



Redevelopment Plan

**Market Street + Vicinity
Borough of Elmwood Park**

Topology | 60 Union St #1N Newark, NJ 07105

**TOPO
LOGY**

MARKET STREET REDEVELOPMENT PLAN

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MARKET STREET REDEVELOPMENT PLAN

1. INTRODUCTION

The Borough of Elmwood Park believes strongly in the value of a vibrant downtown and is ready to take proactive steps to create one. This Redevelopment Plan (the “Plan”) represents one of these major steps and aims to set forth a logical and implementable framework for downtown development in the community that leverages existing assets and results in a district that is active, walkable, safe, and attractive for residents and visitors alike. Specifically, it aims to create the framework for a downtown that has places for people to live, play, park, shop, eat, and meet.

In 2019, the Borough Council determined that the entire Borough met the statutory criteria for designation as an area in need of rehabilitation pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A: 12A-1 et seq (See **Appendix D**). While the redevelopment planning process began in 2019, the need to take action to improve the Borough’s commercial corridors like Market Street, was noted in previous planning documents, including the Borough’s 2010 Master Plan.

Figure 1 below illustrates the location of the Market Street Redevelopment Plan within the context of the Town. Properties comprising the Market Street Redevelopment Plan Market Street may henceforth be identified as the “Rehabilitation Area,” “Redevelopment Plan Area,” “Site,” “Area,” or “Property,” throughout this document.

1.1. Redevelopment Plan Area Boundaries

The map below reflects the boundaries of the Redevelopment Plan Area. The full list of Blocks and Lots included within the Redevelopment Plan Area is attached as **Appendix E**.



Figure 1: Redevelopment Plan Area

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1.2. Plan Overview

The primary objective of this Redevelopment Plan is to stimulate activity along Market Street, one of Elmwood Park's key commercial corridors, in an effort to develop the area into a "Main Street" environment that provides commercial, recreational, and residential amenities. Through the tools provided under the LRHL, the Plan attempts to accomplish a diverse set of objectives relating to downtown development.

- From a land use perspective, the Plan sets forth a framework for creating mixed-use development that is feasible based on existing conditions and conducive to creating an active downtown where people both live and play. The Plan outlines two specific land use districts, Gateway and Corridor, in an effort to ensure that regulations are contextually appropriate based on parcel dimensions and existing conditions.
- From a design perspective, the Plan sets forth regulations to guide architectural decisions and create the feel of a unified district.
- From a mobility perspective, the Plan considers the Area's proximity to roadways like the Garden State Parkway and I-80, but calls for streetscape improvements befitting of a downtown environment.
- From a parking perspective, the Plan acknowledges the importance of parking to creating a successful downtown and viable projects, but allows flexibility in how parking is provided.
- From a civic perspective, the Plan identifies assets like Borough Park as central to the success of the district and the community and provides a framework for how to best leverage and improve them.

Through the collective standards included in this Plan, the Borough aims to fulfill a long-standing goal of the community: to create a unified Market Street attractive to both residents and visitors that creates benefits for the community as a whole.

1.2.1. In accordance with the LRHL [N.J.S.A. 40A: 12A-7. A.2], this Plan establishes the following proposed requirements for the Property:

- Land Uses
- Bulk Standards
- Design Criteria
- Building Requirements

The provisions set forth herein shall act as overlay to the existing standards set forth in the Municipal Code of the Borough of Elmwood Park, specifically, those contained in Chapter 34, Zoning and Site Plan Review. As such, it shall not replace the existing standards found in the Municipal Code. Any standard, definition, or regulation in the Borough of Elmwood Park Municipal Code that is not specifically addressed by a standard, definition, or regulation in this Redevelopment Plan shall apply as part of this Redevelopment Plan.

2. LOCAL REDEVELOPMENT AND HOUSING LAW

The Borough of Elmwood Park determined that the use of the powers granted to municipalities under the Local Redevelopment and Housing Law (LRHL) (N.J.S.A 40A:12A-1, et. Seq) would be the most effective approach to revitalize the parcels contained in the Redevelopment Plan Area.

The Area was designated by the Borough of Elmwood Park as an area in need of rehabilitation in accordance with the LRHL in 2019. The corresponding resolution designating the properties as an area in need of rehabilitation are included in **Appendix D**.

For more information, refer to Local Redevelopment and Housing Law (LRHL) Regulations and Policy (**Appendix A**).

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)). As well, the redevelopment plan must address “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” (N.J.S.A 40A:12A-7(a)(5)). The Plan is significantly consistent with and intended to effectuate the Borough’s 2010 Master Plan. This Plan is also consistent with the following plans as detailed in **Appendix B**.

- Local Master Plan
- Surrounding Communities’ Master Plans
 - Township of Saddle Brook
 - City of Garfield
 - City of Paterson
 - City of Clifton
 - Borough of Fair Lawn
- Bergen County Master Plan
- NJ State Development and Redevelopment Plan

4. SITE DESCRIPTION

4.1. Property Area + Access

The Redevelopment Plan Area includes lots adjacent to or near Market Street and Mola Boulevard. To the west, the Area is bounded by Interstate Route 80 (I-80) and residences. To the south, the Area is bound by commercial and residential lots, as well as Elmhurst Street, Tuella Avenue, and Mola Boulevard. The Area's eastern flank is bounded by the Garden State Parkway. Lastly, the Area is bounded by the Main Line rail right-of-way, Veterans Place, Oak Street, Van Riper Avenue, I-80, and residences to the north.

In addition to the primary access points along Market Street and Mola Boulevard, Area access is also provided by numerous local roads like Van Riper Avenue, Oak Street, Chestnut Street, Church Street, Walnut Street, Locust Street, Elmhurst Street, Beech Street, Pine Street, Terrace Street, Tuella Avenue, and Veterans Place. The Area is accessible from the west via Exit 61 on I-80 and is in close proximity to Garden State Parkway Exit 157 to the southeast and Exit 159 to the northeast, as well as State Route 46 to the south.



Figure 2: Redevelopment Plan Area and surrounding context.

4.2. Property History

The historic evolution of the Area generally parallels that of Elmwood Park as a whole.

Even before the Borough seceded from Saddle River in 1916 to form East Paterson, the Area was rapidly developing due to employment growth in the Borough and

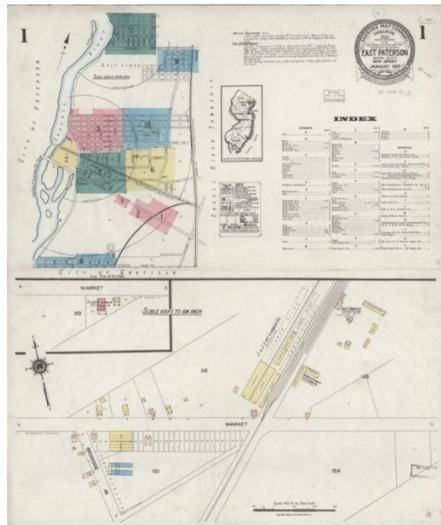
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surrounding municipalities. The newly founded Borough continued to grow rapidly after its independence, taking advantage of its abundant vacant land. Like much of the Borough at the time, the Area had already been subdivided into lots and streets in anticipation of future growth, even as many of these lots remained vacant. By 1925 the triangle formed by Market Street, Church Street, and Van Riper Avenue was one of the most developed areas of the Borough, as illustrated in the Sanborn Map included in the figure below.

In subsequent decades, the Area was progressively built out, and by the 1950s the development character visible today began to emerge: residential uses flanked the predominately commercial uses along Market Street, and larger scale industrial and commercial uses were along what is now Mola Boulevard.

While the development pattern of the Area was defined by the first decades of the twentieth century, like much of the region, the growing pre-eminence of automobile transportation had dramatic effects on the built environment of the Redevelopment Plan Area during the second half of the twentieth century. In the 1950s, new industrial buildings to the east began to be serviced by road instead of rail. In the 1960s, I-80 and the Garden State Parkway were constructed on either side of the Area, creating a physical barrier between the Area and the remainder of the community. The growth of the automobile also meant that more land was dedicated to surface parking and that auto-oriented uses grew more prevalent in the Redevelopment Plan Area. These impacts are still visible today and present both an asset and liability as the Borough strives to create a walkable “Main Street” district.

1925



1932

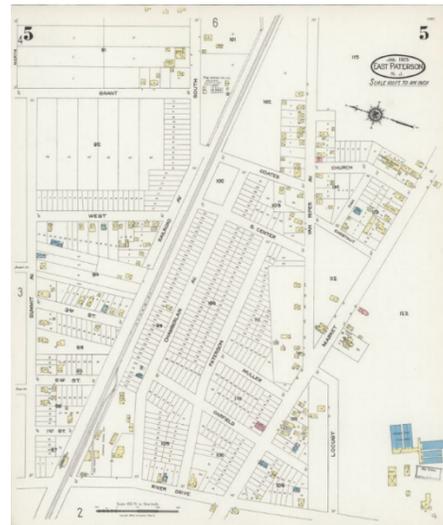
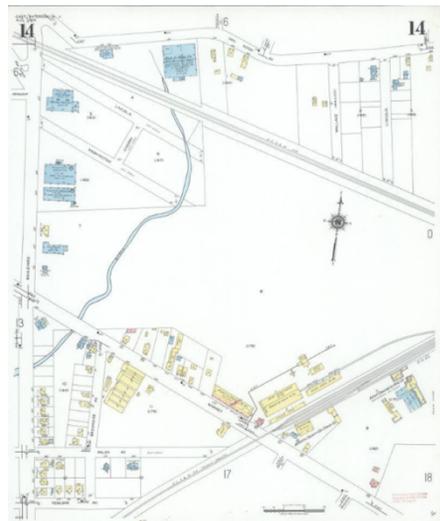
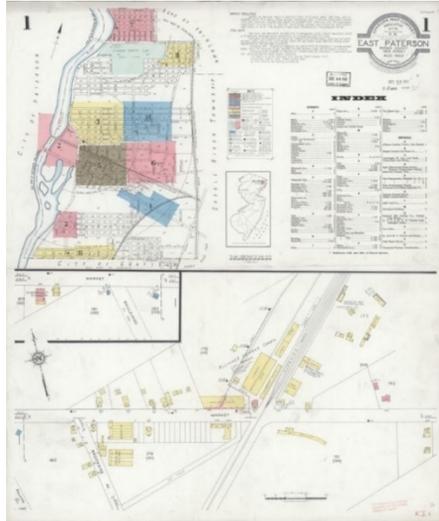


Figure 3: Historic Sanborn maps from 1925, 1932, and 1950 showing development in the vicinity of the site (above and below)

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1950



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4.3. Existing Conditions

4.3.1. **Neighborhood Context + Mobility**

The Area's varied parcel sizes and various zoning districts have resulted in many diverse uses throughout the Area. The Area includes residences, restaurants, retail, automobile services, churches, a parochial school, a funeral home, food stores, fitness centers, light industry, and public uses.

Market Street and Mola Boulevard, the two primary roads within the Redevelopment Plan Area, are two of the Borough's major commercial corridors. Along Market Street, development mainly consists of one- and two-story buildings of commercial and residential uses like restaurants, small-scale retail operations, service uses, and professional uses. Market Street is also home to two major civic assets: Borough Hall and Borough Park.

Mola Boulevard is bordered by larger parcels and structures. Development along Mola Boulevard is almost exclusively commercial and includes a mixture of retail and industrial uses.

The Area is surrounded primarily by residential neighborhoods. These residential neighborhoods consist of 1-2.5 stories tall single-family dwellings on compact lots. The prevalence of adjacent large non-residential uses and parcels has resulted in a significant portion of land in and around the Area being used for surface parking.

4.3.2. **Existing Zoning**

Several zoning districts govern the land uses of the Redevelopment Plan Area. These districts include the R-18 and R-9 residential districts; the C-G, C-L, and C-O commercial districts, and the I-R industrial district. Relevant use and bulk regulations for each district are included below.

- ***R-9 Medium Density Housing***

Permitted uses are:

1. Detached one-family dwelling
2. Public park, playground

Conditional uses are:

1. Nursing care home
2. Other clubs, social halls, lodges, fraternal organizations and similar uses except where the chief activity is a service customarily carried on as a business

Bulk regulations are as follows:

- Minimum lot size: 5,000 square feet

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- Minimum lot width: 50 feet
- Minimum yards (feet):
 - Front: 25
 - Side (both, minimum side): 15, 5
 - Rear: 20
- Maximum lot coverage: 25%
- Maximum building height: 25 feet or 2.5 stories

- ***R-18 Medium/High Density Housing***

Permitted uses are:

1. Detached one-family dwelling
2. Semi-detached and two-family dwelling
3. Conversion of existing one-family dwelling to accommodate 2 or more families
4. Public park, playground

Conditional uses are:

1. Townhouse
2. Nursing care home
3. Other clubs, social halls, lodges, fraternal organizations and similar uses except where the chief activity is a service customarily carried on as a business

Bulk regulations are as follows:

- Minimum lot size (square feet):
 - One-family: 5,000
 - Semi-detached: 7,500
 - Two-family: 7,500
 - Townhouse: 30,000
 - Multi-family: 30,000
- Minimum lot area per dwelling unit:
 - One-family: N/A
 - Semi-detached: 3,750
 - Two-family: 3,750
 - Townhouse: 3,750
 - Multi-family:
 - One-bedroom: 2,000
 - Two-bedroom: 2,700
 - Three-bedroom: 3,400
- Minimum lot width (feet):
 - One-family: 50
 - Semi-detached: 75
 - Two-family: 75
 - Townhouse: 125
 - Multi-family: 125
- Minimum yards (feet):

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- Front: 25
- Side (both, minimum side):
 - One-Family: 15, 5
 - Semi-detached: N/A, 10
 - Two-family: 25, 15
 - Townhouse: N/A, 10 for end units
 - Multi-family: N/A, 20
- Rear: 20
- Maximum lot coverage:
 - One-family: 25%
 - Semi-detached: 25%
 - Two-family: 30%
 - Townhouse: 35%
 - Multi-family: 35%
- Maximum building height: 25 feet or 2.5 stories

- ***C-L Local Commerce***

Permitted uses are:

1. Detached one-family dwelling
2. Semi-detached and two-family dwelling
3. Townhouse
4. Public park, playground
5. Municipal offices, (municipal) facilities, community centers, libraries, fire stations
6. Church
7. Public or private schools, day nurseries
8. Other clubs, social halls, lodges, fraternal organizations and similar uses except where the chief activity is a service customarily carried on as a business
9. Home occupation or home professional office
10. Retail establishment serving local area needs including, but not limited to, drug, grocery, and baked goods store (up to 5,000 square feet of floor area per establishment)
11. Other retail establishments
12. Personal and consumer service establishments including, but not limited to, barber or beauty shops
13. Tavern, bar, liquor store
14. Business and professional offices, banks
15. Restaurant selling food for consumption entirely indoors on the premises
16. Drive-in restaurant; fast food service establishment

Conditional uses are:

1. Dwelling in a permitted commercial building
2. Rooming, lodging, or boarding house
3. Funeral Home

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4. Animal hospital or commercial kennel
5. Taxi, rail, bus passenger terminal

Bulk regulations are as follows:

- Floor area ratio: 0.5
- All other regulations: same as least restrictive adjacent residential district

- ***C-G General Commerce***

Permitted uses are:

1. Public Park, Playground
2. Municipal offices, (municipal) facilities, community centers, libraries, fire stations
3. Gymnasium, health club, swim club, tennis club
4. Other clubs, social halls, lodges, fraternal organizations and similar uses except where the chief activity is a service customarily carried on as a business
5. Commercial marina for the sale, mooring, and rental of boats
6. Hotel or motel
7. Retail establishment serving local area needs including, but not limited to, drug, grocery, and baked goods store (up to 5,000 square feet of floor area per establishment)
8. Other retail establishments
9. Personal and consumer service establishments including, but not limited to, barber or beauty shops
10. Tavern, bar, liquor store
11. Business and professional offices, banks
12. Restaurant selling food for consumption entirely indoors on the premises
13. Place of commercial recreation such as a theater or bowling alley where the use is conducted entirely indoors
14. Drive-in restaurant; fast food service establishment

Conditional uses are:

1. Funeral home
2. Public garage or auto repair shop; excluding the repair of heavy motorized equipment
3. Establishment for the sale of automobiles, trucks, travel trailers, and major recreational equipment but excluding heavy repair of same
4. Animal hospital or commercial kennel

Bulk regulations are as follows:

- Minimum lot size: 15,000 square feet
- Minimum lot width: 100 feet

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- Minimum yards (feet):
 - Front: 25
 - Side (both, minimum side): 25% of lot width, 10
 - Rear: 25
- Maximum lot coverage: 40%
- Maximum building height: 30 feet or 2 stories
- Floor area ratio: 0.6

- ***C-O Office***

Permitted uses are:

1. Public park, playground
2. Municipal offices, (municipal) facilities, community centers, libraries, fire stations
3. Other clubs, social halls, lodges, fraternal organizations and similar uses except where the chief activity is a service customarily carried on as a business
4. Home occupation or home professional office
5. Business and professional offices, banks
6. Restaurant selling food for consumption entirely indoors on the premises
7. Drive-in restaurant; fast food service establishment
8. Administrative offices and data processing centers

Conditional uses are:

1. Funeral home

Bulk regulations are as follows:

- Minimum lot size: 7,500 square feet
- Minimum lot width: 75 feet
- Minimum yards (feet):
 - Front: 25
 - Side (both, minimum side): 25% of lot width, 5
 - Rear: 20
- Maximum lot coverage: 25%
- Maximum building height: 50 feet or 4 stories
- Floor area ratio: 0.5

- ***I-R Restricted Industrial***

Permitted uses are:

1. Public park, playground
2. Municipal offices, (municipal) facilities, community centers, libraries, fire stations

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3. Gymnasium, health club, swim club, tennis club
4. Business and professional offices, banks
5. Manufacturing, assembly, processing, packaging, research and testing operations including the following uses, provided that such operations shall be conducted entirely within an enclosed building or structure:
 - a. Products developed from previously refined or similarly processed materials such as bone, ceramic, cloth, glass, leather, metals, plastics, paper, rubber (except tires), wood (except planing mills)
 - b. Electrical and mechanical instruments and appliances, optical goods
 - c. Cosmetics, toiletries, and pharmaceutical product
 - d. Administrative offices and data processing centers
 - e. Laboratory for scientific and industrial research including testing and product development
6. Printing and publishing establishments
7. Warehouse, beverage or milk bottling plant, frozen food locker, ice manufacturing plant, wholesale establishment, and similar distribution center
8. Taxi, rail, bus passenger terminal

Conditional uses are:

1. Public garage or auto repair shop; excluding the repair of heavy motorized equipment
2. Animal hospital or commercial kennel
3. Contractor's or craftsman's shop including carpentry, welding ornamental iron works, electrical and machine shops

Bulk regulations are as follows:

- Minimum lot size: 22,500 square feet
- Minimum lot width: 125 feet
- Minimum yards (feet):
 - Front: 35
 - Side (both, minimum side): 25% of lot width, 15
 - Rear: 25
- Maximum lot coverage: 25%
- Maximum building height: 30 feet or 2 stories
- Floor area ratio: 0.4

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The consequence of limited depth is two-fold. First, it makes it difficult to accommodate parking in the rear of the site. Rear-yard parking is the preferred configuration when designing “Main Street” districts. Second, it restricts the amount of front yard area that may be dedicated for streetscape improvements or outdoor dining.

In response to limitations relating to parcel dimensions, this Plan attempts to incentivize parcel assemblage.

- **On-Site Parking Availability:** Partially because of their dimensions, the development potential of parcels is constrained because of the difficulty of achieving sufficient parking on-site to permit mixed-use developments as would be envisioned in a downtown area. As a result of limitations relating to the difficulty of creating on-site parking, this plan sets forth a flexible parking program that permits both on-site shared parking and off-site parking.

5. PUBLIC PURPOSES

5.1. Goals + Objectives

- **Rehabilitate and redevelop stagnant properties**
 - Protect the health, safety, and welfare of the citizens of Elmwood Park by providing a program of rehabilitation and redevelopment for underutilized properties that could more effectively contribute to the well-being of the Borough.
 - Minimize land uses and design configurations that are incompatible with a downtown core.
- **Introduce uses that reinforce the Borough’s established commercial districts by increasing activity along Market Street**
 - Create land use regulations that prioritize active ground floor uses.
 - Introduce zoning that makes mixed-use development feasible.
 - Facilitate economic development by providing regulatory framework necessary to create spaces that allow new and existing local businesses to thrive.
- **Create an environment that balances the needs of pedestrians, drivers, cyclists, and other users**
 - Incorporate pedestrian-oriented street elements that can improve safety and increase the opportunity for interaction, including adequate street lighting, public benches, picnic areas, bicycle parking facilities, art installations, street trees, crosswalks, associated safety signage, and other various streetscape elements.
 - Create a parking program that “right-sizes” supply to make sure development is feasible and parking is sufficient.
 - Design site access and curb cuts in a way that does not adversely affect vehicular or pedestrian circulation.
- **Enhance the physical characteristics of downtown through sign, façade, architecture, and streetscape improvements**
 - Mandate public realm improvements that create a safer and more attractive streetscape.
 - Use buffering to separate commercial uses from adjacent residential districts.
 - Use design standards for signs, facades, and architecture to create a unified architectural aesthetic that invokes a “Main Street” feel

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- **Incorporate green infrastructure + sustainable design**
 - Incorporate street trees and green infrastructure elements into planned building and landscaping designs to reduce runoff and improve local water quality.
 - Encourage the use of sustainable building standards and materials to reduce environmental impact.
- **Create expanded and equitable housing options**
 - Increase the inventory of rental housing options in and around downtown Elmwood Park.
 - Establish a mixture of affordable and market-rate units to ensure accessibility to households at a range of income levels.

5.2. **Affordability**

For projects including a residential component resulting in five or more units, a minimum of 15% of units and 20% of for-sale units shall be set aside as affordable units on site. All affordable units shall conform with New Jersey Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et seq.) and all applicable ordinances, regulations, and statutes related to affordable housing.

Non-residential projects or commercial components of mixed-use projects shall be subject to the Statewide Non-Residential Development Fee Act which requires a fee of 2.5% of the equalized assessed value of the land and improvements.

5.3. **Streetscape Improvements**

Creating a safer and more hospitable pedestrian environment is crucial to the success of any project pursued under this Plan. To that end, projects pursued under this Plan shall incorporate streetscape improvements that reflect the prioritization of the pedestrian experience. Streetscape improvements shall include street trees, lighting, defined curb lines, and sidewalk construction. The Redeveloper should integrate the streetscape with the proposed project by creating clear pedestrian entrances to the project that are accessible from the sidewalk, by utilizing attractive landscaping, and by creating opportunities for outdoor gathering areas. The Borough may elect to pursue a program of streetscape improvements separate and apart from individual Redeveloper efforts. Should this occur, best efforts should be made to ensure that all streetscape improvements are coordinated in terms of aesthetics and implementation. Specific parameters for streetscape improvements are included in Section 6.1.5.

5.4. **Traffic Impact Study**

Redevelopers developing property within the Gateway subdistrict shall conduct a Traffic Impact Study (“TIS”). The TIS shall conform with applicable standards published by the Institute of Traffic Engineers. The primary purpose of the traffic

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study is to determine the impact of the project on traffic patterns and if additional infrastructure improvements will be necessary due to redevelopment of the Redevelopment Plan Area. Any improvements required in connection with implementation of the Redevelopment Plan shall be included in a Redevelopment Agreement to be executed by the Redeveloper and Borough.

Market Street between I-80 and the Garden State Parkway and Mola Boulevard between I-80 and the Garden State Parkway shall be studied within the required traffic study (the "Traffic Study Area"). The following intersections shall be analyzed:

- Market Street and Mola Boulevard
- Market Street and Van Riper Avenue
- Mola Boulevard and Van Riper Avenue

This study shall include, but shall not be limited to, an assessment of existing off-site features within the Traffic Study Area (as defined above):

- Traffic control devices
- Pedestrian crossings and sidewalks

If existing off-site features are determined to be deficient, mitigative and enhancing traffic calming measures will be proposed. Should the study identify material adverse impacts compared to current service levels or pedestrian safety associated with traffic created or exacerbated by the proposed redevelopment, a remedy for the issue will be proposed.

5.5. **Borough Park**

Borough Park, located at the center of the Redevelopment Plan Area, is a major civic asset. Development projects proposed within the Redevelopment Plan Area should consider potential linkages between the project and the Park. Potential linkages may include capital improvements to the Park, programming plans, or increased connectivity between the Park and surrounding area. The Borough may, in the negotiation of Redevelopment Agreements arising out of this Redevelopment Plan, link development projects to Park improvements. Any such linkages will be detailed in, and executed pursuant to, a Redevelopment Agreement between the Borough and Redeveloper.

6. LAND USE (SEE APPENDIX C FOR DEFINITIONS)

The Plan area is comprised of two primary distinct zoning districts: Corridor and Gateway. The breakdown of zoning districts is reflected in the figure below. **Appendix E** details the blocks and lots included within each zoning district.



Figure 5: Overlay districts within the Redevelopment Plan Area

6.1. Gateway District

6.1.1. Land Uses

- Permitted Principal Uses
 - Mixed use
 - Restaurant, Coffee Shop/Cafe
 - Restaurant, Food Hall
 - Restaurant, Liquor Licensed
 - Restaurant, Sit-Down
 - Apartment Building
 - Artisan manufacturing (including distilleries and micro-brewing)
 - Fitness Center
 - Art Gallery
 - Office, general and professional
 - Retail business
 - Parking structure
 - Co-Working

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- Permitted Accessory Uses
 - Outdoor dining
 - Fitness center
 - Shadow box art
 - Parking structure
 - Any uses that are customary and incidental to permitted principal uses

6.1.2. Lot Standards

Lot Area (Min.)	17,500 sq. ft.
Lot Width (Min.)	N/A
Lot Depth (Min.)	N/A
Building Coverage (Max.)	80%
Lot Coverage (Max.)	90%

6.1.3. Building Placement Standards

Front Yard Setback (Min. / Max.) (from curb line)	12' – 18'
Side Setback (permitted)	0' or 5'
Rear Setback (Min.)	10'

6.1.4 Height and Density Standards

Height (Min.)	2 stories, 25'
Height (Max.) *	3 stories, 36'
Residential Density (Max.) *	35 units per acre
Ground Floor Height (Min.)	12'
Upper Floor Height (Min.)	10'

*If lot area is greater than 40,000 square feet and at least 25% of ground floor area is a retail or restaurant use, maximum height is 4 stories, 48' and maximum residential density is 50 units per acre.

6.1.5 Frontage + Access Standards

Active Ground Floor Uses	At least 70% of building street frontage shall include permitted Active Ground Floor uses.
Vehicular Access Points	No vehicular access on Market Street shall be permitted unless a property has greater than 200' of linear frontage along Market Street. If a property has greater than 200' of linear frontage along Market Street, one vehicular access point may be permitted, provided it services a structured parking

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	facility and is designed in accordance with Section 6.3.
Drive Throughs	No drive throughs shall be permitted along Market Street. Properties fronting along Mola Boulevard with more than 300' of linear frontage shall be permitted one drive through provided it is designed in accordance with Section 6.4.
Building Frontage	Frontage along Market Street or Mola Boulevard is required.

6.1.6 Parking Standards

- **Vehicular Parking Requirements**

Vehicular parking shall be required for new development or changes in use in accordance with the table below:

Use	Required Parking (min. / max.)
Art gallery	Minimum: 1/1000 GFA Maximum: 2/1000 GFA
Artisan manufacturing	Minimum: 2/1000 GFA Maximum: 3/1000 GFA
Co-working	Minimum: 2/1000 GFA Maximum: 3/1000 GFA
Fitness center	Minimum: 2/1000 GFA Maximum: 3/1000 GFA
Office, General and Professional	Minimum: 1.5/1000 GFA Maximum: 4/1000 GFA
Residential	Minimum: 1 per unit Maximum: 2.5 per unit
Restaurants	Minimum: 1 per 4 seats Maximum: 1 per 3 seats
Retail	Minimum: 1/1000 GFA Maximum: 4/1000 GFA

- **Vehicular Parking Requirements**

Vehicular parking shall be required for new development or changes in use in accordance with the table below:

Setback from:	
Front yard	No front yard parking permitted
Side yard	No side yard parking permitted

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Rear yard (min. from property line)	5'
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- **On-Site Shared Parking**

This Plan encourages the use of on-site shared parking to ensure that parking is provided in an efficient manner. A shared parking plan may be approved by the Planning Board for a mixed-use project based upon a recommendation of a shared parking study by an appropriate professional.

- **Off-Site Parking**

Off-site shared parking is encouraged as a tool to take advantage of existing surface parking lots in and around the Redevelopment Plan Area. To this end, up to 30% of required parking may be provided off-site within 500' of the Redevelopment Plan Area. Off-site parking may only utilize existing parking lots that service commercial properties. In order for off-site parking to satisfy parking requirements, the following conditions must be met:

- The agreement shall be established via a recorded easement, long-term lease (15+ years), or equivalent arrangement. Documentation of the agreement shall be submitted as component of a Planning Board application.
- The Redeveloper shall submit as a component of their Planning Board application an off-site parking plan that details, at a minimum, the location of the off-site parking location, and the proposed pedestrian routes between the project and the off-site parking location.

- **Loading**

At least one loading space shall be provided for every 20,000 of lot area.

6.2. **Corridor District**

6.2.1. **Land Uses**

- Permitted Principal Uses
 - Mixed use
 - Restaurant, Coffee Shop/Cafe
 - Restaurant, Food Hall
 - Restaurant, Liquor Licensed
 - Restaurant, Sit-Down
 - Apartment Building

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- Artisan manufacturing (including distilleries and micro-brewing)
- Fitness Center
- Art Gallery
- Office, general and professional
- Retail Business
- Co-Working
- Permitted Accessory Uses
 - Outdoor dining
 - Fitness center
 - Shadow box art
 - Parking structure
 - Any uses that are customary and incidental to permitted principal uses

6.2.2. Lot Standards

Lot Area (Min.)	9,000 sq. ft.
Lot Width (Min.)	90'
Lot Depth (Min.)	90'
Building Coverage (Max.)	60%
Lot Coverage (Max.)	80%

6.2.3. Building Placement Standards

Front Yard Setback (Min. / Max.) (from curb line)	12' – 18'
Side Setback (permitted)	0' or 15'; 15' total maximum
Rear Setback (Min.)	15'

6.2.4. Height and Density Standards

Height (Min.)	2 stories, 25'
Height (Max.) *	2 stories, 28'
Residential Density (Max.) *	25 units per acre
Ground Floor Height (Min.)	12'
Upper Floor Height (Min.)	10'

*If lot area is greater than 17,000 square feet or lot depth is at least 140', and at least 25% of ground floor area is a retail or restaurant use, maximum height is 3 stories, 36' and maximum residential density is 35 units per acre.

6.2.5. Frontage and Access Standards

Active Ground Floor Uses	At least 70% of building street frontage shall include permitted Active Ground Floor uses.
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Vehicular Access Points	No vehicular access on Market Street shall be permitted.
Building Frontage	Frontage along Market Street is required.

6.2.6. Parking Standards

- **Vehicular Parking Requirements**

Vehicular parking shall be required for new development or changes in use in accordance with the table below:

Use	Required Parking (min. / max.)
Art gallery	Minimum: 1/1000 GFA Maximum: 2/1000 GFA
Artisan manufacturing	Minimum: 2/1000 GFA Maximum: 3/1000 GFA
Co-working	Minimum: 2/1000 GFA Maximum: 3/1000 GFA
Fitness center	Minimum: 2/1000 GFA Maximum: 3/1000 GFA
Office, General and Professional	Minimum: 1.5/1000 GFA Maximum: 4/1000 GFA
Residential	Minimum: 1 per unit Maximum: 2.5 per unit
Restaurants	Minimum: 1 per 4 seats Maximum: 1 per 3 seats
Retail	Minimum: 1/1000 GFA Maximum: 4/1000 GFA

- **Vehicular Parking Requirements**

Vehicular parking shall be required for new development or changes in use in accordance with the table below:

Setback from:	
Front yard	No front yard parking permitted
Side yard (min.)	No side yard parking permitted.
Rear yard (min. from property line)	5'

- **On-Site Shared Parking**

This Plan encourages the use of on-site shared parking to ensure that parking is provided in an efficient manner. A shared parking plan may be approved by the Planning

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Board for a mixed-use project based upon a recommendation of a shared parking study by an appropriate professional.

- **Off-Site Parking**

Off-site shared parking is encouraged as a tool to take advantage of existing surface parking lots in and around the Redevelopment Plan Area. To this end, up to 30% of required parking may be provided off-site within 500' of the Redevelopment Plan Area. Off-site parking may only utilize existing parking lots that service commercial properties. In order for off-site parking to satisfy parking requirements, the following conditions must be met:

- The agreement shall be established via a recorded easement, long-term lease (15+ years), or equivalent arrangement. Documentation of the agreement shall be submitted as component of a Planning Board application.
- The Redeveloper shall submit as a component of their Planning Board application an off-site parking plan that details, at a minimum, the location of off-site parking location, and the proposed pedestrian routes between the project and the off-site parking location.

- **Loading**

One loading space shall be provided for every 20,000 square feet of lot area. Projects occupying less than 20,000 square feet of lot area may not provide a loading space, however at least one loading space shall be provided per block. Sharing loading spaces within a block is encouraged. Access to loading spaces shall be provided via side yards. No vehicular entry to a loading space should be provided within 25' of Market Street.

6.3. **Building Design Standards**

The purpose of these building design standards is to establish a consistent architectural character throughout the Redevelopment Plan Area. This architectural character is intended to create and reinforce a sense of place and fortify the character of Market Street as the downtown core of the Borough.

- Generally
 - Building frontage shall be close to the sidewalk, with windows at street level and active uses on the ground floor.

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- All sides of a building within public view shall use the same materials and colors as the primary facades.
- Buildings shall be oriented so that a primary entrance faces the primary street frontage (Market Street or Mola Boulevard).
- Primary entrances should be defined by architectural features (canopy, portico, or similar).
- Buildings shall be generally built parallel to the street frontage.
- Street facing façades shall be composed so that the rhythm of ground floor attachments and openings harmonize with the rhythm of attachments and openings on upper stories.
- Buildings shall have simple massing and details in order to clearly distinguish the main body of the building and the primary pedestrian entry.
- The use of awnings and canopies at the first-floor level is encouraged.



Figure 6: Mixed use buildings reflective of the desired character, particularly in Gateway districts

- Vertical Rhythm
 - The design of all structures shall incorporate a clear visual division between the base, middle and top as described below. These elements shall be established using cornice lines, windows, or similar horizontal architectural elements.
 - Building Base: The base is defined as the first one to two stories of building containing no more than 1/3rd of building height. Linking first two floors at primary entrances is recommended to create a larger scale at the base of the building.
 - Middle: The middle shall be defined as the space between the top and base portions of the building. It shall occupy no less than 1/2 of the vertical space of the building. This space may be

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- broken up through the use of more subtle and subdued horizontal architectural elements.
- Top: The top be defined as the top one to two floors of the building. Appropriate cornice lines shall enhance the top of the building. The top of the building may be differentiated and should be made to feel lighter and stepped back from the dominant facade plane.
- Vertical rhythm shall be defined utilizing the following techniques:
 - Material changes
 - Brick pattern changes
 - Color changes
 - Fenestration changes
 - Pre-cast concrete or masonry details at columns, piers, and keystones
 - Decorative gutters, downspouts, and scuppers
 - Columns and piers
 - Step-backs, (if step-backs are used, terraces should be considered as an amenity for building space at this level.)
- Building base and ground floor shall be clearly defined utilizing the following architectural elements:
 - Ground floor storefronts should be distinguished from upper floors. Use of a horizontal element such as a lintel allows for flexibility in storefront design without interruption of repeated vertical elements used in upper floors.
 - The relationship of width to height of windows and door openings at ground level should be visually compatible with openings in same building facade and/or other nearby or related structures.
 - Awnings are encouraged, particularly at primary entrances. Awning design shall be integrated into architecture detailing of building. Awnings shall not conceal or disfigure an architectural feature.
- The middle of each building shall be subject to the following standards:
 - Enclosed architectural projections (such as bay windows) up to 5 feet are allowed beyond the primary facade of the building, but minimum sidewalk width must be maintained.
 - Projections over 5 feet are allowed above the first story but must be approved as part of site plan approval process.

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- The top of each building shall be subject to the following standards:
 - Building tops with flat roofs shall be defined by parapet walls with horizontal elements. Cornices, if proposed, shall be coordinated with the architectural and roof style of the building. Decorative corbels and brackets for cornices if used shall be complementary in style to the cornice.
 - Where upper-story step-backs are utilized, the two facade planes should be defined with a horizontal element such as a cornice, band or frieze.
- Horizontal Rhythm
 - All buildings shall incorporate elements that divide facade planes and create a visual play of light and shadow. Long, uninterrupted horizontal facades and architectural elements are prohibited. No uninterrupted façade plane shall be greater than 50' in length.
 - Horizontal rhythm may be created using the following design elements:
 - Uniformity and/or variety in fenestration patterns.
 - A porch, patio, deck, or covered entry.
 - A balcony or bay window.
 - A change in the roofline by including chimneys or by alternating parapet heights.
 - A change in building materials that correspond to a change in the façade plane.
 - Lighting fixtures, trellises, trees, or other landscape features.
 - Shifting façade planes.
 - Rooflines: rooflines shall be modulated with the remainder of façade. For flat roofs or facades with a horizontal eave, fascia, or parapet, the roofline shall correspond with the modulation of the primary façade. This shall apply to primary rooflines and does not apply to, for example, loft units where the loft unit's roofline is set back from primary façade of the building.
- Building Openings + Entries
 - Primary building entries: Each frontage/façade facing a public right-of-way shall have at least one principle functional entry.

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- Commercial entries: Commercial spaces must have primary entrances directly accessible from a public sidewalk or interstitial space.
- Garage openings: Garage openings shall not detract from the pedestrian environment and as such shall be limited in number and location. Pedestrian entrances to structured parking are required to be separated from vehicle entries. If garage openings face on Mola Boulevard or Market Street and interrupt the continuity of a sidewalk, they shall be striped to indicate that pedestrians on the sidewalk have the priority right of way over vehicles entering or exiting the garage.
- Fenestration Standards
 - Transparency requirements: building facades shall contain transparent glass as per the following standards:
 - Residential facades: 40-60% of façade
 - Parking facades: 40-60%. For parking, this standard can be achieved through alternatives other than windows. The use of decorative items, landscaping, and other strategies that achieve an equivalent impact may be considered by the Planning Board as satisfying this requirement.
 - Ground level (non-residential): 60-80% of façade
 - Commercial windows must be kept open and visible (unshuttered) at night.
 - Windows shall be coordinated with architectural character.
 - Windows shall be compatible in terms of design, size, and material to the surrounding neighborhood context. Windows may be of various styles, groupings, colors, an/or mullion patterns.
- Materials
 - The choice of façade material shall be consistent with the building's massing strategy, including vertical and horizontal modulation.
 - No more than three (3) different material types should be used on a building's exterior. Color, texture, and pattern variations of primary materials are permitted.
 - Masonry must be a minimum of four (4) inches thick. Color, texture, and pattern variations of primary materials are permitted.

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- Façade materials shall be selected and assembled so that the building appears heavier at the base and lighter at the top.
- Materials shall also be used to define or accentuate key design elements such as bay windows. Materials shall be used to define the top, middle and base of the building as follows:
- Permitted primary materials:
 - Brick
 - Fiber cement planks
 - Stucco
 - Metal paneling (aluminum, zinc)
- Permitted secondary materials:*
- Stucco (not EFIS)
- Fiber and cement panels
- Other masonry
- Spandrel glass
- Metal details
- *Secondary materials shall not comprise more than 10% of building façade.
- Parking Garages + Blank Walls
 - To the greatest extent realistically feasible, all above ground parking structures shall be screened by habitable building space.
 - Parking that is unable to be screened by habitable building space shall be screened by alternative means, including:
 - Landscaping
 - Green walls
 - False windows
 - Balconies
 - Garage fenestration shall be designed to shield vehicle headlights from exterior view to the greatest extent possible.
 - Garage openings, where applicable, will be treated with similarly scaled openings as the windows above them. Garage openings shall be located within the same vertical alignment as windows or decorative grills that relate in color and scale to the windows above them. The size and scale of garage doors shall be minimized.
- Sustainability
 - Sustainable design strategies and materials are encouraged. Sustainable design strategies may include:
 - Low VOC paints and stains
 - Double or triple paned windows
 - LED lighting

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- Water harvesting for on-site irrigation
- Recycled materials
- Locally sourced materials
- Sustainable energy systems or energy storage systems
- Maximizing natural light
- Green roofs

6.4. Site Design Standards

- Generally
 - Public and private realms should be integrated and connected.
 - Site design should be more reflective of a downtown and pedestrian oriented character.
 - All streetscape and landscape improvements shall be designed by a licensed Landscape Architect.
- Circulation
 - The primary pedestrian access points to the building shall be located along the primary street frontage (Market Street or Mola Boulevard).
 - Pedestrian pathways shall be provided from the street front and all parking areas to entrances.
 - Site layout should allow for circulation in the rear of the property
 - Vehicular entry and egress shall be provided via driveways located on secondary roads. No vehicular access shall be provided from Market Street, unless to access a parking structure as otherwise permitted under this Plan.
 - No curb cuts are permitted along Market Street, unless to access a parking structure as otherwise permitted under this Plan.



Figure 7: Streetscapes with planting zones and pedestrian zones.

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- Streetscapes shall be comprised of the following elements
 - Sidewalk, Planting zone: The 3' closest to the curb line shall be comprised of a planting zone. The planting zone shall create a buffer against the roadway and include street trees or other plantings compliant with the parameters described below. The planting zone may also include street furniture, garbage cans, or lighting.
 - Sidewalk, Pedestrian zone: A dedicated pedestrian zone along the sidewalk shall be provided. The pedestrian zone will have a minimum unobstructed width of 8' at all points.
 - Interstitial spaces: Area between the pedestrian zone and building frontages shall be designed in a manner that integrates the sidewalk into the site's functionality. Direct pathways should be provided from sidewalks to pedestrian entrances. Interstitial spaces should include landscaping and publicly accessible seating areas to be activated by ground floor uses including, but not limited to, outdoor dining or parklets. Interstitial spaces shall be designed using hardscaping and landscaping to complement the pedestrian and planting zones.



Figure 8: Parklets or outdoor dining may be used to activate interstitial spaces.

- Sidewalks
 - ADA compliant tactile pavers shall be used to define the edge of any service drive or driveways.
 - Tactile pavers shall be installed to the same standards required by ADA at the base of public sidewalk curb ramps and should indicate to pedestrians that they are entering the driveway.

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- Street Trees
 - Pollution resistant street shade trees are to be planted along the street, at regular intervals pending species type, of 20' on center if a small street tree with a canopy spread up to 30', or spaced at 40' on center intervals if a medium or large tree with a canopy spread above 30'. Trees shall be a minimum of three-and-a-half (3.5) inches in diameter at breast height. The Planning Board shall approve species and location of trees.
 - Brick or Belgian block pavers at the perimeter of tree pits are encouraged.
 - Raingardens and/or bioswales in tree pits are encouraged.
 - Tree irrigation bags should be installed and maintained for at least six months after planting.
 - Street trees should be coordinated with site lighting.
- Street Furniture
 - The use of street furniture in interstitial spaces is encouraged.
 - Any street furniture provided, including but not limited to benches, trash receptacles, and tables, shall be located such that a minimum of eight feet of unobstructed sidewalk remains for the safe passage of pedestrians.
 - The edge of any street furniture shall be at least two feet away from the curb face of the right-of-way.
 - Trash receptacles are to be provided at regular intervals along pedestrian walkways, including public rights-of-way, at a minimum of 200 feet on center. The use of compacting trash receptacles is encouraged.
 - Street furniture must be designed to accommodate people of all ages and abilities and be compliant with ADA requirements and New Jersey Barrier Free Subcode.
 - Developer shall propose a palette of furniture, fixtures, and finishes for seating that are consistent with the aesthetic of Elmwood Park.
- Lighting
 - Lights are to be fully enclosed/shielded, full cut off fixtures to prevent light spillage onto off-site properties or upward into the sky and not less

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than one-half horizontal foot-candle average lighting level at the surface.

- All lights, including those mounted on the proposed building, within public spaces and those installed along the property by the redeveloper, are to be dimmable and capable of control by timer.
 - Lighting should complement and enhance the building and streetscape design.
 - Any pathways shall be lit for pedestrians in addition to any street lighting that is proposed.
 - Architectural and accent lighting is required on structures and should be off between the hours of 11:00 pm and 5:00 am.
 - Safety lighting is required on structures.
 - Redeveloper shall make best efforts to have all lighting features shall comply with “dark sky” standards as specified by the International Dark Sky Association.
- Landscaping
 - Landscaping shall be provided along property lines to create buffers with adjacent property uses. Buffers are intended to establish clear delineation between properties and to minimize the visual impacts between properties.
 - Landscaped beds, gardens, and planting strips must be incorporated into the plazas and public spaces, particularly in locations that separate vehicles from pedestrians and where blank façades, or utilities are present.
 - Landscape buffers shall have a minimum height of 3’.
 - The use of green infrastructure, such as bioswales or rain gardens, is highly encouraged.
 - Landscaping and plantings should be consistent with species found throughout the Borough.
 - Shrubs, flowers, and ground cover should be designed to reduce expansive areas of mulch. Planting sizes and spacing should be provided for review and approval by the Planning Board.
 - Stormwater
 - Construction in the Redevelopment Area shall generate zero net increase in peak flow volume and flow rate off site between pre- and post-construction conditions for the 2, 10, and 100-

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year storms. The use of green stormwater management is highly encouraged.

- Retaining Walls
 - Retaining walls may be required as a component of site improvements. If retaining walls are required, best efforts shall be made by the developer to minimize the impact of the walls on site design and circulation.
 - Retaining walls shall be designed in a manner that contributes to the aesthetic quality of the site. Efforts should be made to improve the aesthetic quality of retaining walls through material treatments, murals, vegetation, or other strategies.
- Parking, Vehicular
 - No front yard parking is permitted.
 - All parking areas shall meet or exceed Americans Disability Act (ADA) standards.
 - Parking spaces shall measure nine feet wide by 18 feet deep.
 - Compact car spaces measuring eight feet wide by 16 feet deep shall be permitted, provided the total number does not exceed 20% of the total parking provided.
 - Vehicular access to parking facilities shall be located and designed to minimize conflicts with pedestrian circulation.
 - All parking plans must show structural support columns to accurately depict feasibility of parking spaces and drive aisles.
 - Parking lots shall be screened to the minimum standards: a compact hedge of evergreen shrubs, at least two feet tall at planting, spaced to ensure closure into a solid hedge at maturity and canopy trees at a maximum of 30 feet on center; an architecturally compatible opaque wall or fence; a seat wall at seating height; or a combination of the above.
 - At least 2.5% of required parking spaces shall accommodate electric vehicles (EVs).
 - An increase of more than 10% of the required minimum parking shall constitute a deviation.
- Parking, Bicycle

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- Site plans shall show the proposed location of bike parking/storage facilities on the site and on the building floor plan design. A construction detail of the bike rack or facilities shall be provided by the redeveloper.
 - Bicycle parking shall, at a minimum consist of a room within a building, a secure enclosure within a parking garage, or a similar setup providing similar security and protection from the elements. Facilities should be at least as protected and secure as any automobile parking provided.
 - Bicycle parking facilities within an automobile parking area shall be separated by a physical barrier (i.e., bollards, reflective wands, curbs, wheel stops, poles, etc.) to protect bicycles from damage by cars.
- Loading + Utilities
 - Loading should be located and designed in a way that minimizes the impact on adjacent properties, particularly if they are residential uses.
 - Commercial service needs (trash storage, move-in, etc.) should be conducted indoors in a centralized location. Trash compaction is encouraged.
 - If trash storage must be conducted outside, it should be fully enclosed and screened from view.
 - When technically and financially feasible, outdoor utility equipment shall be placed underground.
 - All proposed ground-mounted equipment (i.e., transformers, air conditioner units, etc.) within view from a street shall be adequately screened. No front yard ground-mounted utility equipment is permitted.
 - Mechanical equipment on the roof shall be screened from abutting streets with parapets or other types of visual screening. In no case shall mechanical equipment be allowed along street frontage(s).
 - Drive Throughs
 - Drive throughs may be permitted in limited circumstances along Mola Boulevard.
 - The service area of a drive through (meaning the location where a vehicle stops to place an order

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or receive goods/services) should not be visible from the street.

- Drive through lanes should be adequately landscaped to minimize visibility.
- The maximum width for a one-way drive through lane shall be 12’.
- The maximum width for a two-way drive through lane shall be 25’.
- Drive throughs shall be designed to minimize curb cuts. Where possible, drive throughs should use curb cuts designed to provide access to additional uses like parking structures.
- Where drive throughs interrupt sidewalks, striping or decorative pavers shall be provided to indicate that pedestrians have priority.

- Signage

- Building Identification: All buildings shall have a clearly visible street number address attached to the building façade facing the primary street frontage. Street name signs at corner of buildings located at road intersections are acceptable so long as they are approved by the local emergency services coordinator.
- Residential Signage
 - A residential building with a lobby may have an architectural sign naming the building.
 - Residential signage shall not exceed 20 sq. ft.
 - Signage must be complementary to the architectural character of the building.
 - In the case of a mixed-use building, residential signage shall coordinate with signage for non-residential uses.
- Retail Signage
 - Retail establishments are permitted one wall sign and one blade sign per frontage.
 - Retail signs may be securely pin-mounted or printed directly onto the surface of the façade, or onto wood, metal or other appropriate architectural material that is flat mounted and horizontally within or just above the framed façade opening.
 - Blade signs shall be coordinated among and between establishments within a given structure.

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- Wall Signs
 - Shall not exceed thirty 30 inches in height.
 - Shall not extend beyond height of the storefront space.
 - Shall be at least 30 inches from each edge of the storefront width.
- Blade Signs
 - Shall not exceed six square feet in area
 - Shall not exceed 36 inches in height
 - Shall not project more than three feet from the façade
 - The bottom of any blade sign shall be no less than seven feet above the ground directly below the sign
- Awning Sign
 - Lettering is permitted on the front vertical panel of an awning so long as letter height is no larger than seven inches.
 - No back-lit translucent awning is permitted, except that where an awning contains lettering the letters themselves may be translucent, provided that the remainder of the awning material is opaque and incapable of transmitting any light during nighttime hours.
 - Awning signs are permitted to protrude a maximum of four feet from the principle façade. The signs are permitted to project into the right-of-way on the condition they are a minimum of 10 feet above grade.
- Prohibited Signs
 - Off-site or Billboard Sign
 - Ground Sign
 - Post Sign
 - Pylon Sign
- Additional Requirements
 - All signage shall be subject to Planning Board site plan review and approval.
 - No fluorescent or glowing paint is permitted for any signage.

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- Paper, posters, impermanent banners, or other temporary signage is not allowed on any façade of the building.
- No signs or advertising devices that are rooftop mounted, intermittently illuminated, flashing, or moving are allowed.
- Signs that may be mistaken for traffic control devices are prohibited.
- Signage above the second story of any structure is prohibited.
- Freestanding signs are prohibited except for way-finding identification and kiosks. Kiosks and way-finding identification are permitted with the review and approval of the Planning Board

7. ADMINISTRATION

7.1. Applicability

This Redevelopment Plan shall function as an overlay zone, and, as a result, shall not replace existing underlying zoning for properties within the Redevelopment Area. If, however, a project is pursued using the overlay zoning detailed within this Redevelopment Plan, all of the standards and requirements contained within this Redevelopment Plan shall apply. The standards and procedures contained within Section 7, Administration, shall apply to all projects pursued within the Redevelopment Area under this Redevelopment Plan.

7.2. Validity of Plan

If any section, subsection, paragraph, division, subdivision, clause, or provision of this Redevelopment 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 Redevelopment Plan.

7.3. 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.

7.4. Other Actions by the Borough in Furtherance of the Plan

Other actions may be taken by the Borough, 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).

7.5. Borough Designation – Redevelopment Agreement

7.5.1. Usage of the word “developer” or “redeveloper”

Anytime the word “developer” is utilized in this Redevelopment Plan, the same shall mean the redeveloper or redeveloper(s) that may be designated by the Borough in accordance with a developer designation or Redeveloper Agreement to be executed between the Borough and applicable entities.

7.5.2. Approval Process

Project approval under this Redevelopment Plan shall involve two steps. First, a Redevelopment Agreement will be entered into between the Borough and the Redeveloper. Second, the Redeveloper will make an application to the Planning Board. These steps are further detailed below.

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- **Redevelopment Agreement**

Prior to application to the Planning Board for Site Plan and Subdivision review, the Borough Council shall pass a resolution authorizing a redevelopment agreement between the Borough and redeveloper. Only redevelopers with an executed redevelopment agreement with the Borough shall have standing to submit an application to the Planning Board. Concept plans detailing proposed building elevations, site plan, and floor plans shall be included as an attachment to any Redevelopment Agreement.

- **Site Plan and 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 Planning Board of the Borough of Elmwood Park so that compliance with this Redevelopment Plan can be determined.

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 Planning Board. This pertains to revisions or additions prior to, during, and after completion of the improvements.

7.6. Local Permits + Approvals by Other Agencies

Redeveloper shall be required to obtain a Zoning Permit upon demonstration of compliance with all conditions contained in any resolution of approval from the Planning Board. Redeveloper shall be required to provide, prior to issuance of a zoning permit, copies of all approvals necessary to implement public improvements. Only upon issuance of a zoning permit shall the Borough Construction Code Official issue Building Permits or similar approvals to allow construction to commence.

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

7.7. Deviations

The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan where, by reason of 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

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or design objective or regulation adopted pursuant to this Redevelopment Plan would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Redevelopment 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 Redevelopment Plan. An application for a deviation from the requirements of this Redevelopment 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, any changes to the uses permitted in this Redevelopment Area shall be permitted only by means of an amendment of the Redevelopment Plan by the Borough of Elmwood Park Council, and only upon a finding that such deviation be would be consistent with and the furtherance of the goals and objectives of this Redevelopment Plan.

7.8. Severability

The provisions of this Redevelopment 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 Redevelopment Plan and implementing Ordinance shall remain in full force and effect.

7.9. 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 to be detrimental to the public health, safety or general welfare.

7.10. Non-Discrimination Provisions

No covenant, lease, conveyance, or other instrument shall be affected or executed by the Borough of Elmwood Park or by a developer or any of his successors or assignees, whereby land within the Redevelopment Area is restricted by the Borough of Elmwood Park, 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.

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7.11. Redevelopment Actions

The Borough of Elmwood Park shall have such powers and duties as set forth in the LRHL and as may be conferred by this Redevelopment 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; and to do such other things as permitted by law.

7.12. Relocation Requirements

The redeveloper will comply with any applicable New Jersey law or regulation applicable to relocation of tenants within the redevelopment area. No housing units, temporary or permanent, shall need relocation under this Redevelopment Plan.

7.13. 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 Borough and the professional consultants retained by the Borough to negotiate the Redevelopment Agreement, undertake any studies in connection with the project, review the proposed redevelopment project, and advise the Borough on any and all aspects of the redevelopment process and as otherwise set forth in the Redevelopment Agreement.

7.14. 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. The redeveloper shall be required to receive all necessary approvals for infrastructure, including at the County and State level as applicable.

7.15. Procedures for Amending the Plan

This Redevelopment 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 Elmwood Park Borough Council. The Borough of Elmwood Park reserves the right

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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 Borough. The Borough, 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 Borough.

7.16. Redevelopment Plan Duration

The provisions of this Redevelopment Plan specifying the redevelopment of the Redevelopment Area and the requirements and restriction with respect thereto shall be in effect for a period of fifty (50) years from the date of adoption of this Redevelopment Plan by the Elmwood Park Borough Council.

7.17. Certificates of Completion

Upon completion of a project, the developer shall submit for a Certificate of Completion. Concurrently, a zoning ordinance amendment shall be submitted to the Elmwood Park Borough Council requesting that the zoning for the subject parcel(s) be incorporated into the Borough Code to ensure that the standards remain applicable.

7.18. Land Use Map Amendments

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

7.19. Other Provisions

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

7.19.2. This Redevelopment Plan lays out the proposed land uses and building requirements for the Redevelopment Area.

7.19.3. The diagrams, images and other graphic representations provided in this Redevelopment Plan are intended to provide a framework for interpretation of the written standards and regulations contained herein. Nothing in this Redevelopment Plan shall preclude the redevelopment of a block depicted in such diagrams, images or other graphic representations, provided that such development is fully in conformance with the written standards and regulations contained herein.

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7.19.4. Final adoption of this Plan by the Borough Council of the Borough of Elmwood Park shall be considered an amendment of the Borough Zoning Map.

7.19.5. No land is proposed to be acquired by the Borough to implement this Redevelopment Plan. The NJ Department of Transportation (DOT) shall have final authority over street design and related specifications with respect to all State roadways.

7.20. Other Redevelopment Actions

In carrying out this Redevelopment Plan, the Borough of Elmwood Park and any designated redeveloper(s) may be required to undertake a variety of redevelopment actions. These may include but will not be limited to anything permitted under the LRHL.

7.21. Public Improvement Approvals

It is recognized that the public improvement requirements within this plan may require approval of third-party organizations. Construction of improvements shall not commence until all required approvals are received from third party agencies.

8. APPENDIX A: LOCAL REDEVELOPMENT AND HOUSING LAW

New Jersey’s Local Redevelopment and Housing Law (the “LRHL”) empowers local governments to initiate a process by which designated properties that meet certain statutory criteria can be transformed to advance the public interest. The LRHL enables local governments to initiate a process by which properties which meet certain criteria contained within the statute may be designated “in need of rehabilitation”. Municipalities then have the option of adopting a redevelopment plan for all or a portion of the designated area and employ several planning and financial tools to make redevelopment projects more feasible to remove deleterious conditions. The rehabilitation designation does not allow the use of condemnation powers under redevelopment or long-term tax incentives.

Designation of “an area in need of rehabilitation” allows a municipality to utilize the powers contained within The Five-Year Tax Exemption and Abatement Law (N.J.S.A. 40A:21-1 et seq.) to promote the construction and rehabilitation of residential, commercial, and industrial structures within the area. The statute grants governing bodies the authority to set forth the eligibility criteria for structures and differentiate among geographic areas through a short-term tax exemption and/or abatement ordinance. The statute provides explicit guidance on how such exemptions or abatements may be applied to specific uses.

8.1. Process

The LRHL requires local governments to follow a process involving a series of steps before they may exercise powers under the LRHL. The process is designed to ensure that the public is given adequate notice and opportunity to participate in the public process. Further, the redevelopment process requires the Governing Body and Planning Board interact to ensure that all redevelopment actions consider the municipal Master Plan. The steps required are generally as follows:

8.1.1. The Governing Body must prepare a proposed resolution with a supporting report attached, which would declare identified properties as an area in need of rehabilitation and refers that proposed and any report attached to the Planning Board for its review. Section 14 of the LRHL states that a “delineated area may be determined to be in need of rehabilitation if the governing body of the municipality determines that a program of rehabilitation...may be expected to prevent further deterioration and promote the overall development of the community...” and that any of the following conditions are met:

1. a significant portion of structures therein are in a deteriorated or substandard condition; or
2. more than half of the housing stock in the delineated area is at least 50 years old; or
3. there is a pattern of vacancy, abandonment or underutilization of properties in the area; or
4. there is a persistent arrearage of property tax payments on properties in the area; or

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5. environmental contamination is discouraging improvements and investment in properties in the area; or
 6. a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance.
- 8.1.2.** Within 45 days of the receipt of the proposed resolution, the Planning Board submits its recommendations, including any modifications recommended, to the Governing Body for its consideration. The Governing Body is not bound by the Planning Board’s recommendations and may adopt the resolution with or without modifications. If the Planning Board does not submit recommendations within 45 days, the Governing Body may adopt the resolution with or without modification.
- 8.1.3.** The Governing Body adopts the proposed resolution, with or without modification, designating the proposed area as an area in need of rehabilitation.
- 8.1.4.** A redevelopment plan may be prepared establishing the goals, objectives, and specific actions to be taken with regard to the “area in need of rehabilitation.”
- 8.1.5.** The Governing Body may then act on the Plan by passing an ordinance adopting the Plan as an amendment to the municipal Zoning Ordinance. Only after completion of this process is a municipality able to exercise the powers under the LRHL.

8.2. Redevelopment Plan Content

The LRHL identifies required components to be included in a Redevelopment Plan. In accordance with N.J.S.A 40A:12A-7a, the Redevelopment Plan must include an outline for the planning, development, redevelopment or rehabilitation of a project area which is sufficient to indicate:

- 8.2.1.** Its relationship to definite 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.
- 8.2.2.** Proposed land uses and building requirements in the project area.
- 8.2.3.** 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.
- 8.2.4.** An identification of any property within the Redevelopment Area which is proposed to be acquired in accordance with the Redevelopment Plan.
- 8.2.5.** Any significant relationship of the Redevelopment Plan to (a) the master plans of contiguous municipalities, (b) the master plan of the county in

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which the municipality is located, and (c) the State Development and Redevelopment Plan adopted pursuant to the “State Planning Act,” P.L. 1985, c.398 (C.52:18A-196 et al.).

9. APPENDIX B: RELATION TO OTHER PLANS

9.1. Local Master Plan

Elmwood Park adopted its current Master Plan in 2010, in which the Borough enumerates its goals and policies for future development, planning, and management. Several of these goals and their policies specifically reference Market Street, citing the need to enhance commercial development along it and promote it as a primary business district. This Redevelopment Plan is consistent with and effectuates the goals of the Master Plan. These goals include:

- Goal 1: To maintain and enhance the existing areas of stability in the community; to encourage a land use pattern which establishes areas which have their own uniform development characteristics. A principal goal of this plan is to preserve and protect the residential character and existing density of the community and reinforce the borough's established commercial and industrial areas.
- Goal 6: To provide a variety of housing types, densities and a balanced housing supply, in appropriate locations, to serve the borough and region.
- Goal 7: To promote the continued maintenance and rehabilitation of the borough's housing stock.
- Goal 8: To preserve and enhance the borough's commercial areas, located along Market Street, Broadway, and Route 46, by defining their functional role in the community.
- Goal 9: Enhance the provision of parking serving the business areas.
- Goal 10: To promote the redevelopment and adaptive re-use of former industrial buildings and sites.
- Goal 11: To promote, encourage, and enhance retail character in the Market Street business district.
- Goal 12: To ensure that traffic and pedestrian circulation issues are affirmatively addressed on a local and regional scale.
- Goal 13: To promote the use of mass transit for borough residents and commuters.
- Goal 17: To provide affordable housing consistent with the regulations set forth by the Council on Affordable Housing (COAH).

9.2. Surrounding Communities' Master Plans

The property is located in the heart of the Borough. It is located at least .5 miles from any adjacent community and is anticipated to have a limited impact on these communities. Despite the limited anticipated impact on adjacent communities, the Redevelopment Plan is consistent with the goals of each adjacent municipality's master plan.

9.2.1. Township of Saddle Brook

Saddle Brook's Master Plan is from 2004 and was last reexamined in 2014. The Township's master plan has similar goals as Elmwood Park's and is consistent with the Redevelopment Plan. It prioritizes business

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development along Market Street, compact land use in commercial areas, meeting its affordable housing needs, and maintaining the Township's residential character and the general uses present in its districts.

9.2.2. City of Garfield

Garfield's 2002 Master Plan was last reexamined in 2014. It includes the City's Land Use and Recreation Plans, where the City enumerates its goals. These goals are consistent with this Redevelopment Plan. The City seeks to maintain and enhance its housing stock, revitalize its commercial corridors by defining their functional role in the City, and provide a variety of recreational uses to all of its residents.

9.2.3. City of Paterson

In its 2014 Master Plan, Paterson lays out a wide array of goals across various issues concerning the City. These goals are consistent with this Redevelopment Plan. These goals enumerate the City's desire to reuse its underutilized and vacant properties, revitalize its downtown, coordinate transportation and land use planning, enhance the beauty of the City's buildings and streets, provide a diverse housing stock and increase its affordable housing supply, and promote mobility in the City through mass transit access and complete streets.

9.2.4. City of Clifton

In its 2008 Master Plan Re-examination Report, Clifton enumerates its goals, which are consistent with this Redevelopment Plan. These goals include maintaining and enhancing its housing stock, affirmatively addressing its low- and moderate-income housing obligation, reusing and rehabilitating commercial and industrial uses, and revitalizing older business areas and its Main Avenue into pedestrian-friendly downtown business districts.

9.2.5. Borough of Fair Lawn

The Borough of Fair Lawn's 2014 Master Plan and its 2016 reexamination is consistent with this Redevelopment Plan. Like the above plans, the Borough seeks to enhance its commercial areas through effective design, promote sustainable land use, preserve the integrity and value of existing residential neighborhoods, and promote walkability, mass transit use, and safe circulation.

9.3. Bergen County Master Plan

The County's Office of Regional Planning & Transportation is currently developing a new master plan for the County. The previous master plan was adopted in 1962 and amended in 1969, making it out of date and no longer relevant to today's Elmwood Park.

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As part of its master plan development, the County completed its Visioning Component in 2011. In order to guide its visioning efforts, the County divided its seventy municipalities into three sub-regions, placing Elmwood Park in the Southern Region. These regions are made up of municipalities that have similar populations, density of development, natural resources, and transportation systems, as well as political ties.

In its visioning sessions, the County engaged residents and stakeholders to hear their needs, concerns, and desires in order to best craft a vision for the County. The Visioning Component addressed issues about sustainability, effective redevelopment and rehabilitation, walkability, and housing affordability and diversity, and access to transit. No inconsistencies between this Redevelopment Plan and the outcome of the County's visioning process were identified.

9.4. NJ State Development and Redevelopment Plan

The State Development and Redevelopment Plan (SDRP) was adopted in 2001 and organized the state into several planning areas. The Redevelopment Plan is located within the Metropolitan Planning Area, (PA-1) of the SDRP. The following intent was documented for PA-1:

- Provide for much of State's future redevelopment;
- Revitalize cities and towns;
- Promote growth in compact forms;
- Stabilize older suburbs;
- Redesign areas of sprawl; and
- Protect the character of existing stable communities.

The SDRP also puts forth statewide goals, including:

- Revitalize the state's cities and towns;
- Promote beneficial economic growth, development and renewal for all residents of New Jersey;
- Provide adequate housing at a reasonable cost; and
- Preserve and enhance areas with historic, cultural, scenic, open space and recreational value.

This Redevelopment Plan effectuates the above goals. This Plan will revitalize a historic corridor in Elmwood Park. This redevelopment will turn this low-density and automobile-oriented area into an integrated downtown corridor with mixed-uses, inviting streetscapes, open space, and sustainable design. The Redevelopment Plan will provide diverse housing options to match the needs and preferences of residents.

10. APPENDIX C: DEFINITIONS

Active Ground Floor Use – Active ground floor use shall mean any use that generates a high amount of pedestrian traffic. Active uses shall include art gallery; Restaurant, Coffee Shop/Café; Restaurant, Food Hall; Restaurant, Liquor Licensed; Restaurant, Sit-Down, artisan manufacturing, amenity area, lobby, and fitness center. Residential uses shall not be considered active ground floor uses. Shadow box art may be considered an active ground floor use but may not fulfill more than 50% of the active ground floor use requirement.

Amenity Area – Amenity area shall mean an area dedicated to residential tenants providing non-commercial conveniences and/or entertainment/recreation. Common items include laundry facilities, exercise rooms, outdoor spaces, media room, gathering space, grilling areas, and other similar features.

Apartment Building – A residential building designed for occupancy by four or more families living independently of each other in units attached via one or more common roofs, walls or floors.

Art Gallery – An establishment engaged in the sale, loan, or display of art books, paintings, sculpture, or other works of art.

Artisan Manufacturing – The shared or individual use of hand-tools, mechanical tools and electronic tools for the manufacture of finished products or parts including design, processing, fabrication, assembly, treatment, and packaging of products; as well as the incidental storage, sales and distribution of such products. Typical artisan manufacturing uses include, but are not limited to: electronic goods; food and bakery products; printmaking; household appliances; leather products; jewelry and clothing/apparel; metal work; furniture; micro-breweries; distilleries; glass or ceramic production; paper manufacturing.

Awning Sign - A sign located on or incorporated into the design of an awning. The sign area of an awning or canopy sign shall be the total width times the total height of the canopy area(s) covered by any lettering, logo or other characters, symbols, or figures. Note: All awning or canopy signs exceeding ten (10) feet in width shall constitute a façade change requiring approval by the Planning Board.

Basement – Basement shall mean that part of a building which is partially below and partially above grade and have at least one-half of its height above grade (see “cellar”). A basement used for any purpose other than storage, parking, or building maintenance shall be considered a floor or story for the purposes of calculating height limitations.

Bicycle Share - Any establishment that makes bicycles available for use by members of a service on a limited time basis, usually for durations of less than a day.

Blade Sign - A sign attached perpendicular to an exterior wall of a building. No blade sign shall be constructed or erected to extend above the roof line of the structure to which it is affixed.

Building Area - The largest total horizontal area of any building taken where any part of the building intersects the ground level, including covered porches and terraces, or the horizontal area of the largest floor or story of any elevated or cantilevered building, including the area of all accessory buildings.

Building, Base of - The average grade of the four corners of the building measured prior to construction. In cases where grading has occurred on the site within the past 5 years, the elevations of the four corners shall be measured to the grade prior to the regrading.

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Building, Top - The highest point of a flat roof, the deck line of mansard roofs, or the mean height between eaves and ridge for gable, hip, and gambrel roofs.

Building Height (feet) - The vertical distance measured by either of the following methodologies as chosen by Applicant:

- *Singular Measurement*: The vertical distance shall be measured from the base of the building to the top of the building.
- *Incremental Measurement*: The building may be broken down into multiple sections no smaller than 30 feet or 30% of the building width/depth (whichever is smaller). Each section shall be measured as the vertical distance measured from the base of the section to the top of the building section. The greatest building height of the building sections shall be the building height.
- *Building Height Exception*: No building or structure shall have a height, either in feet or stories, greater than permitted in the district in which it is located, except that chimneys, steeples, water towers used in conjunction with a building, radio or television antennas, air conditioning and building mechanicals, elevator and elevator machinery, stairwells, and structures housing the same may be erected provided that such structures shall not exceed the height regulation by more than 20%, shall be set back at least 10' from any street fronting facades, and shall comply with the applicable design standards noted in this Plan.

Building Height (stories) – Shall mean the number of stories measured from the entrance at the ground floor to the top of the building.

Cellar – Cellar shall mean that portion of a building which is partly or completely below grade and having at least one-half of its height below grade. A cellar shall be used only for storage, parking, or building maintenance purposes, and shall not be considered a story for purposes of calculating height restrictions.

Commercial, General – Uses including co-working; retail businesses; restaurant, carry-out/fast food; restaurant, coffee shop/café; restaurant, food hall; restaurant, liquor licensed; restaurant, sit down; fitness center.

Community Facilities -- Community meeting rooms, childcare facilities, health clubs and recreation centers, and spaces used for similar community-oriented uses.

Convenience Store -- A small retail establishment, usually located within or associated with another use, that offers for sale convenience goods, such as prepackaged food items, tobacco, periodicals, and other household goods.

Co-Working – An office use in which common and unassigned office space is made available to individuals and companies on a short-term basis, including daily rates. Assigned office spaces and longer lease periods may be included in this definition so long as they are still provided access to a common use space and common facilities. Long term assigned (increments greater than 1 month) office space without access to common use space and common facilities shall be considered to fall within the definition of Office, General and Professional.

Coverage, Building— The percentage of a lot covered by building area.

Coverage, Improved—The percentage of a lot covered by or devoted to all man-made improvements, including but not limited to all buildings and structures, pavement, parking area (whether paved or unpaved), sidewalks, and driveways, but excluding natural or landscaped areas and any deductions or exemptions specified within this ordinance.

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Drive Through - A commercial facility or structure that is designed to allow patrons to order and receive goods and services via a service window or mechanical device while remaining in their vehicles.

Dwelling - A building designed or intended to be used or occupied for residential purposes.

Family - One (1) or more persons occupying a premise(s) and living as a permanent and stable single housekeeping unit as distinguished from a group occupying a boarding house, rooming house, or hotel, as herein defined.

First Floor Level – The level of the building on the same grade as the adjacent road.

Fitness Center – A use for physical fitness which may include, but is not limited to, such equipment as weight resistance machines, game courts, swimming facilities, saunas, showers, and lockers.

General Commercial -- Uses including co-working; retail businesses; restaurant, carry-out/fast food; restaurant, coffee shop/café; restaurant, food hall; restaurant, liquor licensed; restaurant, sit down; fitness center.

Ground Sign - A sign that is mounted in or upon the ground and not elevated through the use of upright braces or poles.

Incremental Measurement: The building may be broken down into multiple sections no smaller than 30 feet or 30% of the building width/depth (whichever is smaller). Each section shall be measured as the vertical distance measured from the base of the section to the top of the building section. The greatest building height of the building sections shall be the building height.

Leasing Office - Leasing Office shall mean an area dedicated on a permanent or temporary basis for leasing of residential units and management of tenant contracts.

Live/Work - Live/Work shall mean a single, enclosed private space, no larger than 800 square feet, which combines one dwelling unit with one of the following uses: artisan workshop, media production, office (general and professional), or services (business or personal).

Lobby – Lobby shall mean the space in a building dedicated to entrance to residential units that are not directly accessible from the street. Often a lobby will have a concierge desk, waiting seats, and other items that create a hospitable environment.

Mixed Use – A building containing a combination of permitted principal use(s), accessory use (s), and conditional use(s).

Off-site Sign - A sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered or existing elsewhere than upon the same lot where such sign is displayed. The term off-site sign shall include an outdoor advertising sign (billboard) on which space is leased or rented by the owner thereof to others for the purpose of conveying a commercial message.

Office, General and Professional - A room or group of rooms used for conducting the affairs of a business, profession, service, industry or government, and generally furnished with desks, tables, files and communication equipment, including offices of general, business, executive, legal, accounting, architect, planning, engineer, real estate, contractor and employment agencies, but excluding medical offices. Prototyping, product testing and laboratory work shall not be considered an office use. This use is also known herein as General and Professional Office uses.

Outdoor Dining – Food or beverage service associated with a restaurant use where goods are consumed in outdoor areas such as sidewalks or interstitial spaces.

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Parking - The storing of vehicles on a temporary basis. When the parking serves uses on the same property, it shall be considered an accessory use. When the parking serves off-site uses, it shall be treated as a principal use.

Parking, Public – Shall mean the provision of parking spaces for use by the public, for a fee, under the management of an organization either public or private.

Parking Structure – A public or private structure or portion thereof composed of one or more levels or floors used exclusively for the parking or storage of motor vehicles. A parking structure may be totally below grade or either partially or totally above grade with those levels being either open or enclosed.

Public Plaza - An open space defined by surrounding buildings and/or streets, designed for Civic purposes and Commercial activities, not merely leftover areas between buildings.

Post Sign - A freestanding sign elevated above the ground level through the use of poles or braces, with a total height no greater than six feet.

Pylon Sign - A freestanding sign elevated above the ground level through the use of poles or braces, with a total height greater than six feet.

Restaurant, Carry Out/Fast Food - A commercial fast food establishment serving primarily prepared or rapidly prepared food by order over the counter in disposable containers, bags or packages for consumption either on or off the premises.

Restaurant, Coffee Shop/Cafe - An establishment serving primarily non-alcoholic beverages such as coffee or tea. The sale of pastries, baked goods, and food, not requiring the use of an oven, grill, or stove may be included as an activity of a coffee shop or cafe.

Restaurant, Food Hall - An establishment containing a variety of food vendors exhibiting characteristics consistent with Restaurants, Carry Out/Fast Food; Restaurant, Coffee Shop/Café; Restaurant, Liquor Licensed; or Restaurant, Sit Down.

Restaurant, Liquor Licensed - Any premises licensed to provide for the on-premises consumption of alcoholic beverages, and which at all times meets all of the following elements: (a) the sale of alcoholic beverages is incidental to the sale of food and not the primary source of revenue for the premises; (b) no “cover” or other minimum fee is charged to enter the premises at any time, provided, however that this provision shall not be construed to apply to fixed price meals, or complimentary glasses of champagne on holiday occasions such as Thanksgiving or New Year’s Eve, or during special events approved by the Elmwood Park ABC; and (c) the occupancy rate is either no more than 130% the number of seats or no fewer than 12 square feet per occupant.

Restaurant, Sit Down - An eating establishment that is regularly and used principally for the purpose of providing meals to the public and at all times maintains cooking facilities and serves its customers at tables employing waiters or waitresses, as opposed to a fast food establishment or cafeteria. No alcoholic beverages are available for sale. BYOB may be available for beer and wine only. A restaurant can host a variety of cooking methods that may include an open cooking area, in which patrons are provided an opportunity to observe or interact with kitchen staff.

Retail Business The business of selling or renting goods or merchandise to consumers, as opposed to wholesaling, but excluding all forms of retailing otherwise specifically regulated by or prohibited by the Elmwood Park Land Development Code and otherwise unlawful sale or rental. Selling of prepared foods shall not be included in the definition of retail business.

Roof Deck – A Roof Deck shall mean an open common space available to tenants and their guests located on the roof of the building.

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Setback, Front Yard – Front Yard setbacks shall be measured from the curb line.

Shadow box art: Publicly viewable art located on the ground floor of a building on the street facing façade. Shadow box art should have a minimum height of 60% of the first floor. Shadow box art should be rotated on an annual basis.



Singular Measurement: The vertical distance shall be measured from the base of the building to the top of the building.

Terrace— An unenclosed porch open to the sky.

Wall Sign - A sign which is affixed to or painted on an exterior wall of any building. Such signs shall project not more than eight (8) inches from the building wall or parts thereof. No wall sign shall be constructed or erected to extend above the roof line of the structure to which it is affixed.

Wayfinding Signage – A system of signs, varying in design and content, intended to provide consistent visual language that allows residents and visitors to easily gain local geographic knowledge of nearby attractions. Signage type can vary to include area maps, fingerpost signs, or totems. The overall system shall be designed thematically consistent with the overall architectural design of the area and contain key information for both motorists and pedestrians.

Window Sign - A sign which is affixed to any window or glass portion of any door.

11. APPENDIX D: RESOLUTION DESIGNATING THE BOROUGH OF ELMWOOD PARK AS AN "AREA IN NEED OF REHABILITATION."

**BOROUGH OF ELMWOOD PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-493-19**

CONSENT AGENDA

**RESOLUTION BY: COUNCIL PRESIDENT PELLEGRINE
SECONDED BY: COUNCILMAN FASOLO**

**RESOLUTION DESIGNATING THE BOROUGH OF ELMWOOD PARK IN
ITS ENTIRETY AS AN “AREA IN NEED OF REHABILITATION” UNDER
THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1
ET SEQ.**

STATEMENT OF PURPOSE

This Resolution is being presented, considered and adopted so that the Borough of Elmwood Park can be designate in its entirety as an “Area in Need of Rehabilitation” in accordance with the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-14.

WHEREAS, the Borough’s planning consulting firm, Topology NJ, LLC (“Topology”), has investigated and researched the status of the existing conditions in the entirety of the Borough of Elmwood Park including the age of the existing housing stock; and

WHEREAS, Topology’s findings, presented in a memorandum dated October 29th, 2019 (the “October 29th Topology Memorandum”) include the fact that 82% of the residential housing structures were built before 1969 and, therefore, are at least 50 years old; and

WHEREAS, by prior resolution R-452-19 adopted by the Borough Council directed the Borough Planning Board to investigate and determine whether the Borough of Elmwood Park in its entirety (the “delineated area”) meets the criteria of the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-14) as an “Area in Need of Rehabilitation”; and

WHEREAS, on a work session on December 4, 2019 and in a public meeting held on December 11, 2019, the Borough Planning Board reviewed, discussed and considered the request of the Borough Council to consider whether the Borough of Elmwood park should qualify as an Area in Need of Rehabilitation, and having considered same from the information received regarding the age and physical condition of the Borough’s housing stock, and being satisfied that the delineated area meets criteria (a)(2) of N.J.S.A. 40A:12A-14; and

WHEREAS, the Planning Board of the Borough of Elmwood Park by way of resolution dated December 12, 2019, recommends unanimously that the Borough of Elmwood Park in its entirety qualifies as an Area in Need of Rehabilitation under the Local Re-Development Housing Law N.J.S.A. 40A:12A-1 et.seq.; and

WHEREAS, the Borough Planning Board has provided its recommendation that the conditions that warrant designating the Borough of Elmwood Park in its entirety as an “Area in Need of Rehabilitation” to the Municipal Council for consideration of adoption; and

WHEREAS, the Mayor and Council of the Borough of Elmwood Park adopt the following findings of fact, conclusions, and determinations based on the recommendation of the Borough Planner Topology relying upon their findings, presented in a memorandum dated October 29th, 2019 (the “October 29th Topology Memorandum”) include the fact that 82% of the residential housing structures were built before 1969 and, therefore, are at least 50 years old; and

WHEREAS, the October 29th, 2019 Topology Memorandum and their testimony before the Council, has formed the principal basis for Mayor and Council determining that the Borough of Elmwood Park in its entirety is and should be designated as an “Area in Need of Rehabilitation”;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council for the Borough of Elmwood Park, New Jersey, that:

Section 1. The Borough of Elmwood Park in its entirety be and is hereby designated as an “Area in Need of Rehabilitation” pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-14).

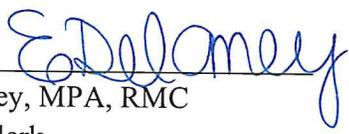
Section 2. The Borough Clerk is hereby directed to serve within ten (10) days a copy of this Resolution upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of determination may be sent.

Section 3. This Resolution shall be forwarded for approval to the Commissioner of the Department of Community Affairs for the State of New Jersey before this Resolution shall become effective.

Section 4. Upon approval of the Resolution by the Commission of the Department of Community Affairs for the State of New Jersey, the Borough Planning Board is hereby directed and authorized to prepare one or more redevelopment plans indicating that the Borough of Elmwood Park in its entirety has been declared an Area in Need of Rehabilitation pursuant to this resolution, and to make such other amendments as may be necessary and appropriate in furtherance of each redevelopment plan’s goals and objectives.

APPROVED: December 19, 2019


 Daniel Golabek, Mayor

ATTEST: 
 Erin Delaney, MPA, RMC
 Borough Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Balistreri	X				Ingui	X			
Fasolo	X				Wechtler	X			
Fava	X				Pellegrine	X			

This resolution was approved by the Mayor and Council of the Borough of Elmwood Park at a regular scheduled meeting held on the 19th day of December 2019. Signed and sealed before me.

 Erin Delaney, MPA, RMC
 Borough Clerk

 Dated

12. APPENDIX E: PROPERTIES GOVERNED BY THIS REDEVELOPMENT PLAN

Block	Lot	Zoning District
1006	1	Corridor
1006	2	Corridor
1006	3	Corridor
1006	4	Corridor
1006	5	Corridor
1006	6	Corridor
1011	4	Corridor
1011	5	Corridor
1011	6	Corridor
1011	7	Corridor
1011	8	Corridor
1012	9	Corridor
1012	10	Corridor
1012	11	Corridor
1012	12	Corridor
1012	13	Corridor
1012	14	Corridor
1012	15	Corridor
1013	8	Corridor
1013	9	Corridor
1013	10	Corridor
1013	11	Corridor
1013	12	Corridor
1013	13	Corridor
1013	14	Corridor
1013	15	Corridor
1015	1	Corridor
1015	2	Corridor
1015	3	Corridor
1015	4	Corridor
1015	5	Corridor
1015	6	Corridor
1015	7	Corridor
1015	8	Corridor
1015	9	Corridor
1015	10	Corridor

MARKET STREET REDEVELOPMENT PLAN

1016	1	Gateway
1016	2	Gateway
1016	3	Gateway
1016	4	Gateway
1016	5	Gateway
1016	6	Gateway
1016	7	Gateway
1016	8	Gateway
1016	9	Gateway
1016	10	Gateway
1017	5	Gateway
1017	6	Gateway
1017	7	Gateway
1017	8	Gateway
1017	9	Gateway
1019	10	Gateway
1020	1	Gateway
1020	2	Gateway
1020	3	Gateway
1020	4	Gateway
1020	5	Gateway
1020	6	Gateway
1020	7	Gateway
1020	28	Gateway
1021	1	Corridor
1021	2	Corridor
1021	3	Corridor
1021	20	Corridor
1022	1	Corridor
1022	2	Corridor
1022	3	Corridor
1022	4	Corridor
1022	16	Corridor
1023	1	Corridor
1023	2	Corridor
1023	3	Corridor

MARKET STREET REDEVELOPMENT PLAN

1023	4	Corridor
1023	5	Corridor
1023	6	Corridor
1023	10	Corridor
1024	1	Corridor
1024	2	Corridor
1024	3	Corridor
1024	4	Corridor
1024	5	Corridor
1302	29	Gateway
1302	38	Gateway
1302	39	Gateway
1302	40	Gateway
1407	1	Gateway
1407	2	Gateway
1407	3	Gateway
1407	4	Gateway
1407	5	Gateway
1407	6	Gateway
1407	7	Gateway
1407	8	Gateway
1407	9	Gateway
1407	10	Gateway
1407	11	Gateway
1407	12	Gateway
1407	13	Gateway
1407	14	Gateway
1407	15	Gateway
1408	1	Gateway
1408	2	Gateway
1408	3	Gateway