



HIGH
LAND
PARK

UPPER RARITAN AVENUE REDEVELOPMENT PLAN

Block 3801, Lots 2, 3, 4, 5, 6, 7, 16 & 17; Block 3802, Lots 2, 6 & 7
Borough of Highland Park, Middlesex County, New Jersey

Prepared by **LRK, Inc.** | July 12, 2024

Upper Raritan Avenue Redevelopment Plan

Block 3801, Lots 2, 3, 4, 5, 6, 16 & 17; Block 3802, Lots 2, 6 & 7
Borough of Highland Park, Middlesex County, New Jersey

Recommended by the Planning Board on Month ##, 2024

Adopted by the Borough Council on Month ##, 2024



Prepared on behalf of:

Highland Park Borough Council

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The original copy of this document was appropriately signed and sealed in accordance to N.J.S.A. 45:14A-1 et seq.

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1 | INTRODUCTION

1.1 PURPOSE OF THIS REDEVELOPMENT PLAN

Highland Park's tree-lined, pedestrian- and bicycle-friendly streets and its walkable downtown create a unique sense of place for its residents, more than half of whom are affiliated with Rutgers University - New Brunswick, making the Borough of Highland Park (the "Borough") a part of the college community across the Raritan River. These key amenities are sought after by both Millennials and "Empty Nesters" alike, both of which are already-growing demographic groups in Highland Park.

Over the past 20 years, the Borough has undertaken several planning activities in efforts to make the community a vital and sustainable place to live, work, and play. The Mayor and Council of the Borough of Highland Park (the "Borough Council") have been proactively engaging in a number of redevelopment projects as a tool for stimulating private investment throughout Highland Park, particularly within the downtown area and other commercial corridors, in accordance with the New Jersey Local Redevelopment and Housing Law (the "LRHL") at [N.J.S.A. 40:A:12A-1 et seq.](#)

Among numerous redevelopment actions taken to date, the Borough Council adopted Ordinance No. 16-1921 in December 2016, which designated the entirety of the municipality as an "area in need of rehabilitation," conducted several preliminary investigations and designated such properties as "areas in need of redevelopment," and prepared several site-specific redevelopment plans throughout the Highland Park.

Concurrently, the Borough has recognized a need for significant and sustained attention to the Upper Raritan Avenue corridor, which was one of several areas of focus in the 2019 Land Use Plan Element of the Highland Park Master Plan (the "Master Plan"). During the public engagement process for the Master Plan, only 5% of survey respondents stated that they would like to see the Upper Raritan Avenue corridor to "remain the same," demonstrating a strong desire from the community for the revitalization of this corridor.

UPPER RARITAN AVENUE CORRIDOR VISION

Evolve to meet current conditions and emerging trends by transforming outdated commercial corridors into safer, more attractive, and livable Complete Streets by enriching the mix of uses and enhancing the gateway to create a sense of arrival.

Map 1. Context Map



The purpose of this redevelopment plan is to create a shared vision and implementation plan for the rehabilitation and/or redevelopment of the frontages of two (2) blocks along the south side of Raritan Avenue, between South 10th Avenue and Merilind Avenue, by “filling in the gap” within the Raritan Avenue streetscape that serves as a high-quality transition between the downtown area and residential neighborhoods.

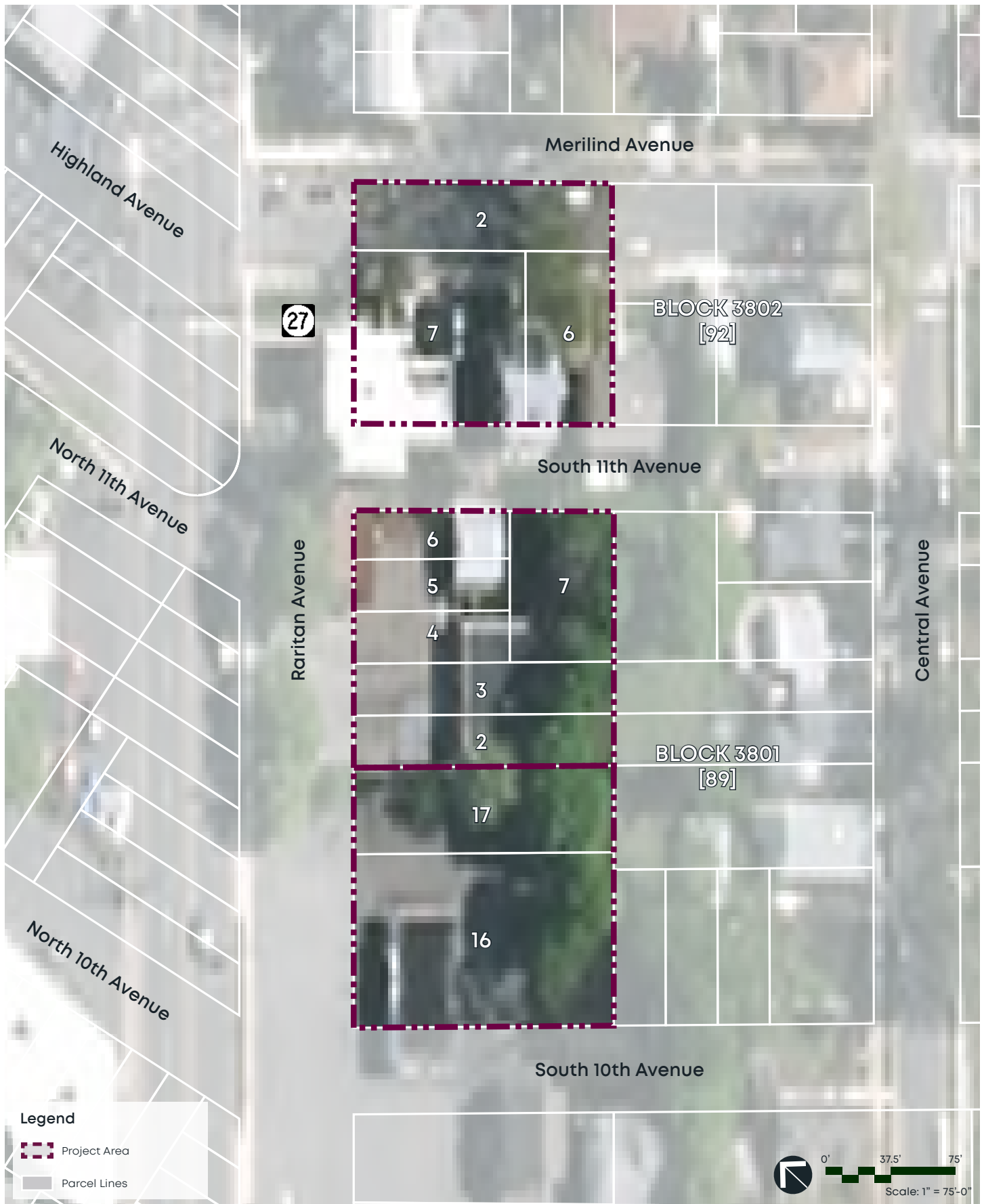
More specifically, the Borough seeks to utilize this redevelopment plan to establish the necessary zoning and development standards to permit mixed-use buildings fronting Raritan Avenue, with driveway access from side streets leading to parking areas at the rear of buildings, related streetscape and site improvements, enhanced sidewalk and bicycle infrastructure and related amenities, together with a series of public benefits and improvements with the principal goal of supporting the evolution and enhancement of the Upper Raritan Avenue corridor.

As such, in order to stimulate private investment, promote community benefits, prevent further deterioration, and advance desirable rehabilitation and/or redevelopment within the Borough, consistent with the vision, goals, and objectives of the Master Plan, the Borough Council seeks to rehabilitate and/or redevelop Block 3801, Lots 2, 3, 4, 5, 6, 7, 16 & 17 and Block 3802, Lots 2, 6 & 7 (the “Project Area”) in accordance with this redevelopment plan entitled “Upper Raritan Avenue Redevelopment Plan” (the “Redevelopment Plan” or “Plan”).



Looking north at the Project Area. Generally, the Project Area contains a mix of vacant and underutilized lots, and several non-conforming uses. During the master planning process in 2019, the Highland Park community raised several challenges associated with the Upper Raritan Avenue corridor, including the lack of a sense of place or arrival, high vehicle speeds and unsafe crossings, lack of pedestrian and bicycle infrastructure and amenities, exposed parking areas, and a lack of street trees, landscaping, and street furniture.

Map 2. Project Area Map



2 | REDEVELOPMENT STATUTE

2.1 PURPOSE OF THE REDEVELOPMENT STATUTE

In 1992, the New Jersey State Legislature enacted the LRHL, which was largely based on the 1949 Blighted Areas Act. The Legislature revised, consolidated, and ultimately replaced the State’s various redevelopment statutes with a new statute concerning redevelopment and housing by the State’s local governments

The LRHL was designed by the Legislature to guide municipalities and local governments through the process of rehabilitation and redevelopment, finding at [N.J.S.A. 40A:12A-2.a.](#) that:

“There exist, have existed and persist in various communities of this State conditions of deterioration in housing, commercial and industrial installations, public services and facilities and other physical components and supports of community life, and improper, or lack of proper, development which result from forces which are amenable to correction and amelioration by concerted effort of responsible public bodies, and without this public effort are not likely to be corrected or ameliorated by private effort.”

Generally speaking, the LRHL is a planning and financial tool that grants municipalities and local governments a number of redevelopment powers, including the ability to initiate a process that can transform underutilized or poorly designed properties with the principal goal of promoting physical development most conducive to the social and economic improvement of the State and its municipalities.

According to the LRHL, before the municipality is authorized to exercise any redevelopment powers, a specified area must be designated a rehabilitation and/or redevelopment area by resolution, and a redevelopment plan must be prepared and adopted by ordinance. In order to utilize the power of eminent domain, the area must have been designated as a “condemnation area in need of redevelopment” or have been designated as a redevelopment area before the effective date of P.L. 2013, c. 159.

Once an area has been designated a rehabilitation and/or redevelopment area, a redevelopment plan may be prepared to utilize various planning and financial tools to eliminate the conditions that cause the area to be considered a rehabilitation and/or redevelopment area, to make redevelopment projects more feasible by utilizing financial subsidies or other incentive programs offered by various agencies, and to foster public-private partnerships that facilitate the desired redevelopment of the area.

From a practical standpoint, a redevelopment plan is essentially a combined “mini” master plan and zoning ordinance for the designated rehabilitation and/or redevelopment area, and may prescribe specific zoning regulations and detailed development and design standards that reflect the community’s vision and desired improvement of the area.

The redevelopment planning process has been used successfully throughout the State, including within the Borough, to creatively improve properties which meet the statutory criteria into healthier, more vibrant and/or economically productive land uses.

REDEVELOPMENT IN HIGHLAND PARK



BEFORE

31 River Road

The Redevelopment Area is located in the western portion of the Borough, and is directly opposite the Environmental Education Center and the Raritan River Greenway. The one-acre lot contained a one-story medical office building containing approximately 11,000 SF of floor area, which stood isolated within a primarily residential area.

The plan promoted multi-family housing in order to attract new markets like empty-nesters and millennials to the community. The Borough incorporated neighborhood input into the plan, including goals and objectives that maintained the existing rear parking lot and vegetation as well as improved existing pedestrian and bicycling issues.

The ultimate redevelopment, now known as "The Frederick," was completed with 34 market-rate and six (6) affordable units.



AFTER

137-139 Raritan Avenue

A small one-story commercial building with limited parking facilities originally stood at 137-139 Raritan Ave. The 2005 Downtown Redevelopment Plan was amended in 2017 to permit residential uses on the ground floor at the rear of the building, providing for needed accessible and affordable housing.

The plan also permitted off-site parking (set at one (1) parking space within 1,000 feet of the property for each residential unit and prohibiting curb cuts along Raritan Avenue), which allowed for the project to move forward after delays.

The redevelopment project culminated in a mixed-use building that expanded the first floor and added a second story to accommodate 2,860 SF of commercial space, four (4) market-rate units and one (1) affordable unit.



BEFORE



AFTER

2.2 ADVANTAGES OF A REDEVELOPMENT PLAN

The advantages of a redevelopment plan are that it empowers additional municipal authority by permitting the use of special flexible Smart Growth planning tools otherwise not available under conventional zoning, including the following:

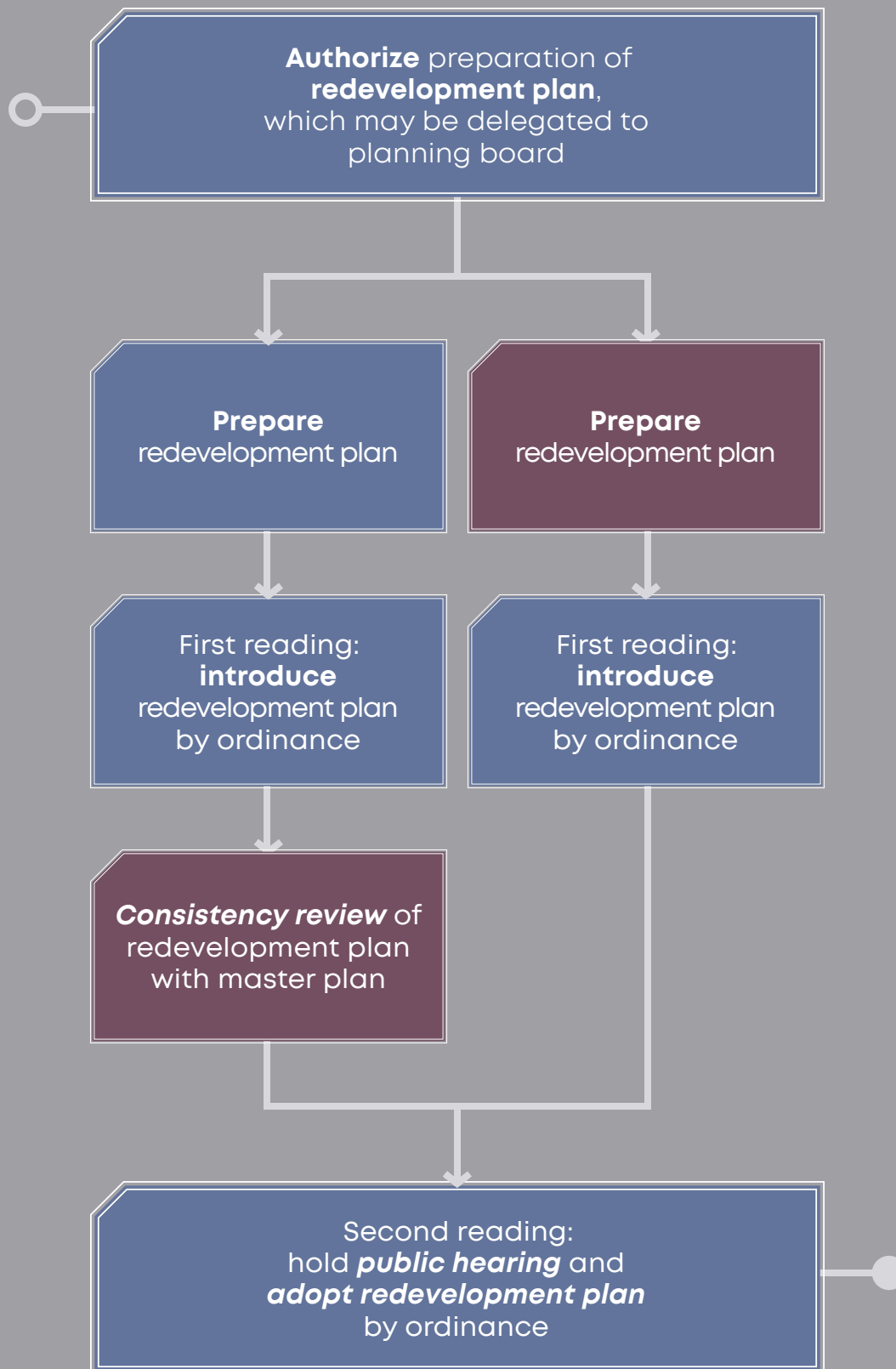
- Offers more flexibility than conventional zoning which is not limited to redevelopment involving the built form, and can include specific areas to be up-zoned or down-zoned, specific structures to be preserved, areas to be preserved as open space and improved as public gathering spaces, parks or other landscape features, as well as the provision for off-tract infrastructure improvements and community benefits.
- The preparation of a site-specific conceptual plan that can prescribe structures and areas to be preserved, land use, intensity of use, residential density, build-to lines, setbacks, height, scale, massing, form, site layout including the location of new structures, parking and pedestrian improvements, streetscape improvements, and other off-site improvements.
- The exercise of greater control over design of any project including detailed development and design standards regulating the layout, design and appearance of future buildings and site improvements.
- The ability to require green infrastructure, sustainable design standards or features, and universal design techniques and strategies be incorporated into the project.
- Empowers the municipality to require that preservation components and future improvements be phased and constructed exactly as detailed and completed within a specific period of time.
- Enables the municipality and property owner to work in a public-private partnering process.
- Authorizes the municipality to designate a qualified redeveloper and define the role and obligations of the redeveloper through a redevelopment agreement that helps protect community interests.
- Makes eligible for certain types of technical and financial assistance from the State to be utilized at the option of the municipality.

2.3 REDEVELOPMENT PROCEDURE

The LRHL provides a detailed process for the municipality and local government to follow in order to exercise its redevelopment powers. This process is meant, in part, to ensure that the public is given adequate notice and an opportunity to participate in the public process and that the governing body acts in concert with the goals and objectives of the municipality's master plan. Recognizing the planning board's role as the steward of the master plan, these steps require the planning board to make recommendations to the governing body.

A summary of the process is more fully described on the following pages.

REDEVELOPMENT PLAN PROCEDURE SUMMARY



REDEVELOPMENT PLAN

Following the designation of a delineated area as a rehabilitation or redevelopment area, a redevelopment plan, or an amendment or revision to an existing redevelopment plan, may be prepared. The following is a summary of N.J.S.A. 40A:12A-7, concerning the procedure for adoption of a redevelopment plan as well as related public hearing requirements:

- Either the governing body can prepare a redevelopment plan, or it can direct the planning board prepare a redevelopment plan, setting forth the goals, objectives, and specific actions to be taken with regard to the designated rehabilitation or redevelopment area in accordance with the criteria established under N.J.S.A. 40A:12A-7.
 - If the governing body prepares the redevelopment plan, the governing body introduces the redevelopment plan via ordinance for first reading and adopts a resolution referring the proposed redevelopment plan to the planning board for review and recommendation to the governing body, in the same manner as adoption of land development ordinances.
 - The planning board, within 45 days after referral, reviews the proposed redevelopment plan and adopts a resolution containing a report and recommendations to governing body. The report shall include an identification of any provisions in the proposed redevelopment plan which are inconsistent with the master plan and recommendations concerning the inconsistencies and other appropriate matters.
 - The governing body holds a public hearing on the redevelopment plan ordinance and, taking into consideration the recommendations of the planning board, may then act on the redevelopment plan by passing the ordinance adopting the redevelopment plan.
 - If the planning board prepares the redevelopment plan, the governing body is relieved of the referral requirements contained above. After the redevelopment plan is prepared, the governing body introduces the redevelopment plan via ordinance for first reading and thereafter holds a public hearing on the redevelopment plan ordinance, in the same manner as adoption of other municipal ordinances.
- In either case, where the redevelopment plan supersedes the existing zoning ordinance, rather than constituting an overlay zoning, the governing body also adopts an amendment to the zoning map.

2.4 REDEVELOPMENT ACTIONS TAKEN TO DATE

BOROUGH-WIDE REHABILITATION DESIGNATION

On December 20, 2016, the Borough Council adopted Ordinance No. 16-1921, declaring the entire area within the Borough, including the Project Area, an “area in need of rehabilitation” in accordance with the LRHL. This designation will prevent further deterioration and promote the overall development of the Borough, consistent with the goals and objectives of the Master Plan, which include to:

- Ensure a vibrant downtown and commercial corridor;
- Encourage infill development that is compatible with the scale, density and design of the Borough’s existing residential neighborhoods and historic development patterns;
- Preserve and enhance the character and small town feel of the community.

AUTHORIZATION FOR THIS REDEVELOPMENT PLAN

On October 19, 2021, the Borough Council adopted Resolution No. 10-21-269, authorizing a professional services agreement with LRK, Inc. for redevelopment planning services, including the development of a redevelopment plan for the Project Area; however, it was not completed.

Later, the Borough determined that there was a need for continued services to complete a redevelopment plan for the Project Area; therefore, on June 13, 2023, the Borough Council adopted Resolution No. 2023-02 (Appendix A), authorizing a professional services agreement, again with LRK, Inc. for continued redevelopment planning services.

2.5 STATUTORY CRITERIA

Pursuant to the LRHL, a redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the designated area or portion thereof, including the proposed land uses and building requirements for the area. Specifically, N.J.S.A. 40A:12A-7(a) requires the provisions listed on the following page.

STATUTORY REQUIREMENTS OF A REDEVELOPMENT PLAN

The redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

- 1** | Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
- 2** | Proposed land uses and building requirements in the project area.
- 3** | Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.
- 4** | An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.
- 5** | Any significant relationship of the redevelopment plan to:
 - (a) the master plans of contiguous municipalities;
 - (b) the master plan of the county in which the municipality is located; and,
 - (c) the State Development and Redevelopment Plan adopted pursuant to the “State Planning Act,” P.L. 1985, c. 398 (C. 52:18A-196 et al.).
- 6** | As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L. 1985, c. 222 (C. 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. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the “Fair Housing Act,” P.L. 1985, c. 222 (C. 52:27D-301 et al.), provided they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such replacement unit shall not be credited against a prospective municipal obligation under the “Fair Housing Act,” P.L. 1985, c. 222 (C. 52:27D-301 et al.), if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within or in close proximity to the redevelopment area. A municipality shall report annually to the Department of Community Affairs on its progress in implementing the plan for provision of comparable, affordable replacement housing required pursuant to this section.
- 8** | Proposed locations for zero-emission vehicle fueling and charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.

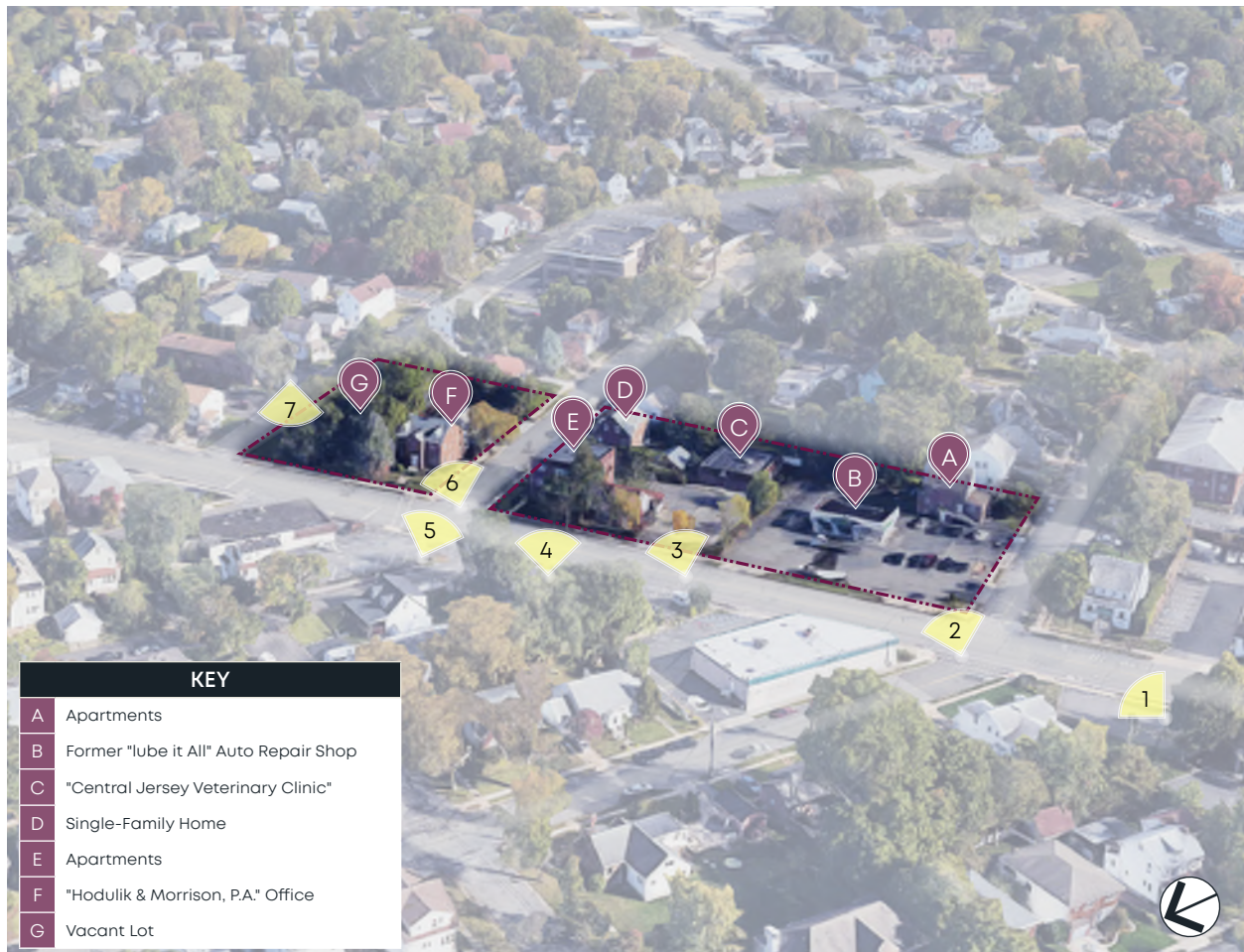
3 | PROJECT AREA DESCRIPTION

3.1 OVERVIEW

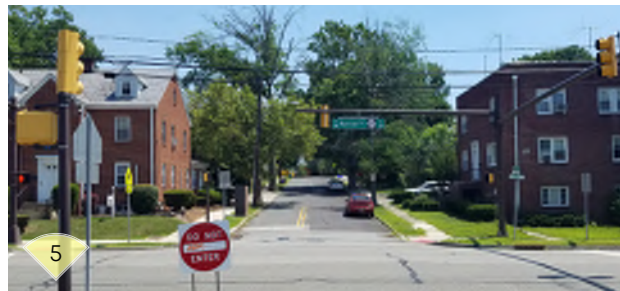
The Project Area is situated in the northeast region of the Borough, located on the southeast side of Raritan Avenue (New Jersey State Route 27) between Merilind Avenue to the north, South 10th Avenue to the south, and bisected by South 11th Avenue. As such, the Project Area, as a whole, is not a contiguous assemblage of properties, but rather two (2) groups of properties that, collectively, encompass approximately 1.52 acres of land.

This portion of Raritan Avenue - the so-called Upper Raritan Avenue Corridor - as described by participants in the development of the 2019 Master Plan, has the perception of feeling disconnected from the rest of the community for a variety of reasons, including: a lack of pedestrian and bicycle infrastructure and amenities such as wide public sidewalks, street furniture, decorative street lighting, street trees, landscaping, and a cohesive design palette that would otherwise help to create a sense of arrival to Highland Park and serve as an appropriate transition between Raritan Avenue and the residential areas beyond. Instead, this portion of Raritan Avenue suffers from being perceived as an unwelcoming, and potentially unsafe, high-speed highway corridor.

Bird's Eye View of Existing Conditions



Ground-Level Views of Existing Conditions



3.2 PROPERTY OWNERSHIP

All eight (8) properties are owned by different entities. When taken together, the Project Area comprises approximately 1.52 acres, as summarized in the table below.

Table 1. Property Ownership

Block	Lot	Class	Address	Owner	Acreage ¹
3801	2, 3, 4	4A	1018 Raritan Ave	Highland Investment Group Inc	0.27
3801	5, 6	2	1020 Raritan Ave	John & Thomas Pisciotta	0.12
3801	7	2	10 South 11th Ave	South Eleventh Ave LLC	0.12
3801	16	4A	1010 Raritan Ave	2036 Route 35 Inc	0.34
3801	17	4A	1010 Raritan Ave	2036 Route 35 Inc	0.17
3802	2	1	1102 Raritan Ave	1102 Raritan Avenue LLC	0.14
3802	6	1	South 11th Ave	1102 Raritan Avenue LLC	0.11
3802	7	2	1102 Raritan Ave	1102 Raritan Avenue LLC	0.23
Total					1.50

Note 1: The acreage values listed are approximate and were derived by calculating the area utilizing available online GIS mapping tools provided by the New Jersey Department of Environmental Protection. Therefore, the acreage values listed in the table above may not match the acreage values found in property tax records.

3.3 PROPERTY ASSESSMENT

Property tax records derived from the Middlesex County Property Assessment Search Hub were analyzed to determine the land, improvement, and net assessed value of each property within the Project Area as well as the prior year's property taxes billed, as of January, 2024. The Project Area has a improvement ratio of approximately 99% (meaning land value is nearly equal to improvement value) with total taxes paid of \$83,450.69, as summarized in the table below.

Table 2. Property Assessment

Block	Lot	Assessed Land Value	Assessed Improvement Value	Net Assessed Value	2023 Taxes
3801	2, 3, 4	\$400,000	\$412,200	\$812,200	\$20,288.76
3801	5, 6	\$157,800	\$561,400	\$719,200	\$17,965.62
3801	7	\$178,800	\$222,000	\$400,800	\$10,011.98
3801	16	\$400,000	\$150,000	\$550,000	\$13,739.00
3801	17	\$149,000	\$1,000	\$150,000	\$3,747.00
3802	2	\$100,000	\$0.00	\$100,000	\$2,498.00
3802	6	\$100,000	\$0.00	\$100,000	\$2,498.00
3802	7	\$194,000	\$314,500	\$508,500	\$12,702.33
Totals		\$1,679,600	\$1,661,100	\$3,340,700	\$83,450.69

Map 3. Borough of Highland Park Tax Map Sheet 38

38

38

Legend

-  Project Area
-  Parcel Lines



THIS MAP HAS BEEN GIVEN A
FORMAL CERTIFICATION BY THE
DIVISION OF TAXATION ON
MARCH 17, 2021, SIGNED BY
JESSICA LARNED-CHIEF, PROPERTY
ADMIN. AND LATOYA ROBERTSON,
SUPERVISOR. TAX MAPS SECTION,
VALUATION & MAPPING AND
ASSIGNED SERIAL NUMBER 1117

**TAX MAP
OF HIGHLAND PARK**
MIDDLEBURY COUNTY
SCALE: 1"=40'
DATE: JANUARY 2021

ED CLAY
LICENSED LAND SURVEYOR
15 BELLEVILLE AVENUE, SUITE 202
HARRISON, NEW JERSEY 07033
PHONE: 908.885.1111
WWW.EDCLAY.COM

• THIS SHEET HAS BEEN DRAWN USING COMPUTER AIDED DRAFTING/
DESIGN (CAD) AND COORDINATE GEOMETRY (COORD).

DATE	BY	REVISIONS	BLOCK	LOT

3.4 EXISTING LAND USE

Sites & Facilities - The Project Area contains two (2) sites that are enumerated through the New Jersey Department of Environmental Protection (“NJDEP”) New Jersey Environmental Management System (“NJEMS”) database; however, none are classified as Groundwater Contamination Areas (GCA), such as Currently Known Extent (CKE) or Classification Exception Area (CEA), or Known Contaminated Sites (KCS). Generally speaking, sites that are listed on the NJEMS may be regulated by the NJDEP under one or more of its regulatory permitting or enforcement programs, or they may otherwise be of some interest to a NJDEP program. A list of the sites are provided in the table below:

Table 3. NJEMS List

Site ID	PI	PI ID	Site Name	Active	Address
348067	Radiation	430051	Park Veterinary Clinic	Yes	1014 Raritan Ave
396041	PP/RTK	495545	419 Neon Corp.	No	11 South 10th Ave

Note 1: Program Names: PP/RTK = Pollution Prevention / Right to Know

Land - There are no wetlands as identified by the NJDEP and no high risk (1.0% chance of flooding) or low-to-moderate risk (0.2% chance of flooding) flood hazard areas as identified by the Federal Emergency Management Agency (“FEMA”) within the Project Area.

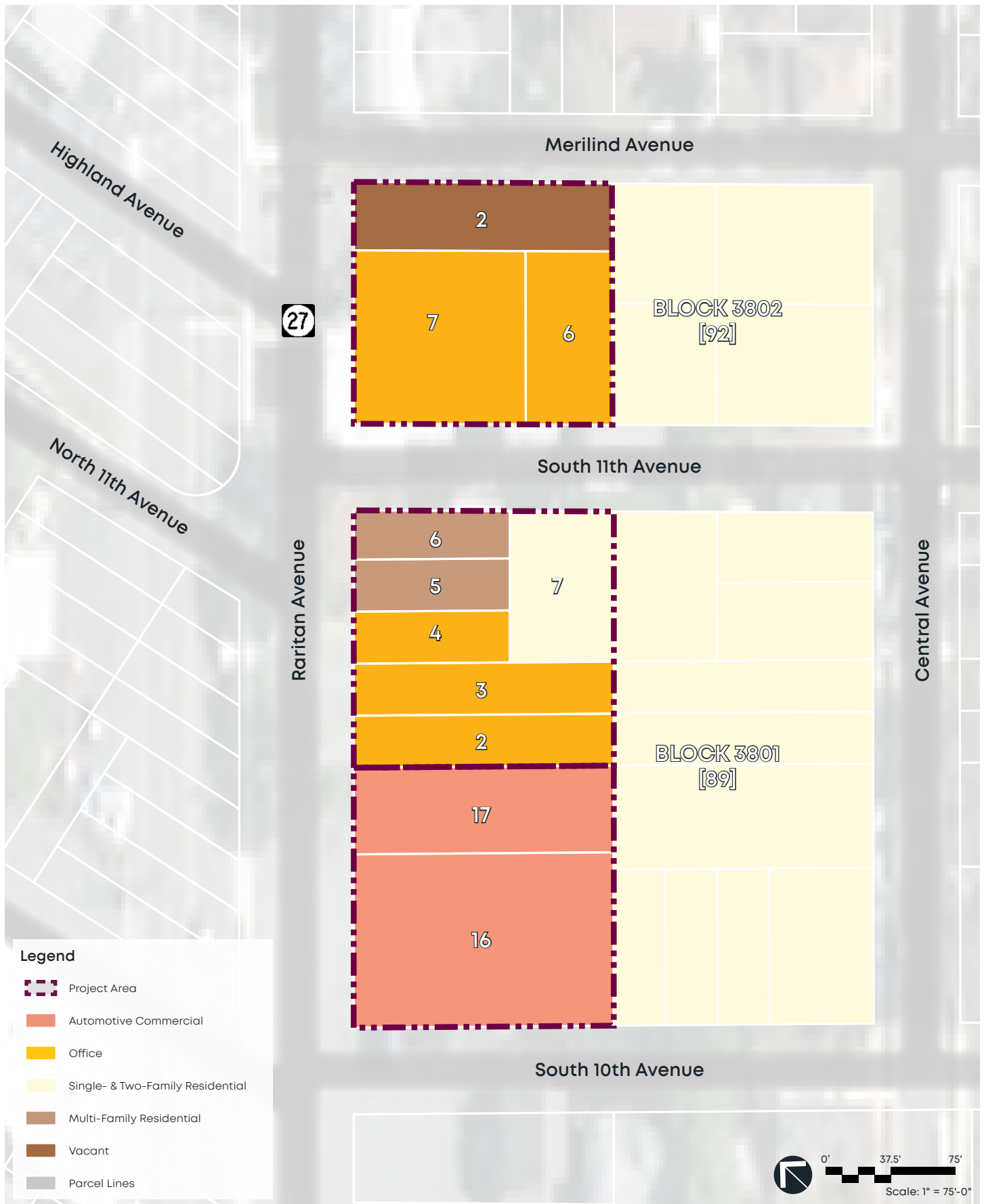
Utilities - The Project Area is serviced by PSE&G for electric utilities, PSE&G for gas utilities, and is located within a sewer service area.

Land Use - The Project Area features a variety of uses, ranging from a vacant auto-related use, offices and small apartment buildings - most of which are pre-existing non-conforming uses - as well as a single-family detached dwelling. The Existing Land Use Map, as shown on the following page, was generally derived from the 2019 Master Plan, with minor updates, but may not accurately reflect specific land uses, including where there may be a mix of uses.

The southerly portion of the Project Area, part of Block 3801, comprises of 45,000 square feet of land, and is predominantly characterized by exposed parking lots and numerous curb cuts associated with a former auto repair shop and veterinary office. At the rear of the repair shop is a detached dwelling that apparently has five (5) multifamily units. To the north of this block is a modest 2- to 3-story multi-family building at the corner with an attached two-car garage accessible from South 11th Avenue as well as a single-family detached dwelling fronting on South 11th Avenue.

The northerly portion of the Project Area, part of Block 3802, comprises of 12,000 square feet of land, featuring a 2 1/2-story masonry building containing office space, with an attached two-car garage and parking area at the rear of the building, both of which are accessible from South 11th Avenue. The remainder of this portion of the Project Area is otherwise unimproved, wooded, and lacks a public sidewalk along Merilind Avenue.

Map 4. Existing Land Use Map



3.5 EXISTING ZONING

The majority of the Project Area - Block 3801, Lots 2, 3, 4, 5, 6, 16 & 17 and Block 3802, Lots 2, 6 & 7 - is situated in the C Commercial Zone, while Block 3801, Lot 7 is situated in the RA Single-Family Residential Zone. The remainder of the lots within both blocks are situated in the RA Single-Family Residential Zone. Throughout the corridor is a consistent pattern of properties fronting Raritan Avenue situated in the C Zone, while the remainder of blocks and beyond area generally located in the RA Zone.

The C Commercial Zone generally mimics the CBD Central Business District Zone, in that the C Zone permits all of the permitted principal uses in the CBD Zone, with the exception of carry-out restaurants, and other non-residential uses. For reference, the CBD Zone generally permits traditional downtown retail and offices uses, with limited residential uses as a permitted accessory use on upper floors. However, the C Zone does not permit residential uses as permitted principal, accessory, or conditional uses. Therefore, all residential uses along Raritan Avenue within the Upper Raritan Avenue Corridor are pre-existing non-conforming uses.

Unlike the CBD Zone, however, the C Zone does permit automotive service and repair garages, gas stations, new and used car/truck dealerships, sales and service, and drive-in banks as permitted conditional uses. Additionally, bulk standards within the C Zone require modest yard setbacks and restricts building height to 2 1/2 stories and 25 feet.

In addition to use and bulk standards, Article XVII of the Highland Park Land Development Ordinance lays out urban design and architecture guidelines applicable to the CBD and PO Zones, aimed at ensuring that development is sensitive to the area's context and unique qualities. The guidelines outline considerations for pedestrian linkages, parking lot landscaping, parking structures, streetscape elements, facade composition, storefront design, among other features.

The RA Zone, which is the primary residential district within the community, allows for detached single-family dwellings, with flexible bulk standards and detailed design standards in the form of a residential form-based code.

The permitted principal, accessory, and conditional uses along with permitted bulk standards of the C and RA Zones are provided on the following pages.

Map 5. Existing Zoning Map

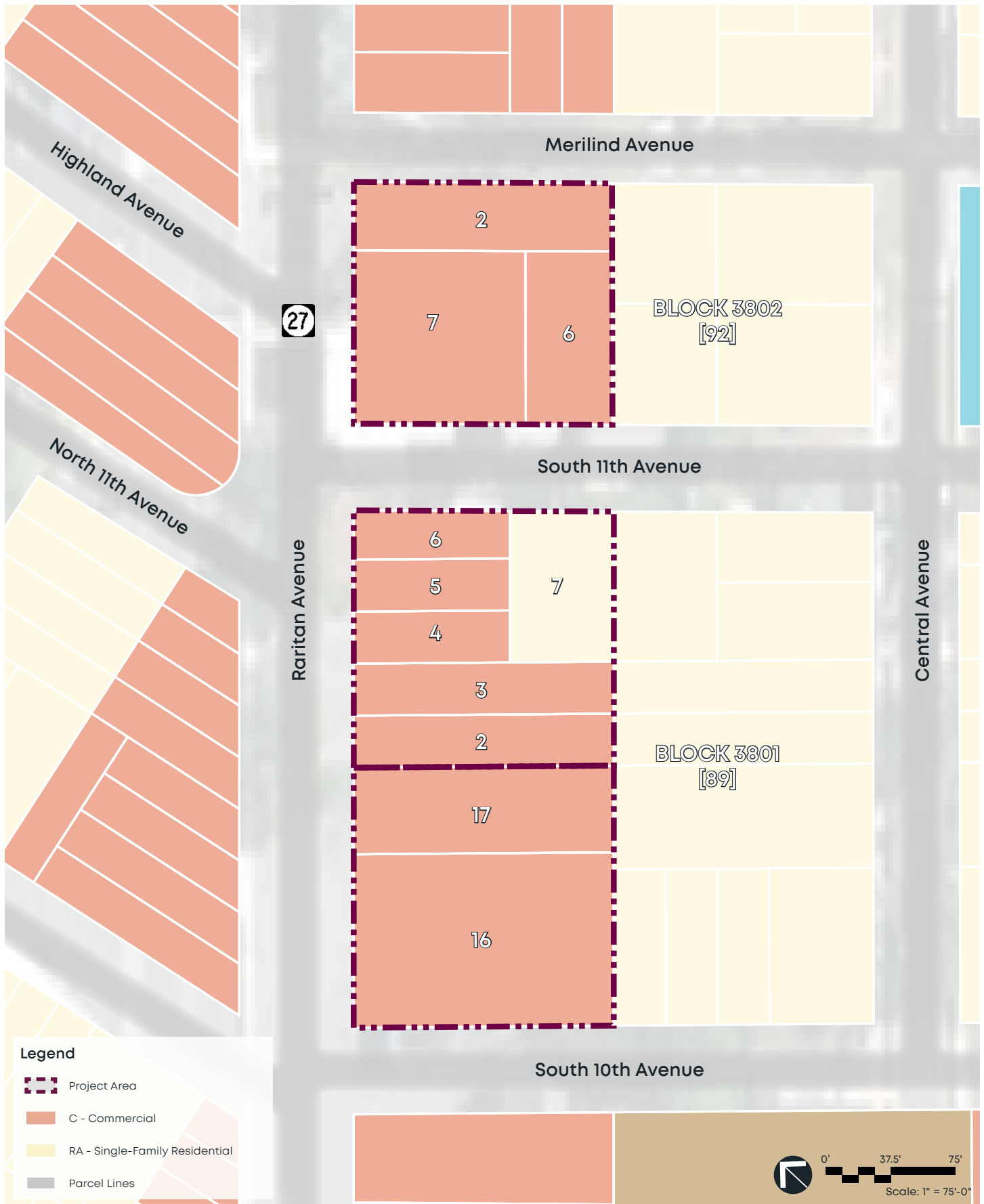


Table 4. Zoning Chart for the C Zone

Applicability			
Block 3801, Lots 2, 3, 4, 5, 6, 16 & 17 and Block 3802, Lots 2, 6 & 7			
Permitted Principal Uses			
All uses permitted in §230-140B for the CBD Zone, with the exception of carry-out restaurants; Restaurants; Lawn and garden shops; Professional offices; Laboratories; Computer or electronic services or rental; Retail integrated developments; Medical cannabis dispensaries; and Class 5 cannabis retailers and Class 6 cannabis delivery services, as said terms are defined in this Code, subject to the requirements set forth in Chapter 136 of this Code.			
Permitted Accessory Uses			
Off-street parking spaces, parking garages and off-street loading areas; Enclosed storage of goods incidental to the conduct of the retail business not exceeding 10% gross lot area and not exceeding maximum impervious coverage requirement of this zone; Fences, walls and hedges; and Satellite dish antenna (receive only).			
Conditional Uses			
Public utility facilities required to provide the direct service of the utility to the consumers, such as transformers and pumping stations, but excluding warehouses, service or storage and treatment yards; Automobile service and repair garages, gas stations; Fraternal, charitable and philanthropic institutions New and used car/truck dealerships, sales and service; and Drive-in banks.			
Bulk Regulations			
Lot		Height	
Min. Lot Area (SF)	7,500	Min. Height (Stories)	N/A
Min. Lot Width (Feet)	75	Max. Height (Stories)	2.5
Min. Lot Depth (Feet)	100	Max. Height (Feet)	25
Yards		Coverage	
Min. Front Yard (Feet)	10	Max. Lot Coverage	50%
Min. 1 Side Yard (Feet)	10	Max. Impervious Coverage	80%
Min. 2 Side Yards (Feet)	20	Density	
Min. Rear Yard (Feet)	10	Min. GFA (SF)	1,500
		Max. Dwelling Units / Building	N/A

Table 5. Zoning Chart for the RA Zone

Applicability			
Block 3801, Lot 7			
Permitted Principal Uses			
Single-family detached dwellings.			
Permitted Accessory Uses			
Private garage space; Greenhouses, tool sheds and other similar structures; Private recreational facilities, such as but not limited to swimming pools, tennis courts, home gyms and satellite dish antennas (receive only), provided these uses shall be noncommercial and that lighting shall be directed away from adjacent lots; Fences, walls and hedges; and, Home occupations.			
Conditional Uses			
Churches, synagogues and other similar places of worship, parish houses, and convents; Public utility facilities required to provide the direct service of the utility to the consumers, such as transformers and pumping stations, but excluding warehouses, service or storage and treatment yards and offices; and, Public parks and playgrounds.			
Bulk Regulations			
Lot		Height	
Min. Lot Area (SF)	5,000	Min. Height (Stories)	N/A
Min. Lot Width (Feet)	50	Max. Height (Stories)	2.5
Min. Lot Depth (Feet)	100	Max. Height (Feet)	35
Yards		Coverage	
Min. Front Yard (Feet)	20	Max. Lot Coverage	30%
Min. 1 Side Yard (Feet)	10	Max. Impervious Coverage	40%
Min. 2 Side Yards (Feet)	20	Density	
Min. Rear Yard (Feet)	20	Min. GFA (SF)	1,500
		Max. Dwelling Units / Building	1

4 | RELATIONSHIP TO OTHER PLANS

4.1 RELATIONSHIP TO BOROUGH'S LAND DEVELOPMENT ORDINANCE

The zoning standards set forth in this Redevelopment Plan shall supersede the underlying zoning within the Project Area, and any subdivision and/or site plan application shall require the execution of a redevelopment agreement in order to apply.

4.2 RELATIONSHIP TO BOROUGH'S MASTER PLAN

2019 MASTER PLAN & LAND USE PLAN ELEMENT

The 2019 Master Plan Reexamination Report discusses the Borough's desire to create a desirable living and working environment, to protect its environmental resources, and to promote sound land development. As such, the goals of the Master Plan are as follows:

To preserve and enhance the character and small town feel of the community;

To ensure a vibrant downtown and commercial corridors;

To protect the Borough's environmentally sensitive areas; and

To promote a high quality of life for all residents.

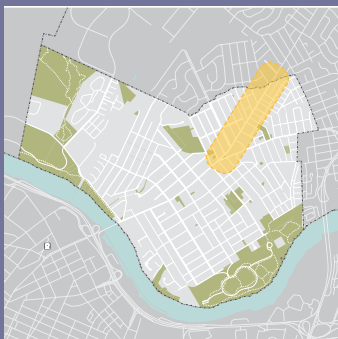
The development of the 2019 update to the Master Plan (and, simultaneously, a strategic update of the Land Use Plan Element) involved extensive community engagement process including hundreds of participants who attended community workshops and took part in an online survey in which only 5% of survey respondents said they would like to see the Upper Raritan Avenue corridor "remain the same."

- During the master plan process, common issues/concerns pertaining to the Upper Raritan Avenue corridor raised by the community included:
- Number of unsafe crossings and lack of safe pedestrian/bicycle infrastructure;
- Business vacancy, exposed parking lots, and absence of street trees, planters, benches, and public art;
- No sense of arrival and cohesion with the rest of downtown area; and,
- Little mix of businesses, activities, and mixed-use buildings.

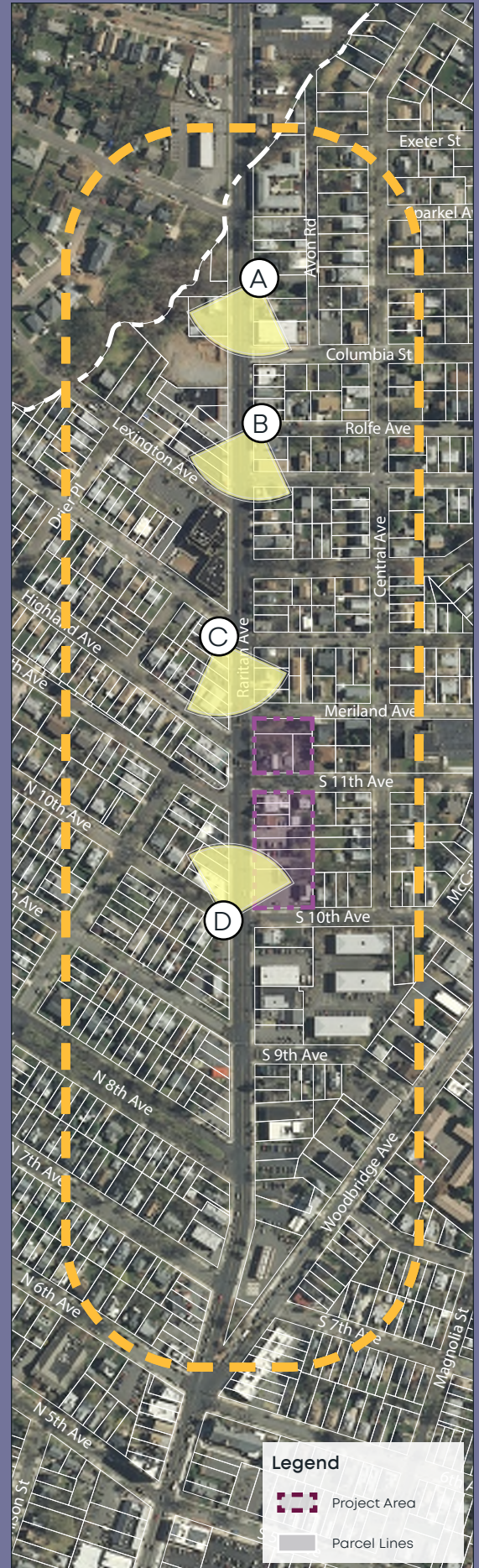
Additionally, comments were made specifically regarding the presence of single-story auto-oriented businesses found throughout the corridor, which were of such design that created unsafe and unappealing environment for pedestrians and bicyclists. These conditions ultimately prevented foot traffic that would otherwise support a stronger sense of community and cohesion with the downtown area and surrounding residential neighborhoods.

UPPER RARITAN AVENUE

LAND USE PLAN ELEMENT



Existing conditions along Upper Raritan Avenue are dominated by a wide high-speed highway lined with strip commercial development, exposed parking, and multiple driveway curb cuts. All of which undermine pedestrian safety and act as a barrier to adjacent residential neighborhoods.





From the Master Plan Land Use Plan Element, the above sketch depicts the possibility for various improvements along Raritan Avenue. Vacant, underutilized commercial strips are infill/redevelopment opportunity sites for mixed-use/loft-style multifamily housing that would establish a more appropriate scale and transition along the corridor.

Drawing from community feedback, prior master plan documents were comprehensively reevaluated, resulting in the establishment in a consolidated set of goals and recommendations for the various plan elements contained in the Master Plan. A common theme that emerges from these established goals and recommendations is the community's desire to **create a gateway to the community** and **transform outdated commercial corridors**.

To do so, the Master Plan recommends taking advantage of redevelopment tools, expanding the range of permitted uses, reinforcing distinctive place-making, incorporating context-sensitive design standards, improving the aesthetics and functionality of the streetscape, and better manage parking.

Specific to the Upper Raritan Avenue corridor, the Land Use Plan Element establish a vision statement, which reads as follows:

Evolve to meet current conditions and emerging trends by transforming outdated commercial corridors into safer, more attractive, and livable Complete Streets by enriching the mix of uses and enhancing the gateway to create a sense of arrival.

To implement the vision for downtown development, the series of specific strategies on the following page were developed based on key issues identified during the master planning process as well as public input from the online survey and community open houses.

UPPER RARITAN AVENUE STRATEGIES

The following strategies are specific to the Upper Raritan Avenue corridor and help advance the Goals for the Land Use Plan Element of the Master Plan.

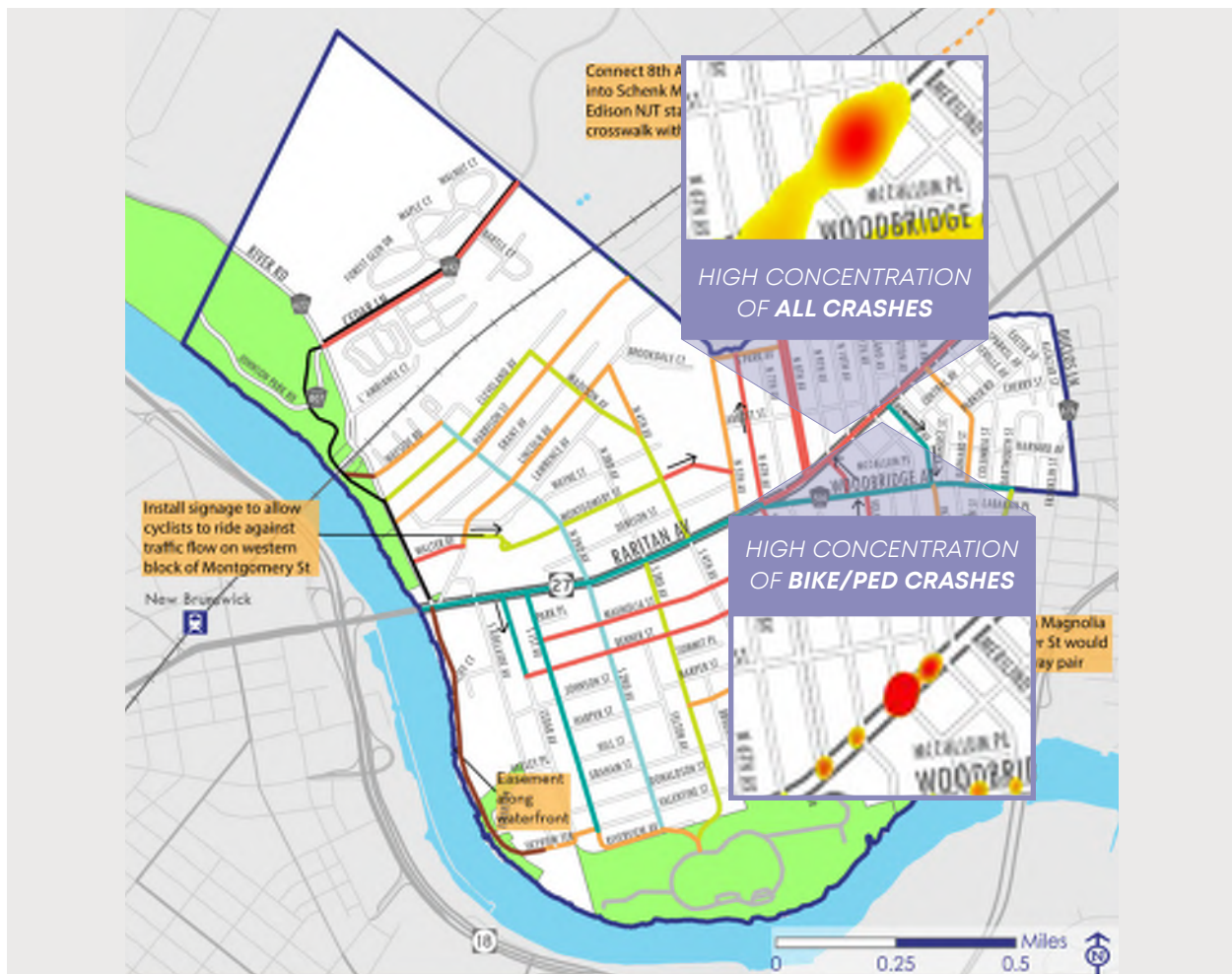
- » **Create an identifiable “gateway”** to mark arrival into the Borough at the Edison border by instituting a “road diet” that dramatically slows traffic and enhances safety, and adding attractive signage, landscaping, public art, and streetscape treatments including shade trees and pedestrian/bicycle improvements.
- » **Transform Upper Raritan** from a high-speed auto-oriented commercial corridor into a safer, more attractive, and livable street.
- » **Custom-tailor infill/re-development** by utilizing site-specific Redevelopment Plans for uses desired by residents and to address varying property assemblages on a range of different block conditions.
- » **Activate the corridor** throughout the day and evening hours by providing a more diverse mix of uses to better serve residents of the surrounding neighborhoods, pedestrians and bicyclists as well as drivers.
- » **Attract residents and visitors** to use Upper Raritan by incorporating street trees, lush, landscaping, pocket parks, small public gathering spaces, and seating areas.
- » **Incentivize redevelopment of single-story strip commercial uses** by permitting a range of multi-family uses in the Commercial District and serve the evolving needs of the Borough’s population while expanding the customer base within walking distance of local businesses.
- » **Create a Mixed-Use Transition Zone** that consolidates/expands the Professional Office and Two-Family Housing Zones to better accommodate a mix of uses and small-scale “missing middle” multi-family uses on blocks that transition from the Central Business District to single-family neighborhoods.

2019 HIGHLAND PARK BICYCLE & PEDESTRIAN PLAN

The 2019 Highland Park Bicycle & Pedestrian Plan identified strategies and improvements to promote active transportation (like bicycling and walking) as safe, comfortable, and attractive modes of transportation that serve residents, support local business, and draw economic investment into the downtown area and commercial corridors. The Bike-Ped Plan seeks to improve mobility, safety, accessibility, and equity for all road users and provides recommendations based on Engineering, Education, Enforcement, and Encouragement.

In particular, the Bike-Ped Plan notes a high concentration of both vehicle and pedestrian/bicycle crashes within the Upper Raritan Avenue corridor, including areas directly along the frontage of the Project Area, as shown in the map below.

To that end, this Redevelopment Plan seeks to reactivate the streetscape by providing for various improvements such as eliminating existing curb cuts along Raritan Avenue, repairing existing sidewalks, and installing bicycle parking, as well as to provide opportunities for much-needed roadway and intersection improvements, as recommended by the Bike-Ped Plan.



From the Bicycle & Pedestrian Plan, the proposed bicycle network provides a framework to achieve several goals of the plan, utilizing several different types of bicycle facilities. Within the Upper Raritan Avenue corridor, a Buffered or Separated Bicycle Lane is proposed along Raritan Avenue and a one-way Bicycle Lane on Merrill Avenue.

Raritan Avenue (east of Woodbridge Ave)

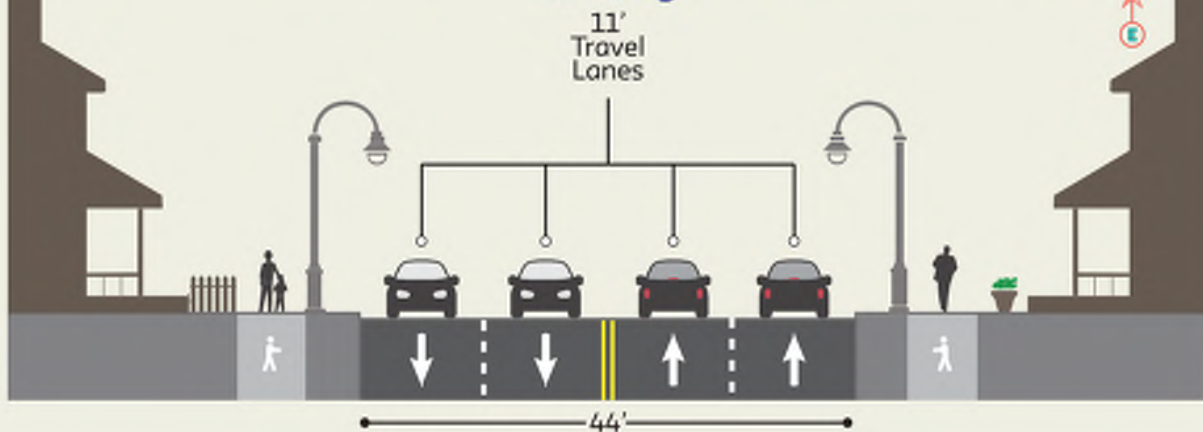
Recommendations

- Implement road diet, removing one lane of traffic in each direction
- Install separated bike lanes on both side of Raritan Ave
- Reduce speed limit from 35 to 30 mph

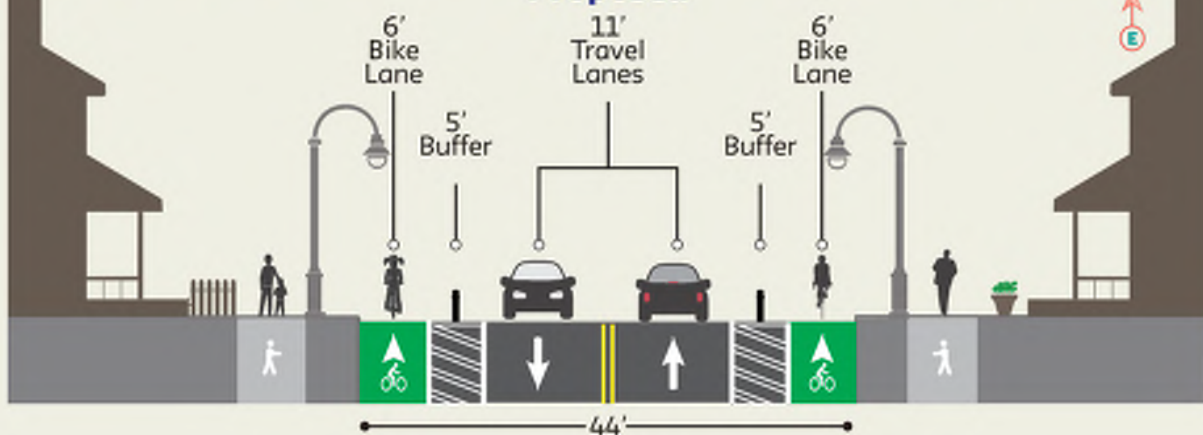
This treatment provides dedicated, low-stress bicycle facilities for more than 0.5 miles of Raritan Ave, improving from an LTS 4 to LTS 1. This reduces a large portion of the divide between north and south portions of Highland Park and improves bike access to Edison. The travel lanes would remain the same 11' width.

Highland Park should work with Edison Township and the State to investigate continuing this road diet along NJ 27 into Edison. The bike corridor would also connect to other bike routes proposed further in this report.

(Upper Raritan) Raritan Ave, East of Woodbridge Ave Existing



(Upper Raritan) Raritan Ave, East of Woodbridge Ave Proposed



The Plan recommends the implementation of a road diet, removing one lane of traffic in each direction, and provide for separated bike lanes on both sides of Raritan Avenue.

4.3 RELATIONSHIP TO CONTIGUOUS MUNICIPALITIES

The Project Area is not physically contiguous to the adjacent municipalities of the City of New Brunswick, Edison Township and Piscataway Township. Given the Project Area's location within the Borough and distance from municipal boundaries, the redevelopment of the Project Area will generally not impact or affect those communities. Additionally, this Redevelopment Plan encourages redevelopment to occur in an already developed area.

In the Edison Township's Roadway Classifications Map, Route 27 is considered a "principal arterial" and is characterized as a roadway with significant hazards and impediments to support pedestrian and bicycle movement. Additionally, the Circulation Plan Element included recommendations to upgrade or redevelop underutilized properties and take meaningful steps towards improving pedestrian infrastructure. The proposed site improvements such as improved access and circulation within and surrounding the Project Area as required in this Redevelopment Plan would support improved pedestrian movement within this high-speed, high-traffic area along Route 27.

Therefore, it is anticipated that this Redevelopment Plan will not conflict with the master plans of the City of New Brunswick, Edison Township and Piscataway Township.

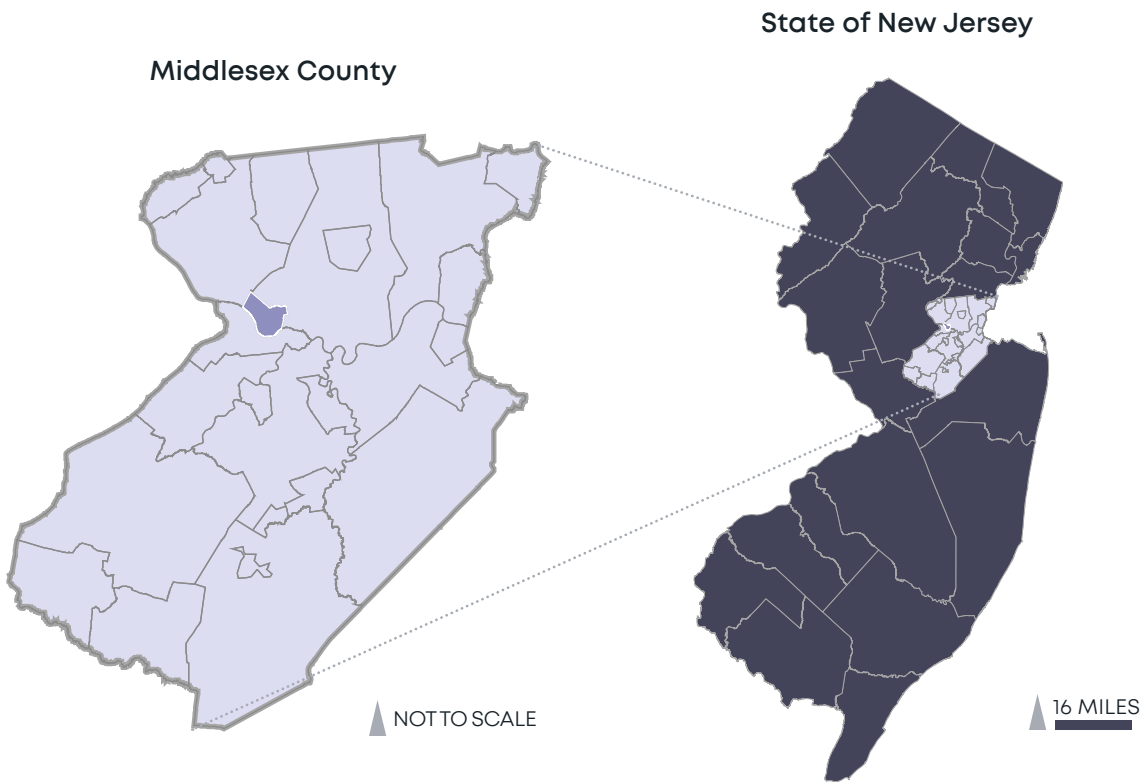
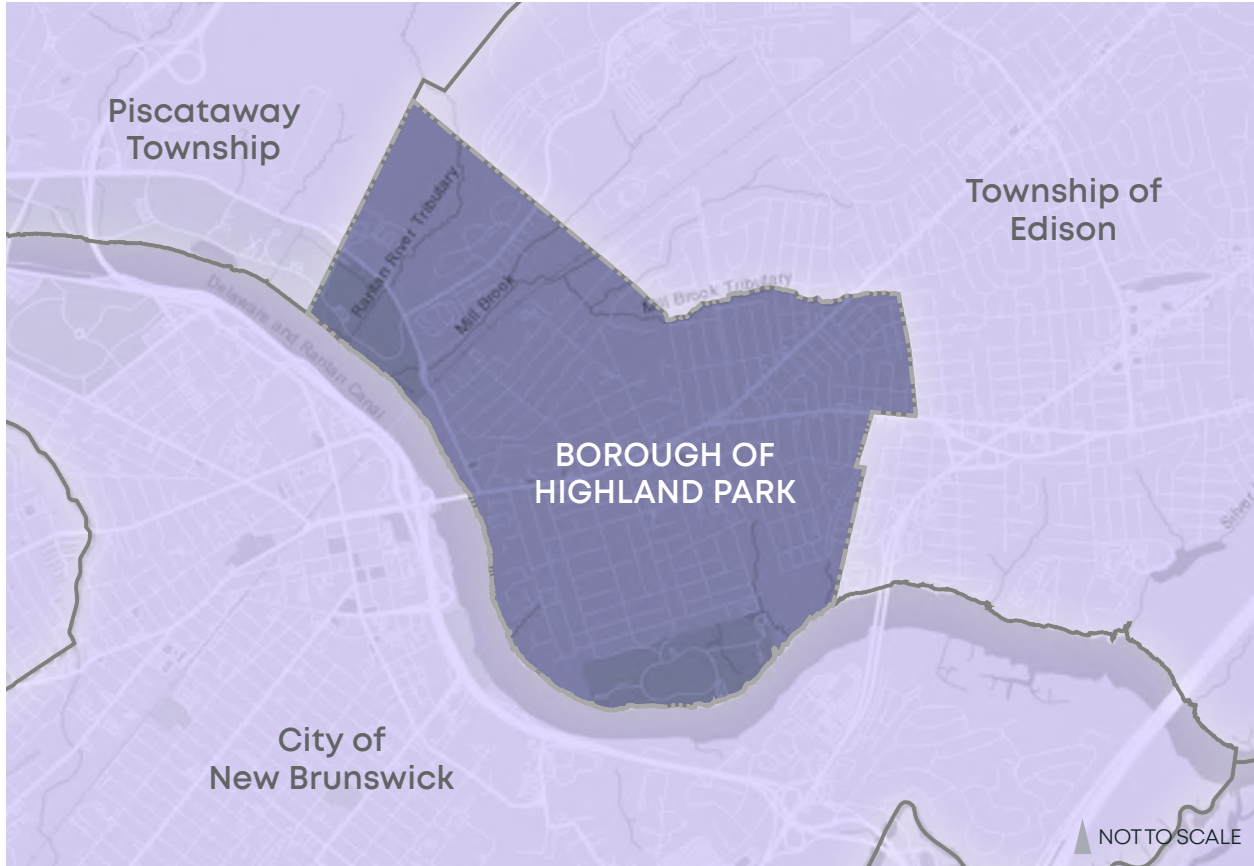
4.4 RELATIONSHIP TO MIDDLESEX COUNTY

The Middlesex County Comprehensive Plan adopted by the Middlesex County Planning Board is currently being updated. According to Middlesex County representatives, there is no anticipated completion date of the Land Use Element of the Comprehensive Plan. As it is anticipated the Land Use Element will be written after adoption of this Redevelopment Plan, it is expected the Middlesex County Planning Board will take this Redevelopment Plan into consideration when drafting its Master Plan.

According to the Middlesex County Transportation Master Plan, Route 27 is identified as one of the most congested routes in the County. The proposed site improvements such as improved access and circulation within and surrounding the Project Area as required in this Redevelopment Plan align with the overall goals and strategies for transportation including promoting safety, improving mobility, and reducing traffic congestion.

Additionally, this Redevelopment Plan aligns with the goals of the Middlesex County Open Space & Recreation plan by adhering to and promoting the community's health and resiliency, preservation of natural resources, and the enhancement of social and physical environments.

Therefore, it is anticipated that this Redevelopment Plan will not conflict with the Middlesex County Comprehensive Plan.



4.5 RELATIONSHIP TO THE STATE PLAN

STATE DEVELOPMENT AND REDEVELOPMENT PLAN

In March, 2001, the State Planning Commission adopted the State Development and Redevelopment Plan (the “SDRP”). The purpose of the SDRP is to:

“Coordinate planning activities and establish Statewide planning objectives in the following areas: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination.”

The SDRP promotes Smart Growth in New Jersey by guiding State-level development and redevelopment policy as well as local and regional planning efforts to centers and areas where infrastructure is available or could be extended to developed or developing suburbs and urban areas.

According to the SDRP, statewide goals are to be achieved through the flexible application of SDRP’s statewide polices, which are designed to improve the planning and coordination of public policy decisions among all levels of government.

The SDRP’s eight (8) statewide goals are as follows:

Goal 1: Revitalize the State’s cities and towns.

Goal 2: Conserve the State’s natural resources and systems.

Goal 3: Promote beneficial economic growth, development and renewal for all New Jersey residents.

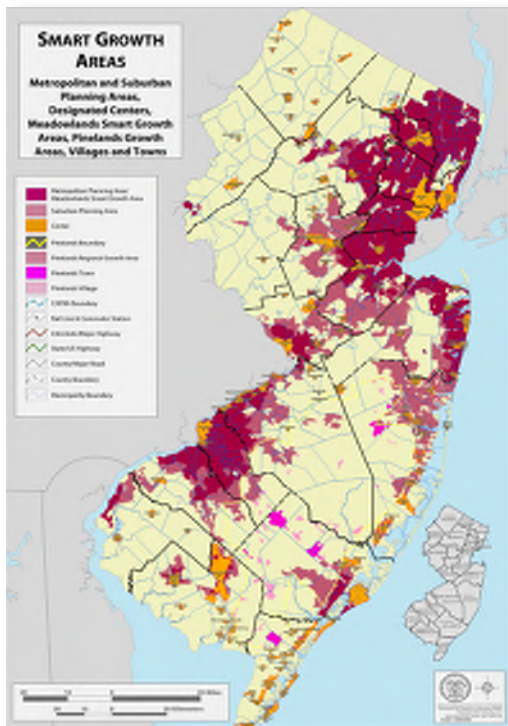
Goal 4: Protect the environment, prevent and clean up pollution.

Goal 5: Provide adequate public facilities and services at a reasonable cost.

Goal 6: Provide adequate housing at a reasonable cost.

Goal 7: Preserve and enhance areas with historic, cultural, scenic, open space, and recreational value.

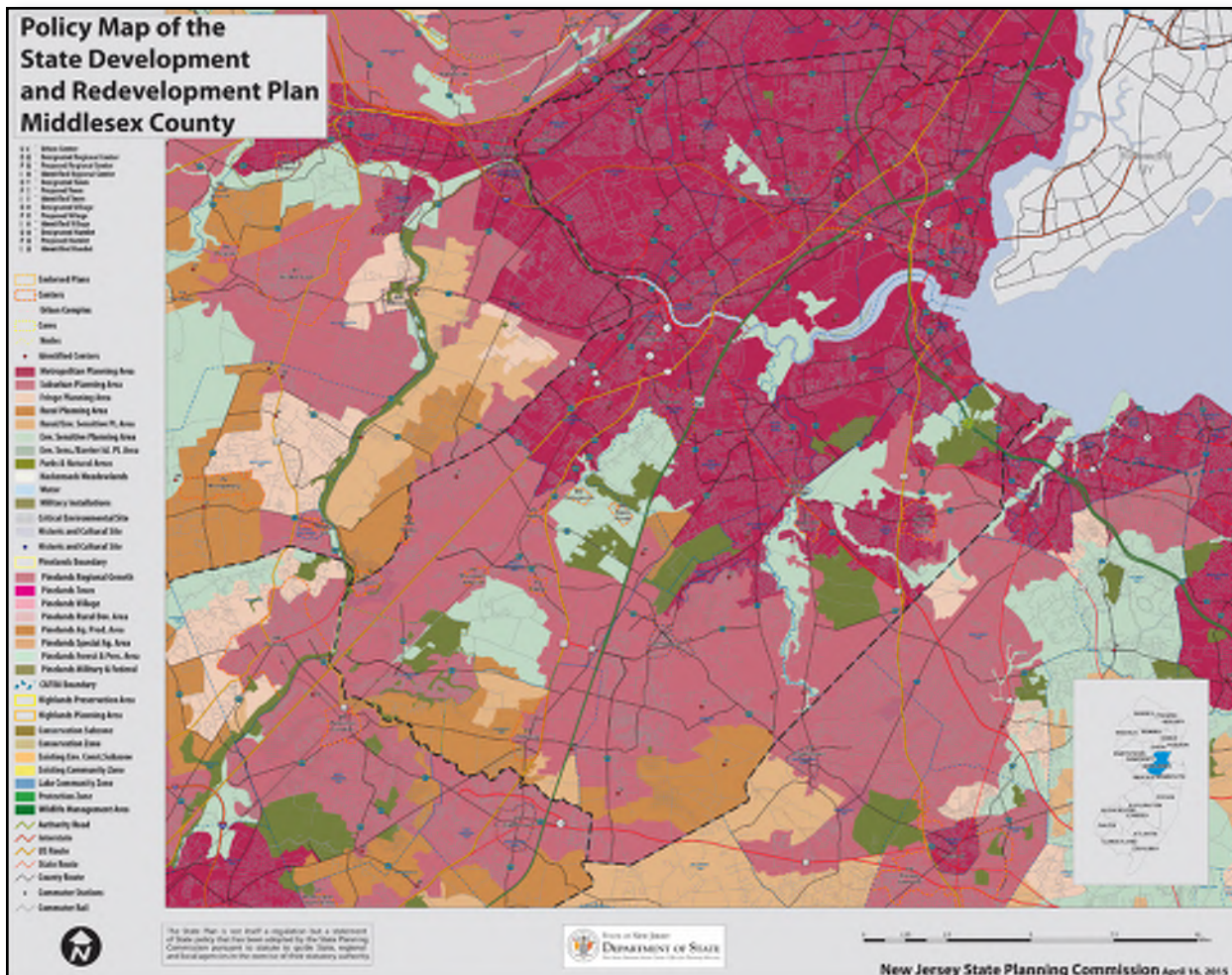
Goal 8: Ensure sound and integrated planning and implementation statewide.



STATE PLAN POLICY MAP

The SDRP also provides a State Plan Policy Map as shown to the left, which divides the State into several planning areas as well as the identification of “centers” and “environs”. Planning areas serve a critical role in the SDRP by setting forth policy objectives that guide implementation of the SDRP’s statewide policies within each area, guide local planning on the location and size of centers within the planning area, and protect or enhance the environs of these centers.

It is noted that the Borough of Highland Park is identified as an “Identified Town” as depicted on the [State Plan] Policy Map of the State Development and Redevelopment Plan [for] Middlesex County as shown below. The Master Plan indicates that the Borough meets all of the criteria for a Town Center as outlined by the SDRP.



According to the State Plan Policy Map, the Borough of Highland Park is contained entirely within the Metropolitan Planning Area (PAI), which classification denotes a Smart Growth area and generally includes developed communities that range from large urban centers to post-war suburbs.

In the Metropolitan Planning Area, the SDRP's goals and objectives are as follows:

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

The SDRP provides a series of policy objectives intended as guidelines for planning activities in the Metropolitan Planning Area, including:

- Promote redevelopment and development neighborhoods of Centers;
- Provide a full range of housing choices through redevelopment;
- Promote economic development by encouraging infill development, public/private partnerships and infrastructure improvements that support an identified role for the community;
- Maintain and enhance a transportation system that capitalizes on high-density settlement patterns by encouraging the use of public transit systems, walking and alternative modes of transportation to reduce automobile dependency;
- Encourage redevelopment at intensities sufficient to support transit, a broad range of uses and efficient use of infrastructure. Promote design that enhances public safety, encourages pedestrian activity and reduces dependency on the automobile; and,
- Encourage the preservation and adaptive reuse of historic or significant buildings, Historic and Cultural Sites, neighborhoods and districts in ways that will not compromise either the historic resource or the area's ability to redevelop. Coordinate historic preservation with tourism efforts.

DRAFT STRATEGIC STATE PLAN

In October, 2011, the draft State Strategic Plan was proposed as an update to the SDRP. The plan was designed to provide the framework for the State to “focus its policies and investments on vibrant regions by fostering targeted job growth, supporting effective regional planning and preserving the State’s critical resources.”

The plan outlined four (4) specific goals to guide planning at the State level:

Goal 1: Targeted Economic Growth: Enhance opportunities to attract and grow industries of statewide, regional and international importance.

Goal 2: Effective Regional Planning: Guide and inform regional planning enabling each region of the State to experience appropriate growth based on its desires and assets.

Goal 3: Preservation, Protection and Enhancement of Critical State Resources: Ensure that strategies for growth include preservation, protection and enhancement of the State’s critical natural, agricultural, scenic, recreation, and historic resources, recognizing their role in economic growth and the quality of life for New Jersey residents.

Goal 4: Tactical Alignment of Government: Prioritize effective resource allocation, coordination, cooperation and communication among entities that play a role in meeting the mission of this Plan.

To address the statutory requirement of the State Planning Act relative to coordinating planning activities, the State established a series of the following “Garden State Values” that are intended to advise the criteria for identification of “Priority Growth Investment Areas” throughout the State:

Value 1: Concentrate Development and Mix Uses

Value 2: Prioritize Redevelopment, Infill, and Existing Infrastructure

Value 3: Increase Job and Business Opportunities in Priority Growth Investment Areas

Value 4: Create High-Quality, Livable Places

Value 5: Provide Transportation Choice & Efficient Mobility of Goods

Value 6: Advance Equity

Value 7: Diversify Housing Opportunities

Value 8: Provide for Healthy Communities through Environmental Protection & Enhancement

Value 9: Protect, Restore and Enhance Agricultural, Recreational and Heritage Lands

Value 10: Make Decisions within a Regional Framework

The draft plan and the draft Infrastructure Needs Assessment was released for public comment and hearings. Several public hearings were held and a vote had been scheduled in November 2012 to adopt the plan; however, in light of the significant impact of Superstorm Sandy on the State, the vote was postponed and, to this day, the State has not acted on the plan.

5 | VISION

5.1 VISION FOR THE PROJECT AREA

This Redevelopment Plan's approach to redevelopment of the Project Area contemplates creating a safer pedestrian environment and shifting the corridor towards a mix of uses rather than solely commercial use. Investment promotes a mix of limited ground-floor commercial and primarily upper-floor residential uses to keep the corridor activated by pedestrians throughout the day, while light commercial activity complements, rather than detracts from, the vitality of downtown area.

Mixed-use or multi-family buildings are prioritized for infill development over the single-story commercial strip approach currently present throughout the corridor. New residential development also promotes an appropriate transition from the corridor to the adjacent residential neighborhoods to the east.

Traffic calming and public realm improvements work together to create a "livable boulevard" with a strong sense of arrival that is presently lacking as one enters the Borough from the eastern border with Edison Township. In support of the Borough's overall vision for the Upper Raritan Avenue corridor, the roadway is to be redesigned from four to two lanes, at reduced speed, and with new buffered bike lanes, wider sidewalks, highly-visible crosswalks, and other traffic-calming measures.

Former exposed parking lots are to be appropriately screened or removed altogether. Paved, auto-oriented lots are to be redeveloped into residences, with the possibility for ground-floor commercial or office uses with residences above. Proposed infill buildings will front on Raritan Avenue with setbacks consistent with other buildings along the corridor. Parking areas are to be concealed by being located at the rear of buildings, accessible from side streets, in order to shift the appearance and function of the corridor from the automobile to the pedestrian. Other public realm improvements like street trees, extensive landscaping, and outdoor seating areas create an enhanced experience in the corridor.

5.2 STATEMENT OF GOALS & OBJECTIVES

The Borough seeks to alleviate the conditions found in the Project Area and support the use and re-use of properties to better serve the public health, safety, and welfare of the community and the region. As such, this Redevelopment Plan seeks to implement the following general goals and objectives that apply to all redevelopment projects:

- A. The primary goal of this Redevelopment Plan is to eliminate those conditions that cause the Project Area to be considered an “area in need of rehabilitation” and, where applicable, an “area in need of rehabilitation.”
- B. The stimulation of private investment in the Project Area by assembling sites and assisting as necessary and appropriate to support such rehabilitation and, where applicable, redevelopment.
- C. The making available of the full range of benefits and inducements for the Project Area, including: federal, state, county and local government funding.
- D. Foster public-private partnerships to accomplish revitalization of the Project Area in a manner that best serves the needs of the community, strengthens the local economy, attracts residents and small businesses to the area, and contributes to the continuing vitality of the Borough.

Additionally, this Redevelopment Plan is also intended to advance the following specific goals and objectives as it relates to the Project Area:

- A. Transform the corridor from a high-speed commercial strip to a “livable boulevard” that enhances the character of the adjacent residential neighborhoods and improves safety for everyone who traverses the corridor.
- B. Activate the corridor through a balanced mix of uses that promotes foot and bicycle mobility throughout the day and evening without detracting from the downtown area.
- C. Shift commercial activity from auto-oriented to pedestrian-centric through infill development that includes ground-floor businesses and other active ground-floor uses.
- D. Create a strong sense of arrival through street trees, extensive landscaping, streetscape improvements, public art, and signage compatible with other areas in the Borough.
- E. Promote bicycle and pedestrian safety by reducing from four to two lanes at reduced speed and incorporating bike lanes on Raritan Avenue.
- F. Create a sense of place and opportunities for gathering through small-scale public spaces, walkways, and outdoor seating areas.

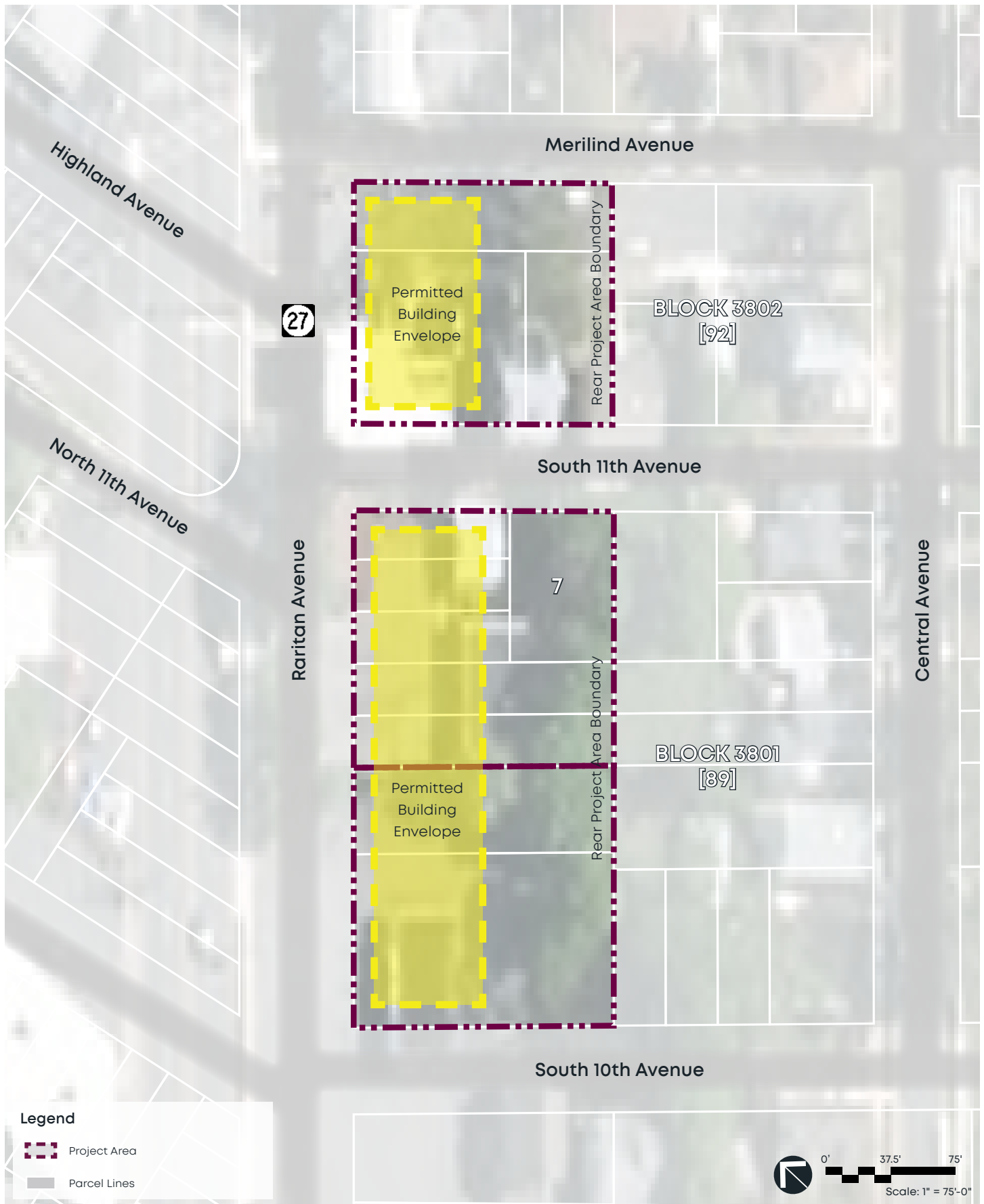
6 | PROPOSED ZONING REGULATIONS

6.1 PURPOSE & OVERVIEW

Any development that occurs within the Project Area shall comply with all statutes of the State of New Jersey governing development, rehabilitation, and redevelopment, including but not limited to the Municipal Land Use Law (the “MLUL”) at N.J.S.A. 40:55D-1 et seq. and the Local Redevelopment and Housing Law (the “LRHL”) at N.J.S.A. 40A:12A-1 et seq. Additionally, it is necessary to establish the following:

- A. The development, rehabilitation, or redevelopment of the Project Area shall effectuate the Vision and the established Goals and Objectives of this Redevelopment Plan.
- B. The zoning regulations set forth in this Redevelopment Plan shall supersede the underlying zoning within the Project Area as provided for in N.J.S.A. 40A:12A-7c., and - with the exception of the existing dwelling on Block 3801, Lot 7 - shall require the execution of a Redevelopment Agreement in order to apply.
- C. It is intended and expressly understood that any zoning regulations and development and design standards not specifically addressed in this Redevelopment Plan shall continue to apply as set forth in the Highland Park Land Development Ordinance (the “Ordinance”) and all other codes and regulations as set forth in the Code of the Borough of Highland Park (the “Code”) not contravened in this Redevelopment Plan.
- D. Unless otherwise provided herein, all words and phrases used herein shall have the same definitions provided in the Ordinance and the Code.

Map 6. Proposed Zoning Diagram



6.2 LAND USE REGULATIONS

The provisions pertaining to land use regulations contained herein shall apply to all development within the Project Area. The Planning Board shall not grant variances from these regulations as they constitute mandatory components of this Redevelopment Plan.

6.2.1. PERMITTED PRINCIPAL USES

- A. The following principal uses and structures shall be permitted in the Project Area:
1. Multi-family apartments, including apartments located on the ground floor. Such uses may include common spaces for residents such as lobbies, physical fitness facilities, active and passive recreational facilities, collaboration and/or shared spaces and other similar amenities and services, which may also be located on the ground floor.
 2. Live/Work units.
 3. Single-family detached dwelling, on Block 3801, Lot 7 only.
 4. Retail businesses, including, but not limited to, specialty and gift shops and boutiques.
 5. Personal service establishments, including, but not limited to, computer or electronic services or rental.
 6. Indoor amusement businesses, including, but not limited to, arcades, axe-throwing, virtual reality, escape rooms and other activities.
 7. Indoor recreation facilities, including dance studios, yoga studios, other instructional studios, physical fitness studios and fitness centers.
 8. Spas, massage and somatic therapy establishments.
 9. Banks and fiduciary institutions, including walk-up automated teller machines ("ATM"), but excluding drive-through banks.
 10. Food and beverage consumption establishments, carry-out restaurants, luncheonettes and delicatessens, including outdoor dining and walk-up services, except drive-through restaurants.
 11. Package stores, taverns, limited breweries, and brew pubs, including outdoor dining.
 12. Artists, artisan and crafts-person studios and workshops, and similar creative workspaces and maker spaces.
 13. Studios for the visual and performing arts, including, but not limited to, performance and gallery spaces, and artistic instruction space.
 14. Museums and other cultural and civic facilities.

15. Public assembly facilities and spaces, theaters and cinemas, where the use is integrated into mixed-use buildings with another permitted use on the ground floor fronting on Raritan Avenue.
16. Offices, including, but not limited to, professional offices (e.g., physicians, lawyers, financial advisors or architects); commercial offices (e.g., realtors or travel agencies); and governmental offices (e.g., post office branch); and shared and co-working spaces.
17. Laboratories.
18. Nursery schools and day-care centers.
19. Pocket parks, plazas and courtyards.
20. Any other principal use and structure permitted in the CBD Central Business District and C Commercial Zones, as may be amended from time to time.

6.2.2. PERMITTED ACCESSORY USES

- A. The following accessory uses and structures shall be permitted in the Project Area:
 1. Off-street parking for residents, employees, customers, and/or general public.
 2. Off-street loading.
 3. Active and passive recreational facilities including fitness/recreation facilities, pools, courtyards, gardens, roof top terrace and other amenities for residents.
 4. Plazas, courtyards, gardens, patios, pedestrian walkways, ramps, stairways, alleys and other similar type of public and semi-public spaces.
 5. Fences, walls, retaining walls, hedges, and other similar landscape elements.
 6. Open trellis and other similar overhead shade/landscape structures.
 7. Outdoor cafes and outdoor dining areas.
 8. Street furniture, planters, and streetlights.
 9. Sidewalk displays.
 10. Refuse and recycling enclosures.
 11. Signage for uses on the site.
 12. Murals, banners, public art, and community signage.
 13. Satellite dish antenna (receive only).
 14. Other uses and structures deemed to be ancillary and customarily incidental accessory uses and structures with respect to uses permitted hereunder.

- B. The following accessory uses and structures shall be permitted on Block 3801, Lot 7, where the principal use on such lot is a single-family detached dwelling:
1. Driveways, carports, and garages.
 2. Greenhouses, storage and/or tool sheds, and other similar structures.
 3. Private recreational facilities including pools, sport courts, home gyms, and other similar amenities.
 4. Patios, decks, gazebos, and other similar structures.
 5. Fences, walls, retaining walls, hedges, and other similar landscape elements.
 6. Home occupations.
 7. Satellite dish antenna (receive only).
 8. Other uses and structures deemed to be ancillary and customarily incidental accessory uses and structures with respect to uses permitted hereunder.

6.2.3. PERMITTED CONDITIONAL USES

- A. The following conditional uses and structures shall be permitted in the Project Area:
1. Public utility facilities required to provide direct service of the utility to the consumers, such as transformers and pumping stations, but excluding warehouses, service or storage and treatment yards.
 2. Any other conditional use and structure permitted in the CBD Central Business District and C Commercial Zones, as may be amended from time to time.

6.2.4. TEMPORARY USES

Temporary uses and events shall be permitted on an interim basis within the Project Area, subject to all of the terms in accordance with a Redevelopment Agreement entered into between the Redeveloper and the Redevelopment Entity.

6.3 AREA & BULK REGULATIONS

The provisions pertaining to area, setback, coverage, and height regulations contained herein shall apply to all development within the Project Area. The Planning Board may grant variances from these regulations, pursuant to N.J.S.A. 40:55D-70.c.

6.3.1. AREA & BULK REGULATIONS

- A. The following area and bulk regulations shall apply to all development within the Project Area:

Area Requirements

1. There shall be no minimum lot area nor lot dimensional requirements.

Building Setback Requirements

2. Minimum setback from Raritan Avenue: 5 feet.
3. Maximum setback from Raritan Avenue: 10 feet.
4. Minimum setback from all other streets: 5 feet.
5. Maximum setback from all other streets: 20 feet.
6. Minimum setback from the rear Project Area boundary: 75 feet.
7. Minimum setback from Block 3801, Lot 7, where the principal use on such lot is a single-family detached dwelling: 20 feet.
7. Minimum setback from all other lot lines: 0 feet.

Coverage Requirements

8. Maximum building coverage: 40%
9. Maximum impervious coverage: 85%

Height* Requirements

10. Maximum building height in stories: 3 stories, except a fourth story to provide access to a roof deck shall be permitted, provided that the fourth-floor facade is set back a minimum of 20 feet from the facade of the third floor below, as measured from all streets, and the footprint of the fourth floor does not exceed 10% of the overall building footprint.
11. Maximum building height in feet: 40 feet; 50 feet for the portion of the building where a fourth story is provided in accordance with Section 6.3.1.A.11. above.

*Height is defined in Section 6.4.2 below.

- B. The following area and bulk regulations shall apply to Block 3801, Lot 7, where the principal use on such lot is a single-family detached dwelling.
 1. All requirements pertaining to single-family detached dwellings promulgated by the underlying Ordinance.

6.4 SUPPLEMENTARY REGULATIONS

The provisions pertaining to supplementary regulations contained herein shall apply to all development within the Project Area. Unless specifically superseded below, all other regulations contained in Part 4 Zoning of the Ordinance shall apply. The Planning Board may grant variances from these regulations, pursuant to N.J.S.A. 40:55D-70.c.

6.4.1. PERMITTED PROJECTIONS

- A. Non-enclosed one-story porches, porticos, stoops and entrance platforms leading to the front entrance on the ground floor shall be permitted to project not more than eight (8) feet into a front yard setback.
- B. Non-enclosed one-story porches, porticos, stoops, entrance platforms and uncovered decks leading to the basement, or the ground floor shall be permitted to project not more than four (4) feet into a side or rear yard setback.
- C. Cornices, eaves, chimneys, gutters, downspouts, cantilevered roofs, balconies and bay windows shall be permitted to project not more than three (3) feet from the building into any yard setback.
- D. Belt courses, windowsills and other similar ornamental features may project not more than one (1) foot from the building into any yard setback.
- E. Ramps and stairways leading to a building entrance may project into any yard setback, without limitation, provided that they do not encroach into the public right-of-way.
- F. Awnings and structural canopies may project not more than eight (8) feet into any yard setback, provided that they have a minimum vertical clearance of eight (8) feet and are set back a minimum of 10 feet from the curblin along the parking area, driveway or street.

6.4.2. DEFINITION OF HEIGHT

- A. Building height shall be defined as the vertical distance from grade plane to the average height of the highest roof surface. A grade plane shall be defined as a reference plane representing the average of finished ground level adjoining the building at exterior walls, exclusive of grade separation requirements and grading necessary to direct stormwater runoff away from the building.
- B. Building height calculations shall exclude building service equipment (e.g., condensers, cooling towers, exhaust fans, and other similar mechanical equipment) and any associated screening devices, solar panels, bulkheads, stair enclosures, roof access stairwells, elevator penthouses, skylights or atrium structures, flagpoles and architectural appurtenances (e.g., chimneys, cupolas, towers, belfries, lanterns, spires, steeples, and other similar elements), provided that such shall not extend more than 10 feet above the allowable building height. Additionally, building height calculations shall exclude fire walls, parapet walls, cornices, and other similar elements, provided that such shall not extend more than three (3) feet above the allowable building height.
- C. Mezzanines and lofts that qualify as mezzanines under the International Building Code (Section 505.2) shall not constitute a story or half story and shall be considered part of the story below.

6.5 DEVELOPMENT & DESIGN STANDARDS

The provisions pertaining to development and design standards contained herein shall apply to all development in Project Area. Unless specifically superseded below, all other regulations contained in Part 3 Performance Standards of the Ordinance shall apply. The Planning Board may grant exceptions from these standards, pursuant to N.J.S.A. 40:55D-51.

These development and design standards shall not apply to Block 3801, Lot 7, where the principal use on such lot is a single-family detached dwelling.

6.5.1. OVERALL CIRCULATION & OFF-SITE IMPROVEMENTS

- A. The overall streetscape along Raritan Avenue, South 10th Avenue, South 11th Avenue, and Merilind Avenue shall be designed to enhance the public realm, by emphasizing and prioritizing pedestrian safety, accessibility, and connectivity, as envisioned by the Borough's Master Plan.
- B. Where a project has frontage along South 10th Avenue, South 11th Avenue, or Merilind Avenue, all driveways and curb cuts along Raritan Avenue shall be eliminated.
- C. Where a project is adjacent to another property within the Project Avenue that has access to South 10th Avenue, South 11th Avenue, or Merilind Avenue, such project shall coordinate with the adjacent property to gain access to South 10th Avenue, South 11th Avenue, or Merilind Avenue through a shared access agreement, and all driveways and curb cuts along Raritan Avenue shall be eliminated.

6.5.2. PARKING REQUIREMENTS

- A. Parking requirements for non-residential uses shall be regulated as follows:
 - 1. The minimum parking requirement for all non-residential uses shall be one (1) parking space for each 1,000 square feet of gross floor area.
- B. Parking requirements for residential uses shall be regulated as follows:
 - 1. The minimum parking requirement for residential uses shall be 1.50 parking spaces per dwelling unit, inclusive of live/work units.
 - 2. It is recognized that the residential parking requirements established herein are less than the maximum number of parking spaces required under the New Jersey Residential Site Improvement Standards ("RSIS") at N.J.A.C. 5:21-1 et seq. Consequently, the Borough Council in adopting this Redevelopment Plan is establishing alternative parking standards from RSIS pursuant to N.J.A.C. 5:21-4.14, (c) that better reflect local conditions, including: i. household characteristics; ii. access to mass transit; iii. geographic location (e.g., urban versus suburban location); and/or iv. [availability of] off-site parking resources.
 - 3. Tandem parking shall be permitted, provided that both parking spaces are associated with the same dwelling unit.

4. Lease agreements shall include clauses such that tenants are required to park their vehicles within the assigned parking area and may not park on nearby streets or adjacent private parking lots.
- C. Provisions for electric vehicle (“EV”) charging infrastructure and/or stations shall be provided on each Parcel in accordance with State law, including P.L. 2021, c. 171. Installation of electric vehicle supply equipment (“EVSE”) may be provided in lieu of Make-Ready parking spaces, as those terms are defined in P.L. 2021, c. 171.
 - D. Parking requirements may be reduced where it can be demonstrated to the satisfaction of the Planning Board that such reductions are justified by reason of the mix of uses, parking demands of specific uses, proximity public transportation and/or documented arrangements for shared parking supported by analyses consistent with the Urban Land Institute’s Shared Parking Analysis or other generally accepted standards applicable to shared parking.
 - E. Provisions for bicycle parking shall be provided to accommodate a minimum of one (1) bicycle for every 10 parking spaces for non-residential uses and a minimum of one (1) bicycle for every dwelling unit for residential uses, with one or more of the following: i. indoor bicycle storage rooms; ii. appropriately sized storage areas within the building; iii. on wall-mounted hooks, ceiling hooks, or closets within a residential unit; and/or iv. covered exterior bicycle rack(s). A minimum of 10% of bicycle parking required for residential uses shall be provided on the exterior for guests.
 - F. Bicycle parking requirements may be reduced where it can be demonstrated to the satisfaction of the Planning Board that use will not generate a need for such facilities, or where the anticipated need is less than what would be required under this section or can be accommodated on an adjacent property within the Project Area or on adjacent property outside the Project Area.

6.5.3. OFF-STREET PARKING AREAS

- A. Parking areas shall be located to the rear of a building and/or the interior of the site where its visual impact to adjacent properties and the public right-of-way can be minimized. Parking areas shall be prohibited in any front yard area.
- B. Parking areas shall be suitably buffered and screened from public view, including the side streets. Such screening shall consist of either (1) a combination of landscaping and a low masonry wall or (2) an enhanced landscape buffer. Where a low masonry wall is utilized, such shall be composed of materials, colors, finishes, and/or design elements that are consistent with the architecture of the building and in accordance with the design vocabulary that is compatible and/or complementary of the design, style, and character of other improvements within the Project Area. Where an enhanced landscape buffer is utilized, such buffer shall contain layers of ground-level landscaping, shrubs, evergreen trees, flowering trees, and shade trees, and may include bio-retention swales or other Green Infrastructure elements, to the extent practical.
- C. The minimum driveway and parking area setback from the rear Project Area boundary shall average 10 feet, but at no point shall be less than five (5) feet.

- D. The minimum driveway and parking area setback from any other property within the Project Area shall be five (5) feet.
- E. The minimum driveway and parking area setback from any buildings, except for those areas necessary for off-street loading areas and servicing refuse and recycling areas, shall be 10 feet.
- F. The minimum parking stall size for all other parking spaces shall be nine (9) feet wide by 18 feet long, except for accessible parking stalls and associated access aisles which shall be subject to standards promulgated by the Americans with Disabilities Act (“ADA”).
- G. Parking stalls designated for compact cars, which shall be no less than eight (8) feet wide and no less than 16 feet long, shall be permitted provided that the total number of compact parking spaces does not exceed 10% of the total number of parking spaces provided for each project within the Project Area.

6.5.4. STREETS, SIDEWALKS & CROSSWALKS

- A. The Redeveloper shall restore the surface of the street to its original and proper condition to address existing conditions and those areas disturbed during construction.
- B. A public sidewalk shall be provided within all street frontages within the Project Area. Where such sidewalk along the street extends beyond the public right-of-way onto private property, the Redeveloper shall be required to provide a public access easement for the portion of the sidewalk located on private property.
- C. Sidewalks shall be constructed of materials, colors and/or patterns consistent with the existing infrastructure. The sidewalk shall extend from the curbline to the building façade, with an area to accommodate a regular rhythm of street furniture, benches, bicycle racks, planters and/or other landscape features and street trees within the furnishing zone along the curbline and/or landscaping beds along the building façade.
- D. Planting strips between the curbline and the sidewalk and landscaping beds along the building façade, may include bio-retention swales or other Green Infrastructure elements, to the extent practical. In no instance, however, shall a planting strip be permitted to be covered with asphalt, other paving, or loose stones of any variety.
- E. Where sidewalks intersect at driveways within any public right-of-way, sidewalks shall continue uninterrupted across driveways, and the associated driveway aprons shall be designed to accommodate a continuous sidewalk.
- F. Where sidewalks intersect at driveways within the Project Area, accessible ramps and detectable warning surface pads shall be provided. Pedestrian crosswalks shall be provided across the streets with “continental” or ladder striping, which shall be two (2) feet in width and a minimum of eight (8) feet in length, spaced two (2) feet apart, subject to the agency having jurisdiction.

6.5.5. PEDESTRIAN WALKWAYS

- A. Walkways shall be provided in order to provide a pedestrian connection between sidewalks and entrances of buildings.
- B. Walkways shall be provided in order to provide a pedestrian connection between entrances of buildings and parking areas, outdoor amenity spaces, and other pedestrian accessible locations.

6.5.6. REFUSE & RECYCLING

- A. Refuse and recycling facilities shall be provided to adequately accommodate each use, and shall be provided within the building being served and/or in an exterior area on the property.
- B. Any exterior areas provided for the collection and pickup of refuse and recyclable materials shall be suitably buffered and screened from public view. Such screening shall consist of a combination of landscaping and a three-walled masonry enclosure with a self-closing and self-latching gate. Such masonry structure and gate shall be composed of materials, colors, finishes, and/or design elements that are consistent with the architecture of the building and in accordance with the design vocabulary that is compatible and/or complementary of the design, style and character of other improvements within the Project Area.
- C. The minimum masonry enclosure setback from any property within the Project Area shall be five (5) feet.
- D. Any exterior areas provided for the collection and pickup of refuse and recyclable materials shall be adequately lit and shall be safely and easily accessible by users and recycling personnel and/or collection vehicles.
- E. Any receptacles or dumpsters located in exterior areas shall be covered and equipped with signage indicating the materials to be placed therein.
- F. Shared facilities shall be permitted, whether located on-site to accommodate off-site uses, or located off-site on adjacent property to accommodate on-site uses.
- G. The collection, disposal, recycling and transportation of refuse and recyclable materials shall be by private carters and shall be performed in accordance with the Code.

6.5.7. LANDSCAPING

- A. Street trees shall be provided at intervals of approximately 30 to 50 feet along Raritan Avenue and all other streets, whether existing or proposed. Any new street tree shall be a minimum size of two-and-one-half (2 1/2) inches in caliper at time of planting.
- B. Shade trees shall be provided within yard areas, along the perimeter of parking areas, and within landscape islands within parking areas, to the extent practical, whether existing or proposed. Any new shade tree shall be a minimum size of two (2) inches in caliper at time of planting.

- C. All portions of the Project Area not utilized by structures or paved areas shall be landscaped, utilizing combinations of tree and shrub plantings, lawn and other vegetative ground covers in order to maintain or reestablish vegetation in the area and lessen the visual impact and climatic effects of structures and paved areas. The use of native plant species that are tolerant of drought and urban conditions shall be prioritized. To avoid monocultures, not more than 1/4 of the required plantings shall be of any one species.
- D. Where dwelling units are located on the ground floor, such shall be suitably buffered and screened from public view, and may have direct access to small, semi-private landscaped terraces designed as an urban patio garden. Such treatments shall be delineated and screened with a combination of enhanced landscape buffer, including hedging and landscape edging, as well as a low masonry wall and/or decorative fencing. Where provided, the terrace shall be suitably integrated into the patio landscaping treatment to provide full visual screening from passersby to a height of four (4) feet above grade and may provide for partial screening above four (4) feet.

6.5.8. LIGHTING

- A. Street lighting shall be provided along Raritan Avenue, whether existing or proposed. The type of fixture shall be consistent with the other fixtures utilized elsewhere in the Upper Raritan Avenue corridor.
- B. All parking and pedestrian areas shall be provided with pedestrian-scale light fixtures.
- C. Decorative and/or ambient lighting may be provided by one or more of the following: ground recessed lighting, bollard lighting, wall-mounted and/or recessed lighting.
- D. All fixtures shall be appropriately shielded and, where attached to a building, such shall be focused downward.
- E. All fixtures shall be LED, non-glare, full cut-off and shall not exceed a color temperature of 3,300K.

6.5.9. SIGNAGE

- A. All signage shall be indicated in a comprehensive sign package, including, but not limited to, building-mounted vertical landmark signage along Raritan Avenue, wall-mounted, blade, awning, directional and all other contemplated signage, which may be addressed in accordance with any Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.

6.5.10. UTILITIES

- A. All development shall be serviced with public, potable water and sanitary sewer, along with electric, natural gas, telephone, and cable service; all utilities shall be placed underground to the extent practical.

- B. Any existing infrastructure or utilities servicing the Project Area that are in need of repair or replacement shall be addressed in accordance with any Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.

6.5.11. STORMWATER MANAGEMENT & GREEN INFRASTRUCTURE

- A. Storm drainage improvements, including pipes, inlets, and culverts, shall be located either within public rights-of-way, dedicated property or properties, or within easements located on private property.
- B. All development shall incorporate the use of decentralized small-scale Green Infrastructure elements, as required by N.J.A.C. 7:8, in order to: (a) maximize treatment for water quality and groundwater recharge to the extent practical; and (b) manage water quantity prior to discharging into the Borough's stormwater sewer system.
- C. All development shall incorporate multiple elements from the following Green Infrastructure ("GI") strategies or features, which shall be addressed in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper:

At the Building Scale

1. Green roofs are partly or completely covered vegetative roofs that can be made as small as an exterior door overhang or as large as an entire roof, and can be used capture stormwater runoff from either a flat or sloping roof surface, improve air and water quality, reduce the urban heat island effect, and extend the life of roofing materials. Green roofs can be simple, shallow planting areas (extensive green roofs) or they can include deeper soils and more elaborate plantings (intensive green roofs).
2. Rain barrels & cisterns are storage tanks fed by downspouts from buildings that can capture and store stormwater runoff, which can then be used for watering of site plantings, therefore reducing demand for potable water for irrigation, or can be used for other non-potable uses.
3. Downspout planter boxes are open-topped containers fed by downspouts from buildings that can capture and use stormwater runoff for self-irrigation or can be used to delay runoff release to the stormwater collection system through an overflow.

Within Yard Areas

4. Infiltration beds and/or underground storage facilities are utilized under patios, terraces, walkways, parking lots and other paved areas, often with the use of pervious paving, which can be used to allow for local stormwater infiltration and recharge of groundwater at that location, or can be used to store stormwater for slow-release to the stormwater collection system. Underground storage capacity may be sized to receive stormwater from adjacent properties.

5. Landscape islands are designed to receive runoff and reduce the amount of runoff from adjacent paved areas, particularly parking lots. If properly designed, these landscape islands provide adequate soils and sufficient water to enable healthy shade tree growth around the perimeter of and within parking lots.
6. Vegetative bioswales provide stormwater capture and conveyance areas while rain gardens hold, filter and infiltrate a large amount of stormwater during rain events. Both of these strategies remove nonpoint source pollutants from stormwater runoff, allow for recharge of groundwater and/or for slow release to the stormwater collection system.

Within the Public Right-of-Way

7. Street tree trenches are linear systems that combine street trees with an underground stormwater management system, which are designed to collect stormwater runoff from the public sidewalk and the street.
8. Pervious public sidewalk utilize pervious concrete or pavers that enable stormwater runoff to infiltrate the paved surface as opposed to pooling on top of the walking surface.
9. Curb bump-outs are landscape planters commonly located at street corners and mid-block lane tapers, and are constructed to introduce landscaping and collect stormwater runoff from the public sidewalk and the street.

6.5.12. BUILDING DESIGN

- A. All development shall address the following building design standards in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper:
 1. The architectural design of the building shall provide architectural interest, articulation and variety to the massing of the building and relieve the negative visual effect of a single, long wall.
 2. The building shall be composed of an articulated base, body, and cap across the entire façade. Each element shall be traditionally proportionate to the overall horizontal and vertical dimensions of the façade.
 3. The ground floor shall be comprised of a regular rhythm of storefront bays and window treatments such that the ground floor façade along the street is predominately glazed. The glazing materials shall be highly transparent, with low reflectivity. The area above the storefronts shall be articulated with an articulated lintel composed of detailed layers of relief that create depth and shadow.
 4. The architectural treatment of a facade or roof shall be completely continued around all visibly exposed sides of a building. All sides of a building shall be architecturally designed to be consistent with the style, materials, colors and details of the front façade.

5. All materials, colors, finishes and/or details used on the exterior of a building shall be architecturally compatible with the style of such building, as well as with adjacent buildings within the Project Area. A building designed of an architectural style that normally includes certain integral features, materials, colors, finishes and/or details shall have such incorporated into the design of such building.
6. Permitted building materials for street-facing exterior wall surfaces shall primarily consist of dimensional brick and/or fiber cement siding and may include smooth finished stucco and metal. Trim materials may consist of precast stone, wood, fiber cement and PVC. Vinyl, cultured stone and EIFS are not permitted building materials.
7. Any mechanical equipment and HVAC units shall be located either on the ground in the side or rear yard area or on the roof, and screened from public view. Such screening device shall be designed to be architecturally compatible with the style, materials, colors and details of such building. Through-the-wall HVAC units may be permitted, provided that those units in any street-facing façade shall be designed such that the associated wall vent and grille is centered beneath a window opening or is integrated into a design element that has the appearance of a window opening. Through-the-window and exterior wall-mounted HVAC units on street-facing facades shall be prohibited.

6.5.13. SUSTAINABLE DESIGN

The following standards shall be addressed in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.

- A. All development shall incorporate multiple elements from the following Sustainable Design strategies or features, which shall be addressed in accordance with any Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper:

Renewable Energy

1. Solar Photovoltaic (“PV”) Readiness & sufficient space in order to accommodate future installation of Battery Storage Infrastructure

Passive Design

2. Light-Colored, Reflective Roof Surface
3. Architectural Shading Devices
4. Operable Windows

Energy Efficiency

5. Occupancy and Daylighting Controls (in Common Areas)
6. Digital Programmable Thermostats
7. ENERGY STAR Certified Appliances
8. ENERGY STAR Certified Light Fixtures
9. ENERGY STAR Certified Windows

Water Efficiency

10. Reduced or No Irrigation
11. WaterSense Rated Fixtures

Indoor Air Quality

12. Air Tightness Verification by ASTM Testing
13. Protection/Flushing of HVAC Equipment & Ductwork
14. MERV 8+ Air Filters During Construction; MERV 13+ Air Filters for Occupancy
15. Prohibition of Indoor Combustion Devices
16. Low VOC Interior Paints, Finishes, Adhesives & Sealants
17. Formaldehyde-Free Casework, Cabinetry & Composite Wood Finishes
18. Smoke-Free Building Policy (in Common Areas)

Materials & Resources

19. FSC Certified Wood Products
20. Material Reuse During Construction & Demolition

6.5.14. ACCESSIBILITY & UNIVERSAL DESIGN

- A. All development within the Project Area shall comply with federal, state and local requirements regarding accessibility.
- B. All development within the Project Area is encouraged to utilize Universal Design techniques and strategies to create public and private spaces that are equally accessible to all people, regardless of age and abilities. This approach is intended to facilitate equitable design that is flexible, simple, intuitive, perceptible, has tolerance for error, utilizes low physical effort and appropriate for the intended use.
- C. All development shall incorporate multiple elements from the following Universal Design techniques and strategies, which shall be addressed in accordance with any Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper:
 - 1. Accessible ramps, where necessary, should be integrated in the site and building design to create a dignified, non-discernible and inclusive access point that facilitates mobility for all users.
 - 2. Accessible on-street parking spaces, where provided, should be located to minimize travel distances to public spaces and building access points.
 - 3. At least one automated door (via pushpad or other means of activation) to a main access point should be provided.
 - 4. No-step ($\frac{1}{4}$ to $\frac{1}{2}$ inch thresholds) access to access points, patios, balconies and terraces should be provided to the extent practical.
 - 5. Doorways should be specified to have at least 34-inch-wide clear openings, with door handles located between 34 and 38 inches above the floor.
 - 6. Hallways should be designed to have at least 42-inch-wide clearances, with all controls, switches and outlets within the comfortable reach zone of between 24 and 48 inches above the floor.
 - 7. Counters, where provided, should be designed at different heights.
 - 8. Kitchen areas, where provided, should include cabinetry or areas that allow for a user to work in a seated position.
 - 9. Laundry appliances, where provided, should be front-loaded.
 - 10. Signage should be provided throughout, within sight lines and in alternate languages, in addition to English.

6.6 DEVELOPMENT OF PUBLIC ELECTRIC VEHICLE CHARGING INFRASTRUCTURE

Provisions for electric vehicle (“EV”) charging infrastructure and stations for where parking facilities are provided on-site are regulated in Section 6.5.2 of this Redevelopment Plan.

This Redevelopment Plan anticipates the need for and development of public EV charging infrastructure and stations within the Project Area. Where a portion of the on-site parking facilities are anticipated to be shared with the public, those parking spaces to be shared with the public are encouraged to be provided with public EV charging infrastructure and stations.

Provisions for the development of public EV charging infrastructure and stations shall be addressed in accordance with a Redevelopment Agreement entered into between the Redeveloper and the Redevelopment Entity.

6.7 AFFORDABLE HOUSING

The Borough does not anticipate the removal of any Uniform Housing Affordability controlled housing units due to the implementation of this Redevelopment Plan. Because it is anticipated that no affordable housing units are to be removed due to the implementation of this Redevelopment Plan, no affordable housing units are anticipated to be replaced.

The provision of affordable housing within the Project Area, where applicable, shall be addressed in accordance with the Borough’s Affordable Housing Ordinance and Housing Element and Fair Share Plan, or, if applicable, in accordance with a Redevelopment Agreement entered into between the Redeveloper and the Redevelopment Entity.

7 | GENERAL PROVISIONS

7.1 APPLICABILITY

The provisions and development procedures contained in this chapter shall apply to all projects within the Project Area.

7.2 DEFINITIONS

The definitions provided in N.J.S.A. 40A:12A-3 are incorporated into this Redevelopment Plan by reference.

7.3 REDEVELOPMENT ENTITY

The Borough Council shall act as the “Redevelopment Entity” pursuant to N.J.S.A. 40A:12A-4.c for purposes of carrying out this Redevelopment Plan.

In doing so, the Borough Council shall have the powers as set forth in N.J.S.A. 40A:12A-15 and N.J.S.A. 40A:12A-22, and all other relevant provisions and statutes, to effectuate all of its duties, responsibilities, and all other activities as permitted by law in the execution and implementation of this Redevelopment Plan.

7.4 REDEVELOPER SELECTION

The Redevelopment Entity may, pursuant to N.J.S.A. 40A:12A-8 and upon adoption of this Redevelopment Plan, select a single “Redeveloper” or multiple Redevelopers for the rehabilitation and/or redevelopment of the Project Area or portion thereof.

The Redevelopment Entity shall select the Redeveloper(s) based on the entity’s experience, financial capacity, ability to meet deadlines, flexibility in meeting market demands within the framework of this Redevelopment Plan, and any additional criteria that demonstrate the Redeveloper’s ability to implement the Vision and the established Goals and Objectives of this Redevelopment Plan.

EXCEPTION FOR BLOCK 3801, LOT 7

In the case of the existing single-family detached dwelling on Block 3801, Lot 7, the Redevelopment Entity shall not be required to select a Redeveloper, and the property owner or any applicant with the property owner’s consent, shall not be required to be named a Redeveloper in order to make improvements to the property, so long as the property remains developed with a single-family detached dwelling or is proposed to be developed with a new single-family detached dwelling.

7.5 DEVELOPMENT PROCEDURE

7.5.1 CONCEPT PLAN REVIEW

Any Redeveloper(s) seeking to utilize the zoning established by this Redevelopment Plan shall make a formal proposal for development to the Redevelopment Director who may defer to the Redevelopment Entity and obtain consent and approval of such proposal, consistent with the terms of this Redevelopment Plan.

7.5.2 REDEVELOPMENT AGREEMENT

Once the concept plan has been reviewed by the Redevelopment Director and/or Redevelopment Entity, the Redeveloper shall enter into a Redevelopment Agreement with the Redevelopment Entity that comports with the requirements of N.J.S.A. 40A:12A-9, along with any other covenants, provisions, and continuing controls as may be deemed necessary to effectuate the purposes of this Redevelopment Plan and the LRHL.

Execution of a Redevelopment Agreement shall be a mandatory checklist item for any Application for Development as the term is defined in N.J.S.A. 40:55D-3 and any such application shall not be deemed complete pursuant to N.J.S.A. 40:55D-10.3 until proof of an executed Redevelopment Agreement has been submitted as part of the application. Only upon execution of a Redevelopment Agreement may the Applicant submit an Application for Development to the Planning Board for completeness review.

7.5.3 APPLICATIONS FOR DEVELOPMENT

Preliminary and final site plan and/or subdivision applications for any property within the Project Area shall be in accordance with the requirements with this Redevelopment Plan, and all applicable provisions of the Ordinance and the MLUL.

Applications shall be accompanied by such maps, documents and materials in accordance with all relevant development application checklists. Applications may be submitted for the entire project or any number of phases, provided that all aspects of any proposed phasing, including phase configuration and location, and the timing and sequencing of phase development, shall be subject to Planning Board review, and will only be allowed if approved by the Redevelopment Entity.

7.5.4 PLANNING BOARD REVIEW

Preliminary and final site plan and/or subdivision review shall be conducted by the Planning Board pursuant to the MLUL. Applicants before the Planning Board shall provide public notice of such site plan and/or subdivision application in accordance with the public notice requirements as set forth in N.J.S.A. 40:55D-12(a) and (b).

7.5.5 DEVIATIONS FROM PROVISIONS OF APPROVED REDEVELOPMENT PLAN

All applications requiring relief for deviations from this Redevelopment Plan or the Ordinance shall be governed by the MLUL or any existing, or to be adopted, redevelopment plan for a specific site within the Project Area, provided that:

- A. No deviations shall be granted that result in: (i) the granting of a variance under N.J.S.A. 40:55D-70(d)1 through (d)6; (ii) deviating from contractual obligations of a Redeveloper to the Redevelopment Entity; or (iii) deviating from any other mandatory component of this Redevelopment Plan. Any such deviations shall require an amendment to this Redevelopment Plan at the option of the Redevelopment Entity.
- B. Variances may be granted from provisions set forth in "Area & Bulk Standards" of this Redevelopment Plan or applicable provisions set forth in Part 4 "Zoning" of the Ordinance. Consideration of such variances shall be undertaken pursuant to N.J.S.A. 40:55D-70.c.
- C. Exceptions may be granted from provisions set forth in "Development & Design Standards" of this Redevelopment Plan or applicable provisions set forth in Part 3 "Performance Standards" of the Ordinance. Consideration of such exceptions shall be undertaken pursuant to N.J.S.A. 40:55D-51.
- D. Consideration of any request for waiver of submission requirements shall be undertaken pursuant to N.J.S.A. 40:55D-10.3.

EXCEPTION FOR BLOCK 3801, LOT 7

In the case of the existing single-family detached dwelling on Block 3801, Lot 7, the property owner or any applicant with the property owner's consent, shall not be required to submit a concept plan or enter into a Redevelopment Agreement with the Redevelopment Entity in order to make improvements to the property, so long as the property remains developed with a single-family detached dwelling or is proposed to be developed with a new single-family detached dwelling.

7.6 AMENDMENTS TO APPROVED REDEVELOPMENT PLAN

The Borough may amend, revise or modify this Redevelopment Plan from time to time in accordance with the provisions of the LRHL, as may be amended from time to time.

7.7 DURATION OF REDEVELOPMENT PLAN RESTRICTIONS

This Redevelopment Plan and any modification thereof shall be in full force and effect for a period of thirty (30) years from the date the Borough first approves this Redevelopment Plan.

7.8 CERTIFICATES OF COMPLETION

Upon completion of any project within the Project Area, the Redeveloper shall submit for a Certificate of Completion.

7.9 PROPERTY ACQUISITION

The Project Area has been designated as an “area in need of rehabilitation.” As a result, the LRHL does not authorize property acquisition by eminent domain. Therefore, no eminent domain is anticipated or enabled by this Redevelopment Plan under the LRHL. To the extent property will be acquired, all such property must be acquired by the designated Redeveloper(s) through private negotiation with the property owner(s).

Notwithstanding the above, nothing herein shall preclude any governmental entity, including the Borough, from utilizing eminent domain, in accordance with other applicable laws, to acquire any property for a public purpose.

7.10 RELOCATION OF DISPLACED RESIDENTS OR BUSINESSES

Presently, there are several residents and businesses within the Project Area, who will be permitted to remain within the Project Area for the foreseeable future and/or have been incorporated into this Redevelopment Plan. Therefore, it is anticipated that there will be no displacement of either residents or businesses requiring a Workable Relocation Assistance Plan at this time.

Notwithstanding the above, in the case where any governmental entity, including the Borough, utilizes eminent domain in accordance with other applicable laws, to acquire any property for a public purpose, then a Workable Relocation Assistance Plan may be required.

7.11 ADVERSE INFLUENCES

No use shall be permitted which will produce corrosive, toxic or noxious fumes, offensive noise, vibrations, smoke, dust, odors, heat, glare, and other objectionable influences found to be detrimental to the public health, safety or general welfare.

7.12 DISCRIMINATION BAN

No covenant, lease, conveyance, or other instrument shall be effected or executed by the Redevelopment Entity or any Redeveloper whereby land, structures, occupancy or use of any part of the Project Area upon the basis of race, creed, color, national origin/nationality, ancestry, religion, age, sex, pregnancy, gender identity or expression, affectional or sexual orientation, marital status, familial status, or disability or perceived disability. Appropriate covenants shall prohibit such restrictions and shall be included in all instruments.

7.13 SEVERABILITY

If any portion of this Redevelopment Plan, including any word, phrase, clause, section, or provision, should be judged invalid, illegal, or unconstitutional by a court of competent jurisdiction, such order shall not affect the remaining portions of this Redevelopment Plan which shall remain in full force and effect.

8 | APPENDIX

APPENDIX A: BOROUGH COUNCIL RESOLUTION NO. 2023-02

**RESOLUTION NO. 2023-02
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX**

**RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH
LRK FOR CONTINUED REDEVELOPMENT PLANNING SERVICES ON
UPPER RARITAN AVENUE**

WHEREAS, Upper (North) Raritan Avenue is one of the five corridor sub-areas studied in Highland Park's 2019 Land Use Plan Element; and

WHEREAS, the Borough of Highland Park seeks assistance with advancing the strategies identified in the 2019 Land Use Plan Element for Upper (North) Raritan Avenue through the creation of a redevelopment plan for various properties, including Block 3801 [89], Lots 2-7, 16 and 17; Block 3802 [92], Lots 2, 6 and 7; and

WHEREAS, on October 19, 2021, Borough Council passed Resolution No. 10-21-269, authorizing a professional services agreement with LRK for redevelopment planning services on Upper (North) Raritan Avenue; and

WHEREAS, the Borough of Highland Park has need for continued services of a Planner to prepare and complete a Redevelopment Plan for the above referenced properties; and

WHEREAS, such services are professional services as defined in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, LRK, Inc., is a firm of licensed planners of the State of New Jersey with extensive experience in providing these services; and

WHEREAS, funds for this purpose will be available in Account No. 3-01-20-170-233 in an amount not to exceed \$24,000.00, as reflected by the Certification of Funds by the Chief Financial Officer certification no. 2023-42.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park, County of Middlesex, as follows:

1. The Mayor and Borough Clerk are authorized and directed to execute and attest on behalf of the Borough an Agreement for professional services with LRK, Inc., 1218 Chestnut Street, 5th Floor, Philadelphia, PA 19107, a copy of which is attached to the original of this original.
2. Notice of this contract be published as required by law and that a copy of executed Agreement be placed on file in the office of the Borough Clerk.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 13th day of June, 2023.


Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera	✓			
George	✓			
Hale	✓			
Hersh	✓			
Kirn-Chohan	✓			
Postelnik	✓			

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