

CITY COUNCIL

The City of Orange Township, New Jersey

DATE _____

AMENDED

NUMBER 51-2022

TITLE: AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF ORANGE TOWNSHIP, COUNTY OF ESSEX, STATE OF NEW JERSEY, AMENDING THE LINCOLN AVENUE REDEVELOPMENT PLAN PURSUANT TO N.J.S.A. 40A:12A-7.

WHEREAS, in accordance with the Local Redevelopment and Housing Law ("LRHL"), N.J.S.A. 40A:12A-1 *et seq.*, the Municipal Council ("Municipal Council") of the City of Orange Township ("City") initially adopted the Lincoln Avenue Redevelopment Plan on May 17, 2011, and was thereafter amended from time-to-time, the most recent being adopted on January 21, 2020, through passage of Ordinance No. 60-2019 ("Redevelopment Plan"); and,

WHEREAS, the Redevelopment Plan relates to an area in need of redevelopment known as the Lincoln Avenue Redevelopment Area ("Redevelopment Area"), comprising a single parcel designated as Block 6303, Lot 7, commonly known as 595 Lincoln Avenue ("Property"), which fronts Lincoln Avenue to the Southeast, and is otherwise generally bound by Tremont Avenue to the Northeast, neighboring lots to the Northwest, and Laurel Street; and,

WHEREAS, to accommodate an increased demand for affordable housing options throughout the City, the Municipal Council now wishes to amend the Redevelopment Plan to modify bulk standards applicable to the Redevelopment Area ("Plan Amendment"); and,

WHEREAS, the Municipal Council referred its proposed Plan Amendment to the City's Planning Board for consideration in accordance with N.J.S.A. 40A:12A-7(e); and,

WHEREAS, the Planning Board reviewed the Plan Amendment at its regular meeting on October 11, 2022, and authorized the Planning Board Attorney to issue correspondence to the Mayor and Municipal Council advising the Municipal Council of its findings, comments and recommendations; and,

WHEREAS, having considered the Planning Board's written findings, comments and recommendations, the Municipal Council wishes to proceed with approval and adoption of the Plan Amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF ORANGE TOWNSHIP, ESSEX COUNTY, NEW JERSEY:

Section 1 Approval and Adoption of Amended Redevelopment Plan.

The *Lincoln Avenue Redevelopment Plan*, as adopted by the Municipal Council on January 21, 2020, is hereby ratified, approved and adopted pursuant to N.J.S.A. 40A:12A-7, with the following amendments to the Bulk Standards table under Section 4.2 thereof:

Regulation	{Proposed} Required
<i>Redevelopment Area</i>	

(UNDERSCORES ARE ADDITIONS, ~~{BRACED STRIKEOUTS}~~ ARE DELETIONS)

 A. MIZRATH

Regulation	{Proposed}Required
Minimum Lot Area	{43,560} 40,000 Sq. Ft.
<i>Minimum Setbacks</i>	
Front Yard	10 Ft.
Rear Yard	0 Ft.
Side Yard (facing street)	5 Ft.
Side Yard	5 Ft.
Side Yards Combined	10 Ft.
Parking	2.5 Ft.
<i>Other Standards</i>	
Maximum Building Coverage	80%
Maximum Impervious Coverage	90%
Maximum Height (excluding appurtenances)	{60} 75 Ft.
Maximum Number of Stories	{5} 6 Stories
Density - Maximum Dwelling Units per Acre	{60} 72
Minimum Open Space	10%
{Minimum Number of Parking Spaces} <i>Parking Standards</i>	
Minimum Number of Stalls - Residential	1.14 spaces per unit
Minimum Stall Sizes	9 Ft. x 18 Ft. (RSIS) 8 Ft. x 16 Ft. (compact) 8 Ft. x 18 Ft. (ADA)

Section 2 Severability of Ordinance Provisions.

Each Section of this Ordinance is an independent Section and any part hereof found unconstitutional, void or ineffective for any cause shall not affect the validity or constitutionality of any other parts hereof.

Section 3 Conflicts and Inconsistencies.

All other Ordinances and parts of Ordinances that conflict or are inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency.

Section 4 Effective Date.

Following final passage, this Ordinance shall take effect upon the expiration of 20 days after publication, unless otherwise provided by the Municipal Council.

PURPOSE: To amend the Lincoln Avenue Redevelopment Plan.

FISCAL IMPACT: None.

Adopted:

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President

Approved:

Dwayne D. Warren, Esq.
Mayor

ORDINANCE NO. 51-2022

REGULAR MEETING – September 20, 2022

INTRODUCTION-FIRST READING

MOTION TO ADOPT: Montague, III

SECOND: Eason

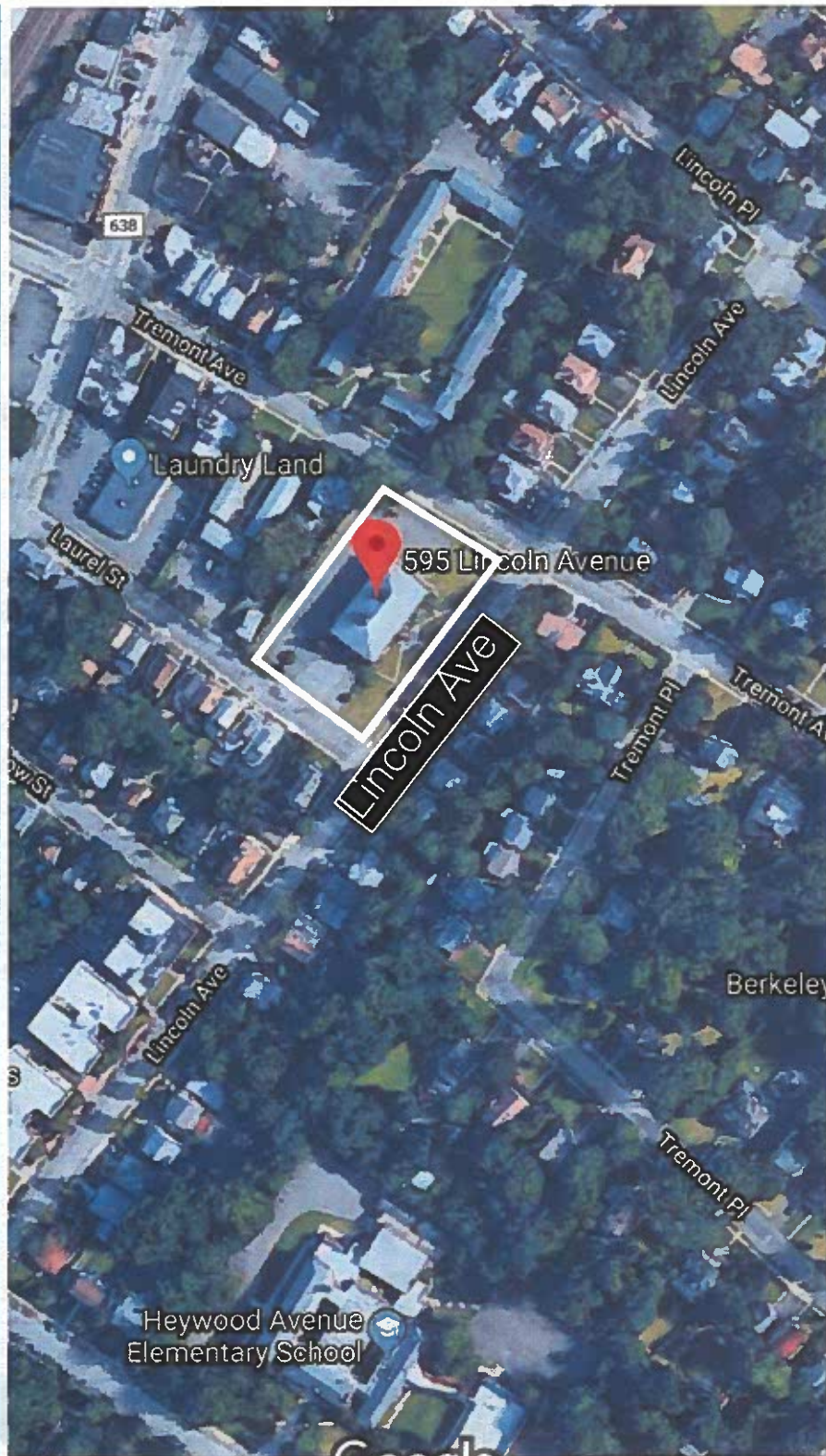
YEAS: Montague, III, Ross, Summers-Johnson, Wooten & Council President Eason

NAYS: Coley & Hilbert

ABSTENTIONS: None

ABSENCES: None

SECOND READING/PUBLIC HEARING – October 18, 2022



LINCOLN AVENUE REDEVELOPMENT PLAN (LAP)

City of Orange Township, New Jersey

Adopted: May 17, 2011

Proposed Amendments: September 25, 2019 by the
Orange Planning Board

Amended and Adopted by Ordinance 60-2019:
January 21, 2020

Prepared By:



Nishuane Group, LLC,
105 Grove Street, Suite
1 Montclair, NJ 07042

Lincoln Avenue Redevelopment Plan (LAP)

City of Orange Township, New Jersey

Adopted: May 17, 2011

Proposed Amendments: September 25, 2019 by the Orange Planning Board
Amended and Adopted by Ordinance 60-2019: January 21, 2020

Prepared By:



Mrunmayee Atré, AICP Candidate
LEED Green Associate



Michele S. Delisfort, PP, AICP
New Jersey Professional Planner
(PP) License#: 33L100615500

Prepared For:



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LINCOLN AVENUE REDEVELOPMENT AREA



Map1: Redevelopment Area




The City of Orange Township Planning Board has been authorized by Orange City Council Resolution 11-2010 to prepare a Redevelopment Plan and by Resolution 308-2019 to amend the Redevelopment Plan for the property identified as 595 Lincoln Avenue.

The current Lincoln Avenue Redevelopment Plan (LAP) proposes that either of two permitted uses be allowed within the Lincoln Avenue Redevelopment Area (LARA): townhouses/condominium residential or institutional. Any rehabilitation and/or accompanying new construction should comply with district and design standards as proposed by this Plan. If new construction is proposed, the developer shall have the option of LEED, Green Community or Green Future standards.

The Plan Amendment is proposed to overcome the issues posed by the Redevelopment Area as it is still vacant and to comply with the new Master Plan adopted in 2018. New standards in the amendment propose higher density to leverage the area's proximity to Highland Avenue train station.

CONTEXT



-  Redevelopment Planning Area Boundary
-  7 Minute Walk distance
-  Highland Avenue Train Station

Map2: Context Map

The 595 Lincoln Avenue structure was built as a school for the Orange Board of Education and formerly housed the Tremont Avenue School. According to testimony at a Planning Board public hearing on October 27, 2010, the property was conveyed to the City of Orange Township in the 1970's. The property was converted for use as the Orange Police Station and was used as a law enforcement facility station until the Freddie Polhill Justice Complex was opened in 2006. The Essex County Sheriff's Office leased and occupied the structure once it was vacated by the Orange Police Department in 2009. The structure has been vacant since that time and shows signs of significant deterioration as indicated in the Preliminary Investigation conducted in the fall of 2010.

2.1 PLANNING AREA BOUNDARY



Map3: Parcel Map

The LARA includes: Block 6303, Lot 7 (formerly Tax Block 203, Lot 6). The parcel dimensions are 261 x 171 or 44,631 square feet (1.02 acres). The street address is 595 Lincoln Avenue. Tremont Avenue, Lincoln Avenue, and Laurel Street border the parcel. The subject property is located within the Lincoln Avenue Redevelopment Area.

3.1 POLICY STATEMENTS OF THE REDEVELOPMENT PLAN

By adoption of this redevelopment plan, the Planning Board and City Council of the City of Orange Township seeks to establish the following policy statements, which generally describe the goals and objectives as expressed by a broad community constituency and are to be achieved in support of the implementation of this plan.

1. To redevelop the Area in a manner consistent with principles supportive of viable, self-sustaining, vibrant traditional neighborhoods, and Transit Friendly communities.
2. To honor and promote the principles of a "Transit Village," to provide pedestrian friendly public right-of-way improvements and connections, within the Area and between the Area's neighborhoods and educational, cultural, governmental, health and other institutions.
3. To emphasize development to promote the creation of pedestrian oriented places and facilities, and to promote self-sustaining, safe and secure neighborhood environments.
4. To encourage development activities which are compatible with the character and scale of the surrounding community, and which will foster vibrant and healthy neighborhoods and institutions.
5. To encourage the formal designation, preservation and adaptive reuse of historic structures and sites, to contribute to the character and history of the Area.
6. To provide for the development of high quality, well-designed housing types and to provide a range of housing choices for a broad range of incomes.
7. To encourage the appropriate and orderly development of the vacant land within the Area, in keeping with the intent and purpose of this plan.
8. To facilitate the development of roads, infrastructure, streetscapes, open space and other public improvements, which are to be planned in a manner beneficial to the entire Area and the City.
9. To provide for the timely redevelopment of non-conforming uses, in a manner consistent with the goals and objectives of the plan. The removal of non-conforming uses will be beneficial to the development of a cohesive and well-planned area.
10. To alleviate unsafe and congested vehicular traffic patterns, and to promote safe, comfortable and efficient pedestrian and vehicular access and circulation throughout the Area.
11. To discourage land use and development patterns which overemphasize automobile use and parking. These uses tend to contribute to traffic congestion and the poor use of open and available land.
12. To encourage rational, well-planned and managed expansion for educational, cultural and health related uses within the Area.
13. To promote the reuse and appropriate redevelopment of existing sites containing underutilized or aging facilities, which, in their present form, no longer meet the needs of the community and no longer contributes in a meaningful way to the health and vitality of the Area.
14. To encourage the development and implementation of quality homes, institutions, public spaces and amenities, neighborhood circulation, and an urban fabric consistent with the parameters contained within this plan, and reflective of the goals and objectives expressed by the many constituents who participated in the public planning process from which this plan evolved.

3.2 TYPES OF PROPOSED REDEVELOPMENT ACTIONS

It is proposed to substantially improve and upgrade the Area through a combination of redevelopment actions including, but not limited to, the following:

1. The provisions for full range of new or upgraded public infrastructure and amenities necessary to service and support the new development activities including pedestrian safety.
2. Construction of residential units and condominiums designed to capitalize on the close proximity to the NJ Transit facilities including the Highland Avenue and Mountain Avenue Train stations and bus routes (primarily 92), and the City's designation as a Transit Village.
3. The rehabilitation and adaptive reuse of appropriate sites and structures within the Area using Orange Sustainable Building and Design Standards as presented in this plan.

3.3 COMPATIBILITY WITH STATE AND LOCAL PLANS

Other Provisions to Meet State and Local Requirements

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

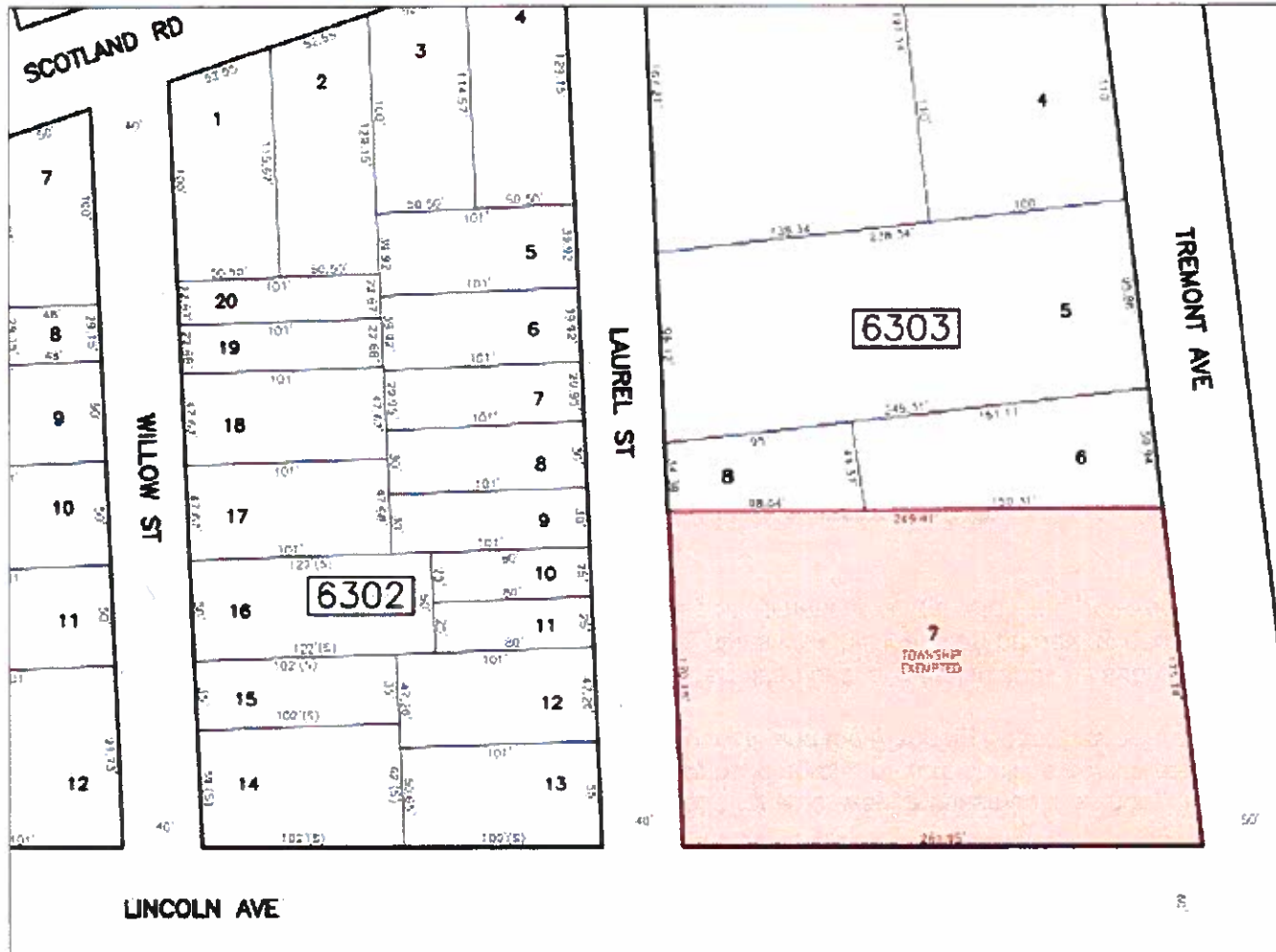
1. The Plan herein has delineated a definite relationship between local objectives and appropriate land uses, density of population, improved traffic and public transportation, public utilities, recreation and community facilities, and other public improvements.
2. The Plan has presented various strategies in order to carry out the objectives of this plan.
3. The Plan has presented proposed land uses and building requirements for the Area.
4. The Acquisition Plan, which is contained in this Plan, indicates all property to be acquired as a result of this Plan.
5. The Plan is in general compliance with the Master Plan of the City of Orange Township and the Master Plan of the County of Essex. The plan does not conflict with the 2018 Orange Master Plan. The Plan complies with the goals and objectives of the New Jersey Development and Redevelopment Plan (2001) because the plan recognizes the need to preserve and enhance urban areas and the residential quality of life. This Plan is specifically consistent with the goals of the State Plan in terms of its intent to revitalize deteriorating areas and to provide adequate housing.
6. This Plan shall supersede all provisions of the City of Orange Township Zoning Ordinance that are specifically addressed herein. Any zoning related question that is not addressed herein shall refer to the Zoning Ordinance for clarification. No variance from the requirements herein shall be recognizable by the Zoning Board of Adjustment. The Planning Board alone shall have the authority to grant deviations, waivers and/or variances from the requirements of this plan, as provided herein. Upon final adoption of this Plan by the Municipal Council, the Orange Zoning Map shall be amended to rezone the area covered by this Plan as the Area, and all underlying zoning will be voided in compliance with this Plan.

3.4 STATUTORY BASIS FOR THE REDEVELOPMENT PLAN

The Area in Need Study, prepared prior to the Plan adoption, was a non-condemnation Study. Consequently, the City will not exercise its police power by enforcing eminent domain. This Plan establishes a redevelopment plan that will serve as a guide for future development and redevelopment within the Plan Area. The Plan sets forth a framework for design standards and guidelines that will revitalize this neighborhood. The regulatory and design standards in this plan shall supersede applicable provisions of the City's Land Use Procedures Ordinance, Land Subdivision (site plan) Ordinance, and Zoning Ordinance as codified under Section 210, of the City's Revised General Ordinances as amended, where applicable.

- The regulations and controls in this Plan may be implemented, where applicable, by appropriate covenants, or other provisions, or through agreements for land disposition and conveyances executed thereto.
- No building or structure shall be constructed over public rights-of-way or easements, without the prior written approval of the Municipal Engineer and Site Plan approval by the Planning Board. No building or structure shall be constructed in the bed of a mapped street unless such street has been vacated by an act of the Municipal Council, and the Planning Board has approved the Site Plan.
- Prior to commencement of any new construction of a permitted use, a site plan shall be submitted by the developer or property owner to the Planning Board for review, so that compliance of such plans with this Plan can be determined. Regular maintenance and minor repair shall not require review nor shall applications within the redevelopment area that retain the pre-existing use, enter into a redeveloper agreement with the City of Orange.
- The Planning Board may grant exceptions or waivers from design standards, from the requirements for site plan or subdivision approval as may be reasonable and within the general purpose and intent of the provisions for site plan review and/or subdivision approval within this Plan, if the literal enforcement of one or more provisions of the plan is impracticable or would exact undue hardship because of peculiar conditions pertaining to the site. No deviations may be granted under the terms of this section unless such deviations can be granted without resulting in substantial detriment to the public good, and will not substantially impair the intent and purpose of the Plan. No deviations may be granted which would result in permitting a use that is not a permitted use within this Plan. An application requesting a deviation from the requirements of this Plan shall provide public notice of such application in accordance with the public notice requirements set forth in N.J.S.A. 40:55D-12.a. & b.

4.1 LAND USE PLAN



Redevelopment Area

This section describes the proposed land use plan and provides a framework to implement the City's vision for this area. The subsequent zoning regulations (found in Section 4.2) provide guidelines for any development that occurs in the area.

The Lincoln Avenue Redevelopment Area is located within a walking distance from Highland Avenue train station. This plan aims at fostering a vibrant, livable, sustainable development area by creating medium-density, walkable community at the periphery of suburban residential zone centered around easily accessible transit systems.

The designated Redevelopment Area is upgraded from single family residential to medium density mid rise multifamily residential use to achieve smart growth development. Educational uses, townhouses are also permitted uses in the Redevelopment Area.

4.2 DISTRICT STANDARDS

The district standards reflect the City’s vision for the proposed Lincoln Avenue Redevelopment Plan. More specifically, they define the permitted and accessory uses, bulk standards and other regulatory requirements specific to the zone.

Bulk Standards

Regulation	Proposed
Redevelopment Area	
Minimum Lot Area	43,560 Sq. Ft.
Minimum Setbacks	
Front yard	10 Ft.
Rear Yard	0 Ft.
Side Yard (facing street)	5 Ft.
Side Yard	5 Ft.
Side Yards combined	10 Ft.
Other Standards	
Maximum Building Coverage	80%
Maximum Impervious Coverage	90%
Maximum Height (excluding appurtenances)	60 Ft.
Maximum Number of Stories	5 Stories
Density - Maximum Dwelling Units per Acre	60
Minimum Open Space	10%
Minimum Number of Parking Spaces	
Residential	1 space per unit

Parking for Institutional uses: Refer Zoning Ordinance Chapter 210

Permitted Uses

- Mid-rise Multifamily Apartment
- Townhouses
- Institutional
- Parking

Accessory Uses

- Health club and other such recreational facilities associated with the residential uses.
- Cafe, Dry Cleaner etc.

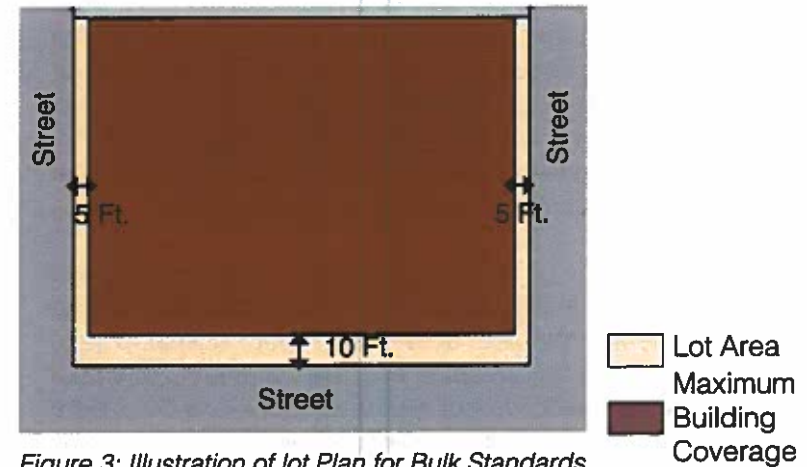


Figure 3: Illustration of lot Plan for Bulk Standards

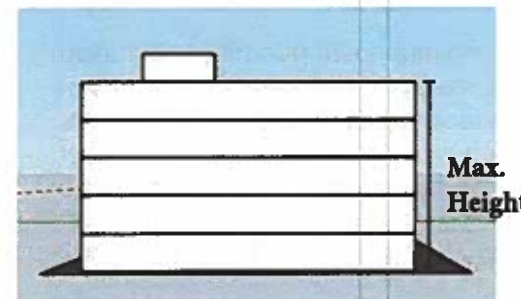


Figure 4: Example of Building Massing

Fencing

1. **Allowable Materials:** Tubular steel or mild steel, "wrought iron", decorative type fences are permitted along street frontage, but shall not exceed four (4) feet in height. Wooden board-on-board, picket fences (where the gaps between the pickets are at least 1/2 the width of the pickets) and similar types of fences may be permitted where visual screening is appropriate, and may exceed four (4) feet, but not more than six (6) feet in height. Vinyl coated small mesh chain link fencing may be used along interior lot lines.
2. **Prohibited:** Standard chain link fencing, hollow metal railings, opaque fencing or solid fences such as "Stockade" fences (board-on-board wooden fencing) are prohibited. Solid walls and other non-masonry, non-impervious fencing are prohibited. Barbed wire and other similar security fencing is prohibited.
3. **Construction Fences:** Chain link fencing and security fencing may be used during construction. However, all such fencing for construction shall be dismantled and removed prior to the issuance of a Certificate of Occupancy.
2. **Buffers:** Green space (trees, scrubs, flowers, etc.) shall be used as buffers and/or to accent entrances and sidewalks. All screen planting shall be coniferous or evergreen in nature.
3. **Open Space:** Park furniture includes benches, waste containers, picnic tables, play equipment, gazebos, bicycle racks, water fountains, and bollards. Park furniture shall be selected to enhance the character of the park, the character of the area, and other elements of the streetscape. Consistency in the selection and location of the various elements of park furniture is critical for maximum effect and functional usage.

Landscaping

Landscaping shall be required for any part of any parcel not used for buildings, off-street parking, sidewalk area or other similar purposes. All proposed site plans shall include plans for landscaping indicating the location, size, and quantity of the various species to be used. All open space, including yards, shall be landscaped with plant materials unless said open space is specifically designed for other activities that require paving or other treatment.

1. **Plant Material:** All plant material used must be able to withstand the urban environment and shall be planted consistently with standards as established by the American Association of Nurserymen. Any landscaping that dies within one (1) year of planting shall be replaced. A planting schedule shall be provided by the developer as part of the Site Plan Application.
4. **Parking Areas (Screen Plantings):** Surface parking lots for five (5) or more vehicles shall provide screen plantings along any street line and along all property lines except in those instances where a building intervenes or where the proposed planting may interfere with sight triangles. The landscaping in said planting areas shall consist of dense evergreen material, flowering trees, and shrubs that are planted on a center that is consistent with the mature spread of the species planted.
5. **Parking Area (Trees and Shrubs):** Within the surface parking area, a minimum of one tree shall be planted for every 10 parking spaces. These trees should be interspersed throughout the parking area, but may be located in the planting areas around the perimeter of the parking area if space limitations dictate such location. Landscaping shall be maintained with shrubs no higher than three (3) feet and trees with branches no lower than ten (10) feet, and designed so that the landscaping is dispersed around the parking area in an aesthetically pleasing manner.
6. **Lighting:** Street lighting fixtures shall be located at the outer edge of all sidewalks and have a comprehensive fixture design or theme. Pedestrian scale lighting ranging in height from sixteen (16) to twenty-two (22) feet is encouraged. Lighting fixtures shall be in scale with the size and width of the street on which they are located, and compatible with the uses and structures directly fronting thereon.

7. **Parking Areas:** Parking areas within each site shall sufficiently illuminate all areas to prevent “dark corner.” However, care should be taken not to “over illuminate” parking areas in order to reduce adverse impacts on adjacent properties. All lighting sources must be shielded to eliminate off-site glare and be capped to prevent upward glare.
8. **On-site Lighting Fixtures:** Lighting fixtures on-site shall be in scale with development. Pedestrian scale lighting of no more than fifteen (15) feet in height is encouraged.

Parking

1. **Parking & Loading:** Parking should not be the dominant visual element. Large concentrations of surface parking should be avoided and broken up with landscaping. All off-street surface parking areas shall be graded and paved with a durable dust free surface, adequately drained, and use poured in place concrete curbing or suitable material such as granite curbing to prevent vehicles from encroaching upon planted areas.
2. **Parking can be located in a basement with proper ingress/ egress to avoid large surface parking areas.**
3. **Lighting:** Lighting should be used to illuminate off-street parking, and loading areas shall be arranged and shielded to prevent the spillage of light off the premises.
4. **Parking Spaces:** All required parking spaces must be a minimum of 9 feet wide and 18 feet deep. The placement of a curb up to two (2) feet within the required 18 foot depth of the parking space is permitted, provided that there is an adequate area for an automobile occupying the parking space to overhang the curb alike distance without infringing on required landscaping, pedestrian areas or adjacent parking spaces. All aisles shall be a minimum of 22 feet wide. Up to 15% of required parking spaces may be compact spaces, and shall be a minimum of 8 feet wide by 16 feet deep.

Signage

1. **Sign Guidelines:** All signage shall be subject to site plan review and approval by the Planning Board. The Planning Board may at its discretion waive or allow deviations from the above regulations if a proposed sign or signage package will better meet the intent and purpose of this Plan and/or the proposed sign or signage package meets the highest standards of good civic design.
2. **General Sign Requirements:**
 - Under no circumstances shall fluorescent or glowing paint be permitted for any signage within the area
 - No sign shall be flashing or animated
 - Roof signs are prohibited
 - No sign shall be attached above the first story of any structure
 - Billboards and signboards are prohibited
 - Neon signs are prohibited
 - Backlit plastic or similar material signs are prohibited
 - All signage shall be externally lit
 - Kiosk for listing tenants and giving directions may be provided but no advertising will be permitted. Such kiosks may not exceed eight (8) square feet of sign area.
3. **Apartments:** One sign not to exceed eight (8) square feet, attached flush to the building wall, identifying the name of the building or complex, and street address only. All signage must be compatible with the residential character, color scheme and design of the principal structure.
4. **Residential:** No signage is permitted except for the street address of the property, which is required, and any necessary signage required for property mail delivery indicating the name of the resident of the building on the mailbox or door bell.
5. **Construction Signs:** During construction one (1) sign for each project or development indicating the name of the project or development, general contractor, subcontractor, financing institu-

tion, and public agency officials (where applicable). The sign area shall not exceed two hundred (200) square feet and shall be attached (where there is new construction). Said sign shall be removed upon the issuance of a Certificate of Occupancy.

6. Parking Lots: One (1) free standing or attached sign per parking entrance may be allowed indicating the parking facility by the international parking symbol and directional arrow. Said sign not to exceed eight (8) square feet. In addition, one (1) freestanding or attached sign per parking entrance may be allowed indicating parking rates, not to exceed eight (8) square feet. Said signs shall be located within ten (10) feet of the entrance. If necessitated by the circulation pattern, one (1) freestanding sign per street not to exceed four (4) square feet indicating directional location of a parking facility may be allowed subject to review by the Planning Board.
7. All other uses shall comply with the requirements of the Orange Zoning Ordinance (Chapter 210: Development Regulations Ordinance—Zoning and Land Development. Adopted May 2, 2006) and subsequent amendments.

Sustainability

- a) A roof-top garden or landscaped roof area may be provided on a newly constructed building in the plan area. The green roof area should cover a minimum of 50% of the roof.
- b) A green roof shall consist of four layers: a waterproof membrane, a layer of insulation, a drainage layer, and the growing medium (substrate). Additionally, a protective layer of PVC or other suitable material may be placed beneath the growing medium to protect against roots penetrating the waterproofing layer.
- c) Roof-top garden or landscaped area may be made accessible to the residents of the building.
- d) Where roof decks are provided, a minimum of 50% of the deck area should be landscaped. This area may be made accessible to the general public.
- e) Where building setbacks create terraces, landscaping is encouraged.
- f) Sustainable design practices and LEED certifiable buildings are strongly encouraged.
- g) Other rooftop appurtenances, including but not limited to radio or television antennas, elevator or stair bulkheads, mechanical equipment, alternative energy installations, water tanks and cooling towers, shall be permitted.
- h) Roof appurtenances may not exceed a height of 10 feet above the main roof slab and shall not be affixed to the roof of an elevator or stair bulkhead.
- i) Required minimum open space is encouraged to be a landscaped area that includes water retention, rain gardens etc.
- j) Minimize impervious surface area as much as possible.
- k) Use of sustainable building materials, solar panels etc. is highly encouraged.



Figure 6: Green Roof Anatomy



Figure 7: Green Roof Example



Figure 8: Rain Garden Example

4.3 DESIGN STANDARDS

The City of Orange Township envisions a vibrant and attractive setting for this neighborhood. The City recognizes that a number of urban design improvements are necessary in order to achieve this vision. These improvements include pedestrian and parking upgrades to new developments; all aiming at increasing the desirability of this area as a place of residence. The key elements on which the design standards are listed below:

Building, Mass and Form

- a) Architectural massing is encouraged.
- b) Shared driveways and shipping and receiving points are encouraged to reduce the number of curb openings to enhance the streetscape and promote traffic safety.
- c) Buildings with expansive blank walls are prohibited. Only blank walls adjacent to through-block sidewalks are permitted; however these must be treated with landscaping, artwork, or other treatment.
- d) Parking lot and other services areas shall be appropriately screened with a landscape buffer or any other architectural techniques.
- e) Building massing should be context sensitive. Some setbacks, punctures shall be introduced to pacify the massing effect of mid rise buildings in single family zone.

Materials and Texture

- a) First floor can vary in size, color and texture, and enable the provision of a decorative pattern or band. Brick masonry or cladding is encouraged to be similar with the surrounding buildings.
- b) The use of fabric or metal canopies and balconies are encouraged.
- c) Materials and textures shall be selected to fit in with the surrounding built environment.

Architectural Standards and Facade Treatment

- a) Structures should be designed to encourage architectural variety within an overall framework of design continuity.
- b) 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.
- c) Spatial gaps created in the street wall by parking or other non-pedestrian areas should be minimized.
- d) Upper floors may be coordinated with ground floors through common materials and colors.
- e) 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) If a parking deck/ structure is constructed, the facade elevations shall receive architectural treatment that complement the principal building.
- g) The building design is to incorporate to the greatest extent practicable green design techniques and promote energy efficiency through the choice of materials and major systems.
- h) Buildings on corner lots may be required to incorporate an architectural or pedestrian-oriented feature at the corner. Many options are possible including plazas, artwork, turrets, curved corners, etc.

5.1 SITE PLAN AND SUBDIVISION APPLICATIONS

In the execution of this 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 the law. Site plan review, as may be required, shall be conducted by the Planning Board of the City of Orange Township, 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 City, and to or with a redeveloper, shall comply with the applicable provisions of Title 40, Chapter 37A.

5.2 POWERS OF THE PLANNING BOARD

The City Planning Board may grant deviations from the regulations contained within this Redevelopment Plan as part of site plan review where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the Redevelopment Plan. The Planning Board shall not grant any deviation from standards of this Redevelopment Plan that results in a "D" variance pursuant to N.J.S.A. 40:55D-70d.

The Zoning Board of Adjustment does not have jurisdiction to hear applications for development or deviation under this Plan.

5.3 RELIEF FROM OR 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 Township shall apply.

6.1 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 Township 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 acquisition and 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.

6.2 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.

6.3 STATUTORILY PERMITTED ACTIONS

Upon the adoption of a redevelopment and rehabilitation 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 is a non- condemnation area.**¹
- 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.).¹
- 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 to conduct 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 in need of redevelopment or rehabilitation'.

6.4 AGREEMENTS WITH (RE-)DEVELOPER

Agreements with developers shall note that only those uses established in the redevelopment and rehabilitation 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. 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 of Orange Township.

Footnote 1: THIS IS A NON CONDEMNATION AREA and therefore this statement does not apply to the Lincoln Redevelopment Area.

6.5 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.

6.6 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.

6.7 RELOCATION ASSISTANCE

The Area governed by this Redevelopment Plan is a Non-Condemnation Redevelopment Area, which does not permit the City to acquire a property by condemnation. 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 City will not use its power of eminent domain to acquire property in this redevelopment area and, therefore, will not be responsible for relocation. If applicable, 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., if applicable. The Workable Relocation Assistance Plan shall also be submitted to be approved by the City of Orange Township and will be included in any related redevelopment agreement.



Lincoln Avenue Redevelopment Plan (LAP), City of Orange Township

