

FIRST AVENUE REDEVELOPMENT PLAN

Adopted March 1, 2000

Amendment #1 2001

Amendment #2 May 11, 2016

February 2, 2016

**BOROUGH
OF
ROSELLE**

FIRST AVENUE REDEVELOPMENT PLAN BOROUGH OF ROSELLE



Recommended by the Planning Board: April 6, 2016

Adopted by the Mayor and Council: May 11, 2016

Amendment #2 prepared by:

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I. INTRODUCTION

The First Avenue Redevelopment Plan (the Plan) will regulate development within the First Avenue Redevelopment Area (the Redevelopment Area). When the Plan was originally crafted in 2000, the Study Area was comprised of industrial structures along the north side of First Avenue and residential structures and surface parking on the south side of First Avenue. The condition of the industrial structures ranged from fair to poor, while the residential structures were mostly in good to excellent condition. Today, the north side of First Avenue contains the former Roselle Paper facility, a strip mall and a portion of a Home Depot that straddles the municipal boundary with Elizabeth. On the south side of First Avenue is a car dealership, a Chase Bank, a mixed-use building, a parking lot and a mixture of one-, two- and three-family homes.

Prior to its designation as an Area in Need of Redevelopment, the Study Area was zoned for commercial development along the north side of First Avenue. The south side of First Avenue was primarily zoned for residential development with a small business zone to the western end of the Study Area.

The First Avenue Redevelopment Plan contains an area of approximately 12 acres located in the north-east corner of the Borough. To the north, the Study Area adjoins a currently unused railroad right-of-way, which separates Roselle from the Borough of Roselle Park. In the past, this railroad right-of-way serviced the industrial uses in the area. Passenger service was also provided along this right-of-way. The elimination of freight service along this corridor has made the adjoining land areas less suitable for industrial purposes. First Avenue is a major thoroughfare and is a heavily traveled roadway linking the Borough of Roselle to Elizabeth to the east and to Cranford and western Union County to the west. To the south, across First Avenue, is a stable residential community.

Given the decline in the industrial sector in the area, the trend toward commercial development, the proximity of the Study Area to a stable residential community to the south and the high volume of traffic on First Avenue; it is apparent that the Study Area is suited for redevelopment as a commercial center.

The purpose of this Plan is to provide a comprehensive development plan that will allow and encourage the redevelopment of this area in a manner that is consistent with the Master Plan and the character of the area and allow for the orderly transition from industrial to commercial land uses as appropriate.

REQUIRED PLAN COMPONENTS

This document has been prepared in accordance with Section 40A:12A-7a of the Local Redevelopment and Housing Law (LRHL), which requires redevelopment plans to include an outline for the planning, development, redevelopment or rehabilitation of the designated parcels. Specifically, the following components are required:

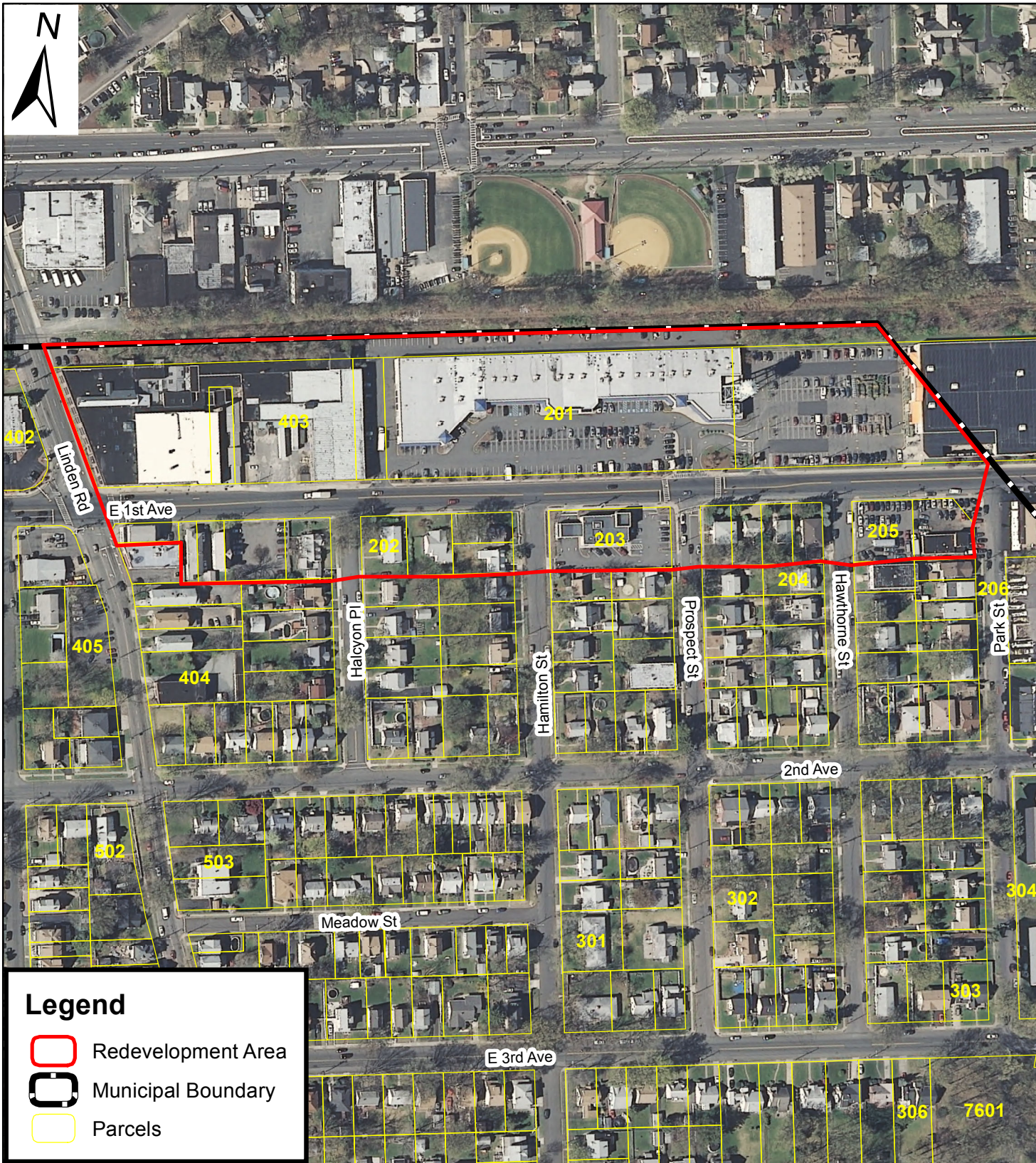
1. The Redevelopment Plan's relationship to definite local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements. (See Chapter IV.)
2. Proposed land uses and building requirements in the project area. (See Chapter VIII.)

3. Adequate provisions 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. (See Chapter VI.)
4. An identification of any property within the area, which is proposed to be acquired in accordance with the redevelopment plan. (See Chapter VI.)
5. Any significant relationship of the redevelopment plan to the master plans of contiguous municipalities; the master plan of the county in which the municipality is located; the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act", P.L. 1985, c.398 (C.52:18A-196 et al.). (See Chapter V.)
6. Description of the plan relationship to pertinent municipal development regulations as defined in the Municipal Land Use Law (MLUL). The plan shall supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district within the study area. (See Chapter IV and VI.)
7. All provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan. (See Chapter IV.)




II. BOUNDARIES

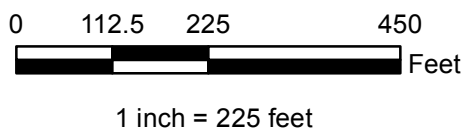
The First Avenue Redevelopment Area consists of tax lots found on eight tax blocks in the Borough of Roselle. The following are the block and lot numbers, which are included in the Redevelopment Area. The boundary of the Redevelopment Area is also depicted on the Boundary Map (see the following page). If there is any discrepancy between the listing of the blocks and lots and the Boundary Map, the Map shall govern.

Block	Lots
101	1
201	1, 2, 3
202	1, 2, 3, 4
203	1
204	1, 2, 3, 4
205	1, 2
403	1, 2
404	1, 2, 3, 4, 5



Legend

-  Redevelopment Area
-  Municipal Boundary
-  Parcels



BOUNDARY MAP
FIRST AVENUE REDEVELOPMENT AREA
 BOROUGH OF ROSELLE
 UNION COUNTY, NEW JERSEY



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III. REDEVELOPMENT OBJECTIVES

The following objectives guide this Redevelopment Plan:

- A. To plan and redevelop the Redevelopment Area as a primarily commercial area to serve the neighboring community, surrounding area and the general public.
- B. To allow for the development of commercial retail facilities along First Avenue consistent with the emerging development pattern in the area and recognizing the high volume of vehicular traffic along this major corridor.
- C. To provide for the orderly conversion of industrial land and buildings within the Redevelopment Area to commercial land uses consistent with the Master Plan for the area.
- D. To eliminate substandard and dilapidated structures and remove blighting influences.
- E. To improve the functional and physical layout of the Redevelopment Area for the contemplated new development.
- F. To provide site improvements for the beautification of the Redevelopment Area and to provide for improved traffic and pedestrian circulation.

IV. RELATIONSHIP TO LOCAL OBJECTIVES

This chapter analyzes the relationship of the First Avenue Redevelopment Plan to local objectives, specifically existing master plan goals, objectives and recommendations. Also reviewed is the Redevelopment Plan's relationship to the Borough's existing zoning.

MASTER PLAN

Roselle's most recent master plan document is the 2010 Master Plan and Reexamination Report. The following sections detail the relevant goals, objectives and recommendations from the 2010 Master Plan and Reexamination Report.

GOALS & OBJECTIVES

Section 7 of the 2010 Master Plan lists goals and objectives to guide the Borough of Roselle. This Redevelopment Plan advances the following goals of the 2010 Master Plan and Reexamination Report:

- To encourage municipal action to guide the appropriate use or development of all lands in this Borough in a manner that will promote the public health, safety, morals and general welfare.
- To provide adequate light, air and open space.

- To ensure that the development of the Borough does not conflict with the development and general welfare of neighboring municipalities, the County and the State as a whole.
- To provide sufficient space in appropriate locations for a variety of residential, recreational, commercial and open space.
 - Preserve and promote a balanced variety of residential, commercial, light industrial, public, recreation and conservation land uses.
 - Guide the future development and/or redevelopment of land within the Borough so as to incorporate new construction without undue disruption to the established character of the Borough.
- Develop a balanced circulation system incorporating the needs of pedestrians, bicycles, autos, trucks and buses.
- To promote a desirable visual environment through creative development techniques and good civic design and arrangement.¹

The Future Land Use Plan Map illustrates the north side of the Redevelopment Area as “big box retail” and the south side of the Redevelopment Area as “general retail” between Halcyon Place and the Elizabeth border. Between Linden Road and Halcyon Place, the lots were designated “two-family medium density”. The 2010 Master Plan states that there are no regulations for the Commercial Residential Transition Zone (south side of the street). This is incorrect. It appears that the 2000 Redevelopment Plan was not obtained during the preparation of the 2010 Master Plan.

This Redevelopment Plan will continue to permit commercial uses along the north side of First Avenue, which is consistent with the 2010 Master Plan. The south side of the street will continue to permit a commercial/residential transition zone, which is inconsistent with the recommendations of the 2010 Master Plan. However, if this Redevelopment Plan were obtained during the Master Plan process, the recommendations for the south side of the street would have likely reflected this redevelopment report.

ZONING ORDINANCE

The Borough of Roselle adopted a new Land Use Chapter 77 in 2013, which combined two chapters into one and supplemented the existing code with definitions and new standards. The Commercial Redevelopment Zone is most similar to the Business/Commercial Zone (located at Section 77-97 in the Borough Code). The Business/Commercial Zone permits a variety of retail, personal services and office establishments. It also permits a mixture of uses within the same building. The minimum lot size in the Business/Commercial Zone is 7,500 square feet. The maximum permitted impervious coverage is 80%. The Commercial Redevelopment Zone has the same minimum lot size, but permits a 90% impervious coverage. This is due to the large impervious coverages that existed from the previous industrial uses.

The Commercial Residential Transition Zone is a hybrid of the Residence B Zone and the Business/Commercial Zone. Residential uses in the Transition Zone are mandated to follow the Residence B Zone bulk standards. As for non-residential development in the Transition Zone, the development standards are similar to the Business/Commercial Zone.

¹ 2010 Master Plan and Reexamination Report, Section 7, pages 1-3.

CONCLUSION

The First Avenue Redevelopment Plan as proposed is consistent with Roselle's 2010 Master Plan and Reexamination Report. This document furthers a number of goals that the Borough has set for land development, land use and design aesthetics.

V. RELATIONSHIP TO OTHER PLANS

This chapter of the report describes the relationship to the master plans of adjacent communities and Union County as well as the report's relationship to the State Development and Redevelopment Plan.

PLANS OF ADJACENT COMMUNITIES

Roselle is located in Union County and is surrounded by the Borough of Roselle Park, City of Elizabeth, City of Linden and Township of Cranford. The Redevelopment Area is adjacent to the City of Elizabeth and the Borough of Roselle Park. The Plan is also consistent with the Master Plan of the adjoining municipalities of Roselle Park and Elizabeth. The properties just to the north of the Plan in Roselle Park are master planned as an Arterial Business District, i.e. commercial development which caters to passing traffic. The properties just to the east in Elizabeth are zoned to permit commercial redevelopment and are within the City's Urban Enterprise Zone.

UNION COUNTY MASTER PLAN

An online search of the County's website as well as the general world wide web only reveals a June 1998 County Master Plan. A 2010 Parks Master Plan is cited on the County's website, but no link is provided to the actual document.² As a result, this Redevelopment Plan only reviews its relationship to the 1998 County Master Plan.

1998 MASTER PLAN

Together New Jersey hosts the first 88 pages of the 1998 Master Plan, which include the goals and objectives, demographics and a portion of a circulation plan. It is unclear where the remainder of the report exists. The redevelopment of the area has the potential to advance one of the County's goals:

- "Direct new growth to environmentally suitable areas that can be provided with essential infrastructure and support facilities and to revitalize the urban centers and corridors within the County".³

The redevelopment of the First Avenue Redevelopment Area has the potential to advance two of the County's objectives:

- Promote new development and redevelopment that is consistent and compatible with existing settlement patterns.

² <http://ucnj.org/parks-recreation/paths-trails-greenways/uc-parks-master-plan/>

³ <http://togethernorthjersey.com/wp-content/uploads/2012/12/Union-County-Master-Plan.pdf>, page 1-3.

- Promote the revitalization of urban centers and older suburban areas through industrial and commercial adaptive reuse, economic development programs....⁴

Otherwise, the remainder of the document is outdated and irrelevant.

NEW JERSEY STATE PLAN

The State Strategic Plan is the revision to the 2001 State Development and Redevelopment Plan. The document sets forth a vision for the future of New Jersey along with strategies to achieve that vision. The State Strategic Plan was intended to be adopted by the State Planning Commission in November 2012, but was postponed due to Super Storm Sandy. The Commission is revising the document to incorporate disaster planning goals in light of Super Storm Sandy.

The draft final State Strategic Plan has four overarching goals along with ten “Garden State Values”. This Redevelopment Plan has the ability to advance four of the ten values:

- **Concentrate development** – promote mixed-use development that is compact, conserves land, offers shopping and services.
- **Prioritize redevelopment, infill and existing infrastructure** – prioritize redevelopment and the reuse of existing sites and structures.
- **Increase job and business opportunities** – provide opportunities for investment near housing, infrastructure and transportation.
- **Create high-quality, livable places** – enhance community character and design, provide pedestrian-friendly streetscapes.⁵

VI. GENERAL PROVISIONS

This chapter of the First Avenue Redevelopment Plan provides the general provisions, including the relocation plan, acquisition plan and review process procedures.

RELOCATION PLAN

There is not expected to be any required temporary or permanent relocation of persons or businesses as a result of this Redevelopment Plan.

⁴ Ibid, page 1-3.

⁵ http://nj.gov/state/planning/final-plan/final_spp_november%208_pub.pdf, pages 8-9.

ACQUISITION PLAN

The First Avenue Redevelopment Area is comprised of a compact and defined area within the Borough of Roselle. The Area is important to the community as an area of commercial development compatible with the trend in the surrounding area, the Master Plan and the underlying zoning. Incompatible land uses, vacant land, dilapidated buildings and other impediments to proper development must be removed in an orderly, planned and phased manner.

At this time, there are a limited number of private owners of the property located within the Redevelopment Area. As such, it is anticipated that most properties within the Study Area will be purchased and assembled by private development interests in order to create a properly planned and developable parcel of land.

DEVIATIONS FROM REDEVELOPMENT PLAN REQUIREMENTS

The Planning Board may, after review of a site plan that is in one or more aspects inconsistent with the Redevelopment Plan, grant deviations from the strict application of the regulations contained in this Redevelopment Plan in accordance with the provisions for bulk variances in NJSA 40:-55D-70c. Notwithstanding the above, no deviations shall be granted that would permit any of the following: a use or principal structure that is not otherwise permitted by this Redevelopment Plan; an increase in the maximum permitted floor area ratio; or an increase in the maximum permitted height of a principal structure by more than 10 feet or 10%, whichever is less.

Variation from the requirements set forth in this Revitalization Plan may be necessary in particular circumstances. In such an instance, the Roselle Planning Board may waive design requirements if the designated redeveloper demonstrates that such design waiver will not substantially impair the intent of the Revitalization Plan, and will not present a substantial detriment to the public health, safety and welfare.

REVIEW PROCEDURES

The review procedures for this Redevelopment Plan are as follows:

- The Mayor and Council, acting as the Redevelopment Entity, shall be provided with plans for all proposed redevelopment projects within the areas governed by this Redevelopment Plan to ensure that such project(s) is consistent with the Redevelopment Plan and relevant redeveloper agreement(s). The Redevelopment Entity may provide comments to the Planning Board on deviations as part of their review. Such review shall occur prior to the submission of the redevelopment project(s) to the Planning Board for site plan approval.
- As part of its review, the Redevelopment Entity **shall require the redeveloper(s) to submit proposed site plan applications to a sub-committee** of the Redevelopment Entity prior to the submission of such applications to the Planning Board. Such sub-committee shall include up to three members of Council, the Borough Administrator, Borough Engineer and Borough Planning Consultant. The sub-committee shall make its recommendations to the full Redevelopment Entity.

- In undertaking its review, the sub-committee shall determine whether the proposal is consistent with this Redevelopment Plan and relevant redeveloper agreement(s). In addition, the review may address the site and building design elements of the project to ensure that the project adequately addresses the goals and objectives of the plan.
- When the sub-committee determines the proposal is consistent with the Redevelopment Plan, they shall make a recommendation to the Redevelopment Entity that the redeveloper be given formal authorization to proceed to the Planning Board for development approval.
- Following this determination, all development applications shall be submitted to the Roselle Planning Board through the normal site plan and subdivision procedures as outlined in N.J.S.A. 40:55-1 et seq. and the Borough of Roselle Land Use Code (Chapter 77).
- The Planning Board shall deem any application for redevelopment subject to this Redevelopment Plan incomplete if the applicant has not been designated as the redeveloper by the Redevelopment Entity and executed a redevelopment agreement with the Redevelopment Entity. Additionally, the Planning Board shall deem any application for redevelopment subject to this Redevelopment Plan incomplete if the applicant has not received a determination of consistency from the sub-committee and an executed redevelopment agreement.
- The Board of Adjustment is not permitted to grant any variances from the use provisions of this Redevelopment Plan. Any proposed changes to the Redevelopment Plan involving specific permitted land uses shall be in the form of an amendment to the Redevelopment Plan adopted by the Mayor and Council, in accordance with the procedures set forth in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

VII. DEFINITIONS

Definitions contained herein shall prevail within the Redevelopment Area. For definitions not contained herein, the definitions contained in the Borough of Roselle Zoning Ordinance shall prevail.

DENSITY: The permitted number of dwelling units per gross area of land to be developed.

DISTRICT: Zone. These terms may be used interchangeably.

FAST FOOD RESTAURANT: The fast-food restaurant, which may or may not have tables, but which is essentially designed to dispense quick, ready-made food of limited variety. The patron obtains food directly from the dispensing counter for consumption on or off such premises. The term "fast-food restaurant" may include drive-through unless the section of the ordinance provides otherwise.

JUNKYARD: Any area, lot, land, parcel, building, or structure, or part thereof, used for the storage, collection, processing, purchase, sale, salvage, or disposal of junk. Any site with three or more unregistered vehicles shall constitute a junkyard. (Also known as - Salvage Yard)

PERSONAL SERVICE ESTABLISHMENT: Any business use that provides services to an individual, or group of individuals, such as barbershops, dry cleaning establishments, beauty salons, travel agencies and substantially similar type uses and does not provide goods for retail sale or consumption.

RESTAURANT: An establishment, in which food or drink is prepared, served and consumed within the principal building.

RETAIL SALES: An establishment where goods are sold directly to the consumer for personal household use, with or without processing on the premises for such retail sale, but excluding the processing, repair or renovating of furniture, bedding or fixtures. In no instance shall bars, service stations or drug rehabilitation centers be considered retail sales.

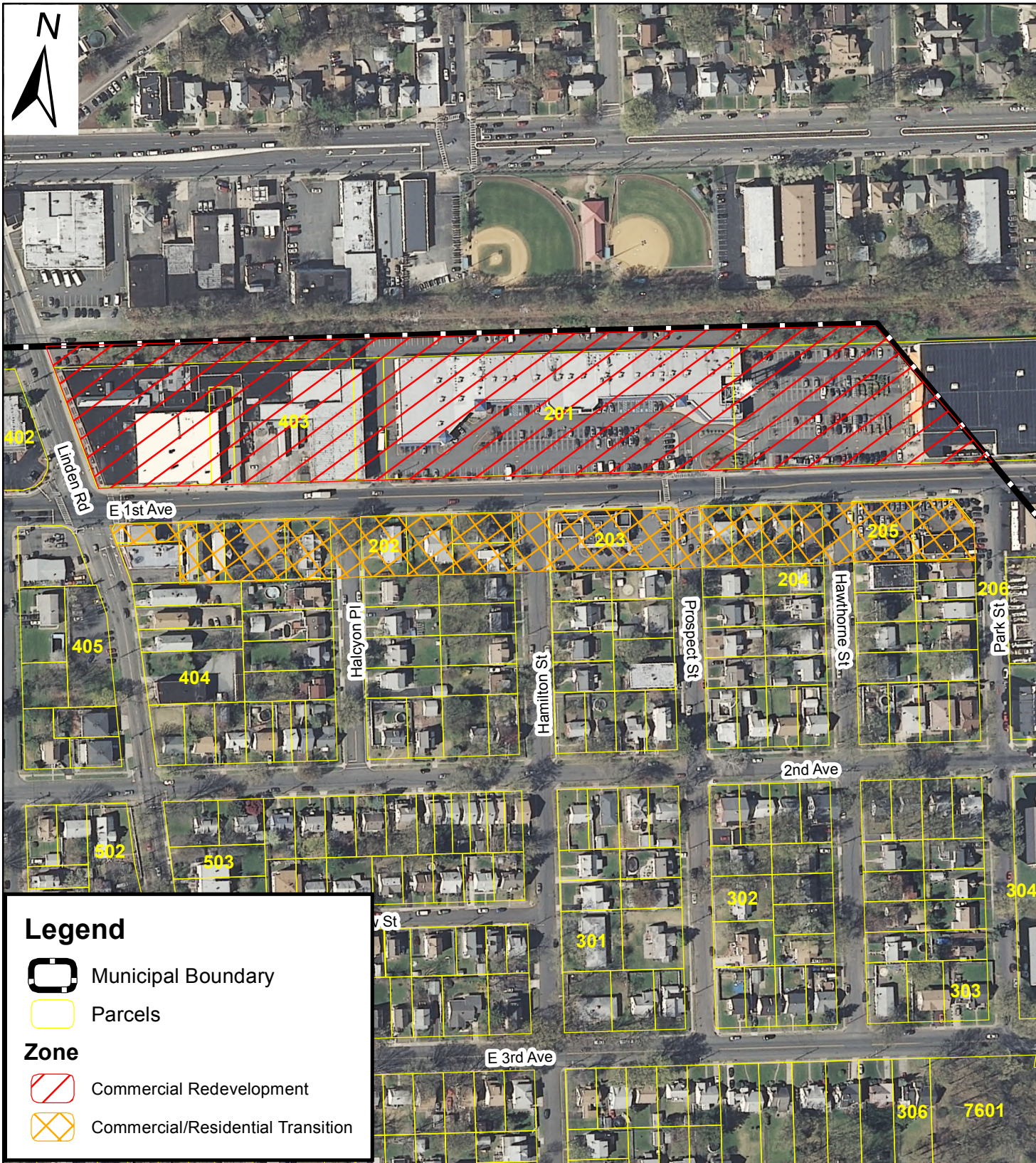
SELF-STORAGE FACILITY: A facility where storage space (e.g. rooms, lockers, containers) is rented to tenants, on a short-term basis. Storage units shall be accessed from an internal hallway. No storage unit doors shall open onto a street. No storage of noxious, hazardous or explosive materials shall be permitted. Outdoor storage is prohibited. Auctions or garage sales shall be prohibited on site. One manager's office and the sale of moving goods (i.e. boxes, bubble wrap, etc.) are permitted accessory uses.

SHOPPING CENTER: A group of three or more commercial establishments on a single site, containing at least 10,000 square feet within a building or buildings; planned, constructed and managed as a single entity; sharing parking, vehicular access, and circulation; and providing common areas, signage, landscaping and other improvements in accordance with an approved plan.

VIII. ZONING AND LAND USE REGULATIONS

The following sections provide the zoning and land use standards for the First Avenue Redevelopment Area. The map on the following page shows the location of the two zones within the Redevelopment Area.

- A. Commercial Redevelopment Zone. The purpose of this district is to establish a zone which will permit the construction of commercial uses, compatible with the trend in the surrounding area; and the conversion of formerly industrial lands to commercial uses in an orderly manner.
 1. Permitted Principal Uses and Structures:
 - a. Retail sales.
 - b. Business and professional offices.
 - c. Restaurants, including "fast food restaurants".
 - d. Shopping centers.
 - e. Public utility towers, wireless, telephones and similar facilities meeting all other requirements.
 - f. Self-storage facilities.
 - g. Personal service establishments.
 - h. Studios including dances, art, aerobic and music.
 - i. Child care centers.



Legend



Municipal Boundary



Parcels

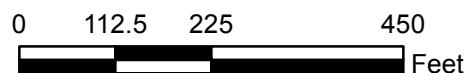
Zone



Commercial Redevelopment



Commercial/Residential Transition



1 inch = 225 feet

ZONE MAP
FIRST AVENUE REDEVELOPMENT AREA
 BOROUGH OF ROSELLE
 UNION COUNTY, NEW JERSEY

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 CONSULTING P.A.
 JANUARY 2016

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2. Permitted Accessory Uses and Structures:

- a. Off-street parking and loading in accordance with Section 77-24 through 77-26 of the Borough Code.
- b. Fences and walls, however chain-link fences are prohibited.
- c. Dumpsters and dumpster enclosures.
- d. Drive-through pickup and deposit facilities. Conditions regarding drive-through pickup facilities shall be as follows⁶:
 - i. Ingress and egress shall be so designed as not to interfere with normal traffic flow in the area.
 - ii. The application shall provide a traffic study by a traffic engineer, which demonstrates that the proposed drive-through facility will not substantially impact upon off-site traffic.
 - iii. The application shall provide appropriate signage indicating direction of ingress and egress.
 - iv. The application shall provide off-street automobile stacking area, which shall not be less than four spaces per lane. Such stacking system shall in no way hinder or impair normal traffic flow in adjoining property or public right-of-way.
- e. Auto repair. In conjunction with a principal retail use, auto repair shall be permitted as an accessory use provided further that not more than 25% of the first floor square footage be devoted to the auto repair use.
- f. Roof-mounted solar panels, in accordance with Section 77-106 of the Borough Code.
- g. Sidewalk cafes associated with a restaurant, in accordance with Section 77-90.D(1)(m) of the Borough Code.
- h. Signs, in accordance with Section 98 of the Borough Code. Signs in the Commercial Redevelopment Zone shall follow the permitted signs under Section 98-14.

3. Bulk Standards:

- a. Minimum Lot Area: 7,500 square feet
- b. Minimum Lot Width: 75 feet
- c. Minimum Lot Depth: 100 feet
- d. Minimum Front Yard Setback: 0 feet
- e. Minimum Side Yard Setback: 15 feet – However, one side yard may be reduced to zero provided that the proposed building adjoins the lot line for not more than 50% of the lot depth and the other side yard is increased to 30 feet.
- f. Minimum Rear Yard Setback: 30 feet – except where the rear yard adjoins a railroad right-of-way, in which case the rear yard may be reduced to 0 feet.
- g. Maximum Building Coverage: 50%⁷
- h. Maximum Lot Coverage: 90%⁸
- i. Maximum Height:
 - i. Principal Structures: 2 stories; 35 feet
 - ii. Accessory Structures: 1 story; 15 feet

⁶ If the following conditions cannot be met, a D Variance will be triggered, which cannot be granted for properties in a Redevelopment Area.

⁷ Buildings that existed prior to 2000 shall be permitted a maximum building coverage of 85%.

⁸ Properties that have buildings, which existed prior to 2000, shall be permitted a maximum lot coverage of 100%.

- iii. Fences and Walls: 3 feet in the front yard area; 6 feet in the side and rear yard area
 - 4. Buffers: Non-residential uses shall provide a buffer along any property line shared with a property containing a single- or two-family home. Said buffer shall be at least 6 feet wide; with a 6 foot high board on board fence, or approved equivalent fence, constructed along the property line. The buffer strip shall be planted with dense evergreen trees not less than 6 feet tall at the time of planting and spaced not more than 10 feet on center; along with flowering deciduous and broad-leaf evergreen plant material in order to create a visual barrier and aesthetically appealing appearance.
 - 5. Parking
 - a. Minimum off-street parking requirements shall follow Chapter 77-24 of the Borough Code, except for the following:
 - i. Shopping centers – 1 space for each 250 square feet of floor area up to 10,000 square feet, 1 space for each 225 square feet of floor area over 10,000 square feet
 - ii. Self-storage facilities – 1 space for each employee during the peak shift and 5 visitor spaces
 - b. All other required parking standards are located in Section 77-24 through 77-26 of the Borough Code.
 - c. Lighting
 - i. All parking areas shall be lighted to provide a minimum of 3 footcandles at driveway intersections with main roads and a total average illumination of 0.5 footcandle throughout the parking area.
 - ii. Such lighting shall be shielded in such a manner as not to create a hazard or nuisance to the adjoining properties or the traveling public.
 - iii. The maximum height of freestanding light structures shall be 16 feet.
 - iv. Where a non-residential use abuts a residential use, the maximum footcandles at the property line shall be 0.1.
 - 6. Stormwater. All development plans shall comply with Chapter 101A Stormwater Management of the Borough of Roselle's Code and all regulations promulgated by the New Jersey Department of Environmental Protection.
 - 7. Refuse design standards. All development plans shall comply with Section 77-28 of the Borough Code.
- B. Commercial Residential Transition Zone: The purpose of this district is to establish a zone which will permit the orderly phased conversion of residential land uses to commercial land uses compatible with the development trend in the surrounding area of First Avenue. It is anticipated that certain of the existing residential structures may continue to be used for residential purposes while new commercial land uses are introduced into the Area. Therefore, this plan will provide the flexibility to allow the existing residential properties to continue or to be assembled for redevelopment for commercial purposes.
 - 1. Permitted Principal Uses and Structures:
 - a. Residential uses and structures in conformance with the Residence B Zone.
 - b. Retail sales.
 - c. Business and professional offices.

- d. Restaurants, excluding "fast food restaurants".
- e. Personal service establishments.
- f. Residential uses, including apartments and condominiums, only on the upper floors of a structure with non-residential uses on the ground floor. The maximum density for residential uses shall not exceed 10 units per acre.
- g. Mixed-use structures with a combination of two or more of the uses in b. through f. above.

2. Permitted Accessory Uses and Structures:

- a. For residential uses and structures, accessory uses and structures shall be in conformance with the Residence B Zone.
- b. For commercial uses and structures, accessory uses and structures shall include:
 - i. Off-street parking and loading in accordance with Section 77-24 through 77-26 of the Borough Code.
 - ii. Fences and walls, however chain-link fences are prohibited.
 - iii. Dumpsters and dumpster enclosures.
 - iv. Roof-mounted solar panels, in accordance with Section 77-106 of the Borough Code.
 - v. Sidewalk cafes associated with a restaurant, in accordance with Section 77-90.D(1)(m) of the Borough Code.
 - vi. Signs, in accordance with Section 98 of the Borough Code. Signs for non-residential uses shall follow the permitted signs under Section 98-14.

3. Bulk Standards:

- a. For uses permitted under the Residence B Zone, the bulk requirements of the Residence B Zone shall prevail.
- b. For non-residential development, the requirements of the Commercial Redevelopment Zone found in this Plan shall prevail.

4. Buffers: Non-residential uses shall provide a buffer along any property line shared with a property containing a single- or two-family home. Said buffer shall be at least 6 feet wide; with a 6 foot high board on board fence, or approved equivalent fence, constructed along the property line. The buffer strip shall be planted with dense evergreen trees not less than 6 feet tall at the time of planting and spaced not more than 10 feet on center; along with flowering deciduous and broad-leaf evergreen plant material in order to create a visual barrier and aesthetically appealing appearance.

5. Parking:

- a. For residential development, the requirements of RSIS shall prevail.
- b. For commercial development, the requirements of the Commercial Redevelopment Zone found in this Plan shall prevail.

C. Prohibited Uses in the First Avenue Redevelopment Area

1. The following uses are prohibited in the First Avenue Redevelopment Area:

- a. Gas Stations
- b. New and used car sales
- c. Automobile repair shops
- d. The storage, processing, separation, or transfer of garbage or waste materials.

- e. Uses that produce toxic or noxious fumes, hazardous discharges, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features that are detrimental to the public health, safety or general welfare, or that are damaging to the physical environment.

IX. GENERAL REQUIREMENTS

The following standards and requirements shall apply to all zones.

- A. No junked motor vehicles, or parts thereof, shall be permitted to be stored on any lot within the Redevelopment Area. Outdoor parking of vehicles that are inoperable or unregistered shall be prohibited.
- B. To the extent practical, all utility distribution lines; utility service connections from such lines to the project area's individual uses; and utility appliances, regulators and metering devices should be located underground or within enclosed structures. Remote readers are preferred for all utilities, in lieu of external location of the actual metering devices. Developers are required to arrange for connections to public and private utilities.
- C. All parts and components of cellular phone antenna, satellite dishes, and television and radio antennas shall be completely screened from view from all directions and elevations on existing or planned, structures, or shall be disguised within the architecture of a structure. Said screening shall be constructed in a manner that is pleasing to the eye and consistent with the surrounding architecture. In all cases, creative placement of said equipment is strongly encouraged in order to minimize the need for screening.
- D. In all cases, due consideration shall be given to the screening of rooftop mechanical equipment. Rooftop mechanical equipment shall be screened from view from all directions and elevations to minimize the negative aesthetic impact upon the view from neighboring residential zones and from street level. Said screening shall be constructed in a manner that is pleasing to the eye and consistent with the surrounding architecture.
- E. Upon demolition of any existing structures, the site shall be graded; planted, sodded, paved and and/or developed in accordance with this Redevelopment Plan.

X. DESIGN REQUIREMENTS

- A. Building Design Requirements
 - 1. All structures within the project area shall be situated with proper consideration of their relationship to other buildings, both existing and proposed, in terms of light, air and usable open space, access to public rights-of-way and off-street parking, height and bulk.
 - 2. To the greatest extent possible, buildings should be oriented toward the street so as to contribute to the overall liveliness of the pedestrian environment. Commercial retail activities should be oriented to the pedestrian environment along First Avenue wherever possible.

3. Commercial buildings within the project area shall be designed such that the front facades provide visual interest through the use of architectural elements such as window bays, cornices, pilasters, etc. and do not create the effect of a blank wall along the street frontage. The street level facade of stores in such buildings shall contain windows providing visibility from the street and sidewalk.
4. Groups of related buildings shall be designed to present a harmonious appearance in terms of architectural style and exterior materials. Buildings shall be designed so as to have an attractive, finished appearance when viewed from all vantage points within and outside the Area. Materials used for screening of rooftop mechanical equipment shall be harmonious with those used in the building's facade.
5. Windows shall be vertically proportioned (taller than wider) where possible.
6. Mirrored, frosted and tinted glass, glass blocks and interior blinds are not permitted at ground floor level on street-facing facades. Solar shades, which are constructed with a screen fabric that allows transparency, that have a three (3%) percent or higher openness factor are permitted at the ground floor level to assist with light control and glare reduction.
7. All entrances to a building shall be defined, visible and adequately lit.
8. Entrances shall be defined and articulated by utilizing such elements as lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings, balustrades and other such elements, where appropriate.
9. Federal law requires that entrances be accessible to handicapped patrons wherever feasible. People with physical disabilities should be able to use the same entrance as everyone else and be provided with an accessible route into the building. When renovating, use the Americans with Disabilities Act Accessibility Guidelines with the assistance of building officials to determine the adequacy of proposed renovations in addressing the needs of the disabled.
10. Building exteriors are encouraged to use lighting to highlight businesses, enliven the area at night and create a vibrant streetscape. This is a signal to motorists that the area is "open for business" and contributes a sense of safety to the building and street. Continuity of lighting across multiple businesses within the same building structure is a unifying design element and helps create a sense of neighborhood, which is recommended.
11. Surface lighting shall be aimed directly at the façade, parapet or signage, and away from traffic. Light spillage or glare onto adjacent businesses is not permitted. Moving and automated lighting creates visual distractions and is not permitted. The use of energy efficient lighting is encouraged.
12. If a building has a flat roof, a parapet shall project vertically to hide any roof-mounted mechanical equipment. Additionally, a cornice shall project out horizontally from the façade and shall be ornamented with moldings, brackets or other details.

B. Sidewalk Requirements

1. Sidewalk areas must be provided and shall be properly sized for the safe and convenient movement of pedestrians through and around the Redevelopment Area, taking into consideration the character of the adjoining land uses (i.e. residential, commercial, etc.).
2. Sidewalk areas shall be attractively landscaped and durably paved in conformance with Municipal standards and shall be provided with adequate lighting. Decorative paving materials and pedestrian scale lighting is encouraged.

XI. RELATIONSHIP TO ZONING

ZONING PROVISIONS

EFFECT OF PLAN

The First Avenue Redevelopment Plan supersedes the existing zoning and the applicable provisions of the Borough of Roselle's Land Use Ordinance as provided in Chapter VIII above.

TERMS & DEFINITIONS

Any terms or definitions not addressed within this Redevelopment Plan shall rely on the applicable terms and conditions set forth in Chapter 77, Land Use.

OTHER APPLICABLE DESIGN & PERFORMANCE STANDARDS

Any design or performance standards not addressed within this Redevelopment Plan shall rely on the applicable design and performance standards set forth in Chapter 77, Land Use.

ZONING MAP REVISION

This Redevelopment Plan supersedes the underlying zoning, which requires the Official Zoning Map to reflect the designation of the First Avenue Redevelopment Area. As this is an amendment to the original Redevelopment Plan, the current Zoning Map reflects the Redevelopment Plan Area's designation.

XII. AMENDMENTS AND DURATION

AMENDMENTS TO THE REDEVELOPMENT PLAN

This Redevelopment Plan may be amended from time to time in accordance with the procedures of the LRHL. To the extent that any such amendment materially affects the terms and conditions of duly executed redevelopment agreements between one or more redevelopers and the Borough of Roselle, the provisions of the redevelopment plan amendment will be contingent upon the amendment of the redeveloper agreement to provide for the plan amendment.

RECOMMENDATIONS FOR REDEVELOPMENT AGREEMENT PROVISIONS

While this Redevelopment Plan provides an outline for the redevelopment, the details of how the redevelopment will be implemented will need to be specified in a redevelopment agreement that is negotiated between the Borough and the redeveloper(s). No development shall proceed to the Roselle Planning Board for subdivision or site plan approval until after a redevelopment agreement is executed by the Borough of Roselle in accordance with

Section 9 of the Local Redevelopment and Housing Law. The redevelopment agreement shall conform to the provisions of this Redevelopment Plan.

CERTIFICATES OF COMPLETION & COMPLIANCE

Upon the inspection and verification by the Mayor and Council that the redevelopment of a parcel subject to a redeveloper agreement has been completed, a Certificate of Completion and Compliance will be issued to the redeveloper and such parcel will be deemed no longer in need of redevelopment.

This Redevelopment Plan will remain in effect until Certificates of Completion have been issued for the designated sub-areas, or until the Redevelopment Plan is deemed no longer necessary for the public interest and repealed by Ordinance of the Mayor and Council.

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.

SELECTION OF REDEVELOPER(S)

In order to assure that the vision of the First Avenue Redevelopment Plan will be successfully implemented in an effective and timely way and in order to promptly achieve the goals of the Plan, the Mayor and Council, acting as the Redevelopment Entity, will designate the redeveloper(s) for any redevelopment project in the area governed by this Redevelopment Plan. All redeveloper(s) will be required to execute a redevelopment agreement satisfactory to the Mayor and Council as one of the requirements to be designated as the redeveloper(s).

The following provisions regarding redevelopment are hereby included in connection with the implementation of this Redevelopment Plan and the selection of a redeveloper(s) for any property included in the Redevelopment Plan and shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations to the contrary:

1. The redeveloper, its successor or assigns shall develop the property in accordance with the uses and building requirements specified in the Redevelopment Plan.
2. Until the required improvements are completed and a Certificate of Completion is issued by the Redevelopment Entity, the redeveloper covenants provided for in N.J.S.A. 40A:12A-9 and imposed in any redeveloper agreement, lease, deed or other instrument shall remain in full force and effect.
3. The redevelopment agreement(s) shall contain provisions to assure the timely construction of the redevelopment project, the qualifications, financial capability and financial guarantees of the redeveloper(s) and any other provisions to assure the successful completion of the project.
4. The designated redeveloper(s) shall be responsible for any installation or upgrade of infrastructure related to their project whether on-site or off-site. Infrastructure items include, but are not limited to gas, electric,

water, sanitary and storm sewers, telecommunications, recreation or open space, streets, curbs, sidewalks, street lighting and street trees or other improvements. The extent of the designated redeveloper's responsibility will be outlined in the redeveloper's agreements with the Borough. All utilities shall be placed underground.

5. All infrastructure improvements shall comply with applicable local, state and federal law and regulations, including the Americans with Disabilities Act and the Prevailing Wage Law, where applicable.
6. In addition to the provision of the infrastructure items set forth herein, the Redevelopment Agreement may provide that the redeveloper(s) will agree to provide amenities, benefits, fees and payments in addition to those authorized under the Municipal Land Use Law.