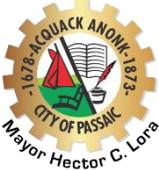


MARKET STREET REDEVELOPMENT PLAN



SEPTEMBER 2023

Prepared for:



Prepared by:



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REDEVELOPMENT PLAN FOR THE MARKET STREET REDEVELOPMENT PLAN AREA

Prepared by:

Passaic Planning Board

Mayor Hector C. Lora
Maritza Colon-Montañez, Chairwoman
Edwin Perez, Vice Chairman
Bonnita-Kelawon Cuello
Carlos Lopez
Sardis Cruz-Perez
Daniel J. Schwartz
Kenneth A. Simpson
Shaun Witten
Mariana V. Fera, Board Secretary
Louis P. Rago, Esq., Board Attorney

Special Thanks to:

Ricardo Fernandez, AICP, PP, Business Administrator

Consultants:

H2M Associates, Inc.
119 Cherry Hill Road, Suite 110
Parsippany, NJ 07054

Adopted by Passaic City Council: September 7, 2023

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

Sanyogita Chavan, AICP, PP, License Number: 33LJ00593300



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1.0 INTRODUCTION

1.1 BASIS FOR THE PLAN

This redevelopment plan has been prepared for the Market Street Area in Need of Rehabilitation within the City of Passaic, Passaic County, New Jersey. **The Market Street Redevelopment Plan Area** (“Redevelopment Area”) comprises of approximately 294 non-contiguous parcels located in an area that is generally bounded by 1st Street to the west, South Street to the south, New Jersey Route 21 to the north, and the Passaic River to the east, as described on the map below. The plan area within the city, and Redevelopment Plan Area lots are shown in **Figures 1 and 2**, respectively. The block and lots within the redevelopment plan area are listed in **Table 1**. The Passaic City Council, on July 21, 2020, determined by Resolution 20-07-208 (**See Appendix A**) that these properties qualified as an “area in need of rehabilitation” in accordance with the criteria specified in the New Jersey Local Redevelopment and Housing Law (LRHL) at N.J.S.A. 40A:12A-14. This redevelopment plan provides the development regulations and other standards to guide the redevelopment of the Market Street Redevelopment Area.

The Market Street Redevelopment Plan Area, located on the opposite side of Route 21 from the City’s downtown area along Main Street, acts as a secondary commercial and mixed-use area for the City. Recent public investments into this area of the City, such as the recently completed creation of Dundee Island Park, as well as redevelopment and rehabilitation of private properties in this area present an opportunity for the City to proactively plan for further investment. This Plan is intended to build upon these efforts and serve as a catalyst for greater investment that will benefit the City and its residents.

TABLE 1: PROPERTIES IN THE REDEVELOPMENT AREA

No	Block	Lot	Location	No	Block	Lot	Location	No	Block	Lot	Location
1	1001.02	1	7-33 E. Monroe St.	99	1020.01	1	47 Passaic St.	197	1042	17	72-78 First St.
2	1001.06	1	14-34 E. Monroe St.	100	1025	1	81 Passaic St.	198	1042	1	92 First St.
3	1001.06	12	INT Monroe St.	101	1025	2	77 Passaic St.	199	1042	14	81 Market St.
4	1005	17	3 Monroe St.	102	1025	5	73 Passaic St.	200	1042	32	63 Market St.
5	1005	18	1 Monroe St.	103	1025	4	75 Passaic St.	201	1042	4	87-91 Market St.
6	1005	1	11 Monroe St.	104	1025	7	67 Passaic St.	202	1042	2	93 Market St.
7	1005	3	5 Monroe St.	105	1025	6	71 Passaic St.	203	1042	26	67-69 Market St.
8	1005	2	9 Monroe St.	106	1026	7	85 Passaic St.	204	1042	18	77 Market St.
9	1005	20	1 E. Monroe St.	107	1026	1	91 Passaic St.	205	1042	16	79 Market St.
10	1006	2	13 Monroe St.	108	1026	8	83 Passaic St.	206	1042	24	71 Market St.
11	1006	34	21 Monroe St.	109	1026	5	89 Passaic St.	207	1042	30	65 Market St.
12	1006	4	19 Monroe St.	110	1026	6	87 Passaic St.	208	1042	12	83 Market St.
13	1006	3	17 Monroe St.	111	1032	6	117 Passaic St.	209	1042	10	85 Market St.
14	1006	1	27 Monroe St.	112	1032	8	113 Passaic St.	210	1042	20	75 Market St.
15	1006	33	25 Monroe St.	113	1032	7	115 Passaic St.	211	1042	22	73 Market St.
16	1010	21	192-208 Third St.	114	1032	1	125 Passaic St.	212	1043	11	114 First St.
17	1010	32	191 Fourth St.	115	1032	3	123 Passaic St.	213	1043	1	121 Market St.
18	1011	12	192 Fourth St.	116	1032	4	121 Passaic St.	214	1043	15	112 First St.
19	1011	13	6 Monroe St.	117	1032	5	119 Passaic St.	215	1043	7	118 First St.
20	1011	14	2 Monroe St.	118	1033	3	139 Passaic St.	216	1043	4	123 Market St.
21	1013	25	156 Passaic St.	119	1033	1	143 Passaic St.	217	1043	10	117 Market St.
22	1013	27	152 Passaic St.	120	1033	2	141 Passaic St.	218	1043	2	125 Market St.

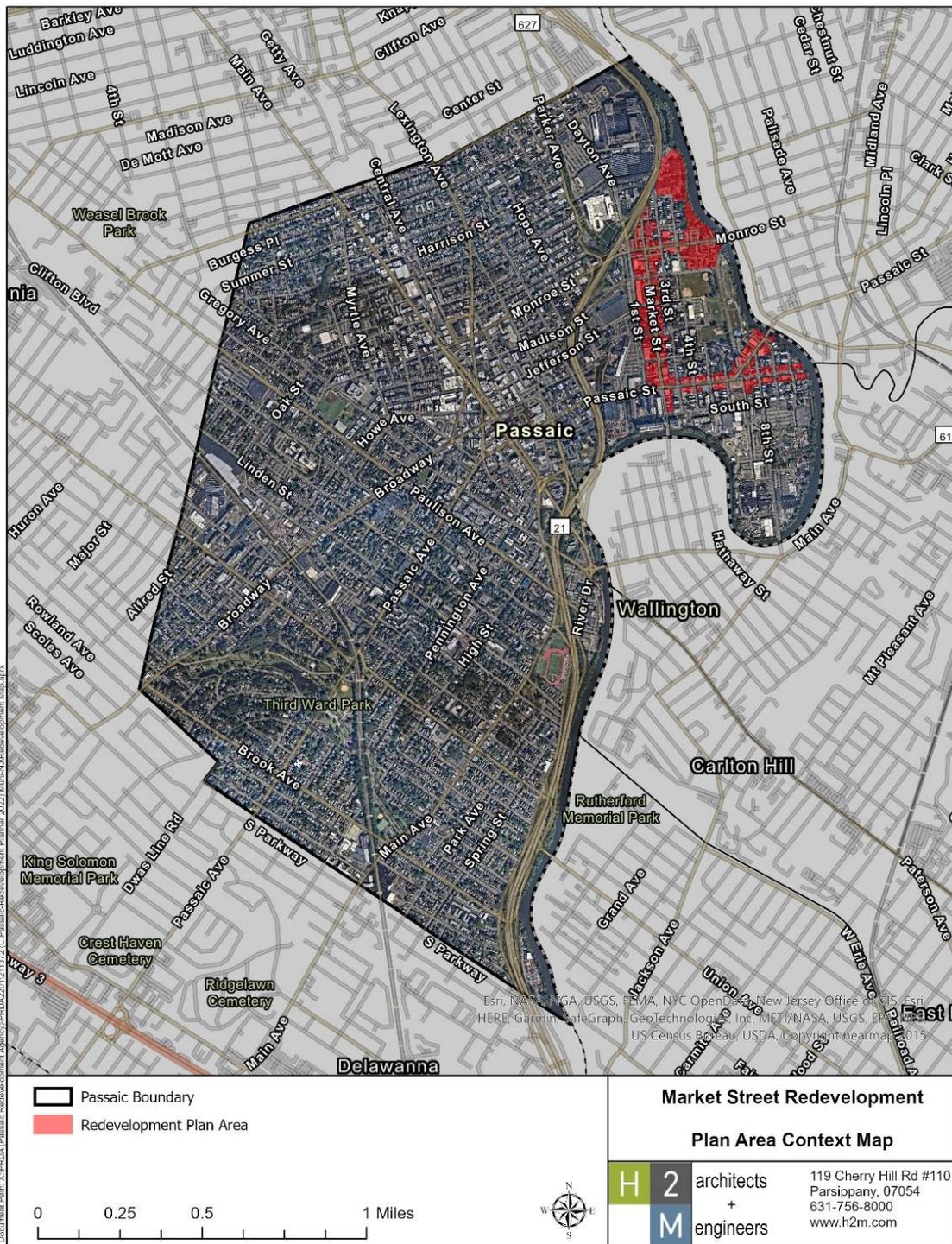


23	1013	28	150 Passaic St.	121	1034	1	153 Passaic St.	219	1043	18	95-109 Market St.
24	1013	29	146 Passaic St.	122	1034	5	151 Passaic St.	220	1043	8	119 Market St.
25	1013	31	144 Passaic St.	123	1034	6	149 Passaic St.	221	1043	16	111 Market St.
26	1013	32	142 Passaic St.	124	1034	7	147 Passaic St.	222	1043	12	113 Market St.
27	1013	26	154 Passaic St.	125	1034	8	145 Passaic St.	223	1044	5	122 Market St.
28	1014	25	140 Passaic St.	126	1035	23	8 Market St.	224	1044	7	120 Market St.
29	1014	26	138 Passaic St.	127	1035	9	22 Market St.	225	1044	3	124 Market St.
30	1014	27	134 Passaic St.	128	1035	27	4 Market St.	226	1044	27	100 Market St.
31	1014	28	132 Passaic St.	129	1035	17	14 Market St.	227	1044	29	96 Market St.
32	1014	29	130 Passaic St.	130	1035	1	173-175 Passaic St.	228	1044	1	126 Market St.
33	1014	30	126 Passaic St.	131	1035	29	2 Market St.	229	1044	23	104 Market St.
34	1014	31	124 Passaic St.	132	1035	19	12 Market St.	230	1044	19	106 Market St.
35	1015	6	110 Passaic St.	133	1035	13	16 Market St.	231	1044	9	118 Market St.
36	1015	7	108 Passaic St.	134	1035	25	6 Market St.	232	1044	25	102 Market St.
37	1015	8	106 Passaic St.	135	1035	21	10 Market St.	233	1044	15	112 Market St.
38	1015	5	112 Passaic St.	136	1035	11	20 Market St.	234	1044	13	114 Market St.
39	1015	4	114 Passaic St.	137	1035	3	171 Passaic St.	235	1044	17	110 Market St.
40	1015	3	116 Passaic St.	138	1035	4	169 Passaic St.	236	1044	11	116 Market St.
41	1015	2	118 Passaic St.	139	1039	21	40 First St.	237	1045	7	152 Market St.
42	1015	1	120 Passaic St.	140	1039	3	60 First St.	238	1045	15	144 146 Market St.
43	1017	23	46 Wall St.	141	1039	25	190 Passaic St.	239	1045	21	130-138 Market St.
44	1017	25	50 Wall St.	142	1039	19	44 First St.	240	1045	1	158 Market St.
45	1017	19	38 Wall St.	143	1039	13	50 First St.	241	1045	31	128 Market St.
46	1017	18	36 Wall St.	144	1039	11	52 First St.	242	1045	11	148 Market St.
47	1017	16	32 Wall St.	145	1039	15	48 First St.	243	1045	9	150 Market St.
48	1017	15	30 Wall St.	146	1039	5	56-58 First St.	244	1045	17	142 Market St.
49	1017	14	28 Wall St.	147	1039	17	46 First St.	245	1046	1	128 First St.
50	1017	22	44 Wall St.	148	1039	9	54 First St.	246	1046	26	133-135 Market St.
51	1017	17	34 Wall St.	149	1039	1	62 First St.	247	1046	2	153 Market St.
52	1017	1	2-26 Wall St.	150	1039	22	39 Market St.	248	1046	14	145 Market St.
53	1017	20	40 Wall St.	151	1039	16	47 Market St.	249	1046	20	139 Market St.
54	1017	33	100-102 Passaic St.	152	1039	8	55 Market St.	250	1046	28	131 Market St.
55	1017	35	104 Passaic St.	153	1039	2	61 Market St.	251	1046	12	147 Market St.
56	1017	27	56 Wall St.	154	1039	14	49 Market St.	252	1046	10	149 Market St.
57	1017	30	62 Wall St.	155	1039	31	178 Passaic St.	253	1046	29	129 Market St.
58	1017	30	62 Wall St.	156	1039	10	51 Market St.	254	1046	30	127 Market St.
59	1018	2	55 Wall St.	157	1039	33	35 Market St.	255	1046	8	151 Market St.
60	1018	1	90 Passaic St.	158	1039	20	43 Market St.	256	1046	18	141 Market St.
61	1018	10	27 Wall St.	159	1039	4	57 Market St.	257	1046	16	143 Market St.
62	1018	14	23 Wall St.	160	1039	27	188 Passaic St.	258	1047	31	160 First St.
63	1018	4	80 Passaic St.	161	1039	28	186 Passaic St.	259	1047	1	162 First St.
64	1019	34	9 Wall St.	162	1039	29	184 Passaic St.	260	1047	16	175 Market St.
65	1019	31	15 Wall St.	163	1039	30	182 Passaic St.	261	1047	32	159 Market St.
66	1019	33	11 Wall St.	164	1040	35	36 Market St.	262	1047	30	161 Market St.



67	1019	25	17 Wall St.	165	1040	9	54 Market St.	263	1047	26	163 Market St.
68	1019	4	72 Passaic St.	166	1040	23	40 Market St.	264	1047	18	173 Market St.
69	1019	5	70 Passaic St.	167	1040	17	44 Market St.	265	1047	24	167 Market St.
70	1019	7	66-68 Passaic St.	168	1040	1	62 Market St.	266	1047	22	169 Market St.
71	1019	8	64 Passaic St.	169	1040	33	38 Market St.	267	1047	20	171 Market St.
72	1019	1	78 Passaic St.	170	1040	11	52 Market St.	268	1048	27	164 Market St.
73	1019	2	76 Passaic St.	171	1040	25	172 Passaic St.	269	1048	17	174 Market St.
74	1019	3	74 Passaic St.	172	1040	21	42 Market St.	270	1048	31	160 Market St.
75	1019.01	34	1-7 Wall St.	173	1040	13	48 Market St.	271	1048	1	29-43 Monroe St.
76	1019.01	3	58 Passaic St.	174	1040	30	158-168 Passaic St.	272	1048	29	162 Market St.
77	1019.01	4	56 Passaic St.	175	1040	27	170 Passaic St.	273	1048	19	172 Market St.
78	1019.01	5	54 Passaic St.	176	1041	15	80 Market St.	274	1048	25	166 Market St.
79	1019.01	1	62 Passaic St.	177	1041	7	86 Market St.	275	1048	23	168 Market St.
80	1019.01	2	60 Passaic St.	178	1041	1	92 Market St.	276	1048	21	170 Market St.
81	1019.01	8	48 Passaic St.	179	1041	29	66 Market St.	277	1049	1	211-221 Third St.
82	1019.01	6	50 Passaic St.	180	1041	27	68 Market St.	278	1049	15	206 Market St.
83	1019.02	6	34 Passaic St.	181	1041	19	76 Market St.	279	1049	19	204 Market St.
84	1019.02	1	46 Passaic St.	182	1041	5	90 Market St.	280	1049	25	46 Monroe St.
85	1019.02	2	38 Passaic St.	183	1041	25	70 Market St.	281	1049	21	202 Market St.
86	1020	7	53 Passaic St.	184	1041	17	78 Market St.	282	1049	23	198 Market St.
87	1020	8	51 Passaic St.	185	1041	31	64 Market St.	283	1049	28	40 Monroe St.
88	1020	9	49 Passaic St.	186	1041	11	84 Market St.	284	1049	29	38 Monroe St.
89	1020	1	63 Passaic St.	187	1041	13	82 Market St.	285	1049	30	36 Monroe St.
90	1020	3	61 Passaic St.	188	1041	21	74 Market St.	286	1049	31	32 Monroe St.
91	1020	4	59 Passaic St.	189	1041	23	72 Market St.	287	1049	26	44 Monroe St.
92	1020	5	57 Passaic St.	190	1042	13	82 First St.	288	1049	27	42 Monroe St.
93	1020	6	55 Passaic St.	191	1042	11	84 First St.	289	1050	1	201 223 Market St.
94	1020.01	31	39 Passaic St.	192	1042	29	64 First St.	290	1050	11	195 Market St.
95	1020.01	30	37 Passaic St.	193	1042	5	88 First St.	291	1050	13	191 Market St.
96	1020.01	29	35 Passaic St.	194	1042	15	80 First St.	292	1050	15	56 Monroe St..
97	1020.01	34	45 Passaic St.	195	1042	25	68-70 First St.	293	1052	19	40 Morris St.
98	1020.01	33	43 Passaic St.	196	1042	9	86 First St.	294	1007	1	248 Third St.

FIGURE 1: AREA MAP





1.2 PURPOSE/VISION

The Market Street Redevelopment Plan sets standards for development and site improvements in the declared area in need of rehabilitation. The Market Street Redevelopment Plan is intended to revitalize the area of Passaic generally east of New Jersey Route 21 and west of the Passaic River by creating an economically vibrant community that enhances the built environment of the City of Passaic. The introduction of new housing and businesses to the area will activate the streets and create a sense of place within the community, diversify the housing stock in the City, create an increase in bus ridership, and improve transportation circulation and safety.

This area of the City has largely been a mix of small-scale residential, mixed-use buildings, single-story-commercial uses, industrial uses, and light industrial uses. Rather than absorbing piecemeal development proposals that are not aligned with the City's vision and lack comprehensive planning, Passaic intends to have a comprehensive plan for transit-oriented redevelopment. The redevelopment of this area will promote a vision of transit-oriented development that provides a greater degree of housing options for the City, takes advantage of current household preferences for diverse living arrangements, and leverages the site's proximity to existing bus service and nearby commuter rail service. The redevelopment of this area is intended to create architectural elements that vary in design which will result in a visibly attractive area for residents and visitors.

1.3 NOTE ON PLAN TERMINOLOGY

Throughout the Redevelopment Plan, a conscious distinction is made in the regulations between "shall" and "should." "Shall" means that a developer is required to comply with the specific regulation, without any deviations. "Should" means that a developer is encouraged to comply but is not required to do so.

1.4 REQUIRED COMPONENTS OF THE REDEVELOPMENT PLAN

N.J.S.A 40A:12A-7 requires that a redevelopment plan include an outline for the planning, development, redevelopment, or rehabilitation of the redevelopment plan area sufficient to indicate the following:

1. Its relationship to definite local objectives as to appropriate land use, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
2. Proposed land uses and building requirements in the project area.
3. Adequate provisions for the temporary and permanent relocation, as necessary for residents in the project area, including an estimate of the extent to which decent, safe, and sanitary dwelling units affordable to displace residents will be available to them in the existing local housing market.
4. An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.
5. Any significant relationship of the redevelopment plan to:
 - a. The master plans of contiguous municipalities
 - b. The master plan of the county in which the municipality is located
 - 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.).
6. An inventory (as of the date of the adoption of the resolution on finding the area to be in need of redevelopment) of all housing units affordable to low- and moderate-income households, as defined pursuant to N.J.S.A. 52:27D-304, that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure.



7. A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan.
8. Proposed locations for public electric vehicle charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.
9. The redevelopment plan may include the provision of affordable housing in accordance with the “Fair Housing Act,” N.J.S.A. 52:27D-301 et seq. and the housing element of the municipal master plan.
10. The redevelopment plan shall describe its relationship to pertinent municipal development regulations as defined in the “Municipal Land Use Law,” P.L.1975, c. 291 (C.40:55D-1 et seq.).
11. The redevelopment plan must state whether it shall supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district within the redevelopment area.
12. All provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan; but the municipal governing body may adopt a redevelopment plan which is inconsistent with or not designed to effectuate the master plan by affirmative vote of a majority of its full authorized membership with the reasons for so acting set forth in the redevelopment plan.

2.0 EXISTING CONDITIONS

2.1 2020 AREA IN NEED OF REHABILITATION INVESTIGATION SUMMARY

A presentation discussing the findings of the 2020 Area in Need of Rehabilitation Study (AINR Study) was heard by the City’s Planning Board on July 8, 2020. Subsequent to the Planning Board meeting, the City Council designated the study area as an Area in Need of Rehabilitation by Resolution 20-07-208 on July 21, 2020 (see **Appendix A**) pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (LRHL). The Area in Need of Rehabilitation designation forms the statutory basis for this Plan.

2.2 SURROUNDING AREA CONTEXT

The Market Street Redevelopment Plan Area is located in the northeastern portion of the City of Passaic primarily along Market Street, Passaic Street, Wall Street, and Monroe Street. The Redevelopment Plan Area is serviced by NJ Transit which provides local bus service to nearby points of interest. Available transit options are shown in **Figure 3**. The optimal walking distance between a transit station or stop and a place of employment/residential use is between ¼ mile (1,320ft) and ½ mile (2,640ft), which places the Redevelopment Plan Area within walking distance of good bus service.

Additionally, the Plan Area is located approximately one-quarter mile from the Garfield train station in the City of Garfield. This places the Plan Area, particularly the area along Passaic Street and Wall Street within convenient walking distance from the station. The Bergen Line, which services the station, provides direct access to Hoboken and access to New York City via a transfer at Secaucus Junction.

In 2020, the City purchased the property separating Pulaski Park and Dundee Island Park on which a railroad had operated. That land, the Pulaski Park extension, allows direct access to Dundee Island Park. Additionally, the former railroad bridge over the Passaic River will connect to the Garfield riverfront, which is currently under construction at Monroe Street and River Drive. These investments will provide residents greater access to open space and recreation opportunities.



The Market Street Redevelopment Area (“Redevelopment Area”) is generally bounded by 1st Street to the west, South Street to the south, New Jersey Route 21 to the north, and the Passaic River to the east. There is a mix of small scale and mid-rise residential, mixed-use buildings, single-story-commercial uses, institutional uses, and light industrial uses.

The Market Street Redevelopment Area, as shown in **Figure 4**, encompasses three (3) existing Zoning Districts including the City’s:

- “CR-HD” Commercial Residential High Density District
- “M-2” General Industrial District
- “R-3” Multi-Family Residential District

A listing of permitted uses allowed in each zone district is provided below. Complete zoning standards for each district are located in Chapter 317 of the City Code.



CR-HD – Commercial Residential High Density District

§317 Attachment 6 Permitted uses.

- 1. All R-3 uses:
 - (1) 1-family dwellings
 - (2) 2-family dwellings
 - (3) Multifamily dwellings
 - (4) Garden apartment dwelling groups
 - (5) Townhouse dwelling groups
 - (6) Townhouses
- 2. All C uses:
 - (1) Retail and service establishments
- (2) Banks
- (3) Business, professional, and governmental offices
- (4) Eating and drinking establishments
- (5) Undertaking establishments
- (6) Theaters
- (7) Printing and publishing establishments
- (8) Places of public assembly
- (9) Parking lots and parking garages
- (10) Studios, galleries and museums
- 3. Mixed commercial-residential structures

§317-21 Conditional Uses in C-R and C-R HD Zones

- A. Same as in the C Zone and subject to the same requirements.
- B. Multifamily apartments of four stories or more
 - 1) Minimum lot area: 30,000 square feet.
 - 2) Minimum lot width: 150 feet.
 - 3) Minimum front yard: 25 feet.
 - 4) Minimum side and rear yards: 1/3 of building height, but not less than 15 feet.
 - 5) Minimum corner side yard: 25 feet.
 - 6) Minimum building height: four stories.
 - 7) Maximum building coverage:
 - a) By principal building: 30%.
 - b) By parking structure up to two stories above ground: 30% additional.
 - 8) Minimum open space: 25% of lot area.
 - 9) Maximum density: 100 units per acre.
 - 10) The use shall be subject to the following additional requirements:
 - a) A traffic study supplied by applicant which proves to the satisfaction of the City Engineer and Traffic Division officer that the street on which the property is located and the nearby intersections have capacity sufficient to handle the increased traffic volumes at the existing level of service.
 - b) A drainage study supplied by the applicant which proves to the satisfaction of the City Engineer that the site will be adequately drained so as not to have an adverse effect on the surrounding properties or on the streets to which drainage is directed and proves to the satisfaction of the City Engineer that the additional runoff created by the proposed development will not overload the existing drainage facilities.
 - c) A letter from the Passaic Valley Water Commission that the existing water supply system can provide adequate service to the proposed development in terms of quantity of water and in terms of water pressure.
 - d) A developer is to supply a study of the available sanitary sewer system and proposed hookup which proves to the satisfaction of the City Engineer that adequate service will be provided and that the flow will not overload the existing sanitary sewer system.



- e) The approval of the site plan by the Passaic County Planning Board where a development is located on a county road or where there will be any effect on county facilities.
- C. Multifamily use of 50 or more dwelling units.
 - 1) Bulk requirements shall be as per the requirements of this (R-1A Zone) zone.
 - 2) The use shall comply with the general standards of this article.
- D. Tennis courts, racquetball courts, squash courts and health spas in mixed use buildings of four stories or more (residential/commercial) and offering these facilities to the general public.
 - 1) Bulk requirements: same as for multifamily apartments of four stories or more in the R-1A Zone.
 - 2) The use shall comply with the general standards of this article.
- E. Business schools.
 - 1) Bulk requirements: same as for places of public assembly in the C-R Zone, Article IV, Schedule of Regulations.
 - 2) Off-street loading requirements as specified in Schedule C of Article VII for schools.
- F. Live/work loft.
 - 1) The definition of "live/work loft" in § 317-10 must be met and preliminary approval obtained from the Zoning Department.
 - 2) Live/work lofts must be on the upper floors and must not be proposed on the ground floor of a development.
 - 3) Live/work businesses must be registered and valid in the State of New Jersey.
 - 4) Live/work businesses must obtain a certificate of occupancy from the City of Passaic Code Enforcement Department under § 100-1 subsequent to site plan approval being granted.
 - 5) All tenants must be registered under § 185-3 subsequent to site plan approval being granted.
- G. Work and live artist studio (WALAS).
 - 1) The definitions of "artist" and "WALAS"[1] in § 317-10 must be met.
 - 2) Any individual residing in a WALAS must be a Planning Board certified artist. Certifications are valid for five years. Perennial certifications are allowed. This shall apply to all original and subsequent occupants of a WALAS.
 - 3) Up to three nonartist family members can reside with the certified artist. The nonartists shall be included in the artist certification application and subject to the same requirements.



M-2 – General Industrial District

§317 Attachment 5 Permitted uses.

- (1) 1-family dwellings
- (2) 2-family dwellings
- (3) Multifamily dwellings
- (4) Garden apartment dwelling groups
- (5) Townhouse dwelling groups
- (6) Townhouses

§317-23 Conditional Uses in M-1 and M-2 Zones

- A. (Reserved)
- B. Parking areas required to meet the minimum requirements and located on a lot other than a lot on which the principal use is located.
 - (1) The applicant shall provide proof of ownership or a permanent lease for the parking area in question which guarantees the permanent availability of such a facility.
 - (2) The off-site parking shall be located within 500 feet of the property in question, as measured in the most direct manner along the public street(s).
 - (3) The off-site parking lot shall be located in a zone which permits the use to be served.
 - (4) The off-site parking area shall be suitably screened from any adjacent residences.
 - (5) The off-site parking area authorized under this section shall not be changed, reduced or eliminated as long as the use it serves is in existence.
 - (6) The off-site parking area shall comply with the general standards of this article.
- C. Live/work loft.
 - (1) The definition of "live/work loft" in § 317-10 must be met and preliminary approval obtained from the Zoning Department.
 - (2) Live/work lofts must be on the upper floors and must not be proposed on the ground floor of a development.
 - (3) Live/work businesses must be registered and valid in the State of New Jersey.
 - (4) Live/work businesses must obtain a certificate of occupancy from the City of Passaic Code Enforcement Department under § 100-1 subsequent to site plan approval being granted.
 - (5) All tenants must be registered under § 185-3 subsequent to site plan approval being granted.
- D. Work and live artist studio (WALAS).
 - (1) The definitions of "artist" and "WALAS" in § 317-10 must be met.
 - (2) Any individual residing in a WALAS must be a Planning Board certified artist. Certifications are valid for five years. Perennial certifications are allowed. This shall apply to all original and subsequent occupants of a WALAS.



- (3) Up to three nonartist family members can reside with the certified artist. The nonartists shall be included in the artist certification application and subject to the same requirements.

E. Cannabis business.

Please refer to Chapter 232 of the City of Passaic General Legislation. The other requirements set forth include a setback of 1,000 feet from a public facility, park or athletic field and/or public or private school. Additionally, the ordinance requires that the facility may be located in any preexisting industrial use within 1,000 feet.

F. Gasoline stations, auto or truck rental establishments, used car lots, vehicle repair garages and car washes.

- (1) No part of the lot shall be situated within 1,000 feet, measured along the street or highway on which located, of a lot occupied by any of the following uses:

- a) A public or private school or school playground.
- b) A private or public hospital maintaining at least 15 beds.
- c) A church.
- d) A theater containing at least 100 seats.
- e) Any place of public assemblage with a seating capacity of 100 persons or more.
- f) Athletic field or park.
- g) A firehouse.
- h) Any existing gasoline station, auto or truck rental establishment, car wash or repair garage.

- (2) Minimum lot area: 10,000 square feet.

- (3) Where such use adjoins a residential use, the residence shall be screened by an eight-foot-high hedge of evergreens on the nonresidential lot or a decorative six-foot-high fence, or both, at the discretion of the reviewing board.

- (4) Other bulk requirements as per the applicable zone.

G. (Reserved)

H. (Reserved)

I. (Reserved)

J. (Reserved)

K. Tennis courts, racquetball courts, squash courts, roller-skating rinks, ice-skating rinks and health spas in buildings used only for such purpose.

- (1) Same as in the C Zone and subject to the same requirements.

L. (Reserved)

M. Automobile sales.

- (1) Minimum lot area: 20,000 square feet.
- (2) Minimum lot width: 200 feet.
- (3) Minimum lot dimensions: as per applicable zone.
- (4) All repairs are to be conducted indoors.



- (5) Where such use adjoins a residential use, the residence shall be screened by a six-foot-high (at time of planting) solid hedge of evergreens planted on the nonresidential lot or a decorative six-foot-high fence on both at the discretion of the reviewing board. See § 317-51F for additional buffer requirements.
 - (6) No outside storage other than automobiles shall be permitted.
 - (7) Automobiles shall not be stored or displayed within 10 feet of the front property line. Said ten-foot area is to be treated with curbs and brick pavers or some other physical demarcation acceptable to the reviewing board.
 - (8) Any proposed used automobile sales shall be conducted on the same site as the new sales.
- N. Limousine and charter bus depots.
- (1) The use shall comply with the bulk requirements of the applicable zone.
- O. Body piercing establishments subject to the following conditions:
- (1) Minimum lot area of 5,000 square feet; and
 - (2) No body art establishment shall be located within 500 feet of another body art establishment, church or other religious institution, a public or private school or any residentially zoned area.



R-3 – Multi-Family Residential District

§317 Attachment 5 Permitted uses.

- (3) 1-family dwellings
- (4) 2-family dwellings
- (5) Multifamily dwellings
- (6) Garden apartment dwelling groups
- (7) Townhouse dwelling groups
- (8) Townhouses

§317-19 Conditional Uses in R-3 Zones

P. Nursery schools.

- (1) Minimum lot area: 5,000 square feet
- (2) Other bulk requirements: as per requirements of the R-1 Zone for one-family dwellings.
- (3) Compliance with all state requirements for nursery schools.

Q. Nursing homes

- (1) Minimum lot area: 10,000 square feet
- (2) Minimum lot width: 75 feet.
- (3) Minimum lot depth: 100 feet.
- (4) Minimum front yard: 1/3 building height but not less than 15 feet.
- (5) Minimum side yard: 1/3 building height but not less than 10 feet.
- (6) Rear yard: 25 feet.
- (7) Maximum coverage: 30% of principal buildings, plus 30% accessory building.

R. Any multifamily use of 50 or more dwelling units.

- (8) Bulk requirements as per the requirements of this zone.
- (9) The use shall comply with the general standards of this article.

S. Multifamily apartments of four stories or more.

- (10) Minimum lot area: 30,000 square feet.
- (11) Minimum lot width: 150 feet.
- (12) Minimum front yard: 25 feet.
- (13) Minimum side and rear yards: 1/3 of building height, but not less than 15 feet.
- (14) Minimum corner side yard: 25 feet.
- (15) Minimum building height: four stories.
- (16) Maximum building coverage:
 - a) By principal building: 30%.
 - b) By parking structure up to two stories above ground: 30% additional.
- (17) Minimum open space: 25% of lot area.
- (18) Maximum density: 100 units per acre.
- (19) The use shall be subject to the following additional requirements:
 - a) A traffic study supplied by applicant which proves to the satisfaction of the City Engineer and Traffic Division officer that the street on which the property is located and the nearby intersections have capacity sufficient to handle the increased traffic volumes at the existing level of service.
 - b) A drainage study supplied by the applicant which proves to the satisfaction of the City Engineer that the site will be adequately drained so as not to have an adverse effect on the surrounding properties or on the streets to which drainage is directed and proves to the satisfaction of the City Engineer that the additional runoff created by the proposed development will not overload the existing drainage facilities.
 - c) A letter from the Passaic Valley Water Commission that the existing water supply system can provide adequate service to the proposed development in terms of quantity of water and in terms of water pressure.



- d) A developer is to supply a study of the available sanitary sewer system and proposed hookup which proves to the satisfaction of the City Engineer that adequate service will be provided and that the flow will not overload the existing sanitary sewer system.
- e) The approval of the site plan by the Passaic County Planning Board where a development is located on a county road or where there will be any effect on county facilities

T. Hospitals.

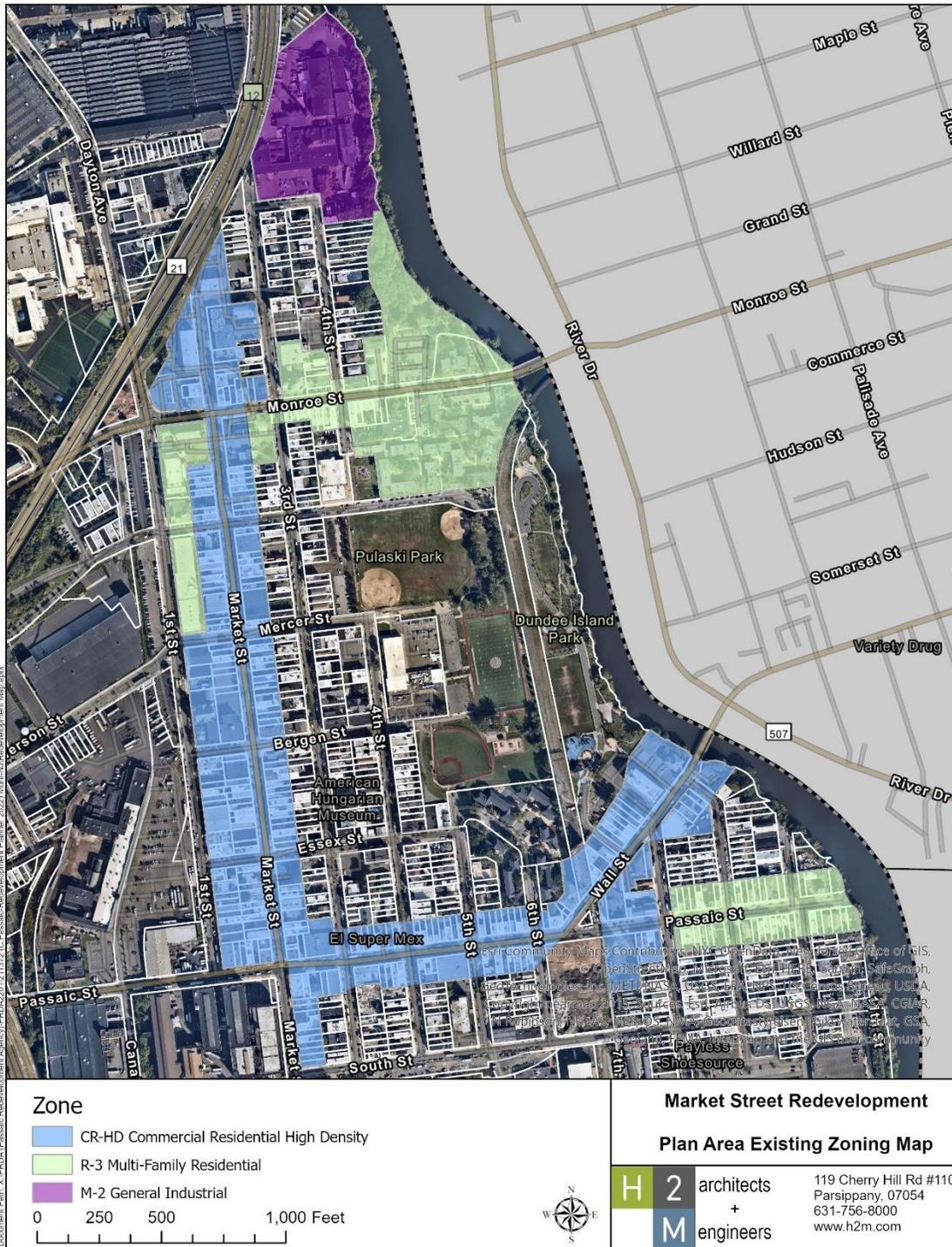
- (1) Same as in the R-1A Zone and subject to the same requirements.

U. Conversion of a storefront to one or more dwelling units.

- (2) Same as in the R-1A Zone and subject to the same requirements.

Generally surrounding the redevelopment plan area are the Eastside Redevelopment Area and general and light industrial zones.

FIGURE 4: REDEVELOPMENT PLAN AREA EXISTING ZONING





2.3 RELATIONSHIP TO MASTER PLAN AND LOCAL GOALS AND OBJECTIVES

The City of Passaic's current Master Plan was adopted in 2013. The Master Plan sets forth the goals and objectives for land uses within the City. The following objectives are based on the goals and objectives set forth in the City's existing planning documents, including the 2013 Master Plan, 2015 Economic Development Plan and Main Avenue Redevelopment Plan. The goals and objectives for this Redevelopment Plan are as follows:

2.3.1 *Goal 1: Promote Economic Development*

- A. Objective 1.1: Increase the number of jobs within the city so that the number of jobs more closely matches the number of residents employed.
- B. Objective 1.2: Satisfy demand for retail and other community-centered uses.
- C. Objective 1.3: Fill underutilized or vacant properties along commercial corridors with appropriate uses.
- D. Objective 1.4: Develop the area into a regional shopping and tourist destination and promote Passaic as a regional center for Hispanic/Latino food, music, and culture.
- E. Objective 1.5: Leverage existing economic development initiatives like the Urban Enterprise Zone.

2.3.2 *Goal 2: Create New Housing Opportunities*

- A. Objective 2.1: Encourage the use of upper stories in the downtown for residential opportunities.
- B. Objective 2.2: Provide a variety of housing options for all current and future residents of Passaic.
- C. Objective 2.3: Encourage a diverse range of households in Passaic through a redevelopment strategy that promotes a variety of mixed-income housing options.

2.3.3 *Goal 3: Design Quality Public and Private Areas*

- A. Objective 3.1: Integrate well-designed public areas with landscaping well-suited to the local climate and conditions.
- B. Objective 3.2: Prioritize community purposes and experience with new development.

2.3.4 *Goal 4: Preserve and Enhance Neighborhood Architecture*

- A. Objective 4.1: Promote high-quality, thoughtful architecture that takes design inspiration from Passaic's architecture and urban design, while embracing contemporary standards.
- B. Objective 4.2: Implement designs that use a scale suitable to the needs of the project area, while also complementing the existing conditions of the surrounding built environment.
- C. Objective 4.3: Investment should be strategic to allow for the preservation of key historic assets.
- D. Objective 4.4: Encourage adaptive reuse of existing structures, where practicable, to preserve the historic character of Passaic.

2.3.5 *Goal 5: Reduce Impact of Car Circulation and Traffic Issues*

- A. Objective 5.1: Balance safe, convenient parking and access solutions with a vibrant pedestrian environment.
- B. Objective 5.2: Promote usage of shared parking infrastructure in and around the Redevelopment Plan Area.

2.3.6 *Goal 6: Upgrade Infrastructure and Streetscapes*

- A. Objective 6.1: Ensure accessibility for all users by implementing universally designed sidewalks, safe and inviting pathways, and connections that serve people of all ages and abilities.
- B. Objective 6.2: Create a pleasing pedestrian experience by considering scale, lighting, and other features designed to increase walkability and the pedestrian environment.
- C. Objective 6.3: Ensure safe and efficient travel to transit hubs throughout and in the vicinity of the Rehabilitation Area by utilizing routes that are thoughtful and aesthetically pleasing.



- D. Objective 6.4: Promoting walking and other healthy lifestyle choices through design elements and by connecting pedestrian networks.

2.4 RELATIONSHIP TO ZONING ORDINANCE

The Market Street Redevelopment Plan shall be redeveloped in accordance with the standards detailed in this redevelopment plan. The Market Street Redevelopment Plan shall supersede all provisions of the Zoning and Development Regulations of Passaic regulating development in the Market Street Redevelopment Plan Area. In all situations where zoning issues are not specifically addressed herein, the Passaic Zoning Ordinance and Development Regulations shall, however, remain in effect. The City's Zoning Map shall be amended to indicate the area to which the Market Street Redevelopment Plan applies.

3.0 USE AND BULK REGULATIONS

The following land use and development standards provide a framework for the physical development of the Market Street Redevelopment Plan Area and have been put forth in the interest of public health, safety, convenience, and general welfare. The standards allow for project flexibility, while requiring that the design of buildings and improvements be of high quality and performance, and that the physical integration of design elements be prudently employed to meet the goals and objectives of this redevelopment plan. The City has not attempted in these controls to anticipate every possible design or land use solution. Therefore, the land use controls set forth herein reinforce current zoning while providing guidelines for the types of uses the City would like to see.

Relief/variances from the provisions of this section may be granted by the City of Passaic Planning Board in accordance with the provisions of Section 70(c) of the Municipal Land Use Law. To the extent that this establishes requirements from which the Planning Board cannot grant relief pursuant to Section 70(d) of the Municipal Land Use Law (e.g., permitted uses), then the procedure for amending the plan outlined in the report shall apply.

3.1 DEFINITIONS

The following terms are included within the redevelopment plan and defined herein: Where a definition is not listed, refer to definitions and word usage in Article III of the City Zoning Code.

BAR/TAVERN - A bar, lounge or tavern is a type of restaurant that is operated primarily for the dispensing of alcoholic beverages. The preparation and sale of food or snacks to customers may be permitted.

TOWNHOUSE DWELLING UNIT - One of a series of single-family dwelling units attached by a common wall between it and the adjacent unit or units together with individual front and rear entrances and yards designed as an integral part of each unit and having been constructed in conformity with an approved subdivision and site development plan.

TOWNHOUSE DWELLING STRUCTURE - A building containing two or more townhouse dwelling units.

TOWNHOUSE, STACKED - A townhome in which one unit is "stacked" on top of the other, up to two units total. Each of the units in a stacked townhome must have its own exterior entrance.

MULTI-FAMILY - An exclusively residential building designed for occupancy by five or more families living independently of each other in units attached at one or more common roofs, walls or floors. Typically, the unit's habitable area is provided on a single level with entrances provided from a common corridor. A common lobby and elevators are required when more than one story is built.



MIXED-USE BUILDING - A building of two or more stories comprised of retail, commercial, or office located on the ground floor and residential uses permitted on the upper floors.

SHARED PARKING - Joint utilization of a parking area for more than one use, either on site or between nearby properties, through a dedicated arrangement (if possible), in order to fulfill their individual parking requirements because their peak-period parking demands, such as entertainment and offices uses, do not overlap.

BREW/PUB – An establishment that sells at least 25% or more of its product in-house and is accompanied by a restaurant area for dine-in use.

CRAFT DISTILLERY - An establishment operating with a license as defined and regulated by the New Jersey Division of Alcoholic Beverage Control.

MICRO-BREWERY – An establishment that sells 75% or more of its product off-site and produces 15,000 barrels of beer or less a year.

NANO-BREWERY – An establishment that sells 75% or more of its product off-site and produces 1,000 barrels of beer or less a year.

OFFICE, PROFESSIONAL - An office for professionals such as physicians, dentists, lawyers, architects, engineers, artists, musicians, designers, teachers, accountants, and others who through training are qualified to perform services of a professional nature and where no storage or sale of merchandise exists, except as accessory to the professional services.

PEDESTAL PARKING – Required appurtenant parking provided in a parking garage on the lower floor(s) of a building, wherein the parking garage (pedestal) supports the remainder of the building containing the principal use(s) on the upper floors.

PERSONAL SERVICE ESTABLISHMENT - A business that performs services on the premises for persons residing in nearby residential areas including but not limited to shoe repair, tailoring, beauty parlors, nail salons, or barbershops.

RETAIL SERVICES. The rendering of services, as opposed to products, to the general public. Retail services include recreation services and facilities, studios for the instruction of the arts, including dance studios, gymnastics, or martial arts, museums, and galleries.

RETAIL SALES. An establishment wherein goods, merchandise, produce, commodities or similar articles are offered for sale or sold to the general public or the ultimate consumer.

OUTDOOR RESTAURANT AND/OR BAR PERMIT (IF LOCATED ON THE ROOFTOP). An outdoor eating and/or drinking permit for eating and or drinking establishments within the Redevelopment Plan Area, with an outside area on the rooftop of the building, shall be subject to the following conditions:

- (1) The rooftop area shall be associated with an establishment doing business within the principal building.
- (2) The floor immediately below the rooftop area is occupied by a nonresidential use.
- (3) If determined that the hours of operation of the outdoor area will not negatively impact the use and enjoyment of the neighboring properties, outdoor area activities (including music) shall not exceed the hours of operation for the principal use, excluding the sale of liquor, which may be further limited by the liquor license.



- (4) Screening shall be provided, either with landscaping and/or a fence, based on the specific site circumstances.
- (5) The main access to the rooftop patio shall be from the interior space of the business within the principal building.
- (6) Any lighting fixtures shall be designed to effectively eliminate glare, and sharply cut off lighting levels at the property line. All lights associated with the rooftop patio must be turned off when the rooftop area is not in use.

3.2 LAND USES

The purpose of the Market Street Redevelopment Plan is to provide mixed-use and multifamily development within close proximity to bus transit lines and nearby rail transit, while preserving the character of the community. The Market Street Redevelopment Plan also aims to promote an improved visual environment and spur economic growth. The Plan intends to build upon recent public improvements in Dundee Island Park and Pulaski Park. Investments as a result of the Redevelopment Plan are also intended to activate a previously neglected area of the City adjacent to the Passaic River. The new market rate and workforce housing units will fill a housing need for current and future City of Passaic residents, provide ample on-site amenities for the new residents, increase ridership along the NJ Transit bus and rail lines, and provide housing options within the region. The revitalization of the Market Street Redevelopment Plan Area will also improve the appearance and safety of the area and improve the City's tax base. The redevelopment plan area is zoned as one (1) contiguous district, the **Market Street Redevelopment District (MSRD)**. Any use that isn't referenced herein, the zoning ordinance prevails.

PERMITTED USES

1. The following are permitted uses:
 - A. Multi-family dwellings
 - B. Mixed-use buildings
 - C. Townhomes
 - D. Two-Family
 - E. Arcade
 - F. Art Gallery or Studio
 - G. Artisanal Workshop
 - H. Banks and Fiduciary Institutions
 - I. Bars and Taverns
 - J. Bowling Alley
 - K. Brewpub
 - L. Business Services
 - M. Child Care Center
 - N. Convenience Store
 - O. Co-working Space
 - P. Fitness Center
 - Q. Hotel
 - R. Live/Work Loft
 - S. Office, Medical
 - T. Office, Professional
 - U. Pharmacy
 - V. Restaurant (including Café/Carry Out, Fast-Food, and Full Service)
 - W. Retail Services or Retail Stores



- X. Supermarket
- Y. Theater
- Z. Common Open Space
- AA. Institutional Use
- BB. Places of Public Assembly

PERMITTED ACCESSORY USES

1. The following are permitted accessory uses:
 - A. Shared Parking
 - B. Outdoor Display
 - C. Parking Garage
 - D. Roof Deck
 - E. Outdoor Dining
 - F. Parklet
 - G. Any other use determined to be customary and incidental to permitted principal uses.

PROHIBITED USES

1. All uses not explicitly permitted are prohibited, including, but not limited to:
 - A. Adult Entertainment Use
 - B. Auto Body Shops
 - C. Automotive Rental
 - D. Farming or Agricultural Uses
 - E. Gas Stations
 - F. Outdoor Storage
 - G. Single-Family Detached
 - H. Any or All Industrial Type Uses.

ACTIVE GROUND FLOOR USES

75% of ground floor street frontages on Passaic Street and Market Street should be occupied by Active Ground Floor Uses. If dwelling units are on the ground level, they must be direct entry.



3.3 BULK REGULATIONS

Development in the Market Street Redevelopment Plan Area is subject to the following requirements:

Market Street Redevelopment District (MSRD) Bulk Standards		
Regulation	Buildings of five (5) stories or less	Buildings of six (6) stories or more
Minimum Lot Area	2,000 sq.ft.	20,000 sq.ft.
Minimum Lot Width	25 ft	75 ft
Maximum Lot Coverage ¹	95%	95%
Minimum Building Height	2 stories/20 ft	2 stories/20 ft
Maximum Building Height ²	5 stories/55 ft	6 stories/65 ft
Floor-to-floor Height Minimum	Ground floor: 12 ft; All other floors: 9 ft	Ground floor: 12 ft; All other floors: 9 ft
Minimum Front Yard Setback	0 ft	0 ft
Minimum Side Yard Setback	0 ft	0 ft
Minimum Rear Yard Setback	Adjacent to residential: 10 ft.; Adjacent to all other uses: 0 ft	Adjacent to residential: 10 ft.; Adjacent to all other uses: 0 ft

1. Proposed new construction that exceeds five (5) stories is subject shall provide the following additional materials:
 - a. A traffic study supplied by applicant which proves to the satisfaction of the City Engineer and Traffic Division officer that the street on which the property is located, and the nearby intersections have capacity sufficient to handle the increased traffic volumes at the existing level of service.
 - b. A drainage study supplied by the applicant which proves to the satisfaction of the City Engineer that the site will be adequately drained so as not to have an adverse effect on the surrounding properties or on the streets to which drainage is directed and proves to the satisfaction of the City Engineer that the additional runoff created by the proposed development will not overload the existing drainage facilities.
 - c. A letter from the Passaic Valley Water Commission that the existing water supply system can provide adequate service to the proposed development in terms of quantity of water and in terms of water pressure.
 - d. A developer is to supply a study of the available sanitary sewer system and proposed hookup which proves to the satisfaction of the City Engineer that adequate service will be provided and that the flow will not overload the existing sanitary sewer system.
 - e. The approval of the site plan by the Passaic County Planning Board where a development is located on a county road or where there will be any effect on county facilities.
2. A proposed retrofit that exceeds five (5) stories is exempt from providing the additional materials detailed in **Section 3.3.1.**

¹ Existing buildings shall be exempt from the maximum lot coverage requirement.

² Parapets to conceal mechanical equipment shall not be included in the calculation of building height.



3.4 RESIDENTIAL UNIT MIX

1. **Multifamily Building Dwelling:**
 - a. No more than 25% of dwelling units within one building shall consist of one-bedroom units and studios.
 - b. A one-bedroom dwelling unit with a den shall count as a two-bedroom unit.
 - c. A dwelling unit shall not contain more than four bedrooms. A 4-bedroom unit with a den shall count as a five-bedroom unit.
 - d. Workforce Housing is required per **Section 3.8** of this Plan.
2. Buildings with residential uses shall provide laundry facilities and central air conditioning for each dwelling unit either in the unit or in common areas accessible only to residents. Window air conditioning units are not permitted. Television connections shall be provided for each unit. One satellite dish shall be permitted per structure and may not be visible from any street.

3.5 DRIVEWAYS & CURBS

1. Driveways shall not be located closer than five (5) feet from a property line, nor closer than ten (10) feet from an existing driveway on an adjacent property, unless pre-existing conditions warrant it and the site functions properly and safely.
2. Two-way driveways shall be a minimum of 24 feet wide; where a center median is proposed, the median shall be a minimum of five feet in width and the driveway shall be a minimum of 18 feet in width. Two-way driveways may be less than 24 feet wide based upon testimony provided to the Planning Board.

3.6 PARKING

1. Parking may be provided as surface parking or garage spaces.
2. Parking is prohibited in any required front yard setback.
3. Compact car spaces, measuring eight (8) feet by 16 feet, shall be permitted provided the total number does not exceed 20% of total parking provided. All other parking spaces shall be at least nine (9) feet by 18 feet.
4. Electric Vehicle Charging Stations and Make-Ready Parking Spaces shall be provided in accordance with the City of Passaic Code Chapter 317 Article IX.
5. Adequate fire and emergency access must be provided subject to the City of Passaic Fire Department.
6. On-site parking shall not be used for any purpose other than parking.
7. Pedestal-style parking is not permitted, unless provided in the rear of the building and not visible from the principal street.
8. Adequate parking facilities for accessibility to people with mobility impairments shall be provided as required by the Americans with Disabilities Act (ADA).
9. Parking Ratios. Parking in the **Market Street Redevelopment Plan Area** shall be required based on the following table. Where a use is not listed, refer to general parking requirements in **Article VII** of the City Zoning Code.



Permitted Uses	Minimum Parking Requirements
Studio	0.75 spaces per unit
One-bedroom unit	0.75 spaces per unit
Two-bedroom unit	1 space per unit
3+ bedroom unit*	2 spaces per unit
Two-family	1 space per unit
Institutional	1 space/500 square feet (gross floor area)
Commercial	2 spaces/1,000 square feet (gross floor area)
Office	1 space/500 square feet (gross floor area)
Hotel	1 space per room
Theater	1 space/3 seats

- a. On-street parking shall not be counted towards the parking requirements.
10. Off-Site Shared Parking. Shared parking is encouraged within the Market Street Redevelopment Plan Area. The Planning Board is hereby given the authority to waive any or all of a use's parking requirements in the Market Street Redevelopment Plan Area if a parking structure or surface parking lot with adequate capacity is located within 500 feet of the subject use or the Planning Board finds adequate on-street parking is available. In order for off-site parking to satisfy parking requirements, the following conditions shall be met:
- a. An off-site parking 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.
 - b. 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.
11. On-Site Shared Parking: A shared parking plan may be approved by the Planning Board for mixed-use projects based upon recommendation of a shared parking study by appropriate professional.
12. Payment in Lieu of Parking (PILOP). When the proposed construction and use of any new building or structure or the proposed enlargement or increase in the capacity of new use of any existing building or structure results in practical difficulty or undue hardship in complying with the off-street parking requirements of the Market Street Redevelopment Plan Area, the Planning Board, in its discretion, upon finding(s) that such difficulty or undue hardship exists, and if the applicant is otherwise in accordance with the provisions of the Municipal Land Use Law, may permit the applicant to elect to contribute to the City's Parking Improvement Program (PIP) Trust Fund in lieu of providing the total number of parking spaces required by City ordinance.
- a. The Planning Board, when reviewing an application for development which requests a parking space variance, shall determine the number of off-street parking spaces required for the application to conform to the requirements of the Market Street Redevelopment Plan Area, and then shall establish the number of parking spaces for which the applicant seeks a variance.
 - b. Pursuant to Article VI, Chapter 29 of the City Code of the City of Passaic and any amendments thereto, the PIP fee assessed for a market rate rental residential unit shall be \$5,000, and the PIP fee assessed for a commercial or institutional parking space shall be \$2,500. In the event an application for development is unable to provide the mandatory Electric Vehicle (EV) Charging Stations and Make-Ready Parking Spaces, then a PIP fee of \$7,500 for each EV and make ready space shall be assessed.



13. The first five dwelling units in buildings newly constructed or adaptively reused under this Plan shall be exempt from the off-street parking requirements herein.
14. The first 10,000 square feet (gross floor area) of commercial space in buildings newly constructed or adaptively reused under this Plan shall be exempt from the off-street parking requirements herein.
15. Structured Parking. The use of structured car park to provide parking on-site is encouraged. Structured parking should meet the following requirements:
 - a. Structured parking shall utilize the architectural vernacular of surrounding building facades and shall be made to appear as an occupied building or utilize liner buildings.
 - b. Blank walls shall not be permitted.
 - c. Structures shall utilize design elements such as arcades, awnings, landscaping, colonnades, and/or street furniture to incorporate the building into the surrounding area.
 - d. Parking entrances shall be identified through increased massing, architectural elements, and/or signage to ensure the entrance is easily visible from the access drive or street. Where possible, access shall be from secondary streets or alleys.
 - e. At least one elevator within a structured parking building must be sized such that a standard stretcher can fit inside the elevator.
 - f. All ground floors must comply with Active Ground Floor Use requirements. Parking entrances should be located on the least intensive street available, including alleys.

3.7 BICYCLE PARKING REQUIREMENTS

1. A designated area within the Market Street Redevelopment Plan Area shall be provided for bicycle parking for any multi-family building. The area can be permitted inside the building or outside in a protected area. Parking shall be provided in such a way that allows for a bicycle to be properly secured, via a bicycle rack or locker.
2. A minimum of one (1) internal bike parking space per 10 units shall be required, with additional outdoor bike racks located for public and private use.

3.8 AFFORDABILITY – WORKFORCE HOUSING

- A. Workforce housing shall be defined as housing affordable to households earning between 60% and 120% of the area's median income (AMI). AMI shall be determined using applicable HMFA standards.
- B. Workforce housing shall be provided on-site as part of any new construction under this Plan consisting of ten (10) or more dwelling units.
- C. Fifteen percent (15%) of for sale units within buildings shall consist of workforce housing, with the exception of buildings six stories or higher for which the requirement is 20%.
- D. Workforce housing development shall be structured in conjunction with the following bedroom distribution:
 - a. The number of one-bedroom units is no greater than 20% of the total number of workforce housing units;
 - b. At least 30% of all workforce housing units are two-bedroom units;
 - c. If practicable, at least 20% of all workforce housing units are three-bedroom units; and
 - d. The remainder, if any, may be allocated at the discretion of the redeveloper.
- E. Buildings rehabilitated under this Plan shall be exempt from the workforce housing requirements herein.
- F. Workforce housing requirements may be further defined and negotiated, including their duration, as part of a redevelopment agreement between the City of Passaic Redevelopment Agency and a designated redeveloper, and obligated through a covenant between the aforementioned parties.
- G. At least 50% of workforce housing shall be affordable to residents earning 60 to 75% of AMI.
- H. Workforce housing requirements may include a residency requirement to provide City of Passaic residents a priority over non-residents.



4.0 BUILDING AND SITE DESIGN

These design guidelines shall be applied with the relevant use and bulk standards to reinforce the physical and spatial characteristics of Market Street Redevelopment Plan Area. Any development that occurs in the Market Street Redevelopment Plan Area should be considered in the context of the overall redevelopment area with regards to building height, massing, siting, materials, color or other design characteristic. These standards are intended to apply to renovations of existing buildings, to infill construction and to new construction.

The following guidelines are intended to create a plan that excels at providing comfortable, convenient and aesthetically pleasing high density residential development for the City.

4.1 ARCHITECTURE AND RESIDENTIAL STANDARDS

1. **Dwelling Unit Mix.** The mix of dwelling units shall be of the size and the mix set forth in **Subsection 1 of Section 3.4** in an arrangement that promotes the enjoyment of the dwelling units, other on-site facilities and the community as a whole by residents of the development. The Planning Board shall require, as a condition of final approval of the development plan, the provision that the locations of the dwelling unit mix conform with the above standards.
2. **Dwelling Unit Privacy.** Adjacent dwelling units shall be adjoined in such a manner as to provide code required STC values for soundproofing and privacy between such units.
3. **Site Layout.** The development plan shall locate buildings, parking areas and open space in an arrangement that promotes the enjoyment of dwelling units, other on-site facilities and the community as a whole by residents of the development. Dwelling units and buildings shall be oriented towards the public street and interior open spaces and away from parking lots and garages. Surface parking lots and garages are not permitted in the front yard setback of any property, any proposed side yard shall be masked with architectural or landscape features.
4. **Individuality of Dwelling Units and Buildings.** In order to provide attractiveness, identity and individuality to dwelling units, buildings and complexes of buildings within the entire development and to avoid the monotonous repetition of design elements and its undesirable visual effects, the following design standards shall be utilized:
 - a. Varying dwelling unit widths, staggering dwelling unit setbacks and altering building heights and rooflines;
 - b. Varying architectural embellishments to roofs between dwelling units, buildings or complexes of buildings including roof elements such as dormers, belvederes, masonry chimneys and similar elements, provided that such are architecturally compatible with the style, materials, colors and details of the building;
 - c. Varying the front entrance definition and articulation between dwelling units, buildings or complexes of buildings, provided that such are architecturally compatible with the style, materials, colors and details of the building.
5. **Entrance Lighting.** A minimum of one (1) warm LED light fixture, (2,700-3,000K) shall be provided outside each exterior entrance to a dwelling unit or building.
6. **Fire Escapes.** Buildings containing dwelling units located above the second story and requiring a second means of egress pursuant to the Uniform Construction Code shall not utilize an attached external fire escape as one of the required means of egress.
7. **Dwelling Unit Storage Space.** Each dwelling unit shall be provided with a completely enclosed, covered storage space. Such storage area shall be exclusive of normal interior closets and may either be contained within the dwelling unit or building, attached thereto or located separately.



8. **Community Space.** Any proposed multi-family development with 20 units or larger shall incorporate approximately 3,000 sq.ft. of interior community space, such as: a wellness/fitness center, business center, concierge services, recreation room, and library or jitney services. All these services should be for the use of building residents only.
9. **Common Open Space.** Active and passive recreational areas and other public and/or semipublic open space, such as courtyards, plazas, alleys and pedestrian walkways, shall be designed to promote use and enjoyment by residents of the development. Such areas shall be designed to utilize natural features of the site, including existing vegetation, where possible, and shall be extensively landscaped with a wide variety of plant materials. Where such areas are enclosed by buildings, such as courtyards and plazas, they shall be designed to be architecturally formal and geometrically logical, however, this shall not preclude the use of curvilinear designs for walkways or landscaped areas.
10. **Type of Lighting Source.** Low-wattage lamps shall be used along all sidewalks, walkways, courtyards and plazas and on any building or unit. Parking lot lighting shall be incandescent or another light source compatible with the same. Both shall comply with the City's lighting standards.
11. **Cable Television Utility.** All dwelling units shall be provided with such facilities for potential linkage to the City's cable television utility.
12. **Maintenance Equipment Storage.** An accessory building shall be provided for the storage of maintenance equipment, if such is to be stored on-site. Such accessory building shall be architecturally compatible with the style, materials, colors and details of the principal buildings.
13. **Common Entrances.** Multi-family buildings with common entrances, lobbies, elevators and/or stairwells shall be designed to promote safety and security of residents and visitors using such areas.

4.2 FAÇADE STANDARDS

1. Façades shall be expressed as building nodules to reduce the apparent size of larger buildings and to set up a rhythm in the façade that expresses the traditional scale of buildings. Architectural variety in building material, massing, cornice height, and window style/height/arrangement is encouraged.
2. All buildings shall provide scale-defining architectural elements or details, such as windows, spandrels, awnings, porticos, pediments, cornices, pilasters, columns and balconies.
3. All entrances to a building, except service and emergency egress doors, shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, balustrades and other elements, where appropriate. Any such element utilized shall be architecturally compatible with the style, materials, colors and details of the building as a whole, as shall the doors.
4. Building exteriors shall have vertical and/or horizontal offsets to create visual breaks on the exterior. Monotonous, uninterrupted walls or roof planes shall be avoided. Building wall offsets, including projections such as balconies, canopies, awnings, and signs, recesses, and changes in floor level, shall be used in order to add architectural interest and variety and to relieve the visual effect of a simple, long wall. Similarly, roofline offsets, dormers, or gables shall be provided in order to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.
5. The architectural treatment of the front facade shall be continued in its major features around all visibly exposed sides of a building. All sides of a building shall be architecturally designed to be consistent with regard to style, materials, colors and details.
6. There shall be no blank facades and shall adhere to the standards listed above and in this document.



7. Articulate the building entrance in the façade to make it easily identifiable by pedestrians and motorists and to provide architectural interest.

4.3 ROOFS

1. The shape, pitch, and color of a roof should be architecturally compatible with the style, materials, and colors of such building.
2. If the 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 detailing.
3. Pitched roofs are encouraged to have dormers, chimneys, cupolas, and other similar elements to provide architectural interest. These elements shall be compatible with the style, materials, colors, and details of the building.
4. Roofline offsets shall be provided along any roof measuring more than 50 feet in length in order to provide architectural interest and articulation to a building.

4.4 MECHANICAL EQUIPMENT SCREENING

1. Screening of rooftop mechanical equipment is required.
2. All rooftop mechanical equipment including cell phone antennae shall be screened from view from all adjacent public streets, open spaces and parks in all directions and elevations to minimize the negative impact.
3. Screening materials shall be consistent with the architectural detail, color and materials of the building. Wire mesh screening is not permitted.
4. All roof and HVAC systems must meet the building code requirements and at minimum be set back from the building edge a minimum of 15 feet from any street or public open space and screened as to not be visible from any adjacent public street or public property within the Market Street Redevelopment Plan Area.
5. If wall pack ventilation units are being used, they are required to match the adjacent building material color.
6. The parapet wall to screen mechanicals shall not be counted towards the building height calculation.



4.5 TRASH/TRASH ENCLOSURES/RECYCLING

1. All loading, refuse collection and service and utility areas must be sufficient to serve the business being conducted on the parcel without using adjacent streets. No such areas shall be visible from any neighboring property or adjacent street and must be setback 10 feet or more from adjacent streets. Provision must be made for handling all freight in rear yards or on those sides of the buildings which do not face a street. The recommended method of screening shall consist of walls and gates compatible in color and texture with the building material, buffered by a landscape strip. The strip shall have a minimum width of three (3) feet and shall be located on all sides that do not include an entry access or abut a windowless façade. Buffers shall be planted so as to sufficiently obscure the view of the facilities from public view throughout the year and walls and gates constructed as to minimize any emissions of noise or odor. The screen shall not be less than five (5) feet in height at the time of planting and eight (8) feet in height at the time of maturity.
2. All outdoor containers shall be visually screened within a durable, noncombustible enclosure, so as not to be visible from adjacent lots or sites, neighboring properties or streets. No collection areas shall be permitted between a street and the front of a building.
3. Collection areas shall be effectively designed to contain all material generated on site and deposited between collections. Deposited materials should not be visible from outside the enclosure.
4. Collection enclosures shall be designed of durable materials with finishes and colors which are unified and harmonious with the overall architectural theme.
5. Collection areas shall be located upon the site so as to provide clear and convenient access to collection vehicles. Refuse collection and recycling areas shall not be located within required landscaped yards and buffers.
6. An option to reduce the visual impact of the collection containers is to store and compact material inside the building, thus eliminating the need to screen outside containers.
7. Delivery, loading, trash removal or compaction, or other such operations may be limited by the City of Passaic Redevelopment Agency between certain hours where noise impacts at the lot line of any adjoining residential property or district shall be required to meet City and State requirements. Also, the applicant shall provide an effective litter management plan, subject to the Redevelopment Agency's approval. Such management plan shall be submitted with an application for final site plan approval.

4.6 UTILITIES

All new utility distribution lines and utility service connections from such lines to buildings in the Market Street Redevelopment Plan Area shall be located underground. To the extent possible, existing utility lines should also be relocated underground. Remote readers for all utilities, in lieu of external location of the actual metering devices, are preferred.

4.7 LIGHTING

1. Adequate lighting shall be provided for all parking areas and pedestrian walkways. All outdoor lighting, including streetlamps and accent lighting, should comply with "dark sky" standards intended to reduce light pollution. Dark sky standards require that lighting is downcast, illuminates only the intended areas, and does not cause disabling glare that affects driver safety and reduces the visibility of starry night skies. Lighting for a building must be contained on the property on which the building is located. LED lighting shall be permitted in addition to all of the conditions of the City ordinance standards for lighting.



2. Pedestrian light fixtures along sidewalks and walkways shall have a maximum mounting height of 15 feet.
3. Parking lot, service area and street lighting shall be provided by freestanding light fixtures designed to minimize glare to the street and adjacent lots. Such fixtures shall have a maximum mounting height of 25 feet.
4. The type and color of the light fixture and pole shall be evaluated for compatibility with existing street lighting in the vicinity of the site.
5. Blocks shall have uniform street lighting themes.
6. All lighting shall be serviced by underground wiring.
7. Spotlight-type fixtures attached to buildings are prohibited.
8. Where lights along lot lines will be visible from the interior of adjacent buildings, the lights shall be properly shielded and/or mounting heights reduced.
9. All lighting designs and installations are subject to the City of Passaic Redevelopment Agency review and approval.
10. All lighting plans shall be accompanied by a point-by-point plan indicating numerical illumination levels. The plan shall indicate the average, minimum, maximum and minimum to maximum illumination levels for maintained foot-candles.

4.8 WINDOWS

Front windows in commercial buildings should allow for a clear view into the building from the sidewalk. Ground-floor retail, service, and restaurant uses should have large-pane display windows, framed by the surrounding wall, and shall comprise between 50% and 75% of the total ground-level façade area. Signage that obstructs window display is not permitted.

4.9 STORMWATER MANAGEMENT

All stormwater runoff systems shall comply with the New Jersey Department of Environmental Protection Stormwater Management Rules via N.J.A.C. 7:8. The manual serves as a resource for guiding municipalities, planners, and local officials in adopting best management practices for dealing with stormwater runoff. The use of green infrastructure in accordance with N.J.A.C. 7:8 should be implemented whenever possible to avoid stormwater pollution related runoff into the river.



5.0 ROADWAY DESIGN AND CIRCULATION

Efficient circulation through the Market Street Redevelopment Plan Area shall be maintained at all times. All uses within the Market Street Redevelopment Plan Area shall ensure their operations do not interfere with the safe and efficient operations of any public roadway within the Market Street Redevelopment Plan Area.

5.1 ROADWAY DESIGNS

All roadways within the Market Street Redevelopment Plan Area shall be designed and constructed in accordance with guidelines established by the American Association of State Highway and Transportation Officials. Any deviation from design guidance shall be approved by that roadway's jurisdiction and in accordance state and county statutes and shall provide purpose and professional reference for the requested deviation.

5.2 REGULATORY SIGNAGE

All regulatory signage shall adhere to standards set forth by the Manual of Uniform Traffic Control Devices (MUTCD).

5.3 ADA REQUIREMENTS

All circulation improvements shall adhere to Federal and State law with respect to the Americans with Disabilities Act.

5.4 TRAFFIC IMPACT STUDY

For any application to construct a new building of six stories or more, a traffic study shall be supplied by the applicant which proves to the satisfaction of the City Engineer and Traffic Division officer that the street on which the property is located and the nearby intersections have capacity sufficient to handle the increased traffic volumes at the existing level of service.



6.0 STREETScape AND PUBLIC REALM DESIGN

Public realm improvements and furnishings within the Market Street Redevelopment Plan Area are intended to create a pedestrian-friendly environment, provide an attractive gateway into Passaic, and improve the aesthetics of the area. Where Passaic has determined that existing streetscape and open space features have deteriorated, do not exist or need improvement, the applicant/owner/redeveloper may be required to make related site improvements at the time of site plan approval.

6.1 STREET TREES

1. Street trees shall be planted along the streets within or adjacent to the Market Street Redevelopment Plan Area. Shade trees should be planted to create a traditional allee (a line of trees along both sides of the street).
2. Where street trees are not currently provided, they shall be placed at regular intervals on all streets within the Market Street Redevelopment Plan Area and shall be planted at approximately 40 feet on center. Exceptions to the 40-foot spacing are allowed for curb cuts to parking areas, lobby entrances and utility facilities located within the sidewalk area.
3. The genus-species of trees shall be consistent with the existing foliage to harmonize the natural setting in the surrounding area. Tree types and location shall be subject to approval by the Planning Board.
4. Trees shall not be planted in a way that would negatively impact pedestrian circulation and visibility.
5. Tree pits shall be at least one-third (1/3) larger in width and in depth than the existing root ball of the particular tree to be planted. The pit in which the tree is to be planted shall contain proper amounts of topsoil and peat moss, but no chemical fertilizer shall be added until the tree has been planted for one year.
6. Within sight triangles, a tree may be permitted only with the site-specific approval of the City Engineer.
7. Root barriers shall be placed along the tree side of a sidewalk for a distance of 12 feet, centered on the trunk.
8. Street tree requirements may be waived by the Passaic Redevelopment Agency where existing preserved vegetation is considered sufficient to meet these requirements and is reasonably assured of continued survival.
9. Street trees shall be planted so as not to interfere with the installation, safe use, and maintenance of sidewalks, roadways, and utilities.
10. All trees shall be nursery-grown stock and shall have a root ball wrapped in burlap, with a replacement guarantee by the developer of two (2) years.



6.2 SIDEWALKS

1. Sidewalks shall be located along all streets and kept in good condition at all times to accommodate the safe travel of pedestrians and persons with limited mobility.
2. Sidewalks within the Redevelopment Plan Area shall be a minimum of 5-feet wide, with a width of 8 feet or greater encouraged to promote well-placed street amenities and outdoor dining.
3. Existing curb cuts within the Market Street Redevelopment Plan Area that will not be used by any proposed development shall be replaced with new sidewalks to match the surrounding sidewalk materials and design.
4. Sidewalks are encouraged to be constructed with dyed and stamped concrete for sidewalk or similar material to create an attractive streetscape. Sidewalk design, colors, and materials shall be submitted for review, and subject to approval by the Planning Board.
5. Outdoor seating and dining are permitted in the Redevelopment Plan Area in accordance with Chapter 194 of the Municipal Code.

6.3 STREETScape LIGHTING

1. Street lighting shall be constructed and located in accordance with City streetscape guidelines. Lighting shall be of a type supplied by or approved by the utility and of a type and number approved by the Planning Board and shall be provided for all street intersections and along all streets within the redevelopment area as deemed necessary for safety reasons. Wherever electric utility installations are required to be underground, the applicant shall provide for underground service for street lighting.
2. Pedestrian-scale, decorative lighting (12 feet to 14 feet in height) shall be provided at regular intervals, as approved by the Planning Board, along the public right of way within the Market Street Redevelopment Plan Area.
3. The lighting scheme shall be chosen to illuminate the sidewalks and walkways and promote an enjoyable pedestrian experience, sense of security, and unified look throughout the Market Street Redevelopment Plan Area. Where possible, lighting should be located at pedestrian crossing locations to increase their visibility.
4. Decorative lighting may contain features such as hanging plant baskets and/or banners, where such features meet the approval of the Planning Board.

6.4 STREETScape FURNISHINGS

1. Street furniture in the area is encouraged. They should be generally uniform in style and placed in convenient and appropriate locations. Their design should be tasteful and visually appealing, consistent with the character of Passaic. Examples of streetscape amenities include:
 - a. Benches/wall seating
 - b. Public art
 - c. Lighting
 - d. Planters
 - e. Bike racks
 - f. Trash and recycling containers
2. The property owner shall be responsible for the maintenance of all street furniture, including raised planter landscaping and care, the emptying of garbage and any repairs necessary.



3. Any publicly viewable art installation shall be done in keeping with the character and values of the community of Passaic and shall be subject to the review and approval by the Passaic City Council.

7.0 PLAN CONSISTENCY

The Redevelopment Plan carefully considers the needs, issues, and opportunities of multiple jurisdictions in an effort to further the goals of existing plans.

7.1 RELATIONSHIP TO LOCAL PLANNING OBJECTIVES

2013 Passaic Master Plan. This Plan acknowledges and serves to address many of the goals and objectives noted in the 2013 Master Plan. The City's Master Plan carried forward and amended relevant goals and objectives from its 2007 Master Plan Reexamination Report and the City's 2010 Five-Year Consolidated Plan. The goals and objectives relevant to the Market Street Redevelopment Plan Area include:

1. To retain housing and preserve neighborhoods by increasing the supply of standard housing affordable to lower income households;
2. Increase the supply of affordable housing through new construction;
3. Improve the safety and livability of neighborhoods;
4. Increase access to quality public facilities and services;
5. Restore and preserve properties of special historical, architectural, or aesthetic value;
6. Conserve energy resources;
7. Expand economic opportunities through job creation and retention;
8. Establish, stabilize, and expand businesses and neighborhoods.

2015 Passaic Master Plan Economic Development Element. The 2013 Master Plan recommended the drafting of an Economic Development Element. The Element provides specific goals, objectives, and strategies for Commercial Corridors and Districts and Redevelopment Plan Areas. The Market Street Redevelopment Plan is consistent with and effectuates the following relevant goals, objectives, and strategies:

Commercial Corridors and Districts

1. Facilitate business formation, preservation, and expansion.
2. Foster business and pedestrian friendly atmosphere.
 - a. Enhance aesthetic appeal of all commercial areas
 - b. Make streetscape improvements
 - i. Identify where improvements are necessary and develop a streetscape improvement plan and timeline for completing them
 - ii. Clearly identify and mark pedestrian crosswalks
 - c. Improve parking availability and accessibility
 - i. Use signage to direct visitors to existing parking
 - d. Ensure local regulations support local businesses and promote the City's continued vitality and uniqueness
 - i. Encourage mix of uses within commercial areas



- ii. Permit outdoor dining where appropriate
3. Identify, embrace, and promote the unique identity of each of the major commercial corridors and districts within Passaic
 - a. Develop a vision for each commercial area that promotes and celebrates its unique character and appeal
 - b. Use signage as a way to identify each commercial area and create a “sense of place”
 - i. Design and install attractive and thematic welcoming, informational and wayfinding signage (e.g., parking location, listing of businesses in a given block, directional maps)

7.2 RELATIONSHIP TO OTHER PLANS

Wallington Master Plan. The Market Street Redevelopment Plan Area is near the boundary between the City of Passaic and the Borough of Wallington. Wallington last adopted its Master Plan in 1979 with the last re-examination of the Master Plan occurring in 2006. The Master Plan was subsequently amended in 2020 to comply with the Borough’s Housing Element and Fair Share Plan (HEFSP). The Market Street Redevelopment Area can be accessed from Wallington via Market Street and 8th Street over the Passaic River. In Wallington, the land immediately adjacent to the Market Street Redevelopment Plan Area and on the other side of the Passaic River are generally multifamily residential and other small scale residential. This Plan is consistent with the goals of the Borough’s Master Plan and its Reexamination, which include:

- To control redevelopment so that it is compatible with, and/or enhances, existing land use and is in accordance with the Master Plan.
- To promote industrial and commercial uses within the Borough that will provide services, amenities, and employment to local residents.
- To provide a variety of transportation to meet all citizens’ needs.
- To provide adequate housing to meet the needs of the existing population.
- To direct or aid in the general upgrading of buildings and neighborhoods where this is needed.
- To provide a diversity of housing to meet the needs of all age groups, income levels, sexes, minorities, physical abilities, and varying sized families.

Garfield Master Plan. The Market Street Redevelopment Plan Area is near the boundary of the City of Passaic and the City of Garfield. Garfield last adopted its Master Plan in 2002 with the last re-examination of the Master Plan occurring in 2014. In its 2014 Reexamination, the City restated its Land Use goals. As well, it recommended continuing its redevelopment efforts promptly, creating a “restaurant row” and providing streetscape enhancements along the River Road Corridor to stimulate growth and create a high-energy business district. This is consistent with the goals of this Plan as River Drive is directly across the Passaic River from the Redevelopment Area with direct access via Wall Street and East Monroe Street.

Passaic County Master Plan. The County of Passaic does not have a current Master Plan Land Use Element. However, the County adopted a Transportation Element in 2012, a Sustainability Element in 2013, and a Parks and Open Space Plan in 2014. The Transportation Element, *Moving Passaic County*, promotes a vision for a more cohesive transportation system that maximizes investment, promotes efficiency and provides more choices. The Transportation Element notes the Market Street corridor as a “Potential Development Area” where new development should occur within the County. The Plan also has an emphasis on Complete Streets policies to give residents a wider range of transportation options and to promote greater utilization of public transportation. The proposed redevelopment plan is substantially consistent with the existing County Plan Elements.



State Development and Redevelopment Plan. The objectives of the Market Street Redevelopment Plan are consistent with the goals, strategies and policies of the 2001 New Jersey State Development and Redevelopment Plan (SDRP). The entire Plan Area is located within the PA-1 Metropolitan Planning Area, where growth and redevelopment is recommended. Ultimately, the Redevelopment Plan will provide diverse housing options, affordable housing opportunities, and support the usage of public transportation because of the Market Street Redevelopment Plan Area's proximity to existing bus routes and the location of nearby New Jersey Transit rail stations.



8.0 IMPLEMENTATION

8.1 DESIGNATION OF REDEVELOPMENT ENTITY & ITS POWERS

1. The City of Passaic Redevelopment Agency (PRA) shall be the designated Redevelopment Entity as permitted under the Local Redevelopment and Housing Law (N.J.S.A. 40A: 12A-1 et seq.) (“LRHL”) and shall for the purposes of this report be identified as the Passaic Redevelopment Agency (PRA).
2. The governing body of Passaic has designated the Passaic Redevelopment Agency to implement redevelopment plans and carry out redevelopment projects in the area designated by this plan if necessary.
3. When necessary for the implementation of this plan, PRA, as authorized shall designate and enter into a contract with redeveloper(s) for any construction or other work forming a part of this redevelopment plan (N.J.S.A. 40A: 12A-4(c)).
4. The designated redeveloper(s) shall agree to retain interest acquired in the project until the completion of construction and development of the specified project, as required by this redevelopment plan. The redeveloper shall further agree not to lease (other than residential leases to residential end-users of the residential units and site improvements constructed in the Market Street Redevelopment Plan Area), sell or transfer any interest acquired, or any part thereof, without prior written approval of the PRA.

8.2 CRITERIA AND PROCEDURES FOR REDEVELOPER SELECTION AND IMPLEMENTATION OF THE REDEVELOPMENT PLAN

1. Applicants wishing to be designated as redeveloper(s) shall submit the following materials to the PRA, together with any other materials requested by the PRA (collectively, “Redeveloper Materials”):
 - a. Documentation evidencing financial responsibility and capability with respect to proposed development.
 - b. Estimated offering price and deposit for acquisition of any land(s) to be acquired from the municipality for development.
 - c. Estimated total development cost.
 - d. Fiscal impact analysis addressing the effect of the proposed project on municipal services and tax base.
 - e. Detailed description of proposed public amenities and benefits.
 - f. Estimated time schedule for start and completion of development.
 - g. Conceptual plans and elevations sufficient in scope to demonstrate the design, architectural concepts, parking, vehicle and pedestrian circulation, landscaping, active and/or passive recreation space, and sign proposals for all uses.
 - h. A detailed proposal for the transition and relocation assistance that will be provided to existing tenants, including where feasible incorporation of existing tenants in the project.
 - i. A certification that no member of the governing body nor any member of the PRA will receive any pecuniary benefit from the Redeveloper or as a consequence of the redevelopment of the subject properties.
 - j. The Passaic Redevelopment Agency (PRA) shall review such submissions, may request supplemental information (which supplemental information shall be considered within the scope of “Redeveloper Materials”) and, in its reasonable discretion, determine the acceptability of such submissions and determine whether to proceed with redeveloper designation and negotiation of a redevelopment agreement. The PRA shall have the authority to determine at what pace and in what order it shall designate redevelopers for redevelopment of the properties in the Redevelopment Plan Area.



2. The redeveloper will be obligated to carry out the specified improvements in accordance with the Market Street Redevelopment Plan and the redevelopment agreement.
3. The redeveloper shall devote land within the Market Street Redevelopment Plan Area for the uses specified in the Market Street Redevelopment Plan.
4. Upon completion of the required improvements, the conditions determined to exist on the subject property at the time the Market Street Redevelopment Area was determined shall be deemed to no longer exist, and the land and improvements thereon shall no longer be subject to eminent domain or deemed "in need of redevelopment" pursuant to the LRHL.
5. No covenant, agreement, lease, conveyance or other instrument shall be affected or executed by the redevelopers, the City, or successors, lessees, or assigns of any of them, by which the land in the Market Street Redevelopment Area is restricted as to sale, lease, or occupancy upon the basis of race, color, creed, religion, ancestry, national origin, sex, sexual orientation, or marital status.
6. Neither the redeveloper nor City and the PRA, nor the successors, lessees, or assigns shall discriminate upon the basis of race, color, creed, religion, sexual orientation, ancestry, national origin, sex, or marital status in the sale, lease or rental in the use and occupancy of land or improvements erected thereon or any part thereof the Market Street Redevelopment Area.

8.3 GENERAL PROVISIONS

1. The PRA and the Passaic Planning Board specifically reserve the right to review and approve the redeveloper's plan and specifications with respect to their conformance to the redevelopment plan. Such a review shall be based on submissions to both agencies of a site context plan locating the proposed project in the Market Street Redevelopment Plan Area; a site plan illustrating all site features; and building elevations for facades facing primary and secondary streets. If design changes are made after submission, no construction related to the changed project features can take place until a site plan and other pertinent drawings reflecting such additions or changes have been submitted and approved by both agencies. This pertains to revisions and additions prior to, during, and after completion of such improvements.
2. As part of the final site plan approval process, the Planning Board may require a developer to furnish performance guarantees pursuant to N.J.S.A. 40:55D-53. Either the City Attorney or the Planning Board shall approve such performance guarantees. The amount of such performance guarantees shall be determined by the City and shall be sufficient to assure completion or improvements within two years of final site plan approval.
3. The redeveloper shall also comply with the requirements of the Local Redevelopment and Housing Law, P.L. 1992, Chapter 79.
4. No building shall be constructed over an easement in the project area without prior written approval of the City of Passaic.
5. Utility easements, when necessary, shall be provided by developers and approved by the City of Passaic.
6. The developer of the Market Street Redevelopment Plan Area shall submit, if needed, a storm water management plan as part of the design submission for review by the Planning Board in the Market Street Redevelopment Plan Area is intended to minimize the quantity of storm water entering the municipal sewer system or flowing directly into any adjacent body of water.



8.4 SITE PLAN AND SUBDIVISION REVIEW

1. Any subdivision of lots and parcels of land within the Market Street Redevelopment Plan Area shall be in accordance with the requirements of this plan and the site plan and subdivision ordinance of City of Passaic, except that where this redevelopment plan contains provisions that differ from those in the subdivision ordinance, this plan shall prevail.
2. Prior to commencement of construction, site plans for the construction, and/or rehabilitation of improvements to the Market Street Redevelopment Plan Area, prepared in accordance with the requirements of the City Zoning Ordinance and the Municipal Land Use Law (N.J.S.A. 40:55D-1 et. seq.) and shall be submitted by the developer(s) to the Planning Board for approval.
3. Any revisions to plans previously approved by the Planning Board must also be submitted to the Planning Board for approval. This pertains to revisions or additions prior to, during, and after completion of the improvements.

8.5 INFRASTRUCTURE

The redeveloper, at its 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 with the provision of water, sanitary sewer, and stormwater sewer service 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, street trees, street lighting and its pro rata share of on- and off-site traffic controls and road improvements for the project or required as a result of the impacts of the project. The redeveloper's agreement between the City and the redeveloper will contain the terms, conditions, specifications, and a description of required performance guarantees (such as performance bonds or other acceptable performance security) pertaining to redeveloper's obligation to provide the infrastructure and improvements required for the project.

8.6 ACQUISITION AND RELOCATION

The Redevelopment Plan does not anticipate the need to acquire privately-owned property within the Market Street Redevelopment Plan Area by the City of Passaic.

8.7 AFFORDABLE HOUSING

In order for this Plan to be successful, it needs to promote equitable development that ensures that investment in the Market Street Redevelopment Plan Area benefits existing residents. This is particularly important as it relates to housing. To that end, this Plan requires a "workforce housing" component to be included in any new construction project creating more than ten (10) units. This requirement should be considered a minimum provision of housing for low- and moderate-income households. Should projects pursued under this Redevelopment Plan seek short-term tax abatements or long-term tax exemptions³, the City is encouraged to require developers to provide additional affordable housing, or housing geared towards alternative target markets, in excess of the existing workforce housing requirement.

8.8 REHABILITATION

One of the primary goals of this Plan is to incentivize the rehabilitation and effective reuse of the many older structures located in the Redevelopment Plan Area. In order to facilitate this outcome, rehabilitation projects are exempt from many of the standards included herein, including parking requirements, some bulk standards, and other regulations.

³ This Plan is being pursued under an area in need of rehabilitation designation. As such, long-term tax exemptions are not presently permitted. Long-term tax exemptions would only be permitted if properties within the Redevelopment Plan Area were determined to be an area in need of redevelopment.



8.9 REQUESTS FOR DEVIATIONS AND DESIGN EXCEPTIONS

The Passaic Planning Board may grant deviations from the regulations contained within this redevelopment plan, whereby reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, the strict application of any bulk regulation adopted pursuant to this redevelopment plan would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the redeveloper.

The Planning Board may also grant such relief where the purposes of this redevelopment plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments.

No relief may be granted under the terms of this section if such deviation or relief will have substantial detriment to the public good or 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 N.J.S.A. 40:55D-12a and b. Notwithstanding the above, no deviations should be granted that would permit any of the following: a use or principal structure that is not otherwise permitted by this redevelopment plan; or an increase in the maximum permitted height of a principal structure by more than 10 feet or 10%, whichever is less.

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

8.10 ADVERSE INFLUENCES

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

8.11 PROCEDURES FOR AMENDING THE PLAN

This redevelopment plan may be amended from time to time upon compliance with the requirements of state law. A non-refundable application fee of \$5,000 shall be paid by the party requesting such amendment, unless the request is issued from the City of Passaic. The municipal governing bodies, at their sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study shall be prepared by a professional planner licensed in the State of New Jersey.

8.12 DURATION OF THE PLAN

The selected redeveloper(s) within the Market Street Redevelopment Plan Area shall begin the development of land and construction of improvements within a reasonable period of time, as specified in a redevelopment agreement.

Provisions of this plan specifying redevelopment of the Market Street Redevelopment Plan Area and requirements and restrictions with respect to thereto shall be in effect for a period of 30 years from the date of approval of this plan by the City of Passaic.

8.13 COMPLETION OF REDEVELOPMENT

Upon the inspection and verification by the City of Passaic that the redevelopment within the Market Street Redevelopment Plan Area has been completed, certificates of completion shall be issued to the redeveloper. All redevelopment agreements associated with the implementation of this redevelopment plan shall be in effect until the issuance of such certificates.



8.14 SEVERABILITY

If any section, paragraph, division, subdivision, clause or provision of this redevelopment plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, division, subdivision, clause or provision so judged, and the remainder of this redevelopment plan shall be deemed valid and effective.



APPENDIX A

RESOLUTION NO. 20-07-208

RESOLUTION DESIGNATING THE STUDY AREA CENSUS TRACTS 1752, 1753.01, 1754.01, 1754.02, 1758.01, 1758.02 AND 1759 AS AN AREA IN NEED OF REHABILITATION

WHEREAS, Resolution 20-06-190 adopted by the City Council on June 23, 2020 directed the City of Passaic Planning Board to investigate and determine whether the Study Area as defined by the areas outlined on the City of Passaic Tax Map included herein as Exhibit A (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, the City’s planning consulting firm, Topology NJ, LLC (“Topology”), has investigated and researched the status of the existing conditions in the delineated area on the City of Passaic Tax Map including the age of the existing housing stock; and

WHEREAS, Topology’s findings, presented in a report dated June 16, 2020 the “Area In Need of Rehabilitation Report: City of Passaic” include the fact that over 50% of the residential housing structures in the delineated area were built before 1970 and, therefore, are at least 50 years old and that a program of rehabilitation may be expected to prevent further deterioration and promote the overall development of the community; and

WHEREAS, on July 8, 2020, the City of Passaic Planning Board heard testimony from Philip Abramson and Chris Colley regarding the age and physical condition of the City’s housing stock, that a program of rehabilitation may be expected to prevent further deterioration and promote the overall development of the community; and that the delineated area meets criteria (a)(2) of N.J.S.A. 40A:12A-14; and

WHEREAS, the City of Passaic Planning Board recommends that the Municipal Council designate the Study Area as an area in need of rehabilitation; and

WHEREAS, the City of Passaic’s Topology Report and testimony from Philip Abramson and Chris Colley shall form the principal basis for making the determination that the delineated area is an “Area In Need of Rehabilitation”; and

WHEREAS, the City of Passaic Planning Board has provided its recommendation that the conditions that warrant designating the delineated area on the City of Passaic Tax Map as an “Area In Need of Rehabilitation” to the Municipal Council for consideration of adoption.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF PASSAIC, NEW JERSEY, THAT:

Section 1. The delineated area on the City of Passaic Tax Map 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 City 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 City of Passaic Planning Board is hereby authorized to prepare one or more redevelopment plans indicating that the delineated area on the City of Passaic Tax Map 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.

STATEMENT OF PURPOSE

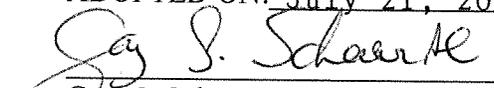
This Resolution designates the delineated area on the City of Passaic Tax Map entirety as an "Area In Need of Rehabilitation" in accordance with the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-14.

INTRODUCED BY COUNCILPERSON: Terrence Love

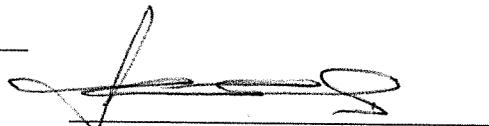
SECONDED BY COUNCILPERSON: Jose Garcia

Record of Council Vote on Final Passage	Aye	Nay	Abstain	Absent
GARCIA, J.	x			
MELO, T.	x			
LOVE, T.	x			
MUNK, C.	x			
PATEL, S.				x
SCHAER, G.	x			
SCHWARTZ, D.	x			

ADOPTED ON: July 21, 2020



Gary S. Schaer, Council President



Amada Curling, City Clerk