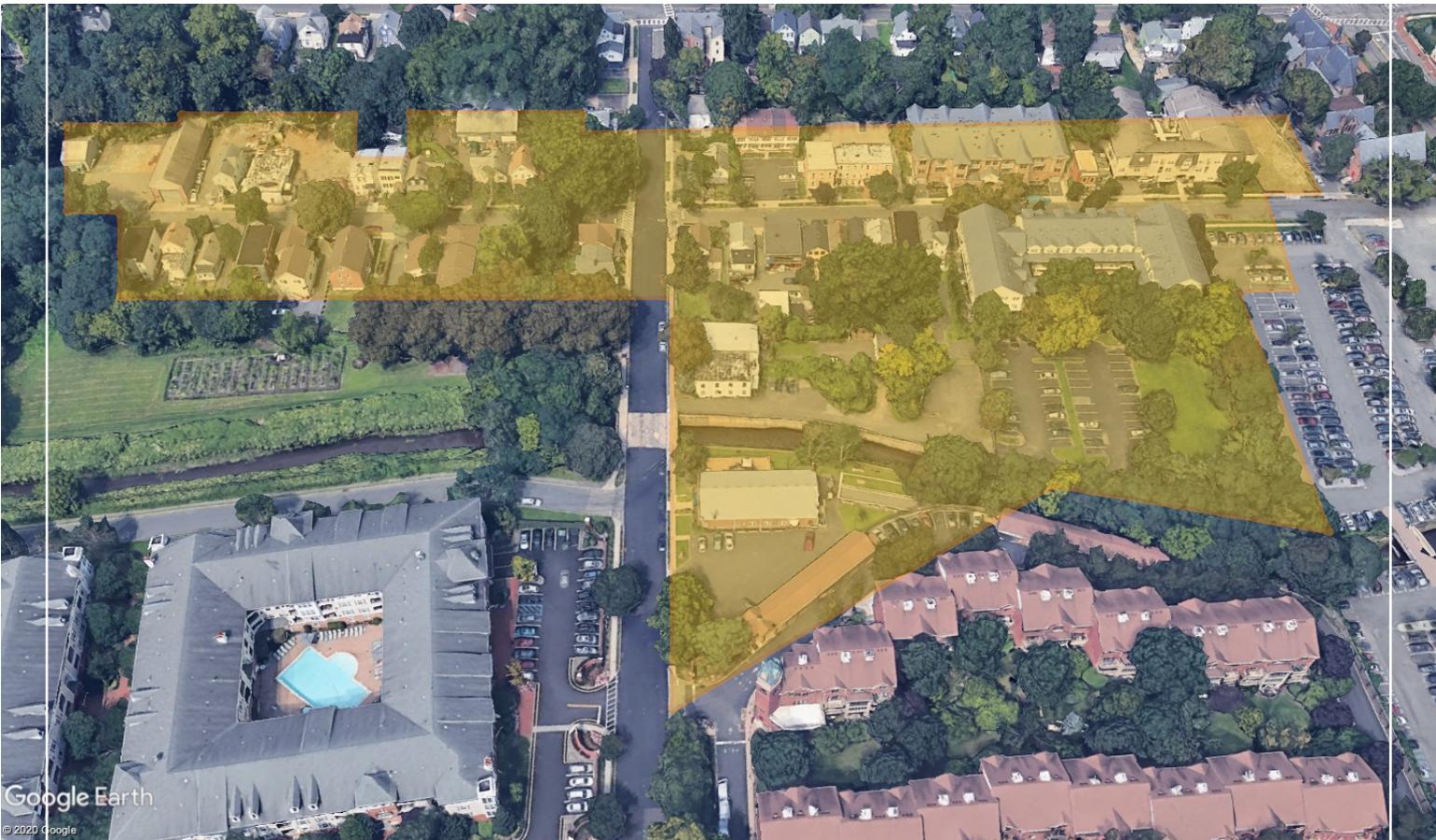


CHURCH STREET REDEVELOPMENT PLAN

~Amended and Reinstated~



SOUTH ORANGE VILLAGE, NJ

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**TOPO
LOGY**



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Table of Contents

| | |
|--------------------------------------------------------------------------|----|
| 1. Introduction..... | 4 |
| 1.1. Redevelopment Area Context Map..... | 4 |
| 1.2. 2005 Plan Overview..... | 4 |
| 1.3 2021 Plan Overview..... | 5 |
| 1.4 2024 Plan Overview..... | 6 |
| 2. Local Redevelopment and Housing Law..... | 7 |
| 3. Relation to Other Plans..... | 8 |
| 4. Area Description..... | 8 |
| 4.1. 2021 Plan Property Area + Location..... | 9 |
| 4.1.1. Project Area Map..... | 10 |
| 4.1.2. Environmental + Other Constraints..... | 11 |
| 5. Public Purpose..... | 13 |
| 5.1. Goals and Objectives..... | 13 |
| 5.2. Affordability..... | 13 |
| 5.2.1. District R-38-AHO..... | 13 |
| 5.2.2. District R-22, R-32, and R-38 | 14 |
| 6. Land Use..... | 15 |
| 6.1. Public Open Space District..... | 15 |
| 6.1.1. Permitted Principal Uses..... | 15 |
| 6.1.2 Other Standards..... | 15 |
| 6.2. Church Street R-22 District..... | 15 |
| 6.2.1. Permitted Principal Uses..... | 15 |
| 6.2.2. Permitted Accessory Uses..... | 15 |
| 6.2.3. Conditional Uses..... | 16 |
| 6.2.4. Bulk Standards..... | 16 |
| 6.2.5. Other Standards..... | 17 |
| 6.3. Church Street R-32 District..... | 17 |
| 6.3.1. Permitted Principal Uses..... | 17 |
| 6.3.2. Permitted Accessory Uses..... | 17 |
| 6.3.3. Conditional Uses..... | 17 |
| 6.3.4. Bulk Standards..... | 17 |
| 6.4. Church Street R-38 District + Affordable Housing Overlay (AHO)..... | 19 |
| 6.4.1. Permitted Principal Uses..... | 19 |
| 6.4.2. Conditional Uses..... | 19 |
| 6.4.3. Permitted Accessory Uses..... | 19 |
| 6.4.4. Bulk Standards..... | 19 |
| 7. General Design Standards..... | 21 |
| 8. Administration..... | 23 |
| 8.1. Validity of Plan..... | 23 |

| | |
|------------------------------------------------------------------|----|
| 8.2 Computations..... | 23 |
| 8.3 Other actions by the Village in Furtherance of the Plan..... | 23 |
| 8.4 Village Designation – Redevelopment Agreement..... | 23 |
| 8.4.1 Usage of the word “developer”..... | 23 |
| 8.4.2 Standing before Planning Board..... | 23 |
| 8.5 Procedural Standards for Redeveloper Applications..... | 23 |
| 8.6 Approval Process..... | 24 |
| 8.6.1 Village Review..... | 24 |
| 8.6.2 Schedule..... | 24 |
| 8.6.3 Planning Board Review Process..... | 24 |
| 8.6.4 Site Plan + Subdivision Review..... | 24 |
| 8.6.5 Approvals by Other Agencies..... | 24 |
| 8.7 Deviations..... | 26 |
| 8.8 Severability..... | 27 |
| 8.9 Adverse Influences..... | 27 |
| 8.10 Non-Discrimination Provisions..... | 27 |
| 8.11 Redevelopment Actions..... | 27 |
| 8.12 Relocation Requirements..... | 27 |
| 8.13 Escrows..... | 28 |
| 8.14 Infrastructure..... | 28 |
| 8.15 Procedures for Amending the Plan..... | 28 |
| 8.16 Redevelopment Plan Duration..... | 29 |
| 8.17 Certificates of Completion..... | 29 |
| 8.18 Land Use Map Amendments..... | 29 |
| 8.19 Additional Superseding Provisions..... | 29 |
| 8.19.1 Terms + Definitions..... | 29 |
| 8.19.2 Other Applicable Design + Performance Standards..... | 29 |
| 8.20 Other Provisions..... | 29 |
| Appendix A: Block 1902, Lots 39-40 Property Survey..... | 31 |
| Appendix B: Relation to Other Plans..... | 32 |
| Appendix C: Definitions..... | 34 |
| Appendix D: Church Street Redevelopment Plan, 2005..... | 36 |

1. Introduction

1.1. Redevelopment Area Context Map

Village of South Orange Church Street Redevelopment Area Map

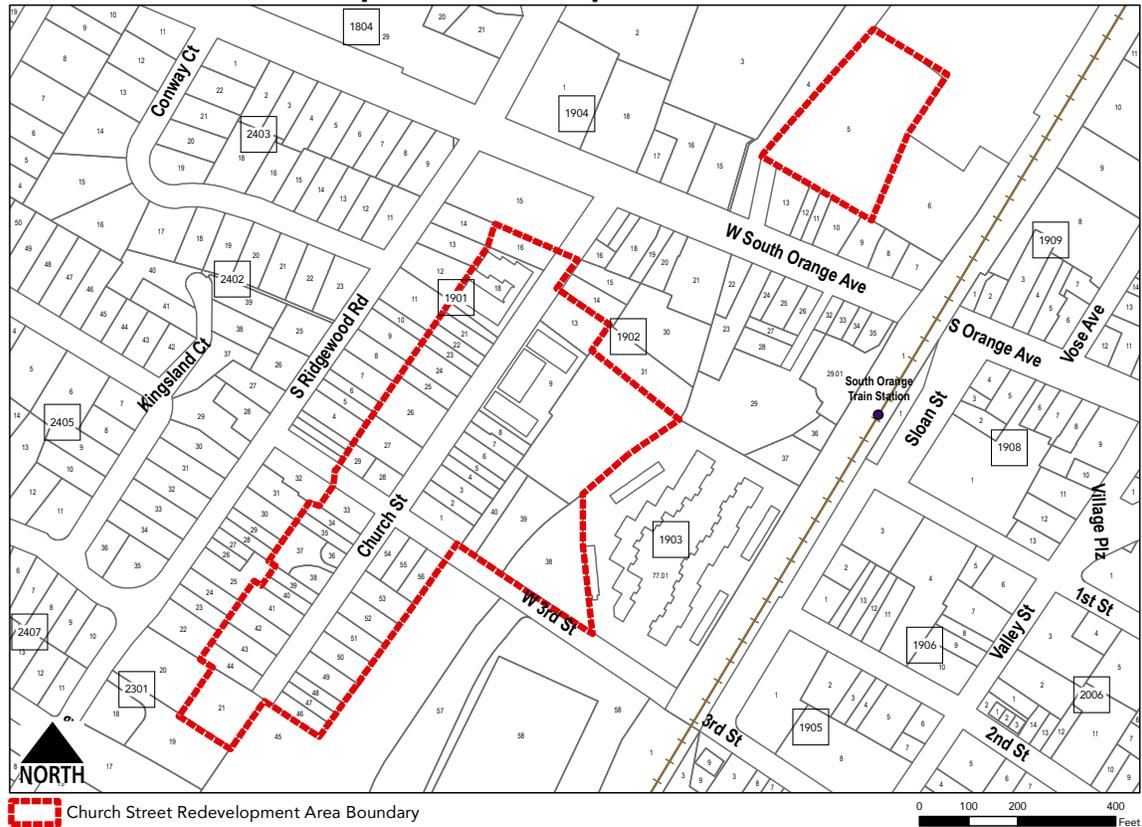


Figure 1: Church Street Redevelopment Area Map

1.2. 2005 Plan Overview:

During the past eleven years, the Village of South Orange has focused its efforts on revitalization of its downtown and adjacent areas, particularly in the area of the train station. The Village Council has determined that one of the most effective planning and implementation strategies is the use of the redevelopment process in accordance with State statute. The first step in the process is designation of an area in need of redevelopment." In the first quarter of 2000, the Planning Board recommended that certain areas along Church Street be declared "an area in need of redevelopment." In response, the Village Council adopted resolutions in April of 2000, which formally declared portions of Church Street as "an area in need of redevelopment."

This Plan is an amendment to the Church Street Redevelopment Plan, which was originally adopted by the Village Council in May 2000. This Plan supersedes the May 2000 Plan. When it was originally prepared, the Plan created two separate zoning districts, the Church Street R-22 District and the Church Street R-38 District, on opposite

sides of Church Street. The two districts permitted similar residential development at different densities, with higher densities located closer to the train station on the east side of Church Street.

In the ensuing years it has been determined that the physical layout of the western side of Church Street can accommodate higher density development. The rationale for this determination is based upon the following criteria:

- First, the depth of the lots creates enough space to accommodate higher density development and adequate on-site parking.
- Second, the adjacent single-family homes located on Ridgewood Road are set very close to Ridgewood Road with small front yards and deep rear yards. The rear yards generally contain large deciduous trees. This mitigates the impact of higher density development upon these properties and
- Third, there is a significant elevation difference between Ridgewood Road and Church Street, with Ridgewood Road being at a higher elevation. This further mitigates the impact of higher density development upon the adjacent single-family homes.
- Fourth, the depth of the lots affords opportunity for development at higher densities with internal parking.

This Plan creates a new zoning District Church Street R-32 along the west side of Church Street between the northern boundary of the Area (Lot 15 Episcopal Church) and Third Street (see revised District Map). This district was originally designated R-22, which permits a density of 22 units per acre. The new designation for this area permits residential development of 32 units per acre and establishes specific bulk and design standards respecting the District's proximity to single-family homes along Ridgewood Road.

1.3. 2021 Plan Overview:

In May 2019, the Village executed a Settlement Agreement with Fair Share Housing Center (FSHC) in response to its declaratory judgement action. In the Settlement Agreement, the Village agreed to an allocation of its combined Gap and Prospective Need Third Round Obligation to produce 192 credits. As part of this compliance mechanism, the Village identified Block 1902, Lots 39-40 as a site to help meet its obligation.

As adopted by the Village's Housing Element and Fair Share Plan, Block 1902, Lots 39- 40 was identified as a project to be redeveloped by a non-profit. The project will be deed-restricted for a period of no less than thirty (30) years.

In order to effectuate the Village's Housing Element and Fair Share Plan, this Plan amends the previous 2005 amendment and creates a new affordable housing overlay zone within the R-38 on Block 1902, Lots 39 and 40 to be called the R-38-AHO overlay. The R-38-AHO overlay shall be the properties governed by this Plan, which may henceforth be identified as the "Site," "Area," or "Amended Plan Area." Standards applying to the original R-22, R-32, R-38, and Open Space/Parks in the 2005 Plan, unless otherwise noted herein, remain unchanged.

This Plan Amendment was adopted by the Village Council on June 14, 2021. Following the adoption of this Plan Amendment, Final Site Plan approval was granted by the Planning Board on September 7, 2022 to develop Block 1902, Lots 39 and 40 with a 3 ½ story, fully affordable, multifamily apartment building containing 26 units. No other applications have been submitted or approved.

1.4. 2024 Plan Overview:

As of 2024, no new substantial redevelopment projects have been approved in this Redevelopment Area due to inconsistent zoning standards with current planning and development practices that create barriers to improvements and development.

Over the past decade, several applications have been submitted for the 185 Church Street property (Block 2301, Lots 21 and 44) within the R-22 District, including multiple rounds of concept pre-application with different developers and even one Planning Board application that has been withdrawn. Due to a combination of plan issues and site constraints, none have progressed.

As such, the Village Council and Planning and Economic Development Committee have determined to advance the amendment of the Plan, specifically to make multiple stacked, two-family dwellings a permitted principal use and to permit a maximum density of 27.5 dwelling units per acre for townhouses and multiple stacked, two-family dwellings on lots over 12,000 square feet in the R-22 District.

Additional amendments within the Plan include amendments to the requirements for building height, number of stories, lot coverage (to allow for bonuses where sustainable design/stormwater management improvements are implemented), perimeter landscape buffering, and lot area, frontage, and depth for existing single- and two-family dwellings.

Village of South Orange Church Street Redevelopment District Map

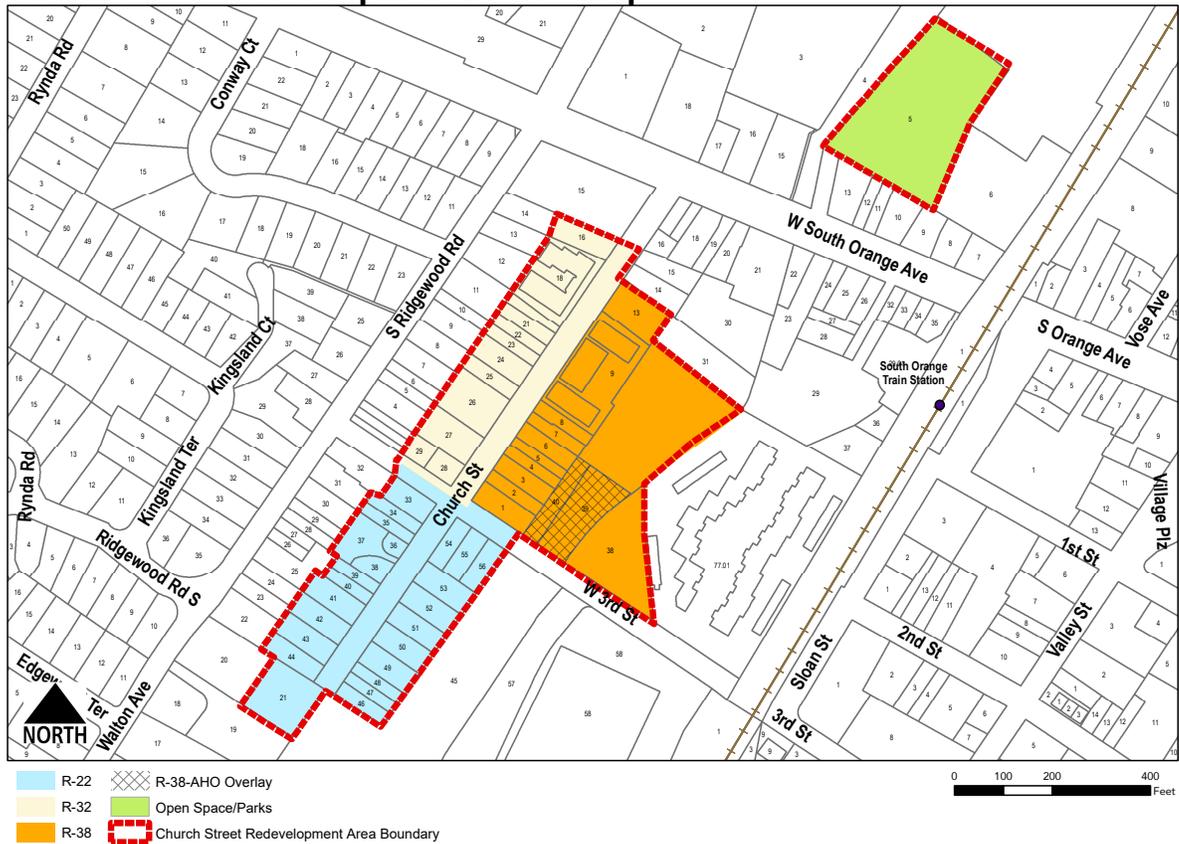


Figure 2: Redevelopment Area Context Map

2. Local Redevelopment and Housing Law

The Redevelopment Plan is the formal planning document for revitalization of the Redevelopment Area. According to State statute, the Redevelopment Plan shall include an outline for the planning, development, redevelopment or rehabilitation of the project area sufficient to indicate:

1. Its relationship to definitive local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
2. Proposed land uses and building requirements in the project area.
3. Adequate provision for the temporary and permanent relocation as necessary of residents in the project area including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.
4. An identification of any property within the Redevelopment Area, which is proposed to be acquired in accordance with the Redevelopment Plan.
5. Any significant relationship of the Redevelopment Plan to:
 - The Master Plans of contiguous municipalities;

- The Master Plan of the County in which the municipality is located; and
- The State Development and Redevelopment Plan adopted pursuant to the "State Planning Act" PL 1985, C398 (C52:18A-196 et al.).

The Village has determined that the use of the redevelopment powers granted to municipalities under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., or the LRHL, would be the most effective approach to revitalize the parcels contained in the Redevelopment Area.

The Area was designated by the Village as an "Area in Need of Redevelopment," in accordance with the LRHL in 1995 and 1999.

For more information, refer to Local Redevelopment and Housing Law Regulations + Policy of N.J.S.A. 40A:12A-7.

3. Relation to Other Plans

Pursuant to the LRHL, "all provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan" (N.J.S.A 40A:12A-7(d)). The Amended Plan is significantly consistent with and intended to effectuate the following plans:

- South Orange Village Master Plan
- Essex County Master Plan
- Adjacent Municipalities Master Plans
- NJ State Development and Redevelopment Plan

For more information, refer to Relation to Other Plans (Appendix B)

4. Area Description

The area in need of redevelopment (the "Redevelopment Area") as adopted by the Village Council, includes properties along Church and Third Streets and a portion of the Cameron Field Village park (see Redevelopment Area Map). The area is primarily residential in character, and contains one-, two- and multi family units, many of which were constructed during the late 19th Century. The area, however, is interspersed with incompatible commercial uses that are mainly garages used for storage or warehousing.

The Village has a history of redevelopment, primarily in the downtown area in the vicinity of the train station. Two Redevelopment Plans have been adopted for the South Orange Village Business District Redevelopment Area. Recommendations have been implemented, most notably in the train station area.

Public improvements are an important element of the Village revitalization efforts. Streetscape improvements have already been completed along West South Orange Avenue from Ridgewood Road to Sloan Street, Sloan Street and Valley Street. These improvements have assisted in creating a more aesthetically pleasing CBD, which is pedestrian, and shopper friendly. This, in turn, has reinforced the marketing efforts and stimulated redevelopment activities in the Redevelopment Area.

Streetscape improvements have also been completed on Phase II of the project, which includes South Orange Avenue from Sloan Street to Prospect Street, along Valley Street to connect to South Orange Avenue, Vose Avenue and Scotland Road.

Streetscape improvements include:

- Reducing South Orange Avenue from a four-lane roadway to a three-lane road with a dedicated turning lane
- Installing pavers at pedestrian crosswalks
- Expanding sidewalk areas at key locations
- Realigning parking
- Installing street trees, landscaped areas, new lighting and street furniture

The Sloan Street Village Square streetscape improvements included installation of street furniture, new curbing, new planter areas, new lighting and use of pavers. The intent of the Sloan Street improvements was to redesign a portion of the street as the public "Village Square" so that it becomes the Village "Center."

Finally, the Village has allocated approximately \$3.0 million in capital funds to renovate the firehouse on Sloan Street. A number of mixed-use redevelopment projects are underway in the area. Closest to the Church Street Redevelopment Area is Sayid Plaza located adjacent to the South Orange Avenue / Church Street intersection. This development will contain street-level retail with three floors of residential above. Other redevelopment is set to occur on the site of the former Beifus car dealership where a mixed-use development comprised of multi-family housing with street-level retail is planned. Another redevelopment project is set to occur along South Orange Avenue and Vose Avenue, where the former Shop Rite supermarket and parking lot is being redeveloped into a new supermarket, multi-family housing and street level retail. All of these projects intend to take advantage of access to the train station and will expand commercial opportunities within the CBD.

4.1. 2021 Plan Property Area + Location

The properties subject to this Affordable Overlay Redevelopment Plan are Block 1902, Lots 39 and 40, also referred to as 41-45 Third Street. The combined lots occupy an area of approximately 21,324 square feet (0.490 acres), according to a survey prepared by David Hals, PE, LS, PP, dated April 28, 2021. (See Appendix A)

This Redevelopment Area is located along Third Street, less than ¼ mile from the South Orange Train Station and fewer than 3 miles from the Garden State Parkway.

The area in need of redevelopment includes two properties along Third Street:

- Block 1902, Lot 39, known as 41 Third Street, is an approximately 0.34-acre lot containing a two-story house built circa 1910 and was acquired by the Village in May 2012.
- Block 1902, Lot 40, known as 45 Third Street, is an approximately 0.15-acre lot containing a two-story house built circa 1905 and was acquired by the Village in late Spring to Summer 2020.



Figure 3: Photograph of 41 Third Street

The surrounding area is primarily residential in character, and contains one-, two-, and multi-family units, of which several were constructed in the late 19th Century, however neither of these properties are identified as local landmarks or key properties, per the Historic Preservation Commission. The property is adjacent to the East Branch Rahway River and within walking distance to the South Orange Train Station and the Third Street Playground. The area, however, is interspersed with existing incompatible commercial uses such as garages used for storage and warehousing.

4.1.1. Project Area Map

Village of South Orange R-38 AHO



Figure 5: Project Area Map

4.1.2. Environmental + Other Constraints

The East Branch Rahway River runs through Block 1902, Lot 39 towards the east. Because of the presence of the East Branch Rahway River, a portion of the Site is located in a flood zone.

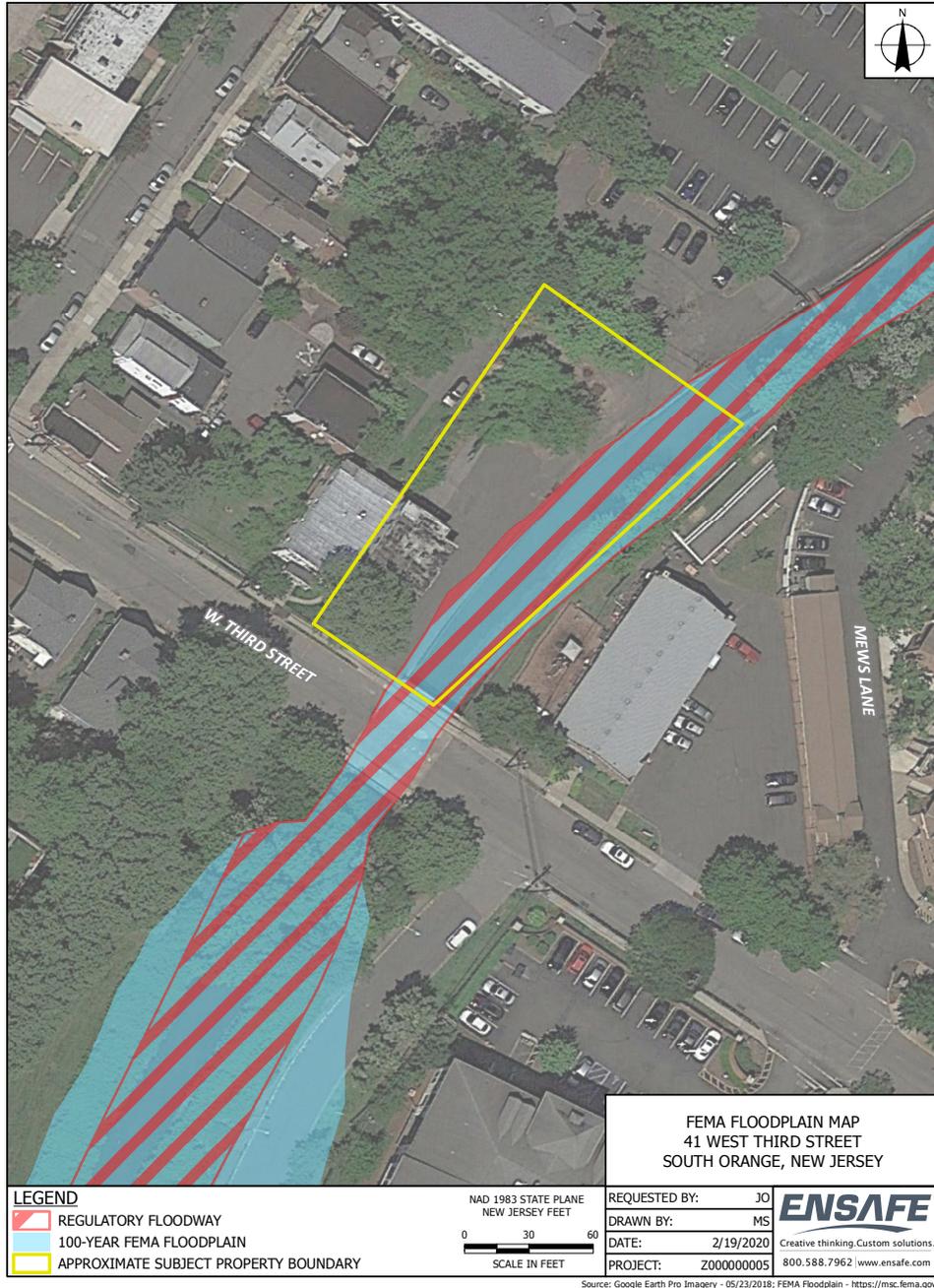


Figure 6: FEMA Map of Site

Other constraints for the Site are the presences of several easements, which are all located on Block 1902, Lot 39:

1. Thirty-five foot wide right of way easement from Third Street to the property on Block 1903.
2. Twenty-five foot maintenance easement to the Village for flood control improvements, which extends from the easterly property line in center of the river, towards center of the Lot.
3. Ten-foot-wide sanitary sewer easement on the east of the Lot from front to back.
4. Ten-foot-wide ingress/egress easement for access to Lot 40 thru Lot 39.

Easements 1, 2, and 3 are overlapping easements. See Appendix A for locations and recording information.

Village of South Orange
Approximate Location of Constraints



Figure 7: Approximate Location of Constraints

5. Public Purpose

5.1. Goals + Objectives

As per the 2005 Plan Amendment, the following objectives are specifically related to appropriate land uses, density of population and improved traffic and public transportation.

1. Establish an area which permits high density housing, which can be located in close proximity to the South Orange train station, thereby creating incentives for the use of mass transit.
2. Provide services to residents and promote additional daytime and nighttime activity in the adjacent Central Business District (CBD)
3. To improve utilization of land in the Redevelopment Area, which by virtue of its access to transportation, roads, public facilities, and major employment centers, could be more effectively employed for the community benefit.
4. To improve property values within the Redevelopment Area.
5. To improve the compatibility of adjacent land uses.
6. To encourage the development of higher density residential use which can capitalize on the area's proximity to the train station and the CBD.
7. To accommodate the projected growing demand for housing in the village as a result of the addition of Midtown Direct Rail service and improved mass transit.
8. To reinforce the CBD and the adjacent area as a Transit Village.

Under the 2021 Plan Amendment, the following additional goals have been identified:

1. Support ongoing redevelopment and reinvestment within the Village through the accommodation of unique uses within the transit district.
2. Increase the number of people and foot traffic near the train station to provide a critical mass to maintain and grow retail, businesses, events, and specialized programs throughout downtown.
3. Safeguard the health, safety, and welfare of the residents of the Village through the repositioning of underutilized property that can contribute to the economic wellbeing of the Village.
4. Support the community's broader effort to provide and expanded a range of affordable housing options within the Village.
5. To encourage private, nonprofit, and public partnerships to creating safe and decent housing.

5.2. Affordability

5.2.1. District R-38-AHO

As adopted by the Village's January 2020 Housing Element and Fair Share Plan, Block 1902, Lots 39 and 40 were identified to be redeveloped for the "construction of forty (40) residential units. Of the 40 units, 50% (20 units) will be affordable units and the other 50% (20 units) will be special needs affordable units." The project will be deed-restricted for a period of no less than thirty (30) years.

After the adoption of the January 2020 Housing Element, a more scrupulous review of the parcels was performed. This review revealed several site constraints that

limited the buildable area of the site, including flood hazard mitigation areas, deed restrictions, and access easements. Given this reduced buildable area and a commitment to appropriate massing, a reduction in number of units was required. The permitted units shall be 26 total units, 16 of which will be “supportive” units and 10 units will be family units. 100% of the units will be meeting affordability requirements.

The Village will amend the Housing Element and Fair Share Plan to reflect the appropriate maximum number of units parcels. Additional affordable housing units will be located in other areas of the village to maintain the total number of credits specified in the Court-approved Housing Element and Fair Share Plan.

5.2.2. Districts R-22, R-32, and R-38

Pursuant to Chapter 185, Part 15, Article XXXVI, any multifamily residential development of five (5) or more dwelling units, whether sold in fee simple or leased (“for sale” or “for-rent” units) shall provide a twenty percent (20%) affordable housing set-aside. For example, if five (5) units are proposed on a site, at least one (1) affordable unit must be constructed on site. Where the set-aside requirement of twenty (20%) percent results in fractional unit obligation, the affordable housing set-aside requirement shall be rounded upwards to the next whole number.

6. Land Use

The 2005 Plan established two new Zoning Districts, Church Street R-32 and POS, Public Open Space, in addition to the existing Church Street R-22 and Church Street R-38 Zoning Districts. The Public Open Space District contains the portion of the Village Park that is also within the Redevelopment Area. It has been designated to reflect its current and continued use. The following standards contain information pertaining to the permitted, conditional and accessory uses therein, and the zone-specific standards. The general, Redevelopment Area-wide design standards contained in the General Design Standards section apply to all zones.

6.1. Public Open Space District

This district is located between properties along the north side of South Orange Avenue and an existing park. It is also adjacent to the new mixed-use Candlewyck development that is being constructed on the site of the former Beifus car dealership. This district has been created to recognize and preserve its existing use as public open space. This district is an important open space within the CBD and is intended to enhance open space connections along the Rahway River and serve as a buffer between the Candlewyck development and proximate community facilities.

6.1.1. Permitted Principal Uses:

- A. Public Parks, Recreation and Open Space Activities

6.1.2. Other Standards:

- A. A ten-foot wide buffer shall be maintained between this district and all non-public uses. The buffer is intended to preserve existing vegetation and screen public uses from adjacent private uses.

6.2. Church Street R-22 District

This district is located along both sides of Church Street south of Third Street. A residential density of 22 units per acre is permitted in single- and two-family houses, and a residential density of 27.5 units per acre is permitted in rowhouse, townhouse, or stacked house structures due to the relatively shallow depth of the lots.

6.2.1 Permitted Principal Uses:

- A. Townhouses
- B. Single- & two-family houses
- C. Essential services such as underground surface or overhead electrical, gas, telephone, water and/or sewerage, which are reasonably necessary to provide an adequate level of service to the Redevelopment Area.
- D. Family day care
- E. Multiple stacked, two-family dwellings

6.2.2 Permitted Accessory Uses:

- A. Uses customary, incidental and accessory to the principal use such as signs and off-street parking.

6.2.3 Conditional Uses:

- A. Professional offices in residences as referenced in Section 185-186 of the Village Land Development Regulations.

6.2.4 Bulk Standards:

- A. Minimum lot area: 10,000 square feet
 - For existing one- and two-family dwelling lots under 6,000 square feet, there shall be no minimum lot area standard, so long as they are not subdivided.
- B. Minimum lot frontage: 100 feet
 - For existing one- and two-family dwelling lots under 6,000 square feet, there shall be no minimum lot frontage standard, so long as they are not subdivided.
- C. Maximum front yard setback from front property line: 13 feet
- D. Minimum front yard setback from front property line: 8 feet
- E. Minimum side yard setback: 10 feet
 - For existing one- and two-family dwelling lots under 6,000 square feet, the minimum side yard setback shall 5 feet on one side and 8 feet on other side.
- F. Minimum rear yard setback: 20 feet
- G. Maximum total lot coverage: 70 percent. However, an additional 5% of lot coverage may be permitted to allow for residential amenity accessory structures, such as patios, decks, walking paths, gazebos, etc., so long as there are stormwater management / sustainable design improvements that meet the NJDEP Stormwater Regulations for Major Development (regardless of whether the subject application is defined as a Major Development) and provides a Green Infrastructure Deed Restriction for any combination items below:
 - Drywells
 - Rain gardens or bioswales
 - Green roofs or walls
 - Rainwater harvesting system
 - Stormwater detention basin
- H. Maximum building height: 35 feet for flat roofs and 39 feet for pitched roofs
- I. Maximum number of stories: 3 stories
- J. Maximum density: 22 dwelling units per acre
 - For townhouses and multiple stacked, two-family dwellings on lots over 12,000 square feet, a maximum of 27.5 dwelling units per acre is permitted.
- K. No individual unit shall have a width of less than 18 feet.
- L. Off-street parking: 1.7 spaces per unit
- M. Perimeter Landscape Buffer: A landscape buffer shall be provided along the front, side, and rear property lines. The buffer shall be a minimum of 5 feet wide in any section abutting non-residential uses or districts and a minimum of 10 feet in any section abutting land zoned for residential use. The buffer shall contain deciduous and native evergreen trees and shrubs. Deciduous

trees shall be a minimum of 3.5" caliper and evergreen trees shall be a minimum of 8' in height at installation. Deciduous and evergreen shrubbery shall be a minimum size of 7-gallon container or 36" B&B. Developers are required to submit a tree survey, which includes lands within 25 feet of the buffer and develop a landscape plan to incorporate existing large trees over 24" diameter as a screen through selective pruning and maintenance.

- N. On-site recreational facilities, including playgrounds, swimming pools, etc. shall not be less than 15 feet from any property line and shall be screened by fencing, landscaping or both from adjoining properties.

6.2.5 Other Standards:

- A. No garages, parking or driveways shall be permitted in the front yard.
- B. Private garages may be permitted in the rear yard of an individual lot. All garages conform architecturally to, and be of similar materials as, the principal building.

6.3. Church Street R-32 District

This district is located along the western side of Church Street between the Episcopal Church and Third Street. A residential density of 32 units per acre is permitted in a variety of housing types.

6.3.1 Permitted Principal Uses:

- A. Townhouses
- B. One and two-family dwellings
- C. Multi-family apartments.
- D. Essential services such as underground, surface or overhead electrical, gas, telephone, water and/or sewerage, which are reasonably necessary to provide an adequate level of service to the Redevelopment Area.
- E. Family day care

6.3.2 Permitted Accessory Uses:

- A. Uses customary, incidental and accessory to the principal use such as signs and off-street parking, including subterranean parking and/or parking located beneath a principal structure.

6.3.3 Conditional Uses:

- A. Professional offices in residences as referenced in Section 185-186 of the Village Land Development Regulations.

6.3.4 Bulk Standards:

- A. Minimum lot area: 10,000 square feet
 - For existing one- and two-family dwelling lots under 6,000 square feet, there shall be no minimum lot area standard, so long as they are not subdivided.
- B. Minimum lot frontage: 100 feet

- For existing one- and two-family dwelling lots under 6,000 square feet, there shall be no minimum lot frontage standard, so long as they are not subdivided.
- C. Minimum front yard setback from property line: 8 feet
- D. Maximum front yard setback from property line: 13 feet
- E. Minimum distance between principal buildings: 10 feet
- F. Minimum rear yard setback: 30 feet. In developments greater than 22 units per acre in density, the required rear yard shall be devoid of impervious surfaces and accessory structures.
- G. Minimum side yard setback: 10 feet. Or if part of a phased development, the interior side yard may be 5 feet if the total combined side yard is a minimum of 10 feet.
- For existing one- and two-family dwelling lots under 6,000 square feet, the minimum side yard setback shall 5 feet on one side and 8 feet on other side.
- H. Maximum total lot coverage: 70 percent. However, an additional 5% of lot coverage may be permitted to allow for residential amenity accessory structures, such as patios, decks, walking paths, gazebos, etc., so long as there are stormwater management / sustainable design improvements that meet the NJDEP Stormwater Regulations for Major Development (regardless of whether the subject application is defined as a Major Development) and provides a Green Infrastructure Deed Restriction for any combination items below:
- Drywells
 - Rain gardens or bioswales
 - Green roofs or walls
 - Rainwater harvesting system
 - Stormwater detention basin
- I. Maximum building height: 35 feet for flat roofs and 39 feet for pitched roofs
- J. Maximum number of stories: 3 stories
- K. Maximum building length: 150 feet
- L. Off-street parking: 1.7 spaces per unit
- M. Maximum building density: 32 dwelling units per acre. However, in developments greater than 22 units per acre in density, parking shall only be provided internal to the principal building. Where internal parking is provided, such parking shall be fully enclosed and shall be designed in such a manner that minimizes the appearance of said parking. The design of the enclosure shall be seamlessly integrated with the architecture of the building and shall compliment the rest of the building in terms of scale, materials and other design details. Subterranean parking shall be provided to the maximum extent possible.
- N. Perimeter Landscape Buffer: A landscape buffer shall be provided along the front, side, and rear property lines. The buffer shall be a minimum of 5 feet wide in any section abutting non-residential uses or districts and a minimum of 10 feet in any section abutting land zoned for residential use. The buffer shall contain deciduous and native evergreen trees and shrubs. Deciduous trees shall be a minimum of 3.5" caliper and evergreen trees shall be a

minimum of 8' in height at installation. Deciduous and evergreen shrubbery shall be a minimum size of 7-gallon container or 36" B&B. Developers are required to submit a tree survey, which includes lands within 25 feet of the buffer and develop a landscape plan to incorporate existing large trees over 24" diameter as a screen through selective pruning and maintenance.

- O. On-site recreational facilities, including playgrounds, swimming pools, etc. shall not be less than 15 feet from any property line and shall be screened by fencing, landscaping or both from adjoining properties.

6.4. Church Street R-38 District + Affordable Housing Overlay (AHO)

This district is located along the east side of Church Street to the north of Third Street. A residential density of 38 units per acre is permitted in a variety of different housing types.

The R-38 AHO is located along Third Street and consists of two parcels: Block 1902, Lots 39 and 40. A residential density of 26 units total is permitted, of which shall be 100% will meet the affordable housing regulations per Village Ordinance.

6.4.1. Permitted Principal Uses:

- A. Townhouses
- B. Single- and two-family-houses
- C. Multi-family apartments
- D. Essential services such as underground surface, or overhead electrical gas, telephone, water and/or sewage, which are reasonably necessary to provide an adequate level of service to the Redevelopment Area.
- E. Child care centers and family day care
- F. AHO Only - Multi-unit supportive housing residence

6.4.2. Conditional Uses:

- A. Professional offices in residences as referenced in Section 185-186 of the Village Land Development Regulations.

6.4.3. Permitted Accessory Uses:

- A. Uses customary, incidental, and accessory to the principal use such as signs and off-street parking, including subterranean parking and/or parking located beneath a principal structure.
- B. AHO Only - Community room, lobby area, or common area associated inside the principal use and supportive services associated with multi-unit supportive housing residence.

6.4.4. Bulk Standards:

Due to environment and land constraints as identified in Section 4, as well as consistency with the Fair Share Plan, certain density and bulk standards have been amended from the R-38 District to accommodate a multi-family apartment with 26 units that are 100% affordable. Any proposed use not providing a 100% affordable development consistent with the Fair Share Plan shall use the underlying district standards of the R-38 District.

- A. Minimum lot area: 20,000 square feet

- For existing one- and two-family dwelling lots under 6,000 square feet, there shall be no minimum lot area standard, so long as they are not subdivided.
- B. Minimum lot frontage: 100 feet
- For existing one- and two-family dwelling lots under 6,000 square feet, there shall be no minimum lot frontage standard, so long as they are not subdivided.
- C. Minimum lot depth: 100 feet
- For existing one- and two-family dwelling lots under 6,000 square feet, there shall be no minimum lot depth standard, so long as they are not subdivided.
- D. Minimum front yard setback from the front property line: 8 feet
- AHO Only - Entrance canopies, porticos, and porches up to 4' extension shall be excluded from the setback requirements.
- E. Maximum front yard setback from the front property line: 18 feet
- F. Minimum side yard setback: 10 feet
- For existing one- and two-family dwelling lots under 6,000 square feet, the minimum side yard setback shall 5 feet on one side and 8 feet on other side.
- G. Minimum rear yard setback: 15 feet
- AHO Only - Minimum rear yard setback: 1 foot
- H. Maximum total lot coverage: 70 percent. However, an additional 5% of lot coverage may be permitted to allow for residential amenity accessory structures, such as patios, decks, walking paths, gazebos, etc., so long as there are stormwater management / sustainable design improvements that meet the NJDEP Stormwater Regulations for Major Development (regardless of whether the subject application is defined as a Major Development) and provides a Green Infrastructure Deed Restriction for any combination items below:
- Drywells
 - Rain gardens or bioswales
 - Green roofs or walls
 - Rainwater harvesting system
 - Stormwater detention basin
 - AHO Only - Maximum total lot coverage: 90 percent
- I. Maximum building height: 45 feet
- AHO Only - Maximum building height: 50 feet / 4 Stories
- J. Maximum residential density: 38 dwelling units per acre
- AHO Only - 27 dwelling units per acre
- K. Off-street parking: 1.7 spaces per unit
- AHO Only - 1 parking space per family unit, which may be met off-site within a 0.25-mile radius.

- L. Perimeter Landscape Buffer: A landscape buffer shall be provided along the front, side, and rear property lines. The buffer shall be a minimum of 5 feet wide in any section abutting non-residential uses or districts and a minimum of 10 feet in any section abutting land zoned for residential use. The buffer shall contain deciduous and native evergreen trees and shrubs. Deciduous trees shall be a minimum of 3.5" caliper and evergreen trees shall be a minimum of 8' in height at installation. Deciduous and evergreen shrubbery shall be a minimum size of 7-gallon container or 36" B&B. Developers are required to submit a tree survey, which includes lands within 25 feet of the buffer and develop a landscape plan to incorporate existing large trees over 24" diameter as a screen through selective pruning and maintenance.
- M. On-site recreational facilities, including playgrounds, swimming pools, etc. shall not be less than 15 feet from any property line and shall be screened by fencing, landscaping or both from adjoining properties.
- N. AHO Only - loading space shall be provided within 200' of building entrance for drop offs, deliveries, and shall provide handicap accessibility to the Third Street sidewalk or building entrance.
- O. AHO Only - 0.5 bicycle parking spaces per unit which may be interior to the building or within a sheltered and secured outdoor location.

7. General Design Standards

These design standards shall be applied with the relevant use and bulk requirements defined in this Redevelopment Plan. The design standards are intended to reinforce the physical, visual and spatial characteristics of the Redevelopment Area. Any development that occurs in the Redevelopment Area should be considered in the context of the overall area.

1. New buildings shall relate to existing buildings and other structures in the vicinity that have a visual relationship to the proposed site. Any new development shall attempt to achieve appropriate scale in relation to neighboring structures. Balance shall be achieved so that the new development will not overwhelm or be dwarfed by neighboring buildings.
2. New buildings shall be oriented to the front and relate to public streets, both functionally and visually. The primary orientation of a building shall not be towards a parking lot.
3. Cellar dwelling units are prohibited.
4. Any new development plan shall not openly conflict with the dominant design features of its physical context. Continuity can be achieved through consideration of elements of facade composition (such as fenestration, cornice or soffit line, floor to floor elevation, etc.) through the use of related materials, by maintaining roof pitch, by continuing a line of street trees, decorative lampposts and so forth.
5. Building facades shall be consistent with the size, scale and setbacks of adjacent buildings and those where there is a visual relationship.
6. The appearance of the side and rear elevations of buildings is important, especially if parking is provided next to the buildings. It may be desirable to develop alternative entries. Therefore, guidelines for the fronts of buildings shall also apply to the rear and sides where visible.
7. Fire escapes shall not be permitted on the front facade of buildings.

8. The type, shape, pitch, texture and color of a roof shall be architecturally compatible with the building style, material, colors and details. Roof forms should be similar to those predominantly found on adjacent buildings. New rooftop elements (e.g. HVAC, skylights, antennas) shall be screened from the public right-of-way.
9. Multiple buildings on a single property shall be designed so as to be architecturally compatible with one another, utilizing common color schemes and materials.
10. Buildings shall be designed to prevent exterior elevations from containing large expanses of blank or featureless walls.
11. Off-street parking and loading areas shall be coordinated with the public street system serving the Area in order to avoid conflicts with through-traffic, obstruction to pedestrian walks and vehicular thoroughfares.
12. No portion of an exterior parking stall shall be located closer than 4 feet to a building.
13. A minimum of ten percent of any surface parking facility shall be landscaped and shall include one shade tree for every twenty parking spaces. Shade trees shall be a minimum of 3.5" caliper. Preservation of existing trees greater than 24" in diameter shall be credited towards this requirement.
14. Outside storage of materials and personal belongings of residents shall be strictly regulated. Adequate accessory storage space shall be provided for each dwelling unit.
15. Landscaped strips, which are to be provided with wood chips, mulch, stones or other non-vegetative ground cover material shall first be covered with weed control matting. Dyed mulches are prohibited.
16. Existing street trees shall be incorporated into development proposals through enhancement of tree pit, selective pruning and maintenance, if necessary. Developer is required to fill gaps in prevailing street tree pattern with new street trees every 40 linear feet with a minimum 3.5" caliper. Species shall be selected to complement existing street tree pattern.
17. Low walls of 18 inches to 24 inches in height of brick or stone are encouraged as a design feature in front yard areas.
18. Decks and Patios may not be constructed higher than 18" above grade and shall be buffered from on-site parking.
19. All phased projects must be freestanding as it relates to compliance with all bulk and design standards.
20. All storage of refuse and recyclable materials shall be maintained within the confines of an enclosed building or structure and shall be reasonably accessible for vehicular collection on the site and/or shall be appropriately screened and landscaped where outdoor storage is necessary.
21. The lighting requirements detailed in Section 185-116 of the Village's Land Development Regulations shall apply.
22. Adequate lighting shall be provided to promote a sense of security.
23. Signage shall be in accordance with Article XXIV of the Village Land Development Regulations.

8. Administration

8.1. Validity of Plan

If any section, subsection, paragraph, division, subdivision, clause or provision of this Plan shall be deemed by a court of competent jurisdiction to be invalid, such part(s) shall be severed and the invalidity thereby shall not affect, impair or invalidate the remainder of the Plan.

8.2. Computations

When a numerical calculation of zoning standards for a particular lot results in a fractional number, such numbers shall be rounded down to the next whole number for fractions less than .500 and rounded up for fractions .500 and above.

8.3. Other Actions by the Village in Furtherance of the Plan

Other actions may be taken by the Village in its sole discretion, to further the goals of the Plan. These actions may include, but shall not be limited to, provisions for public infrastructure necessary to service new development and vacation of public utility easements and other easements and rights-of-way as may be necessary for redevelopment. The costs for such actions shall be borne by the designated redeveloper(s).

8.4. Village Designation – Redevelopment Agreement

8.4.1 Usage of the word “developer”

Anytime the word “developer” is utilized in this Plan, the same shall mean the redeveloper or redeveloper(s) that are to be designated by the Village in accordance with this Plan.

8.4.2 Standing before Planning Board

Only redevelopers designated by the Village by resolution of the Village Council may proceed to implement the redevelopment projects set forth in this Plan before the Village Planning Board. In order to assure that the vision of this Plan will be successfully implemented in an effective, comprehensive and timely way, and in order to promptly achieve the public purpose goals of this Plan, the Village Council, acting as the Redevelopment Entity, will select the redeveloper(s) in all areas governed by this Plan. Any party not specifically designated as the “redeveloper” as set forth above shall not have the standing to proceed before the Village Planning Board for site plan approval.

8.5. Procedural Standards for Redeveloper Applications

All designated redeveloper(s) will be required to execute a redevelopment agreement satisfactory to and authorized by the Village. The procedural standards described here will guide redeveloper selection. The Village Council, acting as the Redevelopment Entity may, at any time, entertain unsolicited proposal(s) from a prospective redeveloper(s) for redevelopment of one or more parcels until such a time as a redevelopment agreement is executed for such a parcel. The selection process will likely include the submission of some or all of the following materials (additional submission materials may be requested by the Village as deemed appropriate to the particular

project sites.). No redevelopment will occur absent the execution of a redevelopment agreement and the designation of the developer as redeveloper.

- A. Conceptual plans and elevations sufficient in scope to demonstrate that the design approach, architectural concepts, number and type of dwelling units, if any, retail and or commercial uses, parking, traffic circulation, flood mitigation, landscaping, open space, construction schedule, including estimated pre-construction time period to secure permits and approvals, and other elements are consistent with the objectives and standards of this Plan.
- B. Documentation evidencing the financial responsibility and capability of the proposed redeveloper with respect to carrying out the proposed redevelopment including but not limited to: type of company or partnership, disclosure of ownership interest, list of comparable projects successfully completed, list of references with name, address and phone information, list of any general or limited partners, financing plan, and financial profile of the redeveloper entity and its parent, if applicable.
- C. A parcel(s) within the Redevelopment Area does not require Redeveloper Designation or a Redevelopment Agreement per Sections 8.4 and 8.5 if the proposed development consists of only the following:
 - 1) A change to exterior façade material and signage.
 - 2) A change to any accessory structures such as refuse, walls, and utility structures (e.g. transformers and generators).
 - 3) A proposal for a permitted detached one-family or two-family building upon an individual, preexisting parcel.
 - 4) A change in use to a permitted use.
 - 5) Alterations / renovations that do not involve either: a) structural modification to any façade; b) reduction of any exterior existing windows and doors; c) interior alterations that increase gross floor area; or d) requires a variance related to a principal use or principal structure.

8.6. Approval Process

This Plan requires the redeveloper to submit all plans to the Village Council for review and authorization to proceed before the Planning Board prior to submitting a site plan or subdivision application to the Planning Board. Where specificity is not provided in this Plan, particularly but not exclusively regarding parking decks, roadways, open space and landscaping, such specificity shall be provided to the Village Council for review and authorization prior to submission to the Planning Board and execution of a redevelopment agreement. The Village, by and through the Village Council, acting as the redevelopment agency, will be required to review and authorize same as a condition precedent to submission of an application before the Planning Board.

8.6.1 Village Review

The Village Council, acting as the Redevelopment Entity, shall review and approve, in a manner consistent with redevelopment plan and municipal master plan all propose redevelopment projects within the Redevelopment Area to ensure that such project(s) is consistent with the Redevelopment Plan and any relevant Redeveloper Agreement(s). Such review shall occur prior to the submission of an

application for approval of the redevelopment project(s) to the Planning Board. In addition, the review may address the site and building design elements of the project to ensure that the project adequately addresses the goals and objectives of this Plan.

8.6.2 Schedule

Prior to any submission to the Planning Board, the redeveloper shall submit a site plan package for review and approval by the Village Council, in consultation with its consultants. This site plan package may, as the Village Council may require, include, but is not limited to, the documents listed below. The Village Council may request additional reasonable analyses and information as required to make a decision. All submissions shall meet design standards enumerated in this redevelopment plan and indicated any variances from this redevelopment plan.

- A. Boundary survey of the property Including easements, water bodies, parcel numbers, street names, route numbers, adjacent properties and other landmarks.
- B. The location, size, height, floors and use of all proposed and existing buildings.
- C. The location, size and type of all parking spaces, loading areas and sidewalks.
- D. A landscaping plan.
- E. The location of any outside storage of equipment, supplies, materials, or vehicles.
- F. The height, location, type, lighting and square footage of proposed signage.
- G. The location, type and size of all entrances to the site or rights-of-ways located on or adjacent to the site.
- H. The location, type and size of any primary drainfields or reserved drainfields.
- I. The location, size and type of any trash disposal facilities.
- J. Outside lights, streetlights or other lighting mechanisms.
- K. Existing and proposed finished contours at two (2) foot intervals.
- L. The location of any buffers, including berms, trees and fencing, used to minimize the visual, sound, lighting or any other negative impacts of the project.
- M. The location of all utility lines.
- N. The location of any conservation easements dedicated open space, recreational facilities or similar areas.
- O. The location of any emergency service facilities, such as fire suppression lines, hydrants or other facilities.
- P. The location of any permanent stormwater management structures or devices.
- Q. The location and type of soils, water features and wetlands.
- R. A schematic drawing, artist rendition or elevation drawing of the site and any buildings located on the site.
- S. The location and size of any monuments, statues or similar features.

- T. The location of any rights-of-way, adjacent or nearby road improvements and uses of adjacent properties.
- U. An Erosion and Sediment Control Plan that meets the regulatory requirements.
- V. Any local, county, state or federal permits required for development of the site.
- W. A traffic impact statement consistent with the Redevelopment Plan.

8.6.3 Planning Board Review Process

Prior to submission to the Village Planning Board, all site plans for properties included in this Plan shall be submitted to the Village Planner to determine if the site plans are consistent with this Plan and the applicable redevelopment agreement. Said consistency review shall be conducted by the Village Planner, who shall issue a written report memorializing their findings. All development applications shall be submitted to the Village Planning Board through the site plan and subdivision procedures as outlined in N.J.S.A. 40:55D-1 et seq. The Village Planning Board shall deem any application for redevelopment for any property subject to this Plan incomplete if the applicant has not been designated by the Village Council as a redeveloper(s), a redevelopment agreement has not been fully executed, and a consistency review letter has not been issued by the Village Planner finding the site plans consistent with this Plan and the applicable redevelopment agreement.

8.6.4 Site Plan + Subdivision Review

Prior to commencement of construction, site plans for the construction of improvements within the Redevelopment Area, prepared in accordance with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), shall be submitted by the applicants for review and approval by the Village Planning Board so that compliance with this Plan can be determined.

Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with the requirements of this Plan and the subdivision ordinance of the Village. No construction or alteration to existing or proposed buildings shall take place until a site plan reflecting such additional or revised construction has been submitted to, and approved by, the Village Planning Board. This pertains to revisions or additions prior to, during and after completion of the improvements.

8.6.5 Approvals by Other Agencies

The redeveloper shall be required to provide the Village with copies of all permit applications made to federal, state and county agencies upon filing such applications, as will be required by the Redevelopment Agreement to be executed between the redeveloper and the Village.

8.7. Deviations

The Village Planning Board may grant deviations from the regulations contained within this Plan where, by reason for exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, preexisting

structures 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 Plan would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Village Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this 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 this Plan. 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 NJSA 40:55D-12. a. and b. Notwithstanding the above, the Planning Board shall not grant any deviation from standards of this Plan that result in a “d” variance pursuant to N.J.S.A. 40:55D-70d. No deviations from this Plan are permitted which: (1) deviate from permitted uses; (2) expand a nonconforming 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.

8.8. Severability

The provisions of this Plan are subject to approval by Ordinance. If a Court of competent jurisdiction finds any word, phrase, clause, section, or provision of this Redevelopment Plan to be invalid, illegal, or unconstitutional, the word, phrase, clause, section, or provision shall be deemed severable, and the remainder of the Plan and implementing Ordinance shall remain in full force and effect.

8.9. Adverse Influences

No use or reuse shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.

8.10. Non-Discrimination Provisions

No covenant, lease, conveyance or other instrument shall be affected or executed by the Town of Morristown or by a developer or any of his successors or assignees, whereby land within the Redevelopment Area is restricted by the Village, or the developer, upon the basis of race, creed, color, national origin, ancestry, affectional preference, marital status or gender in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments. There shall be no restrictions of occupancy or use of any part of the Redevelopment Area on the basis of race, creed, color, national origin, ancestry, affectional preference, marital status or gender.

8.11. Redevelopment Actions

The Village shall have such powers and duties as set forth in the LRHL and as may be conferred by this Plan, including, but not limited to, the authority to acquire real property without eminent domain, to relocate residents and businesses, to designate redevelopers,

to establish clear terms and conditions for redevelopment through the negotiation, execution, and administration of redevelopment agreements, financial agreements, and to do such other things as permitted by law.

8.12. Relocation Requirements

This Redevelopment Plan authorizes the Village to exercise its condemnation powers on all properties in the redevelopment area to acquire property or to eliminate any restrictive covenants, easements or similar property interests which may undermine the implementation of the redevelopment project. The Village plans to work with affected property owners and businesses to promote private redevelopment of the parcels within the Redevelopment Area.

Implementation of this Plan may require the displacement and relocation of businesses located within the Redevelopment Area. At the time of property acquisition, the actual extent of displacement will be confirmed, and if it is necessary, a Workable Relocation Assistance Plan will be prepared and submitted to the New Jersey Department of Community Affairs for approval. The Village will comply with the requirements of the New Jersey State relocation statutes and regulations as applicable and will provide all benefits and assistance required under applicable law.

The degree of relocation necessary to fully implement the Redevelopment Plan is expected to be minimal given the nature of the parcels. However, should relocation be necessary, the Village of South Orange will provide all displaced tenants and landowners with the appropriate relocation assistance, pursuant to applicable State and Federal law. Such assistance will be provided through an appropriately designated office, which will assist in any relocation of persons, businesses or entities. The local housing market including South Orange and the surrounding community contains an ample supply of comparable replacement housing to absorb any residents of South Orange who may be displaced by the redevelopment process. If relocation is not caused by the Redevelopment Plan, the Village is not responsible for relocation of people and/or businesses.

8.13. Escrows

At a minimum, the Redevelopment Agreement shall provide that the redeveloper shall be responsible to post sufficient escrows to cover any and all costs of the Village and the professional consultants retained by the Village to negotiate the Redevelopment Agreement, undertake any studies in connection with the project, review the proposed redevelopment project and advise the Village on any and all aspects of the redevelopment process and as otherwise set forth in the Redevelopment Agreement.

8.14. Infrastructure

The redeveloper, at the redeveloper's cost and expense, shall provide all necessary engineering studies for, and construct or install all on- and off-site municipal infrastructure improvements and capacity enhancements or upgrades required in connection of traffic control measures, water service, sanitary sewer service, stormwater management, and flood mitigation measures to the project, in addition to all required tie-in or connection fees. The redeveloper shall also be responsible for providing, at the redeveloper's cost and expense, all sidewalks, curbs, streetscape improvements (street

trees and other landscaping), street lighting, and on and off-site traffic controls and road improvements for the, project or required due to the impacts of the project.

8.15. Procedures for Amending the Plan

This Plan may be amended from time to time upon compliance with the requirements of state law. A request for same may be submitted to the Village Council. The Village reserves the right to amend this plan. A non-refundable application fee of \$10,000 shall be paid by the party requesting such amendment, unless the request is issued from an agency of the Village. The Village, at its sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study must be prepared by a professional planner licensed in the State of New Jersey and other additional professionals as may be required by the Village.

8.16. Redevelopment Plan Duration

The provisions of this Plan specifying the redevelopment of the Redevelopment Area and the requirements and restriction with respect thereto shall be in effect until rescinded or superseded by the Village of South Orange Village Council.

8.17. Certificates of Completion

Upon completion of a project, the developer shall submit for a Certificate of Completion.

8.18. Land Use Map Amendments

The adoption of this Plan or any amendments thereto shall automatically allow for any necessary modifications to the official South Orange Village Land Use Map to ensure consistency between the two documents.

8.19. Additional Superseding Provisions

The standards contained within this Plan shall supersede any conflicting standards contained within the Land Development Ordinance (LDO) of the Village or other applicable Village codes or ordinances.

8.19.1 Terms + Definitions

Any terms or definitions not addressed within this Plan shall rely on the applicable terms and conditions set forth in the Zoning Ordinance of Village.

8.19.2 Other Applicable Design + Performance Standards

Any design or performance standards not addressed within this Redevelopment Plan shall rely on the applicable design and performance standards set forth in the Land Development Ordinance of the Village.

8.20. Other Provisions

This Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved public utilities, recreation and community facilities and other public improvements. This Redevelopment Plan has laid out various programs and strategies requiring implementation in order to carry out the objectives set forth herein.

This Plan lays out the proposed land uses and building requirements for the Redevelopment Area. The diagrams, images and other graphic representations provided in this Plan are intended to provide a framework for interpretation of the written standards and regulations contained herein. Nothing in this Plan shall preclude the partial redevelopment of a block depicted in such diagrams, images or other graphic representations, provided that such subdivision or re-subdivision and partial redevelopment of a block is fully in conformance with the written standards and regulations contained herein.

Appendix B: Relation to Other Plans

Relationship of Plan to Village Land Development

The Area shall be redeveloped in accordance with the standards detailed in this Redevelopment Plan. In order to implement the Redevelopment Plan consistently with the goals and objectives of this Plan, the Plan supersedes the use, bulk and design standards provisions of the Village Land Development Regulations unless specifically referenced. Other standards, definitions and submission requirements relating to all zones in the Village not specifically enumerated herein, as detailed in the Village's Land Development Regulations, shall apply.

Since such term is not defined in the Village's Land Development Regulations, "two family houses" shall be defined as: "Buildings on a single lot containing two dwelling units, each of which is totally separated from each other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units."

The Village Zoning Map included in the Land Development Regulations shall be amended to indicate the Redevelopment Area to which the Redevelopment Plan applies (see proposed Districts Map).

Any deviation from standards of this Plan that results in a "D" variance pursuant to N.J.S.A. 40:55D-70d shall be addressed as an amendment to the Plan rather than via variance relief through the Village Zoning Board of Adjustment. "C" variance relief pursuant to Section N.J.S.A. 40:55D-70c may be addressed by the Planning Board through the development application process. All development must be approved by the Village Planning Board and shall be submitted through the normal site plan and subdivision procedures as identified by N.J.S.A. 40:55D, et seq.

Local Municipal Master Plan – 2020 Housing Element and Fair Share Plan

Pursuant to the LRHL, "all provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan" (N.J.S.A. 40A:12A-7(d)). This Redevelopment Plan is substantially consistent with, and has been designed to effectuate, the Village's 2020 Housing Element and Fair Share Plan of its Comprehensive Master Plan.

It should be noted that during the drafting of this Redevelopment Plan, the Village's Master Plan was being updated. Throughout this process, the professionals working on and the public involved in this update were consulted for consistency.

Lots 39 and 40 were identified to be redeveloped for the "construction of forty (40) residential units. Of the 40 units, 50% (20 units) will be affordable units and the other 50% (20 units) will be special needs affordable units." The project will be deed-restricted for a period of no less than thirty (30) years. After the adoption of the January 2020 Housing Element, a more scrupulous review of the parcels was performed. This review revealed several site constraints that limited the buildable area of the site, including flood hazard mitigation areas, deed

restrictions, and access easements. Given these reduced buildable area and a commitment to appropriate massing, a reduction in number of units was required. The permitted units shall be 26 total units, 16 of which will be “supportive” units and 10 units will be family units. 100% of the units will be meeting affordability requirements.

The Village has received preliminary approval to amend the Housing Element and Fair Share Plan to reflect the appropriate maximum number of units parcels. Additional affordable housing units will be located in other areas of the village to maintain the total number of credits specified in the Housing Element and Fair Share Plan.

Essex County Master Plan

This Plan is consistent with the goals and objectives of the County and implements key objectives throughout the plan. For example, this Plan is supportive of transit-oriented development encouraged in the County Comprehensive Transportation Plan, containing appropriate on-site parking requirements, bicycle parking and the provision of affordable housing options.

Adjacent County + Municipalities’ Master Plan

The Redevelopment Area is located near the geographic center of South Orange and will have negligible impacts on surrounding municipalities, as it is approximately .5 miles away from the closest municipal borders with Maplewood and the City of Newark. In addition, the Redevelopment Area is not located in proximity to any county line and, therefore, has no impact on any neighboring county.

NJ State Plans

This Redevelopment Plan is consistent with the goals and objectives of the State and implements key objectives throughout the plan. This Plan will improve the condition of land along Third Street, expand housing options to provide a balanced residential population, enhance public safety, and provide easy access to transportation opportunities.

Appendix C: Definitions

The following definitions supersede those found in the South Orange Village Land Development Ordinance for the purpose of this Redevelopment Area only. For anything not defined within this Redevelopment Plan, the definitions found in Chapter 185-3 of the South Orange Village Land Development Ordinance shall continue to be applicable.

AFFORDABLE

A sales price or rent within the means of a low- or moderate-income household as defined in N.J.A.C. 5:93-7.4; in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

AFFORDABLE HOUSING DEVELOPMENT

A development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100% affordable development.

COMMUNITY ROOM

A room used for recreational, social, educational and cultural activities, open to the residents and/or public visitors or a designated part of the public and owned and operated by a public or nonprofit group or agency. The facilities shall not include any living-quarters.

DEED RESTRICTED UNIT

A dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as may be amended and supplemented, but does not include a market-rate unit financed under UHORP or MONI.

FAIR SHARE PLAN

The plan that describes the mechanisms, strategies and the funding sources, if any, by which the Village proposes to address its affordable housing obligation as established in the Housing Element, including the draft ordinances necessary to implement that plan, and addresses the requirements of N.J.A.C. 5:93-5.

HOUSING ELEMENT

The portion of the Village's Master Plan, required by the Municipal Land Use Law ("MLUL"), N.J.S.A. 40:55D-28b(3) and the Act, that includes the information required by N.J.A.C. 5:93-5.1 and establishes the Village's fair share obligation.

LOBBY, RESIDENTIAL

A room providing a space out of which one or more other rooms or corridors lead, typically one near the entrance of a building. The space may include, but is not limited to, a reception area, tenant lounge, a mail/package room, elevators and stairs.

LOW-INCOME HOUSEHOLD

A household with a total gross annual household income equal to 50% or less of the median household income.

LOW-INCOME UNIT

A restricted unit that is affordable to a low-income household.

MEDIAN INCOME

The median income by household size for the applicable county, as adopted annually by COAH or approved by the NJ Superior Court.

MODERATE-INCOME HOUSEHOLD

A household with a total gross annual household income in excess of 50% but less than 80% of the median household income.

MODERATE-INCOME UNIT

A restricted unit that is affordable to a moderate-income household.

MULTI-FAMILY

Three or more dwelling units within a single building that share common horizontal separations and that have an entrance to each dwelling by direct access from the outside or through a common hall.

MULTI-UNIT SUPPORTIVE HOUSING RESIDENCE

Affordable family apartment where portion of affordable units are set-aside to intellectually and developmentally disabled individuals as defined by the NJ State Department of Human Services

PUBLIC USE

The use of land or buildings by the Village of South Orange or any other officially created authority or agency thereof.

REDEVELOPMENT ENTITY

The Village Council.

VERY-LOW INCOME HOUSEHOLD

A household with a total gross annual household income equal to 30% or less of the median household income.

VERY-LOW INCOME UNIT

A restricted unit that is affordable to a very-low-income household.

Appendix D: Church Street Redevelopment Plan, 2005



Village of
SOUTH ORANGE

May 2005

CHURCH STREET *Redevelopment Plan*

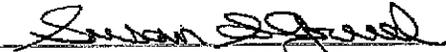
Prepared by
Heyer, Gruel + Associates

church street redevelopment plan

Prepared by

Heyer, Gruel & Associates
Community Planning Consultants
63 Church Street, 2nd Floor
New Brunswick, New Jersey 08901
732-828-2200

The original of this report was signed and
sealed in accordance with N.J.S.A. 45:14A-12.


Susan S. Gruel, P.P. #1995


Mark Healey, AICP, P.P. #5803

introduction



During the past eleven years, the Village of South Orange has focused its efforts on revitalization of its downtown and adjacent areas, particularly in the area of the train station. The Village Board of Trustees has determined that one of the most effective planning and implementation strategies is the use of the redevelopment process in accordance with State statute. The first step in the process is designation of "an area in need of redevelopment." In the first quarter of 2000, the Planning Board recommended that certain areas along Church Street be declared "an area in need of redevelopment." In response, the Village Board of Trustees adopted resolutions in April of 2000, which formally declared portions of Church Street as "an area in need of redevelopment."

This Plan is an amendment to the Church Street Redevelopment Plan, which, was originally adopted by the Board of Trustees in May 2000. This Plan supercedes the May 2000 Plan. When it was originally prepared the Plan created two separate zoning districts, the Church Street R-22 District and the Church Street R-38 District, on opposite sides of Church Street. The two districts permitted similar residential development at different densities, with higher densities located closer to the train station on the east side of Church Street.

In the ensuing years it has been determined that the physical layout of the western side of Church Street can accommodate higher density development. The rationale for this determination is based upon the following criteria:

- First, the depth of the lots creates enough space to accommodate higher density development and adequate on-site parking.
- Second, the adjacent single family homes located on Ridgewood Road are set very close to the Ridgewood Road with small front yards and deep rear yards. The rear yards generally contain large deciduous trees. This mitigates the impact of higher density development upon these properties and
- Third, there is a significant elevation difference between Ridgewood Road and Church Street, with Ridgewood Road being at a higher elevation. This further mitigates the impact of higher density development upon the adjacent single-family homes.
- Fourth, the depth of the lots affords opportunity for development at higher densities with internal parking.

This Plan creates a new zoning District Church Street R-32 along the west side of Church Street between the northern boundary of the Area (Lot 15 Episcopal Church) and Third Street (see revised District Map). This district was originally designated R-22, which permits a density of 22 units per acre. The new designation for this area permits residential development of 32 units per acre and establishes specific bulk and design standards respecting the District's proximity to single-family homes along Ridgewood Road.

contents of redevelopment plan & area description



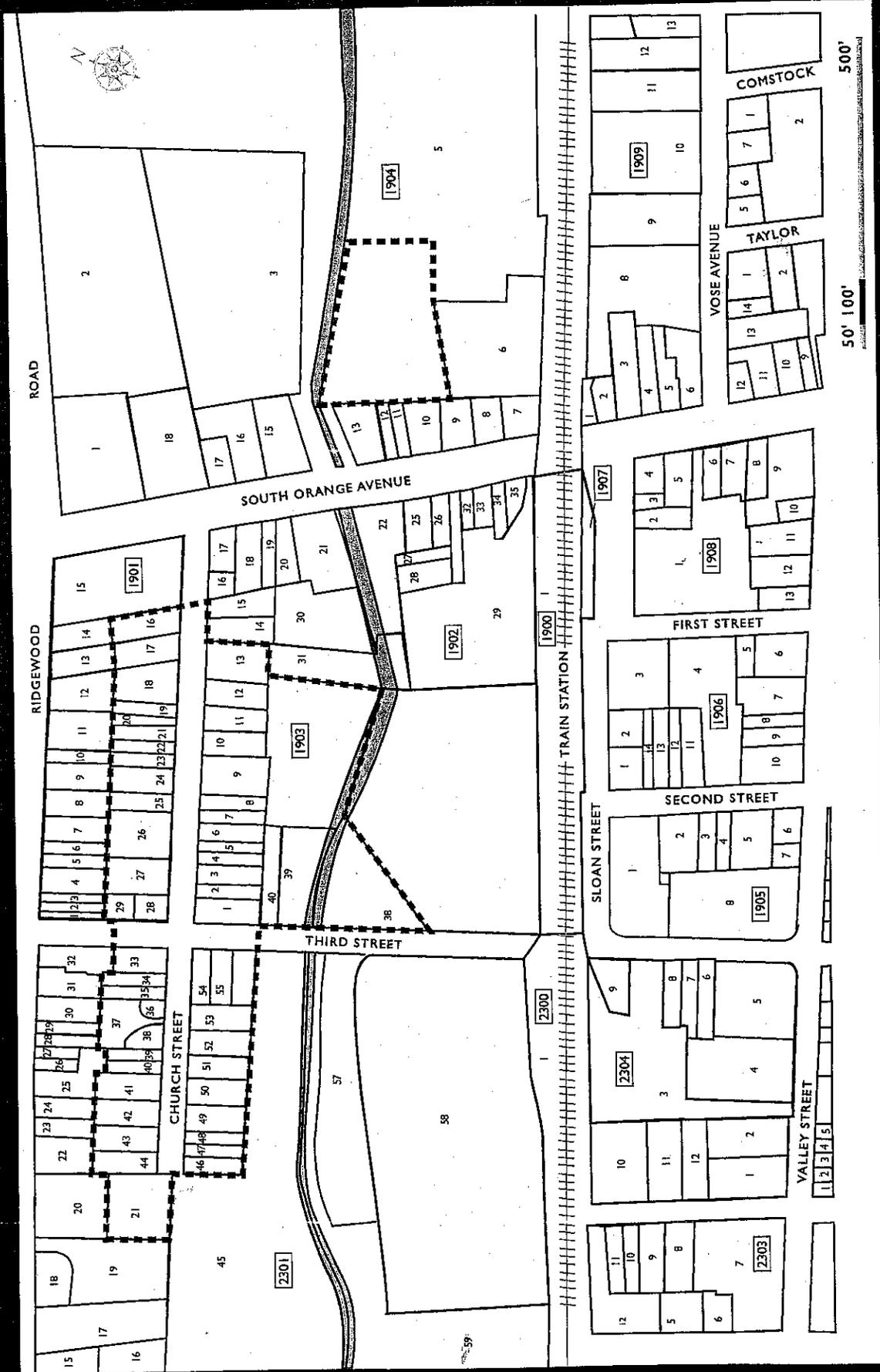
Contents of a Redevelopment Plan

The Redevelopment Plan is the formal planning document for revitalization of the Redevelopment Area. According to State statute, the Redevelopment Plan shall include an outline for the planning, development, redevelopment or rehabilitation of the project area sufficient to indicate:

1. Its relationship to definitive local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
2. Proposed land uses and building requirements in the project area.
3. Adequate provision for the temporary and permanent relocation as necessary of residents in the project area including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.
4. An identification of any property within the Redevelopment Area, which is proposed to be acquired in accordance with the Redevelopment Plan.
5. Any significant relationship of the Redevelopment Plan to:
 - a. The Master Plans of contiguous municipalities;
 - b. The Master Plan of the County in which the municipality is located; and
 - c. The State Development and Redevelopment Plan adopted pursuant to the "State Planning Act" PL 1985,C398 (C52:18A-196 et al.).

Area Description

The area in need of redevelopment (the "Redevelopment Area") as adopted by the Village Board of Trustees, includes properties along Church and Third Streets and a portion of the Cameron Field Village park (see Redevelopment Area Map). The area is primarily residential in character, and contains one-, two- and multi-family units, many of which were constructed during the late 19th Century. The area, however, is interspersed with incompatible commercial uses that are mainly garages used for storage or warehousing.

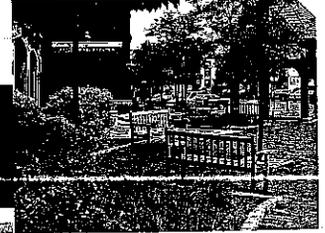


Village of **SOUTH ORANGE**
Church Street Redevelopment Area Map

Key

-  Church Street Redevelopment Area Boundary

village revitalization efforts



The Village has a history of redevelopment, primarily in the downtown area in the vicinity of the train station. Two Redevelopment Plans have been adopted for the South Orange Village Business District Redevelopment Area. Recommendations have been implemented, most notably in the train station area.

Public improvements are an important element of the Village revitalization efforts. Streetscape improvements have already been completed along West South Orange Avenue from Ridgewood Road to Sloan Street, Sloan Street and Valley Street. These improvements have assisted in creating a more aesthetically pleasing CBD, which is pedestrian, and shopper friendly. This, in turn, has reinforced the marketing efforts and stimulated redevelopment activities in the Redevelopment Area.

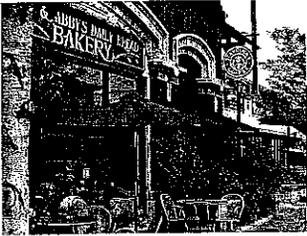
Streetscape improvements have also been completed on Phase II of the project, which includes South Orange Avenue from Sloan Street to Prospect Street, along Valley Street to connect to South Orange Avenue, Vose Avenue and Scotland Road.

Streetscape improvements include:

- Reducing South Orange Avenue from a four-lane roadway to a three-lane road with a dedicated turning lane
- Installing pavers at pedestrian crosswalks
- Expanding sidewalk areas at key locations
- Realigning parking
- Installing street trees, landscaped areas, new lighting and street furniture

The Sloan Street Village Square streetscape improvements included installation of street furniture, new curbing, new planter areas, new lighting and use of pavers. The intent of the Sloan Street improvements was to redesign a portion of the street as the public "Village Square" so that it becomes the Village "Center".

Finally, the Village has allocated approximately \$3.0 million in capital funds to renovate the firehouse on Sloan Street.



goals and objectives of the plan

A number of mixed-use redevelopment projects are underway in the area. Closest to the Church Street Redevelopment Area is Sayid Plaza located adjacent to the South Orange Avenue/ Church Street intersection. This development will contain street-level retail with three floors of residential above. Other redevelopment is set to occur on the site of the former Beifus car dealership where a mixed-use development comprised of multi-family housing with street-level retail is planned. Another redevelopment project is set to occur along South Orange Avenue and Vose Street, where the former Shop Rite supermarket and parking lot is being redeveloped into a new supermarket, multi-family housing and street level retail. All of these projects intend to take advantage of access to the train station and will expand commercial opportunities within the CBD.

Goals and Objectives

The goal of the Redevelopment Plan is to establish an area which permits high density housing, which can be located in close proximity to the South Orange train station, thereby creating incentives for the use of mass transit. Furthermore, the proximity of the housing to the CBD will provide services to the residents and promote additional daytime and nighttime activity in the CBD. The redevelopment of the Church Street area, for higher density residential use reinforces the designation of the Village as a Transit Village.

The following objectives are specifically related to the Redevelopment Plan. These objectives relate to appropriate land uses, density of population and improved traffic and public transportation.

1. To improve utilization of land in the Redevelopment Area, which by virtue of its access to transportation, roads, public facilities and major employment centers, could be more effectively employed for the community benefit.
2. To improve property values within the Redevelopment Area.
3. To improve the compatibility of adjacent land uses.
4. To encourage the development of higher density residential uses which can capitalize on the area's proximity to the train station and the CBD.
5. To accommodate the projected growing demand for housing in the Village as a result of the addition of Midtown Direct Rail service and improved mass transit.
6. To reinforce the CBD and the adjacent area as a Transit Village.

relationship of plan to village land development

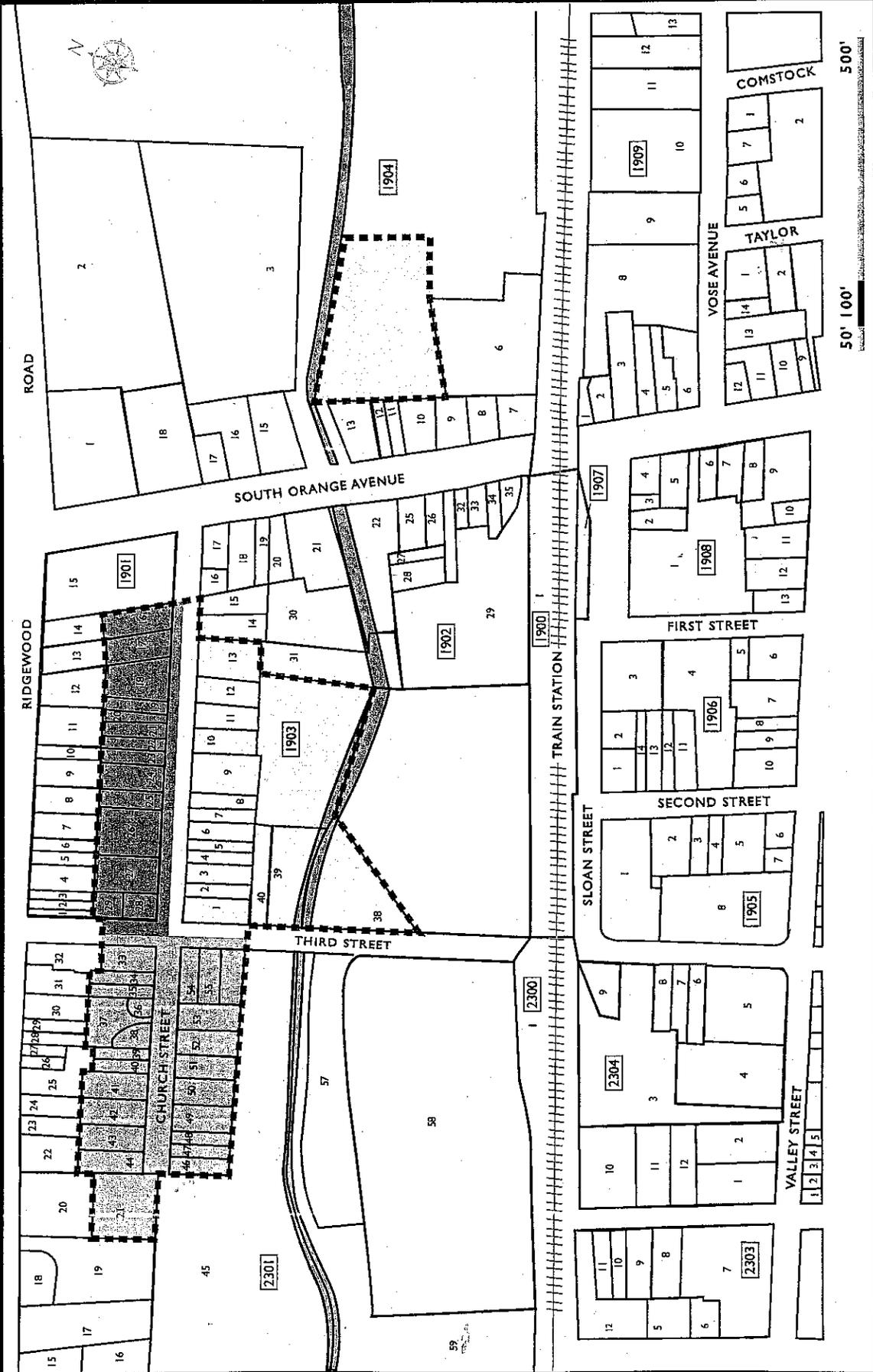


The Area shall be redeveloped in accordance with the standards detailed in this Redevelopment Plan. In order to implement the Redevelopment Plan consistently with the goals and objectives of this Plan, the Plan supersedes the use, bulk and design standards provisions of the Village Land Development Regulations unless specifically referenced. Other standards, definitions and submission requirements relating to all zones in the Village not specifically enumerated herein, as detailed in the Village's Land Development Regulations, shall apply.

Since such term is not defined in the Village's Land Development Regulations, "two family houses," shall be defined as: "Buildings on a single lot containing two dwelling units, each of which is totally separated from each other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units."

The Village Zoning Map included in the Land Development Regulations shall be amended to indicate the Redevelopment Area to which the Redevelopment Plan applies (see proposed Districts Map).

Any deviation from standards of this Plan that results in a "d" variance pursuant to N.J.S.A. 40:55D-70d shall be addressed as an amendment to the Plan rather than via variance relief through the Village Zoning Board of Adjustment. "C" variance relief pursuant to Section N.J.S.A. 40:55D-70c may be addressed by the Planning Board through the development application process. All development must be approved by the Village Planning Board and shall be submitted through the normal site plan and subdivision procedures as identified by N.J.S.A. 40:55D, et seq.



Key

- R 38 R 32
- R 22 Parks/Open Space
- Church Street Redevelopment Area Boundary

Village of **SOUTH ORANGE**
Church Street Redevelopment Area
Districts Map

50' 100' 500'

district standards

This Plan establishes two new Zoning Districts, Church Street R-32 and POS, Public Open Space, in addition to the existing Church Street R-22 and Church Street R-38 Zoning Districts. The Public Open Space District contains the portion of the Village Park that is also within the Redevelopment Area. It has been designated to reflect its current and continued use. The following standards contain information pertaining to the permitted, conditional and accessory uses therein, and the zone-specific standards. The general, Redevelopment Area-wide design standards contained in the General Design Standards section apply to all zones.

Public Open Space District

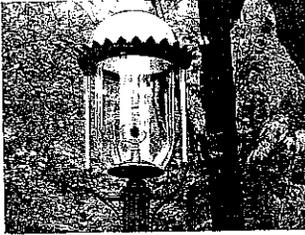
This district is located between properties along the north side of South Orange Avenue and an existing park. It is also adjacent to the new mixed-use Candlewyck development that is being constructed on the site of the former Beifus car dealership. This district has been created to recognize and preserve its existing use as public open space. This district is an important open space within the CBD and is intended to enhance open space connections along the Rahway River and serve as a buffer between the Candlewyck development and proximate community facilities.

Permitted Principal Uses

- Public Parks, Recreation and Open Space Activities

Other Standards:

- A ten-foot wide buffer shall be maintained between this district and all non-public uses. The buffer is intended to preserve existing vegetation and screen public uses from adjacent private uses.



church street

Church Street-R-22 District

This district is located along both sides of Church Street south of Third Street. A residential density of 22 units per acre is permitted in rowhouse or townhouse structures due to the relatively shallow depth of the lots.

Permitted Principal Uses

- Townhouses
- Single & two family houses
- Essential services such as underground, surface or overhead electrical, gas, telephone, water and/or sewerage, which are reasonably necessary to provide an adequate level of service to the Redevelopment Area.
- Family day care

Permitted Accessory Uses

- Uses customary, incidental and accessory to the principal use such as signs and off-street parking.

Conditional Uses

- Professional offices in residences as referenced in Section 92-215 of the Village Land Development Regulations.

Standards

- Minimum lot area: 10,000 square feet
- Minimum lot frontage: 100 feet
- Maximum front yard setback from front property line: 13 feet
- Minimum front yard setback from front property line: 8 feet
- Minimum side yard setback: 10 feet
- Minimum rear yard setback: 20 feet
- Maximum total lot coverage: 70 percent
- Maximum building height: 35 feet/2-1/2 stories
- Maximum density: 22 dwelling units per acre
- No individual unit shall have a width of less than 18 feet.
- Off-street parking: 1.7 spaces per unit

church street



Other Standards:

- No garages, parking or driveways shall be permitted in the front yard.
- Private garages may be permitted in the rear yard of an individual lot. All garages shall conform architecturally to, and be of similar materials as, the principal building.

Church Street-R-32 District

This district is located along the western side of Church Street between the Episcopal Church and Third Street. A residential density of 32 units per acre is permitted in a variety of housing types.

Permitted Principal Uses

- Townhouses
- One and two-family dwellings
- Multi-family apartments
- Essential services such as underground, surface or overhead electrical, gas, telephone, water and/or sewerage, which are reasonably necessary to provide an adequate level of service to the Redevelopment Area.
- Family day care

Permitted Accessory Uses

- Uses customary, incidental and accessory to the principal use such as signs and off-street parking, including subterranean parking and/or parking located beneath a principal structure.

Conditional Uses

- Professional offices in residences as referenced in Section 92-215 of the Village Land Development Regulations.



church street

Standards

- Minimum lot area: 10,000 square feet
- Minimum lot frontage: 100 feet
- Minimum front yard setback from property line: 8 feet
- Maximum front yard setback from property line: 13 feet
- Minimum distance between principal buildings: 10 feet
- Minimum rear yard setback: 30 feet. In developments greater than 22 units per acre in density, the required rear yard shall be devoid of impervious surfaces and accessory structures.
- Minimum side yard setback: 10 feet. Or if part of a phased development, the interior side yard may be 5 feet if the total combined side yard is a minimum of 10 feet.
- Maximum lot coverage: 70 percent
- Maximum building height: 35 feet/2.5 stories
- Maximum building length: 150 feet
- Off-street parking: 1.7 spaces per unit
- Maximum building density: 32 dwelling units per acre. However, in developments greater than 22 units per acre in density, parking shall only be provided internal to the principal building.
- Where internal parking is provided, such parking shall be fully enclosed and shall be designed in such a manner that minimizes the appearance of said parking. The design of the enclosure shall be seamlessly integrated with the architecture of the building and shall compliment the rest of the building in terms of scale, materials and other design details. Subterranean parking shall be provided to the maximum extent possible.

church street



Church Street-R38 District

This district is located along the east side of Church Street to the north of Third Street. A residential density of 38 units per acre is permitted in a variety of different housing types.

Permitted Principal Uses

- Townhouses
- Single and two-family houses
- Multi-family apartments
- Essential services such as underground, surface or overhead electrical, gas, telephone, water and/or sewerage, which are reasonably necessary to provide an adequate level of service to the Redevelopment Area.
- Child care centers and family day care

Permitted Accessory Uses

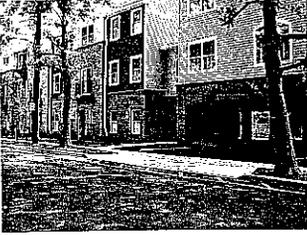
- Uses customary, incidental and accessory to the principal use such as signs and off-street parking, including subterranean parking and/or parking located beneath a principal structure.

Conditional Uses

- Professional offices in residences as referenced in Section 92-215 of the Village Land Development Regulations.

Standards

- Minimum lot area: 20,000 square feet
- Minimum lot frontage: 200 feet
- Minimum lot depth: 100 feet
- Minimum front yard setback from the front property line: 8 feet
- Maximum front yard setback from the front property line: 18 feet
- Minimum side yard setback: 10 feet
- Minimum rear yard setback: 15 feet
- Maximum total lot coverage: 70 percent
- Maximum building height: 45 feet



church street

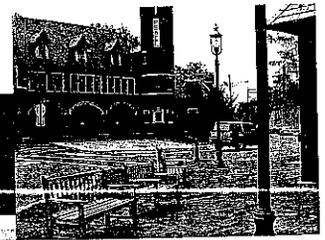
- Maximum residential density: 38 dwelling units per acre
- Off-street parking: 1.7 spaces per unit
- On-site recreational facilities, including playgrounds, swimming pools, etc. shall not be less than 15 feet from any property line and shall be screened by fencing, landscaping or both from adjoining properties.
- A buffer (e.g. landscaping, fencing) shall be provided along the property line, which screens the rear yard of each unit from any abutting common parking area.

Affordable Housing Requirement

All development of a residential nature producing five or more units shall be governed by Article XXVIIA of the Land Development Regulations (Affordable Housing Regulations).



general design standards



These design standards shall be applied with the relevant use and bulk requirements defined in this Redevelopment Plan. The design standards are intended to reinforce the physical, visual and spatial characteristics of the Redevelopment Area. Any development that occurs in the Redevelopment Area should be considered in the context of the overall area.

1. New buildings shall relate to existing buildings and other structures in the vicinity that have a visual relationship to the proposed site. Any new development shall attempt to achieve appropriate scale in relation to neighboring structures. Balance shall be achieved so that the new development will not overwhelm or be dwarfed by neighboring buildings.
2. New buildings shall be oriented to the front and relate to public streets, both functionally and visually. The primary orientation of a building shall not be towards a parking lot.
3. Cellar dwelling units are prohibited.
4. Any new development plan shall not openly conflict with the dominant design features of its physical context. Continuity can be achieved through consideration of elements of facade composition (such as fenestration, cornice or soffit line, floor to floor elevation, etc.) through the use of related materials, by maintaining roof pitch, by continuing a line of street trees, decorative lampposts and so forth.
5. Building facades shall be consistent with the size, scale and setbacks of adjacent buildings and those where there is a visual relationship.
6. The appearance of the side and rear elevations of buildings is important, especially if parking is provided next to the buildings. It may be desirable to develop alternative entries. Therefore, guidelines for the fronts of buildings shall also apply to the rear and sides where visible.
7. Fire escapes shall not be permitted on the front façade of buildings.
8. The type, shape, pitch, texture and color of a roof shall be architecturally compatible with the building style, material, colors and details. Roof forms should be similar to those predominantly found on adjacent buildings. New rooftop elements (e.g. HVAC, skylights, antennas) shall be screened from the public right-of-way.
9. Multiple buildings on a single property shall be designed so as to be architecturally compatible with one another, utilizing common color schemes and materials.
10. Buildings shall be designed so as to prevent exterior elevations from containing large expanses



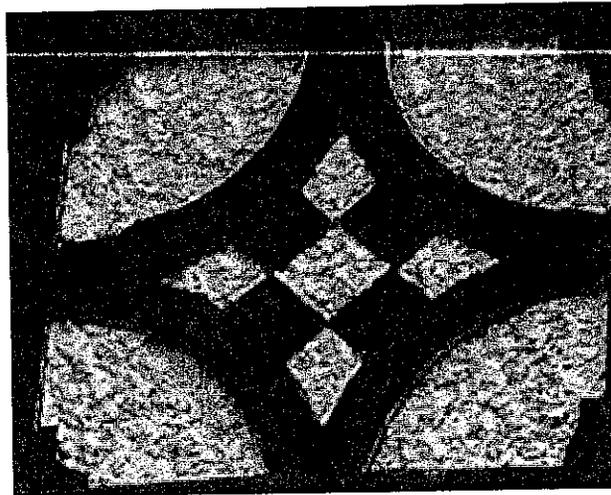
general design standards

- of blank or featureless walls.
11. Off-street parking and loading areas shall be coordinated with the public street system serving the Area in order to avoid conflicts with through-traffic, obstruction to pedestrian walks and vehicular thoroughfares.
 12. No portion of an exterior parking stall shall be located closer than 4 feet to a building.
 13. A landscaped buffer shall be provided along the rear and side property lines. Buffer may not be less than 5 wide in any section abutting non-residential uses or districts and 10 feet where abutting lands zoned for residential use. The purpose of the buffer is to physically screen noise, light and other nuisances emanating from new development from existing adjacent residences and to preserve existing large trees. Buffer shall contain solid wooden fencing and a combination of deciduous and evergreen trees and shrubs. Deciduous trees shall be a minimum of 3.5" caliper and evergreen trees shall be a minimum of 8' in height at installation. Deciduous and evergreen shrubbery shall be a minimum size of 7 gallon container or 36" B&B. Developers are required to submit a tree survey, which includes lands within 25 feet of the buffer and develop a landscape plan to incorporate existing large trees over 24" diameter as a screen through selective pruning and maintenance.
 14. A minimum of ten percent of any surface parking facility shall be landscaped and shall include one shade tree for every twenty parking spaces. Shade trees shall be a minimum of 3.5" caliper. Preservation of existing trees greater than 24" in diameter shall be credited towards this requirement.
 15. Outside storage of materials and personal belongings of residents shall be strictly regulated. Adequate accessory storage space shall be provided for each dwelling unit.
 16. Landscaped strips, which are to be provided with wood chips, mulch, stones or other non-vegetative groundcover material shall first be covered with weed control matting. Dyed mulches are prohibited.
 17. Existing street trees shall be incorporated into development proposals through enhancement of tree pit, selective pruning and maintenance, if necessary. Developer is required to fill gaps in prevailing street tree pattern with new street trees of a minimum 3.5" caliper. Species shall be selected to complement existing street tree pattern.
 18. Low walls of 18 inches to 24 inches in height of brick or stone are encouraged as a design

general design standards



- feature in front yard areas.
19. Decks and Patios may not be constructed higher than 18" above grade and shall be buffered from on site parking.
 20. All phased projects must be freestanding as it relates to compliance with all bulk and design standards.
 21. All storage of refuse and recyclable materials shall be maintained within the confines of an enclosed building or structure and shall be reasonably accessible for vehicular collection on the site and/or shall be appropriately screened and landscaped where outdoor storage is necessary.
 22. The lighting requirements detailed in Sections 92-129 and 92-112 of the Village's Land Development Regulations shall apply.
 23. Adequate lighting shall be provided to promote a sense of security.
 24. Signage shall be in accordance with Article XXIV of the Village Land Development Regulations.



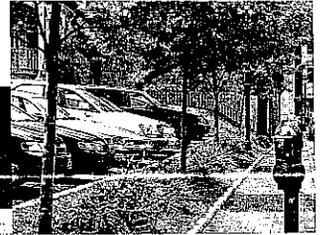


property to be acquired

This Redevelopment Plan authorizes the Village to exercise its condemnation powers on all properties in the Redevelopment Area to acquire property or to eliminate any restrictive covenants, easements or similar property interests which may undermine the implementation of the redevelopment project. The Village plans to work with affected property owners and businesses to promote private redevelopment of the parcels within the Redevelopment Area.



relocation



The degree of relocation necessary to fully implement the Redevelopment Plan is expected to be minimal given the nature of the parcels. However, should relocation be necessary, the Village of South Orange will provide all displaced tenants and landowners with the appropriate relocation assistance, pursuant to applicable State and Federal law. Such assistance will be provided through an appropriately designated office, which will assist in any relocation of persons, businesses or entities. The local housing market including South Orange and the surrounding community contains an ample supply of comparable replacement housing to absorb any residents of South Orange who may be displaced by the redevelopment process. If relocation is not caused by the Redevelopment Plan, the Village is not responsible for relocation of people and/or businesses.

Plan Relationship to Definitive Local Objectives

The proposed Redevelopment Plan is substantially consistent with the Master Plan of South Orange Village, the master plans of adjacent municipalities, Essex County and the State Development and Redevelopment Plan.

Township Of South Orange Village Master Plan

Redevelopment of the Church Street area has been a planning objective in the Village for over twenty years. In the 1979 Land Use Plan of the Master Plan, the subject area is designated for Planned Residential Development. The Master Plan states,

"The Church Street area, which contains older housing, and a mix of incompatible commercial and industrial uses, is in need of redevelopment and/or upgrading. It is a Township objective to develop a mechanism to upgrade the area, but also one which meets the housing requirements of existing Church Street residents...The Church Street area is designated as PRD, which would allow for the development of a combination of residential uses including townhouses, garden apartments, housing of senior citizens and, also, single- and two-family homes. By designating the area PRD, it would require the preparation of an overall housing plan involving the entire

plan relationship to definitive local objectives

area, which would be implemented in stages.”(Page 20)

This commitment to redeveloping Church Street is reiterated in the 1988 Master Plan Reexamination Report. A land use-planning objective reads, to “revitalize [e]...the Church Street area into a sound residential neighborhood.” The 1991 Master Plan Reexamination Report states, “Since the character of the Village has already been established, the primary function of the Land Use Plan for South Orange continues to be the maintenance of its generally stable development patterns, to guide the elimination of existing problems and to anticipate long-range directions for redevelopment.” The Church Street 1988 redevelopment objective is contained, again, in the 1991 Reexamination Report.

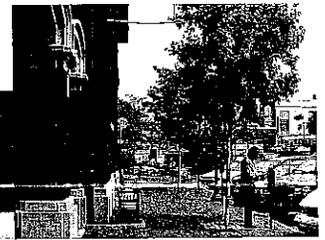
Adjacent Municipalities

The Village of South Orange is bordered by the Town of West Orange, the Cities of Orange, East Orange and Newark, and the Township of Maplewood. None of these communities directly abut the Redevelopment Area since the Redevelopment Area is located in the geographic center of the Village. The Plan goals of creating a transit village by constructing higher density residential development and revitalizing the CBD are consistent with the efforts of the adjacent communities, which are seeking to similarly revitalize their own downtown areas. This Plan will not have any negative impact upon the revitalization efforts of adjacent municipalities.

Essex County Master Plan

The 1970 Essex County Land Use Plan designates the Church Street area for residential use. The County Plan

state development and the plan



is consistent with the Redevelopment Plan in that the area will continue to be used for residential purposes.

State Development And Redevelopment Plan

The State Development and Redevelopment Plan (SDRP) adopted March 1st, 2001 designates South Orange Village as part of the Metropolitan Planning Area (PA1). According to the SDRP, most of the communities within this planning area are fully developed or almost fully developed with much of the new growth occurring through redevelopment.

The following policy objectives are intended as guidelines for planning within communities located in the Metropolitan Planning Area:

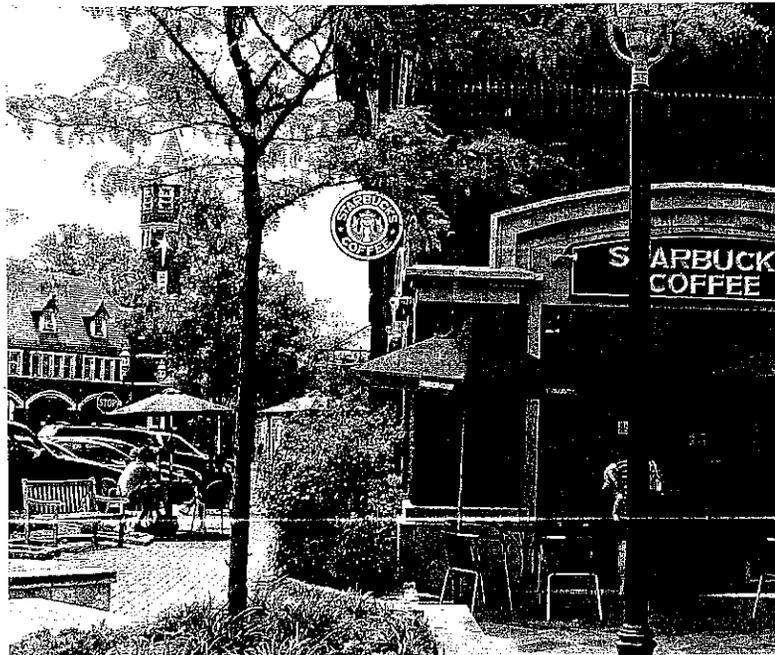
1. **Land Use:** Guide new development and redevelopment to ensure efficient and beneficial utilization of scarce land while capitalizing on the inherent public facility and service efficiencies of the concentrated development patterns.
2. **Housing:** Preserve the existing housing stock through maintenance and rehabilitation and provide a variety of housing choices through development and redevelopment.
3. **Economic Development:** Promote economic development by encouraging redevelopment efforts such as infill and land assembly, public/private partnerships and infrastructure improvements.
4. **Transportation:** Capitalize on the high-density settlement patterns that encourage the use of public transit systems and alternative modes of transportation to improve travel among major population centers, employment centers and transportation terminals.
5. **Natural Resource Conservation:** Reclaim environmentally damaged sites and mitigate future negative impacts, particularly to waterfronts, scenic vistas, any remaining wildlife habitats and to Critical Environmental/Historic Sites generally. Give special emphasis to addressing air quality concerns; provide open space and recreational amenities.
6. **Recreation:** Provide maximum recreational opportunities by concentrating on the maintenance and rehabilitation of existing parks and open space while expanding the system through redevelopment and reclamation projects.
7. **Historic Preservation:** Integrate historic preservation with redevelopment efforts in a way that



state development and the plan

- will not compromise either the historic resource or the area's need to redevelop.
8. **Public Facilities and Services:** Complete, repair or replace existing infrastructure systems to eliminate deficiencies and enable future development and redevelopment efforts.
 9. **Intergovernmental Coordination:** Provide for the regionalization of as many public services as feasible and economical, and coordinate the efforts of State, county and municipal governments to ensure sound redevelopment, by encouraging private sector investment and providing supportive government regulations, innovative tax policies and other governmental policies and programs.

These objectives are consistent with those of the Redevelopment Plan. The focus of both the State Plan and the Village Master Plan is to revitalize and redevelop existing "centers" such as the South Orange CBD and periphery. Specifically, the State Plan encourages infill redevelopment of mature settled communities to promote economic development. Furthermore, the State Plan acknowledges the benefits of public transportation and its relationship to more intense development patterns. The Redevelopment Plan



administrative and procedural requirements

capitalizes on its strategic location in proximity to the train station.

Amending The Redevelopment Plan

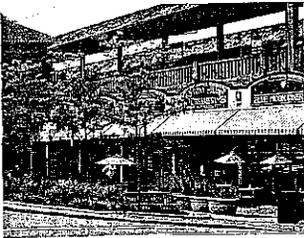
Upon compliance with the requirements of applicable law, the Board of Trustees of the Township of South Orange Village may amend, revise or modify this Redevelopment Plan, as circumstances may make such changes appropriate.

Duration Of Redevelopment Plan

This Redevelopment Plan, as amended, shall be in full force and effect for a period of thirty (30) years from the date of approval of this Plan by the Board of Trustees.

Conveyance Of Land

The Board of Trustees may sell, lease, or otherwise convey to a redeveloper for redevelopment, subject to the restrictions, controls and requirements of this Redevelopment Plan, all or any portion of the land within the Redevelopment Area which becomes available to disposal by the municipality as a result of public action under this Plan.



criteria for redeveloper selection

The following restrictions and controls on redevelopment are hereby imposed in connection with the selection of a redeveloper and shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations now or hereafter in force. Items (2) through (5) and (8) hereunder shall be implemented by appropriate covenants or other provisions in redeveloper agreements and/or disposition instruments.

1. Applicants for designation as redeveloper must submit the following materials to the Board of Trustees for review and approval:
 - a. Documentation evidencing financial responsibility and capability with respect to the proposed development.
 - b. Estimated offering price and deposit for acquisition of any lands(s) to be acquired from the municipality for development.
 - c. Estimated total development cost.
 - d. Fiscal impact analysis addressing the effect of the proposed project on municipal services and tax base.
 - e. Estimated time schedule for start and completion of development
 - f. Conceptual plans and elevations sufficient in scope to demonstrate the design, architectural concepts, parking, traffic circulation, landscaping, active and/or passive recreation space, and sign proposals for all uses and, in addition, (a) bedroom distribution and size of dwelling units for any residential development, and (b) loading requirements for any proposed nonresidential use.
2. The redeveloper will be obligated to carry out the specified improvements in accordance with the Redevelopment Plan.
3. The redeveloper, its successors or assigns shall devote land within the Redevelopment Area to the uses specified in this Redevelopment Plan.
4. The redeveloper shall begin and complete the development of said land for the use(s) required in this Redevelopment Plan within a period of time, which the Board of Trustees fixes as reasonable.

criteria for redeveloper selection



5. Until the completion of the improvements, the redeveloper will not be permitted to sell, lease, or otherwise transfer or dispose of property within the Redevelopment Area without prior written consent of the Board of Trustees.
6. Upon completion of the required improvements, the conditions determined to exist at the time the Redevelopment Area was determined to be in need of redevelopment shall be deemed to no longer exist, and the land and improvements thereon shall no longer be subject to eminent domain as a result of those determinations.
7. No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the redevelopers, the Board of Trustees, or the successors, lessees, or assigns of either of them, by which land in the Redevelopment Area is restricted as to sale, lease, or occupancy upon the basis of race, color, creed, religion, ancestry, national origin, sex or marital status.
8. Neither the redeveloper nor the Board of Trustees, nor the successors, lessees, or assigns or either of them shall discriminate upon the basis of race, creed, religion, ancestry, national origin, sex or marital status in the sale, lease or rental or in the use and occupancy of land or improvements erected or to be erected thereon, or any part thereof, in the Redevelopment Area.

