



MAIN STREET REDEVELOPMENT PLAN

CITY OF ORANGE, NEW JERSEY



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January 23, 2019

Main Street Redevelopment and Rehabilitation Plan with Condemnation

City of Orange, New Jersey

January 23, 2018

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Pursuant to the statutory powers instituted by the State of New Jersey (C.40:12A-5) and the City of Orange Council Resolutions 271-2017; 99-2019; 169-2018; and 268-2018 dated August 2, 2017; April 2, 2018; August 6, 2018; and August 22, 2018; the City Council directed the Planning Board to conduct an area in need of redevelopment study. On December 18, 2018, the City Council held a public hearing and approved the study. The Main Street Redevelopment Area, containing 152 tax lots within 21 blocks, mostly located along Main Street, was designated as 'An area in need of redevelopment and rehabilitation with condemnation.' Subsequently, the Planning Board authorized preparation of the Main Street Redevelopment Plan. The Plan includes the City's vision for this area and provides a framework for development and redevelopment within the designated area.

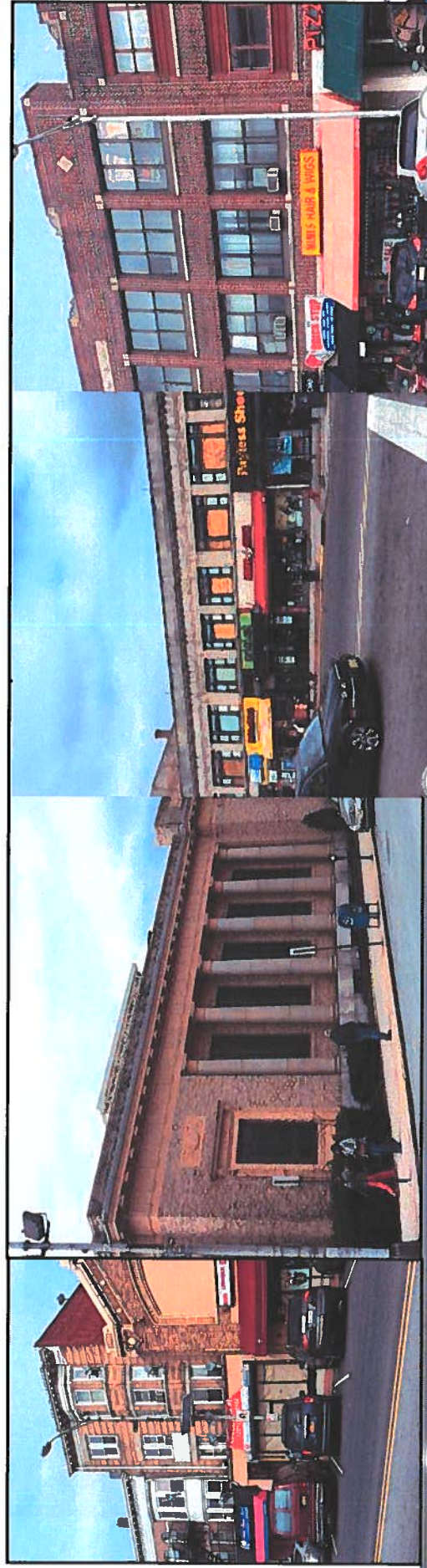
The Plan Area.....

The Plan Area boundaries include the north and south sides of Main Street, Scotland Road and Ridge Street (West) and the East Orange/Orange borderline (East). The Plan area mostly lies along Main Street, Orange's downtown, consisting of generally two to three story buildings with retail use on the ground floor and residence or vacant spaces above. The Plan Area boasts of including various landmarks such as the Military Park Commons, U.S. Postal Office, Orange Public Library, First Presbyterian Church, Rosa Park Central Community School, and Church of the Epiphany and Christ Church.

Background.....

Main Street, a once bustling corridor and the City's downtown, served as a backbone for the City's commerce. It was a center for various retail and commercial activities with few residential uses and was surrounded by industrial uses. At that time these array of retail and commercial uses helped cater to the needs of the entire City. The segment between Scotland Road and South Main Street in particular served as the center of commercial activity. The dynamics of the area; however, changed over a period of time owing to damaging fires, decrease in office space and decline of industrial activity. Once a busy corridor that served the needs of the entire City, has now changed to retail uses that does not serve the needs of varied economic classes. Many of the spaces within the Main Street area are currently vacant and have been so for more than a decade. Although many of the buildings are structurally sound, the physical look of buildings is not well-maintained and fails to attract new investments in the area. Many other New Jersey municipalities have also witnessed similar economic instability/recessions as a result of waning industries, the City of Orange however, has greater potential to overcome this situation and emerge as one of the most desired cities.

The numerous vacant spaces and buildings, the poorly maintained structures and lack of an assortment of retail uses have over the years



Main Street Redevelopment Plan, City of Orange Township

2018 Master Plan.....

The City recently adopted its 2018 Master Plan. More than 200 people who live and work in the City participated in discussions about the City's development, gathering in six public meetings. In each of these meetings, residents shared their concerns about the City more specifically, presence of second-rate commercial/retail activity, very limited housing options, decline in the diversity of commercial uses, lack of public spaces, severe shortage of parking and a growing prevalence of vacant lots and buildings, among other characteristics of blight along Main Street resulting in decreased land value and thereby, stagnant economic growth. The residents hope to regain Main Street's lost charm and see it evolve as a desired *destination place*, where people would live, shop, work and dine.

Revitalizing efforts.....

In its efforts to revitalize this area, the City encouraged improvements through the use of Community Development Block Grants (CDBG), Urban Enterprise Zone (UEZ) and other grants. Sadly, these efforts brought in minor improvements such as sidewalk upgrades, street tree plantings, and few façade improvements; however, failed to attract any major investments in the area. Consequently, these improvements did not significantly improve the development patterns of this area. There are still untapped opportunities to transform this thoroughfare into a destination place offering uses that cater to the needs of a diverse population, attract investments through new development, beautify surrounding civic areas and make better use of the underutilized space within the area.

Redevelopment with condemnation.....

The State of New Jersey has enacted a series of laws to enable municipalities and redevelopment entities to be the catalyst in redeveloping or rehabilitating properties. The flagship of these laws, the New Jersey Housing and Redevelopment Law. (NJSA 40A:12A-1 et seq.), that allows municipalities to designate an area in need of redevelopment, so as to reverse the process of stagnation and depreciation.

impacted the property values and created a sense of disinvestment along the Main Street corridor. It takes a single dilapidated or poorly maintained property to negatively impact the surroundings, placing a stigma on a whole area and causing suppression of real estate prices and stagnation of the tax base. Commercial and retail properties experience depreciation as time goes by, especially when necessary capital investments are not made to prevent the property from deteriorating. Vacancies and vacant buildings bring about further decline in property values and a general reduction in commerce. When properties deteriorate to such level, they become blighted and harm the businesses of the entire area, causing property values to diminish even further. When properties stagnate, or the visual appearance or condition of properties is detrimental to the general public and the economic base of the City, positive action is necessary.

Transit Village designation.....

Considering its proximity to the Orange and Brick Church train stations, Main Street is still very much an asset to the City. In 2009, the City of Orange was designated a Transit Village by the New Jersey Department of Transportation (NJDOT) and New Jersey Transit (NJ Transit). The Transit Village Initiative creates incentives for municipalities to redevelop or revitalize the areas around transit stations using design standards of transit-oriented development (TOD). In order to take advantage of this initiative and in efforts to revitalize and revive the Main Street area, stimulate appropriate development within walking distance of the train station, to encourage mixed-use, and create a transit-supportive, pedestrian-friendly area the City created a Transit Village Overlay (TVO) District. The Transit Village Overlay District functions as an overlay to any other zoning or redevelopment plans covering this geographic area. The intent of the District was to encourage mixed-use, transit-supportive development - with a significant residential component - within walking distance of Orange Station. This effort has been successful in attracting few investments but, has not been able to spur significant growth and economic activity.



Redevelopment Planning is a tool that enhances the economic climate of challenged communities supporting development within the downtown/redevelopment areas. The City currently has five redevelopment areas in effect – Central Orange, Central Valley, Vose Avenue, Reock Street and Mt. Vernon Avenue. Due to changing economies and market conditions, the Central Orange Redevelopment Plan (CORA), which also lies within the TVO has been revisited several times since its adoption, with the most recent amendment occurring in September 2017. Recent developments that occurred within the vicinity of Orange station area (also within the CORA) have prompted the City to reevaluate the existing Transit Village Overlay standards and undertaking redevelopment initiatives that will provide a stimulus for growth and economic development within the Plan Area. The Plan area is ripe for redevelopment due to its location and its proximity to two train stations: Orange Train Station lies less than a quarter mile from Main Street and Brick Church Train Stations is less than a quarter mile from the eastern portion of the Plan area.

The TVO District however, does not include the eastern portion of Main Street, which is less than quarter mile from Brick Church Station in East Orange. Although the TVO District has been successful in attracting development, there is still a significant untapped potential in the area to attract and absorb additional office and retail space and residential development that will together add vitality to the corridor and spur economic growth. Additionally, the area offers numerous opportunities to enhance and beautify areas surrounding the civic area. The 'area in need of redevelopment and rehabilitation' designation will provide the necessary catalyst for capital investment to flow into stagnate properties within Main Street Plan Area.

Condemnation – also referred to as “Eminent Domain” – is the power of local, state or federal government agencies to take private property for public use provided the owner is paid just compensation. The New Jersey Constitution specifies that redevelopment is a public purpose for which private property can be acquired. Sometimes, private corporations such as oil and gas companies, railroads or redevelopment authorities

may be granted eminent domain power to construct projects providing a benefit to the public. This Plan intends to use condemnation or eminent domain to serve public purpose by bringing about economic growth and development within the Plan Area. This Plan intends to use condemnation or eminent domain for benefit of the residents (public use) and bringing about economic growth and development. This Plan lists 37 properties that ***will or may be*** condemned. Condemnation is discussed in detail in Section 5 of this Plan. Eminent domain is used for a wide variety of “public purposes,” ranging from public utility services to public housing to roads and infrastructure. In *Kelo v. New London*, the Supreme Court approved eminent domain for a non-blighted neighborhood and determined that ***economic development was enough of a public purpose to justify the taking of private property and transferring that property to another private land owner. The U.S. Supreme Court set a buzz when it decided that economic development is a valid public purpose.***

Historically, this area has been a center of Orange’s commerce. Recent developments around the train station and the area’s proximity to transit, makes this segment of Main Street very attractive and ripe for redevelopment. With numerous not so successful efforts to revitalize the area and spur growth and economic development, and to address public concerns over economic development of Orange’s long lost commerce, the City initiated an area in need study. Subsequently, this area was designated as an ‘area in need of redevelopment and rehabilitation with condemnation.’ Condemnation is necessary for this area as the ***redevelopment with condemnation*** designation will benefit the entire population of Orange by attracting investments and providing a catalyst for development and redevelopment within the City’s historical and primary commercial corridor. This will in turn spur sustained economic growth for the entire City. The City and its residents would benefit from the new economic activity, design improvements, and increased ridership.

1.1 HISTORY

Main Street was built in the late 1600's and served as a main connection between the City of Orange and Newark and New York City. The majority of the development within the City centered around Main Street. During early settlement, the areas surrounding Main Street contained industries such as leather-tanning and hat-making clustered along Parrow Brook. Historic pictures illustrate Main Street with colonial style homes and shops stretched along the corridor with commercial activity concentrated between Scotland Road and South Main Street.

In 1867, Main street suffered from several damaging fires which caused the removal of two and three story brick buildings which were built during the founding of the City. This led the City to form a fire department and adopt ordinances that required brick or masonry buildings for factories and the business district. In 1929, the First Presbyterian Church and Music Hall were destroyed in a fire. The Adelphia Hotel was also damaged from a fire in 1934. As an effect of industrialization, the Windsor Hotel and the North Orange Baptist Church were demolished. Most recently, the City demolished the famed Hillyer House, which was previously a physician's office, then transitioned to apartments and storage use. Today, the site is home to a laundromat.

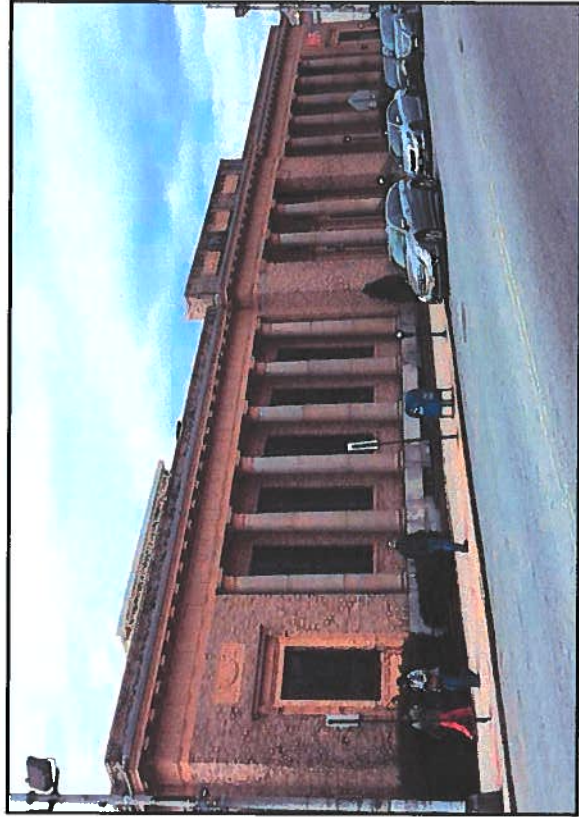
As a result of damaging fires and industrialization, the City had to demolish other structures within the area. Subsequently, Main Street contained a number of empty spaces, many of which were speckled between Scotland Street and Park Avenue. Soon, those empty spaces were filled in with new two-story cement commercial buildings for offices and retail, but the need for office space drastically declined after World War II. The City was again forced to demolish structures along the corridor, this time replacing them with single-story retail as infill. Today, the vacancies continue to prevail, which significantly impacts economic growth in the area.



424 Main St., Georgian Revival style First Presbyterian Church



439 Main St., Metcalf Building



384 Main St., U.S. Post Office



342 Main St., Orange Public Library

2.1 PLANNING AREA BOUNDARY

According to the 2010 U.S. Census, the Plan area is comprised of census tract 18400, blocks 1010, 1011; tract 18600, blocks 2000, 2002, 2003, 1007, 1006, 1005, 1002; and tract 18300, blocks 3002, 3001, 3006, 2002, 2007, 2006, 2005; which has a combined population of 2,207 people. The Plan area is located in the central portion of the City and occupies an area of approximately 66.8 acres.

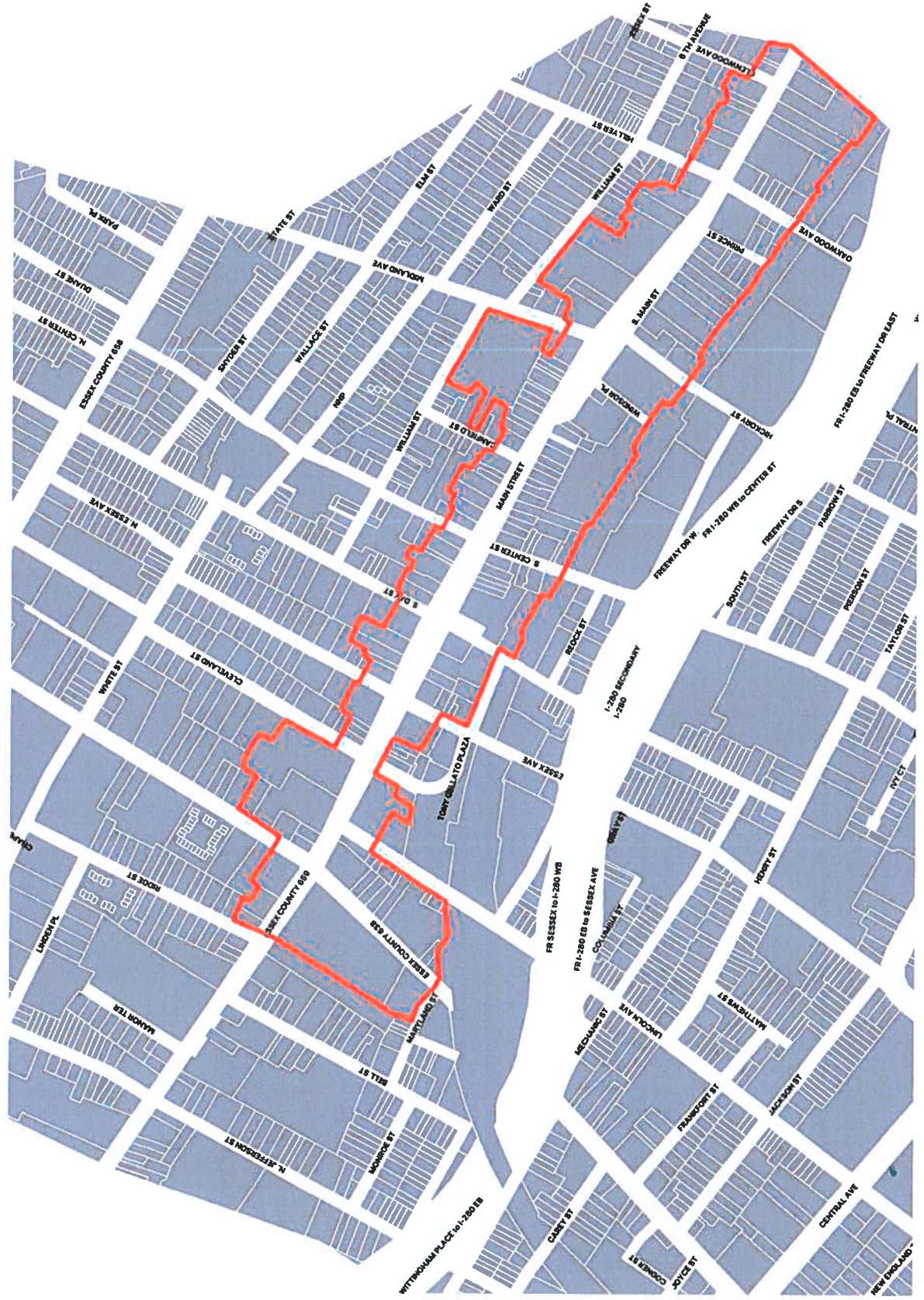
The Redevelopment Plan area contains 152 parcels. The Plan Area boundaries include the north and south sides of Main Street, Scotland Road and Ridge Street (West) and the East Orange/Orange borderline (East) (Refer to boundary map). The Plan area's 152 parcels are illustrated in tax maps 17-31. Table 1 includes a list of all properties within the Plan area. Map 2 on the next page includes the redevelopment area boundary.

The City of Orange Township consists of a total area of 2.2 square miles and is located in northeastern New Jersey in the center of Essex County approximately 15.6 miles from New York City. Seven (7) municipalities border Orange: East Orange to the east; Glen Ridge to the north; Montclair to the northwest; West Orange to the west; and South Orange to the south. The study area is readily accessible from New Jersey State 280, and Freeway Drive (East and West). Orange Train Station is less than a quarter mile from the western portion of the Plan area. The Brick Church Train Station is also less than a quarter mile from the eastern portion of the study area. The Gladstone Branch and Morris Essex lines serve both train stations. Additionally, the Plan area is served via NJ Transit bus lines 21, 41, 71, 73, 79, 92.

TABLE 1: LIST OF PROPERTIES

Block	Lots
2603	1-15
2704	3
2602	16,18
2705	8
2801	1-9
2802	1-11
2902	1-22
2903	1
3002	1-14
3003	1-7
3104	1-11
1704	1, 6, 7
1701	1, 14-18
1801	1, 7, 8, 22-25
1902	1, 4, 12-23
1901	1, 18-23
2004	1, 13-17
2001	1, 39-42
2102	1, 32-34
2101	1-4, 28
2201	1, 25, 26





2.2 EXISTING LAND USE

Main Street is a commercial corridor with a development pattern that is primarily commercial or mixed-use (i.e. commercial/residential), and includes several governmental and institutional uses. More specifically, the 152 parcel area is divided into the following land use categories: Eighty-four (84) commercial, twenty-four (24) mixed-use, nine (9) vacant lots, one (1) public use, three (3) parking lots, one (1) industrial property, four (4) religious institutions/churches, seven (7) institutional, and nineteen (19) residential properties.

2.3 EXISTING ZONING

The zoning of an area indicates uses that are permitted on a particular property. The ordinance includes maximum and/or minimum bulk standards that define the requisite building height, lot coverage, setbacks, density, parking requirements, etc. of a parcel. The zoning ordinance also sets forth standards regarding site design such as lighting, landscaping and architectural requirements. Orange is currently zoned into twelve (12) separate districts. The Plan Area is located in the following districts: Transit Village Overlay (TVO); Light Manufacturing (CD); One, Two, and More Residential (A-2); Neighborhood Commercial and Residence (C-1A); and Apartment (B-2). However, according to the Local Housing and Redevelopment Law, the zoning and design standards in this Plan shall supersede the City's current Land use ordinance, procedures, site plan review regulations and zoning ordinance where applicable. Where not mentioned in the redevelopment plan, City's current land use ordinance shall supersede.

Pursuant to the 2018 Master Plan recommendations and the various concerns and suggestions made by the City residents during numerous visioning sessions, which are discussed in detail in Section 2.5 of this Plan, the City Council authorized an area investigation study for the Main Street Area. The area was then designated as 'An area in need of redevelopment and rehabilitation with condemnation' by the Council at a public hearing. Subsequently, the Planning Board authorized preparation of the Main Street Redevelopment Plan, which serves as foundation

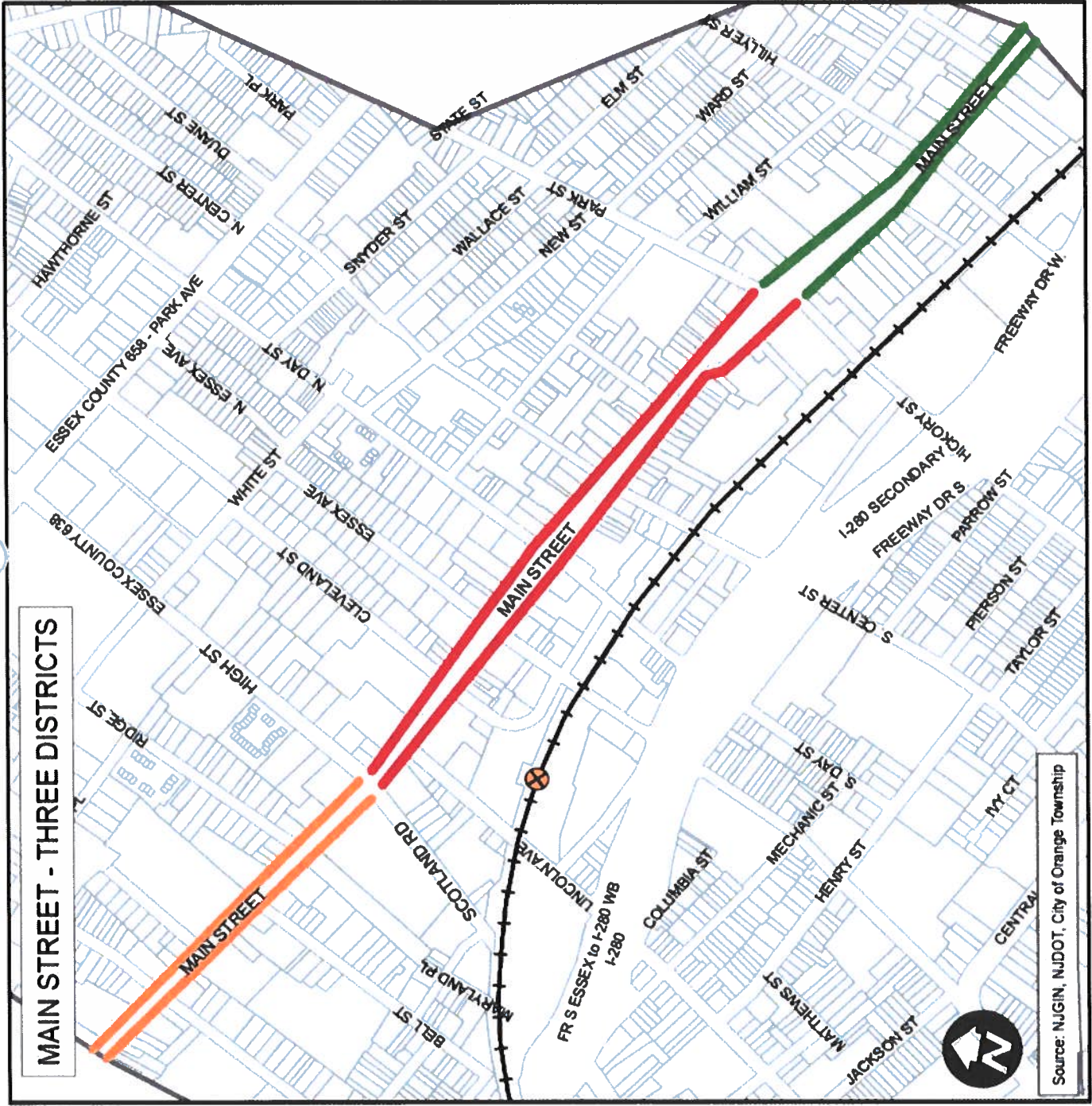
for new regulations and design standards. As mentioned earlier the Main Street Redevelopment Plan regulations and design standards will supersede the existing zoning. The plan will also respect and continue to maintain several of the underlying standards that currently exist in the zone, including the Transit Village Overlay District and Historic Overlay District boundaries and regulations.

2.4 MAIN STREET SEGMENTS

Main Street is divided into three distinct segments. Each segment has its own unique characteristics and identity and is discussed in the text below. Refer to Map 3 on the next page for boundaries. The plan intends to respect the existing character and development patterns along Main Street.

- The westernmost area extends from the West Orange municipal border to Scotland Road/High Street. This segment is characterized by several automotive establishments, larger scale retail, fast food restaurants and low-rise multifamily residences. The major anchor within this segment is the shopping plaza at 555 Main Street, on the West Orange border. This Redevelopment Plan Area boundary is however, limited to Ridge Street on the north side of Main Street and house of worship property to the west side of Scotland Street.
- East of this area is the segment which extends eastward from Scotland Road/High Street to Park Street/Hickory Street. This portion of Main Street also houses three civic buildings, including the Orange Public Library, the U.S. Post Office and Orange City Hall (not included in the Redevelopment Area). This area of Main Street also encompasses Orange's Transit Village. The Orange train station is within a block of the thoroughfare. This corridor is characterized by a mix of retail and commercial uses, including several mixed-use structures, with ground floor retail/commercial and residential or offices above. The upper floor space in many of these buildings, however remain vacant or underutilized. The development pattern is largely pedestrian scale with numerous stores of varied sizes, and other personal service establishments. The right of way in this area of Main Street also widens, with angled parking available on both sides.
- The third and final segment of Main Street extends from Park Street/Hickory Street eastward to the East Orange municipal border. This area is characterized by a mix of residential, commercial, light industrial and institutional uses. Businesses include an automobile scrap yard and a truck repair and storage facility.

This Redevelopment Plan will further define these segments by creating three (3) sub-districts. The new bulk and general regulations for each sub-district are crafted keeping in mind the overall characteristics of each segment and the principles of Transit Oriented Development; they are enumerated in Section 5.1 Land Use Plan of this redevelopment plan. Furthermore, the design standards in Section 5.3 of this plan will respect the general Historic Overlay District standards.



2.5 AREA ISSUES

The Main Street corridor once served as a major connection between Newark and New York City and catered to the needs of the City's residents and the neighboring municipalities. With decline in industrial activity and the decreased demand for office space in the mid-1900s and the advent of internet in the late 1900s, the subtleties of retail streetscape along this primary corridor changed. Main Street, now mostly contains a plethora of Grade B retail/commercial uses that fail to cater to the needs of Orange's diverse population. Additionally, the decline of office spaces has generated numerous vacant spaces and buildings that are completely underutilized. These vacant spaces and buildings are not well marketed or displayed in such a way that attracts a more affluent population or entrepreneurs who would be interested in investing, shopping or working on Main Street. While the infrastructure is intact, the quality of retail and commercial uses, physical appearance of buildings and lack of maintenance has created a sense of disinvestment in the downtown corridor. The upper floor space in many of these buildings now remains vacant or underutilized. The issue was first identified in the 2006 Master Plan and recommendations were made to encourage occupancy of these spaces; however, there has been no change in the past 10 years. Although the Plan area is an Urban Enterprise Zone (UEZ) and lies within the TVO District, the condition of the buildings, siting, an array of Grade B retail uses and level of consumer experience creates a challenge in attracting needed investment that could revive the once bustling downtown area.

The City recently adopted the 2018 Master Plan on November 28, 2018. As part of the visioning efforts for the 2018 Master Plan, several public meetings, including one for each ward were conducted between April and May 2017. Residents voiced their opinion on various challenges faced by the City, more specifically by Main Street, continued decline in economic activity impacts the overall growth of Orange. These challenges have also been identified by the City's Planning Division, supporting consultants, local businesses and residents. The residents also made significant recommendations that could potentially bring back Main Street to its original limelight and spur economic growth along the corridor. The 2018 Master Plan includes numerous issues prevalent along the Main Street

corridor as pointed by the residents and analyzed by the professionals; it enumerates several recommendations for this area, one of which being the designation of this area as 'an area in need of redevelopment and rehabilitation'. The designation is intended to spur growth and economic development within the area by attracting newer investments. Subsequently, on August 2, 2017; April 2, 2018; August 6, 2018; and August 22, 2018, City Council issued a resolutions authorizing the Planning Board to undertake an area investigation for the Main Street area. In an effort to revitalize and redevelop the district, an area investigation was initiated. Several site visits to the area and the surrounding neighborhoods were conducted in order to observe the existing conditions of the area. A photo survey of the study area was completed in order to illustrate and inventory the structural/physical issues of the study area. The study identified the critical issues that satisfied criteria to deem the district as an area in need of redevelopment and are discussed below:

- **Concentration of commercial/retail uses that does not serve a diverse population**
- **High volume of vacant spaces and buildings**
- **Underutilization of properties within the TVO**
- **Limited housing options**
- **Lack of public/open spaces**
- **Structural renovation required**
- **Severe shortage of parking**
- **Lack of destination places**

Concentration of commercial/retail uses that does not serve a diverse population

The existing retail within downtown Main Street is well patron; however, it does not reflect the needs of the diverse population in the City. Instead, there is an overabundance of Grade B retail and vacant spaces which are not well marketed or displayed to attract more affluent population or entrepreneurs to invest, shop or work on Main Street.



Underutilization and Vacancy

In the early to mid-1900s, new two story commercial buildings were built for office space as many prominent landmarks were lost, due to several damaging fires. Post World War II, demand for office space declined, which resulted in replacement of demolished buildings with single story retail shops as infill. In some instances, older industrial uses have become defunct and have transitioned to less intensive commercial uses. The area is challenged with issues related to vacancy and contains at least ten (10) vacant properties. Upper floors of many of the mixed-use buildings are currently vacant and not included in the list of vacant properties. In spite of the area being in close proximity to two train stations, there is significant amount of untapped office space within the area and many properties still remain significantly underutilized.



Limited housing options

Although the Plan area lies in close proximity to two train stations, the area offers limited housing options. Recently developed projects near the train station have added to the housing stock; however, additional high-density developments would be needed to support the existing and new commercial activity within the Plan area.



Lack of destination places

Main Street lacks an assortment of retail uses that cater to a diverse population. It also is devoid of experienced super-markets, novelty stores and high-end shopping centers that will draw more people to the downtown.



Lack of public/open spaces

The Plan area boasts numerous landmarks but, the area surrounding these buildings lack open/civic spaces that are an extension of the community. These spaces, when designed well, serve as a stage for our public lives. These spaces can be a setting where celebrations are held, where social and economic exchanges take place, where friends run into each other, and where cultures mix.

Buildings in need of Restoration

The area contains numerous buildings that display historic characteristics which are reminiscent of the architecture of the early 1900s. A majority of these buildings are not maintained properly and are in need of restoration. The physical appearance of these buildings; therefore, creates a sense of disinvestment in the area.



Severe shortage of parking

The designated Plan area contains on-street parking, metered parking on City-owned parcels and private parking lots; however, the parking supply within the area is highly insufficient and often leads to shortage of parking in the area. The lack of parking continues to be a significant issue in this area, with many of the existing properties not having off-street parking.

On-street parking is available in the central segment of the Redevelopment area. While it alleviates the parking situation, it creates a less welcoming environment for pedestrians, as the wide roadway poses a potential safety hazard. Significant improvements and alterations are needed in this area, to bolster the economic activity and create a more pedestrian-friendly environment.



3.1 PURPOSE

This Plan is prepared in response to the various recommendations made in the 2018 Master Plan. It concedes the numerous concerns and recommendations made for Main Street and the economic development of Orange by City's residents during the visioning session held for the 2018 Master Plan. This Plan is consistent with the Master Plan recommendation to create a Main Street redevelopment area to address the issues discussed in the previous sections of this Plan.

The primary goal of the Plan is to create a transit-oriented development on either sides of Main Street that encourages development and spurs economic growth while serving as a 24/7 "living" district where people choose to live, work and play. The Plan is based on leveraging the area assets to create a successful transit-oriented development district that will set a precedent for smart growth development, while also being consistent with the State Planning Act. The Redevelopment Plan's main goals are consistent with the State Development and Redevelopment Plan (SDRP) and adhere to the general TODD framework evidenced in NJ TRANSIT's Transit-Friendly Land Use publication.

This Plan acknowledges the area's benefits in being served by two train stations and recognizes that any development between the two stations should be based on transit-oriented development design standards. The Plan serves as a guide for future development and redevelopment within the designated Plan Area and is targeted at creating a compact and concentrated, vibrant, pedestrian-friendly, high-density, mixed-use development within walking distance of the train station and/or public transportation. The Plan intends to achieve this vision by allowing an assortment of uses that cater to a diverse community, encouraging best practices in creative place making, offering higher densities that support commerce and greater flexibility in building and street design, all of which are consistent with a transit-oriented development. The proposed uses are intended to reestablish this corridor and create an attractive downtown for Orange and a destination place for people to work, shop and dine. This in turn will boost economic activity and create new employment

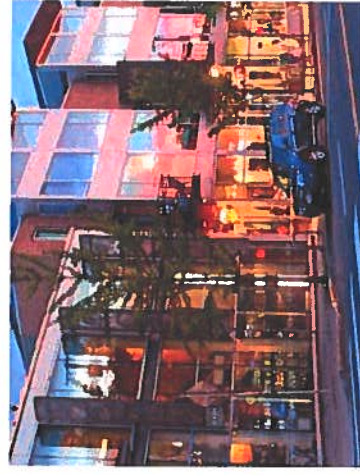
opportunities along the City's once busy and most desired commercial corridors. The Plan includes a framework for design standards and statutory guidelines that will not only enhance and revitalize the area but, will also maintain the historic characteristics of the corridor.

3.2 GOALS AND OBJECTIVES



Promote Transit-Oriented Development and Activity.

- Leverage the City's assets to optimize transit-oriented development and increase pedestrian activity and circulation within and into the area.
- Create compact, concentrated development with sufficient density to support transit ridership located within easy walking distance of transit stops.
- Increase the area's residential population by providing an array of housing types and amenities.
- Increase market rate housing stock.
- Reduce parking requirements to ensure use of public transport.



Incentivize and spur economic growth.

- Contribute to job creation, for the residents.
- Develop a new retail shopping destination.
- Encourage a vibrant, attractive, convenient and varied shopping experience, which is a key part of successful economic development
- Attract office and retail uses.
- Encourage public amenities such as art galleries, exhibitions and meeting facilities.



Promote Main Street as a 'destination place'.

- Improve existing area while creating new destinations and neighborhood anchors.
- Enrich the area's retail activities by ensuring that they cater to an economically and culturally diverse population.
- Increase the diversity of stores and allow upscale and experience-based supermarkets and retail stores.
- Drastically improve the shopping experience along Main Street through fine dining restaurants, upscale clothing stores, novelty stores, public art, and other experiences.



Better leverage the area's proximity to the Brick Church train station, located just across the municipal border.

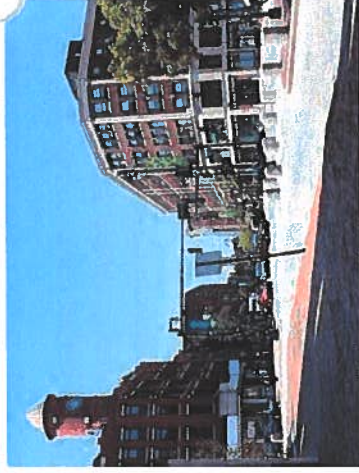
- Encourage and attract uses that are compatible with the general characteristics of a TOD in this section of the Plan area.
- Create a mixed-use, high density development in the Park Avenue-Orange/East Orange boundary portion of Main Street to better support retail and commercial activity within the corridor and take advantage of its proximity to Brick Church Station.
- Reduce parking requirements to ensure use of public transit by
- Reduce auto-dependency by encouraging people to walk and use public transit.





Promote occupancy of the vacant and underutilized space above the ground floor commercial.

- Make every effort to eliminate second floor vacant spaces by allowing office use.
- Encourage mixed-use developments with offices and residences above ground floor retail stores.



Increase sustainability.

- Maximize opportunities to better leverage transit assets by promoting transit use and planning around transit.
- Promote increased density around transit and other appropriate areas.
- Encourage walking, biking, bus travel, and commuter rail selection.
- Support a walkable corridor through pedestrian-oriented streetscapes and investments in the public realm.
- Reduce the heat island effect through street trees, vegetated corridors, and intensive & extensive green decks and roofs.
- Encourage use and reuse of energy efficient materials.
- Add streetscape standards.



Increase the presence of arts and public entertainment.

- Encourage best practices in creative place making.
- Create public spaces that can be used for exhibiting cultural arts around civic buildings.
- Create public spaces that are adaptable and serve multiple functions.



Preserve and protect the historic characteristics of existing buildings along Main Street.

- Maintain the historic characteristics of the corridor.
- Encourage additions and/or new construction to be compatible to the historic character of the character.

3.3 COMPATIBILITY WITH STATE AND LOCAL PLANS

The subject Redevelopment Plan is consistent with the City of Orange's 2018 Master Plan, Heart of Orange Neighborhood Plan and Central Orange Redevelopment Plan. The Plan is also consistent with the basic principles of Smart Growth.

2018 Master Plan

The City recently adopted its 2018 Master Plan. This Redevelopment Plan intends to meet the community's goals and objectives as articulated in the City's Master Plan. The Master Plan included several recommendations related to the Main Street Redevelopment Area and are enumerated in the text below.

- *A redevelopment plan should be developed for Main Street that incorporates the area between Ridge Street on the west and the East Orange municipal border to the east. The redevelopment area should extend to the NJ Transit right-of-way to the south and extend one block to the north of Main Street. This will effectively incorporate most of the area into the Transit Village Overlay District.*
- *The recent and proposed development in and around the Orange Train Station will significantly increase the residential population in the area. The permitted uses in the district should be revisited to permit commercial and service uses that support the increased residential composition of the area.*
- *The area around the Orange Train Station that is included in the designated Transit Village should be targeted for further development which will be consistent with the overlay zoning of the district. This includes increased mixed-use and transit supportive development at greater density within the district.*
- *To support economic, professional and residential uses in the downtown area, the existing surface parking lot located between Center and Hickory Streets, adjacent to the NJ Transit right-of-way should be replaced by structured parking which will allow for increased parking capacity.*

The above-mentioned recommendations serve as foundation for new regulations and design standards and area set forth in this Plan. As mentioned earlier these standards will supersede the existing zoning. The plan will also respect and continue to maintain several of the underlying standards that currently exist in the zone, including the Transit Village Overlay District and Historic Overlay District boundaries and regulations.

Vision and Goals, Land Use Plan

- *Increase the presence of arts and public entertainment in the City, especially on and around Main Street.*
- *Increase the diversity of stores in the City, and attract more upscale and experience-based supermarkets such as Trader Joe's or Whole Foods.*
- *Make Main Street more of a destination for a wider variety of residents through fine dining restaurants, upscale clothing stores, public art, and other experiences that make Main Street more fun and interesting.*

Issues and Opportunities

Incentivize the use of unused upper floors of buildings along Main Street for residential and or office uses. Many of the upper floors of these buildings are now used as storage.

A redevelopment plan should be developed for Main Street that incorporates the area between Ridge Street on the west and the East Orange municipal border to the east. The redevelopment area should extend to the NJ Transit right-of-way to the south and extend one block to the north of Main Street. This will effectively incorporate most of the area into the Transit Village Overlay District.

The recent and proposed development in and around the Orange Train Station will significantly increase the residential population in the area. The permitted uses in the district should be revisited to permit commercial and service uses that support the increased residential composition of the area. The area around the Orange Train Station that is included in the designated Transit Village should be targeted for further development which will be

Central Orange Redevelopment Plan

The Central Orange Redevelopment Plan was initially adopted in 2003 and amended most recently in 2017. The Orange City Council passed a resolution authorizing the Planning Board to amend the redevelopment areas due to changes in the real estate market and incorporate changes in its land use policies. A part of this redevelopment area's boundary is located on Main Street, more specifically the Transit Village Center (TVC) sub-district. The TVC is in keeping with the transitional concept of a high density, transit village development advocated in the Plan Master Plan and the New Jersey Department of Transportation's Transit Village Program. The designation of the Main Street study area would help spur development in the Central Orange Redevelopment Area and the subject Plan Area.

URBAN ENTERPRISE ZONE, OPPORTUNITY ZONES & SMART GROWTH CLASSIFICATION

UEZ Classification

The study area is located within one of 32 designated Urban Enterprise Zones (UEZ) in the state of New Jersey. (Business located within a UEZ are provided benefits such as reduced sales tax, tax free purchases on certain items such as capital equipment, facility expansions, upgrades and certain personal property, financial assistance from agencies such as NJEDA, subsidized unemployment insurance costs for certain employees, energy sales tax exemption, and tax options. Tax options consist of up to \$1,500 for new permanent full-time employee hired or up to 8% corporate business tax credits on qualified investments.)

Opportunity Zones

The Opportunity Zones program is designated to drive long-term capital into low income rural and urban communities. The federal program provides opportunities for private investors to support investments in distressed communities through participation in Qualified Opportunity Funds. Eligible Opportunity Zones are low income census tracts with a



consistent with the overlay zoning of the district. This includes increased mixed-use and transit supportive development at greater density within the district.

To support economic, professional and residential uses in the downtown area, the existing surface parking lot located between Center and Hickory Streets, adjacent to the NJ Transit right-of-way should be replaced by structured parking which will allow for increased parking capacity.

Heart of Orange Neighborhood Plan

The 2009 Heart of Orange Neighborhood Plan documented the assets and challenges for the central Orange neighborhood and provided an assessment of recommendations on how to revitalize the study area. The boundary for the neighborhood was Main Street to the North, Scotland Road to the West, Central Avenue to the South and Oakwood Avenue to the East. The Plan identifies Main Street as the historic center of the City. One of the findings highlighted in the Plan was that Main Street commercial corridor was frequented by the residents north of Orange, who are in walking distances of its stores; while the residents from the southern section of Orange branch out to the more affluent neighboring municipalities. The Plan proposed twenty-one projects in key areas that stabilized and revitalize the study area.

The vision for the Plan is to create a distinctive and vital urban center that has diverse housing and job opportunities, support mass transit-oriented development and maintains safe pedestrian linkages amount the City's natural, architectural economic resources.

The Plan's Outcome and Specific Activities:

1. Develop City Island: Change the image of Orange. Establish "gate ways" at each end of Main Street, Tony Galento Plaza and Central Avenue.
2. Stabilize and revitalize the Heart of Orange: Return properties to use restore historic properties and institutions, including YWCA and the Public Library.
3. Expand economic activity: Enhance the use of undeveloped commercial spaces and restore commercial properties.

poverty rate of 20 percent of a median family income up to 80 percent of the state's eligible low-income census tracts as Opportunity Zones. There are 169 tracts that were approved by the US Department of Treasury for the State of New Jersey.

Smart Growth Area Classification

Smart Growth commonly refers to growth that serves the environment, the economy, and the community equally. It attempts to concentrate development into already-existing communities when possible. Additionally, it addresses the inherent interconnections between environmental protection, social equity, public health, and economic sustainability. Selected areas throughout the State of New Jersey are designated as Smart Growth Areas. They are designated by the Department of State, Office for Planning Advocacy, from spatial data relating to the NJ State Development and Redevelopment plan, and several other master plans. The City of Orange is located in the smart growth boundary for a Metropolitan Planning Area. This area includes a variety of municipalities that range from a large urban centers to 19th century towns shaped by commuter rail. The communities in the area have strong ties to major metropolitan centers- New York/Newark/Jersey City Metropolitan Region; the Philadelphia/Camden/Trenton Metropolitan Region; and on a smaller scale the Easton/Phillipsburg Metropolitan Region.

The following are the ten (10) accepted principles of Smart Growth:

- Mixed land uses;
- Take advantage of existing communities assets;
- Foster walkable neighborhoods;
- Create a range of housing opportunities and choices;
- Promote distinctive, attractive communities with a strong sense of place;
- Preserve open space, farmland and critical environmental area;
- Strengthen and encourage growth in existing communities;
- Provide a variety of transportation choices;

- Make development decisions predictable, fair, and cost effective; and,
- Encourage citizen and stakeholder participation in development decisions.

3.4 STATUTORY BASIS FOR THE PLAN

This Plan (the “Plan”) is prepared on the basis that the City Council designated the Main Street Redevelopment area as “An Area in Need of Redevelopment and Rehabilitation with Condemnation” pursuant to the New Jersey Local Housing and Redevelopment Law (LRHL) on December 18, 2018, Resolution number 359-2018. This determination was based on a finding that the entire area lies fully within the Urban Enterprise Zone and is consistent with the smart growth planning principles, two (2) properties in the area contain brownfields, four (4) properties are potential brownfield sites, ten (10) sites are vacant and significant amount of properties are underutilized or have vacancies.

The purpose of this plan is to guide future development and redevelopment within the plan area as well as set forth design standards and zoning guidelines that will enhance and revitalize this area. The regulatory and design standards in this plan shall supersede applicable provisions of the City's existing Transit Village Overlay for a portion of the area, Land Subdivision (site plan) Ordinance, and Zoning Ordinance as codified under Section 210, of the City's Ordinances as amended where applicable. Where plan is silent, Code shall be applicable.

4.1 LAND USE PLAN

This section describes the proposed land use plan and provides a framework to implement the City's vision for the Main Street Redevelopment Area. The subsequent zoning regulations lay the foundation and provide guidelines for any development that will occur in the area.

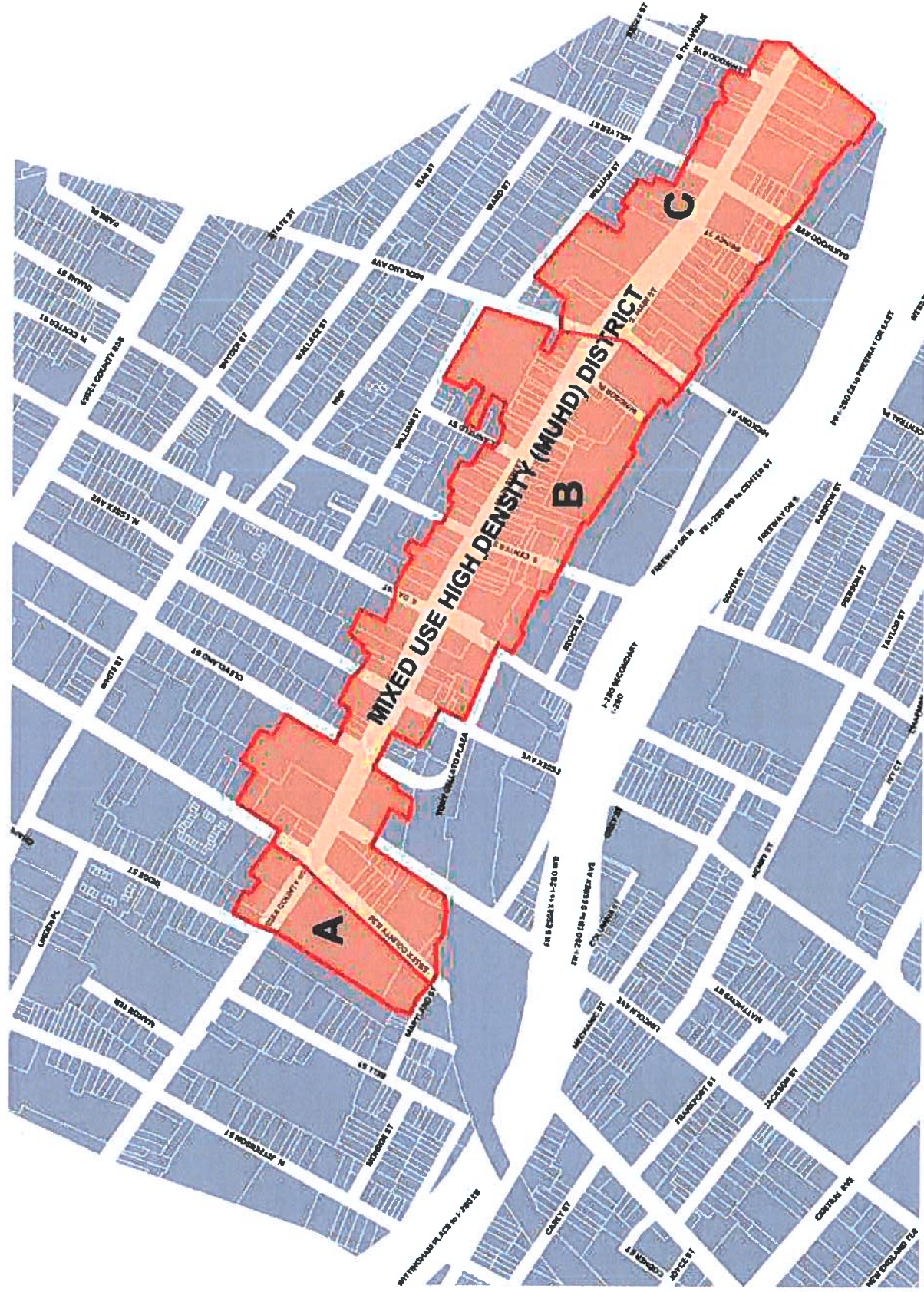
This Plan aims at fostering a vibrant, livable, sustainable development area by creating of a compact, concentrated, high-density, high-rise mixed-use community centered around easily accessible transit systems with walkable and pedestrian-oriented development patterns, while preserving the existing characteristic of the neighborhood especially to the east of Park Avenue/Hickory Street and the west of Scotland Avenue. The Land Use Plan creates a new area entitled 'Mixed-Use High Density (MUHD) District. The MUHD District area is further divided into three (3) sub-districts: Plan Area A, Plan Area B and Plan Area C. The sub-districts intend to further define the three segments of Main Street described in the earlier section of this Plan. The existing land use patterns within these three segments of Main Street are distinct. Each segment has its own unique characteristics when it comes to the type of uses offered within the area, the building configuration and the streetscape. The text below summarizes proposed land use pattern within each sub-districts of the MUHD District.

The Plan area lies fully within Transit Village Overlay District and also within the Main Street Historic District; and therefore, the Transit Village Overlay and Historic Overlay District standards apply in addition to the zone regulations enumerated below.

MIXED-USE HIGH DENSITY (MUHD) DISTRICT

It is the intent of this Plan to develop and redevelop the Plan Area along Main Street, through inclusion of mixed-use, high density, pedestrian-friendly, transit-oriented development that enhances and increases the exuberance of the entire corridor; recreates a downtown while taking advantage of the proximity to two train stations; creates a destination for

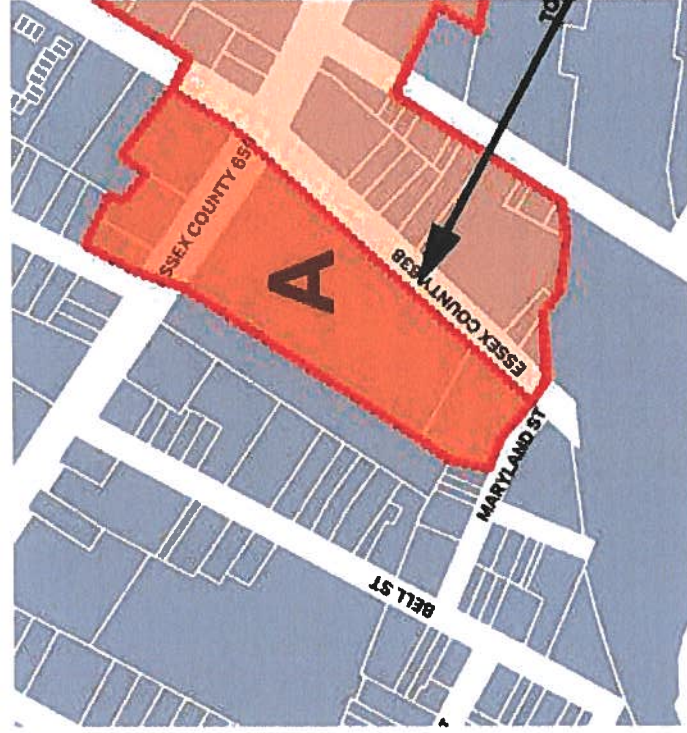
an economically and culturally diverse population; and provides new accessible and usable open space/plaza for residents. The Mixed-Use High Density District is divided into three (3) sub-districts: Plan Area A, Plan Area B and Plan Area C. (Refer to sub-district boundary map). Land use patterns in each sub-district are enumerated below:



4.2 DEVELOPMENT STANDARDS FOR SUB-DISTRICTS

PLAN AREA A

The boundaries of the Plan Area A include High Street to the east along the north side of Main Street and Scotland Road along the south side of Main Street and to the west, Ridge Street along the north side of Main Street and properties located to the west of Scotland Street along the south side of Main Street. Although the Plan Area A does not lie within the Transit Village Overlay, it lies within quarter mile radius of the Orange train station. This sub-district aims at revitalizing this segment of Main Street, better leveraging the area's proximity to the Orange train station and other public transport, and encouraging uses that make up for a successful transit-oriented development while, respecting the existing character of this segment of Main Street. Uses permitted in this area also acknowledge that the area contains some existing uses that are typical of a neighborhood commercial zone. The plan envisions a high-density, high-rise, mixed use development that contains an array of uses, including retail/commercial use on the ground floor and office and residential spaces above. The building setback and design standards are crafted keeping in mind the existing building configuration and development patterns.



PLAN AREA A

a) Bulk Table:

TABLE 2 Bulk Regulations for Plan Area A	
Minimum Lot Area	5,000 square feet
<i>Setbacks</i>	
Minimum front yard setback	0'
Maximum front yard setback along Main Street	5'
Maximum front yard setback along Scotland Street and High Street	15'
Minimum side yard setback	0'
Minimum rear yard setback	10'
Maximum building coverage	90%
Maximum impervious coverage	90%
Minimum Density	125 units/acre
Maximum Density	200 units/acre
Maximum Floor area ratio(FAR)	9
Maximum building height	105'
Minimum number of stories	5
Maximum number of stories	10
Minimum Open Space	25%

b) Permitted uses:

- High-rise, dwelling
- Mid-rise, dwelling with no less than 5 stories
- Mixed use buildings with retail on the ground floor and residential and office uses above; The following uses are permitted on the ground floor of a mixed-use building:
 - Retail sales and services;
 - Personal services
 - Restaurants and bars
 - Taverns
 - Child day care
 - Banks
 - Pharmacies
 - Entrance lobbies to residential or office uses
 - Sidewalk cafes
- Roof-top restaurants
- Offices, including business, professional, medical offices on the upper floors
- Bus stops/stations
- Health and fitness center
- Hotels with retail uses and sidewalk cafes on the ground floor
- Movie theaters
- Private or public structured parking garages
- House of worship
- Cemetery

c) Accessory Uses:

Health club, laundry, and other facilities associated with the residential uses, plazas, parking, including structured parking, and other uses customarily incidental to the principal use.

d) Permitted Conditional Uses:

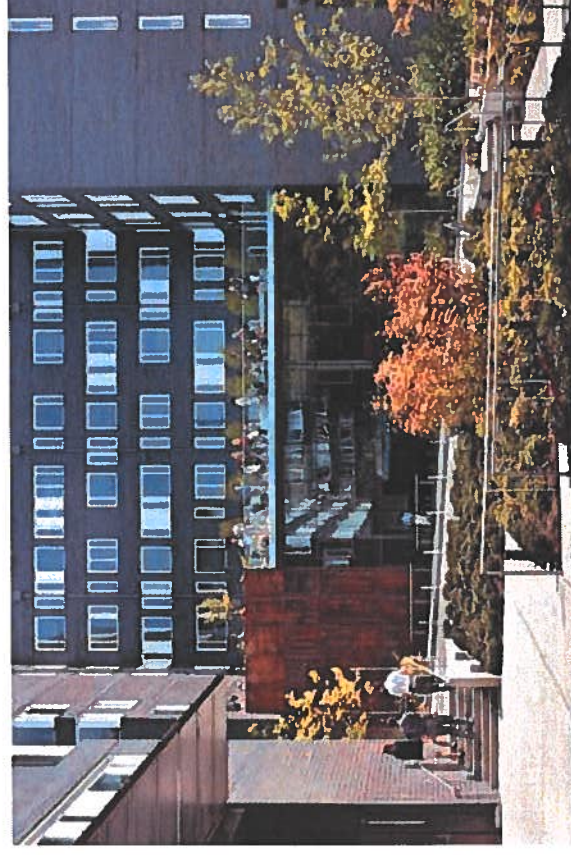
None

e) Regulations for Plan Area A

1. No single use shall be contained in a free-standing structures, except for houses of worship.
2. All buildings in this sub-district shall have a minimum setback of zero (0) feet and a maximum setback of five (5) feet along Main Street and fifteen (15) feet along Scotland Street and High Street.
3. The area between the front of a building and street right of way shall be carefully designed and may be used as open space or public space.
4. No more than two personal service uses shall be permitted within a block.
5. General regulations in Section 4.3 of this Plan apply to this sub-district.
6. Buildings may have setbacks at the fifth floor to break the mass of the building. Such setbacks shall create a large, open-air, usable terrace or roof deck for use by residents and shall be at least 20 feet deep.
7. No parking shall be permitted in the front yard except, when such parking is a part of a structured parking garage. Such parking shall be concealed by screenwall that is compatible with the design and architectural treatment of the principal building.
8. A minimum of twenty-five (25) percent of the total lot area shall used as open space. Such open space may be provided on any of the floors of the building or on the ground floor.
9. Green roofs are strongly encouraged in the area.



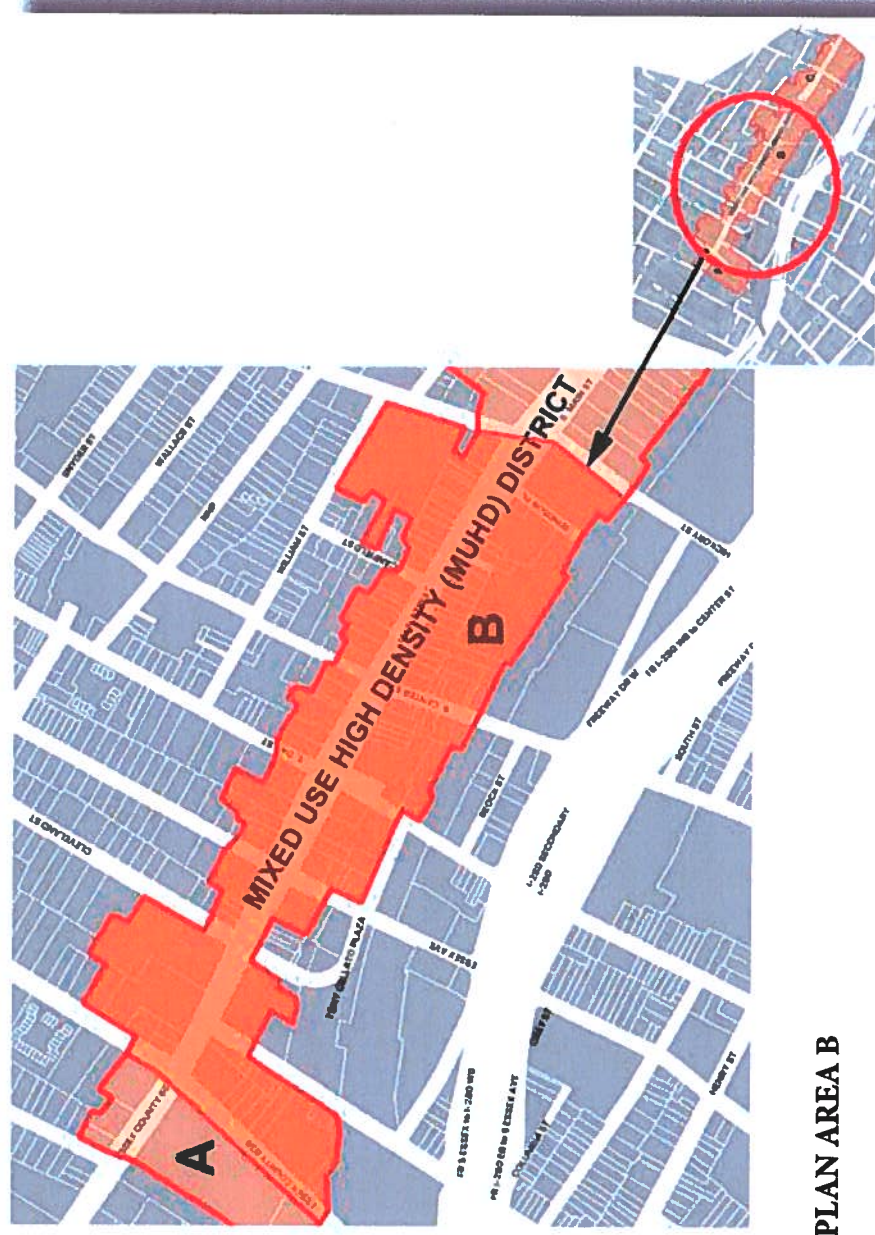
Usable upper floor terrace



Ground floor open/public space

PLAN AREA B

The boundaries of the Plan Area B, include Park Street to the east along the north side of Main Street, Hickory Street along the south side of Main Street and High Street to the west along the north side of Main Street and Scotland Road to the west long the south side of Main Street. This sub-district encompasses of Orange's Transit Village, which extends south from Main Street to the NJ Transit right-of-way. This sub-district forms the core of the entire Mixed-Use High Density District. The plan area aims at creating a *downtown main street*, a destination place, where people live, work, shop and dine. This plan area intends to address the needs of an economically and culturally diverse population. A few blocks populated by ethnically varied restaurants and experience-based super markets, stores etc., will serve as a major attraction to draw people to this area. These mix of uses will form an appealing district and have significant street presence with outdoor dining, sidewalk cafes and heavy pedestrian activity. The intent is to improve the overall shopping experience along the existing corridor. The permitted uses, bulk regulations and design standards call for tight spatial arrangement of buildings that have continuous building frontage along Main Street, containing high density, high-rise, mixed-use development patterns, which offers an assortment of retail uses.



PLAN AREA B

a) Bulk Table:

TABLE 3 Bulk Regulations for Plan Area B	
Minimum Lot Area	5,000 Square feet
Setbacks	
Minimum front yard setback	0'
Maximum front yard setback along Main Street and any side street	0'
Maximum front yard setback along South Main Street and any side street	0'
Minimum side yard setback	0'
Minimum rear yard setback from property line	25'
Maximum building coverage	95%
Maximum impervious coverage	95%
Minimum Density	125 units/acre
Maximum Density	200 units/acre
Maximum Floor Area Ratio (FAR)	9
Maximum building height	105'
Minimum number of stories	5'
Maximum number of stories	10'
Maximum open space	25%

b) Permitted uses:

- High-rise, high-density mixed use buildings with retail on the ground floor and residential and offices uses above;
The following uses are permitted on the ground floor of a mixed-use building:
 - Retail sales and services
 - Restaurants
 - Bars and grills
 - Taverns
 - Child day care
 - Entrance lobbies to residential and office uses
 - Sidewalk cafes
 - Experience-based supermarkets
- Roof-top restaurants
- Civic uses
- Institutional uses
- Professional, medical and business office on the upper floors
- Experienced-based super-markets and novelty stores
- Institutional uses
- Roof-top restaurants
- Private or public structured parking garages
- Train and Bus stops/stations or terminals
- Recreation Centers
- Health and fitness centers
- Hotels
- Art galleries and studios
- Outdoor uses on public or private property as follows:
 - Arts and crafts exhibits
 - Civic/public places and plazas

c) Accessory Uses:

Health club, laundry, and other facilities associated with the residential uses, plazas, parking, including structured parking, and other uses customarily incidental to the principal use.

d) Permitted Conditional Uses:

- Retail convenience with fueling service.
- House of worship

e) Regulations for Plan Area B

1. No stand-alone structures are permitted, except for civic and institutional buildings and conditional uses permitted within this sub-district.
2. New development shall form a continuous building frontage along Main Street. Any recess created by the design and architecture of a building shall be used as interactive public spaces and shall contain public amenities such as seating areas, tables, trash bins, bike racks etc.
3. Buildings in this sub-districts shall have a minimum and maximum setback of zero feet, except for, in case of conditional uses, institutional and civic uses permitted by this Plan. For setback requirement related to conditional uses refer Section 4.4 of the Plan.
4. Buildings may be setback at a maximum of 25 feet along South Main Street. For setback requirement related to conditional uses refer Section 4.4 of the Plan.

5. Recreation centers, departmental stores, experience-based supermarkets, may extended to the second floor of a building.

6. Building frontage along Main Street shall comprise of retail and commercial stores, experience-based supermarkets, restaurants, taverns, bars, sidewalk cafes, etc. along the ground floor.

7. A minimum of seventy-five (75) percent of the street frontage along High Street, Scotland Avenue, Lincoln Avenue and Essex Avenue shall contain non-residential uses on the ground floor, including retail and commercial uses, and fitness center, club house, and other amenities customarily incidental to the residential or office uses above.

8. Civic and institutional buildings shall have a minimum front yard setback of 10 feet and a maximum setback of thirty (30) feet. Open space created due to the setback shall be used for creating attractive public spaces.

9. Drive-thru facilities used in conjunction with a financial institutions and fast food restaurants are not permitted within this area.

10. No driveways are permitted along Main Street, except for driveway entrance to structured parking garages and any conditional uses permitted within this sub-district. Driveway entrances shall be limited to side street only.

11. General regulations in Section 4.3 of this Plan apply to this sub-district.

12. A minimum of twenty-five (25) percent of the total lot area shall used as open space. Such open space may be provided on any of the floors of the building provided it faces the side street.

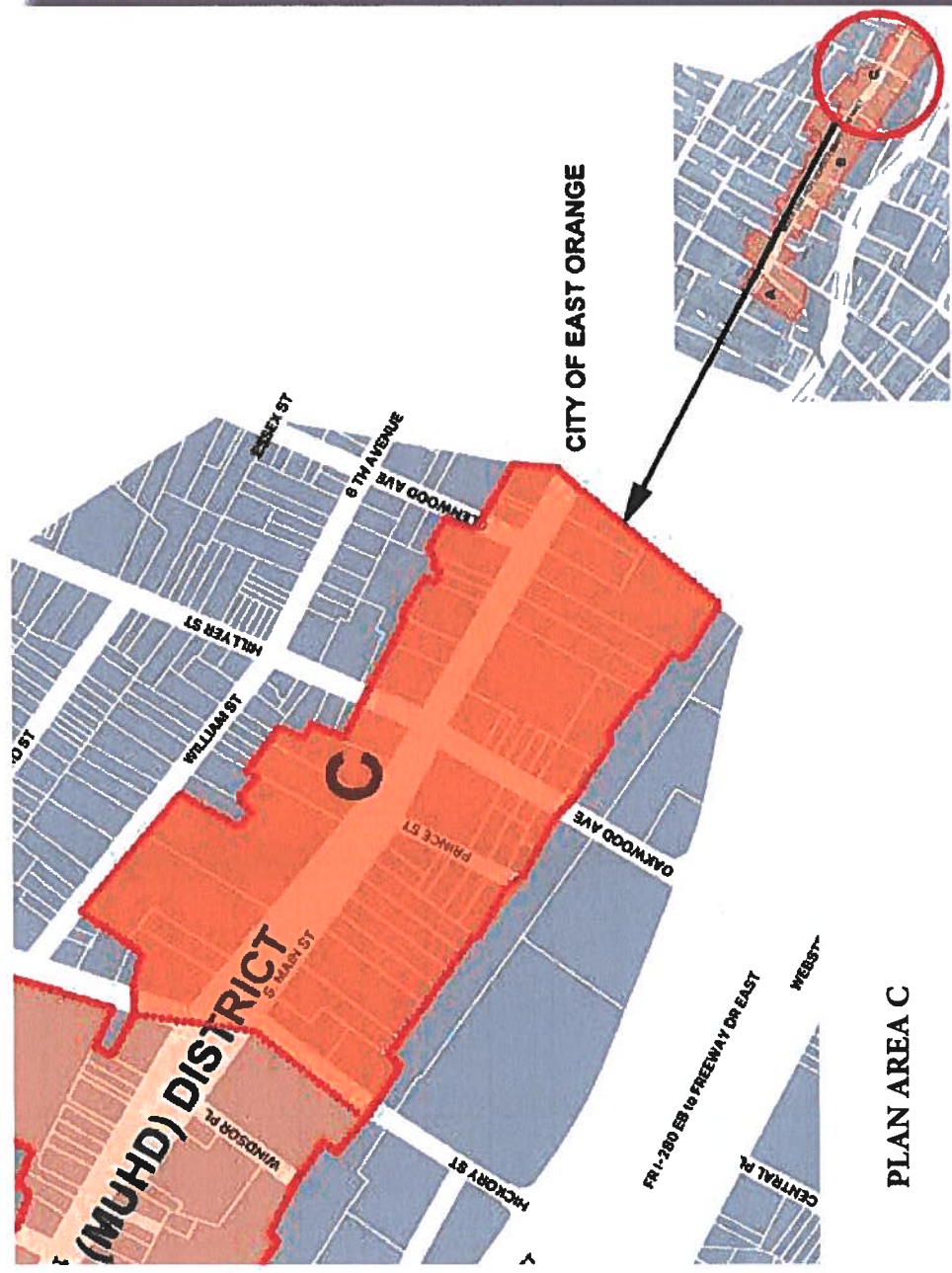
13. For buildings on corner lots, primary facade shall be on Main Street. If a mixed use building is on a corner lot the retail/storefront shall front on Main Street.



Experience-based supermarket

PLAN AREA C

The boundaries of the Plan Area C include Park Street to the west along the north side of Main Street, Hickory Street along the south side of Main Street and the East Orange/Orange municipal boundary to the east. The Plan Area C aims at better leveraging the area's proximity to Brick Church train station, which is located just across the municipal boundary (less than a quarter mile). The Plan Area C regulations and design standards are crafted such that the sub-district is divided into two neighborhoods: the area between the municipal boundary and Oakwood Avenue/Hillyer Street contains a compact, mixed-use, transit-oriented development and the area between Oakwood Avenue/Hillyer Street and Park Street/Hickory Street too has a similar development standards; however, it also allows for greater setback and uses that is compatible with a typical neighborhood commercial district. The entire sub-district allows for high-density development. The area closer to the Brick Church train station would encourage development that is compatible with the recent development that has occurred in the City of East Orange along the common municipal boundary.



PLAN AREA C



a) Bulk Table:

TABLE 3	
Bulk Regulations for Plan Area B	
Minimum Lot Area	5,000 Square feet
Setbacks	
Minimum front yard setback	0'
Minimum side yard setback	0'
Minimum rear yard setback from property line	10'
Maximum building coverage	90%
Maximum impervious coverage	95%
Minimum Density	125 units/acre
Maximum Density	200 units/acre
Maximum Floor Area Ratio (FAR)	9
Maximum building height	105'
Minimum number of stories	5'
Maximum number of stories	10'

b) Permitted uses:

- High-rise, dwelling
- Mid-rise, dwelling with no less than 5 stories
- Mixed use buildings with retail on the ground floor and residential uses above; The following uses are permitted on the ground floor of a mixed-use building
 - Retail sales and services;
 - Personal services
 - Restaurants
 - Taverns
 - Child day care
 - Financial institutions
 - Pharmacies
- Banks with drive-thru.
- Houses of worship
- Roof-top restaurants
- Bus stops/stations
- Experienced-based super-markets and novelty stores
- Business offices
- House of worship
- Movie theaters
- Private or public structured parking garages
- Outdoor uses on public or private property as follows:
 - Arts and crafts exhibits
 - Weekly markets

c) Accessory Uses:

Health club, laundry, and other facilities associated with the residential uses, plazas, parking, including structured parking, and other uses customarily incidental to the principal use.

d) Conditional Uses:

- Fast food restaurants with drive-thru.
- Free standing fast food restaurants
- Retail convenience with fueling service.
- Funeral homes



e) General regulations for Plan Area C

1. Buildings may have setbacks at the fifth floor to reduce the massing. Such setback shall create a large, open-air usable terrace or roof deck for use by residents. Such space shall be at least 20 feet deep.
 2. No more than two personal service uses shall be permitted within a block.
 3. General regulations in Section 4.3 of this Plan apply to this sub-district.
 4. A minimum of twenty-five (25) percent of the total lot area shall be used as open space. Such open space may be provided on any of the floors of the building provided it faces the side street.
 5. Building frontage along Main Street shall comprise of commercial and retail uses along the ground floor, except for entrance lobbies to residential uses and where conditional uses are permitted.
- v. Any structured parking shall be wrapped by commercial uses on the ground floor along Main Street, except for driveway entrances and lobbies of residential uses.
 - vi. Shared parking is strongly encouraged. Any parking provided in conjunction with a particular use should be shared with other uses.
 - vii. Where shared parking is used, depending on the type of proposed uses, the Planning Board may offer up to 20 percent reduction in the parking requirement.
 - viii. Where a use is located within 500 feet of a public parking garage or parking facility, the Planning Board, depending on the type of use, may offer an exemption in the parking requirement.
 - ix. Green roofs on any of the floors of a mixed-use building shall be encouraged.
 - x. On-street parking may be used to address the City's parking requirement.

4.3 GENERAL REGULATIONS

The following regulations apply to all sub-districts.

- i. No residential uses shall be permitted on the ground floor of any structure.
 - ii. Studio, one-bedroom and two-bedroom units shall be a minimum of 450 square feet 750 square feet and 1,000 square feet, respectively.
 - iii. Studio, one and two-bedroom units shall provide a parking ratio of 1 space for every unit (i.e. 1:1 parking ratio). Studios shall provide a parking ratio of 1 space for every two units.
 - iv. Parking ratios for all other uses shall be in accordance with the Section 210-29 of the City's Development Regulations.
- xii. Signage in all sub-districts shall comply with the signage regulations enumerated in Section 210-30.9 of the Development Regulations and the design standards of this Plan.
 - xiii. Telecommunication facilities shall be in accordance with Section 210-21.3 of the Development Regulations, where applicable. The following design standards apply to all sub-districts.
 - a. New towers shall be designed structurally and electrically to accommodate the applicant's antennas and comparable antennas for at least three (3) additional users. Towers must also be designed to allow for future arrangement of antennas on the tower and to

accept antennas mounted at different heights.

- b. Antennas must be enclosed, camouflaged, screened, obscured from view, or otherwise not readily visible to the public. All telecommunication towers, antennas and their support structures shall be designed to blend into the surrounding environment through the use of color camouflaging, architectural design, and other alternative design tower structures as well as by minimal disruption of existing vegetation. Materials used for the exterior of any structure shall be of a type, color and location so as to minimize glare and impact on any scenic or historic areas, public vantage points or abutting properties.
- c. Camouflaged towers are encouraged. Camouflaging is defined as changing the design or appearance to hide, obscure or conceal the presence of the tower and antennas. Camouflaging may be accomplished by a suitable combination of the following: lack of lighting, low tower height, non-contrasting colors, screening and landscaping, and others.
- d. Stealth towers are encouraged.

4.4 CONDITIONAL USES

i. Retail convenience with fueling service.

Retail convenience store containing fueling service is permitted in sub-districts B and C. Such use shall meet the following requirements:

a. Location.

This type of use shall be located on a corner lot with access from a minimum of two public streets. Such use shall not be located within quarter-mile radius of Orange and Brick Church train stations.

b. Area and yard.

1. A minimum lot area of sixty thousand (60,000) square feet shall be provided.
2. The retail convenience building shall be no more than 5,100 square feet.
3. The retail convenience building shall have a minimum setback of 50 feet and a maximum setback of 160 feet from the street right-of-way.
4. The gas station canopy shall be setback at a minimum of 25 feet from the street right of way.

c. Building height

1. The maximum building height of the retail convenience use shall not exceed 28 feet.
2. The maximum height of the canopy clearance shall be eighteen (18' 0") feet.

d. Parking

1. Off-street parking shall be provided as follows: one (1) space for each two hundred (200) square feet of gross floor area for the convenience store.
2. Parking shall be permitted in the front yard. No parking shall be permitted within 25 feet from the Main Street right-of-way line.
3. All walkway and parking areas shall have adequate lighting.

e. Landscaping

1. Landscaping shall be provided so as to provide year-round visual buffering between this use and adjoining property used for or zoned for residential purposes and along all street frontage, exclusive of approved driveway openings. The landscape buffer shall be a minimum of three (3) feet wide and shall prevent spillage of headlights from vehicles within the property.
2. Refuse disposal shall be provided according to the requirements of Section 210-22.6, Outdoor storage.

f. Signage.

1. One freestanding monument sign, not to exceed 30 square feet shall be permitted for a retail convenience with fueling station use. Such sign shall have a minimum setback of five (5) feet from the sidewalk or ten (10) feet from the street right-of-way line.
2. Such a use, may have one wall sign provided that the total sign area for all signs permitted on the face of any storefront to which such sign or signs are attached shall not exceed ten percent (10%) of the area of the face of the storefront to which sign or signs are attached. If the building faces more than one (1) street or a parking lot, it may have an additional sign along each frontage.
3. One canopy sign shall be permitted along each side facing a street.

ii. Fast food restaurants with drive-thru.

Freestanding fast-food restaurants shall be permitted as a conditional use in the Plan Area C sub-district, subject to Planning Board approval. New or expanded freestanding fast-food restaurants (additions of 300 square feet or more of new floor area) shall comply with the following conditional use requirements:

a. Location.

This type of use shall not be located within quarter mile radius of Brick Church train station.

b. Area and Yard.

1. Lot area. The minimum required lot area shall be thirty thousand (30,000) square feet.
2. Coverage and height. Coverage by all buildings and impervious areas shall not exceed ninety percent (90%) of the lot.
3. Height. The maximum height of the building shall not exceed thirty-five (35) feet.

4. The fast-food restaurant shall have a minimum setback of ten (10) feet and a maximum setback of thirty (30) feet. When the building is setback, the area in front of the building shall be used for outdoor dining.

5. If the drive-thru has entrance along Main Street, there shall be a minimum queuing space for eight (8) cars.

c. Lighting.

1. Exterior lighting shall be provided. Such lighting shall be shielded and directed downward so as to minimize glare from the subject premises.



2. Lighting intensity shall not exceed one and five-tenths (1.5) foot-candles, measured at the property lines.

d. Screening.

1. Screening and landscaping shall be provided. There shall be a three (3) foot wide landscape buffer along the sidewalk.
2. No screening material shall exceed six (6) feet in height.
3. Refuse disposal shall be provided according to the requirements of Section 210-22.6, Outdoor storage.

iii. Freestanding Fast food restaurants in a stand alone building is permitted as conditional use in the Plan Area C between Oakwood Avenue/Hillyer Street and Park Street/Hickory Street and are subject to requirements in Section 210-20.2.

iv. Funeral homes are permitted as conditional use in the Plan Area C between Oakwood Avenue/Hillyer Street and Park Street/Hickory Street provided all of the following standards are met:

- a. Site plan approval by the Planning Board is required.
- b. Yard and area requirements.**
 1. Lot area. The minimum lot area for a funeral home shall be at least ten thousand (10,000) square feet.
 2. Coverage and height. Coverage by a funeral home structure and all paved areas shall not exceed ninety percent (90%) of the lot, with a maximum height of two and one-half (2 1/2) stories or thirty-five (35) feet.

c. Lighting.

1. Proper lighting shall be provided in the parking area, which is shielded down in order to reduce glare off the subject premises.
2. Lighting intensity shall not exceed one and five-tenths (1.5) foot-candles, measured at the property line of the funeral home.
- d. Screening.**
 1. Appropriate screening shall be provided in order to reduce the impact of noise and glare on all adjacent properties.
 2. No screening material shall exceed six (6) feet in height.
 3. Refuse disposal shall be provided according to the requirements of Section 210-22.6.

v. House of worship

a. Location.

This type of use is permitted as a conditional use in Plan Area B, provide that such use shall be located on a corner lot with frontage only along South Main Street and has secondary access along any side street.

b. Area and Yard.

1. Lot area. The minimum required lot area shall be thirty thousand (30,000) square feet.
2. Coverage and height. Coverage by all buildings and impervious areas shall not exceed sixty percent (60%) of the lot.
3. Height. The maximum height of the building shall not exceed two and one-half (2 1/2) stories or thirty-five (35) feet.

c. Lighting.

1. Proper lighting shall be provided in the parking area, which is shielded down in order to reduce glare off the subject premises.
2. Lighting intensity shall not exceed one and five-tenths (1.5) foot-candles, measured at the property line of the funeral home.

d. Screening.

1. Appropriate screening shall be provided around parking areas in order to reduce the impact of noise and glare on all adjacent properties.
2. No screening material shall exceed six (6) feet in height.
3. Refuse disposal shall be provided according to the requirements of Section 210-22.6.

4.5 GENERAL DESIGN GUIDELINES

Orange envisions a vibrant, thriving and attractive setting for the Main Street Redevelopment Plan Area. The City recognizes that a number of urban design improvements are necessary in order to achieve this vision. These improvements include restoration and rehabilitation of existing historic buildings, adaptive reuse of vacant buildings, street and signage improvements and parking upgrades to existing and new developments; all aiming at increasing the desirability and accessibility of this area as a hub for various activities. The key elements on which the design standards are crafted are listed below:

a. Building Siting and Orientation

Site Access:

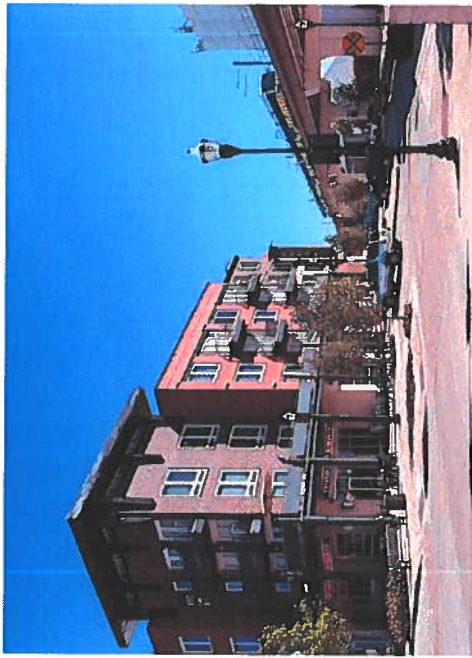
1. Primary entrances shall be conveniently oriented to public streets or plazas to allow safe, convenient access to and from transit facilities and/or services.
2. Building entrances may be recessed into the facade and partially covered, allowing pedestrians to escape inclement weather.
3. When a recessed portion creates a usable space, this area should be used for creative public spaces and should contain street furniture such as benches, tables, landscaping, trash receptacles etc.
4. Parking lot and other services areas are encouraged to have access from side streets.

Building Orientation:

1. Buildings should be placed to limit the number of driveways along Main Street.
2. Parking lot and other services areas shall not front on Main Street. When facing a side street, such areas shall be appropriately screened with a landscape buffer.

Relationship of Building Facades and Streets:

1. Buildings with expansive blank walls are prohibited throughout the Plan Area. Only blank walls adjacent to through-block sidewalks are permitted; however these must be treated with landscaping, artwork, or other treatment.
2. Buildings should include, at the street level, design elements that encourage pedestrian interest such as large display windows, interactive facade, and clear signage.



b. Context Sensitive Design

1. Building massing and form should be context sensitive, i.e. it should be consistent with the pattern of surrounding buildings, setbacks and general design framework of the surrounding area.
2. New development/ redevelopment shall blend into the existing design framework.



c. Landscape

1. Landscape buffers shall be provided if a non-residential use abuts a residential use.
2. Landscape buffers shall be used to conceal utility and service areas from neighboring residential uses.

e. Services

1. All loading areas should be located in a rear yard and screened from view from public rights-of-ways.
2. Service areas should be designed to fit within a site and screened from views with walls, fencing, landscaping or other materials that complement adjacent buildings and provide screening in all seasons.
3. Individual loading, service, and utility areas for businesses are discouraged. Shared service areas should be considered for ease of maintenance and improved aesthetics as well as the potential to create new site area for landscaping and/or parking spaces.



d. Open Space

1. Mixed-use buildings may provide private open spaces on the upper floors of the building.
2. Open spaces on any floor of a building are encouraged and may serve as passive recreation areas offering jogging tracks, walking paths and interactive public spaces.

f. Storefront Transparency

1. Frontages with active uses that are non-residential must be fenestrated with transparent windows and doorways for no less than sixty (60) percent of the street frontage of the ground level and allow visibility to the inside of the building.
2. Security gates. All security gates (interior or exterior) must be of the open mesh variety so as to maintain storefront transparency, but may have a solid portion at the base that does not exceed the height of the bulkhead it covers. The security gate shall not obscure or detract from the design and details of the existing storefront and shall be architecturally integrated with the design and construction of a new storefront.

9. Lighting

1. Light fixtures attached to a storefront cannot project more than two feet from the building or be less than eight feet above the sidewalk.
2. Lighting fixtures may be installed in areas of plan masonry, metal or wood, provided the installation does not damage, destroy or obscure significant decorative features of the building or storefront.
3. Lighting conduits shall be internal and not visible;
4. External light fixtures shall illuminate only the storefront or related signage;
5. The number and size of light fixtures shall be modest and in keeping with the style and scale of the storefront; and
6. Recessed light fixtures shall be mounted within the soffits of recessed storefront entrances.
7. Parking lot lights shall not exceed 12 feet in height and shall contain decorative fixtures.

4.6 ARCHITECTURAL STANDARDS AND FACADE TREATMENTS

a. Building Massing and Form

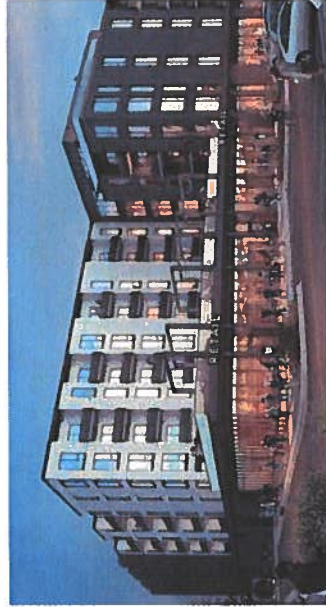
1. Architectural massing is encouraged.
2. In order to alleviate the massing effect of high-rise buildings, residential floors above commercial/ retail in a mixed use building may have floor setbacks from the front property line to create terraces.
3. Variation in the building facade material should be encouraged to reduce the bulk and mass of the building.
4. Architectural features such as fenestrations, balconies, bay windows, etc. should be encouraged.

Please note that the following are examples of **building massing only**.

Residential - Apartment



Mixed Use - Commercial + Residential



Mixed Use - Recreation + Residential



Business Office



Retail and Services



Parking Garage



b. Facade Composition and Elements

1. Structures should be designed to encourage architectural variety within an overall framework of design continuity.
2. A 'human scale' of development shall be achieved at grade and along street frontage through the use of building elements such as enhanced entrances, corners, display windows, doors, columns, awnings, canopies, and graphic panels. These are encouraged to provide a visually attractive environment and help alleviate the monotony of pedestrian trips.
3. Buildings on corner lots may be required to incorporate an architectural or pedestrian-oriented feature at the corner. Many design options are available, including plazas, artwork, turrets, curved corners, etc.
4. Multi-tenant buildings shall provide varied storefronts.
5. Spatial gaps created in the street wall by parking or other non-pedestrian areas should be minimized.
6. If a parking deck/structure is constructed, the facade elevations shall receive architectural treatment that complements the principal building and or characteristics of the neighboring buildings.

c. Building Sustainability

1. The building design shall incorporate, to the greatest extent, practicable green design techniques and promote energy efficiency through the choice of materials and major systems.
2. LEED Green Building design standards are strongly encouraged.
3. Use of energy efficient equipment and appliances is encouraged.

4.7 HISTORIC OVERLAY DESIGN STANDARDS

The entire plan area lies within the Main Street Historic District; and hence, the design standards are crafted such that the overall historic characteristics of this area is maintained. Pursuant to Article X of the City's Development Regulations addition, new construction or rehabilitation projects in any of the four historic districts require a Certificate Of Appropriateness from the Historic Commission. The purpose of this section is to provide uniform standards, design guidelines, in addition to the one that already exists, for properties within the redevelopment plan area. All applications for development in the Main Street Historic District shall be guided by the principles of the Secretary of the Interior's Standards for Rehabilitation of Historic Buildings which are enumerated below:

1. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure or site and its environment or to use a property for its originally intended purpose.
2. The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
3. All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, a structure or site shall be treated with sensitivity.
6. Deteriorated architectural features shall be repaired rather than replaced wherever possible. In the event that replacement is necessary, the new material should match the material being

replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features shall be substantiated by historic, physical or pictorial evidence rather than on conjectural design or the availability of different architectural elements from other buildings or structures.

7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.
9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
10. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

In assessing the design of any proposed additions or new construction within the MUHD District, the following visual compatibility factors shall be considered in conjunction with the Secretary of Interior's Standards set forth above.

a. General standards

1. The size of a building, windows, door openings, porches and balconies shall be visually compatible with the buildings and places to which it is visually related.
2. The roof shape of a building shall be visually compatible with buildings to which it is visually related. The roof of new mixed use buildings should match those of adjacent historic buildings.



3. Appurtenances of a building, such as walls, open-type fencing and evergreen landscape masses, shall form cohesive walls of enclosure along a street to the extent necessary to maintain visual compatibility of the building with the buildings and places to which it is visually related.
4. A building's related exterior features, such as lighting, fences, signs, side-walks, driveways and parking areas, shall be compatible with the features of those buildings and places to which it is visually related and shall be appropriate for the historic period for which the building is significant.

b. New Development

1. New construction should be oriented towards Main Street.
2. New Buildings should be consistent and follow the historic architectural characteristics of the existing buildings within the Plan Area through either architectural features, materials, massing and/or overall appearance.
3. New buildings should create a continuous streetscape by aligning such buildings along existing setbacks.
4. New buildings should be constructed such that they appear to be similar in width, to surrounding historic buildings.
5. New buildings should not be such that they are dramatically larger than historic buildings and should not overwhelm the streetscape.

6. In construction of new buildings or additions, the window size and proportion of openings should be consistent with adjacent historic buildings. Additionally, proportions of window and door openings should be similar to those of surrounding historic buildings. The relationship of the width of windows to the height of windows in a building should be visually compatible with the buildings and places to which it is visually related.

c. Additions

1. An addition shall be compatible in scale, materials, and character with the main building.
2. An addition shall not damage or obscure architecturally important features.
3. Any addition should maintain the traditional separation between ground floor stores and upper facades.
4. Rooftop additions should be recessed so that they are not readily visible from street level.



Integrating New Building with Historic Structure

d. Adaptive Reuse

Re-purposing existing buildings began in the mid-60s when the National Historic Preservation Act was passed to slow the destruction of historic buildings. Adaptive reuse is much more than restoration and preservation. In its truest form, this concept seeks to give a building new life to meet the needs of contemporary users. Adaptive Reuse is the rehabilitation of the majority of an existing structure to satisfy a new use. When the original use of a structure changes or is no longer required, designers have the opportunity to change the primary use of the structure, while often retaining some of the existing architectural details that make the building unique. Depending on the building and its intended new use, adaptations might include gutting the interior, adding structural modifications, updating the building envelope,

replacing the mechanical systems, and adding technology infrastructure. This plan acknowledges that the designated area includes structurally sound buildings which are also very rich in architectural and aesthetic value. This plan therefore, supports inclusion of adaptive reuse development.

e. Architectural Features

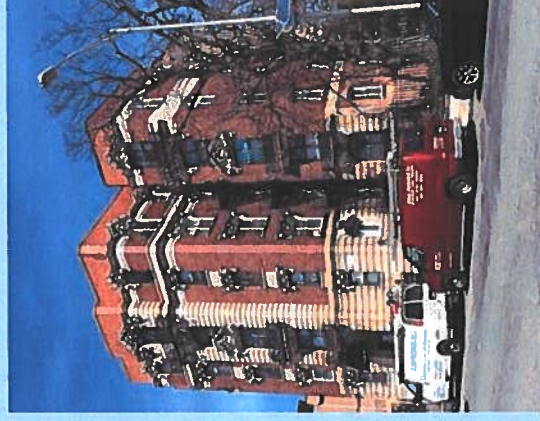


Examples for Architectural Features: Historic Structures in the Area

1. Architectural features are to be provided when using a flat roof; these features are to include a parapet wall accented with a cornice and frieze. Capped roof or sloping roof structures are encouraged.
2. Building elements such as windows, doors, awnings, columns, cornices, canopies shall be similar to the existing historic buildings in the area.
3. Design emphasis shall be placed on primary building entrances. They should be vertical in character, particularly when there is the need to provide contrast with a long linear building footprint, and such details as piers, columns, awnings and framing should be utilized to reinforce verticality.

f. Materials and texture

1. Use of materials and textures consistent with the existing historic buildings in the area is strongly encouraged.
2. A variety of materials may be appropriate and utilized. Masonry works well at the base of the building, varies in size, color, and texture, and enables the provision of a decorative pattern or band.
3. The use of fabric or metal canopies should be encouraged, especially at entrances or over ground floor windows.
4. In case of addition to existing mixed use buildings, upper floors may be coordinated with ground floors through common architectural features, materials and colors.



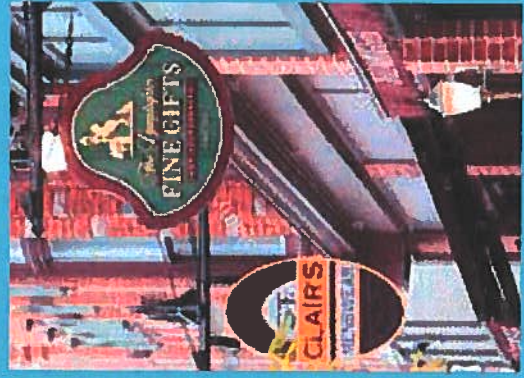
Examples for Materials and Textures

9. Signage

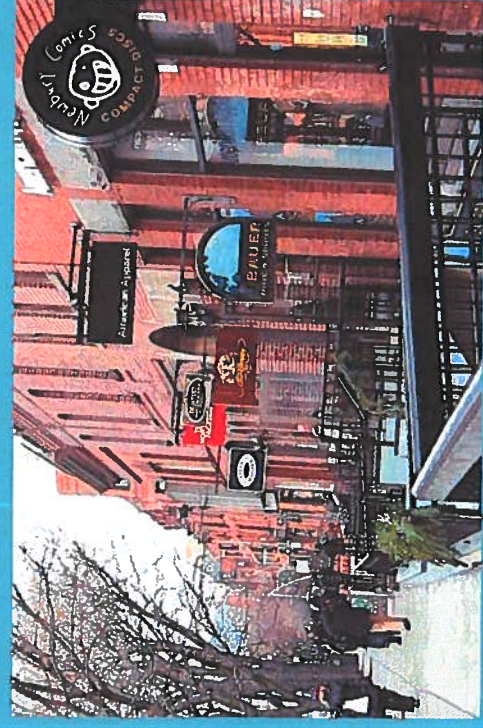
General guidelines

All signs must comply with the Sign Ordinance, a separate Section 210-30.9 within the Development Regulations that controls the types of signs, dimensions of signs, number of signs, etc. These guidelines are provided to help clarify the intent of signs in the Historic District Overlay District:

- 1) Signage should be harmonious with the character of the building with which it is associated in terms of form, design, scale, and proportion.
- 2) The scale, size, shape, materials and placement of signs should complement the design of the building and neighboring buildings.
- 3) Signs should not conceal important architectural detail, overpower or clutter the façade, or otherwise detract from the historic character of the building.
- 4) Signs should be mounted in such a way so as to minimize damage to historic materials.

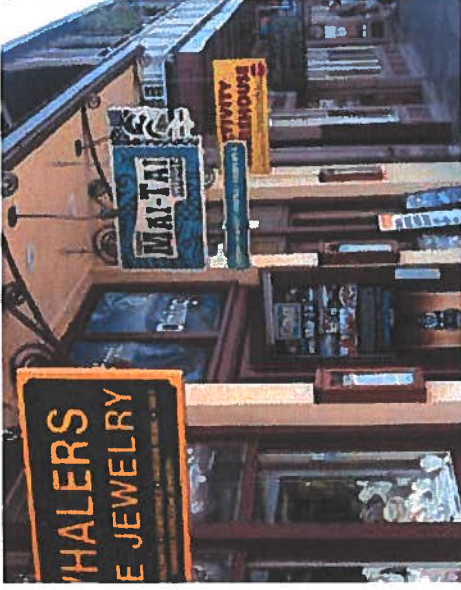


Tastefully done signs in Historic Districts



Style

- 5) In general, painted wood signs with raised letters are most appropriate for 19th century commercial structures. Lettered signs painted on the window glass of the storefront are allowed as long as they meet the window sign requirements included in this section.
- 6) The projection of a wall sign should be minimized to the depth of the sign panel or letter.
- 7) Signs should fit flush with the existing façade, and should fit within the features of the façade. On most late 19th and early 20th century commercial buildings, the lintel above the storefront and the configuration of the storefront itself create natural frames for the placement of signs. Later signage may have acquired significance in its own right, such as signs painted on walls. These signs may be retained.
- 8) Building mounted signage is more pedestrian oriented than free standing signs. Free standing signs within a historic district should be carefully designed, located, and scaled such that it does not undermine the scale and character of the district. To an extent freestanding signage should not be used within the Main Street MUHD District, except where allowed in conjunction with a permitted conditional use.

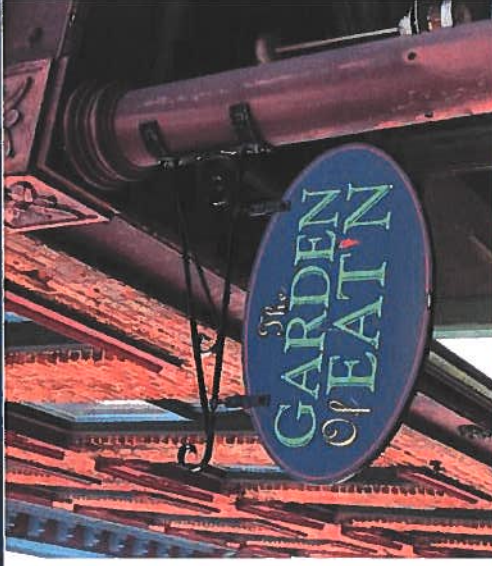


Illumination

- 9) Signs may be illuminated from an indirect light source, but plastic signs and internally lit signs are not permitted.
- 10) Electronic message signs are inappropriate in a historic district and should be avoided.
- 11) Halo illumination may be used as an alternative to other types of internal illumination.

Material

- 12) Sign materials should be compatible with those of the historic building. Materials characteristic of the building's period and style, used in contemporary designs, can form effective new signs. Painted wood and metal may be appropriate materials for signs and their use is encouraged.
- 13) Highly reflective materials that will be difficult to read shall not be used.
- 14) The use of plastic on the exterior of a sign should not be encouraged.



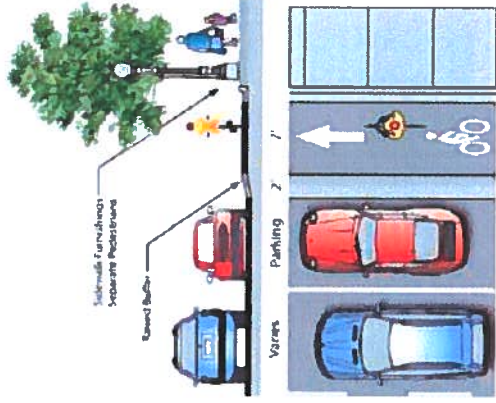
4.8 CIRCULATION

In 2009, the City of Orange was designated as a Transit Village by the New Jersey Department of Transportation (NJDOT) and New Jersey Transit (NJ Transit). The Transit Village Initiative creates incentives for municipalities to redevelop or revitalize the areas around transit stations using design standards of transit-oriented development (TOD). The City of Orange is located in Essex County. As part of its April 2014 Comprehensive Transportation Plan, the County has a 'Complete Streets' policy. The City of Orange is ideally suited for continued implementation of both the Complete Streets policy and the Transit Oriented Development initiative. The Main Street section that lies within the Plan area is envisioned to be a center of neighborhood life, with heavy volumes of pedestrians, transit vehicles/ passengers, bicyclists, and motorists. In order to achieve this vision the plan area shall implement the following design standards:

width ranging from sixty-seven (67) feet to seventy-one (71) feet. This section of Main Street shall be redesigned to accommodate five (5)-foot wide bike lanes.

Additionally, on-street parking along Main Street shall also be rearranged to accommodate bike lanes and to integrate vehicular and pedestrian traffic.

Sections of Main Street that contain angular parking shall be redesigned to accommodate five (5)-foot wide bike lanes with back-in diagonal parking stalls.



a. Bike lanes

In order to implement a Complete Streets framework, the City should work with Essex County to create a bike network along Main Street that will connect residents and local businesses with municipal, institutional and transit facilities. Main Street, between Cleveland Street and Brook Alley, contains cartway



b. Sidewalks

Sidewalks within the Plan area shall be fifteen (15)-foot wide and shall comprise of a four (4)-foot wide amenities zone, 6-foot wide walkway zone and five(5)-foot wide storefront zone.

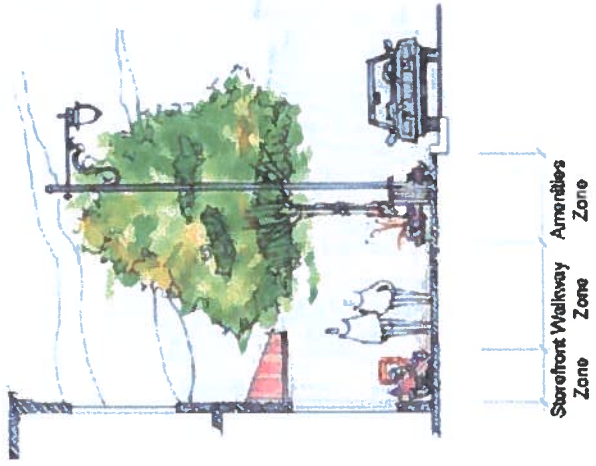


Storefront Zone. The five(5)-foot wide storefront zone forms the outer edge of the public ROW and typically is defined by a building façade, landscaping, fence, wall, plaza, or park. The design of this zone should be responsive to and support the adjoining use, which, depending on context, may mean providing a clear zone for store entrances, a “slow” zone for retail displays and window shopping, or a furnished zone for outdoor dining.

Walkway Zone. The six (6)-foot wide walkway zone is in the middle section of the sidewalk. Its primary function is to accommodate the efficient movement of pedestrians. As such, it needs to provide an unobstructed, linear sidewalk space that is free of any street furniture or public amenities.

Amenity Zone. The four (4)-foot wide amenity zone is the section of sidewalk that adjoins the street and buffers pedestrians from the adjacent roadway. This zone is the appropriate location for the majority of the public facilities and streetscape amenities that enhance and serve the pedestrian zone, including features such as street trees, landscaping, street lights, transit stops, parking meters, fire hydrants, benches, news

racks, and other street furniture and amenities. Design of amenities shall be consistent with the overall design framework of the area and shall be integrated with the historic character of the area. Included within the Amenity Zone, there shall be a continuous landscaped buffer of two (2) feet between the parking lane and the side walk, except where parking meters, street lights, pedestrian connection between parking lane and the Walkway Zone and transit stops are required.



c. Standards for Pedestrian activity

- a) Locate walkways in a manner which provides unimpeded access to commercial buildings, residences, retail uses from transit stations or streets.
- b) Continuous sidewalks of required width (as discussed in previous sections) should be provided along all street frontages.
- c) Sidewalks connecting the transit facility to key destinations should be direct, visually unobstructed, pleasing, and provide a safe experience for pedestrians.
- d) Bicycle networks within the walkway should run throughout the area and link directly to the transit facility with clear signage delineating the way.



5.1 EMINENT DOMAIN OR CONDEMNATION

The power of eminent domain or condemnation is the most recognized redevelopment power. This power resides within the Eminent Domain Act of 1971 (N.J.S.A. 40A:12A-29). Eminent Domain or Condemnation is a power that:

- *Normally is used only after good faith efforts by a redeveloper to acquire private property through negotiations have failed.*
- *Enables title to transfer to the redevelopment entity quickly, with a determination of the compensation to be paid to the property owner made through negotiation or legal system at a later date.*
- *Is accompanied by statutory protections afforded to the property owner, including:*
 - *A stipulation that no compensation offer made to a private property owner by a redevelopment entity can be less than the acquired property's appraised fair market value (N.J.S.A. 20:3-38)*
 - *A declaration that the fair market value offered to a private property owner must not be less than the value of the property as of the date of the area in need of redevelopment declaration by the governing body (N.J.S.A. 20:3-38)*
 - *A requirement that the property owner be given at least 14 days from the mailing of the compensation offer to accept or reject the offer (N.J.S.A.20:3-6).*

In redevelopment planning, eminent domain is used to acquire land from one private property owner for the purpose of conveying it to a redeveloper. The redeveloper is then obligated to redevelop it under a redevelopment agreement and in accordance with a redevelopment plan. The New Jersey Constitution specifies that redevelopment is a public purpose for which private property can be acquired. Thus, whether using eminent domain for public facilities or for redevelopment, an underlying public purpose is served.

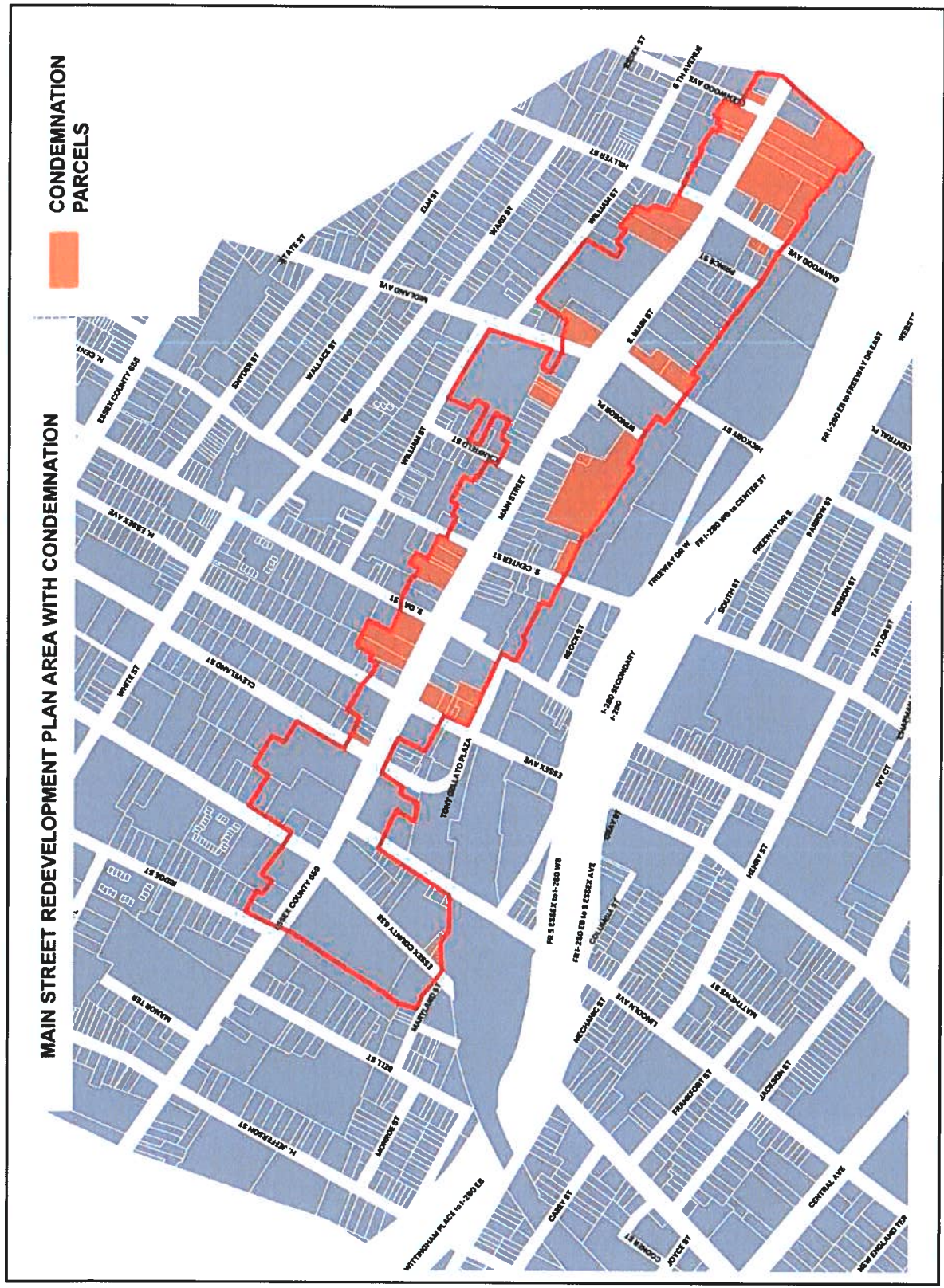
The process of eminent domain begins with a determination of the fair market value for the property to be acquired subsequently filing of a Declaration of Condemnation with the court of jurisdiction. The land may be transferred to the public entity upon filing of the declaration and the deposit of compensatory funds with court. Except for jurisdictional challenges, any legal action that follows is restricted to litigation about the final amount of compensation and does not prevent the redevelopment entity from progressing with the implementation of a redevelopment plan.

5.2 PROPERTIES TO BE ACQUIRED

This Redevelopment Plan is with Condemnation. Pursuant to the LHRL, if property acquisition is contemplated the redevelopment plan must identify the parcels that either *will or may be* acquired. This section of the Plan should be included regardless of whether the property is acquired by the voluntary action of the property owner or acquired by eminent domain. The table on the next page enumerates properties that will be or may be condemned under this Plan. Subsequently, the following section describes each property that will be or may be condemned.

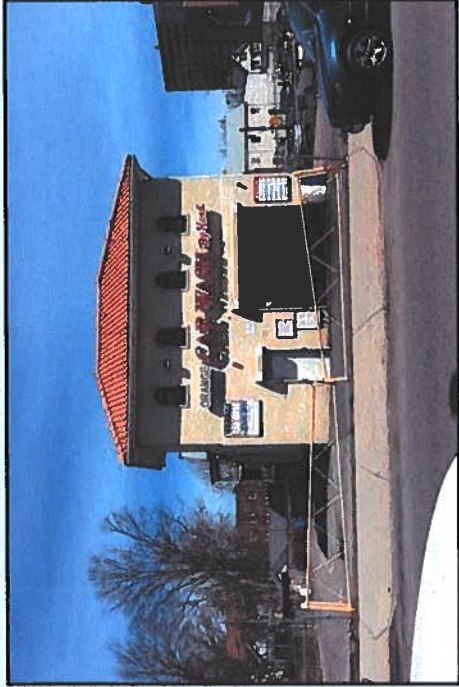
Main Street Properties for Condemnation

Site No.	Block	Lot	Address	Condemnation Status
1	1701	15	29 Main Street	Yes
2	1701	16	33 Main Street	Yes
3	1701	14	23 Main Street	Yes
4	1704	1	13-17 Main Street	Yes
5	1801	1	145-147 Main Street	Maybe
6	1801	22	73 Main Street	Maybe
7	1801	23	85 Main Street	Maybe
8	1801	24	91 Main Street	Maybe
9	1902	17	181-185 Main Street	Maybe
10	1902	16	177 Main Street	Yes
11	1902	15	175 Main Street	Maybe
12	2001	41	313 Main Street	Yes
13	2001	40	307 Main Street	Maybe
14	2001	39	305 Main Street	Maybe
15	2004	16	271 Main Street	Maybe
16	2004	13	265 Main Street	Maybe
17	2004	15	269 Main Street	Maybe
18	2004	14	257 Main Street	Maybe
19	2102	1	355 Main Street	Maybe
20	2603	1	64 Scotland Road	Maybe
21	2603	2	60 Scotland Road	Yes
22	2801	5	313 Railroad Place	Yes
23	2801	6	20 South Essex Avenue	Yes
24	2801	7	18 South Essex Avenue	Maybe
25	2801	8	16 South Essex Avenue	Maybe
26	2801	9	12 South Essex Avenue	Maybe
27	2801	1	328 Main Street	Maybe
28	2902	17	Center Alley	Maybe
29	2902	18	Brook Alley-Rear	Maybe
30	2902	1	32 South Center Street	Yes
31	3002	1	32 Hickory Street	Maybe
32	3002	2	136-140 South Main Street	Yes
33	3003	5	21 Oakwood Avenue	Maybe
34	3003	6	27 Oakwood Avenue	Maybe
35	3104	1	98 Oakwood Avenue	Maybe
36	3104	2	24 Oakwood Avenue	Maybe
37	3104	7	50 Main Street	Maybe



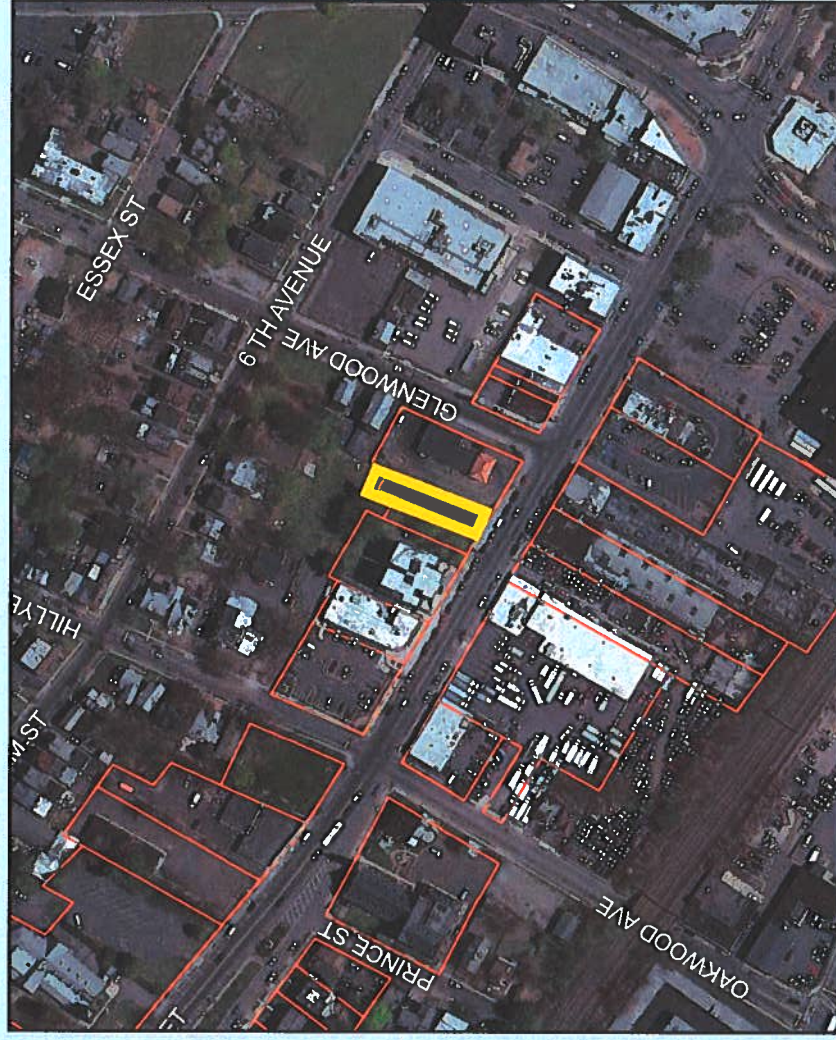
The property is a rectangular shaped corner lot and measures roughly 16,000 square feet. The property currently contains a car wash facility. The site lacks landscaping and has been poorly maintained. The taxes on this parcel are delinquent. Based on NJDEP list of contaminated sites, this site contains contamination.

The existing use is not compatible with uses generally permitted in the TOD districts. The 2018 Master Plan recommends that such type of uses that are not compatible with the general downtown main street and TOD standards shall be eliminated, especially within this segment of Main Street. This property is within the quarter mile radius of Brick Church train station and a mixed-use development would be an appropriate and more productive economic use of this property. Condemnation of this property will result in cleaning up of a contaminated site, which serves public purpose while, promoting economic development along the commercial corridor of the City.



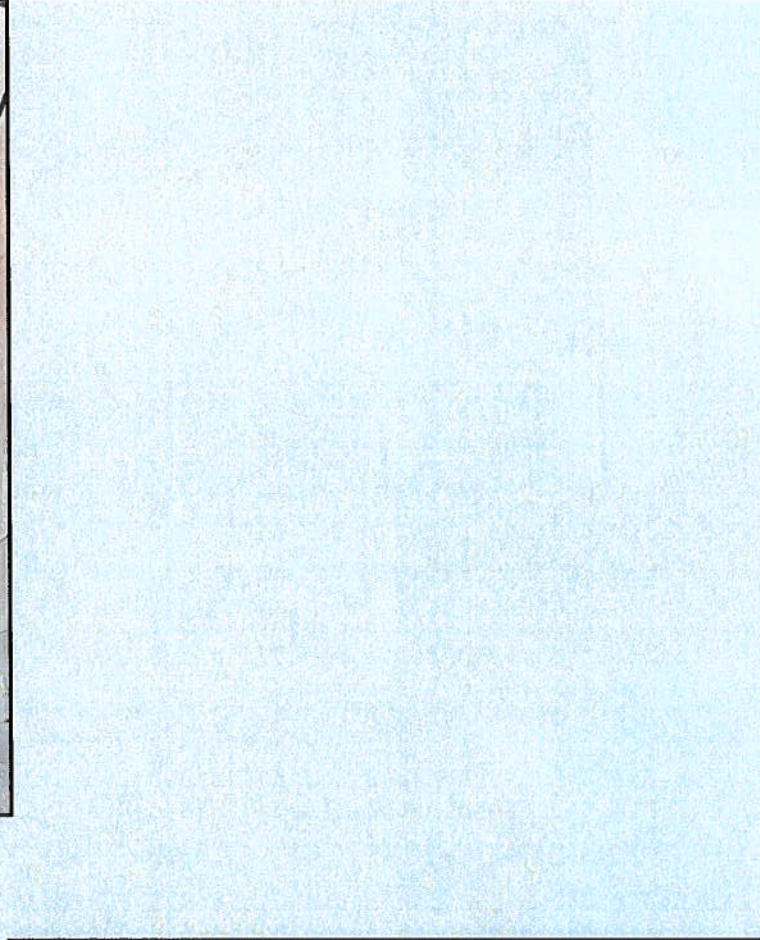
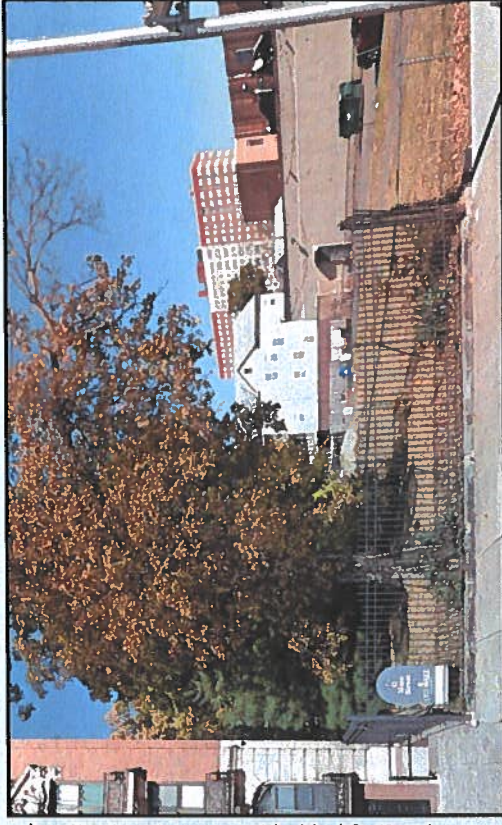
This rectangular-shaped parcel is currently vacant land and contains debris and has a chain link fence along the boundary. It measures 4,000 square feet in area.

There have been no site improvements on the property in the past few years. It has a consistent pattern of vacancy and is not well-maintained. Due to underutilization and lack of any development in the past this property may be suitable for condemnation. The parcel is a smaller parcel and therefore, may be acquired and developed together with the adjacent lots 14 and 16 (Site no. [1] and [3]). Doing so would promote sound planning practice, spur economic growth and would be important to the overall development of this area.



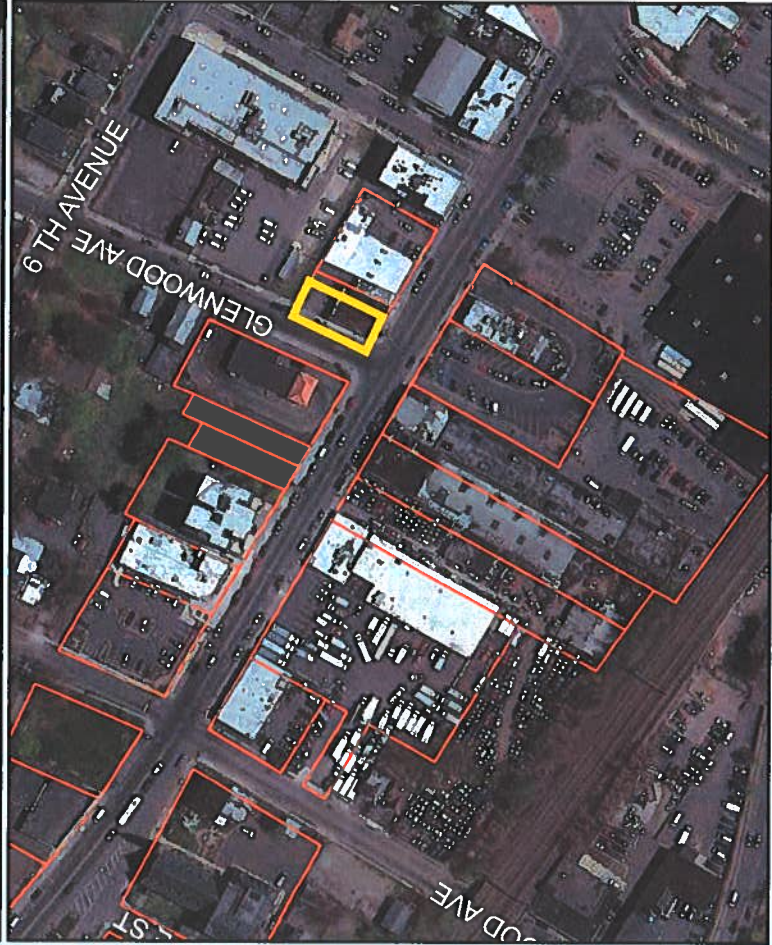
The site is a rectangular-shaped parcel and measures 4,000 square feet. This property contributes to the pattern of vacancy in the area. Although the parcel is in close proximity to the Brick Church Train Station, the parcel has remained vacant with no site improvements in the past few years. This site also has potential contamination (brownfield site).

Due to the size of the parcel, this site should be merged with the adjacent vacant lot to create infill development. Condemnation of this property would bring a vacant property to productive economic use and will greatly serve public purpose by cleaning up potential contamination on the site and promoting economic development. This parcel may be acquired and developed together with lots 14 and 15 (Site no. [1] and [2]) as part of sound planning.



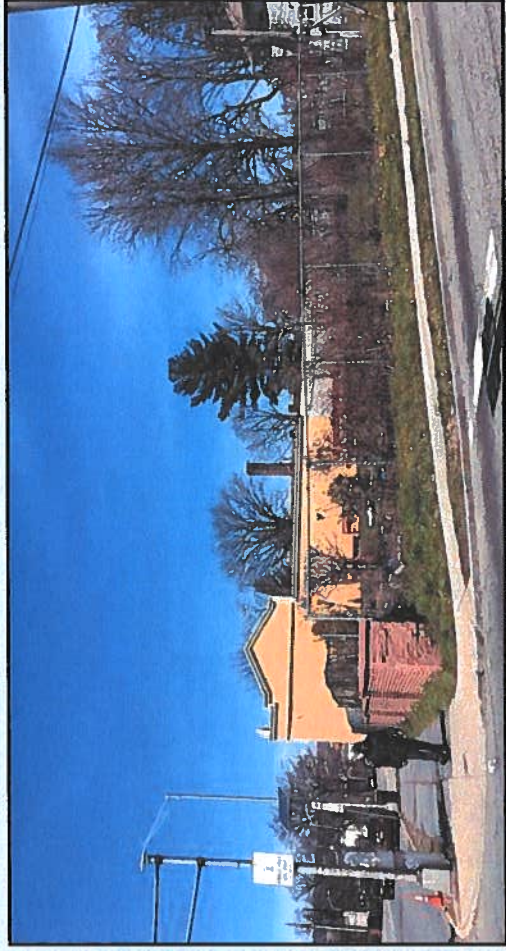
This rectangular shaped corner lot is approximately 6,000 square feet in size. The property currently contains a one-story commercial building with three billboards on its roof top, but the building remains vacant. The site is poorly maintained and there is currently a tax lien on the property.

The proximity to the Brick Church Station makes inclusion of this property important for the overall development of the Main Street corridor. The Master Plan envisions this area to be an economically viable downtown and a successful transit-oriented development. The existing building remains vacant for few years now and the billboards on the rooftop are incompatible uses in the TOD district and are more of an eyesore, negatively impacting adjacent properties. Condemnation of this property will therefore, serve a public purpose as it helps encourage compatible uses on the property and promotes economic development.



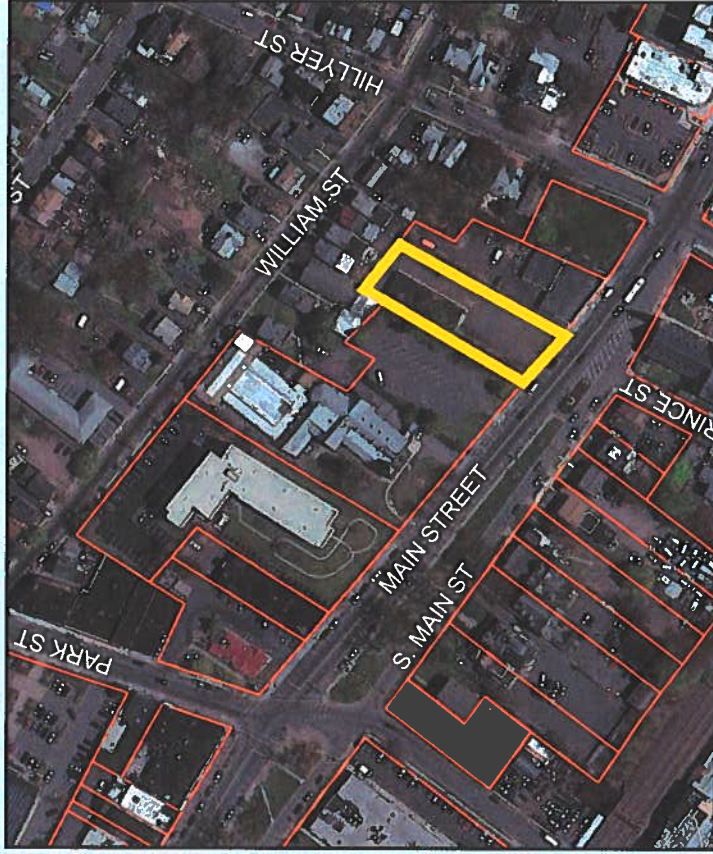
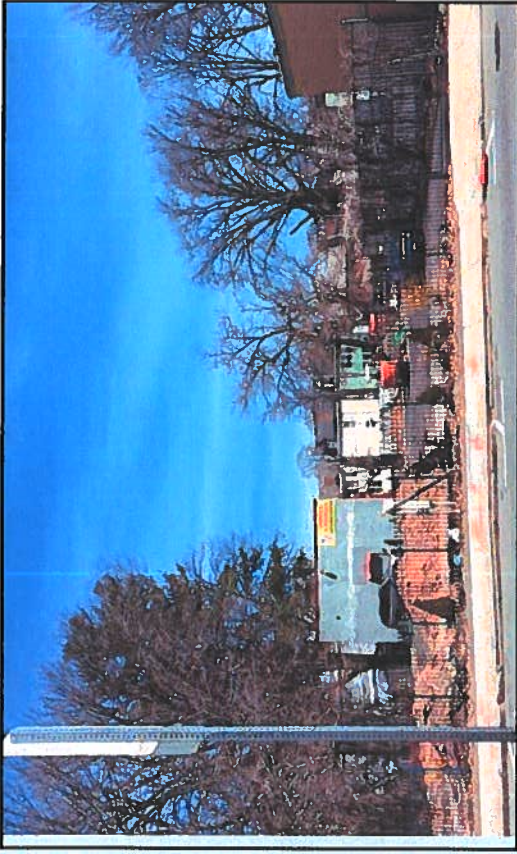
This rectangular shaped corner lot is currently vacant, holding only a church sign. It is roughly 13,300 square feet and is poorly maintained.

This underutilized lot is located along the commercial corridor and in close proximity to two train stations. In the event that adjacent lots- lots 23 and 24 (Site no. [7] and [8]) are acquired, this lot may be combined and all three properties may be redeveloped. This lot may be acquired and redeveloped to provide infill mixed-use development that will spur economic growth. This lot, as recommended in AINS, may also become a part of the Military Park which is located across the street. Condemnation of this parcel, and its redevelopment as a mixed-use development or as passive park, would serve a public purpose by making more effective use of the land that is better aligned with TOD and Smart Growth design standards.



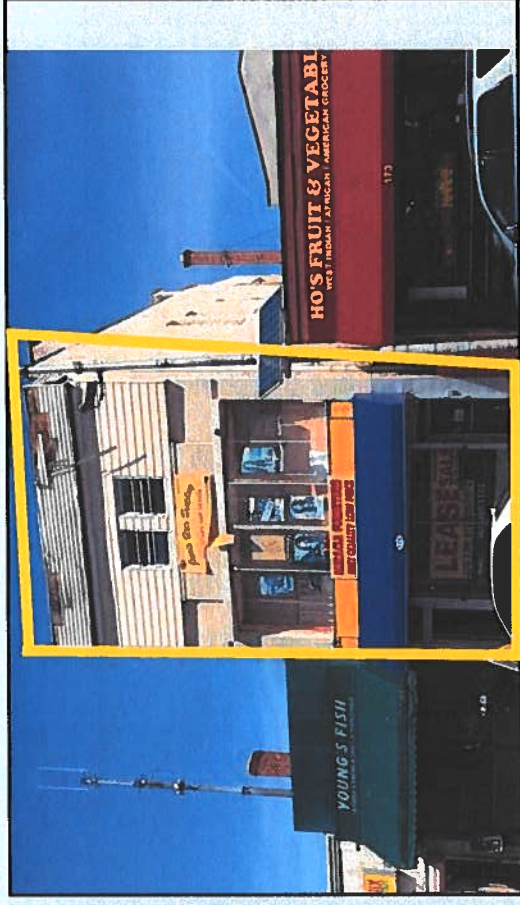
This rectangular shaped lot is approximately 20,000 square feet. The structure is in a rear corner, surrounded by an expansive parking area. The site issues include: obsolete layout with excessive impervious ground covering, poorly maintained parking lot and lack of landscaping. The property also has outstanding taxes and previous Code Enforcement citations.

This property may be a candidate for condemnation because of its obsolete design, its low improvement ratio, and its positioning. This lot may be acquired and redeveloped together with the two lots to the east. Condemnation of this lot would make more appropriate and economic use of the land that supports public health, safety, and welfare. This parcel may be combined with lots 22 and 23 (Site no. [6] and [7]) and be redeveloped with uses that are compatible with Smart Growth and TOD principles.



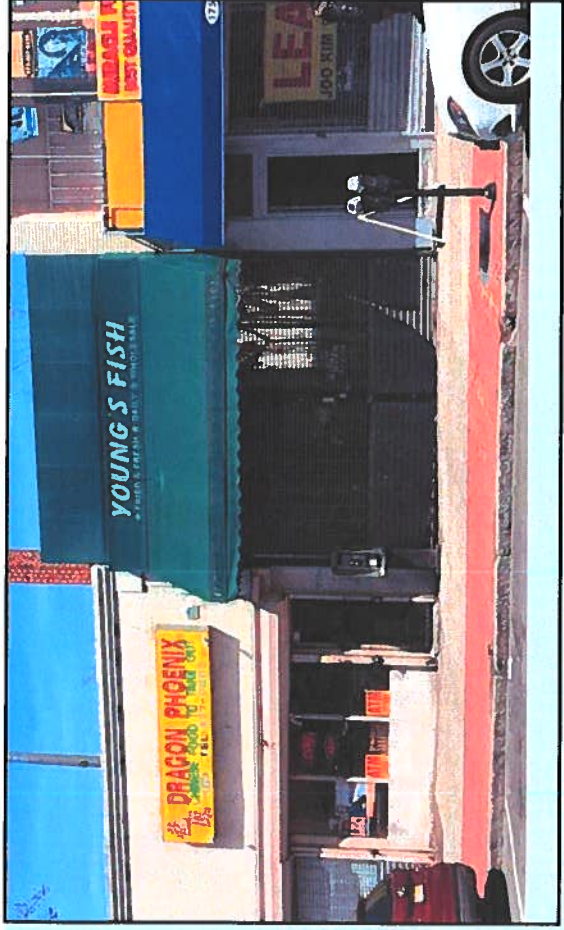
The subject property is a rectangular-shaped parcel measuring approximately 3,425 square feet. The site contains a three-story building, which appears to be vacant on all floors. The front façade siding is falling off the building and signage is outdated.

This property is a candidate for condemnation because of the numerous site issues and pattern of long-term vacancy. Condemnation would help eliminate the issues with vacancy and would encourage better economic use of the property. This parcel may be combined with lots 16 and 17 (Site no. [10] and [11]) and redeveloped together as the parcels are too small to be developed individually.



The subject property is a rectangular-shaped lot containing a one-story, vacant commercial structure. Site issues include prolonged vacancy, missing roof and flooring, numerous code enforcement citations and tax delinquency.

This property is a candidate for condemnation because of the numerous site issues and pattern of long-term vacancy. Condemnation would help eliminate the issues with vacancy and would encourage better economic use of the property.



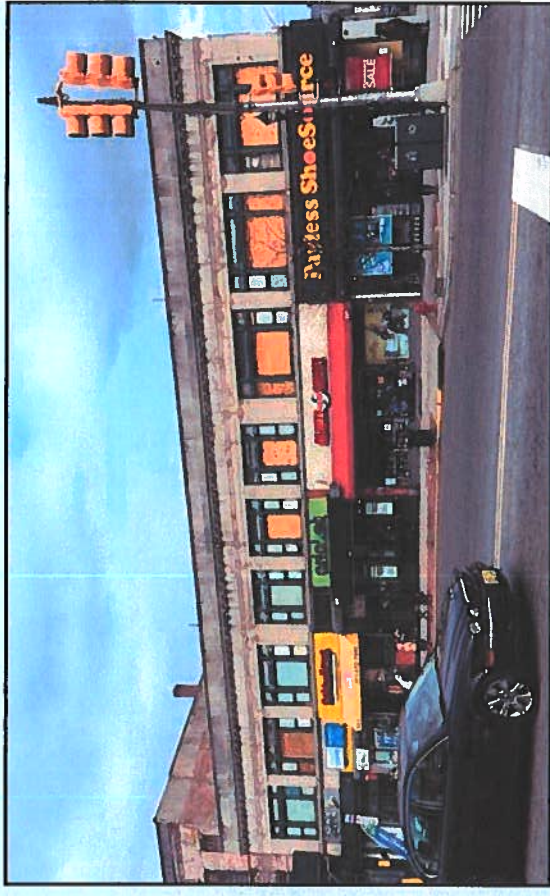
The subject property is a rectangular-shaped parcel measuring approximately 8,232 square feet. The site contains a one-story building with three retail stores of which one store is vacant. The façade is poorly maintained and needs cleaning.

This property may be acquired and developed along with Lots 15 and 16 (Site no. [9] and [10]) to eliminate vacancy and promote economic growth and development along the commercial corridor of the City.



This square shaped corner lot holds a two-story building, with six retail spaces on the ground floor and vacant upper floor. The lot measures about 15,300 square feet in area. Site issues aside from vacancy include boarded up windows, unattractive blank wall fronting S. Day Street, fire department emergency responses and numerous code enforcement violations.

Due to the location and size of the property, this property may be merged with the adjacent properties to create infill development that is consistent with the TOD and Smart Growth principles. If the adjacent lots, 40 and 41 (Site no. [13] and [14]), are acquired, this lot may be combined and included in redevelopment as part of sound planning practice.



The subject property is rectangular in shape and measures approximately 17,300 square feet. It contains an attached three-story structure with three retail spaces on the ground floor and vacant upper floors. Site issues include poor condition of the structure, vacant storefront and numerous Code Enforcement citations.

This property is a candidate for condemnation. Due to the proximity of this lot to community facilities and public transportation, condemnation would result in an overall development and economic growth along the commercial corridor while being consistent with TOD and Smart Growth principles. If the adjacent lots, 39 or 41 (Site no. [12] and [14]), are acquired, this lot may be combined and redeveloped with those lots.



This rectangular shaped lot is roughly 13,000 square feet. It is a municipally owned parking lot serving the municipal building on Day Street. Site issues include poor pavement condition, lack of landscaping, and underutilization.

The site should be condemned as it is surrounded by mixed uses and its redevelopment could help attract more commercial activity. Furthermore, its proximity to public transportation makes it instrumental for transit-oriented design. In the event that the adjacent lots, Lots - 40 or 39 (Site no. [12] and [13]), are acquired, this lot may be combined and included in mixed-use, transit-oriented development and/or structured parking. This parcel may be combined with lots 39 and 40 and redeveloped as part of sound planning.



This rectangular shaped corner lot holds an attached two-story structure with one retail storefront. Site issues include incompatibility with adjacent building uses, past Code Enforcement citations, and lack of windows or design along façade.

This property is ideal for rehabilitation; however, in case the adjacent two parcels – lots 14 and 15 (Site no. [16] and [17]) are acquired, this site may be acquired and redeveloped together with Lots 14 and 15. The property independently qualifies for rehabilitation only.



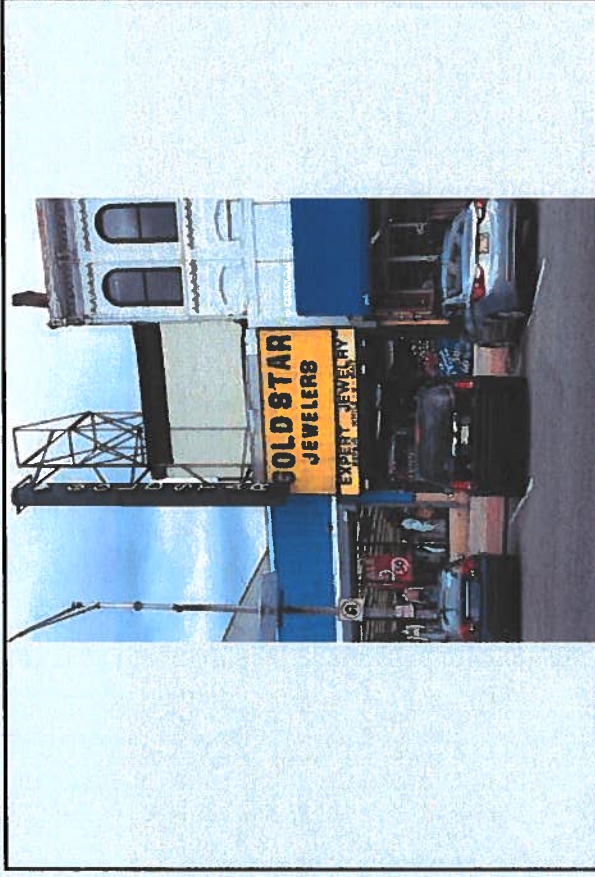
This rectangular shaped lot measures approximately 8,300 square feet and contains a three-story building with three retail storefronts and storage above. Site issues include underutilized upper floors, vacant stores, poorly maintained façade, numerous code enforcement etc.

Condemnation may be used to acquire this property and develop it along with adjacent lots 13 and 15 (Site no. [15] and [17]) to eliminate vacancy and promote economic growth.



The subject property is rectangular shaped and measures roughly 2,200 square feet in area. It holds a two-story building with one retail use on the ground level and an unknown use on the second floor. The property received a Code Enforcement citation within the last two years.

Due to the size and location of this lot, it may be difficult to develop this property independently. Condemnation may be used to acquire this property and develop it along with adjacent lots 13 and 14 (Site no. [15] and [16]).



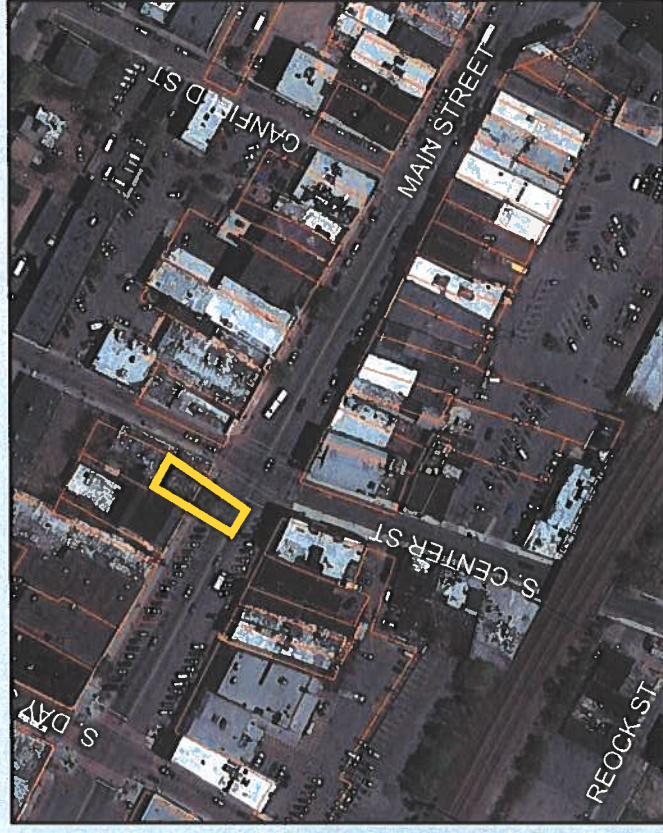
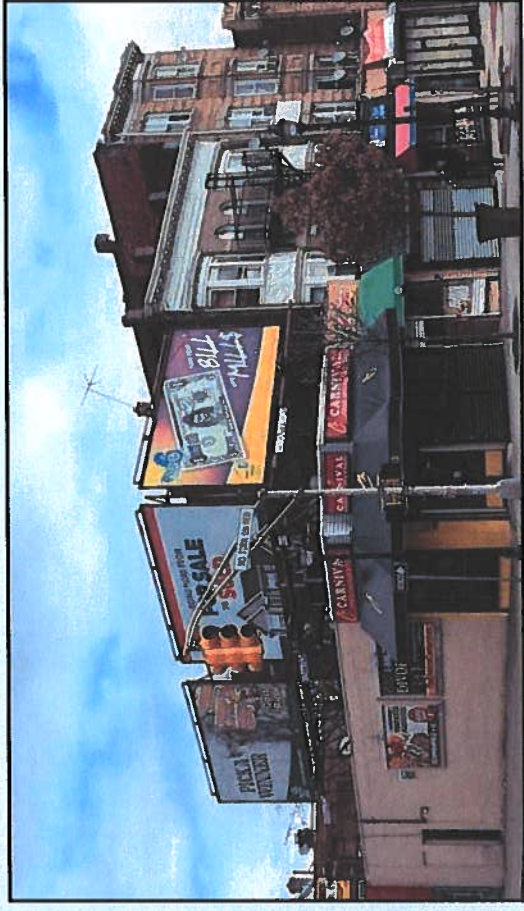
This irregular shaped lot measures roughly 17,400 square feet and contains a two-story building. The ground floor consists of one retail storefront and the second floor use is not known. The site is in need for minor façade improvements and code enforcement citations have occurred within the past two years. The second floor façade is in need of improvement in particular.

This property may be acquired to eliminate vacancy and promote uses that are compatible with a TOD district. This in turn will spur economic growth. If the adjacent lots – lot 14 and 15 are acquired, they may be redeveloped together with lot 16. The property independently does not qualify for condemnation.



The subject property is rectangular in shape and measures roughly 3,000 square feet in area. The parcel is a corner lot containing an attached, one-story structure with three storefronts and five billboards. The property needs significant renovations, has lack of transparency in fenestration and overcrowding of billboards.

This property may be acquired and developed to maintain the character of the adjacent buildings along Main Street. The property is located at the intersection of Cleveland Street and Main Street and is close proximity to the Orange Public Library. The current appearance of the property does not encourage any new investment in the area. Condemnation of this parcel will boost economic development within the block.



This triangle shaped lot measures roughly 7,300 square feet and is owned by NJ Transit. In addition to its vacancy, this lot is under-sized, overgrown and has not been improved in recent years. Furthermore, the sidewalk width is in poor condition.

Due to its shape, size and location, this lot may be acquired and merged with the adjacent lot 2 (Site No. [23]). The property may be developed or reserved for open space. Condemnation will serve public purpose by eliminating a vacant and poorly maintained parcel and bring about a more optimal and appropriate use of the property.



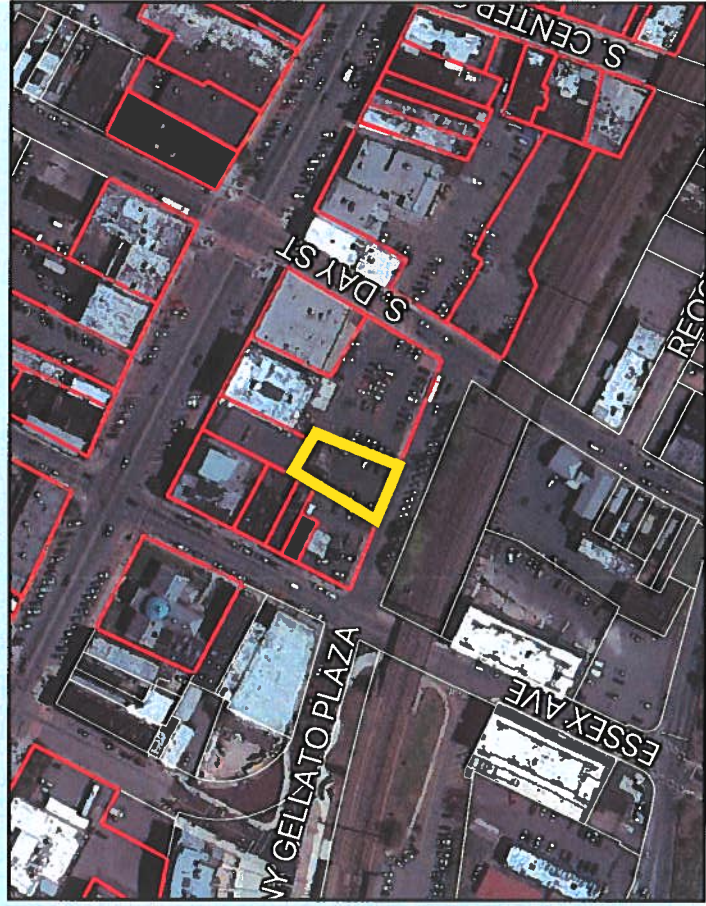
The subject property is rectangular in shape and measures roughly 5,200 square feet. This vacant property is currently used for parking. The parcel is under sized, has a faulty and obsolete design, and lacks adequate landscaping.

This property is a candidate for condemnation because of its faulty arrangement and lack of maintenance. Due to its size and location, this parcel may be combined with the adjacent lot 1 (Site No. [20]) and developed or reserved for open/public space.



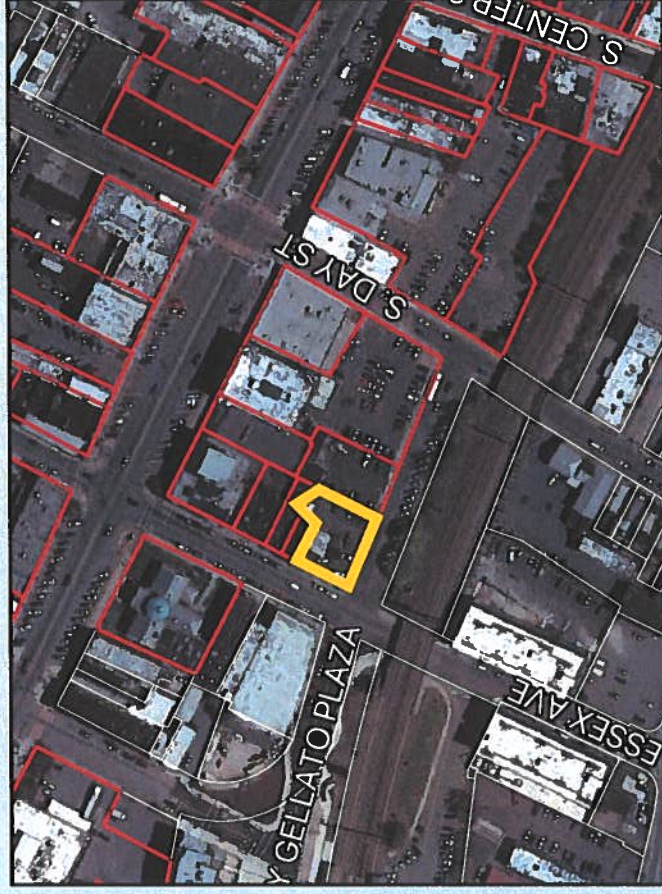
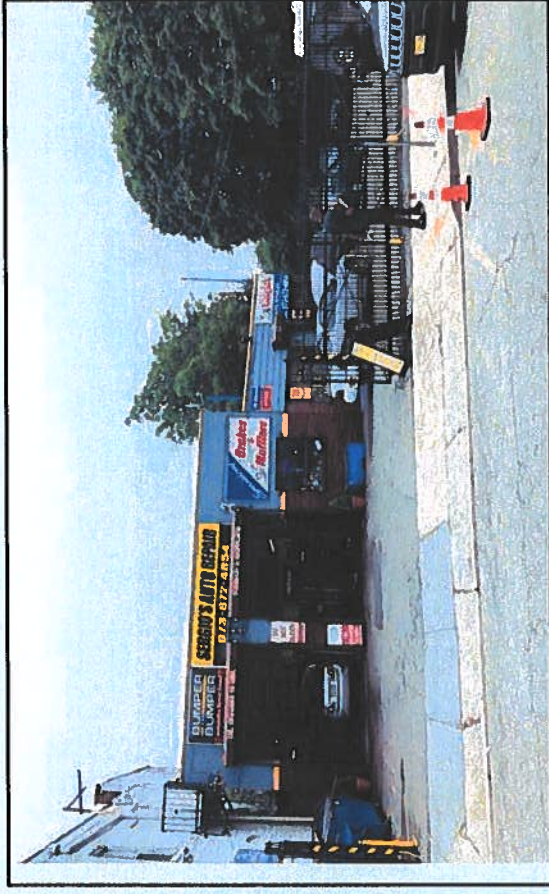
The subject property is rectangular in shape and measures approximately 8,500 square feet. The lot is currently used for surface parking serving the nearby pharmacy. Site issues include excessive impervious surface and lack of landscaping, pavement, wall and fence in need of repair, and lack of recent improvement.

This property is a candidate for condemnation due to its excessive impervious cover, lack of landscaping and poor maintenance. Condemnation and redevelopment into transit-oriented development and/or structured parking would be the most appropriate choice for this lot. If lots 6, 7, 8 and 9 (Site no. [23], [24], [25] and [26]) are acquired, this lot may be combined and redeveloped together.



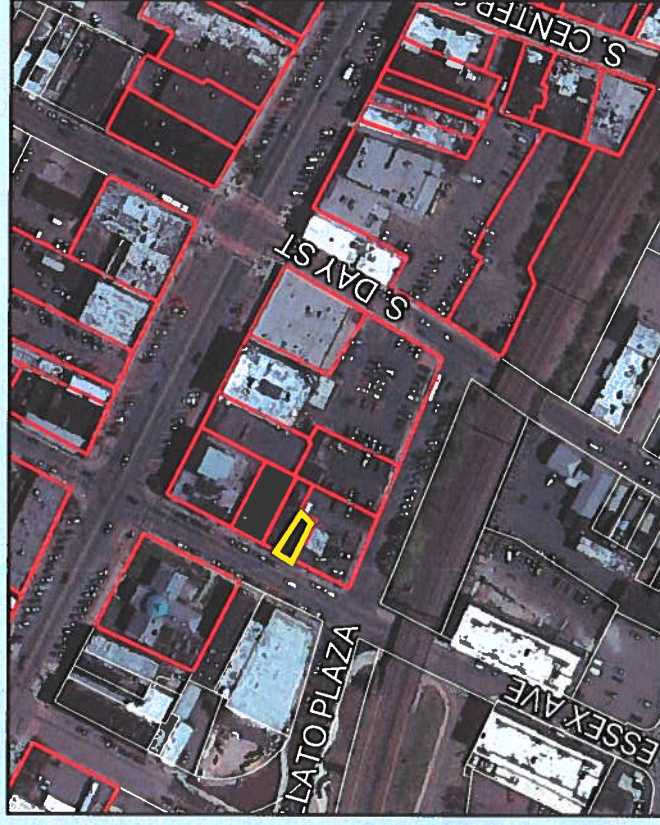
This irregular shaped lot measures roughly 7,000 square feet and contains a one-story structure used for automobile servicing. Site issues include excessive impervious land coverage, lack of landscaping, pavement in need of repair and a low improvement ratio. Furthermore, this site is an active brownfield contamination site.

Due to the contamination and other issues with this lot, this site should be acquired through condemnation. Condemnation will help eliminate contamination thereby serving public purpose and will bring a more productive and economic use of the property. New development will promote economic growth of the entire corridor. In the case that lots 5, 7, 8 and 9 (Site no. [22], [24], [25] and [26]) are acquired, this lot may be combined and redeveloped



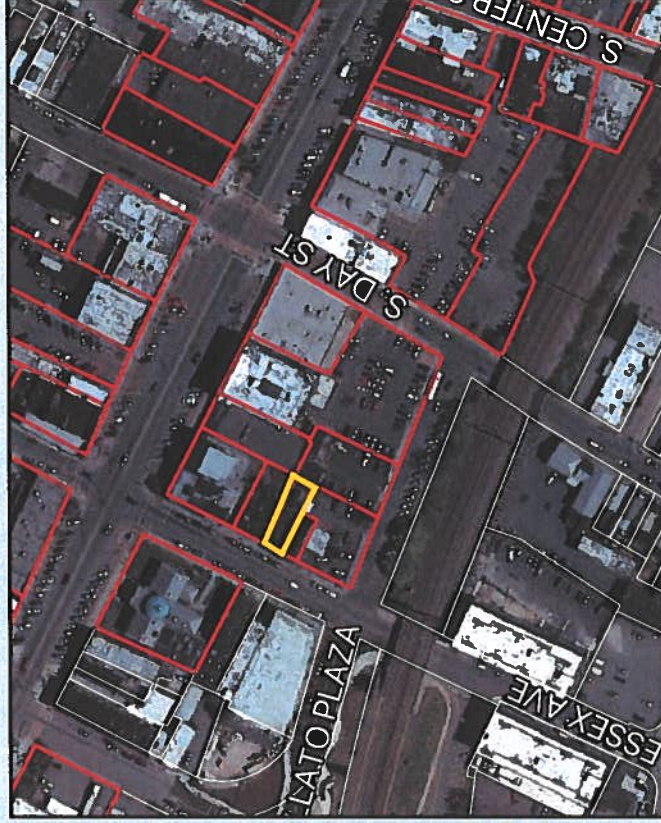
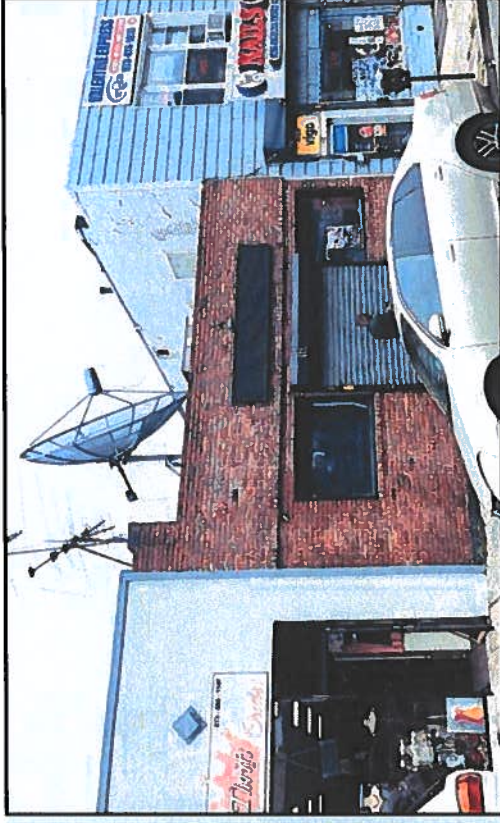
This rectangular shaped lot is approximately 2,000 square feet and contains a two-story building currently used for office and retail space. Site issues include the small size of the lot and a façade in need of repair.

This lot is ideal for rehabilitation; however, if lots 5, 6, 8 and 9 (Site no. [22], [23], [25] and [26]) are acquired, this lot may be acquired and merged with the other lots. Condemnation of this lot will promote overall economic growth of the area by encouraging newer development that is consistent with Smart Growth and TOD principles.



The subject property is rectangular shaped and measures roughly 2,100 square feet. The parcel contains a one-story building currently used as a tavern. Site issues include lack of transparency in fenestration, uninviting entrance, and a façade and sidewalk in need of improvements.

Due to the size and location of the site, in the event that lots 5, 6, 7 and 9 (Site no. [24], [25], [26] and [28]) are acquired, this lot may be acquired and merged with other lots. Condemnation of this lot will promote overall economic growth of the area by encouraging newer development that is consistent with Smart Growth and TOD principles.



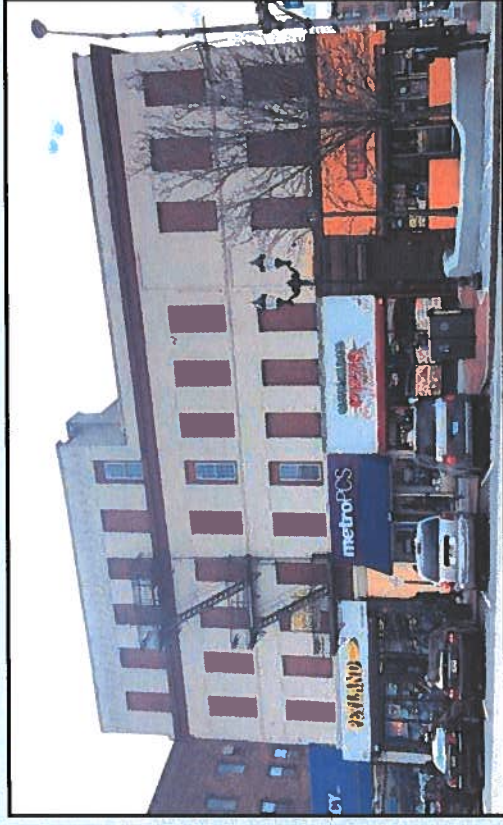
This rectangular shaped property has a one-story building containing three retail storefronts. The lot measures roughly 4,000 square feet. Site issues include a façade and sidewalk in need of improvements.

If lots 5, 6, 7 and 8 (Site no. [22] [23], [24], and [25]) are acquired, this lot too may be acquired and combined together with the other lots. Condemnation of this lot will promote overall economic growth of the area by encouraging newer development in an area that lies very close to the Orange train station.

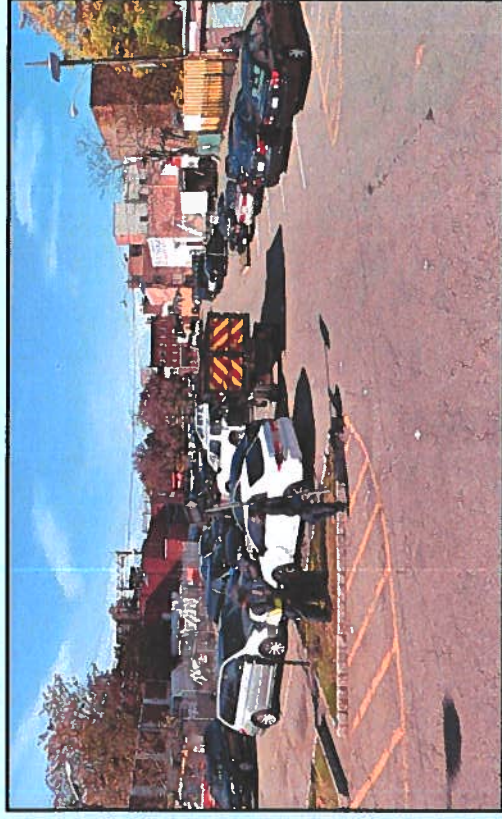


The subject property is square in shape and measures 9,600 square feet. The lot contains an attached, four-story building with four retail storefronts on the ground floor and storage on the upper floors. Site issues include a façade in need of cleaning, lack of transparency in fenestration, several Code Enforcement citations, and underutilized upper floors that have boarded up windows.

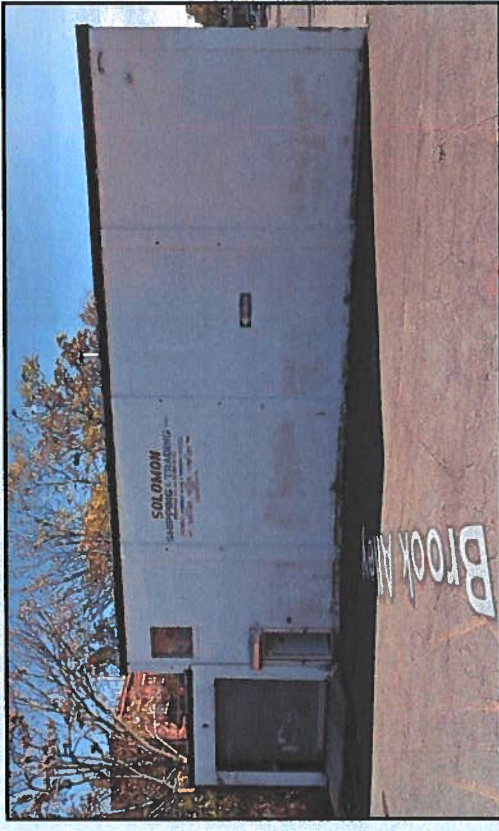
A 'Redevelopment with Condemnation' designation may benefit this property and catalyze growth in an area ripe for development. Condemnation will serve public purpose as it will bring an underutilized parcel to its finest use and development of this property will promote economic growth along Main Street.



The subject property is a rectangular shaped lot and measures approximately two and a half acres. The parcel is municipally-owned and is used as a parking lot. Site issues include a lack of signage, lighting and landscaping, as well as poor maintenance. The property should be redeveloped to bring optimum use of the property.



This rectangular shaped lot measures roughly 6,700 square feet and contains an attached two-story building with one retail storefront. The site is an interior lot with no frontage on Main Street. The building appears to be vacant and needs to be rehabilitated. The site is very small and has no frontage on Main Street and hence, may be acquired and merged with the municipal lot- lot 17 (Site No. [28]).



This irregular shaped lot measures approximately 9,600 square feet and contains a detached, two-story structure.

The building was formerly used as a meat market; however, it currently sits vacant and is unattractive with questionable structural stability. The property should be acquired and evaluated by a structural engineer for structural stability. If structurally sound, the property would benefit from adaptive reuse, which would not only serve public purpose by bringing a vacant property to finest use but, will also help promote the goals of a transit village designation. If this property is found to be structurally unstable, it should be acquired and redeveloped in line with transit-oriented and Smart Growth design standards.



The subject property is rectangular in shape and measures about 7,000 square feet in size. Although it is within quarter-mile radius of the Brick Church train station, the property is currently used for auto part sale. The site is surrounded by a chain link fence with insufficient landscape buffer. Furthermore, there is potential contamination on the lot.

Due to the adverse environmental impact this lot has on the surrounding area and its proximity to the Brick Church Station, this lot may be considered for condemnation. Eliminating contamination and promoting mixed-use in an area that lies in close proximity to a train station and along a failing commercial corridor will serve public purpose and promote economic development.



This property is rectangular in shape and measures approximately 4,900 square feet. It is currently vacant and lacks maintenance of landscaping.

The parcel is significantly small; hence, combining and redeveloping the property with adjacent lot - Lot 6 (Site No. [34]) would generate a more productive use of the property. Condemnation will further public purpose by encouraging infill development in an area that is in close proximity to a train station and bring about a more productive use of the property.



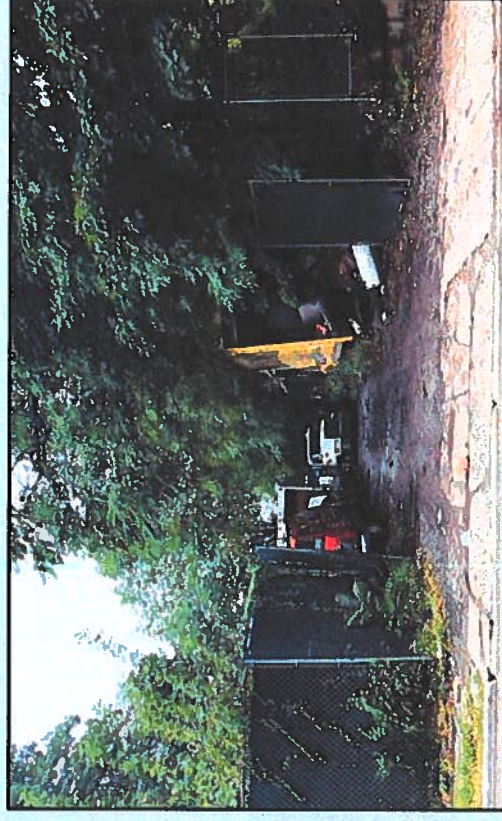
The subject property is rectangular and measures about 2,700 square feet. It currently sits vacant and has overgrown grass. The site is surrounded by a chain link fence but, has otherwise not been improved in the last few years.

Due to the small size of both lots, if lot 5 is acquired, it may be combined and redeveloped together with the adjoining lot 5 (Site No. [33]). Condemnation will further public purpose by encouraging infill development in an area that is in close proximity to a train station and bring about a more productive use of the property.



This irregular shaped lot is approximately 10,000 square feet. Although it is within quarter-mile radius of the Brick Church train station, the property is currently used for auto sales and recycling. The site lacks landscaping and has very limited frontage on Oakwood Avenue. Furthermore, there is potential contamination on the lot.

Due to the adverse environmental impact this lot has on the surrounding area and its proximity to the Brick Church Station, this lot may be considered for condemnation. A more productive use of the property would occur if the site is merged and redeveloped together with Lot 2 (Site No. [36]). Eliminating contamination and promoting mixed-use in an area that lies in close proximity to a train station and along a failing commercial corridor will serve public purpose and promote economic development.

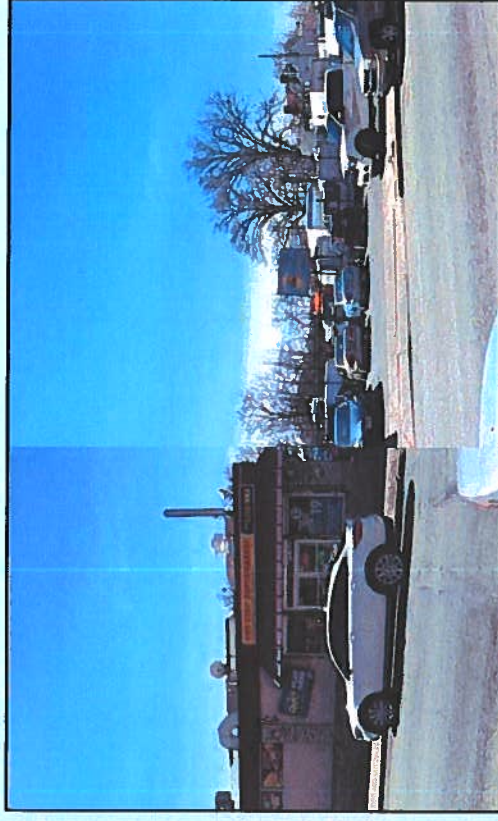


This rectangular shaped parcel is about 3,200 square feet. Although it is within quarter-mile radius of the Brick Church train station, the property is currently used for automobile storage. The site may have potential contamination. Additionally, the site lacks landscaping and the fencing is in need of repair. The use of this lot is not consistent with a traditional TOD district.

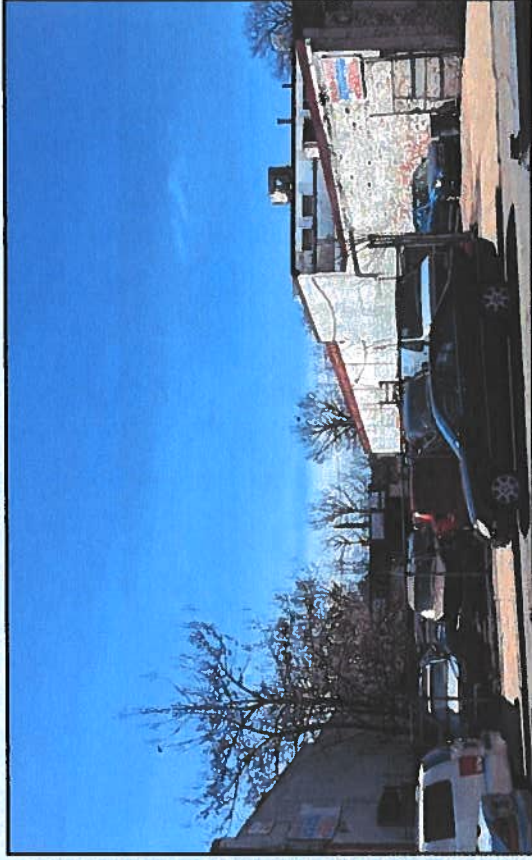
Due to potential contamination, inappropriate use of the property and location, this lot may be a candidate for redevelopment with condemnation. Condemnation will further public purpose by cleaning up the site and bring about a more productive use of the property which is consistent with TOD and Smart Growth principles. In the event that the adjacent lot 1 (Site No. [35]) is acquired, it may be combined and redeveloped together.



This expansive, irregular shaped lot measures 1.2 acres and holds a large one-story commercial structure used as a grocery store. The site has ingress and egress driveways on both, Main Street and Oakwood Avenue. The site has not been improved in recent years and contains a parking area that is in need of repair/repaving. The site lacks landscaping and has been subject to Fire Department emergency response and a Code Enforcement citation in the recent years. The site is also used for commercial vehicle storage, which is a use that is not permitted in a traditional TOD district. The proximity to the Brick Church train station, the deteriorating condition of the property, use of the property for vehicle storage etc. warrants condemnation of this property. Condemnation would allow for a more productive economical use of the property. This property may be developed together with lots- 8, 9 and 10 (Site No. [38], [39] and [40]).



The subject property is rectangular in shape and measures approximately 21,700 square feet. The site is contaminated and lacks landscaping, has excessive impervious coverage, outstanding taxes and recent Code Enforcement citations. Furthermore, the property has not been improved in the last few years. The site is also used for vehicle storage, which is a use that is not permitted in a traditional TOD district. The proximity to the Brick Church train station, potential contamination, use of the property for vehicle storage etc. merits condemnation of this property. Condemnation would help remediate the site, which serves as a public purpose and would spur economic growth along the now quiet commercial corridor and within the TOD district. This property may be developed together with lots- 7, 9 and 10 (Site No. [37], [39] and [40]).



This rectangular shaped lot measures about 22,000 square feet. It contains a one-story vacant commercial building and is significantly underutilized. The site layout is not desirable and the building is unattractive with rolled down gates.

This property is a candidate for condemnation because of its vacancy and proximity to the Brick Church station. Its redevelopment could attract new retail and residential development that complements the development around the Brick Church station. This property may be developed together with lots 7, 8 and 10 (Site No. [37], [38], and [41]) to include mixed-use transit-oriented development that promotes Smart Growth standards and helps spur economic growth within the area.



The subject property is a flag-shaped lot measuring 1.6 acres. It contains a one-story attached vacant building. The site is underutilized and has been cited for Code Enforcement violations.

This parcel has remained vacant for a long period and should be considered for condemnation. The property's proximity to the Brick Church station also makes it further potent for redevelopment. This site may either be developed independently or may be developed together with lots- 7, 8 and 9 (Site No. [37], [38] and [39]).



6.1 SITE PLAN AND SUBDIVISION APPLICATIONS

In the execution of the Main Street Redevelopment Plan, it should be noted that development and subdivision within the area shall be governed by the requirements set forth under the applicable development regulations of the City of Orange. Redevelopment activities shall be in conformance with the adopted redevelopment Plan which may be amended from time to time in accordance with law.

Site Plan review, as may be required, shall be conducted by the Planning Board of the City of Orange, pursuant to the provision of the Municipal Land Use Law N.J.S.A. 40:55D-1 et. seq.

All leases, agreements, deeds, and other instruments from, or between, the Redevelopment Agency, and to, or with a redeveloper, shall comply with the applicable provisions of Title 40, Chapter 37A.

6.2 DEVIATIONS

The Planning Board may grant deviations from the regulations within this Plan. The Board may also grant such relief in an application relation to a specific where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of the Plan and the benefits of the deviation would outweigh any detriments. An application for a deviation from the requirements of this Plan shall provide public notice of such application in accord with the requirements of public notice as set forth in N.J.S.A 40:55D-12a and b.

No deviations from this Redevelopment Plan are permitted which: 1. Deviate from permitted uses; 2. Expand a non-conforming use; 3. Deviate from standards with respect to conditional uses; 4. Increase the maximum floor area ratio; 5. Increase the maximum density; or 6. Increases the height of a principal structure by 10 feet or 10% of the permitted height.

No deviation from the requirements herein shall be cognizable by the Zoning Board of Adjustment.

6.3 RELIEF FROM THE APPLICABILITY OF OTHER REGULATIONS

All other uses shall be required to comply with the Residential Site Improvement Standards parking regulations. For all other regulations not addressed in this Plan Chapter 210 - The Land Use Ordinance of the City of Orange shall apply.

7.1 SELECTION OF REDEVELOPERS

This Plan is to be implemented in accordance with the procedures of the Local Redevelopment and Housing Law. Only the redeveloper formally designated by the City Council of the City of Orange and/ or its designee can undertake redevelopment activity in the redevelopment zone to which this Plan relates. Redevelopers will be selected based on qualifications including, but not limited to, the following:

- Experience with constructing comparable projects generally;
- Capability to finance the construction of proposed improvements;
- Capability to perform given resources committed to other projects;
- Demonstration of ability to observe project schedules; and,
- Ability to provide references for verification.

The City may conditionally designate a redeveloper to undertake the redevelopment Plan with which to exclusively negotiate the terms and conditions of a redeveloper agreement. The City's conditional designation of a redeveloper, and the conduct of exclusive negotiations, shall last no longer than 6 months. If a redevelopers agreement is not executed by both parties within such a period, the City shall revoke its conditional redeveloper designation and may repeat the process with another redeveloper.

7.2 CERTIFICATION OF COMPLETION

A redevelopment project will be certified as being completed by the City upon final inspection and issuance of a certificate of occupancy by the construction official for all buildings and the release of all performance and maintenance bonds for improvements by the City Council. The City will issue a certificate of completion to the redeveloper, which will release the redeveloper from any further obligations under the redeveloper agreement for that project.

7.3 STATUTORILY PERMITTED ACTIONS

Upon the adoption of a Redevelopment Plan pursuant to section 7 of P.L. 1992, c. 79 (C.40A: 12A-7), the municipality or redevelopment entity designated by the governing body may proceed with the clearance, Planning, development and redevelopment of the area designated in that Plan. In order to carry out and effectuate the purposes of this act and the terms of the redevelopment Plan, the municipality or designated redevelopment entity may:

1. Undertake redevelopment projects, and for this purpose issue bonds in accordance with the provisions of section 29 of P.L. 1992, c. 79 (C.40A:12A-29) and issue bonds.
2. Acquire, by condemnation, any land or building which is necessary for the redevelopment project, pursuant to subsection i. of Section 22 of P.L. 1992, c. 79 (C:40A-12-22). This area was designated as an area in need or redevelopment and rehabilitation with condemnation; and hence, it gives the governmental entity power to take private property for a public use. Condemnation is the process in which eminent domain is exercised where it is important to find whether its use is for a public purpose and the valuation of the taken property.
3. Acquire any condemnation, any land or building which is necessary for the redevelopment project, pursuant to the provisions of the "Eminent Domain Act of 1971," P.L. 1971, c. 361 (C. 20:3-1 et. seq.). This Plan is a condemnation plan.
4. Clear any area owned or acquired and install or reconstruct infrastructure
5. Prepare or arrange by contract for the provision of professional services and the preparation of Plans by licensed professionals and/ or other consultants for the carrying out of redevelopment projects.
6. Arrange or contract with public agencies or redevelopers.



7. Lease or convey property or improvements without public bidding.
8. Enter upon buildings or property for conduct of investigations or surveys.
9. Provide for relocation assistance.
10. Carry out a voluntary rehabilitation program and develop Plans for the enforcement of codes and regulations relating to use and occupancy, rehabilitation, demolition, and removal of buildings or improvements.
11. Request the designation of particular areas as Areas need off redevelopment or rehabilitation.

The Area governed by the Main Street Redevelopment Plan is with condemnation; hence, it permits the City to acquire a private property by condemnation for public use and for the economic growth and development of the entire area. As the Plan involves acquisition of private property, the City or redeveloper shall fully abide by the statutory protections afforded to the private property owner, including:

- no compensation offer made to a private- property owner by a redevelopment entity can be less than the acquired property's appraised fair market value (N.J.S.A. 20:3-6);
- fair market value offered to a private property owner must not be less than the value of the property as of the date of the area in need of redevelopment declaration by the governing body (N.J.S.A. 20:3-38);
- property owner will be given at least 14 days to accept or reject the compensation offer (N.J.S.A. 20:3-6).

7.4 AGREEMENTS WITH (RE-)DEVELOPER

Agreements with developers shall note that only those uses established in the redevelopment Plan shall be constructed, and prohibit, without approval of the redevelopment entity, the sale, leasing, or transferring of the redevelopment project, or portion thereof, without written consent. Agreements will also specify that the redeveloper is responsible for the

performance of a Phase I Environmental Site Assessment to be conducted in accordance with American Section of the International Association for Testing Materials (ASTM) International Standards. Based upon information obtained from the Phase I study, testing will be performed at the discretion of the City. The redeveloper will bear the cost of needed environmental testing and required remediation, and will provide a guarantee to ensure said work in the form found acceptable to the City and the Union County Improvement Authority.

7.5 EQUAL OPPORTUNITY

The land within the project area shall not be restricted on the basis of race, creed, color, or national origin in the sale, use, lease, or occupancy thereof.

7.6 PERIOD OF APPLICABILITY

The provisions of this Plan, specifying the redevelopment Plan for the project area and requirements and restrictions with respect thereto, shall be in effect for a period yet unspecified until such time as the purpose of the Plan has been satisfied and the designated district's need for redevelopment has been substantially alleviated.

7.7 RELOCATION ASSISTANCE

Prior to the undertaking of any voluntary acquisition of property by the designated redeveloper(s), to the extent required by law, a Workable Relocation Assistance Plan shall be submitted to and approved by the Department of Community Affairs in accordance with the requirements of N.J.A.C. 5:11-1.1 et seq. The designated Redeveloper shall, at its sole cost and expense, be responsible for providing Relocation Assistance. The Redeveloper shall comply with the requirements of the Relocation Assistance Act, N.J.S.A. 20:4-1, and the Relocation Assistance Law, N.J.S.A. 52:31B-1 et seq.. The Workable Relocation Assistance Plan shall also be submitted to be approved by the City of Orange and will be included in any related redevelopment agreement.

7.8 PLAN DURATION-CERTIFICATES OF COMPLETION AND COMPLIANCE

Upon the inspection and verification by the Mayor and Council that the redevelopment of a parcel subject to a redeveloper agreement has been completed, a Certificate of Completion and Compliance will be issued to the redeveloper and such parcel will be deemed no longer in need of redevelopment. This Redevelopment Plan will remain in effect until Certificates of Completion have been issued for the designated Area in Need of Redevelopment and Rehabilitation with Condemnation.

