planning Board to prepare a Redevelopment Plan consistent with the requirements of the Local Redevelopment and Housing Law (N.J.S.A 40A:12A-1 et seq.) A copy of the Resolution is located in Appendix A of this document.

The Plan facilitates the redevelopment of five commercial lots. As indicated in the Area in Need of Redevelopment Study which lead to the redevelopment designation of the site, the site contains partially vacant, aging buildings and abandoned structures, as well as substandard surface parking lots. The site, with its proximity to mass transit in the form of buses and light rail, is an area ripe for the incorporation of smart growth principals as part of a comprehensive plan for redevelopment.

The site, while containing substandard features, partial vacancy, and outdated design, is located within the premier commercial corridor of the City of Bayonne on Broadway, in the heart of the Central Business District. Portions of the site (Lots 23, 24, 25 and 26, but not Lot 18) are located within the Transit District Overlay (TDO), which allows for high density development given the proximity to the 22nd Street Hudson Bergen Light Rail station. The site also benefits from its location in the City’s Urban Enterprise Zone (UEZ). The UEZ is a state-designated area that allows businesses to charge half the state sales tax rate on exempt sales, with the current rate at 3.125% of the total. Further, loans, grants, and other assistance is provided to qualified businesses from the distribution of sales tax revenue collected and then distributed from the UEZ Assistance Fund, among other economic benefits.

The Redevelopment Plan is intended to facilitate attractive mixed-use development on Broadway and in the retail and commercial center of the City, and to facilitate the

1. Appendix B contains the tax map of the Redevelopment Area.
development of residential units on W. 19th Street and W. 20th Street, as well as Broadway. The Plan is intended to provide for a mix of commercial uses, including dining and nightlife opportunities, medical offices, and other commercial uses to facilitate mixed-use development that will contribute to the vibrant, diverse neighborhood located along Broadway between W. 19th Street and W. 20th Street.

The underlying zoning, as indicated in the following illustration, is the Central Business District (CBD), which envisions a robust downtown and urban commercial district, and the R-2 Detached/Attached Residential District. Lots 23, 24, 25 and 26, but not Lot 18, are located within the Transit Development Overlay (TDO). As the Redevelopment Area will be developed holistically, this plan will put in place standards to enhance the commercial and residential vitality of Broadway, while recognizing the proximity to the R-2 zone, and providing standards to ensure that the redevelopment area is developed in harmony with the existing neighborhoods both in the CBD zone, R-2 zone and the Transit Development Overlay.

To maintain the continuity of the streetscapes along Broadway, W. 19th Street and W. 20th Street, this plan will require setbacks which follow the pattern of the existing conditions on each street. Along Broadway and W. 20th Street, buildings in the
redevelopment area will be required to build to the property line. Along W. 19th Street, buildings will require a 7-foot setback. The redevelopment area will require a 3-foot setbacks to Lot 19, and 0-foot setbacks to any other properties.

The plan permits a variety of food and beverage uses on the ground floor with an option to allow the use of the roof for outdoor drinking, dining and events. This option, while unique, interesting and attractive, requires several adjustments that are atypical for most mixed-use buildings. Requirements for this option will include the need for a dedicated elevator for the rooftop use, enhanced screening and sound attenuation standards, and other regulations to ensure the use functions in a non-intrusive manner with the surrounding neighborhood.

Demand for additional housing in the City of Bayonne has proven vigorous over the past decade, with new residential development being occupied at rapid rates. This site will help to meet that demand in a manner that is complementary to the existing neighborhood by providing design standards which combine elements of the historic architectural style of nearby City institutions and more modern development along Broadway. In addition to providing for attractive development for prospective residents, streetscape improvements along the frontage and attractive architectural design are meant to be an asset for long time and future neighborhood residents, business owners and visitors. The influx of new residents resulting from the residential portion of the development creates a growth opportunity for local businesses and organizations.

Additionally, the rear portions of the tract along E. 19th and E. 20th Streets is within the R-2 Detached/Attached Residential District. Recognizing the proximity to these residential uses, the Redevelopment Plan will contain standards to ensure that any redevelopment is built with due recognition of the existing neighborhoods both in the CBD zone and the R-2 zone.

Lastly, the impact of more severe weather events such as Superstorm Sandy has emphasized the need for sustainable development with an emphasis on stormwater management. The regulations in this Plan ensure that stormwater management and climate preparedness are at the forefront of the redevelopment of the 435 Broadway site.

2. **REDEVELOPMENT AREA**

The Redevelopment Area consists of five lots containing a total area of 25,405 sf. (0.58 acre). The site has frontage on Broadway (1428 ft.), W. 19th Street (50 ft.) and W. 20th Street (171 ft.). The five lots are rectilinear with the exception of Lot 26 which is somewhat "L" shaped, though only slightly.
Lots 23, 24, 25 and 26 are connected and form the majority of the redevelopment area, consisting of more than half of frontage of the west side of Broadway between W. 19th Street and W. 20th Street, and a large portion of the frontage on W. 20th Street, covering the northeastern corner of Block 220. Lot 18 is connected to Lot 26 along the rear property line and is the only property which has frontage on W. 19th Street. The Redevelopment wraps around the northern and western portions of Lots 10 – 22.

### Table 1: Parcel and Ownership Information

<table>
<thead>
<tr>
<th>BLOCK</th>
<th>LOT</th>
<th>PROPERTY CLASS</th>
<th>OWNER</th>
<th>ACRES/SF.</th>
</tr>
</thead>
<tbody>
<tr>
<td>220</td>
<td>18</td>
<td>4A</td>
<td>11-13 W19 LLC</td>
<td>.12/5,133</td>
</tr>
<tr>
<td>220</td>
<td>23</td>
<td>4A</td>
<td>Broadway Ventures LLC</td>
<td>.12/5,425</td>
</tr>
<tr>
<td>220</td>
<td>24</td>
<td>4A</td>
<td>Broadway Ventures LLC</td>
<td>.06/2,713</td>
</tr>
<tr>
<td>220</td>
<td>25</td>
<td>4A</td>
<td>Broadway Ventures LLC</td>
<td>.14/6,083</td>
</tr>
<tr>
<td>220</td>
<td>26</td>
<td>4A</td>
<td>10-12 W 20 LLC</td>
<td>.14/6,051.39</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>.58/25,405</strong></td>
</tr>
</tbody>
</table>

The five lots are all listed as property class 4, which indicates commercial property (office, retail, typically). Lot 25 is a separate lot on the Bayonne tax map, however, it is assessed as an additional lot under Lot 24 according to the State’s MOD IV database.

Lot 18 consists of a parking area which serves the nearby businesses on Broadway, including some of the business located within the Redevelopment Area. The lot has a curb cut on W. 19th Street. The parking area consists of parallel spaces and typical 90° parking stalls. Lot 23 consists of a one-story commercial building that contains the Bayonne Go Cart Co. Furniture store and a Jackson Hewitt Tax Services office. The building covers the entirety of the lot. Lots 24 and 25 are under common ownership and are assessed as one property. One large building is located on both lots. The portion on Lot 24 is two stories, while the portion on Lot 25 is three stories. The building contains the Retro Fitness gym. Awnings are located on the building’s façade and lighting is provided by goose-neck fixtures. Lot 26 contains a parking lot that serves the gym and other nearby businesses. There is a drive-thru with canopy for a former bank that had occupied the building, but no longer is in use. Like Lot 18, the property has parallel spaces and 90° parking stalls. Trees are located in the short side of the “L” shaped lot towards the rear of Lot 23. Access is provided via a driveway on W. 20th Street and also provides a connection to the adjoining Lot 18 parking area.
The Redevelopment Area abuts four lots. On Broadway, Lot 23 abuts Lot 22 to the south. This lot, and the two lots to the south, contain retail and services businesses including a Mediterranean market, uniform store and barbershop. Each building contains residential units above the ground floor. Lot 19 is a narrow lot that abuts Lots 18 to the west, Lot 26 to the north and Lot 23 to the east, and consists of a residential building. Lot 27 is located to the west of Lot 26 and north of Lot 18 and consists of residential units in condominium ownership. Lot 17 is located to the west of Lot 18 and is developed with a semi-detached residential building.

Uses across the street on Broadway are primarily service oriented businesses with residential dwellings above the ground floor. A pocket park is located across the street from the redevelopment area. W. 19th and W. 20th Streets both contain commercial uses at the corners shared with Broadway, and residential buildings of different sizes as one moves further from Broadway.

The site is well served by public transportation. The 22nd Street Light Rail Station is about one fifth of a mile (1,000+ feet) from the site and provides access to New Jersey Transit Trains in Hoboken and the PATH rail system to New York City. Broadway is served by the Broadway Bus Co., a private bus line that operates on Broadway. NJ Transit operates several bus lines in the City which connect to New York City and other locations, including the #81L Local and the #81X Express on Avenue C and additional service on John F. Kennedy Boulevard.

Figure 1: Collective Images of the Buildings, Façades and Streetscapes
Streetscape of Redevelopment Area
Lot 26 along West 20th Street

Façade of Lots 23 and 24 along Broadway.

Façade of Lot 25 on the corner of Broadway and W. 20th Street.

Photos: Clarke Caton Hintz
3. **REDEVELOPMENT PLAN**

As noted in the introduction, the Planning Board found in its preliminary investigation of the study area that existing conditions met several statutory criteria for the establishment of a Redevelopment Area. What has followed from this designation is the preparation of this document, the Redevelopment Plan. The Redevelopment Plan has been prepared with the following statutory components:

A. Redevelopment goals and objectives;

B. Proposed land uses and design concepts;

C. Redevelopment regulations and standards and their relationship to the City’s Planning and Zoning Ordinance; and its

D. Significant relationships of the Redevelopment Plan to other plans.

4. **REDEVELOPMENT PLAN GOALS AND OBJECTIVES**

The plan provides for orderly development of the Redevelopment Area in accordance with the following goals and objectives:

A. To provide for the coordinated development of vacant and underutilized parcels in a manner consistent with the City Master Plan, Hudson County Strategic Revitalization Plan, and State Development and Redevelopment Plan.

B. To promote the revitalization of vacant and underutilized sites with viable land uses.

C. To create economic development opportunities that will generate private sector investment, produce new or sustain existing jobs, and increase the City’s tax base.

D. To ensure high-quality architecture and attractive redevelopment.

E. To promote redevelopment that is appropriate for the Redevelopment Area’s particular location within the commercial corridor of Broadway, the surrounding land uses, and proximity to the Hudson-Bergen Light Rail system and other mass transit facilities.

F. To ensure an attractive streetscape that complements the existing neighborhood and enhances the built environment.

G. To develop in a manner that recognizes and prepares for a future with more extreme weather events and a changing climate.
H. To ensure compliance with state and local regulations.
I. To promote the goals of healthy and livable communities.
J. To provide a resident population to support local businesses and transit ridership.
K. To provide for a variety of land uses including new housing stock, commercial uses including office, retail, and entertainment.

5. DEVELOPMENT REGULATIONS

5.1 INTENT AND PURPOSE

The Redevelopment Plan is intended to be implemented through the site plan approval process once a redeveloper is selected and a redevelopment agreement signed between the parties. It is the intent of this Redevelopment Plan to make redevelopment feasible through greater flexibility of land development regulations and carefully gauged increases in building height, density and massing of development within its neighborhood context.

5.2 GENERAL REGULATIONS

A. The regulations set forth herein shall supersede all prior redevelopment plans pertaining to this site and the Bayonne Land Development Ordinance Chapter 33 and the Bayonne Zoning Ordinance Chapter 35, unless otherwise noted herein.

B. The regulations set forth herein shall apply to the tract as a whole, not to individual lots which may be created therein. For the purposes of this redevelopment plan, the word “tract” shall mean the entire redevelopment area.

C. The tract may be developed in one or more phases, but each phase shall contain only one building, but each phase shall contain only one building. The tract may be consolidated or subdivided into one or more lots provided that the requirement and standards in this section of the document are adhered to and appropriate easements created and maintained for access, utilities and other operational functions are enacted. The tract and any lots therein shall be permitted to contain one or more buildings or uses.

D. All dimensional and other requirements shall apply to the tract as it exists at the time of the adoption of this Redevelopment Plan.

E. This Redevelopment Plan may be amended from time-to-time upon compliance with the requirements of law. A fee of $1,000.00 plus all costs
of copying and transcripts shall be payable to the City of Bayonne for any request to amend this Plan. If there is a designated Redeveloper, said Redeveloper shall pay these costs. If there is no Redeveloper, the appropriate agency shall be responsible for any and all such costs.

F. Any nonresidential development that occurs in the Redevelopment Area shall be required to comply with the terms and conditions of the New Jersey Statewide Residential Fee Act, N.J.S.A. 40:55D-8.4, or such other State statutory or regulatory obligations pertaining to affordable housing obligations associated with non-residential development that may be in effect at the time of construction.

G. Residential affordable housing development fees or exemptions from or reductions of same shall be as established in the Redevelopment Agreement between the City and designated redeveloper for the Redevelopment Area as required by this Redevelopment Plan.

5.3 Definitions

Any word or term not defined herein shall be as defined in the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., or the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. and shall be utilized in standard usage for the context in which the word is used. In interpreting definitions, words in one tense shall include other tenses or derivative forms; words in the singular shall include the plural and in the plural, the singular; either gender shall include the other or neither; the word "shall" is mandatory; the word "may" is permissive; the word "used" shall include "arranged," "designed," "constructed," "altered," "converted," "rented," "leased," or "intended to be used"; the word "lot" includes the words "plot," and "premises". The word "includes" or "including" shall not limit the term to the specified example; but is intended to extend its meaning to all other instances of like kind and character. Whenever a term is used in this Section, which is not defined, but which term is defined in the §33-2.2 of the Bayonne Municipal Code shall have such meaning as defined therein. Lastly, any word or term not defined or referenced within this Plan shall be used with a meaning of standard usage as defined in Webster's New International Dictionary of the English Language, unabridged and latest edition.

A. Definitions. The definitions listed below shall have the meanings indicated for use with this Redevelopment Plan.

Aisle, Parking – The traveled way by which cars enter and depart parking spaces.

Aisle, Drive – The traveled way for access from the public street to private property;
driveway.

Art Gallery - A use for which original works of art or limited editions of original art are bought, sold, loaned, appraised, or exhibited to the general public.

Art/Performance/Instructional Studio - Studios and instructional facilities, such as dance studios, music studios, yoga studios, culinary studios, fitness classes, martial arts studios, or similar establishments, in which a specific subject is taught, as distinguished from a public or private general educational school. This category does not include facilities in which industrial training is provided, such as welding or automotive repair, involving the use of tools and materials appropriate to an industrial use area. This differs from a facility that houses exercise equipment for the purposes of physical exercise in a non-instructional class setting (for that, see Health Club definition).

Auto-share – The use of automobiles owned by a profit or non-profit automobile-sharing service for communal use which may require the vehicle to be reserved in advance and where fees are charged based on cost of membership, or use by distance, or other fee structure.

Bar - A use engaged primarily in the sale or dispensing of alcoholic beverages by the drink for consumption on the premises.

Brewery, Limited - A limited brewery licensed by the State of New Jersey pursuant to N.J.S.A. 33:1-10; a.k.a., a t.b. license.

Brewpub – A restricted brewery licensed by the State of New Jersey pursuant to N.J.S.A. 33:1-10; a.k.a., a t.c. license.

Building Height - The vertical distance measured from the main elevation of the finished grade along the front of the building to the highest point of the roof; flat roofs, to the main height level; between the eaves and the ridge, for gable and hipped roofs and to the deck line for mansard roofs. Building height shall not include roof-mounted mechanical equipment or other rooftop structures, including structures used for indoor and outdoor Recreation Facilities provided those equipment or structures do not exceed twenty-five (25) feet in height as measured from the top of the roofline, nor contain any floor area used for residential purposes, or as otherwise stipulated herein.

Building, Principal – A structure in which is conducted the principal use of the site on which it is situated.
Build-to-Line – A distance measure that establishes a line in relation to one or more property lines upon which the building is required to be erected on a lot.

Café – An informal eating and drinking establishment with a limited menu characterized by both indoor and/or outdoor seating.

Cidery - A facility for the production of alcoholic cider licensed by the State of New Jersey pursuant to N.J.S.A. 33:1-10; a.k.a., a 2.f. license.

Civic Uses - Municipal use, library, municipal recreation center, community center, fire house, and police station.

Commercial Recreation, Indoor - Recreational uses conducted entirely within a building that may include the following uses: amusement games, badminton, basketball, billiard or snooker hall, bowling alley, escape-rooms, gymnasium, handball, hatchet throwing, laser tag, pickleball, skate parks, table games, swimming pool, tennis court, virtual reality, and other similar activities; but not to include archery, discharge of firearms, airsoft guns, paintball guns, and BB guns; the playing of casino games, slot machines, games of chance or games of skill that result in monetary or cash prizes.

Craft Distillery - A facility for the making of liquor produced by the distillation process from plant matter that has previously undergone an alcoholic fermentation process and is licensed by the State of New Jersey pursuant to N.J.S.A. 33:1-10; a.k.a., a 3.d license.

Health Club/Wellness Center - A building or portion of a building designed and equipped for the conduct of sports, exercise, fitness instruction, martial arts training, or other customary and usual recreational activities, leisure time activities, and may include nutritional services and sales of products, spa services, health checkups and similar life balance activities operated by profit or not-for-profit organizations, open to bona fide members or guests.

Lot Coverage – The area of a lot covered by any impervious surface.

Meadery - A fermentation facility for the making of mead that is licensed by the State of New Jersey pursuant to N.J.S.A. 33:1-10; a.k.a., a 2.f. license.

Mixed Use – Development that contains a residential use and one or more non-residential uses as principal permitted uses.

Office, Dental - See office, medical.
Office, General – A room or group of rooms used for conducting the affairs of a business, profession, service, industry, or government and generally furnished with desks, tables, files, reproduction, computer and communications equipment.

Office, Leasing – An office serving the principal permitted use or uses in a building intended as a sales and leasing office for dwellings or tenanted space within the principal building.

Office, Medical - A use that undertakes the diagnosis, treatment, and care of human beings. These include: behavioral health, dental services, medical services, nursing, physical therapy, and mental health, but not to include urgent care facilities, ambulatory outpatient facilities and hospitals.

Open Space – Any area that is unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space; provided that such areas may be improved with buildings, structures, streets, and off-street parking and other improvements that are designed to be incidental to the natural openness of the land.

Outdoor Seating, Eating and Drinking Establishments – An accessory use to or extension of an eating or drinking establishment meeting the criteria for such in the Redevelopment Plan.

Recreation Facility, Personal – A recreation facility provided as an accessory use on the same tract as a principal permitted use and designed to be used primarily by the occupants of the principal use and their guests.

Redeveloper – Any person, firm, corporation or public body that shall enter into a contract with the municipality or other redevelopment entity for the redevelopment or rehabilitation, of any area in need of redevelopment, or an area in need of rehabilitation, or any part thereof, under the provisions of the LRHL, or for any construction or other work, forming part of a redevelopment or rehabilitation project.

Restaurant - Any establishment, however designated, at which food is sold primarily for consumption on the premises and within a building.

Retail Sales – Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods, including duty free shops, but not to include adult shops and adult media stores.
Retail Services – Establishments providing services or entertainment, as opposed to products, to the general public for personal or household use, including, finance, real estate and insurance, motion pictures, amusement and recreation services, health, educational, and social services, museums and concert halls, but not to include adult cabarets.

Shared-Work Space – An office unit or building that provides accommodation for multiple businesses to share office resources, also known as coworking or collaborative work spaces.

Sidewalk Café – an addition to or extension of a café or retail use onto the public realm outside of interior space otherwise occupied by the establishment. See, Outdoor Seating.

Sign, Incidental - A sign to convey information to the general public that has a purpose secondary to the use of the lot on which it is located.

Story - That portion of a building included between the surface of any floor and the surface of the floor next above it; or if there is no floor above it, then the space between the floor and ceiling next above it. The floor of the first story of a building shall not be more than 6 feet above the average grade of the ground around the building. A parking level under a building which is not more than half its height above grade shall not be considered a story. A mezzanine floor shall be counted as a story. Architectural embellishments, mechanical equipment enclosures, elevator penthouses and rooftop structures and improvements shall not be counted as a story.

Streetscape – Street furniture, walls, fencing, traffic control devices, kiosks, landscaping, newspaper boxes, charging stations, and other appurtenances located between the curbline and right-of-way, or immediately adjacent to the right-of-way on private property, for the use or visual enhancement of the street.

Tavern – An establishment in which alcoholic beverages are served, primarily by the drink, and where food may also be served or sold for consumption on the premises.

5.4 PRINCIPAL PERMITTED USES

A. Principal permitted uses. A mixed-use building containing the following components:

1. Apartments above the ground floor of the mixed use building. Apartments shall not be permitted on the ground floor of any building but may be permitted on floors two through six, inclusive.
2. Any one, or combination of, the following uses shall be permitted on the first, or, ground floor:
   a. Art gallery.
   b. Art/Performance/instructional studio.
   c. Bar.
   d. Brewery, limited.
   e. Brewpub.
   f. Café.
   g. Cidery.
   h. Commercial recreation, indoor.
   i. Health club/wellness center.
   j. Meadery.
   k. Office, general.
   l. Office, medical.
   m. Personal sales and service establishments.
   n. Recreation, indoor.
   o. Restaurant.
   p. Retail sales.
   q. Retail services.
   r. Shared-work space.
   s. Sidewalk café in accordance with §21-32 of the City of Bayonne Municipal Code.
   t. Tavern.

3. In addition to being permitted as a ground floor use, the following uses or combination of uses shall be permitted as multiple floor non-residential
uses of the buildings or on single floors, on floors 2 and 3.

a. Art gallery.

b. Art/Performance/instructional studio.

c. Civic use.

d. Health club/wellness center.

e. Office, general.

f. Office, medical.

g. Retail sales.

h. Retail services.

i. Shared-work space.

4. In addition to being permitted as a ground floor use, the following uses or combination of uses shall be permitted on the rooftop as part of a use on the lower level if compliant with design regulations found in §5.7.J:

a. Restaurant.

b. Bar.

c. Brewery, limited.

d. Brewpub.

e. Café.

f. Cidery.

g. Meadery.

h. Tavern.

5.5 Accessory Uses, Buildings and Structures Permitted

A. The following accessory structures and uses shall be permitted when used in conjunction with a principal use:

1. Balconies and terraces for individual units and/or common use.
2. Fences, street furniture, and walls.

3. Leasing office.

4. Parking, which may be structured parking, surface parking, mechanical parking, or subterranean parking (if conditions permit subterranean parking).

5. Signs, as regulated herein.

6. Utilities, including rooftop solar panels and electric charging stations.

7. Green infrastructure, including but not limited to, green roofs and rain gardens.

8. Refuse enclosures.

9. Outdoor seating at the ground level or second floor terrace associated with a café, sidewalk café, retail sales or retail service use compliant with §21-32 of the Municipal Code of the City of Bayonne and meeting the following requirements:
   
   a. Serving food or drink to be consumed by the public at four or fewer tables, with not more than four chairs at each table, located within that portion of the sidewalk that lies within the area bounded by the public street, the principal façade and the imaginary perpendicular lines running from the outer edges of such principal façade to the public street; and
   
   b. Containing only readily removable tables and chairs, without portable and/or temporary railings and/or planters; and
   
   c. Unenclosed by fixed walls or ceilings, fences and removable barriers, umbrellas or other nonpermanent enclosures, exclusive of retractable awnings that are permanently affixed to the subject premises.

10. Residential amenities and recreation facilities that are accessory to a residential development and limited exclusively for the use and enjoyment of the residents of the development (personal recreation facilities as defined herein), such as lounges, package rooms, fitness centers, game/party rooms, swimming pools, and multi-purpose rooms.

11. Outdoor rooftop amenities that may include an observation room, sundeck, recreation, seating, landscaping, community tables, dining areas, outdoor
bars, game tables; corn hole, bocce, horseshoes, quoits, croquet, lawn bowling, corn hole or sack toss, mumblety-peg and similar outdoor games; food preparation, grilling stations and limited exclusively for the use and enjoyment of the residents and guests of the residents.

12. Restrooms for indoor and outdoor rooftop amenity space.

13. Common open space for residents and their guests.

14. Auto-share (such as ZipCar or equivalent) and/or ride-share (such as Uber/Lyft or equivalent) facilities, spaces, shelters.

15. Bicycle racks, shelters, and storage areas.

16. Uses that are customary and incidental to any principal uses and located on the tract as set forth herein.

5.6 PROHIBITED USES

All uses not expressly permitted in this Redevelopment Plan are hereby prohibited.

5.7 AREA, YARD, HEIGHT AND COVERAGE REQUIREMENTS

A. Minimum and maximum setback requirements. Setback requirements are indicated herein and graphically articulated in Figure 3.

1. Build-to-Line, W. 20th Street: 0 ft. (as indicated below in yellow).

2. Build-to-Line, W. 19th Street: 7 ft. (as indicated below in purple).

3. Build-to-Line, Broadway: 0 ft. (as indicated below in yellow).

4. Build-to-Line, adjacent property Block 220, Lot 19: 3 ft., except where building code requires separation (as indicated below in red).

5. Build-to-Line, adjacent properties other than Block 220, Lot 19: 0 ft., except where building code requires separation (as indicated below in yellow).
Figure 3: Required Setbacks

B. Maximum building height, feet: 85 feet.

C. Maximum building height, stories: 6 stories.

D. Minimum tract area: the entire redevelopment area.

E. Minimum lot area: 5,000 sf.

F. Projections, appurtenances, or architectural features shall be permitted to extend into the right-of-way on W. 19th Street, W. 20th Street or Broadway to a maximum of four feet and shall be subject to Planning Board review and approval by the Municipal Council.

G. Utilities and utility structures shall be permitted in the building setback area, whether the structures are above ground or below ground, as approved by the Planning Board.

H. Maximum building coverage: 100% of the tract if a green roof, designed in
accordance with the standards of §6.9.F, occupies at least 700 sf., otherwise the building coverage shall not exceed 95% of the tract area.

I. Maximum lot coverage: 100% of the tract if a green roof, designed in accordance with the standards of §6.9.F, occupies at least 700 sf., otherwise the lot coverage shall not exceed 95% of the tract area.

J. Minimum residential floor areas and ratio of dwellings to total dwellings in the Redevelopment Area.

1. Studio dwellings: 450 square feet per unit.

2. One-bedroom dwellings: 600 square feet per unit.

3. The total number of studio and one-bedroom dwellings shall not exceed 90% of the total number of dwelling units.

4. Two-bedroom dwellings: 800 square feet per unit. Two-bedroom units shall not comprise more than 60% of total unit count.

5. Dwellings containing more than two-bedrooms shall not be permitted.

6. All bedrooms and living rooms are required to include a window to the outside for light and air of no less than five and one-half sf. in area.

7. A den or similar living space shall be considered a bedroom unless it lacks a closet or an entry door, and/or has an opening that cannot be fitted for a standard interior door (i.e., wider than 36 inches) and/or has dimensions that cannot fit a full-size bed (54" x 74").

K. Commercial rooftop use. Any one, or combination of, uses indicated in §5.4.A.4 are permitted to utilize a portion of the rooftop for their business, provided the following standards are met (see also Figure 4):

1. The commercial rooftop use(s) shall not exceed 1,800 sf. of the roof surface.

2. From the intersecting property lines along E. 20th Street and Broadway, the commercial rooftop use shall not extend beyond a distance of 50 feet from the Broadway right-of-way (the area of the roof where such a use is permitted is indicated in Figure 4 in yellow, while the area where such a use is not permitted is indicated in red).

3. Walkways leading to the commercial rooftop use are permitted beyond the 50-foot limitation as required in sub-paragraph 2 above, as are associated elevators and stairwells.
Planning Board Review of 435 Broadway Redevelopment Plan

January 5, 2024

4. A buffer shall be placed around the commercial rooftop use that shall comply with the following standards. The area of the roof where such a buffer is required is indicated in Figure 4 in purple. The exact extent of the buffer will vary with the design chosen by the redeveloper for this use. The design standards for the buffers shall be as follows:

a. A five-foot buffer shall be required between the commercial rooftop use and the right-of-way of Broadway.

b. An eight-foot buffer shall be required between the commercial rooftop use and the right-of-way of E. 20th Street.

c. An eight-foot buffer shall be required between the commercial rooftop use and the southern property line shared with Block 220, Lot 22, and any future lot which occupies the same location as Block 220, Lot 22.

d. The rear of the commercial rooftop use shall require a five-foot buffer.

e. If the commercial rooftop use shares the rooftop with a residential rooftop amenity, there shall be a separation buffer that is five feet in width.

f. Buffers shall be composed of plantings at least three feet in height at the time of planting. The three feet may be inclusive of any planter within which the planting is planted. Such plantings shall be native or native-adapted, drought tolerant, and able to survive in an urban rooftop environment.

g. In lieu of, or in combination with, evergreen plantings, the redeveloper may build a six-foot tall masonry wall, clear barrier or sound attenuation wall as a means of buffering the commercial rooftop use from the street and surrounding properties. The masonry wall, clear barrier or sound attenuation wall shall be designed to complement the design of the building. The sound attenuation wall shall be the AIL Soundwall system or approved equivalent. In this event, the width of the buffer may be reduced as approved by the Planning Board.

h. Elevator penthouses and staircases are permitted within required buffers.
Figure 4: Location of Commercial Rooftop Use

5. Commercial rooftop uses shall require a separate elevator from the elevator to be used by residents to access residential portions of the building. The elevator shall have access to the ground floor and rooftop and shall be locked out of stops on residential floors except for emergency override by emergency personnel. Patrons and employees of the nonresidential rooftop use may utilize residential elevators only in the event of an emergency or temporary lack of use of the commercial elevator for maintenance or breakdown.

6. Patrons and employees of the commercial rooftop use may utilize residential stairwells only in the event of an emergency.

L. Residential rooftop amenity. Residential rooftop amenities may be located on any roof surface, provided that the following standards shall be met:

1. The residential rooftop amenity shall be setback from any adjacent property or street right-of-way by a minimum of five feet.

2. A five-foot buffer shall be required between any residential rooftop amenity
and adjacent property or street right-of-way.

3. Buffers shall be composed of evergreen plantings at least six feet in height at time of maturity. The six feet may be inclusive of any planter within which the evergreen planting is planted. Such plantings shall be native or native-adapted, drought tolerant, and able to survive in an urban rooftop environment.

4. In lieu of, or in combination with, evergreen plantings, the redeveloper may build a six-foot tall masonry wall or sound attenuation wall as a means of buffering the residential rooftop amenity from the street and surrounding properties. The masonry wall or sound attenuation shall be designed to complement the design of the building. The sound attenuation wall shall be the All Soundwall system or approved equivalent.

5. Elevator penthouses and staircases are permitted within required buffers.

6. DESIGN STANDARDS

6.1 PARKING STANDARDS

A. Minimum off-street vehicular parking requirements.

1. 1.0 spaces per studio and one-bedroom dwelling.

2. 1.25 spaces per two-bedroom dwelling.

3. 1.0 space per each 500 sf. of non-residential uses (including the floor area of a commercial rooftop use) reserved for employee(s) of the establishment(s) for the area in excess of 2,000 sf. of gross leasable area.

B. Shared Parking. For mixed-use developments, a shared parking approach to the provision for off-street parking may be provided for uses with complementary peak parking demands, based on current guidance from the Institute of Transportation Engineers. Non-daily employee parking may be permitted for adjacent commercial establishments if capacity exists in off-peak hours.

C. Auto-Share Parking. Each auto-share space located within the parking area shall count as two spaces for the purposes of meeting the parking requirement, except for calculating the required employee parking for non-residential uses.

D. Minimum Off-Street Bicycle Parking.

1. A minimum of 0.5 spaces per dwelling unit is required.
2. A minimum of one designated bicycle parking space for every 500 sf. of non-residential floor area shall be provided.

3. A minimum of ninety percent (90%) of the required number of bicycle parking spaces shall be provided in conveniently accessible indoor locations and/or storage rooms. Bicycle parking spaces that are against a wall may also be permitted to use a wall hanger for storing bicycles. Provisions for sidewalk bicycle racks in clear view of storefronts is encouraged, provided pedestrian circulation is not impeded.

E. Vehicle Parking Stall Dimensions.

1. Parking stall dimensions shall be based on the standards set forth below for standard parking stalls, compact parking stalls, parallel parking stalls, and tandem parking stalls, all of which shall be considered permitted parking types.

2. Standard parking stalls shall be a minimum of 8 feet wide by 18 feet deep.

3. Compact parking stalls shall be a minimum of 7 feet 4 inches wide by 16 feet deep.

4. Parallel parking stalls shall be a minimum of 8 feet wide by 20 feet deep.

5. Tandem, or stacked, spaces shall be a minimum of 9 feet wide by 36 feet deep.

6. A maximum of thirty-five percent (35%) of the off-street parking spaces may be compact-sized.

7. Mechanical parking systems are permitted to increase structured parking capacity. Parking spaces incorporating a mechanical system shall be exempt from the dimensional requirements specified herein but shall conform to all manufacturer specifications.

8. Barrier-free designated parking shall be provided in accordance with the Barrier Free Sub-Code, N.J.A.C. 5:23-7, including its parking stall dimensions.

9. Electric vehicle parking shall be provided in compliance with P.L. 2021, Ch. 171 and the NJDCA Model EV Ordinance.

F. Driveway Access.

1. The maximum number of driveways accessing the tract shall be two.
2. Driveway access location. Such access shall be from W. 19th Street and W. 20th Street, and shall be limited to one combined vehicular entrance and exit to the tract on each street, no more than 24 feet in width (not including curb radii) unless otherwise approved by the City Engineer.

3. Minimum separation. No driveway shall be located within 35 feet of another driveway on the same side of the street, as measured from the centerline of each driveway.

4. Distance from intersecting street. No edge of driveway shall be permitted within 50 feet of the intersecting rights-of-way of W. 19th Street or W. 20th Street and Broadway.

G. Parking Structures.

1. Off-street parking shall be provided within the principal building.

2. Parking shall be used for passenger vehicle parking only, with no vehicle sales, dead storage, dismantling, or servicing of any kind permitted. Auto-share is permitted and shall be enforced through an appropriate enforceable legal mechanism. Off-street loading shall be permitted within the parking structure.

3. Parking structure upper decks or roofs may be landscaped and/or utilized for open space and recreation facilities.

4. The interior parking area shall have adequate security provisions.

5. The interior parking area shall utilize active, not passive, ventilation.

6. Parking aisle widths in interior parking areas shall conform to Table 2, Parking Aisle Widths.

<table>
<thead>
<tr>
<th>Angle of Parking Space (°)</th>
<th>One-Way Aisle (in feet)</th>
<th>Two-Way Aisle (in feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>90°</td>
<td>22</td>
<td>23</td>
</tr>
<tr>
<td>75°</td>
<td>17.75</td>
<td>22</td>
</tr>
<tr>
<td>60°</td>
<td>14.5</td>
<td>20</td>
</tr>
<tr>
<td>45°</td>
<td>13</td>
<td>20</td>
</tr>
<tr>
<td>30°</td>
<td>12</td>
<td>20</td>
</tr>
<tr>
<td>Parallel</td>
<td>12</td>
<td>20</td>
</tr>
</tbody>
</table>

(1) - Where the angle of the parking spaces differs sharing a common aisle, the larger aisle width shall prevail.
6.2 BUILDING AND STREETScape DESIGN STANDARDS

A. Intent and Purpose of the Design Standards. The intent and purpose of the design standards for the 435 Broadway Redevelopment Area is to produce a development that is complementary to the existing neighborhood in terms of use and design. The Broadway corridor where the site is located is a walkable, dense, mixed-use area with a combination of businesses, institutional uses and residences. The intent of the design standards is to produce a development that contains a mix of uses, and requires the building be designed in a style that is harmonious with the surrounding area. This can be achieved by utilizing one, or a combination of, styles that are:

1. Emblematic of nearby institutional buildings, namely the Federal Post Office located on Broadway at the corner of E. 26th Street and the Philip G. Vroom School located on W. 26th Street. If the redeveloper opts to design the building in this fashion, the following elements shall be incorporated in a manner that is attractive and sensible. All elements need not be incorporated, however, it should be evident that one or more of these styles serves as the dominant aesthetic feature of the building. Such elements include the following:

   a. Early Classical Revival:

      1) Roof: Domed, gable front with wings.


      3) Decorative Elements: Large portico on front façade with triangle gable, Romanesque columns with square bases, polygonal projection. Heavy emphasis on the doorway, cornice line and columns.

      4) Windows: Long rectilinear windows, arched windows and elliptical windows.

      5) Cornices: Present but less adorned.

---

6) Doors: Rectangular, semi-circular, elliptical, containing a decorative fanlight.

Figure 5: United States Post Office on Broadway

b. Colonial Georgian Style and Federal Style. These styles share many of the same elements, which are listed below:

1) Roof: Side gabled, centered gable, gambrel or hipped roof.

2) Construction materials: Brick, stone and wood frame.

3) Decorative Elements: Shutters, cupola, swags in inset panels, upper-story pilasters, elliptical fanlight, curving steps, stone belt courses and flat lintels.

4) Windows: Palladian windows in classical, three-part or modified fashion with an elliptical fanlight, keystone and segmented arches, pedimented windows, design and entablature in frieze. Typical windows contain small panes that are 9/9, 12/12, 9/6, 6/9, 8/12 or 12/8.

6) Doors: Rectangular, semi-circular, elliptical, sometimes containing fanlights and sidelights. Doors can contain pediments with triangular, segmental or ogee shapes, though lack of pediments and containing entablature is more common.

Figure 6: Philip G. Vroom School on W. 26th Street

c. Beaux Arts Style.

1) Roof: Flat or low-pitched hipped roofs or mansard roofs.

2) Construction materials: Smooth stone, brick, terra cotta and cast stone.

3) Decorative Elements: Wall surfaces with decorative garlands, floral patterns and shields. Façade with quoins, pilasters or columns. Smooth and lightly colored masonry. Symmetrical facades. Decorative details tend to be very elaborate and composed of terra cotta.

4) Windows: Pedimented windows with decorative brackets, can be arched or rectangular.

5) Cornices: Decorative cornices with leaf style elaboration and brackets and low-relief floral or leaf carving. Cornices near roof
line are often lined with a balustrade which may include solid sections. Contain dentils and modillions.

6) Doors: Rectilinear or arched with elaborate projections and decoration.

2. The second option would be a Contemporary design akin to more modern buildings located near the site that are of a similar scale, the mixed-use building located at 477 Broadway and RWJ Barnabas Health located at 519 Broadway. All elements need not be incorporated; however, it should be evident that one or more of these styles serve as the dominant aesthetic feature of the building. Such elements include the following:

a. Contemporary Style.

1) Overhangs generally have open eaves.

2) Panelized appearance with post-and-beam construction.

3) Planked roof or enclosed with a variety of solid panels or window units forming the walls.

4) Continuous use of windows and broad uninterrupted walls to enclose spatial volumes.

5) Window walls open interior rooms to outdoor spaces and may include glass doors.

5) Building Mass. The design of the site is intended to complement and enhance the existing built environment. Development will require the use of high quality materials that are emblematic of the existing neighborhood fabric and the nearby institutional buildings in the City of Bayonne. The Redevelopment Plan includes a requirement to create a varied articulation along the building frontages to have a fine-grained appearance of the facade and enhance the existing design of the building as viewed from the streets.

---

8 - ibid.
Figure 7: Mixed-use building at 477 Broadway

Figure 8: RWJ Barnabus/Jersey City Medical Center located at 519 Broadway
B. Blank or featureless walls shall be avoided, and repetition should be limited. No buildings shall have a wall with an uninterrupted length of more than 60 feet without including any change in the vertical plane of the façade. This requirement shall not apply to non-street-facing parking levels. This may be achieved through any one or combination of the following:

1. Use of a demise line. A demise line is an artificial vertical boundary that breaks a façade conceptually into several smaller units. The purpose of a demise line is to visually break up a large building by giving it the appearance of separate buildings designed by different architects within one building. Unique designs between the demise lines should be reflective of architecture styles indicated in §6.2 herein. Elements of the parts of the building between the demise lines should vary in terms of wall material, color, windows, dormers and balconies. The intent should be that each individual "building" within the demise lines should be able to stand alone as a building.

2. Pilasters, change in material, building step backs, and other façade recesses or projections.

3. The step back or projection shall be a minimum of 24 inches from the primary building façade.

C. Buildings shall be designed using a color palette that complements the architectural context of the surrounding area. Color palettes should be traditional and durable colors like beige, terra cotta, brick red, dark green, black and various grays are natural or muted and work well with the brick and stone façades of existing historic buildings in Bayonne. Overly bright, garish colors are to be avoided. Generally, one or two colors should be selected. The base color is the predominant color applied to the walls and major surfaces. Accent color is used for trim, hardware, doors, etc. The use of too many colors should be avoided.

D. High quality durable decorative materials shall be incorporated into the ground floor façade along street frontage.

E. Primary exterior building materials shall be wood, brick stone, stucco, metal, glass or other similar durable materials. Aluminum siding, vinyl siding, artificial stone, brick veneer, thin brick and ply gem shall be prohibited.

F. All buildings shall be designed to front on streets in order to create a street wall consistent with good urban form and design principles. Buildings shall be oriented towards the street so as to contribute to the overall liveliness of the

pedestrian environment, particularly where building lots front on multiple streets.

G. The building shall provide a main entrance on Broadway.

H. Ground floor commercial uses permitted pursuant to §5.4.A.2 shall be at street level with entrances that open directly onto the sidewalk.

I. Entrances shall be designed to be attractive and functional. An indicator of the location of the entrance to the building for the pedestrian shall be encouraged, such as awnings, changes in sidewalk paving materials, changes in height incorporating stairs, or any other material change or architectural component consistent with the design, proportions, and character of Broadway corridor shall be encouraged.

J. Application renderings. A rendered perspective of the main elevation and a rendering of each proposed elevation shall be submitted as part of the site plan application. This shall provide sufficient detail of the proposed building along with the proposed color palette in order to determine adherence to the design requirements of the redevelopment plan.

K. Additional features such as canopies, awnings, and cornices are encouraged to create a sense of place, particularly on Broadway. Any projection encroaching on to the public right of way shall require Municipal Council approval.

L. Any interior courtyard or rooftop terrace shall have exposure and views to the south, west, and/or east. Any interior courtyard or rooftop terrace may have exposure and views to the north, but not only to the north.

M. Commercial Storefront Design. In this context the word “shall” denotes a mandatory requirement and the word “should” is recommended by not required.

1. The portion of the ground floor frontage where the commercial use is located should be primarily glazed with tall windows with elements of the styles indicated herein.

2. A minimum of 70 percent (70%) of the street facing storefront façade between two and eight feet in height shall be comprised of clear windows that allow views of indoor space or product display areas.

3. Real or apparent columns of wood, stone or steel should be used to divide sections of the storefront in order to create vertical proportions.

4. The storefront should be composed of real brick and stone, tile, real stucco or painted wood or Hardiplank with real drop siding, trim and cornices.
While painted wood requires regular maintenance, it maintains a clean and attractive appearance on the street and can also be color-changed over time.

5. Color palettes should use traditional and durable colors such as, but not limited to, tan, terra cotta, brick red, dark green, black and various brown-grays to complement the brick and stone facades of existing historic buildings in Bayonne. Overly bright, garish colors are to be avoided. Generally, one to three colors should be selected. The base or field color should be the predominant color applied to the walls and major surfaces. Accent color should be used for trim, hardware, doors, etc. The use of too many colors should be avoided.

6.3 **STREETSCAPE DESIGN**

A. Streetscape Objective. The streetscape design is intended to create a pedestrian friendly frontage along Broadway with street furniture, plantings and other visual elements that will encourage greater foot traffic and social interaction in the neighborhood for new and existing residents and visitors.

B. Streetscape Design, Broadway.

1. Repair of faulty existing conditions. Existing sidewalks, curbs, and parallel parking spaces on the redevelopment area of the street shall be reconstructed or repaired as needed, as determined by the City Engineer.

2. The minimum sidewalk width along Broadway shall be a minimum of 14 feet in width and comprise a “Frontage Zone”, “Clear Zone” and “Tree Zone”. The frontage zone is closest to the building, this is followed by the clear zone, and the last portion is the tree zone adjacent to the cartway of the street.

3. The Frontage Zone. The frontage zone is closest to the building. This shall be a minimum of one and one-half foot in width and a maximum of three feet in width. This space should contain benches, tables and other street furniture. If the mixed-use option is chosen by the redeveloper, this space may be used instead for outdoor seating associated with a café, sidewalk café, retail sales or retail service use compliant with §21-32 of the Municipal Code of the Municipal Code of the City of Bayonne in conjunction with additional width from the Clear Zone.

4. The Clear Zone. The Clear Zone is the middle portion of the sidewalk utilized by pedestrians. This portion of the street shall be a minimum of six feet in width. A sidewalk design utilizing pavers or decorative scoring is encouraged but not required.
5. The Tree Zone. The Tree Zone is the portion of the sidewalk furthest from the building and shall be a minimum of five feet wide.

   a. This portion of the sidewalk shall contain shade trees. Additional plantings such as shrubs, grasses and flowers are recommended but not required, but shall not be planted in any required clear sight triangle area as determined by the City Engineer.

   b. Trees shall be located within a soil cell that is the same or equivalent to the Silva Cell System. Trees should be spaced 35 to 45 feet apart taking into account the location of underground utilities, driveways, on-street parking and loading zones.

   c. Tree grates shall be installed at the base of shade trees that are flush with the sidewalk. These shall contain a wide enough opening around the base to permit the healthy growth of the tree, or be designed to be modified as the tree grows. The grate shall contain openings to permit air and water to reach the soil, though they shall be narrow enough to allow for use safely by pedestrians, bicyclists and those utilizing wheelchairs. An example is indicated in Figure 9.

6. In between street trees, the following utilities and other streetscape elements are required or permitted:

   a. Trash cans should be located toward the center line of this zone.

   b. Street furniture such as benches and bicycle racks are encouraged within this zone. Seating is required as part of the streetscape improvements in the Redevelopment Plan and shall be as approved by the Planning Board

   c. Permeable pavers are recommended in the tree zone. If such pavers are proposed, the sidewalk shall also contain an appropriate connection to the stormwater management system as approved by the City Municipal Engineer.

7. Sidewalk design utilizing pavers or decorative scoring is encouraged.
Figure 9: A Detail of a Tree Grate with an Adjustable Opening


1. Repair of faulty existing conditions. Existing sidewalks, curbs, and parallel parking spaces on both sides of the street shall be reconstructed or repaired as needed, as determined by the City Engineer.

2. The minimum sidewalk width along W. 19th Street and W. 20th Street shall be 6 - 10 feet in width and comprise a combined “Clear Zone” and “Tree Zone”. This combined width shall extend from the building to the curb with street trees placed in trees cells spaced 30 to 40 feet apart or in lieu of street trees, planters as indicated below:

   a. Street trees. Given the narrowness of the space, a flush tree grate shall be used. A small or mid-size tree at maturity and a columnar variety shall be used. Such trees shall be native or native-adaptive species that are hardy, drought tolerant and able to thrive in an urban environment.

   b. Planters. Planters may be used in lieu of the installation of street trees or in conjunction with some street trees at half the same spacing as required for street trees. Planters should be 18 – 24 inches wide, 36 – 48 inches long and 24 - 36 inches tall, depending on the specific conditions of the design. Planters should be filled with native or native adapted shrubs, grasses or flowers that can thrive in an urban environment inside such a receptacle. A regular means of watering the planter boxes shall be employed and approved as part of the site
plan application by the Planning Board.

3. This portion of the sidewalk between the street trees and/or planters and the front wall of the building shall be as wide as possible given the physical constraints of the streetscape.

4. Sidewalk design utilizing pavers or decorative scoring is encouraged.

D. Streetscape Design, General.

1. At a minimum, sidewalk and streetscapes shall be designed to be compliant with the Americans with Disabilities Act (ADA) and all Local, State and Federal regulations related to barrier-free design. Compliance with ADA regulations shall be approved by the City Engineer.

2. Sidewalks should be designed to be safe for pedestrians, those with mobility issues and individuals in wheelchairs. They should be wide, level, and include places for rest.

3. Multi-sensory wayfinding for the vision and hearing impaired should be included in sidewalk design.

6.4 LIGHTING.

A. The following lighting standards shall be met:

1. General. All outdoor lighting, excepting street lighting, should be coordinated as to style, material and color. All exterior lighting shall be designed, located, installed and directed in such a manner to prevent objectionable light at and across property lines.

2. Street lighting. Street lighting shall conform to the City of Bayonne municipal street lighting standards or as approved by the City Engineer.

3. Pedestrian lighting. In general pedestrian lighting should be building mounted at a mounting height no greater than fourteen (14) feet. The minimum footcandle illumination in the Clear Zone should be 0.5 at grade level. Maximum footcandle illumination should not exceed 4.0 at grade level.

4. Side and rear yard lighting. Lighting should only be proposed for security purposes and not exceed 0.25 footcandle at the property line.

5. Lamps shall emit a color temperature between 2800°K and 4000°K with a minimum color rendering index of seventy (70) or higher.
B. The redeveloper may incorporate decorative lighting into the design of the building that is arranged in a manner to provide for a creative and artful effect.

6.5 FENCES AND WALLS

A. Fences and walls shall not be permitted between the building and the right-of-way along the front yard on Broadway, or W. 19th Street or W. 20th Street.

B. Fences and walls shall be permitted along the property lines not abutting a street line only at a maximum height of six (6) feet.

C. Fences shall be commercial or industrial grade powder-coated metal picket and freestanding walls shall be masonry consistent with the architectural elements of the principal building.

6.6 LANDSCAPING STANDARDS

A. Street trees shall be hardy, native or native adaptive species that are drought tolerant and able to thrive in an urban environment.

B. It is recommended that at least three different species of deciduous trees be installed.

C. Plantings such as shrubs, flowers, or trees shall be used to accent entrances, arcades, sidewalks, communal plazas, communal rooftops and communal terraces. Such accent plantings shall be hardy, native or native adaptive species that are drought tolerant and able to thrive in an urban environment.

D. Landscaping for rooftop amenities and terraces. Such plantings shall be hardy, native or native adaptive species that are able to thrive in an urban environment. Rooftop planters shall contain appropriate drainage outlet systems and may include storage reservoir systems, irrigation and root barriers.

E. Except as otherwise modified, the plant material used in the Redevelopment Plan area shall conform to ANSI Z60.1.

F. All plantings shall be maintained by the Redeveloper and subsequent property owners. Publicly accessible areas and areas within view of the public right-of-way shall be maintained with automated watering systems to be furnished and maintained by the Redeveloper and subsequent property owners.

G. Plant material installed in the public right-of-way shall be guaranteed by the Redeveloper for a period of two years.

H. A planting schedule shall be provided by the Redeveloper and approved by the
Planning Board.

6.7 SIGNS.

A. Residential Signage. Residential portions of a mixed-use building shall be limited to one architectural wall sign for each street frontage affixed to the principal elevation having a maximum sign area of 100 square feet. Such signs may be affixed flat to the façade or be a perpendicular projecting sign extending no more than three (3) feet from such façade, provided Municipal Council approval for the overhang into the right-of-way is obtained.

B. Commercial Signage. Each commercial tenant of any mixed-use development shall be permitted one architectural wall sign affixed to the storefront having a maximum sign area of no greater than forty (40) square feet. If the commercial use occupies the corner with storefront on two streets, two signs shall be permitted, one facing each street, provided the message is the same on both signs.

1. Signs shall be of similar style, composition, coloration and font. Sign design shall be complimentary to the architectural design of the building.

2. All lighting of signs shall be external but with the light source hidden from ground level view unless the only internally illuminated portion of the sign are the letters, glyphs or numbers, and not the sign background. Freestanding and roof signs shall be prohibited.

3. Additional signage, such as decorative banners, canopies, and awnings are encouraged to create a sense of place, subject to the approval of the Planning Board.

6.8 OPEN SPACE AND RECREATION FACILITIES

A. A minimum fifteen percent (15%) of the tract area shall consist of open space and recreation facilities, or leisure time space. This may include yard area, common roof terraces and common balconies. A public plaza at ground level will provisionally be considered for inclusion as part of this calculation. Stormwater management facilities, if essentially vegetated and naturalized, may count towards the open space calculation. Stormwater management facilities, if essentially vegetated and naturalized, may count towards the open space calculation.

6.9 ADDITIONAL PERFORMANCE STANDARDS

A. Traffic Signals. Traffic signals (a minimum of one) abutting the Redevelopment Area shall be fitted with signal preemption for emergency vehicles. The City
shall, at the Redeveloper’s expense, provide for the installation of necessary equipment to accomplish such signal preemption for emergency vehicles at the signalized intersections, upon a finding by Emergency Services that such signal preemption shall be a benefit to public health and safety at this particular location. The equipment specifications are on file with the Superintendent of the Police & Fire Signal Communications Unit.

B. Residential Parking Permit Program. No residents in the multifamily development shall be eligible for the City’s on-street Residential Permit Parking Program.

C. Environmental remediation. The designated Redeveloper of the Redevelopment Area shall be responsible for any and all environmental regulatory compliance in accordance with New Jersey Department of Environmental Protection (NJDEP) requirements for property acquired by the Redeveloper.

D. Trash and recycling. Trash, recycling and waste removal shall be performed by a private hauler contracted by the redeveloper or building owner. All trash, recycling and refuse storage shall be fully enclosed and screened within the building or, if outside, within a minimum 6’ enclosure of masonry construction on all four sides of said enclosure. The masonry enclosure and access gate shall match or complement the principal building.

E. Utilities and Mechanical Equipment.

1. Stormwater management. A storm water management plan and stormwater calculations shall be prepared for review and approval by the City Engineer. Such plan shall comply with the City’s stormwater management ordinance and NJDEP rules and regulations. However, regardless of the development classification, the applicant shall design the site’s Stormwater Management System to fully comply with the standards for water quantity reductions as required for a Major Development. In addition, because this area of the municipality is in a flood hazard area, additional floodproofing and flood control measures may be required by the City Engineer.

2. Water and sanitary sewer utility extensions as approved by the City Engineer, PVSC, and NJDEP shall be provided.

3. The designated Redeveloper shall operate and maintain any newly installed sanitary, storm water and water utilities in the Redevelopment Area including connections to the municipal systems. The redeveloper shall be responsible for addressing the need for any on-site effluent storage due to pump station capacity limitations as set forth in any site plan approval
and/or redevelopment agreement. If such improvements to the Redevelopment Area are not feasible due to physical limitations of the site, a payment in lieu contribution to the City of Bayonne for the sole purpose of sanitary sewer, storm water and water utility upgrades may be required.

4. All mechanical equipment serving the buildings shall be placed on the roof of the building. This equipment shall be screened in a manner consistent with the architecture of the building and shall utilize the same material used in construction of the building such that screening appears to be integral part of the building.

5. All mechanical equipment, generators, HVAC equipment, and similar equipment shall be acoustically buffered such that any noise generated shall be within the applicable standards as defined by the State of New Jersey.

6. No mechanical equipment shall be placed on the ground floor outside of the building on any area that abuts a public right of way.

F. Sustainable Design.

1. All buildings shall demonstrate the project would meet the requirements to achieve a LEED (Leadership in Energy Efficient Design) Silver rating or greater. Actual LEED Certification is not required.

2. A minimum of 35% of the building’s rooftop surfaces shall be devoted to one or more of the following sustainable elements and/or open space, in any combination:

   a. Green roofs, which shall mean a vegetated roof or living roof, comprised of an engineered roofing system that supports a planting medium which enables the growth of specialized drought-tolerant plants such as grasses, sedums, and wildflowers that require little irrigation beyond rainfall. Green roofs shall be irrigated by water obtained directly from rainwater or from a rainwater collection system integrated into the building. Green roof areas shall be deed restricted.

   b. Cool roof, which shall mean a roof that utilizes a material that has a solar reflectivity of 40% or greater.

   c. Solar panels or other rooftop non-polluting renewable energy systems.

   d. Rooftop open space (amenity space) which may include, by way of example, rooftop terraces, sundecks, sitting areas, and container plantings. Rooftop open space must be used in combination with one
or more other sustainable elements noted above; it cannot be used to satisfy the 35% requirement alone. Container plantings shall not be considered green roofs, which are intended to serve a distinct ecological function of thermal reduction (heat island effect), energy conservation, water management, carbon absorption, and habitat.

e. Provisions for non-polluting and renewable energy systems such as solar, wind, geothermal, low-impact hydro, biomass, and biogas strategies are encouraged throughout the entire redevelopment.

G. Construction Staging. The redeveloper shall submit a preliminary construction staging statement as part of its site plan submission to the Planning Board.

7. **THIS PLAN CANNOT BE USED AS A BASIS FOR EMINENT DOMAIN**

This Redevelopment Plan is not an area that has been declared eligible for condemnation and as such cannot be used as a basis for eminent domain acquisition.

8. **RELOCATION OF PERSONS AND BUSINESSES**

Since this Plan does not contemplate the acquisition of property that will temporarily or permanently displace either residents or businesses, a Workable Relocation Assistance Program pursuant to N.J.A.C. 5:11-1, et seq. is not required.

9. **RELATIONSHIP OF REDEVELOPMENT PLAN OBJECTIVES TO OTHER PLANS**

A. City of Bayonne Master Plan. The City adopted an updated Master Plan Re-Examination Report in August 2017. The master planning process represents a continuing effort to ensure the City's planning policies, goals and objectives provide the highest quality of life for its residents, business and visitors. The 2017 Master Plan Re-Examination Report provides updated recommendations for policy, land use and planning based on a changing pattern of development and identifies the importance of increasing the tax base while promoting the highest quality of life for the residents through progressive zoning and planning policies.

B. Consistency. This Redevelopment Plan is substantially consistent with Bayonne Master Plan and its goals and objectives, specifically as they relate to housing around transit hubs and development. With respect to housing, the Master Plan has long encouraged the development of higher density housing around the NJ Transit Station of the Hudson Bergen Light Rail System. The Master Plan now recommends “Station Area Plans” be developed for a one quarter mile radius surrounding each of the NJ Transit
10. COMPARISON OF PLANS OF OTHER JURISDICTIONS

A. Contiguous Municipalities. The City is a peninsula surrounded by Upper New York Bay to the east, Newark Bay to the west and the Kill Van Kull to the south. The only municipality that is contiguous to Bayonne is the City of Jersey City to the north; however, the Redevelopment Area does not border nor is adjacent to any other municipality. This Plan and the Jersey City Master Plan both recommend the preservation of the existing residential neighborhoods, remediation of contaminated brownfield sites and redevelopment with higher density transit-oriented development where appropriate. The Redevelopment Area does not border the contiguous municipalities.

B. Hudson County. Hudson County reexamined the 2002 Strategic Revitalization Plan and Master Plan in 2016. This Plan for the Redevelopment Area promotes goals and policies in the Counties 2016 Reexamination report. In particular, this Plan aligns with Goal 1 by promoting site and building design with a strong relationship to the circulation network and promotes alternative forms of transit through the inclusion of bicycle storage and proximity to public transportation. Additionally, this plan aligns with Goal 2 by encouraging entertainment activities in the form of rooftop food and beverages uses in an established activity hub on Broadway. Finally, it aligns with Goal 4 by providing design standards meant to integrate building design with the existing built environment in a complementary manner.

C. State Development and Redevelopment Plan. The SDRP provides a flexible framework for smart growth with an emphasis on promoting new development in designated centers, protecting environmentally sensitive environs, encouraging brownfield redevelopment and revitalizing the State’s cities. The SDRP establishes a planning framework that encourages compact, mixed-use communities in so-called “centers” that will provide a variety of choices in housing, employment opportunities, entertainment, services, transportation and social interaction. The Redevelopment Area is located in Metropolitan Planning Area I (“PA-1”) where the SDRP intends development provide the following:

1. Provide for much of the State’s future development and redevelopment;

2. Revitalize towns and cities;
3. Promote growth in compact forms;

4. Provide for mixed-use concentrations of residential and commercial activities;

5. Protect the character of existing stable communities.

This Plan is a smart growth initiative that promotes center-based growth in a compact, high-intensity development that advances the reuse of a vacant facility and supports the City's economic revitalization program. This Plan contains design guidelines that promote the development of a visually appealing and spatially functional residential development that will thoughtfully enhance the neighborhood. This Plan contains density controls and other land use regulations to ensure the revitalization is successful, while concurrently accommodating a significant amount of growth within the Hudson County Urban Complex. This Plan is consistent with the purpose of the PA-r and SDRP goals for such an area, which designate the City for growth.

11. EFFECT OF APPROVAL

The effects of any Planning Board approval shall be consistent with the rights granted by Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) except to the extent they may be modified by the Redeveloper’s Agreement.

The Redevelopment Plan shall remain in full force and effect for a period of twenty (20) years from the effective date of adoption of this Redevelopment Plan by the Municipal Council; however, the period of time granting rights for the redevelopment of the area to a redeveloper(s) shall be as established in an executed Redevelopment Agreement.
APPENDIX A: RESOLUTION AUTHORIZING THE REDEVELOPMENT PLAN

MUNICIPAL COUNCIL OF THE CITY OF BAYonne
RESOLUTION NO: 23-05-17-061

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF
BAYonne, COUNTY OF HUDSON, NEW JERSEY, DESIGNATING
PROPERTY LOCATED AT 431-433 BROADWAY, 435-437 BROADWAY,
13 WEST 20TH STREET AND 11-13 WEST 19TH STREET
DESIGNATED AS BLOCK 220, LOTS 18, 23, 24, 25 (WHICH IS
ASSESSED AS AN ADDITIONAL LOT UNDER LOT 24), AND 26 AS A
NON-CONDEMNATION AREA PURSUANT TO THE LOCAL
REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET
SEQ., AND AUTHORIZING AND DIRECTING THE PLANNING BOARD
OF THE CITY OF BAYonne TO PREPARE A REDEVELOPMENT
PLAN

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the "City")
public body corporate and politic of the State of New Jersey (the "State"), is authorized pursuant
the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"), to
determine whether certain parcels of land within the City constitute an area in need of
rehabilitation and/or an area of redevelopment; and

WHEREAS, pursuant to the LRHL, the City Council of the City (the "City Council")
adopted Resolution No. 98-02-04-040, designating the entire City as an area in need of
rehabilitation in accordance with N.J.S.A. 40A:12A-14; and

WHEREAS, N.J.S.A. 40A:12A-6 authorizes the governing body of any municipality, by
resolution, to have its Planning Board conduct a preliminary investigation to determine whether
an area of the municipality is a non-condemnation "area in need of redevelopment" pursuant to
the criteria contained in N.J.S.A. 40A:12A-5; and

WHEREAS, on February 15, 2023 the City Council of the City of Bayonne adopted a
resolution (R-F) which authorized and directed the Bayonne Planning Board to undertake a
preliminary investigation to determine whether the certain property located at 431-433
Broadway, 435-437 Broadway, 10 West 20th Street and 11-13 West 19th Street, identified as
Block 220, Lots 18, 23, 24, 25 (which is assessed as an additional lot under Lot 24), and 26 on
the Bayonne Tax Map (the "Property"), may be designated as a non-condemnation "area in need
of redevelopment" in accordance with the provisions of the LRHL; and

WHEREAS, the Planning Board has undertaken its preliminary investigation, prepared
the necessary report and map of the study area and conducted a public hearing on March 9, 2023; and
WHEREAS, the Planning Board has recommended that the subject Property be designated as a non-condemnation area in need of redevelopment in accordance with the LRHI; and

WHEREAS, the City Council has considered the matter and agrees with the findings of the Planning Board; and

WHEREAS, the City Council believes the Property is potentially valuable for contributing to, serving and protecting the public health, safety and welfare and for the promotion of smart growth within the City; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAYONNE, NEW JERSEY AS FOLLOWS:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Property located at 431-433 Broadway, 435-437 Broadway, 10 West 20th Street and 11-13 West 19th Street, identified as Block 220, Lots 18, 23, 24, 25 (which is assessed as an additional lot under Lot 24), and 26 is hereby designated as a non-condemnation area in need of redevelopment in accordance with the LRHI, N.J.S.A., 40A:12-1 et seq.

Section 3. The Planning Board is hereby further authorized and directed to prepare a Redevelopment Plan for Block 220, Lots 18, 23, 24, 25 (which is assessed as an additional lot under Lot 24), and 26, in accordance with the LRHI, N.J.S.A., 40A:12-1 et seq.

Section 4. The Planning Board shall transmit the Redevelopment Plan to the City Council for further consideration and action upon completion of same.

Section 5. The Municipal Clerk is hereby directed to forward a copy of this resolution to the Department of Community Affairs.

Section 6. This Resolution shall take effect immediately.

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Aye</th>
<th>Nay</th>
<th>Abstain</th>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Booker</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carroll</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Perez</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Weimber</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LaPelusa</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

527-6616/A149562v1