

Powerhouse Arts District Redevelopment Plan

City of Jersey City

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Prepared by the Jersey City Division of City Planning and the Jersey City Department of Housing, Economic Development and Commerce.

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I. INTRODUCTION

The "Power House Arts District Study Area" was determined to be "an area in need of redevelopment," pursuant to New Jersey Local Housing and Redevelopment Law, P.L. 1992, c. 79 (N.J.S.A. 40A:12A-1 *et seq.*), by the Jersey City Municipal Council on July 14, 2004 following recommendation of the Jersey City Planning Board.

~~The Warehouse Historic District was adopted by a unanimous vote of the Jersey City Municipal Council on October 6, 2004, following recommendation of the Jersey City Planning Board and the Jersey City Historic Preservation Commission that the area meets the requirements for municipal landmark designation and the creation of an historic district. The creation of the Warehouse Historic District is consistent with the Historic Preservation Plan that is contained within the Jersey City Master Plan, which was adopted in May 2000 by the Jersey City Planning Board. It is further recognized that:~~

~~Historic preservation teaches future generations about our past.~~

~~Historic district designation in Jersey City has always resulted in an upgrade to the quality of life of the City.~~

~~Property values in historic districts in Jersey City have increased, shifting some of the tax burden away from residential properties elsewhere in the City.~~

~~Historic districts are responsible for the economic turnaround of Jersey City.~~

~~Historic districts make Jersey City a special place and the Warehouse Historic District will stand out as a special place and attract new investment and economic activity to Jersey City.~~

~~Developers can use Historic tax credits and many other public and private sources of funds to finance building rehabilitation in accordance with historic district standards.~~

Prior to these actions, the following redevelopment area plans were adopted over a number of years by the Jersey City Municipal Council following recommendation of the Jersey City Planning Board: Hudson Exchange, Exchange Place North, Morgan and Washington, and Bay Street.

~~The development regulations which currently exist for the Redevelopment Area that is established by the July 14, 2004 declaration of "an area in need of redevelopment", and for the area in proximity to the new Redevelopment Area are too piecemeal and varied to support comprehensive and rational transition areas between the Warehouse Historic District and the surrounding city. The surrounding area has also failed to redevelop despite the existence of a number of redevelopment plans.~~

It is therefore proposed that the Powerhouse Arts District Redevelopment Plan (hereinafter referred to as the "Plan") be duly adopted in accordance with New Jersey Local Housing and Redevelopment Law, P.L. 1992, c. 79 (N.J.S.A. 40A:12A-1 *et seq.*), and that the Plan shall establish a unified Powerhouse Arts District Redevelopment Area (hereinafter referred to as the "PAD"). The purpose of creating a unified Plan and PAD is to effectuate comprehensive, rational, appropriate, and sensible development and redevelopment within all of the area that constitutes the

~~PAD. Additionally, a redevelopment plan that is adopted in conjunction with historic district designation ensures preservation of the historic resource, and that the historic district becomes a vibrant community. The PAD shall be comprised of the “Power House Arts District Study Area”, as well as portions of the following previously existing redevelopment areas: Hudson Exchange, Exchange Place North, Morgan and Washington, and the Bay Street Redevelopment Plan Areas. The proposed PAD shall also encompass all of the Warehouse Historic District (hereinafter referred to as the “WHD”), except the portion of the WHD that is within tax block 139. The boundary of the PAD shall be as delineated by Map 1 of this Plan.~~

When properly redeveloped, the PAD will serve as an important component of Jersey City’s cultural and entertainment industry. In addition, the provision of work/live space and related amenities will serve as a business incubator to the artist community. The agglomeration of arts based startup enterprises and studios of established artists enables a sharing of resources, exchange of ideas, and building of social networks and support systems that will support the artist community as an economic enterprise. This community in turn will support the local economy through purchase of both personal and business items, and by attracting new visitors to Jersey City who also purchase goods and services. The broader Jersey City economy will benefit from the attraction of new patrons, and from the economic diversification.

The attention to work/live loft style units that this Plan requires, as well as the arts oriented focus, is consistent with, and perpetuates the provisions of the Land Use Plan element of the Jersey City Master Plan, which was adopted by the Jersey City Planning Board in May 2000. The land use plan identified that there is an emerging artistic community in the Work and Live District Overlay (WALDO) area, which is attracted by the City’s growing reputation as a cultural enclave with relatively affordable housing, a large inventory of old industrial buildings that can be adapted to studios, extensive mass transit service, and proximity to New York City. The Master Plan states that the purpose of the district is to permit and encourage artist’s work and live space, and to permit art production, and other art related activities, including galleries, performance venues, arts supply stores and small restaurants and bars. One of the issues that is identified by the Master Plan is how to accelerate the pace of redevelopment in the district. The Master Plan provides seven recommendations, with the first recommendation to determine if the area qualifies as an area in need of redevelopment and establish a redevelopment plan to provide incentives that promote redevelopment. The Master Plan also recommends that the City plan for and recruit arts organizations and arts related uses that would anchor the artists community and serve as a catalyst for redevelopment, encourage additional linkages between artists community and the rest of the City’s population, and coordinate the redevelopment of the Washington Street powerhouse with the district and recognize adaptive reuse as a preferable approach.

~~There is also a recognition by this Plan that urban areas of historic preservation distinguish themselves as unique and interesting places, and provide a desirable alternative to suburban style development, and therefore perpetuate the goals of New Jersey’s State Development and Redevelopment Plan by attracting people from the suburbs to the urban environment.~~

II. REDEVELOPMENT OBJECTIVES AND POLICY STANDARDS

The statements that follow define the intent and purpose for which this Plan was created. These statements set out a series of policies and objectives by which the redevelopment requirements of subsequent sections of this Plan will be guided. Likewise, these statements may be used to determine the degree to which future applications for development of the lands within the Redevelopment Area meet Plan policies and objectives.

It is desired, in the creation and adoption of this Plan, to:

- A. Create a plan that establishes a positive image and a sense of place; a place people will come to live, work, visit, shop, and enjoy, returning again and again.
- B. Replace the WALDO Zoning District regulations with standards that encourage a variety of uses to transform this section of Jersey City into a vibrant neighborhood with primary emphases on the arts, entertainment and culture.
- C. Create a mixed-use neighborhood with both rental and for sale work/live loft style units, both affordable and market rate.
- D. Maintain the district's historic industrial appearances while implementing design standards that will continue its architectural integrity.
- E. Develop streets, sidewalks and public places that are safe, comfortable and interesting to the pedestrian and reflect the industrial past of the district.
- F. Provide site improvements for the beautification of the redevelopment area.
- G. Establish architectural requirements that complement and contribute to the community and its identity, maintaining an architectural style consistent with the character of the area's industrial heritage while allowing a blend of modern accents.
- H. Establish a Special Improvement District to assist the city in management and maintenance of the district.
- I. Retain and re-use the historic Hudson & Manhattan Railroad Power House and the historic warehouses of the district, which are -important artifacts of Jersey City's industrial heritage.
- J. Maintain a bridge between the new high-rise developments along the Hudson River waterfront and the 19th century neighborhoods to the west of the PAD.
- K. Preserve the ~~existing~~remaining viable industrial building stock through rehabilitation and adaptive re-use.
- L. Require the creation and rehabilitation of buildings and shops that incorporate frontage on and direct access to a public sidewalk and public street.
- M. Provide for the development of an artists' work/live project initiated by the City or its agents.
- N. Accommodate at least one major arts anchor within the district, such as: an arts magnet high school, university program center, or museum.
- O. Require public art be installed at each development site in the PAD pursuant to section VI.A.7. of this plan.

- P. Require affordable work/live units be provided to income qualifying certified artists as a ten percent (10%) residential growth share requirement—, except where alternative affordable housing arrangements are provided within the PAD.
- Q. Provide places for safe pedestrian refuge and accommodation, such as separated café space and passive furnished open space nodes.
- R. Accommodate automobiles in a manner that respects the pedestrian spaces and does not compromise the physical form of that pedestrian space or detract from the amount of ground floor retail, restaurant, gallery and lobby spaces.
- S. Locate and design streets to eliminate or reduce cut-through traffic patterns through the use of traffic calming and other such design tools to minimize and discourage undesirable vehicular circulation.
- T. Identify garage locations for district residents, visitors, employees, and users while prohibiting their use by daytime commuters to insure the PAD does not become a parking district for trans-Hudson commuters.
- U Pursue the installation of the necessary sewer and water improvements, and the burying of telecommunications and electric supply lines, concurrent with redevelopment activities to avoid disruptive construction after improvements are built and occupied.
- V. Maximize the use of shared parking and mass transit reliance for existing and new development.
- W. Eliminate the placement of on-street monthly permit parking within the District and replace with the Standard City Zone parking, creating its own zone district.
- X. Provide for and encourage a mix of land uses that will generate a community that is active twenty-four / seven, and populated by residents, business workers and support personnel.
- ~~Y. — Ensure historically appropriate and sensitive development consistent with JCLDO 345.71 Historic Design Standards and the Secretary of the Interior’s Standards for The Treatment of Historic Properties, which is required in the Warehouse Historic District and recommended throughout the PAD.~~
- ~~Z.~~ Support the arts centric business incubator elements and nature of the PAD.
- ~~AA-Z~~ Provide cultural, arts, entertainment and retail amenities to the nearby waterfront office and residential districts.
- ~~BB-AA~~ Attract new and additional economic benefits to the city from residents, workers and visitors of the waterfront office and residential districts.

III. PROPOSED REDEVELOPMENT ACTIONS

The implementation of this Plan will substantially improve and upgrade the Redevelopment Area. The actions outlined herein will provide a uniform and consistent course of action that will displace the adverse influences that led to the deterioration and ultimate determination that the Redevelopment Area was an area in need of redevelopment. These will include but not be limited to:

- A. Consolidation and re-subdivision of land within the Redevelopment Area into suitable parcels for development for the new residential and/or commercial land uses.
- B. Provision of a full range of infrastructure necessary to service and support new development within the Redevelopment Area.
- C. Preservation and rehabilitation of existing historic resources, ~~including but not limited to buildings, sites, structures, objects, etc~~ listed on the State or National Registers.
- D. Construction of new structures and complementary facilities that are consistent with the goals, objectives and policy standards of this Plan.
- E. Identify an area that can begin to be coordinated and managed as a special district, coordinating parking, affordable units, artist studio space, gallery space and other public amenities and special events.
- F. Acquire certain properties by negotiation or eminent domain as may be necessary to effectuate this Plan.
- ~~G. Use of redevelopment powers as may be necessary to ensure preservation of the historic warehouse district for purpose of effectuating this Plan.~~

IV. GENERAL ADMINISTRATIVE REQUIREMENTS

The following provisions shall apply to all property located within the Redevelopment Area:

A. Site Plan Review

1. A site plan shall be submitted by the redeveloper or property owner to the Jersey City Planning Board (“Planning Board”) for review and approval prior to the commencement of any new construction, alteration or addition, reconstruction, rehabilitation, demolition, or any change to, or expansion in the use of, any structure or parcel. No building permit, foundation permit, demolition permit or Certificate of Occupancy, or any other such permit pertaining to site preparation or change shall be issued for any work associated with any of the items above without prior site plan review and approval of such work by the Planning Board.

B. Site Plan Requirements

1. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et seq. and the City’s Land Development Ordinance (LDO). Site plan review shall consist of a preliminary site plan application and a final site plan application. Submission of a site plan and site plan application shall conform to the requirements of the LDO and this Plan, and sufficient information shall be provided in the preliminary site plan application to clearly show how each work/live unit complies with ~~Section M. Design Criteria~~ the design criteria for Work/Live Units of this Plan ~~work/live units applicable in the particular zoning district of the PAD.~~ Although redevelopment may be authorized to be accomplished in phases as permitted by this Plan, all such phases shall be included and indicated in the same application.
- ~~2. Notwithstanding Section IV.B.1. Site Plan Requirements above, in such cases where the property, or a portion of the property, is located within the boundaries of the Warehouse Historic District, a recommendation from the Jersey City Historic Preservation Commission regarding compliance with JCLDO 345-71. Historic Design Standards and the Secretary of the Interior’s Standards for the Treatment of Historic Properties shall be necessary to deem the preliminary site plan application to the Planning Board as complete. However, should the Historic Preservation Commission fail to make such a recommendation within 45 days of submission by the applicant of a complete application to the Historic Preservation Commission, such recommendation shall be excluded from the preliminary site plan application to the Planning Board.~~

3. ~~The Planning Board may require a redeveloper to furnish performance guarantees pursuant to N.J.S.A. 40:55D-53. Such performance guarantees shall be in favor of the City of Jersey City, and be in a form approved by the Planning Board Attorney. The City Engineer, in conformance with applicable law, shall determine the amount of any such performance guarantees.~~

C. Effect on Land Development Ordinance and Warehouse Historic District

This Plan shall supersede all provisions of the Jersey City Land Development Ordinance (hereinafter referred to as the “LDO”) on matters that are specifically addressed herein. ~~The provisions of the LDO that pertain to the Warehouse Historic District (hereinafter referred to as the “WHD”) shall remain in full force and effect, except that this Plan shall supersede the provisions of the WHD that are specifically addressed herein.~~ All previously existing zoning classifications, ~~except the WHD,~~ shall cease to exist and shall be replaced by the land use requirements of this Plan. Any zoning related question that is not addressed herein shall refer to the LDO for clarification. No variance/deviation from the requirements herein shall be cognizable by the Zoning Board of Adjustment. ~~The Historic Preservation Commission shall retain all authority granted pursuant to the LDO to make recommendations to the Planning Board regarding the appropriateness or effect of proposed development applications within the WHD.~~ The Planning Board alone shall have the authority to grant development decisions and /or deviations from the requirements of this Plan, as provided herein. Upon final adoption of this Plan by the Jersey City Council (“City Council”), the City’s Zoning Map shall be amended to show the boundary of the Powerhouse Arts District Redevelopment Area.

D. Effect on previously existing Redevelopment Plans

Upon adoption of this Plan, all sections of the Hudson Exchange, Exchange Place North, Morgan and Washington, and Bay Street Redevelopment Areas that are within the PAD boundary (Map 1) shall be superseded by a new Powerhouse Arts District Redevelopment Area, and the Jersey City Zoning Map shall be amended to show the Powerhouse Arts District Redevelopment Area boundary that is delineated by Map 1 of this plan. Also, upon adoption of this Plan, the provisions of this Plan shall be in full force and effect for the PAD Redevelopment Area.

E. Subdivision Requirements

Any subdivision or consolidation of lots and parcels of land within the Redevelopment Area shall be in accordance with this Plan's requirements and those LDO provisions which remain applicable.

F. Interim Uses

The Planning Board may permit interim uses as may be consistent with the Jersey City Master Plan, at their sole discretion, for a term as shall be determined by the Planning Board, subject to site plan review and approval. The Planning Board shall only permit uses that it finds will not have an adverse effect upon the Plan or surrounding existing or contemplated development during the interim use period. Commercial surface parking lots shall be prohibited as an interim use.

G. Deviation Requests

1. As a function of preliminary site plan approval, the Planning Board may use its powers as granted by NJSA 40:55D-60 and NJSA 40:55D-60.a. to: (1) Where: (a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or (c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any provision of this plan would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property, grant, upon an application relating to such property, a deviation from such strict application of such provision so as to relieve such difficulties or hardship; (2) where in an application relating to a specific piece of property the purposes of this redevelopment plan would be advanced by a deviation from the redevelopment plan requirements and the benefits of the deviation would substantially outweigh any detriment, grant a deviation to allow departure from the provisions of this redevelopment plan; provided, however, that the fact that a proposed use is an inherently beneficial use shall not be dispositive of a decision on a deviation under this clause and provided that no deviation from those departures enumerated in NJSA 40:55D-70.d. shall be granted under this clause. An application for a deviation from the provisions of this Plan shall provide public notice of such application in accordance with the public notice requirements set forth in NJSA 40:55D-12.a. & b.
- ~~2. The Planning Board may not consider any deviation within the Warehouse Historic District prior No deviation shall be granted for the reason of high cost.~~
- ~~3. No deviation shall be granted from this plan's Certified Artist Affordable Housing Growth Share Requirement, except in such case where the City Council has given its approval to a determination of effect or appropriateness by the Historic Preservation Commission; however, should the Historic Preservation Commission fail to make~~

~~such a recommendation within 45 days of submission by the applicant of a complete application to the Historic Preservation Commission, the Planning Board shall consider the deviation request without such recommendation. Notice of the hearing by the Historic Preservation Commission shall be provided pursuant to the JC LDO.~~

~~3. No deviation shall be granted for the reason of high cost.~~

~~4. No deviation shall be granted from this plan's Certified Artist Affordable Housing Growth Share Requirement relief requested.~~

H. Effective Period

The provisions of this Plan specifying the redevelopment of the Redevelopment Area and the requirements and restrictions with respect thereto shall be in effect for a period of forty (40) years from the original date of approval of this Plan by the City Council. Subsequent amendments hereto shall not alter or extend this period of duration, unless expressly stated by such amendments.

I. Severability

If any word, phrase, clause, section or provision of this Plan shall be found by a court of competent jurisdiction to be invalid, illegal or unconstitutional, such word, phrase, clause, section or provision shall be deemed severable and the remainder of this Plan shall remain in full force and effect.

J. Easements

Nothing shall be constructed over or within a private easement in the Redevelopment Area without site plan review and approval of the Planning Board. Nothing shall be constructed over or within a public easement without review and approval of the City Council.

V. SITE DEVELOPMENT REQUIREMENTS

The following standards and requirements shall apply to all applications for development, including but not limited to: developments, redevelopments, rehabilitation, and or re-use applications within the Redevelopment Area:

A. Utilities and equipment

1. All utility distribution lines within the Rights-of-Way -(ROW) and utility service connections from such lines to the Redevelopment Area's individual uses, utility appliances, regulators, transformers and metering devices shall be located underground or within enclosed principal use structures. The redevelopers are required to arrange for connections to public and private utilities in conformance with the above standards, and such provisions shall be indicated on the site plans. All utility boxes shall be underground or located inside the principal structure. Within the Redevelopment Area, all utilities that are above ground currently shall be buried.
2. Transformers, junction boxes, lift stations, electrical meters, condensers, signal boxes, other such machinery, and the mechanical controls for same shall be located below ground or in the interior to the building, mid-block, and masked from street frontages by building elements in a manner consistent with the design of the building, incorporating false windows and dispersed venting to maintain the window rhythm and building pattern design. Any louvers or similar functioning exterior material must be screened with historically appropriate screening grates.

B. Screening of rooftop mechanicals

All rooftop mechanicals shall be enclosed or screened with curved sections of flat metal mesh contained within solid metal frames. Constructed screening shall be executed in a manner that is sympathetic with the architecture of the building, and shall not be visible from an elevation of five feet above the sidewalk on the opposite side of the public right-of-way. Screening shall not give a false historic appearance to a historic resource and it shall clearly distinguish new construction from old.

C. Advertising prohibition

No advertising shall be permitted on parking meters, light poles, fences, benches or other street furniture within the ROW, sidewalk area or within public or private parking lots located inside the PAD.

D. Fencing – General Requirements

1. Chain link fencing, tubular steel, aluminum, stockade fencing, wood picket and post and rail type fencing are prohibited within the Redevelopment Area, except that chain link may be used during demolition or construction. Any fencing permitted during demolition or construction shall be removed prior to the issuance of the first permanent or temporary certificate of occupancy for the property protected by such fencing.
2. Only cast or wrought iron-type fences shall be permitted, ~~and subject to HPC review of design appropriateness within the Warehouse Historic District.~~
3. Fences shall be no less than forty percent (40%) open. Translucent, transparent, or clear materials shall be considered as solid elements.

E. Post-demolition treatments

Upon demolition of any existing structures, the site shall be graded, planted, sodded, and/or developed, as applicable, in accordance with this Plan. Vacant lots shall not be graveled nor paved, and shall be kept weed, litter and trash free.

F. Trash and Outdoor Storage

All trash and recyclables storage such as dumpsters and/or compactors shall be located within the principal buildings. All outdoor storage shall be prohibited, including products for sale, excepting in the event of periodic street fairs, sidewalk sales, and the like, as may be approved by the Municipal Council.

G. Streetscape and Landscape Requirements

1. ~~Following receipt of recommendations from the Historic Preservation Commission, the~~ The Planning Board ~~shall separately~~ may adopt a uniform schedule of approved streetscape design elements for the PAD, which shall at a minimum include the following:
 - Street lighting fixtures
 - Exterior wall mounted lighting fixtures
 - Bike racks
 - Waste and recycling receptacles
 - Tree grates
 - Planters and pots
 - Benches

- Bollards
 - Trees and shrubs
 - Outdoor café furniture
 - Newspaper Vending Machines
 - Crosswalks
2. Building setback shall be determined by the available sidewalk easement width immediately adjacent. The sidewalk easement width, as measured from the existing curb to the building face, shall be no less than (16.5) sixteen and one half feet for all new construction. The Planning Board may, but shall not be obligated to, grant a waiver of this requirement if it finds that the street wall would be better served by having any particular façade of a newly constructed building line up with, or create some other relationship with, the vertical plane of adjacent historic buildings.
 3. Sidewalk areas must be provided along both sides of all streets and shall be properly sized for the safe, convenient and ADA compliant movement of pedestrians through and around the Redevelopment Area. Existing ~~building~~ buildings shall not reduce the sidewalk area along their street frontage(s). Existing elevated loading platforms that can be accessed through ramps and/or stairs shall be considered to be sidewalk area provided that ADA compliant movement can also be accommodated. Existing exterior elevated loading platforms shall be preserved.
 4. All of the elements required by this provision shall conform to the uniform schedule of streetscape elements as shall be adopted by the Planning Board. Street trees shall be incorporated into each ~~development subject to the recommendations of the HPC~~. Each development project shall also include in the adjacent public sidewalk area, or in ground level free open public space, all of the following elements: trash receptacles, benches, bicycle racks, and decorative fountain or sculpture. Sidewalks shall consist of a mix of French Gray tinted concrete or bluestone slabs not less than two inches nominal thickness and two feet by three feet horizontal measure, all subject to approval by the Planning Board ~~and the HPC. Concrete scoring patterns and placement of bluestone shall be subject to review for appropriateness by the Historic Preservation Commission~~. Newspaper vending machines are optional, but any newspaper vending machines shall be clustered in designated areas, with such designated areas separated by a distance of no less than four hundred feet.
 5. ~~All~~ vegetative installations shall be irrigated under a written program that is approved by the Planning Board.

6. All plant material used must be able to withstand an active urban environment and shall be planted, balled and burlapped or in cans, as appropriate and as established by the American Association of Nurserymen. A planting schedule shall be included as part of the site plan. The Redeveloper or property owner shall be responsible for the replacement of any landscape material that dies or is damaged. The replacement shall be made not later than the next appropriate planting season for such material, with replacement materials of the same size as was that which died, provided, however, that after the third year following planting of the material to be replaced, no replacement need be larger in size than the size which was achieved by the replaced material at the end of such third year.
7. Street trees shall be a minimum caliper of 3.5 to 4.0 inches as measured five (5) feet above the root ball.
8. Lighting fixtures shall be in scale with the street and the structure directly fronting thereon. They shall be selected from the Public Service's decorative fixtures catalog and be consistent with the lighting standards selected for the PAD. Street lighting fixtures shall be located at the outer edge of all sidewalks and have a comprehensive fixture design or theme, approved by the Planning Board as part of the unified streetscape design plan to be adopted by the Planning Board and made part of this plan.
9. Lighting throughout the Redevelopment Area shall sufficiently illuminate all outdoor areas to prevent "dark corners." All lighting sources must be shielded if necessary to eliminate glare onto other properties, and be capped to prevent upward glare. The area of illumination shall have a uniform pattern of at least one-half (0.5) foot-candle but no more than one and one-half (1.5) foot-candles.

H. General Parking Requirements

1. All required parking spaces shall be a minimum of 9 feet wide by 18 feet deep. All parking space dimensions and parking area aisle widths shall comply with City standards.
2. Required parking shall be located off-street.
3. Parking structures shall provide shared parking for the residents, visitors, shoppers and employees of the PAD, subject to section VII.I. Parking Standards of this plan.

I. Loading Area Requirements

1. The Redeveloper shall demonstrate to the satisfaction of the Planning Board that sufficient loading area is provided to meet the needs of the proposed use, without obstructing street travel lanes. For new construction, loading areas shall be placed in the interior of the building. All buildings shall provide sufficient dedicated loading area to serve the artists in residence.

J. Parking Structure Requirements

1. All parking structures are to be designed to disguise the parking use within. It is preferred that -all levels of a parking structure be internally mechanically ventilated. . Where ventilation is not proposed, any exposed garage exterior wall shall not be detectable as a garage at the ground floor level. All parking related and mechanical related areas shall be wrapped on all sides by occupied active building uses such as commercial storefronts and residential units, excepting the location of the vehicular and pedestrian entrances and exits that serve the parking structure. Automobile parking related areas on the ground level shall only be permitted when its placement does not detract from the amount of ground floor retail, restaurant, gallery and lobby spaces to be established at that level.

Utility rooms may occupy no more than fifteen (15%) percent of any single façade. Blank walls shall be prohibited above the ground floor level, and all openings in the parking structure façade shall be of the punched style. These openings shall be consistent with the rhythm and size of the window openings serving the principal uses within the building. They shall be covered by glass or metal in such a way that the exterior design, including window frame and window divisions, ~~appear~~appears the same as the actual windows of the building. Only the glass tint and/or reflectivity may be different so as to decrease the visibility of the garage use within. In lieu of glass, the openings may be covered by a hinged solid metal plate/shutter, or recessed decorative grill over a louvered opening as described below. Blind windows, where appropriate shall also be permitted.

2. Where louvers are needed or proposed, decorative grills shall be installed over functional louvers, or other comparable decorative material shall be used in openings or portions of the openings resembling the windows provided above and/or below parking levels.

3. The parking structure must be adequately illuminated to maintain a safe and secure environment. The source of lighting within any level of the parking structure shall not be visible from the exterior of the building, either from the street or from other surrounding buildings and properties. Identification of the location and design of the internal lighting fixtures -must be provided to the Planning Board for review at the time of site plan application and review in order for any site plan application containing a parking structure to be deemed complete.
4. Valet parking may be permitted when it can be demonstrated to the Planning Board that an efficient and safe means of operation will be provided. A valet parking layout/stripping plan must be submitted for site plan review and approval.
5. Shared usage of the parking structure by all tenants and residents of the PAD may be arranged by the redeveloper with Planning Board approval. Parking spaces shall be provided for users and visitors of the district only. Commuter parking is prohibited.
6. All parking shall have pedestrian entrances that give direct access onto a public sidewalk.
7. Rooftop parking is prohibited. Roofs of parking decks are to be landscaped and used for active and passive recreation, planting areas and open space, or outdoor restaurant seating space.
8. Where a restaurant or retail use occupies lower floor space in a parking structure or any other structure, all vents and exhausts from such uses shall be bundled to pierce the roof or walls through shared chimneys.

K. Circulation Plan and Street Requirements

1. All existing streets and right-of-way within the PAD shall remain open public vehicular streets. Monthly permit parking shall be prohibited within the redevelopment area. In order to accommodate on-street -resident, visitor and customer parking, a new Powerhouse Arts District Parking Zone should be established, which permits non-residents a maximum of three or four hours parking. In addition, a limited amount of 1 or 2 hour on-street metered parking should be provided at strategic locations.
2. No building or structure shall be located within any area of a designated right-of-way.

3. Provost Street between Morgan and Second Street shall remain as Belgian Block and be rehabilitated with adjacent development. ~~Wherever the street is within or adjacent to the Warehouse Historic District, the Belgian Block street shall be restored.~~ Developer contribution, grants and capital improvement funds to achieve this end are to be continually pursued.
4. Traffic signage shall not be affixed onto decorative lampposts, but may be affixed to traffic signal posts so as to reduce the overall number of poles and obstructions in the Area.
5. The City of Jersey City should prepare a new circulation plan for the PAD. The plan should at a minimum examine the following: the effect of changing streets that are currently one-way into two way streets -west of Warren Street, and the feasibility of adding a curb separated eastbound lane to Second Street between Warren Street and the entrance to BJ's wholesale club.

L. Phasing

Buildings required to be rehabilitated by this redevelopment plan shall be permitted a phased implementation of uses conforming to this plan and subject to Planning Board preliminary site plan approval.

VI. DESIGN REQUIREMENTS OF ALL DEVELOPMENTS

A. General Building Design Requirements

Applicable to all development sites, structures and zones within the PAD.

1. All structures within the Redevelopment Area shall be situated with proper consideration of their relationship to other nearby buildings, including those that are existing or approved, and inside or outside of the Redevelopment Area, in terms of light, air, and useable open space, access to public and private rights-of-way, and off-street parking.
2. All rehabilitation and new construction ~~shall~~should be designed to ~~ensure~~encourage conformance with *The Secretary Of Interior's Standards For The Treatment Of Historic Properties* and JCLDO 345.71 *Historic Design Standards* as such relates to the impact of new construction on adjacent or nearby contributing and significant structures. Bulk and height limitations for new construction may be necessary depending upon the site's impact on proximate ~~and approximate~~ historic resources.
3. A balance shall be maintained between the need to preserve the historic character of an historic building and the need to accommodate ground floor retail and gallery space as required by this plan. Ground floor walls at street frontages shall be designed to incorporate store and window openings subject to the above consideration.
4. New buildings shall be designed to be attractive from all vantage points. No façade shall be any less detailed nor less important than another. Architectural materials shall be consistent on all sides of the building. The use of substitute building material on secondary facades is prohibited.
5. If security gates, other than historically appropriate fire shutters and or gates, are used on any part of a building or window, they shall be installed on the interior side of the window and be of the open grate style.
6. Reflective glass in exterior windows shall be prohibited.
7. Permanent public art is required to be installed within all development sites as part of the development or redevelopment project, and the art should be conceived at the earliest possible stage of project design. Pursuant to NJSA 40:55D-27, the mayor may appoint one or more persons as a Citizens' Advisory Committee to make non-binding recommendations to the planning board about proposed art installations.

8. At least one percent (1%) of the first \$20,000,000 of “total building construction and rehabilitation costs minus the cost of constructing affordable units” and one-half of one percent (0.5%) of such amount thereafter up to a maximum contribution of \$500,000 shall be dedicated to permanent public art, which may be applied to the permanent public art requirement above, or may be used to fund other permanent public art elsewhere within the Powerhouse Arts District. Preferred consideration should be given to acquiring works of art by Jersey City and Hudson County, New Jersey artists.

———**B. Entrances and Window Displays**

1. Building entrances shall be oriented toward the street so as to contribute to the overall liveliness of the pedestrian environment. Direct open and functional pedestrian ingress and egress from commercial uses must be provided directly to the street and sidewalk areas.
2. Prominent Entries: Main-building entries shall be easily identifiable as such from the sidewalk.

C. Façade Articulation

1. Existing buildings shall implement rehabilitation that restores the building’s exterior ~~façade~~ façade to its original profile: to the extent possible within reasonable engineering methods and cost. The Secretary of the Interior’s Standards shall provide a guide, but not a mandate, for such rehabilitation. Alteration of window openings or loading docks shall ~~only~~ be considered with Planning Board approval ~~on the recommendation of the Historic Commission,~~ when required for effective adaptive re-use of existing structures and for compliance with the Uniform Construction Code and the building, and shall be reviewed for appropriateness on a case by case basis by the Historic Preservation Commission. Americans with Disabilities Act. Restoration of original window and door openings is ~~required~~ recommended to the ~~maximum~~ extent feasible.
2. ~~Façade Ratio:~~ On new construction, the percentage of void area (windows and other openings) in a building façade shall be between 20% and 50%, except ~~at~~ for towers designed in the High Rise and Power House Arts Residence Zones, which shall not be limited according to this provision. At street-level retail and commercial frontages, where it the percentage of void area shall not be less than 55%% in a building façade.

3. Façade Composition: "Scattered-window" facades shall not be allowed at street frontages. Each façade shall present a unified, rational composition.
4. Façade Materials: To avoid visual distraction, façades shall consist of no more than three materials, textures or colors (windows and framing not counted), unless it is otherwise historically/aesthetically appropriate. In general, any changes in primary wall material shall occur across a horizontal line, with the lighter-appearing material above the heavier (for example, wood over bricks, or bricks over stone).
5. Façade Color: For new construction, the color of building walls shall be within the white-to-russet quadrant of the color wheel, including cream, beige, tan, gray, yellow, ochre, red, and brown; and shall be historically appropriate and sensitive considering adjacent resources. For rehabilitation, the color shall be the original or historic building color. Other colors can be incorporated into a building, however, ~~only when they are part of sculpture or art added~~ aesthetically appropriate and subject to the site.

Planning Board approval.

6. Awnings: Metal canopies and awnings over loading ~~docks~~ docks shall be re-constructed if such loading docks are being retained as part of a rehabilitation of a building. If known, their design shall maintain their original/historic design profile. If new, they shall maintain a strong connection to the past industrial function of the building.
7. Blank Walls: Walls of new buildings along street frontages shall not be blank.
8. Expansion Joints: Façades shall be designed so that any expansion joints are rationalized by the logic of the composition, and thus made less obvious. Expansion joint gaps shall be colored to match the surrounding wall.
9. EIFS (Exterior Insulating Finishing Systems): EIFS treatments, artificial stucco, or other similar cementitious panel system may not be used as a façade cladding anywhere within the District. They may be used for isolated architectural accents. In no event shall the total EIFS treatment on any single façade exceed five percent (5%) of the surface area of any such single façade, and in no event shall it be used on the primary façade.
10. Balconies and terraces: Where residential balconies and terraces are not facing onto courtyards, they shall be very shallow or recessed to prevent their use as storage spaces. Commercial balconies and terraces are

encouraged to face onto pedestrian areas. They may be large and may accommodate outdoor seating or dining areas.

11. **Accenting Articulation:** Accenting articulation of façades, if appropriate, shall be encouraged at the corners of the building, the cornice line, the water table, the area around entries, at sill and lintels, and at designated vista terminations.
12. All buildings shall incorporate flat roofs, except where existing roofs are sloped, gabled, or turreted or otherwise decoratively treated, in which case they shall remain. Roofs may contain HVAC equipment, provided however, that the equipment must be screened in accordance with this plan Section V. *Site Development Requirements; B.*

D. Windows

All windows shall contain both lintels and sills. For new construction, window sills of windows to residential units shall be at least six (6) feet above the elevation of the nearest sidewalk of pedestrian pathway in order discourage peering in windows by pedestrians. Blank walls beneath such sills shall be prohibited, and may be broken up through installation of above grade basement windows, false window panels, or other design that is appropriate to the architecture of the building.

E. Story Height

The first above-ground story shall be a minimum of 14 feet floor to floor in any newly constructed building.

F. Signage

Permitted Signage

1. **Blade Signs** - -One Blade Sign for each tenant may be permitted. Second floor commercial uses and restaurants may also provide a blade sign. Each blade sign shall not exceed a maximum of 10 square feet and shall be externally lighted in accordance with the planning board approved uniform schedule of streetscape design elements. They shall be placed such that the lowest portion of the sign hangs at least 8 feet above the sidewalk. Signs may be attached above an awning or structural canopy and below a structural canopy. They are required to be located on the building façade directly on the sidewalk frontage or under the loading area canopy.
- ~~3.2~~ Window signs, (other than the lettering as specifically permitted) are prohibited.

4. ~~3~~ Tenant directories and kiosks may be located within the lobby.
54. External wall signs shall not be permitted for upper level uses. Upper level uses are permitted window lettering and/or a second floor blade sign; provided that the Planning Board finds that the placement is compatible and consistent with the building's design.
65. Painted wall signage may be permitted at the discretion of the Planning Board, provided that it identifies a tenant of the building, and the Planning Board finds that the placement and size is consistent with the building's design. ~~Within the Warehouse Historic District, any such signage shall also comply with all applicable historic district provisions of the Jersey City LDO.~~

Prohibited Signage

1. The following signs and devices shall not be permitted within the PAD: Monument signs and internally or externally illuminated box signs, flashing or animated signs, spinners, pennants, reflective materials that sparkle or twinkle, roof signs, billboards, signboards, window signs, posters, plastic or paper that appear to be attached to the window, pole signs, free-standing signs, fluorescent and/or glowing paint for any signage or building within the redevelopment area, waterfall style awnings, plastic awnings, product advertising signage of any kind. Product advertising signage is defined here to include, but not be limited to signage on: parking meters, signage in windows, on light poles, benches or other street furniture within the redevelopment area. Nothing in this paragraph shall be deemed to prohibit either lamppost mounted seasonal banners or traditional residential holiday decorations.

Specific Signage Standards and Requirements

1. All signs are subject to minor site plan review. ~~An appropriate location or locations for exterior signage shall be established for each historic building by the HPC, within which all exterior signage for these buildings shall be placed. All signage within the proposed Historic District shall be reviewed by the HPC for compliance with JCLDO 345.71 Historic Design Standards.~~
2. All signs shall be attached to the first floor level of the building only, except for the blade sign when serving a 2nd floor retail, restaurant, or commercial use. Painted signs shall be permitted when found to be appropriate by the HPC ~~if in the rehabilitation district, or the Planning Board if elsewhere in the PAD.~~

3. All buildings within the Redevelopment Area must display the street address of the building in a location that is clearly visible from the adjoining street right-of-way while remaining in scale with the building.
4. Permitted signage material includes: 1.) Painted wood; 2.) Painted metals including aluminum and steel; 3.) Brushed finished aluminum, stainless steel, brass, or bronze; 4.) Carved wood or wood substitute.
- ~~6~~
5. Permitted lettering material includes: 1.) Lettering forms applied to the surface of the sign; 2.) Single colored lettering forms applied to the surface of the sign; 3.) Metallic solid body letters with or without returns; 4.) Painted acrylic or metal letters, with returns; ~~6; 5.) Neon style lettering; except in historic District boundaries.~~
- ~~76.~~ Sign Lighting: Signs may be lit from gooseneck fixtures, backlit halo, up-lights. Internally lit signs and sign boxes are prohibited.

KG. Maintenance Requirements for Redevelopers

1. The Redeveloper, and any subsequent owner or owners, shall be responsible for maintenance of the Redevelopment Area improvements and the sidewalk and street area directly adjacent to their site.
2. All signage, banners, awnings and canopies shall be replaced prior to significant fading or tearing.
3. Storefronts and building façades shall be maintained so that the window displays are clean and are behind clean, unobstructed windows. Exterior cladding, paint and other associated façade elements shall be kept clean and in good repair.
4. Roadways, sidewalks, pathways and pedestrian crossings shall be maintained with a safe and smooth surface; healthy street trees and other plantings shall be properly maintained and cared for; and a properly functioning lighting and signalization system shall be maintained.
5. Landscaping and watering systems shall be maintained to insure that all elements are in working order. The property owners shall provide continual replacement of all planted material as approved by the site plan if there is any loss of the original planted material.

6. Plaza surfaces, sidewalks, and street furniture damaged or worn shall be replaced or repaired to their original profile, stability and appearances. Any damaged street furniture shall be replaced or repaired as soon as practicable.
7. Historic resources shall be regularly maintained to prevent the deterioration or loss of the historic fabric.
8. Vacant lots shall be kept free and clear of weeds higher than ten inches (10”), litter, garbage and debris.

L H. **Public Park and Open Space Requirements**

1. Free public parks shall be provided as set forth on Map 2, Land Use Plan. Design shall be subject to site plan approval by the Planning Board and the Historic Preservation Commission. The area within Block 109, Lot 1 shall be a sculpture garden, and shall contain a pathway to link the sidewalk at First Street to the sidewalk at Second Street. The area within Block 76, Lots 160 partial, and 161 partial, and bounded by the HBLRT track shall be public plaza incorporating both bluestone hardscape and landscaping.
2. At least 10% of the gross roof area, and a minimum of 1,500 SF, of a building containing 10 or more units shall be developed for recreational use, except in the case of high rise structures over 300 feet in height. For each additional dwelling unit, 100 square feet of additional roof area shall be developed for recreational use, up to a maximum of 50% of the gross roof area. This area shall be accessible to all the occupants of the building.
3. At least 25% of the roof area identified above shall incorporate private rooftop outdoor recreational space. These outdoor spaces shall be situated such that any structure within them shall not be visible from an elevation of five feet above the sidewalk on the opposite side of the public right-of-way. ~~All roof top recreational spaces, within the proposed Historic District shall be reviewed by the HPC for compliance with JCLDO 345.71 Historic Design Standards and The Secretary of the Interior Standards for the Treatment of Historic Properties.~~

These outdoor areas shall be linked to specific units or made available for separate purchase or lease. They shall be placed so they do not monopolize the best views or the best roof-top space. The requirement for such roof top open space may be waived or reduced by the Planning Board if the existence of other roof-top apparatus or if the design of the structure makes them impractical or inconsistent with the standards listed in the paragraph above. For example, on some roof-tops, the presence of water-towers, skylights and chimneys that have historic significance, even though not functional, are more important features to retain on the roof-top and the private open-space component in such a case, may be waived. The first space to be reduced or waived shall always be the private space, and the last shall always be the space open to all residents of the building.

MI. Design Criteria for Work\Live Units (hereafter referred to as “Section MI”):

The work/live unit product needs to be established as a permanent fixture within the Powerhouse Arts District in order to ensure the availability of space that accommodates the needs of residents who are creative in their professional work at home, where the nature of their work requires the work space to contain certain physical characteristics. This availability of product will attract an agglomeration of creative professionals as residents within the PAD, which will foster a business and creative incubator environment that serves the PAD and the entire city.

The requirements of this provision shall be applicable to all residential units within the Rehabilitation Zone and Transition Zone of the PAD redevelopment area, in order to ensure that (i) the work/live product is created ~~throughout the~~ in those areas of the PAD, (ii) there is an appropriate range of work/live unit sizes to serve the diverse needs of the creative community, and (iii) the work/live units are suitable for residential habitation. Each work\live unit shall contain the following design features and improvements:

1. The unit shall have an open design and be flexible so working and living spaces can be configured by the individual resident to be separate or to flow together so the unit can serve a mix of uses. This open design shall allow for a relatively large and open working area, approximately 2/3 of the unit area.
2. Provisions for extra power shall be made so that a minimum 100 amp service is provided to each unit with at least one 220 volt outlet per unit.
3. Easy access for large work, materials and equipment shall be provided. At least one oversized freight sized elevator shall be provided in each building to serve all work/live units of the building. . Wide corridors with accommodating corners, and higher and wider doorways shall be provided and maintained. These facilities should be sized to allow a 4’x 8’ sheet of plywood to be easily transported through the building to individual units.
4. No work/live unit shall be less than 900 square feet in size. In order to encourage a diversity of options, some of the largest work/live units shall be located in the lower two-thirds of the building. In order to allow for greater flexibility in the layout of buildings, each structure that provides work/live units shall comply with one of the following two options:
 - a. A minimum of 75% of the Work/Live units shall be at least 1,200 square feet in size, or
 - b. A minimum of 50% of the Work/Live units shall be at least 1,200 square feet in size provided that artist work-only studios are also incorporated into the same building such that the artist work-only studios meet the following requirements:
 - i. The aggregate floor area of all of the artist work-only studios within a building shall be equal to or greater than twenty-five

- percent (25%) of the aggregate floor area of all work/live units of the building.
- ii. All of the artist work-only studios that are created to comply with this provision shall be sized in the 500 square feet to 1,500 square feet range.
 - iii. It shall be encouraged, but not required, that some of the corridors adjacent to the artist work-only studios contain windows into the studios such that the visiting public can see the artist at work, and the artist may invite the public in to purchase art that is produced in the studio. Such corridors should be designed to be an extension of the retail areas of the building or street.
5. Minimum ceiling heights shall be 10 feet, provided, however, that in existing buildings to be rehabbed, the ceiling heights shall be retained as is, except as needed for lighting and HVAC and other utilities.
 6. A work sink or rough-in plumbing for same shall be located within the work space. The kitchen sink or bathroom lavatory shall not be considered the work sink.
 7. Natural light shall be provided wherever feasible, and all units shall contain at least fifty square feet (50 SF) of window openings in one or more windows facing ~~either~~ the building exterior, a large size interior courtyard or an atrium. Skylights may substitute for up to one-half (1/2) of this glass requirement. Additional artificial light suitable for work space shall be provided. Should there be an instance where this requirement as it is applied to a particular building within the -Warehouse Historic District conflicts with historic preservation requirements, an alternate requirement shall be that the unit be provided with at least two window openings, or a window and a skylight.
 8. Tracked lighting or switched outlets in the ceiling of the work area shall be provided.
 9. Sufficient mechanicals shall be provided to accommodate the ventilation of work/live units on an individual work/live unit **basis** with sufficient air changes per hour to ensure the safe habitation of the work/live unit.
 10. Sound muffling shall be provided in the walls, floors and ceilings between work/live units and between work/live units and other uses.
 11. Units that are long and narrow are to be avoided wherever feasible.

NJ. Suggested Amenities for Work\Live Units

These should be added to a work\live project when possible:

1. Accommodation for storage and disposal of toxic or flammable materials

2. Accommodation for a utility room for table saws and other messy construction.
3. A Ventilation system with a separate air in-take and out-take mechanism.
4. Common facility for exhibition of work and socializing
5. Common storage areas and/or storage lofts within the units
6. Durable flooring that will not be easily damaged by work
7. Availability of some raw or unfinished units
8. Some special accommodation or adaptable units for users such as ceramicists, welders, and photographers who all typically require special physical structures and equipment support.
9. Easy up-grades to power system.
11. Data ports.
12. Common area business center for residents with computer, fax, copier, etc.

VII. SPECIFIC DISTRICT LAND USE REGULATIONS

This Plan employs a combination of development standards, requirements and controls given in text and maps. The maps and their purposes are:

Map 1 – Boundary Map: Identifies the PAD Redevelopment Area location and shows the specific blocks and lots within same.

Map 2 - Land Use Map: Identifies the location of various land use districts, open space, sculpture gardens, plazas and roads, and the Warehouse Historic District.

Map 3 – Acquisition Map: Identifies land and buildings for which the Jersey City Redevelopment Agency may acquire property through negotiation or condemnation, as may be necessary for the purpose of implementing this Plan.

A. Permitted Principal Uses

Permitted Principal Uses ~~for all zones~~ shall be as follows for all zones except as noted below:

1. Residential Occupancy within Work/Live Unit
2. Residential and Work Occupancy within Work/Live Unit
3. Artist Residential and Work Occupancy within Work/Live Unit
4. Artist Work-Only Studio
5. Art Gallery
6. Hotel
7. Retail and Restaurant, only as provided by the following terms, as defined in the Jersey City Land Development Ordinance: Retail Sales; Retail Services; Restaurant, Category 1; Restaurant, Category 2. ~~Permitted on all floors, subject to the following limitations: The maximum floor area utilized by each tenancy shall not exceed 30,000 square feet. Space exceeding 3,000 square feet may be provided on connecting floors, above or below so as to maximize the variety along the street frontage. A specialty grocery store, but not an expanded pharmacy, may utilize a maximum of 20,000 square feet GFA.~~

8. Manufacture, assembly, and/or repair of artifacts, including, but not limited to: art, crafts, and stage sets or scenery. This use shall be restricted to 20,000 square feet per tax block. The areas available for these uses are limited to the building interior only.
9. Civic Space.
10. Theaters: Movie, stage or multi-purpose facilities.
11. Offices: A limited amount of office uses per building shall be permitted. The amount of office space permitted in any single property shall not exceed 10% of the gross floor area of such building and shall not be permitted on the ground floor.
12. Personal health, recreation, or improvement services or instruction, such as a gym, yoga or Pilates studio, alternative therapy center, or dance or music instruction space, but excluding medical offices.
13. Bar (~~maximum 2,000 square feet of customer area per establishment for all properties except the Powerhouse building in tax block 76).~~
14. Museum.
15. Nightclub (~~maximum 2,000 square feet of customer area per establishment or cabaret~~ for all properties except the Powerhouse building in tax block 76).
16. The 100'x100' parcel at the northeast corner of tax lot b within -block 107 shall be permitted PATH system power or switching station equipment.
17. Mixed Uses: Mixed uses of any of the above permitted principal uses shall be permitted. Similar uses within any building shall be clustered and if necessary, shall be separated by sound barriers in floors and walls wherever potentially conflicting uses are adjacent.
18. Shared usage of the parking structure by all tenants and residents of the PAD may be arranged by the redeveloper with Planning Board approval. Parking spaces shall be provided for users and visitors of the district only.
19. Residential uses, limited to the High Rise and Powerhouse Arts Residence Districts

B. Permitted Accessory Uses

Permitted Accessory Uses shall be permitted where they are customary and incidental to the operation the Permitted Principal Use, and only on the same property as the principal use to which it is attached, unless otherwise permitted herein, as follows:

1. Retail sales of art that is produced on premises by the residential occupant.
2. Parking Structure that serves the residents, occupants or patrons of structures in the PAD. The parking structure may only be used by the residents, occupants or patrons of the principal use structure to which it is accessory. A parking accessory use shall be permitted up to one hundred feet (100') from the principal use structure. A parking accessory use to Block 76 (the Powerhouse) shall be permitted on Block 106 (the High Rise district).
3. Rooftop facilities as outlined elsewhere in this plan.
4. Common areas, lobbies, swimming pools, and other uses that are customary and incidental to a residential building.
5. Indoor and outdoor public space, and parks.
6. Bus stops
7. Dog run, provided that it is used no earlier than 7 am and no later than 11 pm, and provided that it is not within -sight, nor sound of retail or restaurant uses, and provided that it uses ground cover materials that are approved by the Jersey City Health Officer.
8. Streetscape elements as outlined elsewhere in this plan.
9. Artist workplace in work/live style unit.
10. Any use that is customary and incidental to a hotel use shall be permitted as an accessory use to a hotel, including but not limited to Banquet facilities, conference rooms, business center, etc.
11. Bar as accessory to hotel, nightclub, restaurant or theater.
12. Restaurant, Category 1; or Restaurant, Category 2; as accessory to hotel, nightclub, theater or museum.

C. Required Principal Uses within each project:

Of the permitted principal uses above, the following uses shall be required in all zones and shall be subject to the ground floor street frontage (gfsf) requirements as listed parenthetically for each use. The gfsf requirements shall apply to the use as a percentage of gfsf for each building, exclusive of ground floor street frontage necessary for building support services, such as lobbies and loading areas.

1. Retail and/or restaurant (minimum gfsf – 85%)
2. Art Gallery (minimum gfsf- 10%)

D. Use Exceptions and Requirements Applicable to the PAD

1. Home Occupation: Square footage occupation limits of the LDO shall not apply to the artist work/live studios within the PAD due to its unique work/live purpose and intent.
2. Artists Certification Board: Allow for the continuation of the Board as set forth in Article II Section 345-11 of the LDO, which shall be amended so that the certification shall remain valid for 10 years and apply retroactively to all current Certifications. The Board shall maintain an active list of interested individuals for up-coming development projects and provide this list to all entities involved in marketing new development within the District.
3. Residents in all zones shall not be prohibited from the making of art inside work/live style units by lease agreement, purchase contract, deeds, condominium rule, or other instrument.

E. Residential Unit Style and Marketing Requirements

All ~~residential~~ work/live units within the PAD Redevelopment Area shall comply with the requirements of ~~Section VI.M. DESIGN REQUIREMENTS OF ALL DEVELOPMENTS, Design Criteria~~ the design criteria for Work/Live Units, hereinafter, referred to as “Section M Units” work/live units applicable in the particular zoning district of the PAD, and shall be affirmatively marketed to artists pursuant to SECTION IX of this plan.

F. Certified Artist Affordable Housing Growth Share Requirements

In accordance with law, in furtherance of the objectives of this redevelopment plan, and as consistent with the Jersey City Master Plan WALDO and Housing Element/Fair Share Plans, the Certified Artist Affordable Housing Growth Share Requirements are herein established to ensure the availability of work/live units to artists with low and moderate incomes. The Certified Artist Affordable Housing Growth Share Requirements shall be applicable to each structure within the Transition, Rehabilitation and High Rise zones of the PAD, and shall be a percentage of each development project as defined below. -For the Powerhouse Arts Residence District, such units shall be provided for Certified Artists as provided for in Section VIII, E, 10. The funding of these requirements shall be absorbed by the project, and this provision shall not be construed to be an obligation by the City to provide financial assistance to the project. However, the developer is free to apply to the City, state and/or federal governments for financial assistance that is available

under various programs, subject to the requirements and limitations of the particular program.

1. At least ten percent (10%) of all work/live units within each building shall be restricted to the exclusive use and occupancy as affordable units by income qualifying Certified Artists and their families. For the purpose of enforcing this requirement, these restricted units shall be subject to the certified artist, occupancy and affordability controls as set forth herein within this section.
2. The range of sizes of affordable units within a building shall be comparable to the range in sizes of market rate units within the same building. The amenities provided to affordable units within a building shall be equivalent to the amenities provided to comparably sized market rate units within the same building. The affordable units shall use the same building entrances and common areas as the market rate units; and the affordable units shall be dispersed throughout the building. The affordable units shall be scheduled for completion such that 100% of the affordable units are completed at the same time, or prior to, completion of 90% of the market-rate units.
3. The maximum rent of restricted units within each development shall be affordable to households earning no more than 60 percent (60%) of the median gross household income for households of the same size within the Jersey City housing region, at rental cost that complies with US Department of Housing and Urban Development or other recognized standards for affordable housing.
4. The maximum sales price of restricted units within each development shall be affordable to households earning no more than eighty percent (80%) of median income gross household income for households of the same size within the Jersey City housing region, at a sale price that complies with US Department of Housing and Urban Development or other recognized standards for affordable housing;.
5. Within each development, at least 50 percent of the restricted units shall be low-income units and the remainder may be moderate-income units, as defined by NJAC 5:80-26.2, as amended.
6. In determining the initial rents and initial sales prices for compliance with the affordability requirements for restricted units, "Section MI" studio and one bedroom units shall be considered as a one bedroom unit and shall be affordable to a one and one-half person household; however, should the unit be subsequently configured to contain more than one bedroom (although the unit must still comply with Section MI), then the occupancy standard when

determining rent and household affordability shall be based upon the newest configuration;

7. Restricted units shall remain subject to the affordability and certified artist occupancy requirements of this provision -for a period of thirty (30) years from the date on which the first certified household takes title to the property if an ownership unit, or for a period of thirty (30) years from the date on which the first certified household occupies the unit if a rental unit. To ensure that the artist, occupancy and affordability controls remain in effect, a deed restriction shall be placed on the property which shall use deed restricted language substantially in the form set forth in Appendix A or Appendix B to this Plan to-, and all conveyances of restricted ownership units shall use deed restricted language substantially in the form set forth in Appendix A or Appendix B to this Plan-. The deed restriction shall have priority over all mortgages on the property. The deed restriction shall be filed by the developer or seller with the records office of Hudson County, and the original recorded instrument shall be provided promptly to the Administrative Agent. The deed restriction shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units;
8. A deed restricted unit shall remain subject to the certified artist and affordability controls of this provision despite the occurrence of any of the following events: a sublease or assignment of the lease of the unit; a sale or other voluntary transfer of the ownership of the unit; or the entry and enforcement of any judgment of foreclosure.
9. An Administrative Agent, who shall be determined by the Jersey City Municipal Council, shall be responsible for the oversight of the disposition of the restricted units, annual compliance monitoring, and other applicable duties as described by NJAC 5:80-26.14. The Administrative Agent function may be delegated to the Jersey City Division of Community Development, the Jersey City Development Corporation, or some other entity;
10. A written lease is required for all restricted rental units. All lease provisions shall comply with applicable law.
11. The developer shall provide the Administrative Agent with sufficient information for the preparation of an inventory of all units (restricted and non-restricted) prior to issuance of a Certificate of Occupancy. The landlord or seller shall submit a copy of each lease or purchase contract entered into for restricted units to the Administrative Agent within ten business days after the execution of each lease or contract.

12. The following HMFA regulations shall apply, except where there is conflict with Section VII.F. Certified Artist Affordable Housing Growth Share Requirements:
 - a. NJAC 5:80-26.2 “Definitions”
 - b. NJAC 5:80-26.4 “Occupancy Standards”
 - c. NJAC 5:80-26.6 “Price restrictions for ownership units”
 - d. NJAC 5:80-26-7 “Buyer income eligibility for ownership units”
 - e. NJAC 5:80-26.8 “Limitations on indebtedness secured by ownership unit; subordination”
 - f. NJAC 5:80-26.9 “Capital improvements to ownership units”
 - g. NJAC 5:80-26.12 “Restrictions on rents”
 - h. NJAC 5:80-26.13 “Tenant income eligibility”
 - i. NJAC 5:80-26.15 “Household certification and referral”
13. The City of Jersey City hereby reserves for itself all of the rights and remedies available by law for the enforcement of this provision.
14. Appeals from all decisions of the Administrative Agent shall be filed in writing with the Jersey City Business Administrator. The Business Administrator may appoint one or more City employees to assist him or her in rendering the final decision. A written decision of the Business Administrator upholding, modifying or reversing an Administrative Agent’s decision shall be a final administrative action, subject to judicial review.

G. Non-Residential Space Requirement:

For structures that are predominately non-residential in use, at least 20% of Gross Floor Area shall be designed and dedicated principally to the practice, display, sale and/or production of the performing and/or visual arts. This artistic space shall be useable and shall begin to function as artistic space contemporaneously with the first principal use to occupy the building. This space shall not be used as storage space.

H. Ground Floor Use Requirements:

Required Uses at Ground Floor – Ground floor retail and/or restaurant uses, generally available to the public, shall be incorporated into all buildings and projects and occupy at least 65% of the ground floor gross floor area. Of this retail/restaurant area, 20% shall be devoted to Art Gallery floor area that is generally open to the public. Such gallery space shall be visible from the street and have direct pedestrian access from the street.

Empty windows to vacant ground floor space shall be avoided through the provision of art in the window. Such exhibits shall be illuminated by interior lighting.

For the purposes of identifying the ground floor in the PAD, it shall be defined as the level that is closest to street grade level but not more than (3) three feet below street level at any point along the building edge.

I. Off-Street Parking Standards

Off-street parking spaces may only be used by visitors to, residents of, and owners and employees of uses and buildings within, the PAD. All rehabilitation and new construction within the PAD shall be required to provide off-street parking pursuant to the standards contained within the following table:

PRINCIPAL USE	REHABILITATION, Minimum where feasible	NEW CONSTRUCTION, Minimum required	Maximum for Rehabilitation and New Construction
Work/Live units, <u>Residential units</u>	0.7 space per unit, which shall be restricted to exclusive use by building residents only, and which shall be labeled as “Residents Only” on the preliminary site plan application and on the parking space.		1.0 space per unit
Retail sales of goods and services, Restaurants, Bars, Theaters, Nightclubs, Civic space, Art gallery, Museums, Artist work-only studio, Manufacture, assembly or repair of artifacts	0.25 space per 1,000 square feet of gross floor area.		0.5 space per 1,000 square feet of gross floor area.
Hotels	0.1 space per room		0.3 space per room
Offices	0.7 space per 1,000 square feet of gross floor area.		1.0 space per 1,000 square feet of gross floor area.

J. ~~Prohibited Uses.~~

~~Uses that are not expressly permitted are prohibited. In addition the following uses shall be specifically prohibited:~~

~~Automotive related uses, including sales, service and repair~~

~~Big-Box retail~~

~~Bulk discount store or discount variety store.~~

~~Commercial kennels~~

~~Commercial parking lots serving as commuter parking for any mass transit facilities.~~

~~Depots for the large-scale storage and distribution of goods~~

~~Detached signs and billboards~~

~~Drive-thru commercial facilities where patrons remain in automobiles, including service stations~~

~~House of Worship~~

~~Industrial, manufacturing and automotive related uses~~

~~Junk yards, storage of non-operational or non-registered vehicles or parts thereof, and storage of trailers and intermodal containers. Half-way houses and food pantries~~

~~Landfills and dumps~~

~~Medical, dental, chiropractic, counseling offices, clinic, lab or other associated or similar services~~

~~Nightclub over 2,500 square feet (GFA) devoted to club use, except the Powerhouse building in tax block 76).~~

~~Outdoor vending machines other than newspaper vending machines ganged at locations as approved in the Site Plan and matching the streetscape décor.~~

~~Parking garage, structure on a lot as a principal use except as permitted above~~

~~Prisons~~

~~Public storage~~

~~Pharmacy with greater than 3,000 Gross floor Area (GFA)~~

~~Retail where there is parking lot on the street frontage~~

~~Outdoor storage or scrap yards of any kind~~

~~Supermarket greater than 20,000 (GFA) on the ground floor~~

~~Transportation Terminals~~

~~Tire / automotive parts or supply store~~

~~Off-street parking that is not contained within a principal structure.~~

~~Commuter Parking.~~

VIII. SPECIFIC ZONING DISTRICT DEVELOPMENT REGULATIONS

All activity, development, use or re-use within the PAD shall comply with all requirements of this plan, paying close attention to the detailed standards of Section V. SITE REQUIREMENTS OF ALL DEVELOPMENTS and Section VI. DESIGN REQUIREMENTS OF ALL DEVELOPMENTS. In addition, specific zones are delineated on Map 2: Land Use Map, and the below listed specific zoning district requirements shall apply to all development projects within the zone. Should these specific zoning district requirements conflict with the general requirements of Section V or Section VI above, then the specific zoning district requirements below shall prevail.

A. Rehabilitation Zone

This zone is designed to accommodate the adaptive re-use of the existing historic resources in the district. It allows for a mix of uses, flexibility in phasing, and where it is found to be historically appropriate, -the construction of specific penthouse additions on existing buildings, and new construction on vacant land.

The Rehabilitation Zone consists of the entirety of Blocks 76, 107, 140, 141 and 142, as well as the easternmost portions of blocks 171, 172 and 173, as noted in Map 2.

1. Development Requirements for Existing Buildings:

- a. All existing buildings shall remain and be rehabilitated as per the JCLDO 345-71. Historic Design Standards and The Secretary of the Interior's Standards for the Treatment of Historic Properties. In addition to the building, specific objects, such as: rooftop water towers, chimneys, loading docks, awnings, windows, brick and stone accents, quoins, shutters, reinforced concrete or color and texture of brick and mortar, shall be maintained.
- b. All existing exterior building elements that contribute to the historic significance of the building -shall be required to remain. Existing courtyard elements should be preserved where appropriate.

- c. Any ghost signage on existing buildings shall be refreshed and retained and/or refreshed with the same wording or message that existed historically.
- d. Penthouse additions shall be industrial in nature and incorporate appropriate materials and designs that will not hinder the significance of these historic buildings and may extend a maximum of two additional stories and be set back from the existing façade to the first bay or column below.
- e. Retain all awnings and restore and replace to their original profile. Repair and retain all roof top apparatus, chimneys, water tanks, and the like.
- f. Property owners shall institute a property maintenance regiment designed to prevent the deterioration and decay of buildings.
- g. Minimum separation distance between a new structure or addition within the Rehabilitation Zone and an existing façade within the Rehabilitation Zone, where the existing façade abuts the property line and contains windows that face the new structure or addition: 25 feet between structures, with street front screening provided at the ground level that is consistent with the architecture of the new building.

2. Development Requirements for Vacant Land:

It is a clear purpose of this plan to perpetuate the historic character of the rehabilitation zone as a whole. This purpose shall be achieved through preservation and rehabilitation of existing structures, and by instituting design and bulk standards for new construction such that any new construction within the zone is appropriate and complementary to the character of the zone. Section VI. DESIGN REQUIREMENTS OF ALL DEVELOPMENTS above shall apply to all applications for new development, except that where there may be conflicts between Section VI and this section, the standards that are enunciated by this section shall prevail. The following shall apply to all new buildings on vacant land within the rehabilitation zone:

- a. The footprint of new buildings shall match the footprint of the industrial building that previously existed on the site,

including that there be provision for courtyards where courtyards previously existed.

- b. The height of new buildings, including all penthouses and mechanicals, shall not exceed the height of the industrial building to the top of the parapet that previously existed on the site.
- c. The combined FAR and gross parking area of new buildings shall not exceed the FAR of the industrial structure that previously existed on the site.
- d. The height and vertical spacing of windows shall reflect the historic fenestration patterns of the industrial building that previously existed on the site.
- e. All new construction shall comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties and the JCLDO 345-71 Historic Preservation Standards, particularly the Standards for New Construction.
- f. Minimum separation distance between a new structure or addition within the Rehabilitation Zone and an existing façade within the Rehabilitation Zone, where the existing façade abuts the property line and contains windows that face the new structure or addition: 25 feet between structures, with street front screening provided at the ground level that is consistent with the architecture of the new building.

3. Development Standards for Specific Buildings and Lots

- a. Block 76, Lot 160 and 161; Hudson & Manhattan Railroad Powerhouse, 1906-1908, Pivotal Individually listed, State and National Registers: Sensitive, historically appropriate interior and exterior rehabilitation of this resource is critical as this is the signature building of the PAD. There shall be some public space within the restored building so that the public may appreciate the character of the building. Retain portions of the interior generating room at full height for interior lobby. Maintain roof profile. No rooftop additions are permitted. Retain, stabilize, and cap stacks. Gently clean facades; repoint and replace damaged brick, particularly decorative bricks. Restore existing windows if possible; otherwise install new replacement windows which match the original in terms of configuration, operation, details, material and finish. Eliminate modern exterior metal structures and electrical equipment to the west and maintain an open and public space along all exterior facades of the building. The Eastern part of

block 76 (vacant land) shall be developed into a public park. Construct an appropriate sidewalk on the north side between the building and the light rail tracks to create a pedestrian link between First Street and the waterfront.

- b. Block -107 -Lot A; Riegel Sack Company, c. 1900
Contributing. The building has recently been rehabilitated and was redeveloped in accordance with the Morgan Washington Redevelopment Plan. Further rooftop additions are prohibited.
- c. Block 107, Lot B; Butler Brothers Warehouse, 1904-1905;
Pivotal. Gently clean, repair or replace broken, damaged bricks and re-point façade. Replace windows deteriorated beyond repair. Restore the double bronze doors and surround at Warren Street near Morgan Street. Replace missing awnings above the Bay and Warren Street loading docks, if appropriate, based on site and archival evidence. Permit interior atria or courtyards if roof profile can be maintained. Rooftop additions that are visible from an elevation of five feet above the sidewalk on the opposite side of the public right-of-way -are prohibited. The one story, 100 x100 power plant structure attached to the main building on the northeast corner of the block shall be retained.

~~Block 108, Lot C; P. Lorillard Company, ca. 1865, 1875;
(popularly known as 111 First Street) Pivotal. Gently clean,
repair and re-point façade, re-open blocked door and window
openings where appropriate. Replace windows and fire
shutters. Restore pediments. Restore classically inspired
entrance way on First Street based on site and archival
evidence. Interior courtyards may be utilized for parking or
other permitted accessory uses. Activate first floor
Washington Street frontage and First Street frontage in
whatever historically appropriate means possible using
documentary site and archival evidence. Additions visible
from an elevation of five feet above the sidewalk on the
opposite side of the public right-of-way are prohibited.~~

~~Block 109, Lot West A; Vacant Land; (Formerly the Lorillard
Warehouse, Popularly known as 110 First Street; circa 1883;
Contributing. Razed 2004) New construction on the site shall
honor and not exceed the site, setting, scale, height and~~

~~massing of the historic building that previously existed on the site, using brick, and stone as primary building materials and incorporating fenestration patterns and appurtenances which honor the historic building.~~

~~Block 109, Lot 1; Vacant Land. Establish a public sculpture garden with passive recreation space, landscaping improvements, and an appropriate pedestrian pathway connecting First Street to Second Street.~~

~~g.d.~~ Block 140, Lot A1; No structure exists on the lot. Treat construction as new development. New building may be up to six stories, plus a penthouse that is setback from the building façade on all sides so that it is not visible from an elevation of five feet above the sidewalk on the opposite side of the public Right-of-way.

~~h.e.~~ Block 140, Lot B1; There currently exist four structures on the lot, as follows:

- Northeast corner. Dairyman's Manufacturing Company, pre-1919; contributing; five story reinforced concrete building. Restore façade, repairing masonry walls where necessary and open blocked walls, replace windows.
- Southeast corner. Dairyman's Manufacturing Building, 1904 (a.k.a. Dairyman's milk can factory); Non-contributing two story structure. Originally five stories, the building has been radically altered. New building shall not exceed the height of the five story reinforced concrete building that is adjacent on the same lot. Treat construction as new development.
- Northwest corner and mid-lot. Two one story structures abutting Dairyman's Manufacturing Building at Northeast corner above. Non-contributing. New building shall not exceed one-story. Treat construction as new development.

~~i.f.~~ Block 141, Lot A2 East; A & P Bakery, 1915; Contributing. Permit a continuation of the current fourth floor addition to match the setback, profile and height of the existing. Permit one additional story set back two window bays on all street frontages. Retain cornice overhang/return to west on southern façade. Additions to the secondary two story addition on the

southern façade shall be permitted to match the height of the additions to the primary building, but shall be set back behind the cornice overhang/return.

~~j.g.~~ Block 141, Lot A2 West; A & P Auxiliary Building, 1914; Contributing. Restore to original Profile.

~~k.h.~~ Block 141, Lot B3; 140 Bay Street & 18-30 Provost Street; AKA, Eckerson Company, and later the J. Leo Cooke Warehouse; ~~Popularly~~ popularly known as the Morgan Lofts; Contributing. Approval granted by Zoning Board of Adjustment shall prevail and be incorporated herein by reference.

~~l.i.~~ Block 142, Lot A, AKA Merchants Refrigeration Company, ca. 1902; Contributing. Remove exterior cement parging and paint, if appropriate, by the gentlest means possible, avoiding damage to underlying brick. Unblock existing window openings. New window openings may be added if necessary, provided that the new openings -reflect the rhythm of the historic window placement along the First or Second Street sides of the building. Rehabilitate loading docks and awnings and “ghost sign” bearing original company name along sixth floor of the Second Street facade. Center courtyards and atria permitted. Permit a one story penthouse, setback a minimum of one column bay from the building edge on all facades, not visible from an elevation of five feet above the sidewalk on the opposite side of the public right-of-way.

~~m.j.~~ Block 171, Lot Y1; The Great Atlantic & Pacific Tea Company Annex, original 1907-1908, expanded 1915; Contributing. Maintain the 6 Story portion and restore to original profile.

~~n.k.~~ Block 172, Lot F2; 144-158 Bay Street; AKA, The Great Atlantic & Pacific Tea Company Headquarters, 1907-1915; ~~Individually~~ individually listed, State and National Registers: Pivotal. This building maintains a unique place in the history of American industry. Redevelopment of this building requires a particularly sensitive approach with due consideration of the historic development of the building and the maintenance of historic building fabric. Rebuild to original/historic profile, maintain sky light and water-tanks,

gently clean, re-point, and repair brick and concrete, repair existing and replace deteriorated and/or missing awnings and loading docks where appropriate. Permit a one story penthouse setback one column bay from all facades.

o.l. Block 173, Lot 129; Juan Ribbon Machine Shop, South Section circa 1873, North Section 1887, Contributing:
Remove exterior cement parging and paint, if appropriate, by gentlest means possible, avoiding damage to brick. Repoint and repair damaged brick. Unblock window openings and insert appropriate windows. Maintain existing gable roof. No rooftop additions are permitted.

B. Transition Zone:

The Transition Zone consists of portions of the redevelopment area to the south and west of the ~~Warehouse Historic District~~ warehouse district for which a portion of the tax block is also within the ~~Warehouse Historic District~~ warehouse district. In other words, each block that is partially within the Transition Zone is also partially within the ~~Warehouse Historic District~~ warehouse district. In several instances individual historically significant structures abut the Transition Zone. In other instances, portions of the Transition Zone are located directly across the street from the historically significant Great Atlantic & Pacific Tea Company Headquarters building located at Block 172, Lot F2 (144-158 Bay Street), which is 114'8" in height from grade to the base of the primary cornice. In one instance, there is an approval that was granted prior to adoption of this redevelopment plan for a new building on lot k within block 173 (159 Second Street), which allows for the construction of a new building that is 90'4" in height from grade to the base of the primary cornice.

The Transition Zone includes portions of Blocks 139 and the Western portions of Blocks 171, 172 and 173.

The purposes of the Transition Zone are as follows: to create a buffer through the use of design and bulk standards to protect and enhance the historic and visual character of the adjacent ~~Warehouse Historic District~~ warehouse district, and in particular the Great Atlantic & Pacific Tea Company Headquarters building; to create an attractive and appropriate gateway to the ~~Warehouse Historic District~~ warehouse district from the West; to create a cohesive neighborhood that includes the ~~Warehouse Historic~~

~~District~~warehouse district, the Transition Zone, and the community to the west; and to create an attractive street front along Marin Boulevard that extends the building lines that were created by the existing structures along Marin Boulevard in Block 173. Specific Requirements of Building Design shall be as follows for all development within the transition zone:

1. All new buildings in the Transition Zone shall be modern buildings designed to recall the style and grace of the nearby historic industrial warehouses located to the west of Washington Street and within the PAD. Specific elements, such as, but not limited to: roof pitches and material; window rhythm and size; brick and stone accents, quoins, and the use of limestone accents; the size, color and texture of the brick, shall be incorporated in the design of new buildings. Building design may be include modern, commercial interpretation, and elements such as: tinted mortar; larger windows; skylights; storefronts embellished with natural materials, recessed balconies, may be employed, subject to Planning Board site plan approval.
2. Minimum Lot Area: 15,000 Sq. Ft.
3. Maximum Height: Ninety feet (90'), excepting the following:
 - a. Block 139 shall be permitted a maximum height of one-hundred and twenty-five feet (125').
 - b. Block 173, Lots C, D, E, F and G, as they exist at the time of adoption of this plan, shall be permitted a maximum height of sixty-five (65) feet.
 - c. Block 171, Lot 1, as it exists at the time of adoption of this plan, may not match nor exceed the height of The Great Atlantic & Pacific Tea Company Annex that is adjacent on lot Y1.
 - d. For locations where a building height of ninety feet (90') is permitted without exceptions, a one story penthouse that is set back from the façade along all street frontages may be added to the structure, provided that the penthouse is not visible from an elevation of five feet above the sidewalk on the opposite side of the public right-of-way.
4. Maximum FAR: 7:1, except block 139 which shall be permitted a maximum FAR of 8:1.
5. Setback Requirements:
 - a. Front Yard Maximum: 10 feet.
 - b. Side Yards: Maximum Zero, excepting separation distance requirements below. Where there are multiple street frontages, exterior walls that are perpendicular to the street shall be considered to be a side.
 - c. Rear Yard: Minimum 25 feet.

6. Maximum Lot Coverage: Eighty (80%) percent for both building and parking facilities. No part of the remaining lot shall be left unimproved.
7. Minimum Stepback Requirements:
 - a. Abutting Marin Boulevard: A minimum ten foot (10') stepback is required at the top of the fourth story.
 - b. Block 139: A minimum ten foot (10') stepback is required at the top of the -ninth story for all facades.
8. Minimum separation distance between a new structure or addition within the Transition Zone and an existing façade within the Rehabilitation Zone, where the existing façade abuts the property line and contains windows that face the new structure or addition: 25 feet between structures, with street front screening provided at the ground level that is consistent with the architecture of the new building. Block 171, Lot 1, as it exists at the time of adoption of this plan, shall be exempt from this separation distance requirement, provided that the Provost Street setback for the new structure is sufficient to reveal the full height of the side of the adjacent structure on lot Y1 to a depth of at least one window bay.
9. Garage entry/Exit to street: A maximum of (1) One shall be permitted. No garage opening shall be located on Luis Munoz Marin Blvd.
10. Retail entrances shall be provided along all ground floor street frontages, and along Marin Boulevard there shall be at least three retail entrances within each block front.
- 11.

C. High-rise Zone:

To provide for the transition from the Christopher Columbus High rise development to the warehouse district core to the south. The height for this district is to be comparable to the height of the Evertrust building that is directly adjacent. It shall provide for the parking to accommodate redevelopment of the Butler Brothers Warehouse.

The High Rise Zone consists of the entirety of Block 106.

Specific Requirements of Building Design shall be as follows for all development within the High-rise zone:

1. Minimum Lot Area: 29,500 Sq. Ft.
2. Maximum height: 250 Ft.
3. Maximum FAR: 10:1

4. Setback Requirements: Front Yard Maximum: 10 feet; Side and Rear Yards Minimum shall be 25 feet. The front yard maximum setback requirement may be waived in order to provide a significant outdoor street level public plaza that has the longest side of the plaza parallel to the street, and which accommodates ground floor retail, restaurant, or art gallery frontage, outdoor café seating, public art or a decorative fountain, and landscaping in the ground or in built in planters. Such a plaza is encouraged to be located at the corner of Warren and Morgan Streets, but may instead be placed mid-block along Morgan Street, or elsewhere along the street.
5. Maximum Lot Coverage: Ninety-five percent (95%) for both building and parking facilities, provided that sidewalks are provided along all street fronts in compliance with the requirements of this plan.
6. Minimum Stepbacks: All required stepbacks shall affect all sides of the structure. At the height of the lowest parapet on the Morgan Street side of the Butler Brothers Warehouse Building, all buildings in this zone shall provide a minimum fifteen-foot (15') stepback from the building face. A second stepback of at least five feet (5') shall be provided within five stories above the required first stepback, and at least two additional stepbacks of at least five feet (5') shall occur above that point, and occur at no less than 3 stories from the top level. Additional stepbacks may be provided at the discretion of the architect.
7. Maximum Garage entry/Exit to street: Two (2) with access from Steuben Street which shall act as the service side of the building although still treated as a front façade in terms of design and detail. Garage entry and exit shall not be permitted to and from Washington Blvd.
8. Minimum separation distance between structures above the fifth floor: 100 feet
9. The building shall have a significant top, incorporating a cap and enclosure over the elevator shed and rooftop mechanical equipment.

D. Bonus and Incentive:

Block 106, Lot E shall be permitted an additional 100 feet of height and an additional FAR of 4:1, provided that the 100 feet by 100 feet parcel at the northeast corner of Block 107, Lot B (at the corner of Washington and Bay Streets) is first donated to, and accepted by, the City of Jersey City or the Port Authority of New York and New Jersey, at no cost to the City of Jersey City nor to the Port Authority of New York and New Jersey, for a public purpose that is compliant with this Plan.

E. Power House Arts Residence Zone:

The purposes of the Zone are to provide for the transition from the historic Hudson and Manhattan Power House and existing high rise residential developments to the North and East of the District, namely the, Marbella and Portofino properties, and the approved Athena and Trump properties, and also to provide a transition to the warehouses in the district to the south and west of the district. The height for this district is to be comparable to the height of the buildings that are directly adjacent.

The Power House Arts Residence Zone consists of the entirety to Block 108 and Lots 1 and West A of Block 109.

Specific Requirements of Building Design shall be as follows for all development within this zone:

1. Minimum Lot Area: The entire area of Block 109 within the district for development on Block 109, and the entire area of Block 108 for development in Block 108.
2. Maximum Height: 550 Ft. excluding any base structure and mechanical penthouses, rooftop structures and architectural features at Block 108, and a maximum height of 350 feet, excluding mechanical penthouses, rooftop structures and architectural features at Block 109.
3. Maximum FAR 15:1.
4. Maximum Lot Coverage: Ninety-five percent (95%) for both building and parking facilities, provided that sidewalks are provided along all street fronts in compliance with the requirements of this plan.
5. Maximum Garage Entry/Exit to street: Two (2) with access from Warren, First or Bay Street any one of which may act as the service side of the building although still treated as a front façade in terms of design and detail. Garage entry and exit shall not be permitted to and from Washington Boulevard.
6. Artists housing design requirements shall be as follows:
 - a. The unit shall have an open design and be flexible so working and living spaces can be configured by the individual resident so the unit can serve a mix of uses. This open design shall allow for a relatively large and open working area, approximately 2/3 of the unit area. All designs and construction must comply with applicable building, life safety, construction and fire codes.

b. Provisions for extra power shall be made so that a minimum 100 amp service can be extended to such units.

c. Easy access for large work, materials and equipment shall be provided. At least one freight sized elevator shall be provided to serve all work/live units of the building. Wide corridors and higher and wider doorways shall be provided and maintained. These facilities should be sized to allow a 4' x 8' sheet of plywood to be easily transported through the building to individual units.

d. No work/live unit shall be less than 900 square feet in size.

e. Minimum ceiling heights shall be 10 feet.

f. A work sink or rough-in plumbing for same shall be located within the work space. The kitchen sink or bathroom lavatory shall not be considered the work sink.

g. Natural light shall be provided wherever feasible, and all units shall contain at least fifty square feet (50 SF) of window openings in one or more windows facing either the building exterior, a large size interior courtyard or an atrium. Skylights may substitute for up to one-half (1/2) of this glass requirement. Additional artificial light suitable for work space shall be provided.

h. Tracked lighting or switched outlets in the ceiling of the work area shall be provided.

i. Provisions shall be made to accommodate the ventilation of work/live units on an individual work/live unit basis at the option and expense of the unit resident, with sufficient air changes per hour to ensure the safe habitation of the work/live unit.

7. Suggested Amenities for Work/Live Units

These should be added to a work/live project when possible:

a. Accommodation for handling of any work materials.

b. Accommodation for a utility room for table saws and other equipment.

c. Common facility for exhibition of work.

d. Durable flooring that will not be easily damaged by work.

e. Availability of some raw or unfinished units.

f. Some special accommodation or adaptable units for users such as ceramicists, welders and photographers who all typically require special physical structures and equipment support.

g. Easy up-grades to power system.

8. The parcel at Block 109, Lot 1 shall be utilized to establish a public sculpture garden with passive recreation space, landscaping improvements, and an appropriate pedestrian pathway connecting First Street to Second Street

9. Ten percent of the units constructed in the zone shall be work/live units. In lieu of any other financial obligation or requirement for affordable work/live units, the marketing, and control of purchases of the work/live studios, one half of those units shall be offered at a discount in the initial purchase price in the amount of thirty percent (30%) only at closing of title from its offering sale price for the same or similar units to only those artists who are certified by the City for the initial 90 day exclusive marketing period.

IX. MARKETING REQUIREMENTS

REQUIRED MARKETING TO ARTISTS FOR ALL RESIDENTIAL DEVELOPMENT IN TRANSITION AND POWERHOUSE ARTS RESIDENCE DISTRICTS OF THE POWERHOUSE ARTS DISTRICT JERSEY CITY, NEW JERSEY

As outlined below and as permitted by applicable law, marketing of all ~~residential~~work/live units (except for those units reserved for low/moderate income artists) ~~in the Powerhouse Arts District~~ shall be directed specifically at artists *continuously* through the life of each project until all such units have been sold or rented, unless otherwise specified. The marketing of all work/live units in the Powerhouse Arts Residential Zone and High Rise Zone shall be guided by the concepts of the artist specific marketing for the 90 day Exclusive Marketing Period.

The definition of “artist” shall be the definition given in the Land Development Ordinance of the City of Jersey City and shall apply to Certified Artists or those who would qualify for certification.

THE EXCLUSIVE MARKETING PERIOD -- DEFINITION

The first phase of marketing of the work/live units in any -project shall be referred to hereafter as the Exclusive Marketing Period (EMP). During the EMP, marketing shall be directed exclusively to artists. Marketing, selling and renting of work/live units to the general public during the EMP is strictly prohibited. Marketing, selling and renting to the general public may begin at the conclusion of the EMP, but marketing to artists must continue as well.

The EMP for for-sale units must include the first three months during which binding agreements can legally be made between sellers and interested buyers in New York and New Jersey, and the first three months during which the project is legally marketed in New York and New Jersey, with no exceptions. The EMP may begin sooner at the discretion of the seller.

The EMP for rental units must include the first three months during which at least one typical, finished, on-site live/work unit (the “Model Unit”) and detailed plans of all other units are available for inspection by the public, and during which binding leases are offered. The EMP may begin sooner at the discretion of the landlord.

The EMP may not include the months of November and December; should the EMP fall during the months of November and December, the period of exclusive marketing shall be extended accordingly.

Direct Market Mailings

During the EMP, at least 2 direct marketing mailings containing detailed information and giving notice of the proposed development and the intended creation of artists live/work lofts shall be disseminated to the following: all artists who are currently certified by the Artist Certification Board (ACB); any compiled waiting list of artists that is available; artists included in the current Hudson County Artists Directory; and Pro Arts. The direct mailings must contain the information specified in section 5.d. below.

ARTIST-SPECIFIC MARKETING REQUIREMENTS TO BE CONDUCTED FROM THE BEGINNING OF THE EXCLUSIVE MARKING PERIOD ~~AND CONTINUING UNTIL~~ ALL UNITS ARE SOLD OR RENTED

All projects must:

1. Conduct artist-targeted marketing, including advertising, in the greater New York City area. In the case of for-sale units, this may require filing a statement of offering with the New York Attorney General's office.

At least fifty percent of all paid advertising, including advertising for open houses, must be in New York publications. Advertising must also be placed in New Jersey and Jersey City publications. During the EMP, each month at least one of the non-classified advertisements must be placed in each of the following publications: the New York Times Sunday Real Estate section, the Village Voice, the Jersey Journal, and the Jersey City Reporter.

2. Maintain on each building at least 2 banners, no smaller than 12 feet in length each. These banners shall give notice of the proposed ~~artists~~ artists' live/work lofts along with a valid contact telephone number.
3. Maintain at least one sales/rental or other office location -where prospective artist buyers and renters can view colored plans and at least one 3-D model of the project. Each such location will display at least one poster no smaller than 24"x36". All of these materials must be designed for the artist market.
4. Conduct at least three open houses, one of which must be on-site and at least two of which must take place during the EMP, to familiarize potential artist occupants with the building amenities, prices, unit sizes, floor plans, elevations, samples of cabinets, flooring, wall coverings, trim hardware fixtures, and appliances. A contact phone number shall be provided to prospective artist buyers and tenants.

Each open house must be advertised to artists through paid advertising in at least 2 publications for each open house, with a collective circulation greater than 300,000 for each open house.

5. Mount artist-targeted paid-advertising campaigns with the following additional requirements:
 - a) Each project will place at least 4 paid advertisements each month in newspapers, magazines or journals (in addition to advertisements for open houses) with a collective circulation greater than 600,000 each month.
 - b) At least fifty percent of all paid advertisements must be more than classified listings.
 - c) At least twenty-five percent of all paid advertising must be placed in professional arts publications. (See suggested venues in attached Exhibit I, “Local Art Specific Advertising Venues for Residential Developments in PAD.”)
 - d) Advertising materials targeted to artists must include all relevant information that is contained in the attached Exhibit II, “Recommended list of amenities to include in marketing materials”:
 - 1) Unit size (average or range)
 - 2) Accessibility details (freight elevator, loading docks, wide doors, etc.)
 - 3) Location
 - 4) Availability of floor plan or design options
 - 5) Other art-related amenities (storage, ventilation, sound-proofing), etc.
 - e) All advertising, banners, posters, press releases, articles, and any other marketing during the EMP, and all subsequent advertising, banners, posters, press releases, articles, and any other marketing targeted to artists, must highlight amenities specifically attractive to artists over other amenities of interest to the general public.
6. The Developer, and/or its assigns, shall agree that the purchase price for a residential unit agreed to in any non-binding reservation entered into between the Developer, and/or it assigns, and any Artist that is certified by the ACB, or any Artist that is subsequently certified as an Artist by the ACB, shall not be increased by the Developer, and/or its assigns, at any time so long as the Artist continues to be a party to the non binding reservation agreement and closes title to the residential unit. The Developer’s commitment that it will not increase the purchase price above the non binding agreement reservation

price shall be exclusive to the Artist(s) signing the non binding agreement. If an Artist(s) assigns its non binding reservation agreement (with the exception of the creation of a corporate entity wherein the Artist(s) is at least 90% owner/principal) or withdraws from the non binding reservation agreement, then the Developer and/or its assigns are no longer obligated to maintain the same purchase price for that residential unit in any other agreement.

REQUIRED MARKETING REPORTS

As part of the marketing program, the Developer shall request that the prospective purchasers and persons visiting the marketing location complete a questionnaire to provide the following information, including but not limited to the following information; name; occupation; how did the prospective purchaser become aware of the project (e.g. advertising or word of mouth); whether the person is an artist or an artist certified by the local ACB.

By the 10th of each month, beginning with the second month of the EMP and continuing until all units are sold or rented, each developer shall submit to the Division of City Planning staff a report of all advertising and marketing providing publication, advertisement or article copy, cost, and time ran, along with copies of the questionnaires received, questionnaires for sold units, and the type of finish on sold units conducted during the previous month and a list of all reservations by potential buyers and renters. However, after the EMP is completed, only artist-targeted efforts must be documented. Reports must include copies (or other documentation, where applicable) of all advertisements, open houses, and other required marketing.

ENFORCEMENT, VIOLATIONS AND PENALTIES

During the EMP, marketing, selling and renting of artists' live/work units to the general public is strictly prohibited and -shall be heavily penalized. All violations of this restriction shall be subject to enforcement, violations and penalties as provided for by Article VIII of the Jersey City Land Development Ordinance, as amended, and all other remedies that are available under all applicable law.

Violations of other marketing requirements -shall result in the following:

All violations during the EMP shall be subject to enforcement, violations and penalties as provided for by Article VIII of the Jersey City Land Development Ordinance, as amended, and all other remedies that are available under all applicable law. Violations shall also trigger a review -whereby the Director of the Division of City Planning shall have the authority to -extend the EMP an additional one month for each violation.

Any monies received as fines will be placed in a fund for community-generated art projects in PAD.

PAD Artist Marketing Plan - Exhibit I

Local Art Specific Advertising Venues for Residential Developments in PAD

Some points to emphasize:

Large, open space suitable for live-work

Freight elevator

Wide doorways and corridors

Large community of artists already in the area

Only minutes to Manhattan via PATH, ferry or the Holland Tunnel

Certified Artists database and waiting list available

Advertising Venues:

Gallery Guide, The Village Voice, FYI, Dance Magazine, The Artists Proof, Art in America, 11211, Art Calendar, -The Brooklyn Rail, Art Times.

Note: Contact information and Ad specification information is available for the above referenced venues through the Division of City Planning.

PAD Artist Marketing Plan - Exhibit II

Recommended list of amenities to include in marketing materials are as follows:

Artists Live/Work Loft Condominiums (Address), Jersey City, NJ Located in the Powerhouse Arts District

Newly Converted Historic Warehouse * (date of Occupancy)

Available Features and Amenities Designed for Artists to live and work

Flexible/open floor plans
Double, oversized unit entrance doors
Freight elevator access for most units; passenger elevator for all units
Extra-wide corridors in hallways and inside units
Loading docks and ramps
Good light with oversized windows
Work-sink hookups
Optional hoist installation in multi-level units
Cable pre-wired
Ventilation

Neighborhood Features

Directly across the Hudson River from Tribeca
Outstanding transportation to Manhattan and within New Jersey – a few blocks from the PATH station (3 minutes to Manhattan), NY Waterway Ferry (6 minutes to Manhattan), NJ Transit's Light Rail; 1 mile from the Holland Tunnel.
Near the Hudson River waterfront walkway, 19th century historic residential districts, and the waterfront financial district
Large, active community of artists already working in the vicinity
Near shopping, restaurants, and supplies

Other Building Features and Amenities

List other amenities specific to the project

Currently taking binding reservations. For more information, please contact

(Sales office information)

X. ACQUISITION PLAN

The PAD is comprised of a compact and defined area within the City, and is important to the community as a cultural and entertainment destination, and for its anticipated positive effect on the local economy. Its redevelopment and success are essential to the health of the surrounding retail and commercial community. Incompatible land uses, vacant land, dilapidated buildings and other impediments to proper development must be removed in an orderly, planned and phased manner.

Most properties within the PAD are “proposed to be acquired” pursuant to NJSA 40A:12A-7.a.(4). The properties that are “proposed to be acquired” are indicated on Map 3, and shall be subject to acquisition through -condemnation by the Jersey City Redevelopment Agency (JCRA). It is anticipated that the objectives of the plan will primarily be met through private sector investment in private property without the need for such intervention. However, the JCRA shall be authorized to acquire property by condemnation in order to further the goals and intents of this plan, and the decision to condemn property that is indicated on Map 3 as “proposed to be acquired” shall rest with the City or the JCRA. The financing of such acquisition may come from a number of public or private sources, including but not limited to a municipal bond issue, and/or loans that may be secured by a redeveloper.

XI. DESIGNATION OF REDEVELOPER

The Jersey City Redevelopment Agency (JCRA) may designate a private entity as redeveloper of a property within the PAD and subsequently enter into contract with said redeveloper, pursuant to NJSA 40A:12A-1 et seq.

XII. CIRCULATION IMPROVEMENTS

- A. No part of any public right-of-way shall be vacated and eliminated from public travel use.
- B. The Redeveloper shall implement any right-of-way improvement the City Council and/or the Planning Board deem necessary relative to all streets and right-of-way areas adjacent to and -within the Redevelopment Area, in a manner consistent with this plan. These improvements or alterations shall be identified at the time of site plan application and implemented contemporaneously with the development of the project. If the City must undertake these improvements prior to the commencement of the project, a reimbursement of the City costs so incurred shall be provided by the Redeveloper of the Redevelopment Area.

XIII. OTHER PROVISIONS TO MEET STATE AND LOCAL REQUIREMENTS

In accordance with NJSA 40A:12A-1 et seq., Chapter 79, Laws of New Jersey 1992, known as "The Local Redevelopment and Housing Law", the following statements are made:

- A. The Plan herein has delineated a definite relationship, as described herein, to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements.
- B. The Plan has laid out various strategies that need to be implemented in order to carry out the objectives of this Plan.
- C. The Plan has given proposed land uses and building requirements for the Redevelopment Area.
- D. The Acquisition Map and Acquisition Plan, which are a part of this Plan, indicate all property to be acquired.
- E. The Plan is not in compliance with the Jersey City Master Plan and the Strategic Revitalization Plan of the County of Hudson, as described herein. The Plan complies with the goals and objectives of the New Jersey Development and Redevelopment Plan in that this Plan and the State's plan both recognize the need to redevelop the mature urban areas such as this. The Municipal Council has approved this plan despite its failure to effectuate the purposes of the Jersey City Master Plan as the Master Plan relates to the WALDO district due to the changes that have occurred with respect to the WALDO zoning district becoming a redevelopment area, the grant of several site plan approvals with significant variances and to settle protracted litigation.. However, the Municipal Council of the City of Jersey City believes that it is in the public interest to adopt the June 2006 amendments to continue the progress being made to create and arts and entertainment district in the Powerhouse Arts District.
- F. The City of Jersey City or the Jersey City Redevelopment Agency (JCRA) will provide relocation services for redevelopment projects as required by law. The City or the JCRA may contract with another qualified provider to perform relocation services.

XIV. PROCEDURE FOR AMENDING THE PLAN

- A. This Plan may be amended from time to time upon compliance with the requirements of law. An minimum escrow deposit of \$10,000.00 shall be payable to the City of Jersey City for any request to amend this Plan, from which all costs incurred to amend the plan, as authorized by the Jersey City Escrow Ordinance, shall be paid. If there is a designated Redeveloper, as provided for under NJSA 40A: 12A-1 et. seq., said Redeveloper shall provide this escrow.

B. No amendment to this Plan shall be approved without the review and recommendation of the Planning Board, and a public hearing and adoption by the City Council. A copy of any proposed change to the Plan shall be filed with the Office of the City Clerk.

C. Public Notice of intent by the Planning Board to consider amendments to this plan shall be provided. Such notice shall be -given by publication in the official newspaper of the municipality at least 10 days prior to the date of the Planning Board meeting. Such notice shall be undertaken and paid for by the party requesting to amend the Plan.

XV. DEFINITIONS

All definitions shall be pursuant to the Jersey City Land Development Ordinance, as amended, except as modified by the following:

Artist Work-Only Studio: A room or rooms for which the principal use is the making of art by the certified artist, and from which the artist may sell art as an accessory use to the studio, but which shall not be considered a principal retail use.

Certified Artist: A person who has been certified as an artist pursuant to the Jersey City Land Development Ordinance, as amended.

Civic Space: A use that is occupied and active on most days of the year and is dedicated to serving socially based public purposes that may include, but not be limited to the following: museum, stage, gallery, community center, recreation area, meeting rooms, instructional space, assembly hall, religious events, arts and culture, arts magnet schools, governmental, and/or social services.

Ground Floor: The floor level that is closest to street grade level but not more than 3 feet below street level at any point along the building edge.

Ground Floor Street Frontage (gfsf): The sum of the horizontal lengths of all exterior walls of a building at ground floor level, inclusive of all windows and doors, and excepting where there is another property between the wall and the street.

Height, Maximum: Shall be measured pursuant to the Jersey City Land Development Ordinance HEIGHT OF BUILDING definition for buildings, and shall be measured to the highest point of the highest floor or deck for parking structures; however mechanical floors, rooftop equipment and shafts may exceed by no more than ten feet the maximum height.

Net Leasable Area: The square footage of the area as measured from within the inside surface of the outer glass or finished walls of the building to the opposite walls, or, in the case of partial floor leases, to the mid point of internal dividing walls, excluding only the areas (“service areas”) within the outside walls used for elevator mechanical rooms, building stairs, elevator shafts, flues, vents, stacks, and vertical ducts, but including all columns within the leased area and any such areas which are for the specific use of the particular tenant such as special stairs or elevators, plus a proportionate allocation of the square footage of the building’s elevator mechanical rooms, common areas on the same floor of the leased premises, and the ground floor lobby.

PAD: Powerhouse Arts District, consisting of all land, zones and structures over which this redevelopment plan has jurisdiction.

Signage:

Window Lettering – Shall comprise up to three lines of text and/or logo with the overall sign and text area outside dimensions not to exceed 15% of the window panel. It may be of any color and material. The maximum letter height is 6 inches. Maximum logo height is 16 inches.

Wall Sign – Permitted signage to be located in the area of the first floor over the window opening. It shall not exceed 30 inches in height, nor extend more than 60% of the length of the bay. If a tenant occupies more than one *-bay*, the individual sign area may not increase, however an identical sign is permitted over of the windowed bay frontages of that tenant. Any lettering within the sign band area may not be greater than 24 inches in height.

Valance Signage – Every valance shall be a maximum of 8 inches in length. Lettering or logo on the valance shall comprise a maximum of 1/8 of the valance frontage. The street number on the valance shall not be considered valance signage.

~~**WHD:** Warehouse Historic District~~

Work/Live Unit: A distinct space or unit within a building that is designed to accommodate the two distinct functions of the living and working environment of residents, including artists, who are creative in their professional work at home, where the nature of their work requires the work space to contain certain physical characteristics. This accommodation shall occur through the provision of appropriate ceiling height, open space, ventilation, and other amenities for the creative professional in work as required by ~~Section VI-M, I~~ or Section VIII, E, 7 of this Plan, and must also meet all appropriate codes and standards for residential occupancy.