

# CITY OF JERSEY CITY

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



Interdepartmental Memorandum

DATE: 11/3/2023  
TO: Planning Board Commissioners  
FROM: Matt Ward, AICP PP, Supervising Planner  
RE: P2023-0067 Newport Redevelopment Plan and Harsimus Cove Station Redevelopment Plan Amendments

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## BOUNDARY CHANGES

The scope of these amendments includes boundary changes to both the Newport Redevelopment Plan and the Harsimus Cove Station Redevelopment Plan.

This amendment does not include any text change to the Harsimus Cove Station Redevelopment Plan. In addition, no map showing the adjustment to Harsimus Cove Station Redevelopment Plan was prepared. Instead the maps provided to the Board in the Newport Redevelopment Plan document shall also serve to adjust the boundary of the Harsimus Cove Station Redevelopment Plan.

Testimony should be provided by the petitioner regarding the changes to the Redevelopment Plan boundaries. Staff has reviewed the boundary changes and finds them acceptable and consistent with the Master Plan.

## TEXT AMENDMENTS

The scope of this amendment is largely focused on expanding the lists of permitted uses in the Newport Redevelopment Plan. A master plan consistency memo was prepared by the petitioner and is available on the data portal. Testimony shall be provided by the petitioner regarding the text amendments and master plan consistency.

Staff recommends that the Board incorporate a floor amendment to the text ahead of making any motion to recommend adoption of the amendment. In lead up to the scheduling the Amendment before the Planning Board, the petitioner had proposed striking the following clauses from the Development Requirements and Regulations section of the Commercial Office District and the Waterfront Commercial District:

VII.A.3.c.(1) – *“Residential development may be included with or may follow commercial development but may not exceed the gross floor area of commercial space so developed.” (Commercial Office District)*

VII.A.4.c.(1) – *“Residential development may be included with or may follow commercial development, but may not exceed one-half of the gross floor area so developed.” (Waterfront Commercial District)*

Although worded slightly different, these two clauses have the same effect. These clauses prohibit residential floor area in these respective districts from exceeding the amount of commercial floor area. The usage of “may not” is a requirement rather than a recommendation and any residential floor area in excess the requirements

would NOT be cognizable before the Planning Board as it would constitute a d(4) variance. Amendment to or removal of these clauses would trigger the Inclusionary Zoning Ordinance.

**Staff recommends changing the “may not” to “shall not” to remove any ambiguity over the applicability or future enforcement of these standards.**

In furtherance, the two clauses are slightly different. The standard in the Commercial Office district requires that at NO time can the residential floor area exceed the already developed commercial floor area in that district. The standard in the Waterfront Commercial District caps the residential floor area at no more than half of permitted FAR meaning that residential floor area built can exceed built commercial floor area so long as the residential floor at no point exceeds half of the permitted FAR in the district.

Staff has reviewed the text amendments. With the inclusion of the recommended floor amendment staff finds the proposed text acceptable and consistent with the Master Plan.