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## 301 & 300-302 CONSTITUTION AVENUE REDEVELOPMENT PLAN



Date of Adoption: \_\_\_\_\_, 2026

City of Bayonne, Hudson County, New Jersey

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THE CITY OF  
**BAYONNE**  
NEW JERSEY

301 & 300-302 Constitution Avenue Redevelopment Plan

Block 803, Lot 1 & Block 815, Lot 1

\_\_\_\_\_, 2026

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 \_\_\_\_\_, 2026 following adoption by the Planning Board of the City of Bayonne on \_\_\_\_\_, 2026.

BPCS File #A25302b

Prepared: May 2026

MEMORANDUM

**MAYOR**

The Honorable Robert Kubert

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04/24/2026

City of Bayonne Resolution No. 25-12-17-108

## **1.0 INTRODUCTION**

### **1.1 Background**

Block 803, Lot 1 and Block 815, Lot 1, also known as 301 Constitution Avenue and 300-302 Constitution Avenue, consist of the two City blocks bordered by Memorial Boulevard to the north, Flagship Street to the west, Stanley Avenue to the south, and Harbor Place to the east. These lots were determined to be an “area in need of redevelopment” by the City Council via Resolution No. 25-12-17-108 pursuant to the requirements of New Jersey’s Local Redevelopment and Housing Law (LRHL). In accordance with the governing body’s direction, the Planning Board was authorized to prepare this Redevelopment Plan.

The resulting plan, which is comprised of this document, identifies the land uses that are suitable for the area. It also sets forth area and bulk requirements to guide the redevelopment of the area in a manner which corrects the conditions that led to the determination by the City that the area constituted an area in need of redevelopment and promotes the health, safety, and welfare of the Bayonne community. The plan seeks to encourage the redevelopment of properties within the Military Ocean Terminal (MOTBY) portion of the City, resulting in a more vibrant and aesthetic neighborhood. The resulting plan establishes a comprehensive, integrated approach to development that will result in an attractive and complementary use of the property within the Redevelopment Area. The plan is designed to complement and implement the specific goals, objectives and policy statements set forth in the City Master Plan.

### **1.2 Statutory Basis for the Redevelopment Plan**

The Local Redevelopment and Housing Law (LRHL) sets forth the following criteria that must be addressed in a redevelopment plan:

- A. No redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located in an area in need of redevelopment or in an area in need of rehabilitation, or in

both, according to criteria set forth in section 5 or section 14 of P.L.1992, c.79 (C.40A:12A-5 or 40A:12A-14), as appropriate.

The redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate the following:

1. Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
  2. Proposed land uses and building requirements in the project area.
  3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.
  4. An identification of any property within the Redevelopment Area which is proposed to be acquired in accordance with the redevelopment plan.
  5. Any significant relationship of the redevelopment plan to (a) the master plans of contiguous municipalities, (b) the master plan of the county in which the municipality is located, and (c) the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," P.L.1985, c.398.
- B. A redevelopment plan may include the provision of affordable housing in accordance with the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.) and the housing element of the municipal master plan.
- C. The redevelopment plan shall describe its relationship to pertinent municipal development regulations as defined in the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.). The redevelopment plan shall supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district within the Redevelopment Area. When the redevelopment plan supersedes any provision of the development regulations, the ordinance adopting the redevelopment plan shall contain an explicit amendment to the zoning district map included in the zoning ordinance. The zoning district map as amended shall

indicate the Redevelopment Area to which the redevelopment plan applies. Notwithstanding the provisions of the "Municipal Land Use Law," P.L. 1975, c.291 (C.40:55D-1 et seq.) or of other law, no notice beyond that required for adoption of ordinances by the municipality shall be required for the hearing on or adoption of the redevelopment plan or subsequent amendments thereof.

It is the intention of this Redevelopment Plan to supersede the zoning standards contained within the Planning and Development Regulations and Zoning Regulations of the City of Bayonne or other applicable City codes or ordinances including, but not limited to, Planning and Development Regulations (Chapter 33) and Zoning Regulations (Chapter 35) of the City of Bayonne, as well as any prior redevelopment plans effecting the Redevelopment Area, as provided by the Local Redevelopment and Housing Law. The definitions set forth in the Planning and Development Regulations (Chapter 33) shall apply to this Redevelopment Plan, except as specifically defined herein. In the event of a conflict, the definitions and provisions set forth in this Redevelopment Plan shall control. The following definitions shall have the meaning indicated:

*Access Point* – A single vehicular entrance and/or exit between a street and a lot.

*Accessory Use or Structure* – A use or structure subordinate to the principal use of a building or structure on the same zone lot and serving a purpose customarily incidental to the use of the principal building.

*Active Uses* – Retail and personal sales and services, entertainment, restaurants, cafes, nightclubs, lifestyle retail, and similar uses with high pedestrian use.

*Adult Cabaret* – A building or a portion of a building regularly featuring dancing or other live entertainment of the dancing or entertainment that constitutes the primary live entertainment is distinguished or characterized by an emphasis on the exhibiting of specific sexual activities or specified anatomical areas for observation by patrons therein.

*Adult Media* – Magazines, books, videotapes, movies, slides, cd-roms, dvds, or other devices and methods used to record images or other media that are distinguished or characterized by their emphasis on matter depicting, describing or relating to sexual activity that includes one or more of the following: erect male organ, contact of the

mouth of one person with the genitals of another; penetration with a finger or male organ into any orifice in another person; open female labia; penetration of a sex toy into an orifice; male ejaculation; or the aftermath of male ejaculation.

*Adult Media Store* – An establishment that rents and/or sells media and that meets any of the following three tests:

- a. Forty percent (40%) or more of the gross public floor area devoted to adult media.
- b. Forty percent (40%) or more of the stock-in-trade consists of adult media.
- c. It advertises or otherwise conducts itself in any forum as “XXX”, “adult”, “sex”, or otherwise as a sexually-oriented business other than an adult media store, adult motion picture theater, or adult cabaret.

*Adult Shop* – An establishment offering goods for sale or rent and that meets any of the following tests:

- a. The establishment offers for sale items from any two of the following categories: 1), adult media; 2), lingerie; or 3), leather goods marketed or presented in a context to suggest their use in sadomasochistic practices; and the combination of such items constitutes more than ten percent (10%) of its stock-in-trade or occupies more than ten percent (10%) of its gross public floor area.
- b. More than five percent (5%) of its stock-in-trade consists of sexually-oriented toys or novelties;
- c. More than five percent (5%) of its gross public floor area is devoted to sexually-oriented toys or novelties.

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

*Alley* – A public or private street primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.

Apartment – See Dwelling Unit, Multi-Family.

Apartment Building – A structure that contains four or more multi-family dwellings.

Applicant – A developer submitting an application for development.

Application for Development – The application or appeal forms, together with the required fees and all accompanying documents required by this Redevelopment Plan for approval of a subdivision plat, site plan, planned development, conditional use, zoning variance or direction for issuance of a permit pursuant to J.J.S.A. 40:55D-34 or N.J.S.A. 40:55-D-36.

Art Gallery - an institution or business exhibiting or dealing in works of art.

Art/Performance Instruction: A facility that specializes in teaching arts classes. Specialty classes may include, but are not limited to: dance studios, drawing/painting instruction; music instruction, and acting classes.

Auto-share – Vehicles available for rent for short periods of time, including by the hour, for the exclusive use of the residents or tenants of the facility or development.

Balcony – An unroofed outdoor living area cantilevered from the face of a building on a second or higher floor. Company with Deck.

Bar – See Tavern.

Billboard – see Sign, Off-Premise Commercial and Sign, off-Premise Non-Commercial.

Brewery, micro – a facility that prepares handcrafted natural beer intended for sale or for consumption on the premises as an accessory use. Same is subject to licensure by the State of New Jersey pursuant to N.J.S.A. 33:1-10; a.k.a., a 1.b. license.

Buffer – A yard area exclusive of yard setbacks; an area within a property or site, generally adjacent to and parallel with the property line, either consisting of natural existing vegetation or created by the use of trees, shrubs, fences, and/or berms, designed to continuously limit view of and/or

sound from the site to adjacent sites or properties; also terms a buffer yard or transition strip.

Building – A combination of materials to form a construction adapted to permanent, temporary, or continuous occupancy and having a roof.

Building Area – see Floor Area, Non-Residential or Floor Area, Residential.

Building Coverage – The horizontal square footage or other area measurement by which all buildings occupy a lot as measured by a vertical plane established by the outside edge of the roof or roofs.

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; or, if expressed in stories, the highest habitable floor.

Building, Principal – A structure in which is conducted the principal use of the site on which it is situated.

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

Cartway – The actual road surface area from curblineline to curblineline which may include travel lanes, parking lanes, and deceleration and acceleration lanes. Where there are no curbs, the cartway is that portion between the edges of the paved or hard surface, width.

Cellar – A space with less than one-half of its floor-to-ceiling height above the average finished grade of the adjoining ground or with a floor-to-ceiling height of less than six and one-half (6 ½) feet.

Child Care Center – A facility duly licensed by the New Jersey State Department of Human Services for the daytime accommodation of children pursuant to N.J.S.A. 30:5B-1 et seq. See also, Family Day Care Home.

Cidery – see brewery, micro.

City – City of Bayonne.

Civic Use – Educational use, municipal use, library, recreation center, community center, fire house and police station.

Commercial Message – Any sign wording, logo, figure, symbol, color, illumination, fixture, projection, or other representation that, directly or indirectly, names, advertises, or calls attention to a business product, service or other commercial activity.

Commercial Indoor Recreation and Entertainment Facilities – Recreation and entertainment facilities operated as a business open to the public for a fee, or a private organization open only to members and guests. Example uses include, but are not limited to, arena, bowling alley, dance hall, game arcade, ice skating/roller rink, indoor children’s play facility, miniature golf, movie theatre, performing arts theatre, soccer complex, health/fitness facility, driving range, batting cage, and theme park.

Craft Distillery - a facility that prepares handcrafted natural spirits intended for sale or for consumption on the premises as an accessory use. Same is subject to licensure by the State of New Jersey pursuant to N.J.S.A. 33:1-10; a.k.a., a 1.b. license.

Cultural Use – Services provided to the public, including, but not limited to, museums, art galleries, libraries, arts and performing arts studios, and science and historic exhibits by a public or private entity.

Deck – A raised unroofed platform attached to a dwelling and supported by columns. Compare with Balcony.

Density – The permitted number of dwelling units per gross area of land to be developed.

Developer/Redeveloper – The legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development who has been designated the redeveloper of such lot by the City pursuant to the Redevelopment Law, including the holder of any option or contract to purchase, or any other person having enforceable proprietary interest in such land.

Dwelling, Two-Family Townhouse – A building containing two units, one on top of the other, with at least one of the units having two stories, in a row of two more attached

dwelling units erected on a single lot or on adjoining lots, each unit being separate from the adjoining units, but attached by a common or party wall both vertically and horizontally, in which each unit is served by an exterior door with a private or common exterior stairway.

Dwelling, Single -Family Townhouse – Dwelling, Single-Family Townhouse: a multistory dwelling unit in a row of two or more attached dwelling units erected on a single lot or on adjoining lots, each unit being separate from the adjoining unit, but attached by a common or party wall, and each unit having separate individual outside access.

Dwelling unit – A room or series of connected rooms containing cooking, sleeping, sanitary, and general living facilities for one housekeeping unit.

Eating and drinking establishment – A restaurant, café and tavern.

Educational Use – A public, parochial, or private elementary or secondary school, duly licensed by the State of New Jersey, attendance at which is sufficient compliance with statutory educational requirements and including accredited non-profit colleges and universities, but not to include summer day camps and for-profit business or trade schools.

Fair Share Plan – Planning Board has adopted a housing element of the master plan and a fair share plan that comprehensively provides for the appropriate use and development of lands in the City to meet the obligation for affordable housing by complying with Planning and Development Regulations Chapter 33, Development Fees and Housing Trust Fund.

Fitness, Specialty – An establishment that specializes in a specific physical work-out technique, such as yoga, pilates, martial arts, boxing, etc.

Floor Area – The sum of the gross horizontal areas of the several floors of a building, measured from the exterior walls of the building. Floor area shall not include areas devoted to mechanical equipment serving the building, areas devoted exclusively to off-street parking and loading space for motor vehicles, nor any space where the floor-to-ceiling height shall be less than 6 ½ feet.

Floor Area Ratio (FAR) – The sum of the area of all floors of buildings or structures divided by the total area of the site.

Habitable Space – Any area between a floor and ceiling or roof line that is at least seven feet in height, per the IBC (International Building Code) and IRC (International Residential Code) for living, sleeping, eating and cooking

Health Club/Wellness Center – An establishment that houses exercise equipment and space for the purposes of physical exercise.

Home Occupation – An activity for gain customarily carried on in a dwelling or in a building accessory to a dwelling, clearly incidental and secondary to the use of the dwelling for residential purposes, but not to include medical and dental uses, manufacturing, laboratory, or any establishment with a primary purpose of distribution.

Hotel – A facility offering transient lodging accommodations to the general public and that may include additional facilities and services, such as conference facilities, restaurants, meeting rooms, entertainment, personal services and recreational facilities. Hotel facilities may include variants of full- or limited-service accommodations including extended stay or corporate suites.

Hudson River Waterfront Walkway (HRWW) – A pedestrian and bicycle linear park and path system primarily located at the edge of water, established by the NJDEP Protection for public use.

House of Worship – A building or structure, or group of buildings or structures, that by design and construction are primarily intended for conducting organized religious services, excluding buildings used exclusively for residential, educational, burial, recreational or other uses not ordinarily associated with conducting organized religious services.

Impervious Surface – A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water, generally with a percolation rate in excess of 120 minutes per inch, as defined by NJDEP Coastal Regulations or shall conform with applicable State regulations.

**Lifestyle Retail Center** – a partially unenclosed retail center generally featuring national specialty stores and restaurants with public gathering spaces and a pedestrian-oriented design and ambiance.

**Live/Work Unit** – A building with an office use or artist studio on the first and/or second floor with upper floor residential uses that are designed as an indivisible unit and owned or leased by a single entity.

**Loading Space** – An off-street space or berth on the same lot with a building or group of buildings for the temporary parking of a commercial vehicle while loading or unloading, according to criteria established in this Section.

**Lot** – A designated parcel, tract, or area of land established by plat or otherwise permitted by law and to be used, developed, or built upon as a unit.

**Lot Area** – The total horizontal area included within lot lines, but not including any part of a street or railroad right-of-way.

**Lot, Corner** – A lot at the junction to two or more intersecting streets where the interior angle of the intersection does not exceed one hundred twenty (120) degrees. Each corner lot shall have two front yards, one side yard, and one rear yard.

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

**Lot Line, Front** – The lot line abutting a road right-of-way, the Right of way line.

**Lot Line, Rear** – The lot line opposite and most distant from the front lot line or the point at which the two (20 side lot lines meet, as the case may be.

**Lot Line, Side** – Any lot line other than a front or rear lot line.

**Mixed Use Building** – A habitable structure that contains more than one principal permitted use.

**Movie Theatre** – A specialized theatre designed for the projection of motion pictures on a screen not containing a stage, but not to include an adult motion picture theatre.

Multifamily Dwelling – a building containing three or more dwelling units, including units that are located one over another.

Night Club – Any room or series of rooms or building in which any musical entertainment, singing, dancing or similar amusement is conducted and where eating and drinking take place, but not to include an adult cabaret.

Off Street Parking Space – A storage area for a motor vehicle that is directly accessible to an access aisle within the parking facility.

On Street Parking Space – A storage area for a motor vehicle that is located within a dedicated street right of way.

Office – A place for the transaction of business where reports are prepared, records are kept and services are rendered, but where no retail sales are offered and where no manufacturing, assembly, or fabricating takes place.

Office, Medical – The office of a licensed medical provider.

Open Space – A park, civic square, conservation land, Hudson River Waterfront Walkway, and vegetated roadway median, yard area, common roof terraces, interior recreational spaces, Private Open Spaces and common balconies.

Park – A tract of land designed and used by the public for active and passive recreation with ancillary recreational facilities.

Parking Facility – Any public or private parking lot or parking garage used for the temporary storage of passenger vehicles whether for hire or not, but not including any vehicle repair or servicing or the temporary storage of motor vehicles for import or export.

Parking Space – A mandatory space required as a storage area for the parking of one motor vehicle, exclusive of passageways, aisles, and driveways appurtenant thereto, giving access thereto and having access to a street.

Parking Space, Tandem or Stacked – Two adjacent parking spaces configured within a parking facility where one of the spaces does not have direct access to a parking aisle or driveway.

**Pedestrian Way** – A right-of-way or easement provided for the purpose of pedestrian access and passage.

**Performing Arts Theatre** – A theatre with a stage for live performances but not to include an adult cabaret.

**Pervious Surface** – Any surface that permits a significant portion of surface water to be absorbed, generally greater than 120 minutes per inch or shall conform with applicable State regulations.

**Plaza** – An open area available to the general public, that is designed for pedestrian access from the street(s) and which may have improved surfaces, sitting areas, landscaping, sculpture and other street furniture and may be the location for public area vending.

**Public Area Vending** – Kiosks for the sale of food, beverages and souvenirs, and push carts as otherwise licensed by the City, but not to include outdoor vending machines.

**Public Utility** – Any public utility regulated by the Board of Regulatory Commissioners and defined pursuant to N.J.S.A. 48:2-13.

**Public Utility Facility** – Distribution stations for public utilities required for the development, but not to include any primary generation of electricity or flammable gases.

**Quasi-Public Use** – A structure or use owned or operated by a non-profit, religious or eleemosynary institution and house of worship, providing educational, cultural, recreational, religious or similar types of programs generally available to the public.

**Restaurant** – A public eating facility where patrons are seated at tables, booths or counters and served by waiters or waitresses, or obtain their food from a counter or cafeteria line, for consumption on or off the premises, but not to include any such facility where service is offered from a drive-thru window or to patrons in passenger vehicles. (Intentionally left in to account for drive ins).

**Restaurant, Drive-Through** – An establishment in which food or drink is served to customers within automobiles outside of the confines of the building and where the

consumption of such food or drink is intended to occur off the premises.

**Restaurant, Fast Food** – Restaurants whose emphasis is on convenience and speed of service, that are generally part of a restaurant chain or franchise, and that provide a limited menu and minimal table or fast counter service, and whose meals are typically inexpensive and made from standardized ingredients that are partially or fully cooked in bulk in advance and kept hot and then finished and packaged to order.

**Retail Sales** – establishments engaged in the selling or rental of goods or merchandise (usually to the general public for person use or household consumption, although they may also serve business and institutional clients) and in rendering services incidental to the sale of such goods.

**Retail Services** – establishments providing services or entertainment, such as eating and drinking places, movie theaters, music/theater venues, financial services and personal services, to the general public.

**Right of way line** – The edge of the existing or future street right-of-way, whichever would result in the widest right-of-way, as shown in the Redevelopment Plan, forming the dividing line between the street and lot.

**Setback** – The closest distance measured perpendicular to the right of way line or lot line and the plane established by the farthest projection of a building nearest to the right of way line or lot line.

**Sign** – Any object, device, display, mural or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design symbols, fixtures, colors, illumination or projected images. This definition shall specifically include any building or part of a building, including walls and facades used for such purposes and shall further include banners, pennants, flags and similar attention attracting devices that convey a message.

Sign, Animated or Moving – Any sign which changes physical position by any movement or rotation or which gives the visual impression of such movement or rotation.

Sign Area – The area of the sign, exclusive of the supporting structure, which is used for calculating the square footage of the sign.

Sign Awning – Any sign which is attached to or part of an awning.

Sign, Banner – A sign which may or may not contain a message constructed of cloth, canvas, plastic, or other flexible material typically suspended or hung by cord, string, or rope from structure.

Sign, Canopy – A sign that is mounted or painted on or attached to a canopy that is otherwise permitted by the development regulations.

Sign, Changeable Copy – A sign designed in such a fashion that the message on the sign can be easily and periodically altered, typically with moveable lettering, and whose message does not change more than once a day.

Sign, Dilapidated – A sign which is structurally unsound, contains faulty wiring or loose fastenings, or is otherwise detrimental to the public health, safety or welfare.

Sign, Directional – Any sign which is designed and erected solely for the purpose of traffic or pedestrian direction which is placed on the property to which or on which the public is directed.

Sign, Directory – A single sign relating to a use or facility, such as a multi-family building, office building or complex, or mixed use building where there is more than one occupancy and/or tenancy of uses, where said multiple occupancy and tenancy use a common parking facility and/or a common private drive or roadway and where the names and professions or business names of the various tenants and/or occupancy are displayed.

Sign, Election or Political – A temporary sign that relates to a particular election for public office, referendum, or other plebiscite at the federal, state, or local level.

Sign, Façade – See Sign, Wall.

Sign, Freestanding – Any sign not attached to a building, erected, constructed or maintained on a post or pole, or other bracing or supporting device, being used to support a sign.

Sign Height – The highest spot at any one point on the sign measured from the grade level surrounding the sign.

Sign, Incidental – A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as “No parking”, “Loading Zone”, “Telephone”, or “Rest Room” or other similar directives such as the hours of operation or credit cards honored at the establishment.

Sign, Internally Lighted – Any sign whose sole source of artificial illumination is contained within the display portion of the sign.

Sign Marquee – An internally illuminated sign with changeable copy advertising filmed and live performances attached to a canopy.

Sign Mobile – A sign which is not permanently attached to a building or not placed in the ground in such a fashion as to be permanent in a manner conforming to the Uniform Construction Code or which is located or attached to a trailer, on wheels, or other similar attachment such that the sign may be moved from place to place, either within the lot or to another location.

Sign, Official – A sign, symbol or device, erected, constructed or maintained by the Federal, State, county or local government or any agency thereof, for the purpose of informing or guiding the public or for the protection of the public health, safety and welfare.

Sign, Off-Premise Commercial – A sign containing a commercial message which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the property on which the sign is located.

Sign, Off-Premise Non-Commercial – A sign that does not contain a commercial message which directs attention to an institution, government, or non-profit corporation and their policies, or contains a message directed to the general public health, safety and welfare purposes.

Sign, Projecting – A sign perpendicular to a wall or façade which is attached to and extends more than 12 inches from the surface of a building.

Sign, Real Estate – A sign of an owner of real property or of a licensed real estate broker designating a property “for sale” or “for lease”.

Sign, Roof – A sign that is mounted on the roof of a building or which is wholly dependent upon a building’s roof for support and which projects above the parapet of a building with a flat roof, the cornice line of a building with a gambrel, gable, or hip roof, or above the division between the upper and lower slopes of a building with a mansard roof.

Sign, Temporary – A sign which is not permanently attached to a building structure or permanently affixed to a freestanding structure and which may be erected for a limited period of time in compliance with the provisions of this chapter.

Sign, Vehicle – A sign affixed or painted on a vehicle or trailer and parked at a location conspicuous to the traveling public for a period in excess of 48 continuous hours.

Sign, Wall – A sign fastened to or painted on the façade of a building or structure in such manner that the façade becomes the supporting structure for, or forms the background surface of the sign, and which does not extend more than 12 inches from the supporting façade.

Sign, Warning – A sign indicating no trespassing or no fishing and/or hunting or for existing danger where a warning is legally required.

Sign, Window – A sign that is applied or attached to the interior or exterior of a window or located in such a manner within a building that it is legible from the lot line which contains said sign.

Stacked Townhouse Dwelling – townhouses that have multiple units vertically, each unit having its own private entrance.

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. 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 if it covers more than 1/3 of the area of the floor next below it. Mezzanine levels shall only be allowed in the top story of a building. Architectural embellishments, mechanical equipment enclosures, elevator penthouses and rooftop landscape improvements shall not be counted as a story.

**Street** – Any street, avenue, boulevard, road, parkway, viaduct, drive or other way meeting any of the following:

- a. Is an existing state, county or municipal roadway;
- b. Is shown as a named street in Figures 1 through 5;
- c. Is shown upon a plat heretofore approved pursuant to law;
- d. Is approved by N.J.S.A. 40:55D-1 et seq; or
- e. Is shown on a plat duly filed and recorded in the office of the county recording officer prior to the appointment of a planning board and the grant to such board of the power to review plats; and includes the land between the right of way lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas and other areas within the right of way line.

**Streetscape** – All of the elements that constitute the physical makeup of a street and that, as a group, define its character, including building frontage, street paving, street furniture, landscaping, including trees and other plantings, awnings and marques, signs, and lighting.

**Street Line-** The edge of the existing or future street right-of-way, whichever would result in the widest right-of-way, as shown in the Redevelopment Plan, forming the dividing line between the street and lot.

**Street Names** – Street names referenced or illustrated in the Redevelopment Plan are for illustrative and reference purposes. Formal street names shall be proposed to, and adopted by, the municipal council of the City of Bayonne.

Street Tree- A tree in a public place, street landscape easement or right-of-way adjoining a street constituting a large tree in size when mature.

Art Studio – the workshop of an artist, performing artist, sculptor, photographer or craftsman and instruction in same.

Tavern – A drinking establishment where liquor is sold by the glass with ancillary food available for purchase.

Technical Review Committee – A standing committee of the Planning Board that provides for the review of plans for development, advises the City and Planning Board on Redevelopment Agreements and provides other advice within its capabilities as directed by the City as established within the City land use ordinance.

Yard – An open space extending between the closest point of any building and lot line or right of way line.

Yard, Front – A yard extending across the full width of the lot and lying between the right of way line and the closest point of the principal building on the lot. The depth of the front yard shall be measured horizontally and at right angles to either a straight right of way line or the tangent lines of curved right of way lines. The minimum required front yard shall be the same as the required setback.

Yard, Rear – A yard extending across the full width of the lot and lying between the rear lot line and the closest point of the principal building on the lot. The depth of the rear yard shall be measured horizontally and at right angles to either a straight rear lot line, the tangent of a curved rear lot line, or the mid-point of an angled rear lot line.

Yard, Side – An open space extending from the front yard to the rear yard and lying between each side of the line and closest point of any building.

### **1.3 Area Description**

The 301 & 300 – 302 Constitution Avenue Redevelopment Area consists of the two City blocks bordered by Memorial Boulevard to the north, Flagship Street to the west, Stanley Avenue to the south, and Harbor Place to the east. Constitution Avenue separates the blocks. The property occupies an area of

approximately 7.42 acres or approximately 323,215 sq.ft. See Table 1 below:

Table 1:

City of Bayonne - 301 & 300-302 Constitution Avenue					
Block	Lot	~Area (Acres)	Improvements	Ownership	Property Address
815	1	4.76	Multifamily Residential	CL CITYVIEW/VERBENA/RS URB RENEWLLC	300-302 Constitution Ave.
803	1	2.66	Multifamily Residential	CL CITYVIEW/VERBENA/RS URB RENEWLLC	301 Constitution Ave.
<b>Total:</b>		<b>7.42</b>			
*Approximate acreage obtained from Bayonne tax records and tax maps. Lots have not been surveyed and lot areas are subject to change as additional information is obtained.					

Figure 1 shows the location of the Redevelopment Area within the City. The site is located within Military Ocean Terminal (MOTBY) portion of the City and identified as Harbor Pointe, and is improved with two multifamily buildings containing a total of approximately 544 residential units. Figure 2 delineates the boundaries of the Redevelopment Area and identifies the properties.

To the east is a townhome development while to the north are commercial uses. To the west are additional multifamily developments (both under construction and approved). Figure 3 shows existing zoning within and surrounding the 301 & 300 - 302 Constitution Avenue Redevelopment Area.

#### 1.4 Utilities and Infrastructure

Municipal water, sanitary sewer, storm water provisions, natural gas, electricity, and voice and data transmission facilities either serve or are available to serve the parcels within the Redevelopment Area.

- **Water and Sanitary Sewerage:** Veolia Water operates the City of Bayonne’s water-sewer utility.
- **Electricity:** Electrical power is provided to the Redevelopment Area by Public Service Enterprise Group, Inc. (PSE&G).
- **Natural Gas.** Gas lines that service the Redevelopment Area are provided by PSE&G.

## **1.5 Environmental Conditions**

Any and all redevelopment efforts must consider the environmental status of the 301 & 300 - 302 Constitution Avenue Redevelopment Area. Potential environmental liabilities present within the Redevelopment Area must be identified and all planning and redevelopment/rehabilitation pursued pursuant to all applicable laws, statutes and pertinent rules.

## **1.6 Urban Enterprise Zone Status**

In 1994, substantial portions of Bayonne's commercial and industrial districts were designated as an Urban Enterprise Zone (UEZ). Properties within the Redevelopment Area are located outside of the City's UEZ.

## 2.0 DESCRIPTION OF SITE AND FINDING OF NEED FOR REDEVELOPMENT

The findings of the Planning Board's preliminary investigations in connection with Block 803, Lot 1 & Block 815, Lot 1 are summarized in a report entitled "301 & 300 – 302 constitution Avenue: Area in Need of Redevelopment Assessment" dated November 2025. The following statutory criteria were cited together with the block and lot designations and a description of the condition evident as justification for inclusion of the properties for redevelopment:

**Criterion H:** The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

The preliminary investigations and subsequent Planning Board recommendations represented the first step of an extensive planning process. In turn, the governing body elected to proceed with the recommendation of the Planning Board, pursuant to Resolution #25-12-17-108. The Council subsequently directed the Planning Board to prepare a redevelopment plan for the subject area. The statute governing this process allows a redevelopment plan to encompass the redevelopment and/or rehabilitation of the properties within the delineated area. The analysis highlighted the fact that the designated properties exhibit the potential to accommodate greater housing density in close proximity to public transportation in furtherance of smart growth principals.

## **3.0 REDEVELOPMENT AREA REGULATIONS**

### **3.1 Approach**

The planning approach outlined in this redevelopment plan is to create an enhanced opportunity for infill and mixed use (commercial and residential) district that advances the Master Plan's land use designation for the subject area. The intent is to permit neighborhood ground level retail/commercial development with structured parking and upper story residential units.

### **3.2 Plan Interpretation**

Unless otherwise specified herein, the standards contained within the 301 & 300 - 302 Constitution Avenue Redevelopment Plan shall regulate the land use, bulk requirements, sign regulations, and design standards in the Redevelopment Area, and shall apply to any redevelopment or rehabilitation project designed to implement the Plan, whether by a Redeveloper or by private property owners. Where regulations of the Redevelopment Plan conflict with the Land Development Ordinance or Design Standards of the City, this Plan shall control. The City's zoning map shall be amended to include a replacement zoning district to accommodate the intended permitted land uses that will be established and known as the 301 & 300 - 302 Constitution Avenue Redevelopment Area. Final adoption of this Redevelopment Plan by the City Council shall be considered an amendment to the City of Bayonne Land Development Ordinance and Zoning Map.

The Redevelopment Plan anticipates that redevelopment will occur in a phased manner.

The continued use of existing properties within the Redevelopment is permitted until the properties are to be redeveloped, at which time the provisions of this Plan shall apply. For amplification, if it is determined to be beneficial in furtherance of a proposed redevelopment project that a portion of any existing structure within the Redevelopment Area is to be rehabilitated rather than

demolished, the provisions of this Redevelopment Plan shall not apply to that portion of the existing structure that is rehabilitated.

The local land development regulatory process will be administered by the Bayonne Planning Board to ensure that the goals and objectives of the Redevelopment Plan are met.

### **3.3 Purpose and Intent**

It is the intent of this Redevelopment Plan is to achieve the following goals and objectives for the City of Bayonne:

- 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 the 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 promote redevelopment/infill development that is appropriate for the Redevelopment Area's unique location within the City's Military Ocean Terminal (MOTBY) area, the surrounding land uses, and its proximity to the future ferry terminal.
- E. To ensure an attractive streetscape that complements the existing neighborhood and enhances the built environment.
- F. To develop in a manner that recognizes and prepares for a future with more extreme weather events and a changing climate.
- G. To ensure high-quality architecture and attractive mixed-use redevelopment.
- H. To promote the goals and healthy and livable communities.
- I. To provide for a variety of land uses, including new housing stock and commercial uses.

### 3.4 Permitted Uses

- A. Permitted principal uses. The Redevelopment Plan seeks to accommodate an expanded range of commercial and residential uses in order to encourage redevelopment of the 301 & 300 - 302 Constitution Avenue Redevelopment Area. Table 1 lists the permitted uses for this area.

**Table 1**

**Permitted Principal Uses**

**301 & 300 - 302 Constitution Avenue Redevelopment Area**

- 
1. Residential units above the base element of the mixed-use building. Residential units shall not be permitted on the first floor/story of any building but may be permitted on the upper levels.
  2. Eating Establishments are permitted on the first, second, and/or third floors of any building, as well as within the top floor of the structure:
    - a. Restaurants
    - b. Brewery, micro
    - c. Cafes
    - d. Craft distilleries
    - e. Bars
    - f. Taverns.

J. Commercial Uses

- a. Health club/wellness center
  - b. Offices
  - c. Medical offices
  - d. Retail sales.
  - e. Retail services.
  - f. Commercial Indoor Recreation and Entertainment Facilities
  - g. Art/Performance Instruction
-

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h. Fitness, Specialty

- K. Art gallery.
  - L. Child care center
  - M. Civic use.
  - N. Cultural Use
- 

B. Permitted accessory uses. Permitted accessory uses in the 301 & 300 - 302 Constitution Avenue Redevelopment Area include: off-street parking and parking garages (including subterranean parking), lobbies, bicycle storage, fences and walls, signage, loading areas, a trash chute and refuse room within the building, landscaping, streetscape, utilities (including alternative energy sources such as solar panels and electric charging stations, and green infrastructure, such as green roofs and rain gardens), balconies and/or terraces for individual and/or common use, generators, and related elements which are commonly ancillary to principal permitted uses. Permitted accessory amenities include: facilities that are accessory to a the residential development and limited exclusively for the use and enjoyment of the residents of the development, such as lounges, package rooms, fitness center, game/party rooms, swimming pools, whirlpools, multipurpose rooms, dog washes, dog runs, common roof decks, computer rooms, personal storage lockers, work spaces, and similar accessory uses which are for the common benefit of all residents of the multi-family dwelling; and a leasing office, building manager or superintendent's office, including space for the storage of maintenance equipment may be provided within a principal multi-family building for the purpose of serving such building and all other uses which are customary and incidental to principal use.

C. General Use Regulations. The following general use standards shall apply to all permitted uses in the 301 & 300 - 302 Constitution Avenue Redevelopment Area:

1. Minimum and maximum limits for various uses. The distribution of uses shall comply with the following:
  - a. Commercial uses may be located on the first, second, and/or third floors only of any mixed-use building. Additionally, eating establishments shall be permitted within the top floor of any mixed-use building.
  - b. Fast food establishments, drive-throughs, and walk-up windows are prohibited.
  - b. Residential uses, with the exception of a lobby area, shall not be located on the first floor of any building containing a non-residential use.
  - c. Amenities for residential uses may be permitted on any floor provided they are not the exclusive use on the first floor.
  - d. Residential levels of the building may not contain uses/facilities that are open to the public, including commercial uses.

D. Specific use standards. The following standards shall apply to applicable uses permitted in the 301 & 300 - 302 Constitution Avenue Redevelopment Area:

1. Upper story residential units in mixed-use buildings.
  - (a) Separate, controlled and secure access for the residential use shall be provided.
  - (b) Dwelling units shall contain a complete kitchen, toilet and bathing facilities, and not more than two bedrooms. Units containing more than 2 bedrooms are prohibited.
  - (c) Studio configurations shall have a floor area of at least 500 square feet, one bedroom dwelling units shall have a floor area of at least 700 square feet, and two-bedroom apartments shall have a floor area of at least 800 square feet.
  - (d) Residential units are permitted to contain dens. Dens shall not be permitted to be utilized as sleeping accommodations. Dens shall not contain closets and shall be open to the adjacent space.

- (e) A maximum of ten percent of (10%) of the units for each bedroom category shall be permitted to have a floor area less than ten (10%) of the minimum indicated
- (f) Each unit shall be provided with laundry facilities for the resident within the unit. Communal laundry facilities, if provided, shall only be made available to all residents of the building for bulk items.
- (g) Bicycle storage shall be provided. Bicycle storage shall be provided at a rate of 0.50 spaces per unit plus 1.0 spaces per 1000 sq.ft. of non-residential commercial space, minimum. Residential bicycle storage shall be provided within a secure room with racking conducive to securing bicycles with owner provided locks. The bicycle storage room shall also provide a work bench for bicycle repairs. The bicycle storage space shall anticipate the storage of e-mobility vehicles and potential risks associated with same, such as batteries overheating and causing fires/damages when re-charging. In order to prevent this risk from occurring within residential units, the bicycle storage area shall provide UL tested and approved charging stations and the area itself shall be constructed so as to minimize the potential impacts affecting the remainder of the structure, i.e. the space shall be sprinklered, of fire-resistant construction and shall include smoke detectors. Lease documentation and/or condominium documentation shall explicitly prohibit charging batteries anywhere in the structure other than locations specifically designed for this purpose.
- (h) Lobby/amenity space, consisting of a combination of indoor and outdoor space, shall equate to a minimum of 3% of the gross square footage of the residential units. Amenity areas shall include restrooms to accommodate tenants and guests. Amenity areas may include, but are not limited to: lounges; observation rooms; seating areas; community tables; dining areas; outdoor bars; game tables; outdoor games; outdoor kitchens including grilling stations, projector screens; dog runs, etc.
- (i) Trash and recycling shall be collected and stored within a designated area of the building's first floor. Each residential floor shall be provided with a trash room containing access to a trash chute and with sufficient space for tenant disposal of recyclables and bulk items.

- (j) Units shall have a minimum floor to ceiling height of 9 ft. within living areas and bedroom areas. Drop ceilings are permitted in kitchens and bathrooms. Corridors shall have a minimum width of 4 ft clear and meet the applicable requirements for accessible travel recommended by the American with Disabilities Act (ADA), whichever is greater.
2. Outdoor seating at the ground level associated with a cafe, sidewalk café, retail sales or retail service use compliant with Section 21-32 of the Municipal Code of the City of Bayonne and meeting the following requirements shall be permitted:
- (a) Containing only readily removable tables and chairs, without portable and /or temporary railings and/or planters.
  - (b) Unenclosed by fixed walls or ceilings, fences, and removable barriers, umbrellas or other non-permanent enclosure, exclusive of retractable awnings that are permanently affixed to the subject premises.
  - (c) Outdoor seating areas shall not impede and/or intrude upon required pedestrian circulation improvements.

**3.5 Bulk Standards**

Table 2 lists the area and bulk requirements for commercial and mixed-use development in the 301 & 300 - 302 Constitution Avenue Redevelopment Area:

**Table 2  
301 & 300 - 302 Constitution Avenue Redevelopment District  
Bulk Regulations**

Zoning Standard	Requirement
Minimum lot area (acres)	2.5
Maximum impervious coverage (percent)	90*
Maximum building height to the roof deck (feet/stories) of buildings within the Tower Zone, as shown on Figure 6.	625 feet/50 stories**

In the area designated as Existing Zone, as shown on Figure 6, any new, modified, or replacement buildings or structures, including a parking structure, or any modifications to any existing buildings or structures, and associated bulkheads, mechanical equipment and any

projections, shall not exceed a total of sixty (60) feet in height.

Setbacks:

Proposed Buildings  
shall respect  
setbacks  
established by  
existing structures

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\*\*Maximum building height, as measured in feet, shall govern. In the Tower Zone, appurtenances, including, but not limited to antennas, belfries, cupolas, domes, elevator penthouses, steeples and water towers, shall be included in the calculation of building height.

Building projections, appurtenances and architectural features shall be permitted to extend into setback areas; by way of example this shall include but not be limited to columns, cornices, stoops, steps, canopies, balconies, and the like. The above shall be permitted to extend into the right-of-way, subject to approval by the governing body. No such projections, appurtenances, features, or extensions shall extend or project into the Existing Zone.

\*The percentage of impervious covered by a green roof, may offset impervious coverage at a ratio of one foot of green roof to one foot of building coverage. For example, if the green roof covers one percent (1%) of the lot area, the building coverage may be increased by one percent (1%).

### **3.6 Supplemental Regulations**

#### **A. General Regulations**

##### **1. Tower on Podium Building Type**

- a. Buildings greater than 10 stories shall be designed as a tower or towers on a base podium style of building. There shall be a maximum of three (3) towers within the Tower Zone, at the locations and orientation shown on Figure 6. The redeveloper shall submit site cross-sections and building elevations to the Planning Board demonstrating compliance with this requirement.
- b. The base or podium shall be at least four (4) stories in height but not exceed ninety (90) feet in height.

c. Additional requirements:

- i. Multiple towers are permitted to share a podium.
- ii. Porches, balconies, awnings, aesthetic projects and appurtenances, signs, utilities, and other similar elements may be located within the tower setback, but shall not extend or project into the Existing Zone.
- iii. If the base and tower element occupy the same vertical plane at the street line or front yard setback, the story next above the base shall be different in texture, materials, and/or setback from such vertical plane to create a visual demarcation between these two major design elements of the building.

2. Parking and Circulation:

a. Commercial uses shall provide parking pursuant to the following standards. Parking shall be provided on-site. If a use is not addressed below, parking shall be provided pursuant to Section 35-17 of the City's Zoning Regulations.

- i. Civic uses/Art galleries: 1 space per 400 sq.ft.
- ii. Medical office: 3 spaces per 1,000 sq.ft.
- iii. Office: 1 space per 400 sq.ft. excluding common hallways, utility rooms, and basements if not occupied.
- iv. Places of assembly open to the public: 1 per 4 seats or 75 sq.ft. of floor area in the seating area, whichever is greater.
- v. Retail store or personal service establishment: 1 space per 300 sq.ft.
- vi. Restaurants/Cafes/Taverns/Breweries/Distilleries open to the public: 1 space per 4 seats.
- vii. Health and Wellness Club: 5 spaces per 1,000 sq.ft.
- viii. Barber/Beauty Shops: 2 per chair plus one per employee.
- ix. Commercial Recreation/Entertainment Facilities: 1 space per 3 persons maximum rated capacity or as

determined by the Planning Board based on a parking study prepared by a professional traffic engineer or qualified parking consultant.

- b. Residential Uses: Parking for residential uses shall be provided at a rate of 1.1 space per unit. Parking shall be provided on site. Parking spaces shall be demised at 9' x 18', except as noted below, and accessible spaces shall be dimensioned pursuant to ADA requirements. If an automated parking system is proposed, information should be provided and/or depicted regarding: proposed parking stall dimensions, the ability of the system to handle larger vehicles, such as pick-up trucks; and the provision of EV spaces. A generator shall be provided to maintain vehicle access the event of a power outage. An emergency contact system should be discussed if the system is to be unmanned; however, this is not a requirement for site plan review/approval. Same shall be provided at the time of building permit submission.
- c. Mixed Use Developments: A parking space may be counted towards the parking requirement for two or more complementary uses provided that:
  - i. The Redeveloper demonstrates to the satisfaction of the Planning Board that the peak parking demand by each use shall not be substantially overlap based on the time of day.
  - ii. No more than 50% of the total required parking spaces calculated separately by use shall be shared spaces.
  - iii. In the absence of extenuating circumstances, office and residential uses shall be deemed non-overlapping uses.

The minimum number of parking spaces for multi-use non-simultaneous contiguous development where shared parking strategies are proposed shall be determined by the most recent shared parking methodology of the Urban Land Institute (ULI), Victoria Transport Policy Institute (VTPI) or Institute of Transportation Engineers (ITE).

- d. Compact parking stalls shall be a minimum of 7 feet 4 inches wide by 16 feet deep and a maximum of thirty-five (35%) of the off-street parking spaces may be compact-sized.
- e. A stall width of 8.5 ft. shall only be permitted with an access drive aisle width of 25 ft.

- f. Parallel parking stalls shall be a minimum of 9 feet wide by 22 feet deep.
- g. Tandem spaces shall be a minimum of 9 feet wide by 36 feet deep. Tandem spaces shall only be assigned to two-bedroom units. Tandem spaces shall not apply to mechanical parking structures.
- h. Auto-share parking. Auto-share parking shall be a permitted accessory use. Auto share spaces may be utilized to reduce the required parking for residential units as each auto-share vehicle provided will equate to two parking spaces. A maximum of 25 auto share vehicles may be provided allowing for a maximum reduction of 50 residential parking spaces only.
- i. 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.
- j. EV parking shall be provided pursuant to the DCA Model Statewide Municipal EV Ordinance. EV spaces shall be located proximate to the entrance of any parking structure, to the greatest extent feasible, and subject to enhanced fire suppression systems. The location and suppression of proposed EV spaces shall be subject to the review of the City's Fire Official to the Bayonne Fire Prevention Bureau and the engineer of record.
- k. Parking Structures:
  - i. Structured parking shall be reserved for use by passenger vehicles. Commercial vehicle parking shall be prohibited. Vehicle maintenance, automotive sales, and/or the storage of unregistered vehicles shall be prohibited.
  - ii. The roof of a parking structure may be utilized as amenity space and landscaped.
  - iii. Parking structures shall be monitored 24 hours/7 days for security. Parking structures shall have emergency call devices installed throughout.
  - iv. Mechanical ventilation systems shall be utilized at enclosed parking structures. Naturally ventilated parking structures shall be screened in a manner consistent with the architecture and materials of the

structure's upper floors and adjacent residential structures

- I. Curb cuts are permitted along adjoining rights-of-way.
- m. Driveway Width: Each two-way entrance and exit shall be limited to twenty-four (24) feet, excluding curb radii and the driveway apron. Drive aisle widths shall be a minimum:
  - i. Two-Way Aisles:
    - 1. 24 ft. for 90 degree parking;
    - 2. 20 ft. for angled and parallel parking spaces.
  - ii. One-Way Aisles:
    - 1. 22 ft. for 90 degree parking;
    - 2. 20 ft. for angled parking;
    - 3. 12 ft. for parallel parking.
- n. A Drop-off/Pick-up area for such services as Uber, Lyft, DoorDash, and similar services shall be identified on plans for each building.
- o. No residents in the multifamily development shall be eligible for the City's on-street Residential Permit Parking Program.
- p. Traffic Signals. Traffic signals 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 pursuant to terms in a Redevelopment Agreement.
- q. Loading. A loading zone shall be located within the parking structure and proximate to elevator service.
- r. Redevelopment of the overall MOTBY will likely require traffic improvements both on the Peninsula and off-tract, as well as public transit, pedestrian, bicycling, water-borne and other transportation means to realize its full potential. For motorized vehicular traffic, the redevelopment of the Peninsula is principally

dependent on State Route 440 and the New Jersey Turnpike. Route 440 has a finite capacity, but which capacity may be increased through infrastructure improvements, increased use of mass transportation, and non-physical means such as signal timing modifications, ride share, and staggered work hours. To the extent deemed necessary, the City will continue to coordinate with the New Jersey Department of Transportation (“NJDOT”) to attempt to meet the conditions of its existing Highway Access Permit (the “HAP”), amendment(s) to the HAP, letter(s) of no interest from NJDOT, or other means that accommodate redevelopment consistent with this plan, but various development scenarios will likely result in the necessity for redeveloper funded improvements to be allocated on a shared basis with other redevelopers. Such allocation of cost may be independent of any redevelopment agreement or subsequent financial agreement, in accordance with State law.

- s. The City encourages designated redevelopers to provide shuttle connections to the adjoining Hudson-Bergen Light Rail Station and the anticipated ferry service.

B. Distribution of Uses

Delineation on the site plan. The square footage devoted to commercial uses shall be identified on the site plan. The amount of open space shall be calculated and identified on the site plan.

C. Affordable Housing

Affordable housing obligations or exemptions or reductions from same shall be established in an agreement between the City and the designated redeveloper for the Redevelopment Area in accordance with City obligations for residential units’ uses. Nonresidential uses are subject to State requirements and fees cannot be waived.

D. Prohibited Uses

All industrial uses, as well as any commercial uses that may be noxious or injurious by reason of production or emission of dust, smoke, refuse matter, coal or gas fumes, noise, vibrations, or similar substances or conditions. Such uses may include, but are not limited to the following:

- i. Automobile service stations.
- ii. Gasoline filling stations.
- iii. Autobody repair and auto mechanical repair shops.
- iv. Automobile parts sales

- v. Automobile washing establishments.
- vi. Automobile dealerships.
- vii. Arcades, billiard parlors, dance halls, and bowling alleys.
- viii. Appliance repair and/or service.
- ix. Billboards.
- x. Laundromats and drycleaners.
- xi. Shops which offer for sale fire arms and/or ammunition.
- xii. Gold purchasing stores.
- xiii. Check cashing establishments.
- xiv. Adult oriented cabarets and retail shops.
- xv. Industrial uses.
- xvi. Drive-throughs.
- xvii. Outdoor storage of goods incidental to the conduct of retail/commercial business.

**E. Signs**

- a. Residential and commercial signage shall follow standards established within the Harbor Station south Redevelopment Plan.
- b. Murals, for the purposes of this section, shall be limited to only those which are on the exterior and in view from an off-property vantage point, are subject to the review and approval by the Municipal Council and Planning Board.
- c. Signs shall be of similar style, composition, coloration and font. Sign design shall be complimentary to the architectural design of the building.
- d. 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.
- e. Illumination. All signs may be internally illuminated, externally illuminated, or halo-lit.
- f. Temporary advertising sign to advertise "for sale/for rental" availability shall be permitted for a maximum of a 6-month period. An application shall be made to the zoning officer. This type of signage shall be semi-permanent in the form of banners or awnings. The sign areas shall not exceed 5% of the area of the façade on which it is to be

located.

- g. Traffic control signs already in place along the site frontage shall be maintained unless otherwise approved by the authority with jurisdiction over same.

G. 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 to the extent they apply to the subject tract. The proposed stormwater system shall be a separate on-site system, to the maximum extent practicable. 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. Additional floodproofing and flood control measures may be required by the appropriate engineering official.
2. Water and sanitary sewer utility extensions, as approved by the City Engineer, PVSC, and NJDEP, if required, 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. Visible mechanical ventilation shall be minimized in the façade through the use of color and texture. PTACs and VTACs are permitted and shall be integrated into window frames and designed to be complimentary to adjacent structures. Other mechanical equipment serving the building(s) should be placed on the roof of the building, in the interior of the building, in an underground vault, or, if no other area presents itself, in the rear yard, depending on function and necessary accessibility. This shall not apply to mechanical equipment as required by City fire or other emergency personnel necessary for exterior access, and doors related for ingress and egress of same shall not need a variance or deviation from this plan. All equipment on the outside of the building shall be screened in a manner consistent with the architecture of the building, such that screening appears to be an integral part of the building, or a otherwise

approved by the Planning Board.

5. All mechanical equipment placed on the roof of the building 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.
  6. 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.
  7. No mechanical equipment shall be placed on the ground floor outside of the building or on any area that abuts a public right-of-way.
- H. The Planning Board may grant any approvals permitted under the Municipal Land Use law and Bayonne Land Use Ordinance, including, but not limited to: Site Plan approval, subdivision, variance/deviation (except for D1 – use variance), design exception, and general development plan approval.
- I. Deviation Requests

The Planning Board may grant relief from the requirements of this Plan pursuant to N.J.S.A. 40:55D-70c or N.J.S.A. 40:55D-51, as applicable, where the standards set forth therein are met. In no event shall relief be granted to provide a use or facility that is not permitted by this Plan. Relief in the form of variances pursuant to N.J.S.A. 40:55D-70.c may be requested for Sections 3.4B., 3.4C., 3.4 D. 3.5, and 3.6A., and 3.6E. of the Redevelopment Plan. Relief in the form of design exceptions may be requested for Sections 3.6F, and 3.7.

The Planning Board may grant deviations from the bulk standards contained in 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, preexisting structures or physical conditions uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design standard or regulation adopted pursuant to the Redevelopment Plan, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the development 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 application of the bulk standards of this Plan, and the benefits of the deviation would substantially outweigh any detriments.

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 301 & 300 - 302 Constitution Avenue Redevelopment Plan. An applicant requesting a deviation from the requirements of this Redevelopment Plan shall provide notice of such application in accordance with the requirements of N.J.S.A. 40:55D-12a-b.

Deviations from the uses permitted in the Redevelopment Area shall be permitted only by means of an amendment to the Redevelopment Plan by the City Council, and only upon a finding that such deviation would be consistent with and in furtherance of the goals and objectives of this Plan.

### **3.7 Design Standards**

Fundamental to the redevelopment of the 301 & 300 - 302 Constitution Avenue Redevelopment Area is the creation of a mixed commercial and residential district that is cognizant of and responds to the needs of the surrounding commercial and residential neighborhoods. The Military Terminal, where the site is located, is undergoing significant reinvestment with high density housing, commercial uses, and public transportation projects underway. The intent of the design standards is to produce a development that contains a mix of uses, and a building that includes modern elements and is complementary to the surrounding neighborhood. Visual and functional transition elements are essential. An architectural style that attractively integrates potential commercial and residential land uses, quality building materials, and an enticing streetscape are all key requirements of the Redevelopment Plan.

#### Purpose

- To set forth guidelines and standards that promote the creation of functional and attractive development that shall promote and give due consideration to the health, safety, general welfare, morals, order, efficiency, economy, maintenance of property values and character of the City of Bayonne.
- To ensure that any development shall comply with the stated goals and objectives of the 301 & 300 - 302 Constitution Avenue Redevelopment Plan.
- To provide guidelines and standards that shall be used by an applicant in preparing a redevelopment proposal, and the designated redevelopment entity in reviewing same.

- To minimize adverse impacts of flooding, drainage, erosion, vehicular traffic, pedestrian movement, parking, vibration, lighting and glare, noise, odor, solid waste disposal, litter, ventilation, vibration, crime and vandalism and inappropriate design and development.
- To ensure that any new development gives due consideration to the physical, visual and spatial characteristics of the existing and proposed streetscape, neighborhood and district in which such is located and the City generally, while providing sufficient opportunity for creativity in design.
- To ensure that the physical, visual and spatial characteristics of any proposed development will be consistent with and complement existing residential and commercial land uses in adjacent neighborhoods. Site Standards

The site and streetscape design is intended to create a pedestrian friendly frontage along the adjoining rights-of-way 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.

- Streetscape:
  - Pedestrian Circulation.
    - A barrier-free walkway system shall be provided to allow pedestrian access to the building from the City sidewalk system. Such walkway systems shall promote pedestrian activity both within the site itself and throughout the community by its integration with the City sidewalk system. Walkways shall be separated from motor vehicle circulation to the greatest extent possible.
    - Existing sidewalks, curbs, and parallel parking on sides of the street (the ‘Streetscape’) shall be reconstructed or repaired as needed, as determined by the City Engineer.
  - Street trees shall be provided along all roadway frontages.
    - 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.
    - Street trees shall, to the extent feasible, be approximately 35 - 40 feet apart and not closer than 25 feet from any existing or proposed streetlight or street intersection. The location of street trees should also take into account the

location of underground utilities, driveways, on-street parking, and loading zones. In the event of conflicts created by loading zones, utilities, driveway, and on-street parking, modifications to the proposed spacing are permitted.

- Cast iron 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.
- In between street trees, the following streetscape elements are encouraged:
  - Trash cans should be located toward the center line of this zone.
  - Street furniture, such as benches and bicycle racks, are encouraged within this zone. The Planning Board will review the appropriateness of same.
  - Permeable pavers are recommended in the tree zone. If such pavers are proposed, the sidewalk shall also contain an appropriate connection the stormwater management system as approved by the City Municipal Engineer.
- *Decorative lampposts.* Decorative lampposts details shall be included on the streetscape plans and shall include lampposts and other hardscape and landscape improvements for review and acceptance by the Planning Board. The style, size, color and type of light source of such lamp posts shall be in accordance with generally accepted City streetscape standards or its functional and aesthetic equivalent. Lighting levels from such fixtures shall be in accordance with City standards.
- *Site Lighting.* Building mounted light fixtures are permitted and shall have a minimum mounting height of 15 feet. Lighting shall sufficiently illuminate all areas to prevent 'dark corners'. All lighting sources must be shielded to prevent and eliminate any glare. A maximum illumination of 0.5 foot-candles is permitted along the side and rear yards, and 3.0 foot-candles along the street frontage. Light fixtures shall be LED or other white light source.
- *Private Open Space.* Private open space, designated for any residential uses, that is adjacent to or visible from public areas shall be demarcated with walls and/or fencing. Private open space is not permitted within the front

yard.

- Open Space. The Open space requirement shall be a minimum of 15% of the tract area which may include yard area, common roof terraces, interior recreational spaces, Private Open Spaces and common balconies.
- Fences and Walls
  - No fence shall be permitted along a street frontage.
  - Fences and walls on any side or rear property line shall not exceed eight (8) feet in height.
  - No fence shall contain barbed wire.
  - Fences shall be installed so that the 'finished' or better, side of any fence faces the street or adjacent property.

#### Architectural Design Standards

- The design of the building and landscaping within the Redevelopment Area shall be considerate of the site's prominent located within the Military Ocean Terminal.
- Continuity of treatment. All building facades shall be designed to be attractive from each vantage point and be consistent with respect to quality and finish on all elevations.
- All buildings shall be designed to front on the adjoining rights-of-way in order to create a street wall consistent with good urban form and design principles.
- All buildings shall have a distinctive base, which may consist of a first floor that is visually distinct from the rest of the building while still maintaining a cohesive overall design. All buildings shall have a visually distinct top, which may consist of a roof treatment such as a cornice and/or frieze.
- *Massing.* The massing of the structure shall be reviewed by the City's Technical Review Committee. Building wall offsets are required only for walls extending more than 100 feet without break in order to provide architectural interest and variety to the massing of a building and relieve the negative visual effect of a single, long wall. Offsets may be achieved through any one or combination of the following
  - Pilasters, change in material, building step backs, and other façade recesses or projections.
  - The step back or projection shall be a minimum of 24 inches from the

primary building façade.

- Balconies shall be prohibited along any street frontage. Treatments, such as ‘Juliet Balconies’ shall be permitted for architectural interest.
- Buildings shall be designed using a color palette that is not overly bright and/or garish, and shall be reviewed and approved by the planning board and its professionals at the time of site plan submission. This provision may be satisfied via a color rendering of the project. The rendering shall identify proposed façade finishes.
- High quality durable decorative materials shall be incorporated into the ground floor façade along the street frontages.
- *Roof.* The type, shape, pitch, texture and color of a roof shall be considered as an integral part of the design of a building and shall be architecturally compatible with the style, materials, colors and details of such building.
- *Windows.* Fenestration shall be architecturally compatible with the style, materials, colors and details of a building.
- *Entrances.* All entrances to a building shall be designed to be defined, attractive, functional and articulated by utilizing such elements as lintels, pediments, pilasters, columns, porticoes, porches, awnings, overhangs, and changes in sidewalk paving materials, where appropriate. Any such element utilized shall be architecturally compatible with the style, materials, colors and details of such building.
- *Materials, colors, and details.* All materials, colors and details used on the exterior of a building shall be architecturally compatible with the style of such building. Overly bright and garish colors are to be avoided. A building designed of an architectural style that normally includes certain integral materials, colors and/or details shall have such incorporated into the design of such buildings. Aluminum siding, vinyl siding, EIFS, and artificial stone shall be prohibited. Artificial stone and brick veneer less than 2 inches in thickness shall only be permitted at non-contact areas, curtain wall systems, and panel wall systems. Architecturally interesting combinations of quality materials, such as brick, stone, stucco, fiber cement panels, hardie planks or equivalent, composite metal panels, glass or other similar high-quality materials, shall be utilized.

#### ● Commercial Storefront Design

- The portion of the ground floor frontage where the commercial use is located should be primarily glazed with tall shop windows.
- A minimum of 70 percent of the street-facing storefront façade

between two and eight feet in height may be comprised of clear windows that allow views of indoor space or product display areas.

- Real or apparent columns of wood or steel may be used to divide sections of the storefront in order to create vertical proportions.
  - The storefront(s) may 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.
- Additional features such as canopies, awnings, and cornices are encouraged to create a sense of place.
  - Trash/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.
  - *Multiple uses.* A building with multiple storefronts or other multiple uses, no matter whether such uses are the same type of use or located on the same floor level, shall be unified through the use of architecturally compatible styles, materials, colors, details, awnings, signage, lighting fixtures and other design elements for all such storefronts or uses.
  - *Multiple buildings.* A development plan that contains more than one building or structure shall be unified through the use of architecturally compatible styles, materials, colors, details, awnings, signage, lighting fixtures and other design elements for all such buildings or structures.
  - *Sustainable Design.*
    - All buildings shall demonstrate the project would meet the requirements to achieve LEED (Leadership in Energy Efficient Design) Silver rating or greater. Actual LEED Certification is not required.
    - All mechanical systems, appliances and hot water heating systems shall be Energy Star Certified.
    - A minimum of 15% of the roof top is required to be green roof on all exposed rooftop surfaces of the buildings. 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 required little irrigation beyond rainfall. Green roof areas shall be deed restricted. The sustainability benefits of green roofs (aka vegetated roofs

or eco-roofs) include improved stormwater management, improved building insulation, improved air quality and reduced urban heat island effect. The green roof system shall tie into the overall project's stormwater management system. A maintenance plan shall be submitted to the City Engineer for review and approval prior to any construction of a green roof.

- The roof top is required to be a 'cool roof'. A cool roof is a roofing system with materials or coatings that reflect a larger portion of the sun's heat and efficiently release absorbed heat, keeping the building and surrounding area cooler.

### Landscaping Design Guidelines

- *Landscaping.* The entire development shall be landscaped in accordance with a plan conceived as a complete pattern and style throughout the total site. All areas of the site not occupied by buildings and other improvements shall be planted with trees, shrubs, hedges, ground cover and perennials and annuals. Landscaping shall be provided to achieve the following:
  - Preservation and enhancement, to the greatest extent possible, of existing natural features on the site, including vegetation and land forms;
  - Assistance in adapting a site to its proposed development;
  - Mitigation and control of environmental and community impacts from a development;
  - Creation of an attractive appearance for the development, as viewed from both within the site itself and the surrounding area;
  - Definition of yard areas and other open space;
  - Energy conservation and micro-climatic control;
- Any landscaping which is not resistant to the environment or dies within (2) years of planting shall be replaced by the Redevelopment. Streetscape plantings shall be subject to a maintenance guarantee of a minimum of two (2) years.
- Street trees shall be hardy, native or native adaptive species that are drought tolerant and able to thrive in an urban environment.
- Plantings, such as shrubs, flowers, or trees shall be used to accent entrances, arcades, and sidewalks. Such accent plantings shall be hardy, native or native adaptive species that are drought tolerant and able to thrive in an urban environment.

- Landscaping for rooftop amenities and terraces shall consist of plants that are 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 system, irrigation and root barriers.
- 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 system to be furnished and maintained by the Redeveloper and subsequent property owners.
- A planting schedule shall be provided by the Redeveloper and approved by the Planning Board.

### Exceptions

The design standards contained herein shall be used as the City's presumptive minimum requirements for development in the 301 & 300 - 302 Constitution Avenue Redevelopment Area. However, these guidelines and standards are not intended to restrict creativity, and a potential redeveloper may request that the guidelines and standards be modified or waived. The Planning Board may grant a Redeveloper reasonable waivers or modifications from these design guidelines pursuant to N.J.S.A. 40:55D-70c or N.J.S.A. 40:55D-51, as applicable, where the standards set forth therein are met, and as set forth in Section 3.6(I) herein.

## **4.0 ACQUISITION AND RELOCATION**

### **4.1 Properties to be acquired**

Property acquisition by the City of Bayonne is not proposed in connection with this redevelopment plan.

### **4.2 Relocation**

If required by law, relocation, temporary or permanent, of businesses/residents displaced as a result of the implementation of this Redevelopment Plan shall be carried out by the City, or such entity designated by the City (Relocation Entity) in accordance with the provisions of the State of New Jersey Relocation Assistance Law of 1967 (N.J.S.A. 52:31B-1 et seq.) and the Relocation Assistance Act of 1971 (N.J.S.A. 20:4-1 et seq.), the rules promulgated there under, and a State-approved Workable Relocation Assistance Plan (WRAP) for the 301 & 300 - 302 Constitution Avenue Redevelopment Area. Said WRAP shall be available for public inspection at the offices of the Relocation Entity.

A WRAP, as defined by the NJ Department of Community Affairs (DCA), demonstrates that the municipality knows the number of people, businesses, or farm operations impacted by the relocation plan and that there are enough comparable replacement housing units or business sites in the area for the people to find new homes, apartments, or business locations. NJ Department of Community Affairs approval of the WRAP is required before relocation activities may commence.

It is estimated that adequate opportunities for the relocation of businesses and residents currently located within the 301 & 300 – 302 Constitution Avenue Redevelopment Plan are available in the immediate region during the relocation period. The Relocation Entity will seek to identify potential new locations for businesses and residents that may be displaced as a result on the implementation of this Redevelopment Plan.

## **5.0 RELATIONSHIP TO OTHER PLANS**

The LHRL requires a Redevelopment Plan to include a statement regarding any significant relationship that the redevelopment plan may have to contiguous municipalities, the County Master Plan, and the State Development and Redevelopment Plan. A review of the documents reveals that the proposed Redevelopment Plan is generally consistent with these various documents. In particular, it is noted that, while the Redevelopment Area is not adjacent to any adjoining municipality, the overall goals and objectives are generally consistent with the land use planning philosophies espoused in the master plans of contiguous communities.

### **5.1 Bayonne Master Plan**

Goals, Objectives, Principles, Assumptions, Policies and Standards of the 2000 Master Plan include:

- Preserve and protect the established residential character, provide for compatible in-fill residential development in appropriate locations and encourage a broad range of housing choices for residents;
- Promote the creation of a fully intermodal transportation system that enhances local circulation, increases regional access and provides links to international destinations. Coordinate land uses with transportation investments to promote intermodal connections and encourage alternative to driving, such as mass transit, freight rail and bicycle/pedestrian facilities;
- Plan for and promote the redevelopment of underutilized or vacant commercial and industrial properties including MOTBY the Texaco site and portions of Broadway.
- Focus economic activity in the City's major economic centers including Broadway, MOTBY, the Route 440 corridor and Constable Hook industrial area. Recognize the unique character of each area and promote development that will strengthen and reinforce market niches.
- Plan for and promote the mixed-use redevelopment of MOTBY in order to create employment, generate tax ratables and enhance the quality of life for residents and workers.

The 2000 Master Plan discusses the transfer of the Military Ocean Terminal to the City, and outlines the Harbor Mixed-Use District.

The 2017 reexamination report, per The City Vision for 2020 on pg. 2, states: “The Military Ocean Terminal (MOTBY), is planned as a thriving mixed-use center with a deep-water port, ferry, light industrial uses, commercial office space, a waterfront residential enclave, and extensive recreational amenities such as the Hudson River waterfront walkway.”

Under Economic Recommendations, the 2017 Reexamination recommends the continued support of redevelopment of the MOTBY and Texaco sites.

Overall, the City’s Master Plan and 2017 Reexamination Report seek to promote the reinvestment into and the redevelopment of the MOTBY area as a way to revitalize this portion of the community and take advantage of public transportation.

## **5.2 Sewer and Water Service**

The Redevelopment Area is located within public water and sewer service areas.

## **5.3 Transportation and Public Transportation**

The 301 & 300 - 302 Constitution Avenue Redevelopment Area is situated in close proximity to the proposed ferry terminal. Access to the regional highway network, New Jersey Turnpike as well as neighboring communities is readily available.

## **5.4 Relation to Master Plans of Adjacent Municipalities**

Municipalities bordering Bayonne are limited to Jersey City to the north. The City is otherwise surrounded by waterways, including the Upper New York Bay to the east, Newark Bay to the West, and the Kill Van Kull to the south. The Redevelopment Area is not situated along the municipal boundary with Jersey City and, as such, its proposed mixed-use commercial/residential development is not anticipated to adversely impact these adjacent communities. Regional access to the Redevelopment Area is primarily from the New Jersey

Turnpike/Route 78, therefore, the redevelopment of the area is not anticipated to have a significant adverse impact on roadways in neighboring communities.

### **5.5 Relation to Hudson County Plan**

The Hudson County 2016 Reexamination Report's goals and objective include: promote development intensities that are supportive of public transportation use; encourage the location of commercial and residential development, especially mixed-use, near existing or proposed transit corridors; and promote the viability of downtown commercial districts by retaining first floor retail sales and services.

The proposed Redevelopment Plan is consistent with and implements the goals of the Hudson County Reexamination Report.

### **5.6 Relation to State Development and Redevelopment Plan**

This Redevelopment Plan is designed to affirm the overall redevelopment concepts set forth in the State Development and Redevelopment Plan. Specifically, the State Development and Redevelopment Plan encourages development in older cities and in suburbs that have the necessary infrastructure to accommodate it, as well as in locations along existing transportation corridors. Bayonne is located in a "Metropolitan Planning Area." That classification has the following characteristics: predominantly developed with little vacant land; aging infrastructure; recognize that redevelopment will be the predominant form of growth; and understands that certain municipal services and systems need to be regionalized. This Redevelopment Plan affirmatively addresses the State Plan's goal of promoting public and private investment/reinvestment in the Metropolitan Planning Areas.

## **6.0 ELECTRIC VEHICLE RECHARGE STATIONS**

EV parking shall be provided pursuant to the DCA Model Statewide Municipal EV Ordinance.

## **7.0 IMPLEMENTATION OF THE REDEVELOPMENT PLAN**

This section summarizes the implementation process for a successful redevelopment plan.

### **7.1 Redevelopment Entity**

The City Council shall serve as the Redevelopment Entity hereunder.

### **7.2 Appointment of a Redeveloper**

Prior to the commencement of construction of any improvements on the Property, final plans and specifications must be submitted to the City Planning Board, as required by the City's Land Development Ordinance, by the Redeveloper for approval to ensure conformance with the approved preliminary submission.

### **7.3 Development Review**

Redeveloper may submit Preliminary and Final Site Plans, with details sufficient to comply with the Municipal Land Use Law and the City's Land Use Ordinance, to the Planning Board for review and approval for each development parcel, pursuant to N.J.S.A 40:55D-1 et seq. A fully executed redevelopment agreement and redeveloper designation by the City Council will be required as a condition of site plan approval, and no building permits shall be issued until such designation is approved and a redevelopment agreement is fully-executed.

A Technical Review Committee (TRC) shall be required prior to submission of any site plan. Any site plan application shall be reviewed by City staff and professionals for a consistency determination which shall include, but not be limited to, a review of the project to determine compliance with the proposed

development and uses of the parcel and related standards in this Redevelopment Plan, the aesthetics of the project and the project's coordination with other existing development and uses.

The Planning Board may require the developer to provide a bond or bonds of sufficient size and duration of guarantee the completion of the various phases of the project in compliance with the requirements of the Municipal Land Use Law and planning approvals.

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.

The tract may be developed in one or more phases. 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.

All dimensional and other requirements shall apply to the tract as it exists at the time of the adoption of this Redevelopment Plan, and conforming conditions that are rendered nonconforming as a result of changes to the tract perimeter such as road widening or other municipal purposes shall not be considered deviations and shall not require variance relief on future applications for the duration that the redevelopment plan remains in effect.

The project(s) shall be developed in accordance with any planning board approval.

#### **7.4 Duration of Redevelopment Plan**

The provisions of this Redevelopment Plan specifying the redevelopment of the Redevelopment Area and the requirements and restrictions with respect thereto

shall be in effect for a period of fifty (50) years from the date of adoption of this Redevelopment Plan by the City Council, or until a zoning ordinance amendment is adopted. Upon completion of a project, the redeveloper shall submit for a Certificate of Completion. Concurrently, the redeveloper shall request that the City prepare a zoning ordinance amendment for consideration by the City Council. This zoning ordinance amendment should incorporate the standards contained herein into the Planning and Development Regulations (Chapter 33) and Zoning Regulations (Chapter 35) of the City of Bayonne to ensure that they remain applicable. Of note – the developer was looking for language to somehow trigger this requirement.

## **7.5 Amending the Redevelopment Plan**

This Redevelopment Plan may be amended from time to time in compliance with the requirements of law, provided that with respect to any land in the project area previously disposed of by the Redevelopment Entity for use in accordance with the Redevelopment Plan, the Redevelopment Entity notices the owner of such land whose interests therein may be materially affected by such amendment.

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.

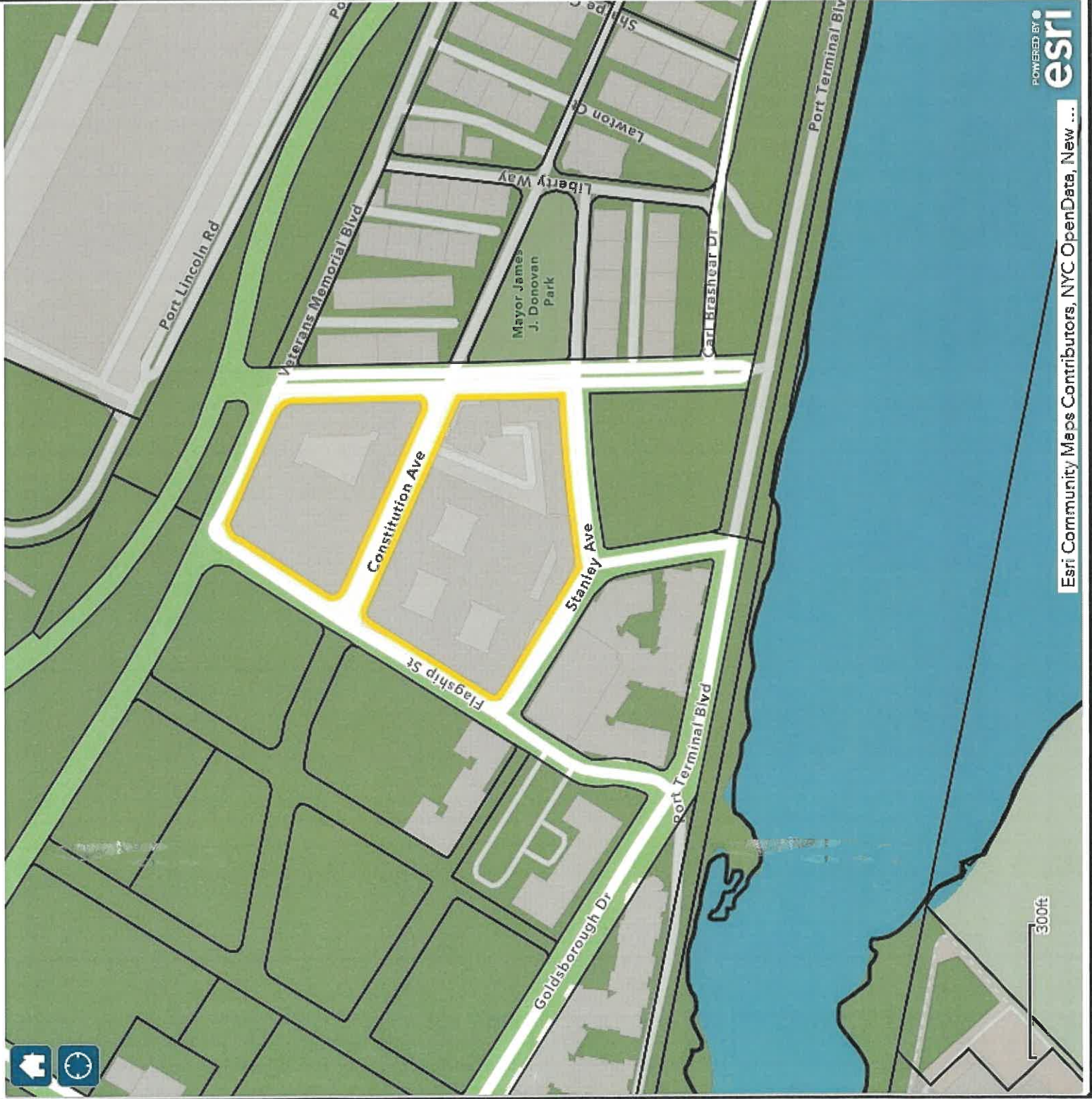
**Figures**

301 & 300 - 302  
Constitution Avenue  
Redevelopment Plan

City of Bayonne  
New Jersey

Figure 1:  
Location Map

Mapping obtained from  
Hudson County GIS  
Beacon Planning and Consulting Services, LLC  
315 Route 34 - Suite 129  
Collis Neck, New Jersey 07722



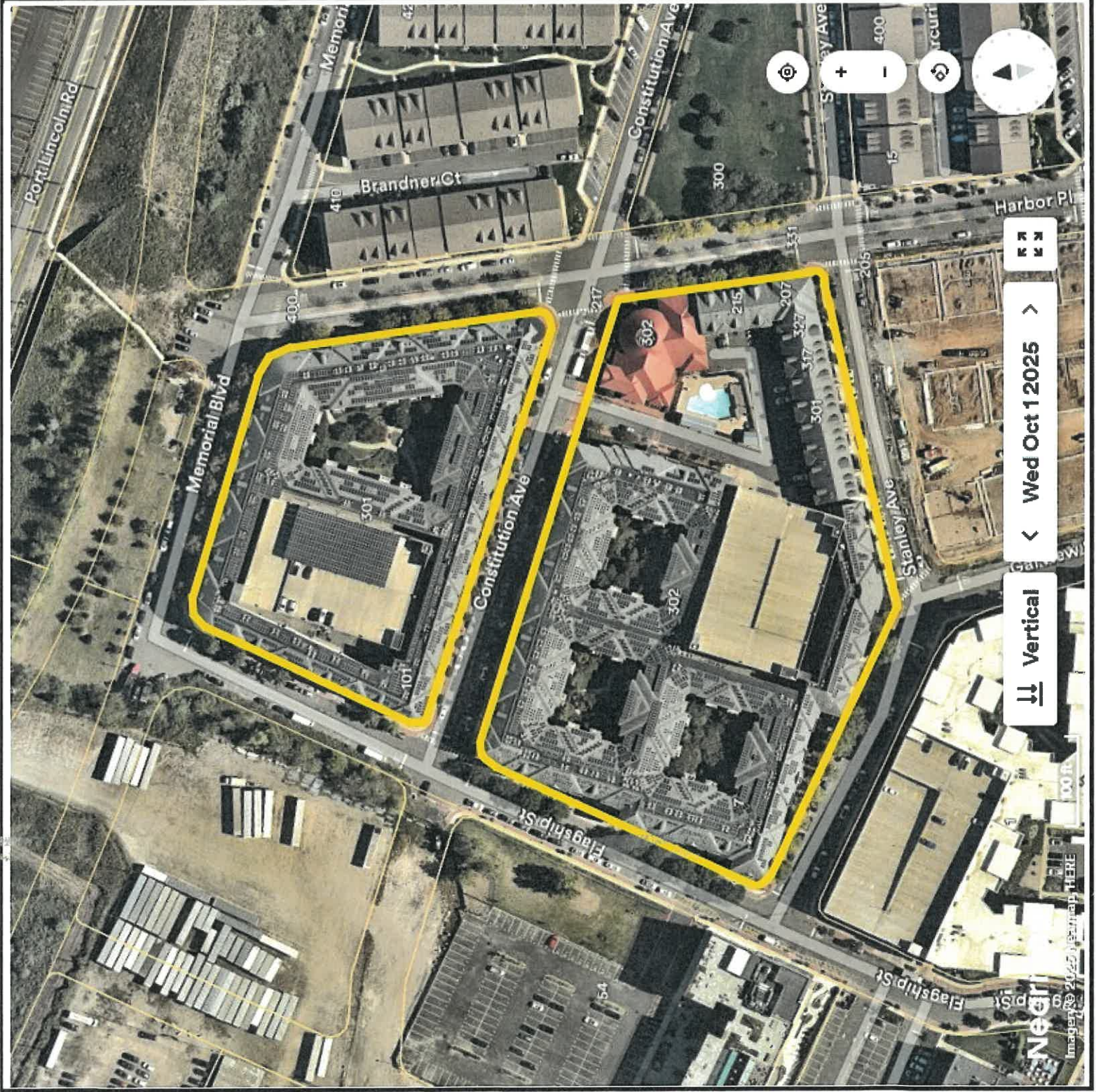
301 & 300 - 302  
Constitution Avenue  
Redevelopment Plan

City of Bayonne  
New Jersey

Figure 2:  
Redevelopment  
Area Map

Nearmap Image:  
10/01/2025





Beacon Planning and Consulting Services, LLC  
315 Route 34 - Suite 129  
Collis Neck, New Jersey 07722



301 & 300 - 302  
Constitution Avenue  
Redevelopment Plan

City of Bayonne  
New Jersey

Zoning Designations

	<b>BMHO</b>
	<b>IL-B</b>
	<b>H-C</b>
	<b>WR</b>

Obtained from:  
City of Bayonne  
Zoning Map  
September 2020



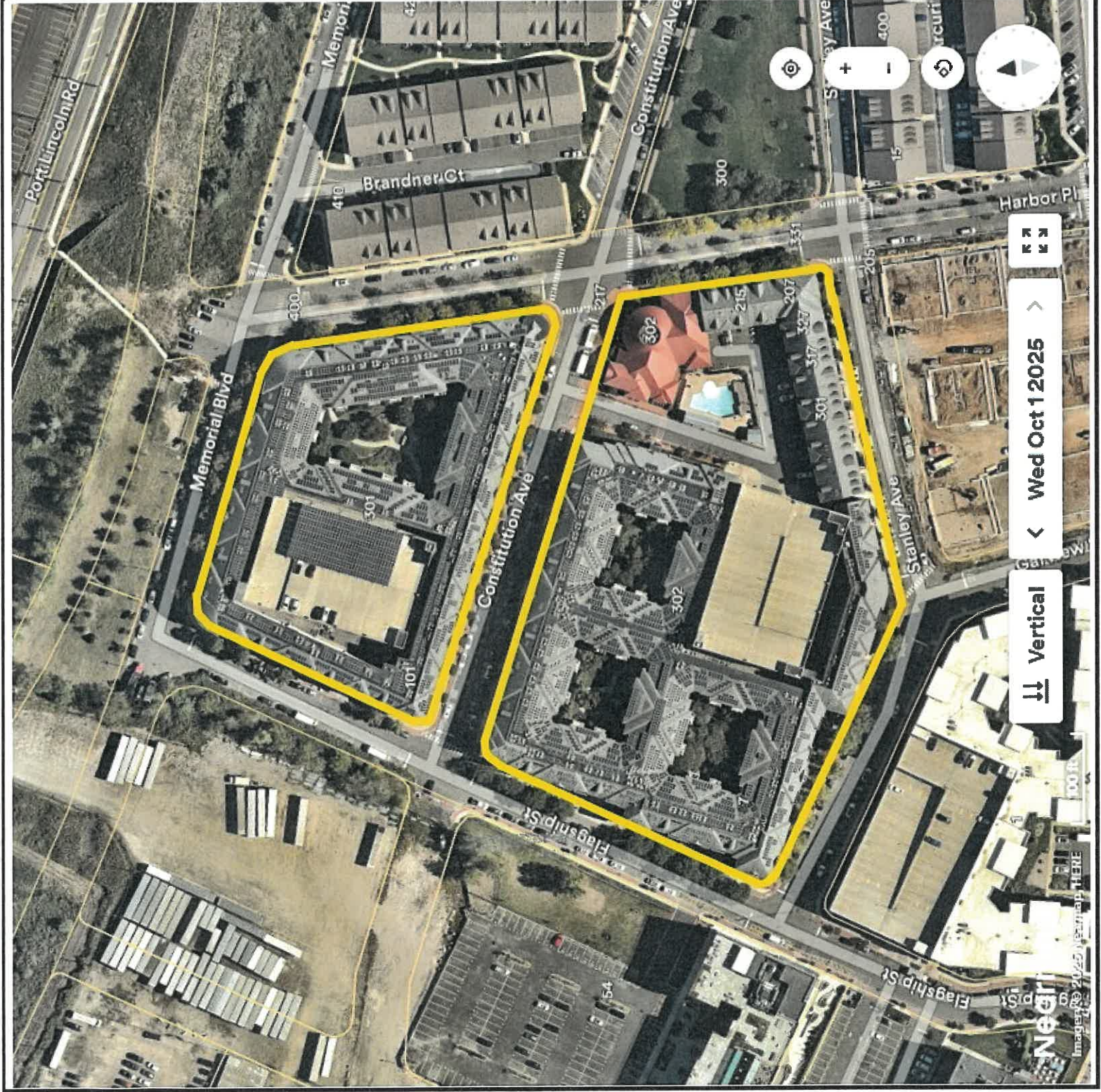
301 & 300 - 302  
Constitution Avenue  
Redevelopment Plan

City of Bayonne  
New Jersey

Figure 4:  
301 & 300 - 302  
Constitution Avenue  
Redevelopment  
District

Nearmap Image:  
10/01/2025

Beacon Planning and Consulting Services, LLC  
315 Route 34 - Suite 129  
Collis Neck, New Jersey 07722





# FIGURE 6

Sub Zone Map

Prepared by: MHS Architects

Dated: 04/24/2026



**EXISTING ZONE:** In the area designated as "Existing Zone" - any new, modified, or replacement buildings or structures, including a parking structure, or any modifications to any existing buildings or structures, and associated bulkheads, mechanical equipment and any projections, shall not exceed a total of sixty (60) feet in height.

**TOWER ZONE:** A maximum of three (3) towers shall be permitted in the "Tower Zone" in the locations indicated.

**TOWER BASE:** The bases of towers indicated as the "Tower Base" shall not exceed a maximum height of ninety (90) feet.

**Resolution No. 25-12-17-108**

Agenda No. R-10

MUNICIPAL COUNCIL OF THE CITY OF BAYONNE

RESOLUTION NO. 25-12-17-108

RESOLUTION OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY DESIGNATING THE PROPERTY LOCATED AT 301 AND 300-302 CONSTITUTION AVENUE AND DESIGNATED AS BLOCK 803, LOT 1 AND BLOCK 815, LOT 1 AS AN AREA IN NEED OF REDEVELOPMENT (NON-CONDEMNATION), PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, et seq.

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

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law, the city council ("City Council") must authorize the planning board of the City (the "Planning Board") to conduct a preliminary investigation of the area and make recommendations to the City Council; and

WHEREAS, the City Council adopted a resolution authorizing and directing the Planning Board to conduct an investigation of the property located at 301 and 300-302 Constitution Avenue, and identified as Block 803, Lot 1 and Block 815, Lot 1 as shown on the official Tax Map of the City (the "Study Area"), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically N.J.S.A. 40A:12A-5, and should be designated as an area in need of redevelopment; and

WHEREAS, on December 9, 2025, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law and determined that the Study Area qualified as an area in need of redevelopment and recommended that the City Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, the City Council has determined that, based upon the recommendations of the Planning Board, the Study Area should be designated an area in need of redevelopment under the Redevelopment Law, such designation authorizing the City and City Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, excluding the power of eminent domain.

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

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The recommendations and conclusions of the **Planning Board** are hereby accepted by the **City Council**.

Section 3. Based upon the findings and recommendations of the **Planning Board**, the Study Area is hereby designated an area in need of redevelopment, without the power of eminent domain pursuant to the provisions of Sections 5 and 6 of the Redevelopment Law (the "**Non-Condernnation Redevelopment Area**"), and the **Planning Board** is hereby directed to prepare a redevelopment plan for the Non-Condernnation Redevelopment Area.

Section 4. The **City Clerk** is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to Section 6(b)(5) of the Redevelopment Law.

Section 5. The **City Clerk** is hereby directed to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Non-Condernnation Redevelopment Area, as reflected on the tax assessor's records, and (ii) each person who filed a written objection prior to the hearing held by the **Planning Board**, service to be in the manner provided by Section 6 of the Redevelopment Law.

Section 6. This Resolution shall take effect immediately.