

City Clerk No. _____
Agenda No. 3.F 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 11-041

TITLE: **ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING
AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE
IN SUPPORT OF SUSTAINABLE ZONING**

WHEREAS, the Municipal Council, pursuant to NJSA 40:55D-62, may adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon; and

WHEREAS, the unintended impact of urbanization can be food insecurity, malnutrition, and lack of recreational open space; and

WHEREAS, the creation of a more sustainable, healthy city includes identifying ways to provide adequate, reliable access to food supplies for all of its residents, maintaining recreational spaces, and revitalizing the urban landscape through waste and water management; and,

WHEREAS, urban agriculture also encompasses urban food production, which will help create food security, generate income for residents, promote healthier lifestyles, and provide opportunities for both environmental education and revitalization; and

WHEREAS, the Planning Board of Jersey City, at its meeting of March 22, 2011, did discuss and approve a motion recommending that the Municipal Council adopt the amendments contained herein; and

WHEREAS, the amendments to the Jersey City Municipal Code and Land Development Ordinance are included below, and are available for public inspection at the Office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

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

The Land Development Ordinance shall be amended as follows.

New material intended to be enacted is indicated by bold italics *thusly*.

Article I – Section 345-6. Definitions

Agriculture, Community Gardening – land that is held publicly or privately and is used collectively for the cultivation and harvesting of herbs, fruit, flowers, and vegetables, including the cultivation and tillage of soil. Cultivation can be done in outdoor raised planters or greenhouses, hydroponically or in soil. Cultivation and harvesting of illegal and controlled substances shall not be permitted.

Agriculture, Commercial – land that is used for cultivation and harvesting of herbs, fruit, flowers, vegetables, and soil in which plants are raised outdoors in planters, in greenhouses, in buildings or on rooftops. Plants may be grown hydroponically or in soil, for sale either as food, use in landscaping, or ornamental purposes. Cultivation and harvesting of illegal and controlled substances shall not be permitted.

Green Roof - A vegetated roof system used in place of a conventional roof which typically involves a water proof membrane and root repellent system, a drainage system, filter cloth, a lightweight growing medium and species appropriate plants.

Article V- Section 345-60. Supplementary zoning regulations

V. Agriculture

- 1. Community gardening: Shall be permitted in all zones and redevelopment plan areas, and it is exempt from site plan approval. When community gardening is done on city owned land, it is subject to the Jersey City "Adopt-A-Lot" Program standards and requirements.*
- 2. Commercial agriculture: Shall be permitted in all commercial, industrial and mixed use redevelopment plan area zones. Commercial greenhouses of 5,000 sq. ft. or less in area are exempt from site plan approval but shall be subject to the maximum, but not the minimum, height regulations of the zone they are located within. Greenhouses shall be required to meet minimum setback requirements of 2 feet for each sideyard, 5 feet for the rear yard and 5 feet for the front yard.*
- 3. Rooftop gardens and Raised planters: Shall be permitted in all zones and redevelopment plan areas, and shall be exempt from setback requirements and site plan approval.*

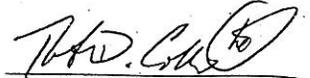
W. Green Roofs

- 1. Green roofs shall be exempt from the rooftop area limit of 20% for rooftop appurtenances, as per Section 345-60.G.2.*
- 2. Green roofs shall be exempt from site plan approval, unless their installation is part of a project that exceeds the threshold for Site Plan review as per Section 345-16.*
- 3. Ancillary green roof equipment and structures, including but not limited to the installation of a greenhouse, shall be subject to the maximum height for exceptions for roof appurtenances, as is outlined in Section 345-60.G.1. of the Land Development Ordinance*

BE IT FURTHER ORDAINED THAT:

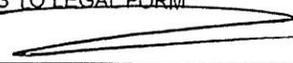
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.



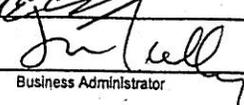
Robert D. Cotter, PP, AICP
Planning Director

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: 

APPROVED: 

Business Administrator

Certification Required

Not Required

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

ORDINANCE NO. Ord 11-041
 TITLE: 3.F. MAR 23 2011 4.F. APR 13 2011



Ordinance of the Municipal Council of the City of Jersey
 City adopting amendments to the Land Development
 Ordinance in support of sustainable zoning.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
MAR 23 2011 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
APR 13 2011 9-0											
Councilperson <u>VELAZQUEZ</u>				moved, seconded by Councilperson <u>DONNELLY</u>				to close P.H.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

✓ Indicates Vote JAYSON BURG N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____				moved to amend* Ordinance, seconded by Councilperson _____				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				AHMAD			
LOPEZ				RICHARDSON				VELAZQUEZ			

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
APR 13 2011 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			AHMAD	✓		
LOPEZ	✓			RICHARDSON	✓			VELAZQUEZ	✓		

✓ Indicates Vote N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on MAR 23 2011

Adopted on second and final reading after hearing on APR 13 2011

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on APR 13 2011

Robert Byrne
 Robert Byrne, City Clerk

APPROVED:
Peter M Brennan
 Peter M. Brennan, Council President

*Amendment(s):

Date: APR 13 2011
 APPROVED:
Jerramiah T. Healy
 Jerramiah T. Healy, Mayor

Date APR 14 2011

Date to Mayor APR 14 2011

Green Roof decks have been the most successful green component. Our redevelopment Plans do not permit parking on the upper level of a parking garage. Hence, all amenities and private green space is provided on the roof of the garage. This has led to some spectacular green rooftops. Some with tenant gardening plots some with dog play areas, some for people play, tennis, BBQ pits and pool. 77 Hudson was the first to incorporate a grade change within their lawn area allowing for passive use of a sloped grass area with views of the Manhattan skyline and the pool below.

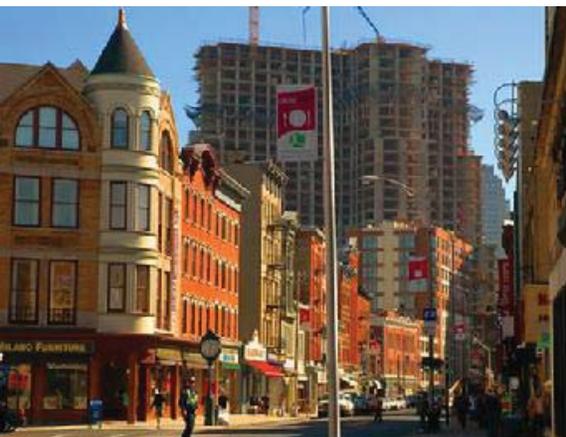
Although this is not a complete list, the following projects have incorporated green roofs. All are built; # 11 is under construction:

- 1) 50 Columbus
- 2) Monaco Towers
- 3) 77 Hudson
- 4) Liberty Towers
- 5) Portofino
- 6) Trump Plaza JC
- 7) The Saffron
- 8) Zeffer Lofts, 10th St.
- 9) Hamilton Lofts
- 10) Senior Housing of Bergen Avenue
- 11) JC Public Works Facility



Clarke Caton Hintz

Architecture : Planning : Landscape Architecture



Proposed Scope of Work for:
**Green Building & Sustainable
Development Consulting Services**

Submitted to:
Jersey City Redevelopment Agency

August 2, 2011

100 Barrack Street
Trenton, NJ 08608
Tel: 609 883 8383
Fax: 609 883 4044

www.clarkecatonhintz.com

Resolution No. 11-08-_____

Regular Meeting
August 16, 2011

A G E N D A

All Project Areas - Board authorization is requested to enter into
Contract

No. 11-08-BD8 with Clark Caton Hinz to provide professional planning services associated with the Redevelopment Green Guide. Clark Caton Hinz was prequalified by the Agency in July, 2011 to provide these services. The contract will be in the amount not to exceed \$110,000.00 and will be paid for from the Energy Efficiency Community Block Grant received from the City. A copy of the proposal is attached.

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE
JERSEY CITY REDEVELOPMENT AGENCY AUTHORIZING
CONTRACT NO. 11-08-BD8 WITH CLARK CATON HINZ FOR THE
DEVELOPMENT OF A REDEVELOPMENT GREEN GUIDE**

Benjamin Delisle

C:\Documents and Settings\MCarter\Desktop\Heather JCRA\Green Guide and WEB Site
Expansion\CCH 11-08-BD8.blb.wpd



PROPOSED SCOPE OF WORK

Clarke Caton Hintz

Architecture

Planning

Landscape Architecture

Clarke Caton Hintz is pleased to present this proposed Scope of Work for creating and implementing a “Redevelopment Green Guide” for the Jersey City Redevelopment Agency. We have assembled a team consisting of the Land Use Law Center for Sustainable Development at Pace University School of Law (LULC) – our academic consultant – and Vertices – our web designer and interactive mapping consultant.

Clarke Caton Hintz will serve as the lead on this project and will rely upon our experience in green building design, sustainability policy, planning, architecture and landscape architecture. Our experience as redeveloper of urban projects will provide a unique perspective into how best to encourage green building and sustainability in the City’s redevelopment areas. The LULC, with a proven track record of researching and developing land use strategies that promote and implement green construction and sustainable development, will guide those tasks regarding research and compliance/follow-up strategies and will partner with Clarke Caton Hintz in crafting the achievement strategies. Vertices, a well known innovative GIS technology company who specializes in the use of public participatory geographic information systems (PPGIS), will provide a website that includes interactive mapping of the redevelopment areas and an online version of the finished product. Furthermore, during the project the website can serve as a tool for keeping stakeholders informed about the process, providing input, education and marketing the redevelopment areas.





The Scope of Services we envision for this project is as follows:

Task 1. Take Inventory

The Team will first review all sources of green building programs and regulations applicable to Jersey City redevelopment areas. This Task shall include but is not limited to the following:

- Jersey City Redevelopment Agency, such as the Leaf Program and green building components of the Journal Square 2060 Redevelopment Plan, McGinley Square Draft Redevelopment Plan and Mary Norton Manor project;
- Jersey City, such as the 2011 Reexamination Report policy on sustainability, Section 180-4., Green Building Incentives, and Sections 180-2 and 3, LEED Requirements for Municipal Projects of the Jersey City Land Development Code;
- Hudson County, such as the Hudson County Community Indicator Report and Hudson County Comprehensive Economic Development Strategy;
- State of New Jersey, such as the New Jersey Energy Star Homes program, New Jersey SmartStart Buildings Program and the HMFA CHOICE Green program; and
- Federal Government, such as Federal Income Tax Credits, including those pursuant to the Energy Policy Act of 2005, which incentivize green building design.

The existing conditions of the sites, buildings and surrounding area will be reviewed to ensure that the strategies crafted as part of Task 7. are appropriate and location-specific to the extent necessary. Additionally, the history of each Area's designation, its redevelopment status and any existing incentives for redevelopment (green and otherwise) will be inventoried.

Task 2. Assess Current Programs

The inventory completed in Task 1 will be used to gauge the effectiveness of the existing green building programs. To do so, questions such as the following will be asked:

- Which programs have been utilized and what incentives were received?
- What types of green buildings have been constructed (building type, certified, if so by whom and to what level)?



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The project review, permitting process and associated fee structures will be analyzed to determine if and how they can be used to encourage green building in the redevelopment areas. To do so, questions such as the following will be asked:

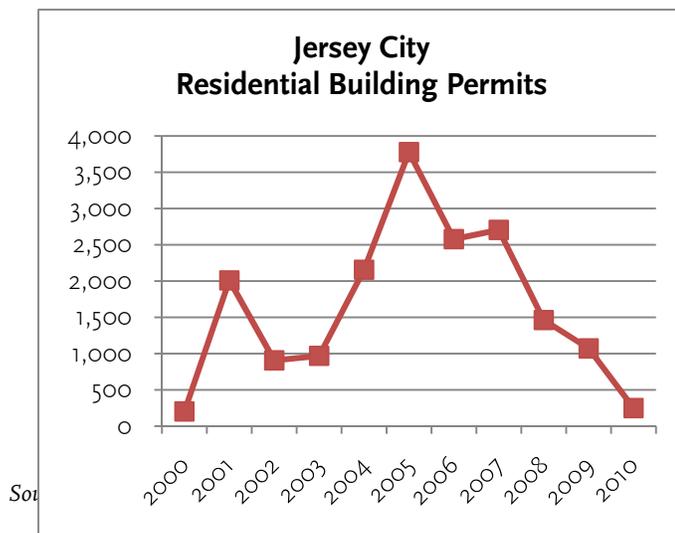
- What is the typical timeline and process for JCRA and Planning Board application review?
- What is the typical timeline and process for construction permitting process?
- What is the fee structure for application review and construction permits?

This Task will utilize the Leadership in Energy and Environmental Design for Neighborhood Development (LEED ND) rating system to guide the analysis the redevelopment areas and Leadership in Energy and Environmental Design for New Construction (LEED NC) and the International Green Construction Code (IGCC) to evaluate the building standards.

Task 3. Project Development Trends

In order to accurately target efforts and identify which existing programs have been successful at encouraging conventional redevelopment and which should be considered for encouraging green development, the Team will analyze construction trends and predictions. To do so, such questions as the following will be asked:

- What are the conditions specific to Jersey City?
- What areas have been redeveloped in the last 5 years?
- What is the City's projected growth and where will it occur?
- What types of projects are anticipated in the future?





Task 4. Involve Stakeholders

At the completion of Tasks 1 through 3, the Team will host a series of stakeholder meetings. Stakeholders to the process are likely to include community groups (nonprofit organizations, businesses and residents) as well as active developers in Jersey City, including those which have constructed green buildings or considered doing so. Community groups will be asked what aspects of green building and sustainability are most important and how the JCRA can help encourage green building. Developers will be asked to identify the achievement strategies which would most encourage them to construct green buildings. Additionally, throughout the entire project the Team will operate a website that provides the public and stakeholders the ability to stay informed about the process as well as provide opportunities for input.

Task 5. Research Best Practices

The Team will provide comprehensive research on the strategy options available to the JCRA, including incentives and mandates. This research will not only inform the creation of the strategies in Task 7. but also the options for tracking compliance in Task 10.

Task 6. Identify Goals

It is critical that the process of crafting achievement strategies (Task 7.) and compliance strategies (Task 10.) be guided by objective and measurable goals and indices. The preparation of these goals and indices will be informed by the findings of the research conducted in earlier tasks. Additionally, these goals and indices may address reductions in greenhouse gasses so they are easily incorporated into any future Jersey City Climate Action Plan. This Task may rely upon the LEED ND rating system to guide the goals and indices applicable to the redevelopment areas and the LEED NC and the IGCC to guide those applicable to building standards. Alternatively, or in addition, this task may rely upon the objectives of an organization such as the Star Community Index of Local Governments for Sustainability [ICLEI] or the Natural Step.

Task 7. Craft Strategies

Drawing on the research and findings of the previous tasks, the Team will craft a variety of achievement strategies tailored specifically to the needs of the redevelopment areas. Important considerations for tailoring each strategy include, but are not limited to, the following:

- Site and surrounding area conditions;



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- Historic context;
- Public goals desired - open space, affordable housing, etc.; and
- Construction trends and predictions.

For each strategy the Team will determine if it should be mandatory, incentive-based or encouraged as well as the threshold of applicability. The threshold of applicability may address, for example, new construction versus adaptive reuse, particular building use(s) and/or minimum building size. Example achievement strategies may include:

- Long term financial incentives, such as tax exemptions, grants and loans;
- Short term financial incentives, such as revised permit fee adjustments/reimbursements;
- Streamlined application review or construction permitting;
- Zoning incentives, such as increased density or floor area ratio or reduced setbacks;
- Technical assistance;
- Education; and/or
- Marketing.

As part of this task, the Team will provide clear direction as to how each strategy should be implemented, including whether a phased approach is necessary. The implementation plan will also address the responsible entities (JCRA and/or City departments), tasks for “rolling out” the strategy in the community and what materials may be needed for education and marketing.

Task 8. Create Web Interface

The website created to inform the public and stakeholders about the project during the course of the work will later be used to host the finished product. It can also be used as a learning tool, a reference about the redevelopment areas and a marketing tool. Example features of the website include the following:

- Map of all JCRA redevelopment areas and other areas JCRA would like identified (zones, wards, etc);
- Specific identification of the green incentives and mandates applicable to each redevelopment area;
- The finished product in a pdf format and/or searchable and interactive format;



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- Identification of the “green context” of the area (nearby green buildings, open space, mixed use, community gardens, etc.);
- Resources about and the benefits of sustainability; and/or
- Internet links to relevant websites, such as the JCRA webpage and green building and sustainability organizations.

Task 9. Publicize the Initiative

Near the end of the process the Team will work with the JCRA to announce the completion of the “Redevelopment Green Guide” and invite stakeholders, including residents, business and developers, to become familiar with it as well as learn about green building strategies and their benefits. This could be accomplished through an open house where people can attend, learn and ask questions in an informal setting and at their own pace.

Task 10. Track Compliance

To ensure the long term success of the achievement strategies, the Team will craft compliance and follow-up strategies. These strategies will be tailored to measuring the targets identified by the goals and indices crafted pursuant to Task 7. Examples of compliance and follow-up strategies may include but are not limited to the following:

- Random audits;
- Voluntary submittal of utility information.
- Repayment of public sector subsidies and/or fines for willful noncompliance.

COST PROPOSAL

Clarke Caton Hintz proposes to undertake this scope of work for a total professional budget of \$105,000. Reimbursable expenses for travel, printing, photography and so forth will be billed directly without markup but shall have a maximum cost of \$5,000. Additional work authorized by the JCRA beyond the scope of the contract, if any, will be billed on a time and materials basis in accordance with our prevailing rate schedules.

A digital copy of this document and examples of interactive websites crated by Vertices can viewed and downloaded at www.jcragreenguide.weebly.com.

SAMPLE WEBSITES

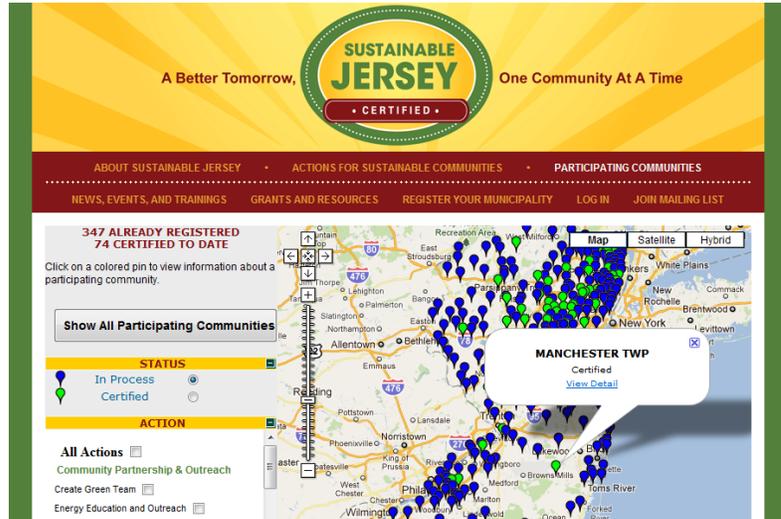
**PREPARED BY:
VERTICES, LLC**

VERTICES, LLC.

Sustainable Jersey

SUSTAINABLE JERSEY™ is a certification program for municipalities in New Jersey that want to go green, save money, and take steps to sustain their quality of life over the long term. Sustainable Jersey:

- Identifies concrete actions that municipalities can implement to become "certified" and be considered leaders on the path to a sustainable community
- Provides clear “how to” guidance and tools to enable communities to make progress on each action
- Provides access to grants, and identifies existing and new funding opportunities for municipalities to make progress toward the actions
- Encompasses the 3 equal, interrelated components of sustainability:
 - Prosperity**-support your local economy and use community resources
 - Planet**-practice responsible environmental management and conservation
 - People**-embrace social equity and fairness



Website: <http://www.sustainablejersey.com>

Reference:

Name: Patricia Ruby, Program Manager
Address: Institute for Sustainability Planning and Governance
Municipal Land Use Center at The College of New Jersey
McCauley House
P.O. Box 7718
Ewing, NJ 08628-0718
Phone: (609) 771-2063
Email: rubyp@tcnj.edu
Contract Term: 2008 – Present
(Ongoing hosting and maintenance after development)

VERTICES, LLC.

Sustainable Maryland

Sustainable Maryland Certified is a new initiative of the Environmental Finance Center at the University of Maryland (EFC) designed to support Maryland's 157 municipalities as they look for cost-effective and strategic ways to protect their natural assets and revitalize their communities. Using best practices in resource areas like water, energy, land use, health, food, and economy, a municipality can earn points toward sustainability certification.



The Mission of Sustainable Maryland Certified is to enhance livability for all Marylanders by helping municipalities choose a direction for their sustainability efforts, improve access to resources needed to implement action, measure their progress, and gain recognition for their accomplishments.

Sustainable Maryland Certified helps municipalities:

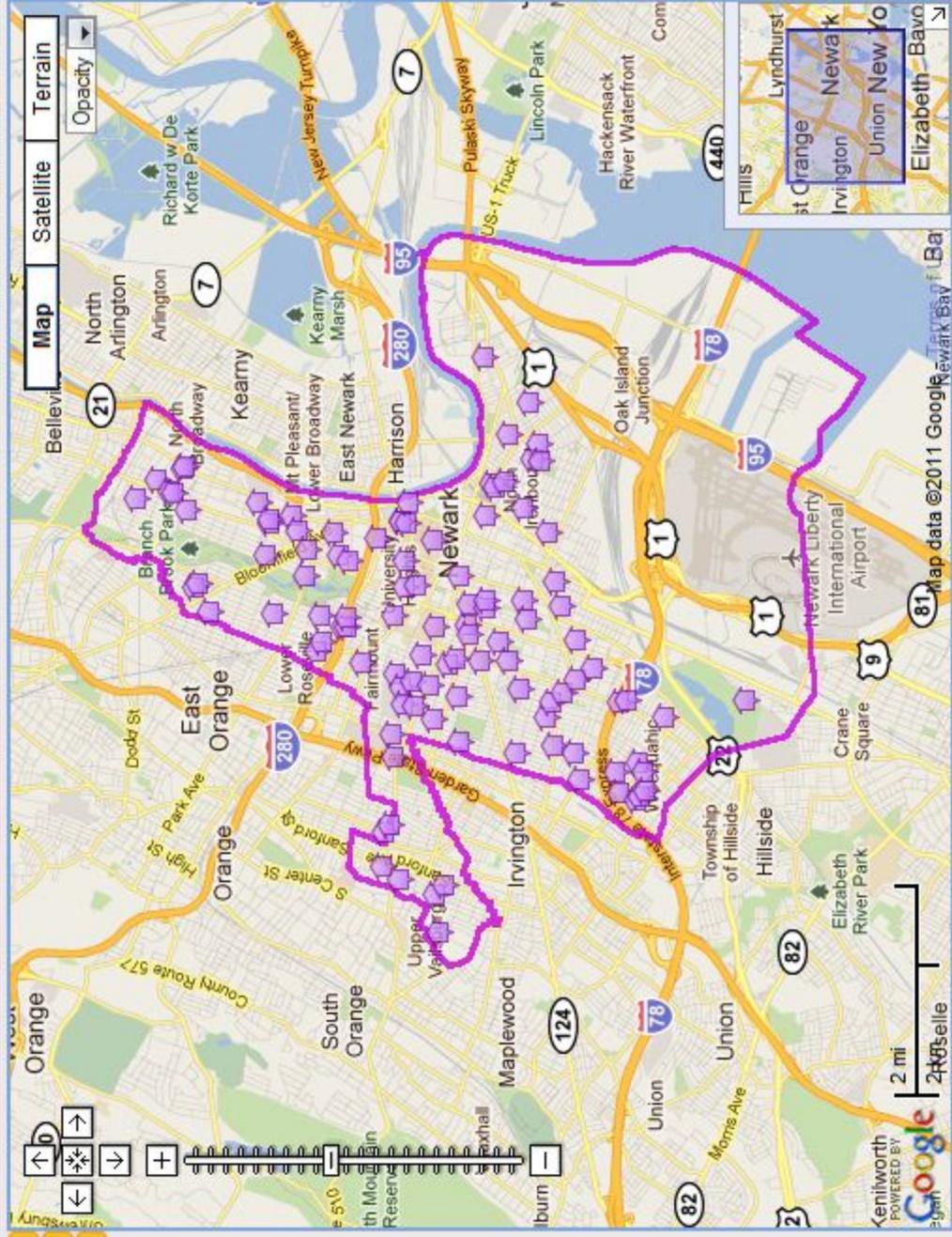
- Gain access to training, tools, and expert guidance;
- Realize cost savings and improve the bottom line;
- Conserve resources while promoting community viability.

Website: <http://www.sustainablemaryland.com>

Reference:

Name: Lisbeth S. Fried, Program Manager
Address: Environmental Finance Center
University of Maryland
1210C Preinkert Field House, Bldg. 54
College Park, MD 20742
Phone: (301) 405-7956 (office T, TH)
(703) 553-0112 (home office M,W,F)
Email: lfried@umd.edu
Contract Term: May 2011 – Present
(Ongoing hosting and maintenance after development)

Newark Community Interactive Map



Search
 Information
 Layers

- Schools
- Day Care
- Hospitals
- Parcels
- Parks
- Wards



- NJ Transit Bus Stop ([Bus Schedule](#))
- NJ Transit Bus Line
- NJ Transit Train Station ([Train Schedule](#))
- NJ Transit Train Route
- Light Rail Station ([Light Rail Schedule](#))
- Light Rail Route

